

Orange County Board of Education Meeting September 2, 2015 Transcript

Welcome

Hammond: Welcome everyone. The Orange County Board of Education and just for those who don't know our regular meetings are held each month, usually at 11:00 o'clock in the morning unless otherwise noted. And we're glad to see so many people here and invite people that want to address our board, really on any matter, whether or not it appears on our agenda to please fill out a "Request to Address the Board" card and those are on the back table. If you have any questions then the staff is here to help you on that. We ask that you complete the card and then turn that in so this way we know who wants to address our board. Everyone is given a maximum of 3 minutes per person per meeting and you cannot give your time to somebody else and we can't allow you to extend your time. We would just ask then just remind people that this is a public meeting. And just be respectful of each other and kind of like my 5th graders were. And we just remind people that if anyone is deemed disruptive they can be asked to leave. And our agendas are posted online and so with that, Dr. Bedell.

Bedell: Yes, thank you Mr. Chairman. Eight days ago I had the pleasure of having my gall bladder out and this is the longest I've driven today since that happened. The good news is, it was uneventful. The bad news is I am more grumpy than usual. So, at least this time I have an excuse. Normally I don't. If I get up periodically to get more comfortable, (inaudible) if you will. It's not because I'm disrespecting any comment that may be going on or any presentation. It just helps me to be mobile. I just wanted to, thank you Mr. Chairman.

David Boyd: Lyndon Johnson showed everybody his scar. Do you want to do that?

Bedell: Well.

Hammond: And Trustee Boyd, how are you doing? I know you had...

David Boyd: I'm fine.

Call to Order

Hammond: Well, with that I will go ahead and say for the benefit of the record this regular meeting of the Orange County Board of Education is called to order. And with that we have an invocation. Pastor Chris McCall. Would you please lead us in our invocation sir.

Invocation

The invocation was led by Pastor Chris McCall.

Pledge of Allegiance

The Pledge of Allegiance was led by Lauri E. Martin, Principal at Charter Vista School.

Hammond: Thank you madam principal and I hope that all is well at Vista Charter. Miss Penny, Roll Call please.

Roll Call

Dunseth: Trustee Boyd?

David Boyd: Here

Dunseth: Trustee Lindholm?

Lindholm: Here

Dunseth: Trustee Hammond?

Hammond: Present

Dunseth: Trustee Bedell?

Bedell: Here

Dunseth: Trustee Williams

Williams: Present

Introductions

Hammond: Miss Nina, any introductions at this time?

Nina Boyd: No we have not introductions.

Agenda

Hammond: Alright. I do need to point out to my fellow colleagues here that we'll need to add to the agenda but we're going to have a closed session on item 6 with the time certain. That's the inter-district appeal hearing. Apparently the family now wants a closed session. So, when we move on the agenda we'll need that to be considered. And at this time looking at the agenda, the chair seeks a motion in regards to the agenda.

Williams: So moved.

David Boyd: I'll second.

Hammond: Is there any.

David Boyd: I have a question. Do we have any charter submissions today?

Hammond: Yes, we do. So, do we need to, parliamentary wise, do we need to in that motion move to have a closed session? For the agenda? Because it was not part of the motion.

Nina Boyd: It just needs to be acknowledged that because of by law the family retains the right to have a closed session. So as long as the agenda is amended, that's part of the motion. That's all you need to do.

Hammond: Would the board be willing to accept a friendly amendment then to the motion that the agenda be so noted that the parents would like a closed session.

Williams: I also move that we amend the agenda to reflect a closed session with the inter-district appeal.

Hammond: Alright. It's been moved and seconded by Trustee Boyd. Is there any other talk on the agenda? No? Seeing none, all in favor of accepting the agenda as moved and modified signify by saying, AYE. AYE. Any opposed? Abstain? Motion passes 5-0.

Minutes

Hammond: Chair seeks a motion on the minutes from the August 20th meeting.

David Boyd: I'll move, may be adopted.

Hammond: Thank you Mr. Boyd.

Williams: Second.

Hammond: Seconded by Dr. Williams. Any discussion on the minutes?

Lindholm: Question.

Hammond: Madam Vice President.

Lindholm: On item #4 public hearing where you adopt resolution 1815, was there a vote or that was just with the public hearing that was just closed? Page 4, top of the page where it says there being no input from the audience the meeting was closed at 4:12. Was there any vote or did that just receive and file?

Hendricks: This was just the public hearing. You took action in #3, Instructional Materials. The action was in #3. The public hearing was just no comments.

Lindholm: Ok, so there was no vote. Ok. Thank you. I'm good then.

Hammond: Dr. Bedell, anything?

Bedell: Nothing, thank you Mr. Chairman.

Hammond: Alright, Mr. Boyd, anything?

David Boyd: Nope.

Hammond: Dr. Williams?

Williams: No.

Hammond: Alright. Move and seconded to accept the minutes. All in favor? AYE. Abstain. Motion passes 5-0. Time Certain.

Time Certain/Charter School Submission

Hammond: Turn it over to you, Miss Kelli for our charter submission.

Gaughran: Good morning President Hammond, members of the board and Superintendent Mijares. I shall now open the portion of the meeting for the submission of charter school submissions. This process provides a time certain opportunity for petitioners to make comments when they submit their charter school petition and begins the process for review and consideration by the board under the charter schools act. Each petitioner will be given 3 minutes to formally introduce their charter school petition. Petitioners, please be aware that board members may ask questions following each presentation. I now call Ms. Retired Senator Gloria Romero and Jason Watts for Scholarship Prep to the podium.

Gloria Romero: Good morning Superintendent, members of the board. I am former Senator Gloria Romero and joining me of course is Jason Watts. You know that I long worked to reform schools. I finally decided I'm going to go ahead and want to create my own school with the vision that I think really approximates the level of scholarship and academic excellence, service to students, partnership with parents, that I would envision for us in California. So in accordance with your own requirements and provisions, we very proudly today present our petition to you for your consideration. Scholarship Prep of course, the charter school we hope to begin next fall with your approval. We know that one of the most vexing problems in education in California is how to adequately serve foster students in California. And some years ago this board I think did a very innovative thing when you granted the charter petition to the Academy. A county-wide benefits focus on specifically on foster youth in Orange County. It is a high school. Today we come to you to actually ask you, in partnership with the Academy and the Orangewood Children's Foundation to complete that pipe-line that you began so many years ago. Scholarship Prep, our idea for a county-wide benefit school will complete what you started many years ago with the Academy by today focusing on serving the needs and educating K-8 students in a way that they can be prepared to transition into the Academy as we see it today. I want to thank the Academy, the Orangewood Children's Foundation for also having partnered with us, consulting with us. I want to thank your staff for giving us ideas as we proceeded. I wanna thank the California Charter Schools Association as well with whom we very closely consulted in

designing this. Our name speaks to what we want to strive for. Scholarship Prep. That is the goal that we want for all students with a higher priority on serving foster kids in California. Now let me turn it over to Jason Watts who will finish the 3 minutes we have allocated to us.

Jason Watts: Well there's not much more to say. I think she did a phenomenal job there. So my name is Jason Watts. I'm the co-founder of Scholarship Prep. And again to echo what Senator Romero said our mission is a partnership with the Academy and the Orangewood Foundation and we're very grateful for the time they've already spent with us. We've been very fortunate to not only visit the Academy and talk to their students, their foster youth students, and is a very unique experience to hear from them directly what it is they would wanna see in their own Transitional K-8th grade school. And so our goal is to work with the Academy and Orangewood. To close that continuum so to speak. To ensure this high quality of educational services and support to K-12. So thank you very much for your time and we are looking forward to working with the staff through the process. Thank you both very much.

Hammond: Alright. Penny are there any other cards that have been turned in?

Dunseth: Linda has them.

EPIC Charter School

Gaughran: Ok, I would like to now call Mr. Ben Harris for EPIC Charter School to the podium.

Harris: Thank you. Thanks for having me today. My name is Ben Harris. I'm the co-founder of EPIC Charter School. We're submitting our appeal packet to the board today. We were denied by Anaheim City Unified. A little bit about our school. We're a very unique school. We're a blended learning that combines face to face instruction with online computer based instruction. We do this by hiring teachers that are proximal to our students. And then our teachers meet with their families periodically either publically or in the family's home, in addition to working with them regularly online and through the computer. Our mission is pretty simple it's to individualize learning in a way that helps each student realize their individual potential. That's really what we're about. We do an individual learning plan for every student that enrolls with us and then we try to customize an approach that best works for that student. Our school offers extensive parental choice. Not only with the fact of choosing to actually attend our school as a parental choice but we also offer choices to families with regard to the curriculum the students use. The teacher that teaches their student. The instructional technology that they use everyday to access their courses. We believe that the more parental choice that we offer in our model and more invested in the process. The populations that our school has attracted are pretty diverse. We have found this is based off of a model that's already working and in its 5th year of operation in the state of Oklahoma. This year that model will serve about 5,600 students. And what we found actually recently that was a bit surprising is about 20% of our students go to our school because they didn't feel safe in their prior public school. By our research and experience when you look at the population of Orange County and comparison to the geographic area we

serve in Oklahoma, we would estimate there's probably at least a thousand students in this county who have this same feels now. And we've been able to create an environment where they're worried about learning and student achievement as opposed to worried about their safety or whether they're going to be bullied that day. We also, the rest of our population is made up of kind of clusters of niches we have families who have exceptional talents whether that be athletic or artistic and they want a more flexible schedule that our school can accommodate that is different than the traditional schedule. We have families that simply attend school at home. Sometimes for religious reasons, sometimes for political reasons. And we have students who are special education students that have felt underserved by the traditional model and felt like they've never been a fit and they come to us because we're different and we're new and they want a more individualized approach. We also have kids that are looking for a second chance. Kids that maybe have dropped out of the system and realized that wasn't a good choice and are trying to come back, earn their diploma, and learn what they need to learn to progress in life. I mentioned earlier this model has been executed successfully but I also want to emphasize that this school is completely independent of the school that operates on this model in Oklahoma. We have a volunteer board made up of Orange County residents. I actually want to acknowledge our board chair who is here today, Mr. Troy Medley. Troy's a resident of Orange County and he'll be speaking at our public hearing and he's also the CEO of a local healthcare company and the father of 2 special needs children in Orange County. He's passionate about helping us provide more choices to Orange County residents. Thank you for the opportunity.

Hammond: Thank you sir.

Gaughran: So that concludes the charter submission of the meeting and I now turn the meeting back over to you President Hammond.

Hammond: Thank you so much for what you and your staff do. I really appreciate that. They do a great job. Penny, do we have any other cards that got turned in?

Dunseth: I do not have any others. You and Linda have the only ones that I got.

Lindholm: Are these on Einstein? No.

Nina Boyd: There are no more. Do you have any for the Charter Prep submission that they gave you Kelli? Did you get any for that? Ok. No we don't have any more.

Lindholm: So we don't have any for this. Ok.

(Soft voices)

Nina Boyd: Point of protocol. In our submissions for the charters there's not an allocated public comments period. The public comments period would be open for all of them unless it's related to the charters that are doing presentations

Williams: So they go under public comments.

Lindholm: So both of these go under public comments. I just want to make sure that we're correct. Alright, so we have none on the two that were submitted.

Hammond: Then unfortunately I'm gonna have to go on now with the meeting.

Nina Boyd: Linda, let me clarify.

Lindholm: Yes.

Nina Boyd: You have 2 that were submitted that wanna speak to the submissions but they come under in your board procedure they would just be during the regular public comments. We only do a time certain for the submission, not for public comments related to the submission. That's not outlined separately.

Lindholm: Ok. Are these public comments or they are actually allowed 15 minutes during a submission if they want it.

(soft voices)

Hammond: Say, you know what, I'm gonna...

Lindholm: These are just public comments and they're not by the schools then they're public comments.

Nina Boyd: Because they've been over there I haven't seen the 2 but my understanding is there are 2 public comments from members of the audience to speak to the 2 charter submissions that you just received. You have to determine where you're gonna receive those public comments. But what we've been doing is those public comments have come when you've opened public comments before board business.

Hammond: So I'm gonna, I'm gonna...

Lindholm: Because they're allowed 15 minutes each.

Williams: Mr. President.

Hammond: Yes.

Williams: May I make an observation on our meeting here?

Hammond: Please.

Williams: There appears to be a whole entire aspect to our meeting that was inadvertently put in here. I think it was an oversight. And that is an actual public comment portion to our meeting.

Normally we have that before the consent calendar. We have a little bit of awkwardness here to the meeting. Do we want to just put that in there because it is required? Ron perhaps?

Nina Boyd: They moved it to the after welcome.

Hammond: What I'm gonna do is I'm gonna get these public comments in before we conduct our business and so we have a couple of people right now.

Williams: Ok.

Hammond: And for next months' meeting I'm gonna make sure that what you're referring to is specifically allocated. Maybe you could help me with that Dr. Bedell.

Williams: So this is new you want to do it now.

Public Comments

Hammond: Yah. There's a couple I'd like to take now. Speaking of Vista Charter, Madam Principal. I think did you have anything you wanted to share with us? You know what? Did you fill a card out by any chance? No.

David Boyd: You don't need to fill out a card.

Lindholm: She can talk and then she can fill it out afterwards.

Hammond: Tell us how the first day went.

Dunseth: Mr. President?

Hammond: Yes Penny.

Dunseth: How long do you want this time to go?

Lindholm: 3 minutes.

Hammond: Do you want all 3 minutes?

Lauri E. Martin: I'll probably take less than 3 minutes. So Vista Heritage opened its doors for its grand opening last Friday and it was an amazing grand opening ceremony with many parents who attended and students in their uniforms eager to start school. Students started school this Monday and we are excited to give them an opportunity in Santa Ana to start new. Out of our enrollment of 180 students, almost 100% showed on the first day. It was exciting because we are going on 3 days of field trip due to construction timelines and we are excited the fact that all of our students are excited and very participatory in all 3 field trips and they have all been academic based. On the first day we went to a ranch that is actually owned by one of our teacher's families and the students bonded and set goals and set academic priorities and their

individualized learning plans in small groups. And they did it in a secluded area. They went on a nature hike. They talked about how they're going to succeed on their goals and they created their family bonds inside of their academic advisory periods. Yesterday I was excited to join them for the California Science Center where they did a lot of hands-on activities and then got a one on one tour through USC Campus. Today they are at Cal State Long Beach and the Long Beach Art Museums; setting goals again about their future goals towards college. I'm excited about the things that Vista Heritage is doing. I myself have a Special Ed background. I have a Special Education student at home who is my daughter. I also have worked with probation in LA County and I am happy to talk about our full inclusive model. I currently have 7 full SDC children, 6th and 7th grade, who are fully integrated in a joint ed classroom with a support person every day. I have 6 students from the probationary model who are getting second chances into our students. Every student no matter their academic level gets an ed tech elective and their advisement period which is much longer, it's about 65-70 minutes, they get a half hour of specified intervention as well as academic advisory support. My parents have been more than appreciative of the second chance and this opportunity. And I as an educator am very ecstatic about the work that we're doing and the stereotypes that we are breaking for charters. 6 out of the 7 teachers that I have opening the school with me have a background in Special Education and are very eager to help all the students no matter their walk of life here at Vista Heritage. I myself am very excited about the things that Vista Heritage is doing.

Hammond: Madam Principal, thank you for that update. Alright. Next, Miss Beth Marshall.

Beth Marshall: Miss Marshall, welcome.

Beth Marshall: Thank you and welcome to all of you. My name is Beth Marshall. I am a counselor in the Anaheim Union High School District and I am specifically a counselor at Anaheim High School. And I work at a school that mostly serves low income students that are the majority qualify for free or reduced lunch, something like 85%. It's a school with 3,200 students. We have in our district the largest number of students that would be McKinney-Vento English language learners. The students that are, like I said, qualify for free or reduced lunch services. I'm here today because of continued frustration with our school sites and our school district. I've been a counselor since 2002. I've been in the Anaheim District since 2006. We, in the past, had summer school opportunities for our students. We had summer school that was offered at our high school, seat-based summer school. And it was offered through our district and when they had the budget crisis, I guess it was 2009, 2010 we no longer offered summer school. So in our district you can imagine with the type of students that we have and the need that we have, how this could affect students' graduation, their goals for college and have the opportunity for remediation. In place of the summer school that was offered our students have to go to ACCESS which is a county program that's a part of the Orange County Department of Ed. Those classes are not A-G so a student that may have gotten a D in an English class the opportunity is not there to make up that D for credit recovery, to get back on track for A-G. We have ACCESS is funded by Orange County Department of Ed. It's not funded through our

district. The other option they give us is Pacific Coast High School and they give each school equitably in our district and we have several schools, 100 spots. And like I said, we have 3,200 students. Pacific Coast High School does count as A-G but with only 100 spots for our students and with 6 counselors we have at our school we have to divide up the number of spots that we get and each get about 10 referrals that we're allowed to send our students to Pacific Coast High School. With, and so, because of the limited opportunity we have to save it for the students senior year, or their junior year going into their senior year. And so our students are falling very far behind in credits. They are at serious risk for graduation. Their senior year when they have. I'm requesting a formal investigation into where the monies are being spent with the Prop 30 and services. What services are being given to our students as a result of the Prop 30 monies that are coming in? I have already sought investigation from the district, formal investigation and not received answers. So that is why I am here today.

Hammond: Thank you very much. Ok, we're going to take 1 more and then we're going to go into our special presentations. Will Kimberly Lyons...and good morning.

Kimberly Lyons: Good morning President Hammond, board members, Superintendent Mijares. As the President of the Orange County Educational Arts Academy I wanted to address you today in regards to comments that were made at your meeting on August 20th regarding our charter school. While I know as do you that the county has no official oversight over the school because the charter was issued by Santa Ana Unified, complaining parents did come to the board meeting and the county has met with the families. We also have met with the parents repeatedly. We have responded in writing and verbally to their concerns and members of our board and administration have met with them individually and in small groups on several occasions over the past 2 years. In response to their specific allegations at your last meeting and so that you know, we do not charge parents any amount of money to register their child. We have never required parents to pay any amount of money to keep their child enrolled in the child and we have never dismissed from the school because they have not given money or time to it. We do ask for donations of both money and time. Those who can give do and those who can't don't. We do ask for classroom donations like Kleenex and paper and markers and pencils as does every school I have either attended or worked at. I, my brother, my father are all teachers. My mother until her retirement 5 years ago was a superintendent in California. The parents alleged that we are in violation of the Williams Act. I can assure you that we are not. Ironically, in 2004 when the Williams case was settled I was working on my doctorate at UCLA's Institute for Education Democracy and Access which in fact wrote many briefs in support of the plaintiffs. President Hammond came to visit our school at the request of the parents. He was at the school at a couple occasions and met with myself, our principal, and our director of operations. I believe we addressed his concerns and I provided with supporting documentations in a follow-up email. Similarly we met with board member Cecilia Iglesias from Santa Ana Unified. 3 weeks before our charter was to be renewed, the parents submitted a letter of complaint to Santa Ana Unified. You have copies of the letter and our immediate response to it along with supporting

documentation. Santa Ana granted us a conditional renewal which some legal counsel consider beyond the scope of charter statutes and asked us to again meet with the parents to satisfy their concerns and present documentation of such to them in order to obtain our charter renewal. At considerable time and considerable expense over the past 3 months we have done so and are continuing to do so. I will say that I have come to understand for the most part that these parents are frustrated not with our school specifically but with public education in general. We are all here because we genuinely believe in helping in all children and we believe in giving voice to parents and voicing their concerns even when we don't like what their voices are saying. I appreciate that you all have taken the time to listen to them and to listen to me. Thank you.

Hammond: Thank you very much. Alright, moving on with the agenda we will, let's see, do we have any?

Bedell: Will you help me? The way this statement reads...

Hammond: Yes sir, on page 1?

Bedell: Your public... I thought that was the way you're doing it now, every single public comments comment we're going to have today is going to be right now. Because there's no place...it says, comments will be heard prior to the board business and we've done that, right? And 15 minutes will be heard prior to adjournment. Can you help me with the agenda? I guess I'm just trying to get the flow of this now.

Hammond: We have just a few more cards but their asking for specifically to speak before a couple of items so I was just gonna allow those public comments to speak before we get to each of those items. I know what it says here and I'm thinking I'd like your help; we can clean this up before the meeting.

David Boyd: But going forward can we clarify that a little?

Hammond: That's what we're going to work on. So. Alright.

Lindholm: Those will be later. We'll I think if you just ask if anybody else had anything on submissions.

Hammond: No one else has anything on submissions. The rest is Common Core.

Lindholm: Ok. Then I think we owe it to our presenters.

David Boyd: Thank you very much.

Hammond: Ok, alright. We're going to go ahead and take about a 2 minute recess while Mr. Boyd gets ready for his presentation. Is there anything else that you need Mr. Boyd.

David Boyd: I hope not.

Lindholm: Do you want to explain to the audience?

Hammond: By 2 of us, Dr. Williams and myself, and we will now turn it over to him.

David Boyd: If technology corporates I'll be through in about 35 minutes or so. So..

David Boyd: So, why am I up here? I've been asking myself that question for the last 5 or 6 weeks and what started out to be what would have been maybe 5 minutes of comments has turned into what's likely to be 35 minutes of presentation. If you're not interested in Common Core, you might wanna just go ahead and stretch your legs because that's all we're going to be talking about for the next few minutes. It's well known that Trustee Hammond and Trustee Williams and I have disagreed on a number of areas with respect to the Common Core and eh that's fine, I never came on this board expecting everybody would agree with everything I propose. What caused me to put together this presentation was not only the paper itself but how the paper was presented. Eh, the paper was presented in a meeting I believe in early May, at the very end of the meeting without the opportunity for the board to really critique it. I wanted to ask questions at the end of that meeting, was denied the opportunity to do so, and I would have let it go at that but for the fact on May 19th and 27th I attended 2 educational meetings for the near majority of all the elected trustees in Orange County attended. Without even mentioning Common Core, I was approached from trustees from at 3 districts who were upset quote took this action, even though the board took no action whatsoever. Uh, this pattern continued; people I don't even know have come to me and said what are you folks doing? Now, I have no reason to believe that it was intended to be presented that way but realistically that's what the community believes. So I'm gonna go through the paper. Um, the paper I'm gonna go through has been modified to include additional information. I'm not gonna go into that. I've already spent about 30 hours in this presentation so what you're gonna get are comments on the original paper which I think is still 99% correct. Ok, let's go to the next slide.

Voice from Slide: Hi, my name is Christian and I'm 13 years old. Greetings Trustees and Superintendent Mijares. I began with a quote from Samuel Blumenfeld. It is easier to believe a credible lie than an incredible truth.

David Boyd: The young man wants the truth. He appeared before us eh a couple of times. I think originally about 5-6 months ago and then oh maybe a couple of months ago. But what I'm gonna talk about is the truth. Eh what I'm gonna say you can believe or not believe but I'm gonna give you documentation for everything I say. Throughout the presentation I'm going to refer to some of the opponents of Common Core in a very negative way. The key words are some of you, not all of you. I know that there are certainly many people out there, many good people who are opposed to Common Core and that's fine. So I'm using the words in a very broad sense so when I say this it does not necessarily mean someone in the room but sometimes it does. I don't intend to name names. I'm not going to point fingers at any body. At the end of the day you can go home and look in the mirror and determine for yourself where you stand. Go

to the next slide. Ok, 1 more. Ok, the Hammonds/Williams paper contains 25 quote authoritative references. 19 of the references are to internet sites. 12 of the 19 links were broken at the time I originally reviewed the paper and they were still broken 6 weeks later. Things like web page cannot be found, page not found 404, sorry the page you're looking for is not available. Throughout the presentation I'm sometimes gonna use the terms citations or sources or references. They all mean the same. I mean attorneys usually use citations but if I use citation it means references. Now, as I said, 76% of the citations are on internet sites. 48% of all references could not be verified because the links are broken. A number of people told me I could end the presentation right there because you cannot have an authoritative white paper when nearly 50% of the sources are unverifiable. Um, we've got eh 1 reference to advance placement test and advance placement tests don't relate to Common Core at all. Four references referred to testimony at the Orange County Board of Education public hearings eh, no page numbers are provided for any of these 4 references for our hearings. This is in spite of the fact that we paid thousands of dollars for a court reporter to be hear so Dr. Williams can say when I write my white paper I wanna be able to say you go to page 6 line 17 and that's going to be the source. Well, that's simply not there. Ok, let's go to slide 5. Misstatement #1, and I'm not going to read the whole thing but eh you can if you wish. But the basics are saying that the public hearings revealed that Common Core is not internationally benchmarked. Well respected educators so on and so on, including Dr. James Milgram. Next slide. So what did he actually say? Based on the official transcript of these hearings, on November 17th, question from Trustee Hammond. Are these Common Core State Standards internationally benchmarked? Response, James Milgram; yes, if you understand the benchmark in the formal sense. Well, the formal sense is the only way we can consider it. Yes. It's perfectly clear. And I'm gonna give you the reference that Dr. Williams didn't. If you go to page 101, lines 9-12. In a few minutes we'll talk about the definition of what benchmarking really means and I think that's confusing to a lot of folks. Let's go to the next slide please. What I've given you is information taken directly from the website of the Common Core Standards people word for word and I'm gonna give you situation in a few minutes. As you can read the standards were compared with numerous countries, including Ireland, New Zealand, Australia, Canada, Singapore, the United Kingdom and more. They then go on to comment on how they compare and how they differ. Next slide. They compare in some ways, differ in some ways. I mean, we're not, I don't think the goal was ever to come up with a standard that exactly matched Canada, or United Kingdom or what have you. But these experts down and they looked at it and they drew conclusions and you can go to the website yourself directly on the website, you don't have to take my word for it and you can read exactly how that was done. Sources are at the bottom. The links are at the bottom. If eh, clearly don't have time to write them down now but I'll be happy to give them to you in another form later. Ok, next. The often sited section of the California Education Code, this is the famous section 60605-8 that Mr. Hammond and Dr. Williams wanted us to rely upon in refusing the LCAP and the budget back at the June meeting. And here's what it says. The first part is merely procedural. The important part is section D. The commission shall develop academic content standards in

language arts and mathematics. The standards shall be internationally benchmarked and build towards College and Career Readiness at the time of high school graduation. Well, we've already demonstrated how the standards were benchmarked but let's eh go to the next slide. We're they legally implemented here in California? Cause it's one thing for the Common Core folks to benchmark it through their process but what happened in California? Well 2 relevant things happened in California. On July 15 of 2010 the commission recommended adoption of the standards here in California. That's the California Content Academics Standards Commission which was appointed from what I understand just for this purpose. On August 2, 2010, the recommendation was adopted by the California Board of Education. It seems pretty clear to me as Yogi Barra used to say, you can look it up. It's in the code; it's online in any number of different sources. I just don't understand what the issue is with respect to benchmarking. And maybe it goes to the definition and we'll get to that in just a moment. In fact, let's eh, let's go to the next slide. After reviewing what I said, I really don't know how anybody can really believe that Common Core Standards are not benchmarked as required by law. You might not like the end result but eh that's not the purpose of benchmarking. Alright, let's go to the meaning of benchmarking. And this is where I think a lot of people get confused. The term benchmarked is not defined in California Education Code but as any attorney law student knows in absence of a definition the courts will look to the common usage. Two commonly accepted definitions follow: something that can be used to judge the quality or a level of other similar things, a standard of excellence, achievement against which similar things must be measured. Note that benchmarking does not require a particular result. Benchmarking is the process. It's only a process in comparison. The standard is built toward College and Career Readiness by the time of high school graduation. As long as the comparison is made and it's indisputable that the comparison was made it's satisfied the code section. It's as simple as that. Ok, let's go to the next one. Support of the members of the validation committee, big issue was raised because 5 of the 29 members on the validation committee did not sign off on the final document. Well, ok. Um, that's true. But that means that everybody else did sign off on it. And if you've got 83% of ego driven experts to agree on anything, I think that's any exception result. I would be more concerned, quite frankly, if nobody objected. I would feel that the staff must have been (deaf or dead.) The staff must have been (deaf or dead) the deck must have been stacked. If that didn't happen, no. Oh, ok. There were 5 experts that in their professional judgment didn't agree and I think that's fine. Alright, let's go to the next one.

Slide presentation:

Man's Voice: Where'd you hear that?

Girl's Voice: The internet.

Man's Voice: And you believed it?

Girl's Voice: Yeah, they can't put anything on the internet that isn't true.

Man's Voice: Where'd you hear that?

Girl and Man's Voices: The internet.

Girl's Voice: Oh look. Here comes my date. I met him on the internet. He's a French model.

French Model: Eh, bonjour.

David Boyd: Alright. It's a humus commercial that I always enjoy. It was included to make a point that as we already know the great majority of references on the internet in this paper go to internet sources. And internet sources clearly can be right. I've just given you a bunch of sites to go to. But, your research is only as good as your sources. We'll spend a lot of time on a source in a few minutes. Next. Ok, I'm gonna comment in detail on one citation in the Williams/Hammond paper. It was one of the links I could get to. It's a You-tube video called Common Core minute which we'll play in a few moments. The reference appeared at 3 different places in the paper so over 10% of the citations in this paper go to this particular video. After it I'll comment on the following allegations eh, Bill Gates, David Coleman, Jose Ferreira, Melissa Harris Perry, Arne Duncan, and Mary Calamia. She's the woman at the very end that you'll see testifying. So, if we could go.

Slide/Video Presentation

Man's Voice: This are 45 states that have voluntarily come together to create fewer, higher, deeper standards.

Man's Voice: An identifying Common Standards is just the starting point. We'll only know if this effort has succeeded when the curriculum and tests are aligned to these standards. Secretary Arne Duncan recently announced that \$350 million of the stimulus package will be used to (inaudible) just these kinds of tests. Next generation assessments align to the Common Core. When the tests are aligned to the Common Standards, the curriculum will line up as well. A powerful market of people providing services for better teaching. For the first time there'll be a large uniform base of customers

Man's Voice: and they wonder, they might wonder whether we had a legion of talented lobbyists or friends in the right places. Think of a napkin. Think of a few people in a room with an idea.

Man's Voice: We are going to transform our data systems. They are designed not just to hold data but to transform data into a forcipe.

Man's Voice: Well, education happens to be today the world's most data mineable industry by far and it's not even close. 5-10 million actionable data per student per day.

Man's Voice: And we do that because

Man's Voice: Unlock an incredible amount of trapped hidden data. To tag every single sentence of their content so the publishers, we have a large publishing partnership with Pearson...

Woman's Voice: We haven't had a very collective notion of these are our children so part of it is we have to break through our kind of private idea that kids belong to their parents or kids belong to their families and recognize that kids belong to whole communities.

Man's Voice: And start with a day first. I think our schools should be open 12-13-14 hours with (inaudible) health care clinics. And I'll go to 6-7 days a week. Not just Monday through Friday.

I think the 21st Century School has to look like; this needs to be the norm, not the exception. Time matters tremendously and all of our families need our doors open longer. Our children have to be fed. We fed 10's of millions of meals a year to students. We did breakfast, lunch and dinner.

Man's Voice: This is a battle for social justice.

Woman's Voice: In the fall of 2012 my phone started ringing. I started getting inordinate number of referrals of students self-mutilating. They were cutting themselves with sharp objects. My phone never stopped and all they kept saying we can't take the pressure. (Inaudible) started getting a lot of elementary school students referred to me and that school was too hard. They were throwing tantrums, begging to stay home and upset to the point of vomiting. I was hearing from parents about kids bringing home homework they couldn't help them with.

David Boyd: It is a nice soundtrack. Ok. Let's go to the next one. Ok. The Bill Gates' quote. Eh, what Williams/Hammond wrote: Bill Gates himself has made public comments revealing further his intentions that schools be a base of customers for for-profit businesses. And that quote goes back specifically to the video that you just looked at as will the next few. So let's move on to the next one and see what Mr. Gates really said.

Recording of Bill Gates Message: For the first time they'll be a large uniformed base of customers looking at using products that can help every kid learn and every teacher get better. Imagine having the people who created great online video games applying their intelligence to online tools that pull kids in and make algebra and other subject's fun.

David Boyd: Ok, next slide. I didn't hear anything about for-profit businesses in that did you? I mean I went back to the original source, not the edited version you saw in the Common Core minute. Now, it took me about 5 minutes to find this but it's I guess the actual speech, well I can't speculated on why the actual speech wasn't used. But, anybody who's been to a California State Board of Accountancy or Board of Education meeting, school board meeting, or national meeting in the past 10 years should know that there are many talented individuals working for non-profit organizations. Heard of the Khan Academy? How many people have heard of the Khan Academy? Well it's something that's really pretty cool and it's a non-profit. So, and you

can say well you know, isn't this kind of trivial to pick up on this point? And it is in a way but I included it to make a point. That there is so much information on the web about Common Core that after a while people just assume it's true. And I assume that Dr. Williams felt this was true when he wrote it. I have no reason to believe otherwise, but it goes back to what the young man was saying at the beginning. You repeat it, you repeat it, you repeat it and sooner or later most people are going to believe it's true whether it has any factual basis or not. I will make you a wager Dr. Williams for charity. If you can find any credible source that ties Bill Gates' comments to any for-profit enterprise I will donate a thousand dollars to the non-profit organization of your choice. And if you can find it, if you can't find it, then I would ask you that you donate to my charity, Children of the Night. By a credible source I mean, the LA Times, the Christian Science Monitor, the Wall Street Journal. If Gates actually said such a thing it should be very easy to find. I hope you'll consider this over in the next few minutes in your rebuttal. Gimme an answer. Let's go to the next slide.

Slide:

Voice: And they wonder, they might wonder whether we had a legion of talented lobbyists or friends in the right places. Tom, who knows me well, knows how pathetic the beginnings of the Common Core Standard movement were. Think of a napkin. Think of a few people in a room with an idea.

David Boyd: Ok, again, going to the full speech. What was in the Common Core minute was tracked that he said there were no lobbyists. Would you rather there be lobbyists? Would you be more comfortable if lobbyists had been there? And the napkin thing. I'm not sure what the emphasis was there but Apple Computer was started in Steve Job's garage. Richard Branson outlines his business plan for Virgin Atlantic Airways on a barf bag on a delayed British Airways flight. I think it's perfectly acceptable that small people get together and it expands into what we have today. I've often wondered why the fixation on David Coleman throughout this whole process. Um, as the quote architect of Common Core, he didn't do this alone. There are a lot of other people involved in this process. I can't even name the architect of No Child Left Behind. Can anybody here name the architect of No Child Left Behind? Ok, well ok. So two out of the room. Why the fixation on Coleman? About a month ago, two months ago now I guess, I received an email and this is gonna get a little dark and I'm not going to apologize for it because it is what the real world is. And the title of the email, and I'm quoting word for word, Stop the Jewish Takeover of Public Education. And of course they talked about Common Core. So I read it. And I said, well...it's just one person out there or is there a substantial number of the Common Core folks out there who are concerned about a Jewish takeover of public education. Well, unfortunately there is. And do not take my word for it. You can Google David Coleman, Jew Common Core and you can read it for yourself. On just the first few pages, 2 or 3 pages, is the most I could take, stories. The insane Jews that created Common Core. The man behind, separate story, the man behind Common Core is a Jew named David Coleman. Our future communist party's members consisting of mostly of Jews like David Coleman as the Soviet

Union model shell the world will be the ruling class. Third article, with education in the hands of Jews like David Coleman, Christian education will be totally indoctrinated to their agenda for the nation. I stopped reading after the second page. And again this is another point I, time I want to emphasize. I'm not referring to all of you. I mean there are people out there who have legitimate concerns with respect to Common Core but these folks are some of the more vocal objectors to Common Core. If, let's go on. Ok, we can cover that. Ok, Jose Ferreira I believe it is. Chief Executive Officer of something Knewton. I'd never heard either of this gentleman or the company. But I looked it up and it's a relatively small organization of less than 200 employees. He's never held any position in any administration or government agency that I can determine. There's no evidence he's even a supporter of Common Core. But let's talk about data mining. Because a lot of people are concerned about data mining. Today data mining is part of the business world, the medical world. Almost every industry relies on data. Data itself, the gathering of data itself is not a evil; how it's used can be evil and that's clear. But in my business life in private post-secondary education every student who completes one of our courses it asked to complete a course evaluation form. Again, this is data. And we use it to try to constantly improve our courses. Now the point I really want to make of course is that the Common Core Standards require no data mining whatsoever. Zero. They are completely silent on data mining. And again, you can look it up. There's even eh a section they have on their website called myths. There is no data required under Common Core. And should you be concerned with data mining? Yes, you should! And we all should. But don't call the Common Core because it's not Common Core. Something that, because it's an easy political talking point I guess, everything that's objectable in education today is thrown under the Common Core umbrella. And that's one of the things I want you to take away from this room today, data is not part of Common Core. Every state has their own rules with respect to what data is accumulated. I'm sure the Federal Government has their fingers in it too. And if you want to object to that, fine, I'm concerned too where this might lead. But please, don't call it Common Core. Alright. Let's go to the next one. Melissa Harris Perry. Well, you may recall; she was the African American woman that was included in the Common Core minute. You might also note that she never mentioned Common Core in that little clip. Well who is she? Eh, she's an American writer, professor, MSNBC Television Host, political commenter with a focus on African American politics. Best I can tell she's never held a position in any administration or government agency. Again her comments included in the video have nothing to do with Common Core. Now what's interesting I did quite a bit of research on this and I did find what her beliefs on Common Core really are. And you might be surprised that she's closer to you than you really might think. In October 2013, she held a town hall with a few hundred students and one of the individuals she interviewed was David Coleman and I'm gonna pull a couple of quotes off of the transcript. This is Miss Perry speaking; I see students rolling their eyes after College Board President who was deeply involved in the writing of the standards promoted their value to several hundred students. She concluded by saying, there's controversy and I hope that we've learned a little something today but also that our students do feel they need to be silenced

around Common Core. Common Core is the thing that you absolutely be questioning and taking a supporting or not based on what you think is right for your education. So it seems to me, I mean, if you're gonna use a quote, I mean you should have used that one. But why was she included in the first place? Well I asked a number of people and the conclusion was, well, she's liberal, she's black, she's a public figure and she speaks her mind. The only conclusion the people I spoke with is it's to appeal to the racist element that is opposing Common Core. Now if I'm wrong, you tell me during public comments why she was included in that. Some of you in the room in the production so tell me tell me why I'm wrong. Ok. Let's go. Arnie Duncan. Arnie Duncan is not my favorite guy.

Hammond: Um excuse me for just a moment Mr. Trustee Boyd. I'm sorry, we'll (inaudible) your time. Members of the audience I would appreciate if you keep your comments to yourself during this presentation during this presentation. Thank you.

David Boyd: Well as long as they don't throw anything I'll be fine.

Hammond: Well if it's fresh fruits and vegetables I'll get my daughter she'll want em.

David Boyd: Ok, Arne Duncan guy. I'm in private post-secondary education. The Federal Government has extended their tentacles into every part of my business as well. With that being said, he didn't say anything in this clip about Common Core. Nothing at all. Talked about schools opening 13-14 hours. Well, aren't more and more parents forced to have non-traditional work schedules? I mean wouldn't you like as much flexibility in your kid's education as possible? Now realistically is 13-14 hours practical? No. I mean, I don't see how they could possibly do that. No, yeah they attach health care clinics. Children have to be fed. Now, since when, it's an organization like Faithful Christian Servants objecting to be fed? Hungry children need to be fed. Why was that put in? That's another thing. You can tell me during public comments why you chose to focus in on these three items when Arne Duncan has said a million things on Common Core but it didn't fit this. Alright, let's go to the next one and listen carefully.

Video/Presentation

Woman's Voice: Warning, a staggering level of anxiety and depression and if that was when they first the term Common Core and learned about the standards that we now say set the bar so high anyone can walk right under it. Everyone was talking about the tests, the tests. As the school year progressed and the test loomed, my patients were increasing their self-mutilating behaviors, they were complaining of insomnia, panic attacks, loss of appetite, depressed mood and in one case suicidal thoughts that resulted in a 2 week hospital stay for an adolescent. I don't know of any formal studies that connect these symptoms to the Common Core.

David Boyd: Ok, you can go to the next one. Did you hear what she said? She says the standards are set so high. For the past 2 years you've been telling me that the standards are set so low. She's saying, your expert, is saying that the standards are set too high. And she also concluded by saying her topic has nothing to do with Common Core. She hasn't tied anything to the Common Core Standards. And you might be thinking well I didn't hear that the first time around in the Common Core minute. Well you didn't hear it because it was edited out and that's what irritates me more than anything else. More than anything else you are deliberately skewing what people are saying about Common Core. It didn't take long for me to find that video or what she actually said by the way. Now whoever put the video together could have done the same thing but no, they chose to edit out about 5 seconds of her talk and the only reason you could do that in my opinion is because you didn't want the people to hear that. The standards are set so high and her talk has not been tied to Common Core. Again, this would be less of an issue if this wasn't, if this video wasn't cited 3 times in this authoritative paper. Over 10% of the citations went to this particular YouTube video. Ok, so far I haven't discussed the source and I hope we agree that research is only as good as the source. I know the name of the person that uploaded this video and I'm not going to mention it. Again I'm not here to point fingers at anybody but the readers of the Hammond/Williams paper know nothing about the sources academic or professional background. We can tell a little bit about this individual by his other YouTube activities. What other files has he uploaded? What other groups does he belong to? Well, he uploaded a Hitler speech where he apparently tries to be humorous with a joke Hitler speaking about Dachau. Comments during this same upload he compared the Holy Koran to Hitler's Mein Kampf. I wonder if he realizes that he Nazi actually did something similar. They used the Holy Scripture taken out of context to justify the holocaust. Another upload was a Duke Pesta talk. Now we'll get back to that in a minute. He's sort of a pied piper of Common Core but other YouTube this individual is a member of, things like; is Obama a Muslim, Obama was born in Kenya, Muslim Brotherhood and America Team Obama and the Islamic Objective/Agenda. Well back to Pesta. Who is this guy? Well he's a guy that Dr. Williams invited to be one of our Common Core experts during our public hearings and even though Pesta was in Southern California that week he turned down the invitation. But here's what he has to say about himself. Let's go with the next video.

Video of Duke Pesta Speaking: Um, probably deserve to know a few things about me before we start. I'm a 22 year university professor, English professor. Um, I've also taught in high schools and I've also taught in Catholic high schools so I'm experienced as doing that as well as recently as 2 and 3 years ago. Um, I routinely teach education majors at my college. When they want to be English professors, English teachers, in the high school they have to come to me for certain classes so I teach them that as well. Um, and I've also on a very, very, very small scale written some, helped write some education standards for the State of Texas. So I've experience with that as well too. I have to date given, this is my 248 talk in on Common Core in the last 15 months in 35 states so I've been all over the place. (Applause in video)

David Boyd: Ok, uh the guy is a very good speaker. There are a number of YouTube videos. He usually speaks for about 2 hours with the topic of Common Core although again a lot of his actual content is related to testing and data which is not part of Common Core and I'm gonna say that over and over and over again. But he's now up over 40 states and 300 presentations, something like that, so. You can't call him the pied piper of the anti-Common Core movement. Well, I was wondering who was financing all this travel. And Pesta belongs to an organization called Freedom Project International. It's an associated with the American Opinion Foundation which is an independent quote unquote, non-profit associated with and created by the John Birch Society. On the Freedom Project's website, Pesta calls Common Core an absolute appropriation of Soviet ideology and propaganda. Pesta also operates what he refers to as a Common Core free school. Well it might be a Common Core free school but it's not a tuition free school. And if the enrollment claims are accurate, they're making a small fortune. So if you wanna look at people making money off the Common Core, and you might wanna cross Bill Gates off the list and look at Mr. Pesta. Ok, let's go to the next slide. Depending on how old you are you may or may not have heard of the John Birch Society. Back in the 1950's and 1960's it was a political power in Orange County and many other parts of the country. Some of the Southern newspapers referred to the John Birch Society as the Northern friend of the white Southern segregationists. Their best known for their impeach Earl Warren campaign. You may recall that Earl Warren was our chief justice back in those days. And if you drove around Orange County, actually most of California, you would see these huge billboards you know impeach Earl Warren and impeach Earl Warren. And you go to a lot of public buildings and there would be a flyer that goes into a little bit more details as to why he wants to or why they want to impeach Earl Warren. Quoting directly from their flyer, he is handed down various decisions compelling the whites to mix with Negroes in the schools, in public housing, in restaurants and in public bathing facilities. He is known to work closely with the NAACP and favors the use of force to compel white children to mingle intimately with Negroes. Now, ok. That's the 1950's, you might say look David, you know is that really a fair comparison to what the organization is about today? Well, you can go to their website and they're certainly more diplomatic these days. But even today, they are opposed to the Federal Civil Rights Act and the Federal Voting Rights Act. Um, another thing that they are tied to, anybody that follows the Kennedy assassination stories over the years and of course there have been millions of theories on what happened to President Kennedy but on the day that he visited Dallas there was an ad in the Dallas newspapers, President Kennedy wanted for treason. Well, what was the treason? This is what the ad said. He has illegally invaded a sovereign with Federal troops. This refers to sending troops to Alabama to integrate Alabama public colleges. Last month there was an article in one of the local papers about a guy named Joseph Jackson, Jr. Mr. Jackson is 78 years old now. A resident of Orange County for many decades and was a hero in the Civil Rights movement in the 60's. He and 8 others were arrested in Mississippi for attempting to check out books at an all-white library. Finally, by 1968 his family, he had a family and felt he had enough of the south, he moved to Santa Ana but really

didn't know much about Orange County. He didn't know that Orange County was created by a Klan member and blacks were not welcome. He was told, quote, this is John Birch Society territory. What, what? You've got to be kidding. Now the John Birch Society was never violent like the Klan. There's no evidence I could find on that. But certainly they don't represent Orange County as it stands today. One final comment on the John Birch Society. You may remember at the very beginning that the young man quoted a Samuel Blumenfeld and I really didn't know who Samuel Blumenfeld was but it didn't take me too long. He was only an author and speaker on behalf of the John Birch Society. So some parents, some anti-Common Core parents are teaching their children the principles of the John Birch Society? Question mark? Alright, let's go to the last one I believe. In summary, with respect to this paper, 48% of the references can't be verified at all. Broken internet links. I checked it shortly after I received it. I checked it 6 weeks later. I don't see how anybody can make a plausible argument now that Common Core is not legally benchmarked. It might not be benchmarked the way you want it to be benchmarked but the way the term is defined in the law everyone as complied with the law. The reference number 3 which I spent a lot of time on in my opinion is nothing more than an anti-Common Core propaganda piece. It makes no effort to give any type of balance. And it's one of the things that really irritates me and it's not only that piece. I don't want to pick that organization. But there is so much misinformation out there. I can understand why a parent would be concerned when they first hear of Common Core. You go to Common Core and Google it, you're gonna get a lot of very alarming stories. And most people aren't gonna take the time to really investigate it. Dr. Bedell a month or so ago gave a issue, we'll call it a hearing, a meeting with his constituents where he wanted to talk about the pros and cons of Common Core and he put together a nice packet of information where they could go to the sources. Well, the people didn't want to hear that and they said, Dr. Bedell, we don't want to read this stuff. We want you to tell me how you're gonna stop Common Core. And that's the problem I face. There are reasons to be concerned with respect to Common Core, yes. Any, any educational standard anybody's gonna come up with some people are going to have objections to. That's fine. But let's tell the truth. I mean, that's all I ask, let's tell the truth. And that's all the young man was asking at the start. Data mining is not part of the Common Core requirements. Again, I don't think anybody can challenge that. Yes Common Core might influence data mining. It might influence what states gather, what the Federal Government gathers but you can adopt Common Core and not change your data mining, data mining's probably a negative term, your data gathering process at all. And many states have done just that. They haven't changed anything since they adopted Common Core. No specific testing is required under the Common Core State Standards. Another common misconception. Common Core does not require any particular types of tests. Now many states who have adopted Common Core have joined one of the two consortiums that are developing assessments but there are a few states that joined Common Core that said no. We're gonna do our own thing. So again, please. You know, don't throw everything negative in the world on the Common Core umbrella. If you wanna talk about the standards, talk about the standards. If you wanna talk about the data mining, talk about the data

mining. If you wanna talk about the testing, talk about the testing. But they're all not Common Core. With that, if my colleagues have any questions, I will be glad to attempt to answer.

Hammond: Uh, thank you.

David Boyd: Other than that maybe we can take a 2 minute recess?

Hammond: Well, um. Madam Vice President, do you have any questions for Mr. Boyd?

Lindholm: Uh, no, just a comment. Um, just a couple, thanks for all the members of the audience who are here today. Thank you for your time and effort on this. Anybody who is waiting for the um appeals, that will be at 2:00 o'clock. So if you're sitting through this at this point that will be at 2:00 o'clock. Um, no my only comment is this was an individual presentation. Uh, the one following it is also an individual presentation. I am hoping that we get a policy at the end of our meeting in regards to individual presentations but um, I appreciate your time and I don't have any questions.

Hammond: Uh, Dr. Bedell, any questions?

Bedell: (Inaudible)

Hammond: Alright. Um, well, Dr. Williams any questions or

Lindholm: Would you like a 10 minute break?

Hammond: Or would you?

Williams: Couple minutes.

Hammond: Couple minutes, alright.

Lindholm: 8, 5?

Williams: 5 minutes?

Lindholm: 5 minutes?

Hammond: I, I have no questions. Thank you.

Bedell: Can we do lunch and be back at (inaudible).

Hammond: Um, um.

Lindholm: We have it scheduled.

Nina Boyd: We have a time certain lunch.

Lindholm: Yeah, we have a time certain lunch. But you can eat.

Nina Boyd: Did you recess for 5 minutes?

Lindholm: We did.

Hammond: We recessed for 7 minutes.

Hammond: The Orange County Board of Education is back in session and now we'll move on to item 3 a special presentation by Dr. Williams. Dr. Williams we do have a couple of people I know that want to speak to your item. Do you wish to defer and allow them to go or do you wanna do your presentation.

Williams: No, I can wait. Yeah.

Lindholm: Well, there's 11. That would be 30 minutes.

Williams: How many?

Lindholm: There's 11.

Hammond: Holy crud!

Lindholm: May I make a suggestion?

Hammond: Please do.

Lindholm: That we hear all the public comments afterwards unless somebody really needs to speak.

Hammond: Does somebody need to speak and go?

Lindholm: Before Dr. Williams gives his presentation? Ok, I don't see anybody to that so I think we could go ahead with the presentation. And that way you could hear both of them I think would be very useful.

Hammond: Mr. Boyd did you have something to add?

David Boyd: No.

Hammond: Ok.

Lindholm: Ok, there you go.

Hammond: Alright, in that case then, Dr. Williams you have the floor sir for up to 60 minutes. Time is yours sir.

Williams: Hopefully it won't be that long.

Hammond: I'm sorry is the presentation ready for you sir?

Williams: I think it is. How am I doing, am I loud and clear?

Lindholm: A little loud.

Williams: Can you hear me back there? Ok. Again, thank you my dear board members for the opportunity to give a retort to my good Trustee Boyd's creative twisting of truth, invention of distortion and a false presentation of a previously submitted paper that Robert Hammond and I presented oh, a few months ago. I was quite surprised at the presentation not having it beforehand. Obviously I have very little to give you as far as the spontaneous research and uh objection to some of the statements he made. But I'll try and do my best. You have to bear with me. I'm just a plain old simple humble Marcus Welby, family doctor. Well, how do we get here. Well we got here because in the last couple of years we've had some very, very active constituents and people who have been presenting us with this information about Common Core, about these standards. And they petitioned us and I have never seen anything like this, this outpouring. Eh, except for when I first came into the public office in the 90's when we had the School to Work in California Learning Assessment System, called CLASS. Back then CLASS and School to Work was introducing a whole new paradigm to how we teach our kids. And eh it was about social emotion learning, it was about collaboration, it was about everything that traditional educators like myself who believed in direct academic instruction we opposed. Well, as history revealed, CLASS didn't last very long. In fact the assessment test came out and parents were very unhappy. They were very unhappy about the content, of the curriculum. Uh if you can recall, we had a very controversial surgeon general by the name of Joselyn Elders, that ever rings a name to those who have been around for a few decades. But there was a controversial paradigm to how we're going to be teaching our kids and how we would influence the culture. So we had unanimously voted to have last fall two public meetings addressing the concerns of Common Core and I'll be getting into that in a second. And eh from this meeting we had eh 16 experts give us their testimony. We had questions round robin. It was designed to be fair and that was Jack's directive. I think it was fair and balanced. We gave everybody an equal amount of time. And from that then we created a paper. It was a paper that Dr. Bedell and Robert wrote and that paper I thought was pretty well balanced. It gave all of the experts had the opportunity to give their one page summary of what they talked about. And from that there were two other papers that were submitted. One was a paper by Dr. Bedell and Trustee Lindholm focusing upon mathematics and this the concerns they had with mathematics. The other one was a paper that Robert and I created and that's why we're here. And that paper was a synopsis of what we thought was a part of that. And what I'm going to be presenting is the facts, the research, and the background supporting that paper. By the way, I have no idea why Trustee Boyd did not present a paper of his own. That is a part of the facts that we deal with here. Instead he chose to take this political theatre and attack his fellow trustees on deeply held beliefs. And why do I take this strong stand? Why do we who strongly oppose Common Core get up here and oppose this philosophical paradigm change in education? And that's because our

President Lincoln many years ago said the philosophy of the schoolroom in one generation will be the philosophy of the government in the next. So we who are more conservative and believe in direct academic instruction firmly believe that it is our obligation and duty to speak out against what we consider to be wrong and evil. As Abraham Lincoln eloquently stated, he also said to stand in silence when they should be protesting makes cowards of men. I am not a coward and I will continue to speak about the atrocities and the evil of a program fundamentally shifts the paradigm of education. Well the third person that I wanted to quote here and it was sadly brought out that those who support Common Core align themselves with Nazi rhetoric which I find very, very, offensive by my good Trustee Boyd. Dietrich Bonhoeffer who I happen to very, very, much respect because he gave his life speaking out about the atrocities of a fascist regime. About the evil of Nazi Germany and the rise of Hitler. And Dietrich Bonhoeffer was a German pastor and he spoke out very eloquently about a concept called cheap grace. He wrote a book on it. He spoke out in the pulpit. And his outstanding or outspokenness resulted in his unfortunate being hung by the Nazi regime because he had the audacity to speak against the evils of a Nazi regime. And Dietrich Bonhoeffer said silence in the face of evil is evil itself. God will not hold us guiltless. Not to speak is to speak. And not to act, is to act. So I will speak and I will continue on. So you know listening to the presentation by Trustee Boyd, interesting presentation really touched very little upon the paper itself. He said some erroneous facts hopefully I'll be able to talk about it. But if you were to listen to what he was saying he really insinuated that the authors of this paper are either at the very best genuinely naïve or at the very worst, racists. Jew haters. Or evil liars. But we're not. We're family people. We're family folk. My good colleague Robert Hammond served proudly in the US Military as a Marine. He has two beautiful children and a beautiful wife. Who am I? I'm a mama's boy. I love my mother. She's been the leading source and strength in my life. I'm a father. I love dogs. Love my grandchild. I serve Orange County as a reserve deputy sheriff and I've done lots of medical missionary work. We're brothers and husbands and we want to pass the torch for a better America. Not a worse America. We're here because we want to make sure that this next generation is prepared to be good citizens. We're patriotic. We're passionate about the direction, yeah, we're conservative and if you happen to be on the other side of the political spectrum you may not like that but we strongly endorse those public policies that are pro-family. We support the sanctity of life and traditional marriage between man and woman. We're not radicals; we're not racists as what was eluded to. We believe in limited government and less dependence on it. Less taxes is ideal because what does government do? It wastes taxpayer's money. We believe in individuals and personal responsibility. We consistently promote Judo/Christian values rather than the progressive obsession with racial identity, gender class, social justice and equal outcomes and the sins of capitalism. And we're proud to be citizens of the greatest nation in the world, the USA. And of course we promote classical education. But what is classical education. It's hard to define because we haven't really talked about these things for quite some time. Well classical education primarily focuses on the transmission of facts and knowledge related to math, science, literature, and history. We believe in educating children with a rich academic content which

leads to critical abstract thought required for a free society. We believe that traditional learning is a continuum. You start off in Kindergarten. By the time you're done by 12 you have these facts and information. Maybe rote memorization is a part of that process. It's been demonized by those who support Common Core. But rote memorization I'll get to the Limbic System and the Hippocampal Studies are out there. Very, very important for maturation for those young boys and girls as they get older. And so by the time they get to high school, by the time you're through graduating, you don't have to be told what is right and wrong. You're parents have a role in it. It's not about emotional learning or political correctness but that's what Common Core is. It's about the business of shaping politically correct attitudes, values, and dispositions. It's not about standards. If it was about standards we wouldn't be here. But it's everything that follows the standards and I'm gonna address a video that was mentioned by my good Trustee Boyd that makes that point. So, it's about the values that will be guiding the nation into the next generation. And we firmly believe that Common Core represents a progressive, liberal education. There's a delusion of academic content and standards. And it stands in contrast to a traditional and classical education. That for the last 50 years has put men on the moon. Expanded space exploration to galaxies we're learning of on almost a daily basis. And these people who never had Common Core are the ones who have lead us in the last 100 or so plus years and the marvelous discoveries of science, technology, and medicine. So is it just about our standards? No, I do believe and it's not from me, it's actually from the Pioneer Institute that the standards are lower for California. And other states in the United States that standards improved it. But it's not the standards by themselves. It's everything that follows. It's the dog and pony show that follows with curriculum, assessment testing, and everything else. And the Southerland Institute, it's a conservative group in Utah, I can't take credit for that understanding in fact, they're the ones I got that from. So there are a few other facts and knowledge that plays a role in the creation of this paper. There's four articles that were written about it. I wrote two by myself and another two Robert and I shared. And this is way back in 2013, so none of these ideas and concepts are new. And in this we talk about a one size fits all national program. I talk about in quote the self-implementation I give a quote by Arne Duncan where he said it was a quiet revolution. I again firmly address the loss of local control. We had an LCAP that we voted on. I have to vote for it. That's what the law says I have to do. Now I didn't vote for it because of my moral conscience. I'll be a Dietrich Bonhoeffer and I'll go to the gallows cause I think it's wrong. But we have no more local control on education. It's a template that we have to agree to. So I also make the comparison that Common Core is very similar to School to Work and CLASS and of course eh where are CLASS and School to Work today they're not there. Now the Register article December of 2013 I talked about there the, and it's also talked about in our paper that the same groups that are promoting CLASS or that wrote CLASS and School to Work are driving Common Core today. And they both rely upon emotional learning and less academic instruction. And the fact, rote memorization, the multiplication tables and some of the other more simplistic rote memorization that we all have to do is completely rejected and replace with collaborative learning where the teacher becomes an equal to the student. That is a foreign

paradigm that I don't think is going to work and that's why we say Common Core will dilute academic instruction. Also on here I talked about in this article the violations of the Federal Laws. Now there has been a lot of talk that the Federal Government has no role in the creation of Common Core. And of course what the facts, what the research shows is eh absolutely yes, they did have a role. Eh just a real quick point. Trustee Boyd said the internet or the references that were given he can find hardly any of them. I found all of them by the way Dave. And I have and if anyone wants it I'll be happy to give it to my board members. I have every single reference in a pdf file, except for two. And I tried to go to those web links and they weren't accessible. So I do agree with you on only two that were not accessible. I have everything else. I'd be more than happy to share with all the facts and research to support our paper. So I talked about in the paper that Common Core violates three federal laws. And I did quote eh Hugh Hewitt is a constitutional law professor at Chapman and he says Common Core tramples federal laws guaranteeing autonomy of local control. So what are those three federal laws that Common Core Standards in the creation broke. One is 20USC1232A where it says that no provisional program shall be construed to authorize any department to exercise any direction supervision or control over the curriculum program and instruction, etc. The other law that was broken was 20USC3403 in that this is the right of local governments and institutions of education and guarantees the protection that we're able to make decisions on our own. It doesn't quite happen that way with a lot of other things the federal government has done, especially with IDEA. The other law that was broken was 20USC Code 7907 so, eh, yeah, the US Government did have a significant role and I'll be showing some documentation of that in just a second here. Again, just another article that was written that has to do with Common Core and establishes all these other facts that are in it. Local Control of education is lost. We've talked about in this article the inappropriate K-3 curriculum. Eh Dr. Gary Thompson who was one of our expert speakers talked to that at great length. He has a binder here that was brought just to remind us of the fact that the K-3 curriculum for Common Core may not be appropriate for these kids. He refers to it as child abuse. And there's other organizations that eh come very close to that. As far as the international benchmarking we'll talk about that later and of course Common Core came out, the assessments came out and our kids were used as guinea pigs because there's no pilot study. We should be getting the SBAC tests back soon. They should have released a couple weeks ago but I think they did not release them because they're trying to interpret them on their own and they'll probably be released on a Friday when no one's paying attention and then we're going to see all these bad results come out. Uh, in this article it also talked about the creation of a new academic index. We have a good Canadian, Michael Fullan, who describes himself as a globalist. Probably a nice guy and eh, I mention him here. He's working with the core districts. There's 10, 11 districts in California that got the exemption for No Child Left Behind to be a part of this core district. So we should be having a new Academic Performance Index and of course that has to do with more of the social/emotional learning. As far as the editorial response by pro-Common Core people and folks it's been very limited for some reason they chose not to do anything. Well the educational time line here in 1978 we had Jimmy Carter at the Department of

Education which was created in his administration. We have all the various presidents that tried to have some sort of education program. In '92 I mentioned already the CLASS test and Bill Clinton's Goals 2000 School to Work. George Bush kind of trumped everybody and got a little heavy handed and we've had No Child Left Behind for a good part of a decade here and we're still kind of dealing with the bad stuff with that and of course in 2009 and 2010 we had Race to the Top and the funds that really influenced states to take this money as a sight unseen as a bribe. Again, Clinton's School to Work, where is it? Not around. Eh, the LA times '94 article talks about what happened to the demise and what happened was parents, educators, and conservative activists, debated whether class tests stretched students minds or pried into their private lives with personal questions that the demanded emotional responses. So when the question is asked why are we here? Is it just the standards? No! It's everything else the dog and pony show that follows these standards. And I'll get into this later with the AP tests by the College Board that wants to change the way we teach history. There's everything else that follow this with the human sexuality, contents and standards, so it's not just the math and English standards that we're dealing with now, it's everything else that's gonna follow. It's a paradigm change and that's what we're concerned with. Well um, uh the California collaborative here and again I have all these references if anyone wants it, this is a 10, 11, 12 page reference and what they're doing is they're talking about in this article let's learn from the past, let's learn what we did wrong with the CLASS experience to inform and educate the public about Common Core. So, they understood what happened with CLASS and they wrote this article because they were very, very concerned about what's gonna roll out and what's gonna happen with Common Core. Well, one would think that the genesis of Common Core was that 50 governors met in a room, held a conference, and hammered out education. Well that really didn't happen. Really what happened was we had the Race to the Top which were Federal funds, 4.3 billion dollars in grant funds that were given to states as part of the 2009 stimulus bill in exchange for adopting new standards. And when you accepted these Race to the Top funds you got relief from the No Child Left Behind mandates on testing and evaluations and so uh a lot of states wanted out of that because of the onerous aspects of the No Child Left Behind. So the states took the money sight unseen and eh a lot of us think that that was bribe money because the Obama Administration wanted to go ahead and adopt these standards. Were there any other committee hearings or debates in Congress? Did we even have any here in California? I suppose we did. I must have been out in right field sleeping. I didn't know about this until just a few years ago but this has been in the works for a long time. My good friend Gloria Ramiro who was State Senator at that time did say that yeah, we talked about this. However, a lot of local school boards members had no idea it was happening. So Race to the Top money was bribe money, it violated federal law; ah that's according to constitutional law professor Hugh Hewitt. And there were lots of other grant monies that played a role. It was brought up that the federal government had no role in these assessment testing's or Common Core. Well, here is a document again I have the document if anyone of my colleagues wants to see the actual document and there's the URL at the bottom there. It's a pdf and this is a cooperative agreement between the US Department of Education

and the Smarter Balanced Assessment Consortium and the State of Washington. I couldn't find California's but I did see the State of Washington and I assumed the agreements are probably the same. I've asked our um, our staff here if I can see any of the agreements between what's been done at the state with these consortiums and SBAC and the testing. Hopefully we'll be getting that soon. And I wanted to highlight here the where it says specifically that the US Department of Education will provide the necessary flexibility to respond to changing circumstances in law in order to get this data and that the US Department of Education is going to support the consortium in developing new common assessment systems. So here is the US Government; this is evidence that they're involved in the assessment testing in violation of I don't know which one of the three federal laws I've already talked about here. And then we go into Louisiana Governor Jindal's lawsuit um. He really feels that these funds were put there, these Race to the Top funds and a lot of these states went in, took it sight unseen, and they were committed to it. So, you know who are the players who created Common Core? We have the National Governor's Association, the Chief Council of State School Officers. We have an organization called Achieve which is a non-profit education reform organization. And we have a couple other people David Coleman and Arne Duncan who were the movers and shakers of this here. So there were really three non-profits, not 50 governors who came up with these things. Now David has already shown this video here. And he talked a lot about in his presentation about the other individuals in this video. Has nothing to do with the paper by the way. I never even mentioned the other individuals that he highlighted and went off and digressed on. The whole purpose and the reference in the paper was talking about the alignment of the curriculum, and the tests and the standards. You see because for a very long time this staff and Jeff you can agree; remember when we first started talking about it, it was all about standards. And you gave me a book and I read the standards and I thought these standards look good. But it's everything else that follows the standards. It's the curriculum that comes out. It's the tests and assessments that are coming out and these are all being aligned to the standards and this is why we stand so strongly opposed to it. I'm not going to show this video. It's been shown ad nauseam. I'm not going to show this one here. But David Coleman? Yeah he's a pretty sharp guy. I kind of opposed and I'm offended David that you inferred that people who support Common Core are people who hate based on religious faith. That was really poor. That was really poor. David Coleman in the video that was shown admitted that there was a group of people who got together and talked about this and he talks about his own inadequacy and role that he played in here. I don't know who David Coleman is on a personal basis. He's probably a nice human being. He probably has kids, he likes dogs and he's a good guy but he is involved in this. Bill Gates; he is the true mover and shaker. He's the guy with the money and whether; I'm not going to take you up on the bet because I don't have the time to do the research. I have ten lectures that I have to give next week in Chicago. What I do as a profession and so I have to spend time doing that but maybe somebody else here could find out if Bill Gates gave money to a for-profit operation. But what Bill Gates did do, he did give a lot of money to organizations that were supporting Common Core. In fact one of the experts that came up was a recipient of Bill Gates money, I forget where

she was from, and the question was asked did you receive money from Bill Gates and is that why you're a pro-Common Core supporter and she answered yes. So money does make a difference. It does fill the pockets. Anyway this reference by the way right here, National PTA to mobilize parents for Common Core standards. These are a million dollar grant. You can't find it on the website anymore. Uh that thing happens. You are removed. But Bill Gates did a lot of money here. You look at the money that he gave to it it's millions of dollars. It was all for the express purpose of advancing Common Core. So again, I think that the PTA is a non-profit. I have no idea if he gave it to for-profit. But what does it matter? What does it matter if the organization is for-profit or non-profit? The whole concept is somebody is funding this and there's a reason for it to be fund. And these are just slides talking about the money he gave. California County Superintendents 27 million dollars in 2009. And he gave all the core districts these money. But by the way, I have to acknowledge that the Common Core is a copyrighted document here and the sole owners are the NGA and the CCSSO. They have a license agreement and so you agree to it, in other words you can't alter or change anything that would allow for local control. For instance, if I don't like anything in this I can't change it because that's the way the license agreement is. They even have a good lawyer that talks about the limitation and liability for whatever may come out of this. Moving on to another subject that I talk about in the paper is the grave concerns for early childhood health. And there are 500 signatures from individuals who were very involved in looking at these standards in the draft form and they were very, very concerned with what was written. Because these are rigorous tests and there's a rigorous curriculum for the K-3 grades. And as Dr. Gary Thompson said there's no peer research that validates a need for such a rigorous curriculum for K-3. And so that's why you know some people like Dr. Thompson who is a very respected psychologist refers to Common Core as cognitive abuse. And so, you know, he goes on to say that kids to play and again he emphasizes no peer review of research whatsoever that supports the increase in academic rigor in these K-3. I mentioned earlier about a Hippocampal because everyone badmouths root memorization. In fact a lot of the pro-Common Core experts they did talk about root memorization is gone and it's bad and I found that to be quite, quite interesting statement because if one does go into science, and of course we're always trying to promote STEM; science, technology, engineering, math, you have to memorize a few things. You can't go into chemistry and not understand and memorize a good part of the periodic table. You can't go into medicine and not learn your Pharmokinetics and learn to (inaudible) all the different and varying antibiotics and all the classes there. So memorization, you can't go like my son would tell me, he took constitutional law with Professor Hewitt. He had to memorize like 200 cases. He had to note everything and write on it. So memorization serves a significant role in adult lives and memorization forms an important role as this one study that was published in the National Science last year. They talked about these connections by the Amygdala and what we call the Limbic System. The Limbic System is that part of the brain that's responsible for connection in the higher order thinking skills. And when you can access a root memorization you're processing it a lot easier and you're able to take on greater and bigger tasks. So, you know that's probably a bit more complex than

we can get in here. But it gets down to the simple understanding that kids brains; good old-fashioned memorization is a healthy thing. We had Dr. Bedell and Trustee Lindholm give a paper on their concerns with mathematics and how it's being taught. My good colleague Dr. Bedell has criticized how his grandson is having great difficulty in basic math. And we've all seen how complex it is just to figure out a problem by this new system. How they're doing math and teaching if that has to do with curriculum and pedagogy has nothing to do with standards but again it has to do with this whole entire paradigm change that we're seeing. So you know, I believe in the multiplication tables, I believe in the kids learning the alphabet. I believe in root memorization is healthy. Well, uh, I did talk about in the paper that his is not strictly a conservative Republican type of thing. In fact the Washington State Democratic Party did condemn Common Core uh very much a kin to the things that I'm talking about now. Uh, you know if you can read that, I don't want to spend too much time because it may bore people but it talks about the Race to the Top funds that were taken. It talks about that this effectively transfers control over public schools standardized testing. It talks about the unaccountable corporate interest. So this isn't just little old conservative Ken Williams talking about these things. This is done in the State of Washington. Uh, so, again, this isn't a political thing. There are conservatives, there are liberals, there are Republicans and Democrats that are behind the belief that Common Core is not helping. Local control of education. We have a bill AB2307 and Joe Buchanan was committee chair and basically she said that Common Core is directed by the State Board and not local school districts. Again, validating my concept that local control is lost. Now, there is a lot of attention given to benchmarking and how do you define it. And there's a reference by Trustee Boyd to James Milgram and that he said that are internationally benchmarked. Unfortunately, I don't think you were here David but there was given out, I think Mr. Whitely you, you provided us with a letter from James Milgram clarifying that statement. I don't have it; I'd love to see it. I could have easily inserted it in here. So if you can send that to me. I love to save. But Mr. Milgram who is one of those original people on the committee said in this document clarifying that the standards are not internationally benchmarked. And that has to do with the central reason why I voted against LCAP and the same with um, with uh Mr. Hammond here because being that it's not internationally benchmarked we're actually in violation of state law. So there's that ethical thing here. So yeah, I think um the testing that goes along here, the curriculum, this is nothing but crony capitalism because it is the Pearsons and the McGrawHills and all these publishers, this big monopoly out there. They really gained by this. That get lots, lots of funds here. It was alluded to by Trustee Boyd that this is all internet and blog research. No, no it's not. This I did get from the internet. I actually downloaded it from the internet it's by the Fordham Institute and they talk about scoring all the individual states and whether it's higher or lower the standards. And California actually the standards were lower. So again, this is URL based. I have the document if any of my colleagues what it. I can easily download it if you have a USB port. So the executive summary was that many states did can by these standards that increased but California our standards were clearly superior. Eh, I'm just gonna go through this. Data collection. You know I never really reference this guy although

David made it sound like I referenced him in the paper. Eh, but since you bring him out let me just say that data mining is a very serious problem with the SBAC and it is something that we have to care about especially with all the breaches that are occurring here. Again I referred to this cooperative agreement between the State of Washington. Um, California, although they did not take Race to the Top funds and they weren't taking bribe money, once they signed a contract with SBAC they are obligated to share the data with the US Government. And that's what's going on here. It's a Federal Government and its highlighted here. Anyone who administrators the SBAC, all of the state, has to provide all the student level data in a manner consistent with industry recognized open licensed operability, etc. So this is the clear connection between the Department of Education, data collection. The data collection is not just where they live, their grades; but it has to do with attitudes and everything that the curriculum brings with it. The emotional conditioning the emotional teaching um. All of that is a part of Common Core. Again, it's not standards. Well, what have we seen recently here. Well, the demise of Common Core is occurring. We've had 31 states originally that were with us back now it's down to 18. With Park it had 26 and now it's down to 10. So what's happened here that this is an article by the Education Week here; they're talking about the breakdown of the original goal of having data that can be compared from one state to another because some of these states are just creating their own assessment testing. So one of the central purposes of Common Core to have data that is very similar is being lost because states are dropping out or creating their own. This is an article that came out of Fox News and they just basically validated that the concept I just made here. And so what began as an effort to increase transparency and allow parents and school teachers to assess performance nationwide has largely unraveled chiefly because states are dropping out and eh the two testing groups in the states are creating their own exams. Those aren't my words; that's within this document here. Data breaches, yeah, a real serious issue. Real serious because we see the IRS being breached; we see healthcare; BlueCross being breached and of course your data is not protected. And as far as, this has nothing to do with the paper but I thought I'd just throw it in here; SBAC has been ruled unconstitutional in Missouri. So we talked about earlier that this isn't about standards. It's about a paradigm change; it's about curriculum; it's about assessment; it's about everything that follows. It's pedagogy, how the teachers have to learn to teach to the Common Core and teach to the English Standards and teach to the Math Standards and a lot of the teachers I've talked to are very, very upset at what's going on here. So as Abraham Lincoln said, the philosophy in the school room is a generation in the next. So we're having all these new standards are being pushed down, the next one is the science standards that will be coming out. I don't know where they are. They're probably coming out pretty soon is that right George?

George: (Inaudible)

Ken Williams: Alright so they're gonna be coming out pretty soon. I'd certainly like to look at what they're talking about here. But these are national sexuality education standards. Core content from K-12. And I have to warn if there's any children here this may be somewhat

offensive. Um, but this is a K-12 curriculum and it's meant for Common Core State Standards within the English Language Arts and Mathematics. How much they've been adopted I don't know but again, this is why we who are opposed to Common Core are very, very concerned. So, at the end of 2nd grade according to this curriculum and these standards the student should be able to identify kinds of family structure, and demonstrate ways to show respect for different types of families and by the end of the 5th grade they're supposed to be identifying medically accurate information resources about puberty and personal hygiene. At that time they're also, and I'm just highlighting some, a little bit here. Define sexual orientation as a romantic attraction to another individual to someone of the same gender. Uh, so, you know, it's this active collaborative learning strategy. It's more political correctness rather than academic physiologic studies of human reproduction. It's more about political correctness. Yeah, sufficient time must be allocated for students to practice skills relating to sexuality in education. Students need multiple opportunities, a variety of assessment strategies to determine their achievement of their sexual education standards and performance. Basically suggesting that kids need to go out and try sex. That's not the message we want to give our kids. Um, this is something that is a part of this middle school curriculum. I just kinda, it's a poster and I just thought it would be interesting to know about what they're teaching in some other states. They're talking openly about oral sex, sexual fantasy, anal sex, masturbation, holding hands, cuddling on the couch, touching others genitals, vaginal intercourse, grinding, I mean, is that the stuff we really want to as public educators be teaching our kids? I don't think so. I don't think so. But that's what's coming down with the new paradigm changes occurring with Common Core. Um, here's something from Planned Parenthood and it's a little graphic here but they're expecting in Jr. High kids be looking at this sort of stuff. I don't think it's appropriate. It has nothing to do with physiology. You know, they're talking about masturbation being perfectly normal. I just don't think it's appropriate. Uh, another paradigm change we're seeing with Common Core is how US History is being advanced. We had yesterday our good board member Lindholm she sent us an email saying that this whole thing has been stopped and that they're not going to promote this new way of teaching American History. This is a document. The URL is down there. And there's like 50 very, very famous academic folks that said that, yeah, the new standards downplays American citizenship and American world leadership in favor of more global transitional perspective. Um, so we're getting a little internationalism, we're getting the um the promotion that US is not the greatest nation. I'll be perfect now; did we have bad things happen in history? Yeah. But there's no other nation that compares to us and the people behind all this new curriculum paradigm change are trying to promote this type of thing. Fortunately as we learned yesterday, these new frameworks, the College Board has given in and will not be promoting it. Again, just a little bit about what they want to do about George Washington. They really want to downplay him and just instead of talking about the greatness and the nature of what he did to establish this nation they just wanna make him just like anybody else. Uh, they did the same with President Reagan who brought down and defeated communism. Brought down the Berlin wall. Uh, but they want to rewrite these histories and this is a textbook out of many

where they're just making him out to be an evil person. Um, so public acceptance and we're gonna get into some opinion polls here. Um, in this particular article the school principal talks about PARCC which is one of the assessment testing which is of poor quality and a waste of time. Public opinion polls are souring on Common Core. In this one Gallup Poll in 2014 83% of the parents were opposed to Common Core Standards. In this one other opinion poll by EdDNext, 62% of parents were against Common Core. 40% of teachers were against it and 70% of the teachers say that the implementation of the standards were a failure. Here's an Ed source that just came out in April in their poll 55% of parents said they knew nothing about Common Core so not really well received.

Hammond: Dr. Williams, 15 minutes remaining.

Williams: Pardon me?

Hammond: 15 minutes remaining.

Williams: Oh, I'm wrapping up. I'll be done. And even the President of the American Federation of Teachers said that uh that implementation of Common Core is far worse than Obama care. In conclusion, I like to always end on a high mark. And the Bible serves as an inspiration for me. And the Apostle Peter says finally all of you be like minded. Be sympathetic, love one another, be compassionate and humble, do not repay evil with evil or insult with insult. On the contrary, repay evil with blessing because this you were called so that you may inherit a blessing. I hope that all of you will inherit a blessing. Thank you for putting up with me. I know it's been a long meeting so far. I wanna thank my dear board members for this opportunity and again, thank you very much.

Hammond: Madam Vice-President, did you have any questions at all?

Lindholm: No, thank you for all the time, energy, and effort you put into that. It's very detailed. There's a lot of educational information. Again, I'm seeing people come in and children coming in, they'll be coming for the 2:00 o'clock for the charter appeal for Oxford Prep and also for the Einstein Academy. So as you're sitting here, just remember we're going to have some 4, 5, 6, 7 year olds coming in. I think we do need to take a lunch break. We have 2 people who have just gone through surgery. And I think it would be appropriate to take a 10 minute break if that works for the rest of the board.

Hammond: Well, before we do that I'm gonna...Dr. Bedell any questions or anything?

Bedell: Nothing.

Hammond: Mr. Boyd, any questions or...

Boyd: Yes, I'm willing to extend my offer for a charitable wager to 90 days if that will fit your schedule a little bit better. Whoever wins it's for charity.

Williams: Thank you very much my dear colleague.

Lindholm: Great. We need to take a break.

Hammond: I vote for lunch.

Lindholm: Thank you. I think you gotta stick to that or we're just not gonna make it. Welcome this new group.

Public Comments

Hammond: Orange County Board of Education is back in session and we see we now have an extremely full house. And a bunch of kids and stuff. But before we get to some other business, we are gonna call for some public comments here and we are going to do with 4 because we have some time certain that we have to get to. And so we thought we'd start off with Miss Jessica. So Miss Jessica if you'd come on up for public comments that would be fantastic and then Mr. Jeff Arthur you will be # 2.

Jessica Treglia: Hi, my name is Jessica Treglia and I wish these comments would have come before the crowd. Anyways, thank you for allowing me to speak today. I just wanted to address a couple topics that were brought up in Trustee Boyd's presentation as well as Robert Hammond's on Common Core State Standards today. And one of the things I'd like to point out that as a researcher myself I agree 100% with Trustee Boyd that research sources matter and that matter quite significantly. In fact, everything rests on where our research comes from but I would also like to point out that the 2 sources, main sources that were cited in Trustee Boyd's presentation came from an organization called Core Standards.org. Core Standards.org is primarily developed and created by the National Governors' Association as well as the Council of Chief School Officers. They are not for profit companies that are 50-80% funded. They own the standards. They own the copyright to the standards which means it is the equivalent of a commercial selling a product, to use them as sources. Achieve was the other source that was cited. Highly problematic because they were also heavily influential in the development of the standards so when it comes to research you cannot rely on the person who created the standards to defend and support the standards. As of today, we have very little outside research not based on self-interest to prove that these standards are in fact effective. I have many things to say and very little time to say it. I probably will put it into a paper and just send it directly. If you want information about anything, I'd be happy to sit down with anyone of the board members. I have hundreds of hours of research underneath my belt and the reason I started this research was because of Jose Ferrara, it is Jose Ferrara how you pronounce it of Newton, he was involved to a 2012 Data Palooza that was hosted by the US Department of Education in which he explained how his learning analytics company was going to revolutionize education in the 21st Century. He is in hundreds and hundreds of schools across the nations with partnerships, with corporations, with curriculum developers from Pearson, Houghton-Mifflin, Cengage, the list goes on and on. Hundreds of students are using it daily and we have very little idea about 1-1 technology and

how Data Analytics actually operates. So most of that, people and parents aren't aware of. To separate Common Core State Standards from technology is a failure to think critically in my opinion. You can't compartmentalize them that way. You have to see all of the branches and how it reaches out. The standards were designed as data tags that's machine readable data tags from the onset. They go back to something called the Achievement Standards Network which was funded by Gates and developed by Denny Golder. Too much information to cover in 3 minutes but I'm happy to give it to you. It's well researched and documented. Thank you.

Hammond: Thank you Miss Jessica. Next up is Mr. Jeff Arthur. And after that will be Mr. Eric Stoelting.

Jeff Arthur: Thank you board for letting me speak. You guys missed two great presentations. One by David Boyd and one by Ken Williams about the pros and cons of Common Core. I know you guys are here for Oxford Academy and the Einstein Academy but common core affects all of us. The thing that was missed in these presentations is when I go to school boards I'm a, I worked 12 years at Coast Community College District Information Technology, Chief Financial Officer. I don't see anyone show up in favor of common core. There's been some criticism that people like myself who've research common core and the associated testing and the data and so forth come and there are only a few of us. Well I have never seen anyone with any cogent argument for common core and the only ones who have come they are invested in it. They are either developing it or are participating. Now, it was for me as a finance guy why would the state spend billions of dollars, does California have a surplus? I don't think so. Have hundreds of billions of dollars of pension liabilities out there to name one thing. So why are we spending billions of dollars on an untested, unproven product. Makes no sense to me. Only in education. My wife is a teacher. I see it every couple of years. Wanna do something new. I don't know why. You guys must be flush with money the way the money is spent to update you, went to Fullerton Lyons Club and the president of the union, Charles Ritz, the secondary teachers union. He said the standards are lower. He's quoting the Fordham Institute. Common Core is lower and it's not internationally benchmarked. And that's using an educator's definition of benchmark and not a twisted legal one. The handout that I gave you guys was just an idea of a lady before you guys came was asking where's the money going? Well the money from Proposition 3 is going to Common Core and is going to pensions. That's where the money is going. So I gave you this chart that shows you what happens when you pay off a million dollars on pensions. For a one million dollar pension, you'll end up paying one million dollars, that's if the rates don't go up. And you know your rates are going up. They're more than doubling for your PERS retirees and they're more than doubling for your STIRS which are teacher retirees. So back to Common Core. I don't understand why anybody is spending money on Common Core when you don't have the money in the first place. In fact, one district, Santa Ana has filed a claim for unfunded mandates and that claim is still ongoing and it just got postponed to January 16. So even states...

Hammond: Sorry there, gotta cut you off.

Jeff Arthur: Thank you.

Hammond: You know what though; keep us informed about what's going on on that. Alright.

David Boyd: I think we joined in that claim, didn't we?

Hammond: I think we...Ron, we didn't join on that didn't we? Where'd you go, holy cow. I'm used to you sitting right up here. You got shoved to the side. So that unfunded mandate that Santa Ana Unified.

Wenkart: (inaudible)

Hammond: Can you give us an update next board meeting? Thank you sir. Alright, next up will be David Whitley. So, Eric?

Eric Stoelting: Ok, good afternoon board members and Dr. Mijares. I'd like to touch upon something that both of the presentations did not really touch upon. It was a thought that came to me a few days ago. But a country was made first great, was made great first by God's great blessings but second by an idea that most of us don't necessarily pay attention to. The focal point of our country has always been a starting point. The Declaration of Independence says that all men are created equal, a starting point. It also states that is the purpose of government to protect life, liberty, and the pursuit of happiness. Also a starting point. Its purpose was to protect life and liberty and the ability to pursue happiness but not guarantee happiness. So everyone was to have the same opportunity but it was up to the individual to achieve that happiness. And so our school system was similar in its goals. Those goals were to give every student a good foundation, i.e., a good education. Thus its focus was on the starting point. It was up to every student to take advantage to that opportunity. Teachers in the community understood that not every student would take advantage of it but that everyone should have access to it. That focal point helped our citizens and our country to achieve success unparalleled in human history. On the opposite side you have a different focal point. The end. Communism being the ultimate example of that though Socialism can take a strong second. Its focus was that everyone should be the same and that it was the government's job to make sure that happened by whatever means necessary. The result is obvious everywhere it is tried. Total misery. Because the only way to make everyone equal is to remove any shred of greatness. In education over the last 40-50 years or so we have been in this country shifting our focus toward the end result and today have arrived with common core where the stated goal was to make everyone college and career ready. The only result that comes from trying everyone College and Career Ready is to make no one College and Career Ready, i.e., remove greatness which is very obvious in the SBACK test which gives harder questions to the kids who get the right answer and easier questions to kids who get the wrong answer which in the end makes them appear equal. While lowering entrance standards to colleges so that anyone who makes it to the 12 great under common core can enter so it appears that they are College and Career Ready. But in the end, it makes no one great. Which is what appears to be the goal. I would like to just to say that we

both strongly support...Mr. Boyd and Dr. Mijares strongly support common core and that no one agrees and no one disagrees with them on the idea that everyone should be College and Career Ready when they finish high school but that freedom loving people of all walks of life, whether they be democratic or republican, evangelist or atheist. Overwhelmingly nation-wide disagree with common core being the method of achieving that. Now I believe that most would agree with that idea that we should give every individual the foundation of a great education and give them the freedom to pursue it but we should not have the government imposing an end result through common core which in the end stifles greatness and forces mediocrity upon us all. I would just ask that you um, relook at the records that were presented in October and November. I think that they speak for themselves. Thank you.

Hammond: Thank you Eric very much. David, you've got the floor sir.

Nina Boyd: Excuse me, Robert before you do that can we possibly ask the individuals to move off of that wall. We're going to open that for overflow. We have a number of individuals in the lobby (inaudible) standing.

Unknown: There's a lot of people in the back.

Hammond: Dave, why don't you hold off for a minute because that's going to be a little bit loud. David if you're ready go ahead. It's good to see you again sir.

David Whitley: Thank you, thank you board and trustees. Thank you for having us. I appreciate the presentations of David Boyd and Ken Williams. I wanted to talk to a couple of points in Mr. Boyd's presentation that we're also touched upon in Ken's presentation. Namely, the standards and the benchmarking. And the Common Core State Standards claim to be benchmarked as it has been mentioned here but one of the problems with it or the proponents claim that about 90% of the standards are the same as the old standards. The issue with the social/emotional learning aspect of it, or the skills sets that are used in the Common Core State Standards cascade down into the curriculum and they change the curriculum. All parents have seen that in the math. We're starting to see that in the English Language Arts as well and that's where it's dramatically different. To me, the word picture I have is like taking a puzzle apart and moving all the puzzle pieces around and having the same amount of pieces. They're just in a different place so it's not the same picture you're going to end up with even if they're the same standards. So as the standards have moved around they have made it inappropriate for the lower grade levels which is why the youngest kids are having the issues that they are having as was pointed out by Miss Kalamia. Now, the standards themselves on the website they refer you to consistently at the National Governors Association shows a PDF file that they were benchmarked in 2008 and the standards were not written until 2010. I find that problematic. Also regarding James Milgram and his statement at the public forum I believe last November, Mr. Milgram has since stated that the Common Core State Standards are not and have never been internationally benchmarked. I have a letter from him I'll be happy to give you. He says the Common Core State Standards in

math are very, very low. Jason Zimba, one of the authors of the standards has even mentioned that they are low and they are for the lowest level of college readiness. Mr. Milgram finishes his letter by saying he finds it both ingenuous and insulting that anyone would claim that he is that has been unclear or has ever claimed that the Common Core Math Standards are anywhere near the level of expectations in high achieving such as China, Taiwan, Singapore, South Korea. Moving on, the idea that the 5 individuals didn't sign off on the Common Core Standards is a tiny little percentage because 83% of the individuals on the validation committee voted for it is just a misuse of statistics. There's a problem with transparency here in that they scrubbed from that validation letter the 5 that didn't go along with the program. Also, the 5 that didn't go along with the program, 2 of which were Stotskey and Milgram, were the only ones with standard content that were standard content experts and they were the ones with the most expertise to validate those standards and they rejected them. Thank you.

Hammond: Thank you, David, very much. The rest of you that are waiting to give us your comments, I apologize for not being able to get to you. Seems like we ran a little bit long, again. Um, if you'd like you can submit stuff in writing to us which is always really appreciated otherwise you're going to have to wait around a little bit because it appears that we have some very interested parents here on some charters. And, so with that, Miss Kelly, where are you at? There you are again. So, I'm gonna turn it over to you and if would be so kind as to take the floor here and introduce us on what's going on here with some charters.

Time Certain/Oxford Preparatory Academy

Gaughran: Today we will hold a hearing to consider input from the public regarding the appeal of the Oxford Preparatory Academy or OPA, Charter School Petition which was submitted to us on at the August 20th Orange County Board of Education meeting following the July 9th denial by the Saddleback Valley Unified School Board. Subsequent to today's meeting the charter school review team will meet with the petitioners to assist with clarification and address any questions. For today's hearing each party is allocated 15 minutes to summarize their position. Then the hearing will be open for the purpose of public comments. For those interested in speaking, if you haven't already, please submit to me a completed speaker card and be aware that each speaker is allotted 3 minutes with a total of 30 minutes for public comments on this matter. In addition, the board will consider all written information for the final recommendation. Written testimony forms are located on the back table and should be submitted by September 11th. Each board member is reviewing all materials that were presented by the OPA Charter School Petitioners which includes a copy of Saddleback Unified School Boards action that resulted in a denial of the petition. Therefore in today's presentation and public comments it will not be necessary to repeat any of this information. I would like to open the public hearing for the OPA Charter School and call Mr. Jared McLeod to the podium. I think I need help with technology.

Hammond: Well, we've got kids here.

McLeod: They can do it, yeah.

Gaughran: Great point.

Hammond: Jared, are you going to be needing the screen there? All right then...

McLeod: Yes sir I would.

Nina Boyd: Do you have a laptop that you're connected to?

McLeod: I have it on my laptop I can bring it up if you would like me to. I've got it on flashdrive, anyway you need it.

Nina Boyd: (inaudible)

Lindholm: We'll we have technology.

Hammond: You call technology and here they are.

Nina Boyd: If you could give us your laptop we can connect your laptop.

McLeod: Sure.

Multiple voices in the background discussing the set-up of Jared McLeod's presentation with the use of a flashdrive or his own laptop.

McLeod: Board if you wouldn't mind I'm going to pass out a couple of things, the same presentation that we'll be doing up momentarily.

Lindholm: Thank you.

McLeod: You're very welcome. Thank you very much. We'll I appreciate it your guys patience first of all those technical difficulties. Get right to it though. Yeah, I appreciate that. So I'm gonna go ahead and put this up on the screen and we'll go ahead and get started today. Our charter petition hearing. So let me start by saying, my name is Jared McLeod. I'm an administrator for Oxford Preparatory Academy. It was a pleasure meeting you all last time. The history of our program dates back many, many years. I was blessed to be a child and a product of Mrs. Sue Roach who's a founder of our charter school. When my parents were looking for a school to send me to, you know whatever Mrs. Roach is opening that year that was the school I was going to. There's no if's and's but's about it, that's where we're going. So all of the things I'm here to present to you today have been derived from a program that I've experienced and been blessed to have as a student. So my goal here today is to tell you a little bit about our program; operations that we have, and the successes that we've occurred over the past couple of years. We want to first of all talk about what's our name sake. Who are we. That's what we want to be here today to tell you as the Orange County Board who will be our authorizer who we are. Oxford University in Oxford, England is our namesake. You know, many students today

they are achieving high academic achievement. But respect, integrity, and self-potential for leadership is what we strive to create for well-rounded children. And I can tell you that that's what we at Oxford Preparatory Academy are striving for our children to embrace and embody. So those characteristics you see there are also included in our progress reports and our report cards. It's not all about academic achievement; it's just one component to a well-rounded Oxford student. We move forward and we talk about our motto. "All children are gifted and all children can learn". And we firmly believe that. All children can. We've been very blessed. When we first opened our first charter school in Chino we all thought we'd have one classroom, one little group of students and that's it. By the end of our public hearings and talking to parents, we had over 1,700 applications to come to Oxford Preparatory Academy. The enrollment numbers had to increase. We had a (inaudible) that wanted a choice for their children. We still had to have a random public lottery where every single child that wanted to come to our school had the same opportunities to get into our program and we're very proud that we believe that all children can learn, all children are gifted. And when we're moving forward and we're sharing with you today of why we believe that to be truth. And that is the theory of multiple intelligences developed by Dr. Howard Gardner. We all learn differently. You know I say this in my presentations all the time; I'm doing a terrible job speaking today because I'm just doing one level of this. I'm just lecturing, I'm just talking. But where's our music smarts? Where's our picture, where's our spatial? I mean I'm telling you we do basically family counsel, and we're talking to parents and kids learn ABCD and I need to see pictures. I need to see music. I need to have all of those embodiments of learning and we embrace that. We strive to put children in positions where they can work on their strengths and develop those weaknesses. And that's what we're very proud to offer for our children.

Now we're talking about our program; this program is near and dear to our hearts. Especially in terms students with special needs. Mrs. Roach developed this for one of her family members who has (inaudible) and still deals with it today. Obstacles that a special needs can't put in place. So this school was developed for families like that. So we're looking at a program called Scholar Academy where our students and our parents are feeling the support. Whatever they need they're given. Whether it's parent educational nights. Whether it's resources to help and support the families that is what we are doing for children. I mean I would invite you, you know we're looking at an IEP where there's a picture of the child on the table. We're here to talk as a community about that child and that is something that I have never seen before and something that we've really embraced is developing the whole children and the whole focus on the children. All of our universities, you know our kids started school yesterday; this is the second day of school. We don't want to bring them out of classes for today as you can see but you know that is the passion they have, it's not what grade are you going into or who's your teacher. It's what university do you have this year. What Road Scholarship University is are we in? Are we in the University of Oregon? Or are we the Oregon Ducks. Or are we the Oregon Ducks. Then you get the rivalry going on day one. But it's more than that. High School is a stepping stone now for children to go to these prominent universities in our wonderful country and our children have

embraced that and that is something you hear playing every day at our school, no bells, fight songs. We're talking about colleges here. World languages. All children in TK-8 take a world language. Starting off with Mandarin Chinese, German, French, Italian. Our children are embracing different language around the world. I've had the pleasure of taking my class to Oxford, Paris and London. Put in Paris, we're talking in French, the same language we're learning in the classroom. My children could say some silly things. Can I go to the restroom, can I have a homework pass tonight. But that's not what we're talking about. We're putting them in a situation where they're ordering food in French; they're getting back on the Metro reading the thing in French and then when they go to high school, high schools a breeze Mr. McLeod. It's not a big deal. I was in a foreign country in an uncomfortable situation with a foreign language, I can do this now. We're also talking about involvement. When I was a child growing up through high school I had to make a choice. Are you going to be an athlete or are you going to be in music or the arts. At our school, all students do everything. They are in music, all children take music. All children are enrolled in some form of music. Starting in 5th grade. All kids pick up a brass or a woodwind instrument and they learn it and they embrace it and they embody it. And there's opportunities for pageantry and dance and glee club. These opportunities are here for all children. Tae Kwon Do is something I wanted to put in today. It's something different. You know were not here just to talk about standards, we're not here to do all that. We're here to educate kids and have them enjoy learning. And the kids enjoy learning. They're coming to Tae Kwon Do class and they're bringing back the bowing and the yes sir and the parents are holding those boards for the kids to break because they are passionate about learning and passionate about what we offer to our children. Science lab is just another component. You know, I've talked to many, many kids and they want to get there to school because they want to go to science lab. They want to see what's in their textbooks come to life. And so for every child in Transitional Kindergarten through 8th Grade not only do they get science in their class, they get to go to a classroom where they see the Bunsen burners and they see the animals, they see and they touch. They get involved with what they're learning. That promotes long term memory. That promotes a love for learning. And we've seen that with our children. You know, we have accumulated quite a few accolades throughout the years. Our schools have been received as a 1010 statewide in similar schools ranking. They are both recognized as California Distinguished Award winning schools. We have the Business at Education Excellence Honor Roll Award Recipient for our Chino campus. We have also talked about performance. Our schools are the top performing K-8 in both San Bernardino County and right here in your backyard in Orange County. We are here promoting great quality schools for the children in your jurisdiction. Our kids love coming to the school and the results is they're going well. We have parents out here. Parents with support. I can tell you that in one week of doing parent information meetings and passing out intentions to enroll in the school. In only one week I've had 235 applications given to me from parents who want this program for their children. That's in one week. And our whole charter we have written for 595. Give me a couple more weeks and I'm sure I can come back to you with more spaces. Our kids and our

parents want a choice in education. And OC Parenting Magazine is actually them number 1 as a choice for education. Fiscal solvency. When you're talking about improving a charter, we have to show you as our governing agency that we're fiscally solvent. We've actually had surpluses and stable cash flows every single year. This is a long track record; long standing trace-record. Clean financial audits. Every year we get audited. Every year it's a hundred percent clean audit. I do want to talk about some data. We're showing data here today. The state's from 2013 Star Results and API scores. The state has a 56.3% advanced proficiency in language arts. Students at Oxford Prep at 98.6% advanced proficiency. These students are doing very well. Same kids in the State of California happens to be through a lottery system where it's a random of kids that got into the school and they're still performing in a different way. I don't know if it's Tae Kwon Do. I don't know if it's science lab. I don't know what it is. I don't know. But our kids are doing something different. You know we're seeing our district that we went to and the discrepancies of what those students are achieving compared to what we're trying to offer for those families. It's a very different discrepancy. A 990 API score for Oxford Preparatory Academy South Orange County compared to a 868 or a 790 average in the State of California. The results are speaking for themselves. I typically love to look at data. I wanna look at the bottom, you know I wanna look at my English Learners, I wanna look at disabilities, I wanna just look at socially/economically disadvantaged students. Are they making the growth? Are my Hispanic and Latino students making that growth that we're seeing achievement? Yes. Hispanic and Latino students, a 792 in Saddleback compared to a 986 API score for the students at Oxford Preparatory Academy. And I, you have it in front of you. You have all the data in front of you. I provided my PowerPoint presentation of English Language Arts. Same thing is included for you Mathematics. The data is there for you to look at and is in our charter petition. You know I would like to invite up our legal counsel Mr. Jerry Simmons to come up here today and say a couple words. But I just want you to know, you know, we're here today to offer a choice of education. A choice in education for children and parents that through these applications definitely want this as a choice. I do want to take a pause and say, you know, our scholar academy program has done fantastic things for students. That's our Special Ed department. And as we're looking as this, we are asking ourselves, you know the first couple years of this program, what are we doing to service those students to the highest of their ability? We created the school because of that. But we decided that instead of buying services from a district, why not create our own Special Ed department. Why not create our own in-house Special Education department? And we have done that. We've applied through the Orange El Dorado SELPA and we are a approved member of that for both our school sites. There's a letter in front of you today that's saying that as soon as this charter is approved they'd be happy to have us as a fabulous standing member of their organization already to accept our third school into the El Dorado SELPA. So, I want to make sure I took a moment to explain that to you as well as you have that in front of you. Well I'll let Mr. Jerry Simmons, say a couple words.

Jerry Simmons: Good afternoon members of the board. Nice to be here before you again. Jerry Simmons for the record, partner with Young, Minney and Corr. I'm so proud today to be before

you representing Oxford Prep. I was with them from the inception of their first charter petition and helped them draft their first charter petition in Chino and have been with them throughout their growth. We have provided to your staff as part of the appeal packet a detailed rebuttal document that goes through the findings of Saddleback District. They actually didn't have many findings so it won't take you long to read. But I wanted to address two of the specific findings, specifically to give you some context and flavor. As you might imagine, they did not attack either the academic or fiscal performance of the school. Which one would think would be the primary factors to consider a charter petition. But what they did raise as issues were 1. The program was likely to be an unsound educational program and what they said in regard to that finding was that the language in the petition did not specify how they would serve Special Education students specifically. But as you'll find when you read the charter petition there's actually a great deal of language on how they will serve Special Education students and a reference to the fact that they are going to be an independent LEA joining the El Dorado SELPA. And the letter today provided to you is further evidence of that fact that they are a continuing member in good standing. The other issue that they addressed, kind of a minor point I thought but was the issue about what will happen with assets at the time of school closer. And staff looked at this as if this were a one-off sort of mom and pop charter school and what they were expecting was language saying that the assets would be donated to some other non-profit or something at school closer. But here in this case as with all of the other charter networks that operate in the State of California the language proposed was simply that the non-profit would retain those assets for use at its existing schools. So here, unlike a mom and pop school where the non-profit and the charter are just one entity with one school, here they operate obviously multiple schools and so this would be an opportunity to spend those assets in Orange County at their other school site in the event there was for some unexpected reason a closer down the road. So those are just a couple of the issues to give you a flavor for how minor these issues were that Saddleback had in support of their denial. How obviously were happy today to answer any questions that you may have or after this meeting if others arise and want to thank you for your time and we'd appreciate obviously a favorable vote on this charter petition appeal. Thank you.

McLeod: Thank you so much, appreciate it.

Gaughran: I would like to now call Barbara Schulman, Dan Fritz and Shofique Chatterjee representing Saddleback Unified School District to the podium.

Barbara Schulman: Good afternoon Superintendent, President Hammond, School Board Members and everyone in the audience which is very large. My name is Barbara Schulman and I've been teaching in Saddleback Valley Unified School District for over 25 years and my children graduated from there. As others will say, this is a very difficult for a teacher to be out of the classroom on the 3rd day of school. Our goal is to teach, invigorate and excite our student's learning. You have heard or seen the rationale from our School Board already. Our speakers today will bring in an aspect of what Saddleback does for all students and why our School Board and we do not believe bringing in a charter into our school district is necessary or what is best.

First the idea that there are already families on a waiting list to join the new school as I understand it is not guaranteed they get into the school. And I really couldn't understand what founding members meant but I believe there are ways they have to go in. Where are the teachers coming from? How long do teachers stay in charter schools? I'm sure there are some who are long-timers like me which some people say is too long, no. But do you have a Master's degree like our brother professionals in Saddleback do? I recent years our teachers have added professional development, the excitement of working with teachers during professional learning communities, using universally designed lessons, positive behavior interventions and data driven lesson planning, just to name a few. We in Saddleback educate all students. As a Special Education teacher, I am not saying that Oxford will deny all Special Education students at all. I know that some are attending other charter schools but they usually have very mild disabilities and will take them into the program under the guidance of the State-wide Special Education Department that you saw talked about. I understand that the new school will be part of the El Dorado SELPA which is almost 500 miles away. And even though SELPA's do not provide programs, they are there to help us at the drop of a hat without getting on an airplane. To make sure students are getting core curriculum, no matter what level, our students with the most severe disabilities are using unique learning systems which is making sure that students do not miss out on grade-level curriculum. Will Oxford have this type of program? We have students with feeding tubes, communications and many others. Some need occupational therapy, some need physical therapy. I do not believe that these students will be chosen by Oxford. The SELPA will likely say that Oxford cannot educate some of the students with the ADA afforded to them. We spend lots more than what ADA gives us for our students. The charter will probably send them back to the district where we do an excellent job but do the students' scores results decline our API numbers? Absolutely! We have a lot of Special Ed students but test scores cannot be compared anymore. The California Department of Ed threw them out. No more comparing. A child is more than a standardized test score. When students come from other countries and have no English, we take them in. We teach them. We make them part of our community. Is there a possibility our numbers are not as high? Absolutely again. But we don't pick and choose our students. We love them, we nurture them and we teach them all. We already have a dependent charter in our school district. We offer school choice and program improvement. Recently when the ability to move through open enrollment, there were only 7 parents who used this process and they chose schools in our district. We do an excellent job. Please abide by the decision of our local school board who are elected to represent the community. California is taking the view of local control in all areas, especially funding. We have LCAP plans to ensure the success of all students. Shouldn't this be a local decision also? Please stand with us and allow local control and do not allow Oxford Preparatory into Saddleback Valley.

Dan Fritz: Good afternoon, thank you for the opportunity to address you today. My name is Dan Fritz and I am currently an intermediate school music teacher in Saddleback Valley. I've been teaching in Saddleback for about 10 years now. I'm here to speak in support of Saddleback's support of the arts, especially music. If you have read anything by Daniel Pink

who is a fantastic writer, he talks about the future of business and corporations and all of that being driven by students learning creativity problem solving which I think the arts are fantastic vehicle for. Saddleback Valley has a long tradition of supporting music education. We have strong articulation from Kindergarten all the way through high school. Our district provides all music teachers several days of professional development each year to assist each other in building and improving upon those vertical relationships. This is evident when we walk through what our district offers its students. Primary teachers in grades K-3 integrate their curriculum, McGraw Hills share the music. This helps primary grade teachers, even if they are not musicians themselves, prepare young students for their music specialists that they see beginning in 4th grade. These fully credentialed music specialists lay a foundation of skills and knowledge from 4th – 6th grade. Every student is involved in some kind of active music making of their choice. Either stringed instruments, wind instruments, percussion instruments, (inaudible) instruments, or voice. Our intermediate schools in 7th and 8th grade then take that knowledge and build further with more opportunities for students to grow in breadth and depth of knowledge and performance. Our intermediate schools offer two levels of concert bands, two levels of orchestras, chamber orchestra, jazz band, show-excuse me, choir, show choir and more. All these students involved in music compete at a high level and consistently receive the highest ratings at festivals and competitions. You can imagine the impact of all this prior knowledge and experience has on the high school music programs in Saddleback and how successful they are. I could go on for a very long time. In the mid to late 2000's when many districts were downsizing or eliminating their music programs altogether, Saddleback was committed to maintaining their K-12 support of music in every school and they have shown that enduring commitment to this day. Since 2013 they have logistically and financially supported a district-wide music event where every schools musicians come to one place and perform for each other. This is an incredible culminating event and certainly benefits the comradery vertical articulation and retention of our student musicians all the way from K-12. Saddleback does an incredible job assuring every student in its care is provided with a well-rounded music education. A charter school would have a difficult time in my opinion recruiting students away from the variety of offerings and excellence of instruction and performance that is evident throughout Saddlebacks music programs. Please honor our local school boards unanimous decision to deny Oxfords admission to our district. Thank you very much.

Shofique Chatterjee: Good afternoon, let me introduce myself. My name is Shofique Chatterjee. I am from Zimbabwe, Africa where my first language is Shona and my second language is English. I moved here from Zimbabwe to the United States when I was supposed to be in the 5th grade. Moving to Lake Elsinore where the school system paid no attention to the fact that I was in a class where I could not understand my teachers let alone understand the reading material. I also had a lisp and pronouncing words was a challenge for me which caused me to continue to stay bottled up in a shell of protection. Feeling along and scared of my environment that was meant to help me better my life after moving here from Africa. After my mother received an offer for a job we moved to Orange County where I attended Lake Forest Elementary school.

This is where my life would start to change. From the first day I started 5th grade my teachers noticed my speech problems and my shy behavior. My teachers and the school discussed with my mother to put me into the 4th grade and to provide me with help to improve my verbal skills. From that point on every day in class, two different teachers would come get me to help me with my pronouncing and identifying words, and the correct sounds that should be made. By the time I finished my 4th grade year, I moved schools to Trabuco Mesa Elementary School. I had a new found grasp of myself and my abilities. From that moment I started as a talking machine. My speech was still not perfect but it helped this turtle stick his head out of his shell. It was because of the great people and programs at Lake Forest Trabuco Mesa, Rancho Santa Margarita Intermediate, and Trabuco's High School. Their amazing teaching skills and their love to help children are the reasons why I stand here in front of you. The man I am, a young man that went to not speaking one word of English to a young man that graduated high school, first in his family. A young man that traveled across the world to play 6 years professional basketball in 6 different countries. Learning other languages. Who moved back to the place where he grew up to start giving back to the system that made him a coach at Laguna Hills High School for 4 years, who led the JV team to a title. The first one since 2007. Now I'm going for the head varsity job. This same district that gave me a voice to be reckoned with. I recently past my citizenship test. And again, if it was not for the people in this district, I would not have been able to read or write what was placed in front of me. I now and forever will be grateful to those teachers who cared about this young boy from a country far, far away who didn't speak very (inaudible) languages but educated me just the same. A young man from Africa wouldn't have been accepted into a charter school and my family didn't have the money to be founding members. I didn't speak English and I wouldn't have tested well. Please allow the local decision about school boards stand.

Gaughran: We will now open the hearing for public comments. Each speaker will be given 3 minutes with a 1 minute warning. A total of 30 minutes is allotted for public comments on this matter. Penny, please call the first speaker.

Nina Boyd: Robert.

Public Comments

Hammond: I got stuck with it so. Alright, no particular order, first up I was gonna invite Kathy McCullough to come up and after that will be Miss Barbara Black. So Miss Kathy, you're up first and of course each speaker has 3 minutes.

Kathy Black: Thank you very much for the opportunity to talk to you today. I'm going to address something that hasn't been addressed yet. I don't care what Oxford's Academics are or how prestigious they are or what their testing scores and philosophy is. It doesn't matter to me. Today I'm here to speak the board about what it's like to live in a neighborhood where an Oxford School is in place. And I know everyone of the Oxford Mission Viejo people here today

know exactly what I'm talking about. I'm here to tell you what life is like on an everyday situation where school starts at 8:30 in the morning and is out at 2:00'ish. If you need to leave our neighborhood or come into our neighborhood it's impossible. These people know it. There's 880 students being driven by 880 parents all looking for a place to park in front of our homes, in our driveways, in front of our driveways. Sorry...if there's an afterschool function of which they have many, double the traffic. I have 5 people in my home that all drive. They cannot find a place to park when they come home from work and school. I know you all know exactly what I'm talking about. You can check with the Mission Viejo Police Department and find out how many times they've been called out because of the situation. The person seem to care for a moment and then don't. They feel very entitled when they park in your driveway and think its ok to idle because they didn't turn their car off. If any of you have any doubts about any of this, drive through my neighborhood between 8:30 and again at 2:00 and see what it's like. I know I bought my home in my neighborhood because I wanted my children to walk to school, which they did. Most of the people who are in my neighborhood are old residents that have been there for a long time. They've bought there because Barcelona Elementary School was such a wonderful little school. Those children that now live in our neighborhood have to be bused or driven by their parents to a neighboring school while the Oxford have come in and taken over our lovely little neighborhood school. And I just want you to take that into consideration when you decide to allow another school to come into your school district. Thank you.

Hammond: Thank you Miss Kathy very much. Miss Barbara Black.

Barbara Black: Good afternoon President Hammond and fellow board members and Superintendent Mijares. I'm Barbara Black, Executive Director of Oxford Preparatory Academy. It's a privilege to be here and speak in front of you and ask for support for (inaudible) Saddleback petition. Our organization has been successfully operating for the past 5 years, educating over 2,300 students in the year 2014-15 alone. Our program has resulted in statewide rankings of 10 for both of our site based schools, place our Orange County school in the top 3% of the school-wide, of the schools statewide. The creation of Oxford Preparatory Academy began many years ago when Mrs. Roach, the founder of Oxford Preparatory Academy and I and Mary Gladney, our mentor teacher opened Rolling Ridge Elementary in Chino Hills. It was at that time that the idea of building a school-wide theme into children's education would be highly motivating and inspiration. It was then that our belief that all children are gifted resulted in teaching effective gate strategies to all students. Additionally we chose to teach our intensive phonic based reading program because we knew it was what was best to teach children how to read. When opening Country Springs Elementary in Chino Hills High School we added the multiple intelligence theory infusing our entire school with this concept of learning in 8 different learning modalities. We provided a school culture that included a winning theme, that all students were All Stars. Children learn through games, computer labs, library times, choir and band offered not only during class time but during recess and at the lunch hour. This was in addition to our strong academic focus. Next was the opening of Rhodes Elementary in Chino.

We added the previous successes to also backward lesson design, the implementation of best practices, student participation in community service projects along with the collegiate theme. The school soon became #1 in both the county as well as in the district. We have put many years of service and love into the field of education. All 3 schools became distinguished schools and all of them were blue ribbon winners. Thirty-two years of experience, innovation and a successful track record went into the making of our charter. Using these teaching strategies as well as curriculum and theory and especially experience students at every level of the learning process were provided a quality education. Developing this charter gave Mrs. Roach the opportunity to follow her heart in providing a quality program for all children who were diagnosed with Special Needs. As was mentioned earlier, experiencing this in her own family, she knew how important it was to have a charter for children that was unique and sound in its approach, ensuring all children would learn and be successful. And this is our charter. Oxford Preparatory Academy, Chino Valley and Oxford Preparatory Academy, South Orange County, are both distinct California Distinguished Schools. They also have been #1 in their counties. As quoted in Orange County newspaper last month, OPA has a proven track record of success for all students, including those with Special Needs. Our children love school, they love learning and they become outstanding members of the community. I urge you to bring this successful charter to Orange County voting for school choice by approving the OPA Saddleback Charter petition. Thank you.

Hammond: Thank you Miss Barbara very much. I appreciate you all being so enthusiastic but would ask if you could too unfortunately, only because we've had requests on that so. Next up, please, Miss Deborah Cunningham. And after that is Miss Jane Clark.

Deborah Cunningham: Good afternoon. My name is Deborah Cunningham-Skurnik. And my children proudly attend at Saddleback Unified School District from 1987-2002. Additionally I worked at Laguna Hills High School as a instructional assistant for 18 years in RSP. My youngest son was also in Special Ed for a couple of year. My concerns about Oxford Academy are the following. Charter schools tend to pick the cream of the crop. They leave a lot of the children with learning disabilities behind. Now these Carpetbaggers from Chino want to tell you about the glory and their dedication to students. Did you know that on Yelp they only rate 3 of 5? On Yelp. They only rate 3 out of 5. One

Also, the Oceanside Vista Campus promised their children the moon. Yet, they abruptly had to close a few weeks ago because they were illegally operating in the Vista Unified School District. This left parents without a school for their children and nowhere for these students to go to school. I don't think any of you out here would not understand how unsettling that had to be. The Orange County Board of Education can't trust Oxford to follow the rules or work within the guidelines of the district or the state. They can't be trusted. Mission Viejo is the community where my husband and I raised our three beautiful children. The Saddleback Unified School District Board represents this same community. They voted unanimously to deny the charter for Oxford Prep. Our community is worked core values, pride, upholding principals, following rules

and adhering to a cohesive structure for all its students regardless of their needs are fostered and cherished. Within this community my family shared these enthusiastic kinship. I see no place for Oxford Prep at Saddleback Unified School District. Please honor the decision of our elected school board members. Thank you for your time.

Hammond: Thank you Miss Deborah very much. Miss Jane Clark please. Is she, is that her coming?

Jane Clark: Good afternoon ladies and gentlemen, members of the board, children. My name is Jane. I'm here to speak in favor of Oxford Preparatory Academy. A little bit nervous but I brought my lecture notes so everything will go smoothly, hopefully? I grew up in the Saddleback Valley. I went to Montevideo Elementary School. I went to La Paz Intermediate and then I went to Mission Viejo High School. I went straight to San Diego State University. My husband also grew up in the Saddleback Valley. He went to O'Neal Elementary School, La Paz Intermediate, and Mission Viejo High School. He later went to University of Washington and Pepperdine School of Law. After we got married we worked for 10 years so that we could earn enough money to live in the Saddleback Valley. We looked forward to excellent schools and decent sized yard. I'm here today because as a parent I support Oxford Preparatory Academy. From our friend's family that go to the Oxford in Capo Valley, they're thrilled. The children are excited about school, their excited about learning, and they do a lot of cool stuff. When I grew up I was raised in a single parent family and my mom made sure that I did cool stuff. In the 8th grade I went to Washington, DC. All throughout elementary, junior high, and high school I played the cello, I was in marching band, I went to, I was in Model United Nations and all of this was by choice. My mom paid for a trip to Harvard University, also to the United Nations building in New York City. I think every kid should have these opportunities. And now we're raising our 3 kids in the Saddleback Valley and as a parent I support Oxford Preparatory Academy because they offer these things to all of the kids. And as a parent, I know a lot of other parents that will be on the waiting list. We are all very excited for this school to come to our district. And as a mother of 3, I'm here to tell you that I grew up in the Saddleback Valley, I'm raising my kids in the Saddleback Valley and we are thrilled with Oxford Preparatory Academy being in Saddleback Valley. Thank you very much.

Hammond: Alright, next up with be Miss Jen, gosh, hope I say this right. Miss Koosia. Did I say that right or did I butcher it? And then after that will be Miss Gina Plate or its plate. Miss Jen I hope I said you're name right if not correct me.

Jen Kutchia: Close enough, its ok; I know it was me when you were stuttering on it. Everyone always does. I know I married it, close enough. Good job. Hi my names Jennifer Kutchia. I'm just here to speak from a parents' perspective of what Oxford did at a school that my child attended several years ago. I have an 11 year old that now is in the Saddleback District. We used to be in the Capo District. I put my son in the Capo District because Barcelona was a very good school at the time. They had a lower class ration than my current home school so I picked

that one. He went there for Kindergarten and 1st grade. 2nd grade we showed up to school the first day of school and a huge welcome Oxford sign. Half of the parents didn't even know that Oxford was coming. And then it was like, they split the whole school in half. Half of the kids that were Oxford were allowed to use this half of the school and the ones that weren't couldn't go over there. My son came home from school one day in 2nd grade and said mom, I couldn't use the drinking fountain over there and I wasn't allowed to play on the playground. I said why? So that was Oxford's. I said we're done. Pulled him out and we've been in Saddleback ever since and I would hate to see this happy to another great school in the Saddleback District. That's all I have to say. Thank you. Jen, thank you very much. Ok, next up, Miss Gina.

Gina Plate: Good afternoon. My name's Gina Plate and I am currently the senior policy advisor for Special Education at the California Charter Schools Association. I also chair the advisory commission for Special Education at the California Department of Ed. I want to thank you for the opportunity to share our thoughts on Oxford's petition and let you know that our school development team has worked very closely with them over the last, through the petition process and feel that they definitely meet the legal requirements and they do have a high likelihood of success. And for that reason, the California Charter Schools Association supports the petition and we're very thrilled that this organization is continuing to offer new options and great options for families around the state. So I'd like to respond to a couple of the comments that were made at the Saddleback District related to Special Ed. And so first I just wanna say you know historically there has been a gap between the number of students with disabilities that are served in a charter school vs the number of students with disabilities that are served in a traditional district's school. And this is the result of a structural barrier that existed in California until 2010. Until 2010 a charter school did not have the option of receiving state and federal money and serving all kids. They were autonomous in all areas except for Special Education. In 2010 as a result of the State Board decision, charter schools were given the option to become an ELA for Special Ed, receive state and federal money directly and in exchange they were now responsible for serving all kids who walk through the door. So I always like to clarify that the structure barrier that really resulted in the disparity in numbers that you hear about charters and kids with disabilities. I think it's important to point out that Oxford Prep took advantage of those options that were made available in 2010. They became an LEA for Special Education purposes, joined the El Dorado SELPA and as you heard have received their letter from El Dorado stating that upon approval of this petition their new school would be admitted as an LEA member as well. They're in good standing and El Dorado does a good job of defining what good stand means. And that's on their web site. The research in California shows that for those charter schools that take advantage of those options charter schools that become an LEA for Special Ed that receive all the state and federal money directly, do increase both the numbers of both the low incidence and the high incidence kids in their programs. Now some might equate that to the less costly and the more costly services that a child might need but the research shows LEA status results in a broader range and a broader representation on those campuses. So we're excited to see that Oxford Prep has initiated that process.

Hammond: And that is your time.

Gina Plate: Oh well thank you.

Hammond: Alright. Next up is Mr. Joshua Ochoa. I believe you are a student and then after that Miss Mary M. Kroeger, I hope I said that right. So Mr. Joshua you are up sir and welcome sir. And where are you a student at sir? Um, I go to Trabuco Hills High School. And junior?

Joshua Ochoa: Yes.

Hammond: Good luck to you this year.

Joshua Ochoa: Hello my name is Joshua Ochoa and I am a junior at Trabuco Hills High School. When I started school at Los Alisos Intermediate School in 2011 I was a shy, introverted and quiet student who didn't talk to anyone outside of my close group of friends. At first I wanted to keep to myself but then my 7th grade math teacher that they were enrolling students in a program called, Model United Nations. Ever since I was very young I was fascinated by geography and the way the world works. I researched MUN and found that many of the topics I was interested in were also topics that were integrated within MUN. The next day I signed up for MUN and immediately loved it. I was provided with numerous opportunities to make friends which allowed myself to open up to others as well as debate intellectually challenging topics such as nuclear energy use, demographic information, and economic budgets of nations all over the world. Being in MUN gave me the courage to join ASB the following year and since I had gained many friends along the way I had decided to run for ASB vice president and I won. Being in ASB taught me how to be a strong and responsible leader. Both ASB and MUN have shaped who I am today. It is allowed me to become a more confident public speaker and most importantly has set me on a path to achieve my dream of working for the United Nations. In my experience, our public school district is much better off without schools that claim that they are better. When we actually create environments and experiences like the ones I've had. I was a high scoring student and did well in all my activities in SVUSD. Please honor our local schools board decision to deny Oxford's admission to our district. Thank you for having me.

Hammond: Mr. Josh, thank you very much. Miss Mary. Good afternoon.

Mary Damcroker: Hi, my name's Mary Damcroker and my son Brett attended Oxford Prep Academy for his 4th and 8th grade years and that was the first two years that Oxford was open. I'm also an employee of Saddleback School District as an instructional assistant in Special Education. Brett previously, before Oxford, attended school in SVUSD and had kind of varying success depending on what school and what teacher. He started in a self-contained SDC Pre-School which is actually where I work now. And by 6th grade though was in general ed with RSP support so he was doing well, not well, depending on the year. Brett learns differently than most kids and I knew that I needed to find him an alternative setting to meet his needs. I heard about Oxford and their wonderful plans for using the theory of multiple intelligence and thought

I need to look into this. So, I attended a few meetings and thought this is going to be a good decision for me so I became a founder and helped get the school open and running and it was the best decision we ever made. Brett thrived at Oxford Prep Academy. He tested as a kinesthetic and interpersonal learner according to multiple intelligences and prior to that if he needed to move around in order to pay attention he was not allowed to. At Oxford he was allowed to as long as he was not disrupting the class. He could walk around in the back of the room, go get a drink of water, come back and also was allowed to interact with other students so they helped kind of teach him. And that also proved to be very successful for him. He received RSP services but they were (inaudible) in the classroom so he didn't miss any of the vital classroom time and also the interaction with the other students that he would have if he'd had RSP away from class. This helped me academically because he had great roll-models and it also helped me socially because he wasn't isolated. I love that Oxford truly believes that every student is gifted and that every student can learn in their own way. Oxford taught Brett that he was as gifted as anyone else and I don't think they he ever thought that of himself before that and it was just awesome to see him blossom and to see that he had knowledge inside of him that was awesome as well. So he excelled at Oxford and because he was allowed to learn in his own way. And it opened up a whole new world for him. Since Brett graduated from OPA he was accepted at the Academy in Santa Ana, another awesome charter school that you guys all sponsor and it's a really successful charter school. And he is doing so well there and I really attribute his success to the fact that Oxford taught him the skills he needed to succeed in high school and specifically at the Academy. He's on track for college. He has made, anyway, he's really doing awesome. And it's because Oxford was so awesome in preparing him and I urge you to support the charter petition. Thank you.

Hammond: Thank you ma'am very much. Alright. Next up will be Mr. Rajesh Rajadhyaksha and following that will be Miss Amy Mills. So, Mr. Raj, thank you for being here.

Rajesh Rajadhyaksha: Good afternoon honorable members of the Orange County Department of Education. To fully understand the scope of this issue, we need to first recognize that today is the 3rd day of instruction in my district. Short of being deathly ill or facing a zombie apocalypse, it is my sincerest wish to be in my classroom teaching. However I believe so strongly that what we do in SVUSD is worth defending against encroachment that I'm willing to be here in lieu of teaching my classes. I stand before you as a living example of the legacy SVUSD has fulfilled. I won't bother to list all of the schools that I've been at but I'll say my entire K-12 education was in Saddleback and I'm deeply honored to teach at my intermediate school that I attended and my high school alma mater. I can without question bear witness to the success SVUSD has achieved. One of the cornerstones of my education, both formative and in the classroom today has been technology. SVUSD is at the leading edge of technology in terms of practical industry application. We have a well-established media works program at Trabuco Hills High School which puts student artists and creators in touch with studio animators and industry professionals. Our students receive feedback in real-time with professional mentors. In our intermediate

schools we're engaging students in rigorous hands-on STEM programs like Project Lead the Way. At my school site, 7th and 8th graders are working with robotics and rapid prototyping with a 3D printer. These pathways to higher level engineering classes in high school will give placement to the students in science and engineering programs that esteemed engineering colleges such as Cal Poly Pomona. Oxford Preparatory Academy is attempting to move into a district already serving its constituents a world class education. Just this past month Newsweek Magazine ranked Trabuco Hills High School among the top 50 schools in California and 334th in the nation. Our instrumental music, drama and performing arts programs have received a generous number of awards throughout the years. This is why I willingly and willfully took a day out of the classroom to beseech the Orange County Department of Ed to uphold the wishes of the SVUSD school board and denying entry into the district of OPA. The unanimous vote should speak volumes as to the wishes of the local community which the school board represents. Since 1971 my family has been a proud part of the wonderful community we call Saddleback Valley. Contributing to the rich history of Saddleback is important to me. Busloads of students imported outside of Saddleback Valley just isn't what I imagine is a positive thing. And they won't be able to duplicate the world class education in our neighborhood schools. It is in the best interest of the Mission Viejo community to reject the application tendered by OPA. We ask that the Orange County Department of Education honor the wishes of the local community and similarly reject the charter application. And as a teacher in the audience listening to all the accolades that Oxford Preparatory as wonderful things, Gardener's Multiple Intelligences and so on and so forth, we already do that in our district. Thank you for your time.

Hammond: Raj thank you very much and what grade do you teach sir?

Rajesh Rajadhyaksha: I teach 8th grade US History at Los Alisos Intermediate.

Hammond: Bravo sir. Miss Amy Mills.

Amy Mills: Good afternoon. My representation here today is two-fold. One I am a district representative for State Senator Bob Huff who is a huge supporter of charter schools and for school choice. And has always been a huge supporter of Oxford Preparatory Academy. My other point of being here is as a parent. And when you talk about Special Education my son is a prime example. My son went to a public school grades 1-5, traditional public school. He was labeled as a troublemaker in classroom because he wasn't paying attention, didn't seem interested, was sent to the principal's office. When I would go to the principal's office they couldn't exactly tell me what he was doing wrong but that he was being disruptive in class. Well, I had to make a change for my son just like every other parents would do for their child. So I looked at Oxford Preparatory Academy. Within a month of being there they tested him and found out that he had special needs. But those other school district never even tested him for. Within those 3 years our son changed dramatically. The behavior stopped that really never really existed. His state testing scores went up. His grades went up and I saw a confidence in my son that I hadn't seen in years. Every year he was just pushed along saying, He'll be fine the next

year; he'll be fine the next year. Well he wasn't. And it wasn't until he got to Oxford and they tested him and saw what he needed. But he grew, he changed, he became a different person, a different child. He is now a sophomore in high school and it's because of those things that he learned at Oxford that he feels he's being successful today. Those things that he learned as far as when you talk about the multiple intelligences and figuring out what worked for him and what kind of things the teacher could change in the classroom. They were allowed to change in the classroom. They were allowed to teach him a certain way. That made a huge difference. My daughter is now an 8th grader at Oxford Prep and now that my son is in another traditional public school at this time. I was there was a OPA high school. Because that's exactly where he would be. I look forward to the changes and seeing our daughter change into freshman year. But I'm also fearful because this is her last year at OPA and I can't even express my gratitude to OPA for what you did for our son. Because for those 5 years, those first 5 years, it was sad. It was so sad. But Oxford changed that for my son. And I'm sad here sitting here listening to all these parents say oh we don't want them here, we don't want them here. They're saying that they're better than us. Why not give the parents a choice? Let them make that decision of where they want to send their child. We're not saying we're better than you. We're not saying that we're going to do it better than your school district. It's about a choice and Oxford's the correct choice. Thank you.

Hammond: Thank you. Well if the rest of you filled out cards I wish I could bring you all up for both pro and con but unfortunately we're only allowed 30 minutes and we have hit the 30 minute mark. So with that I must defer back to Miss Kelly.

Gaughran: Well thank you to all presenters and thank you board for your due diligence in reviewing the documentation before you. President Hammond I now close the public hearing and turn the meeting back over to you.

Hammond: Thank you Miss Kelly and thank you for what you and your staff have done. Appreciate that. Alright. Madam vice president, what do you suggest here?

Lindholm: Well, do you want to go through each person?

Hammond: Yeah, I think maybe I should. Trustee Boyd, do you have any questions or comments at this time or for the presentation itself.

David Boyd: Yeah, briefly. Call the school administrator, Mr. McLeod?

Hammond: Yeah, that's fine.

David Boyd: Thank you, sir.

McLeod: Yes.

David Boyd: Why did you choose Saddleback?

McLeod: Saddleback has been a family in that community that has asked for us to do this for many years to be honest with you. When the Chino campus was open, a group of parents came to us and said can you do something for us in Orange County and it was from Saddleback and we tried. To be honest with you, we went to Saddleback Unified and we tried. And we tried to go through the local district and they denied us. Don't know the reason.

David Boyd: But that Saddleback is a good system.

McLeod: We are not claiming that it's not a good system. We are just saying that this is a different choice in education.

David Boyd: Ok. Looking at your organization as a whole, what type of dollar contributions do you expect or have received from parents to supplement the money you receive from the state?

McLeod: Sure. You know we are a donation dependent school like any school. We don't charge tuition. That's why a lot of families that have come from private schools have enjoyed what we offer. We offer things as a public school. I don't have a dollar figure for it, for you, but we do embrace the opportunity for parents to donate straight to the school and the monies do go directly to their children.

David Boyd: Would it be possible to bring that number next month?

McLeod: I could definitely work on that for you...

David Boyd: What I'm trying to do is apple to apples.

McLeod: Yeah, yeah. I definitely understand. Thank you.

David Boyd: Have you ever had a disabled, again, the organization as a whole, a disabled student that you felt you couldn't service and turned back to the district.

McLeod: No, you know once became our own SELPA, we work with those families and work with those children to see what we offer. And we have done a great job. I can tell you, I can't give you specifics though obviously with students, but you know students with visual impairments, students that are SDC students. We are servicing them if this is the appropriate model that they are choosing as a family. You know, as our own SELPA we have to honor those wishes.

David Boyd: If I understand the process correctly if you're granted this charter there will be a lottery that will...

McLeod: If there is enough applications to or over the amount.

David Boyd: If there's more than you have seats. So any disabled student that either applies and there's a seat or wins in the lottery would be accepted.

McLeod: Yes sir. I mean it is all based upon the lottery. There is no requirements of saying where's your IP. We need it before you enter the lottery. That is not a process of our application. It is a blind lottery and so we are excited to offer that to the families who choose that for an option for their family.

David Boyd: Ok, thank you.

McLeod: Thank you sir.

Hammond: Alright. Thank you Mr. Boyd. Dr. Williams.

Williams: Question sir.

McLeod: Yes.

Williams: You're currently with El Dorado with the SELPHA up in Placerville, is that correct.

McLeod: That's where the headquarters are. They have different local agencies that work with us directly at a site. Like a member said, you know if any need has come up they come right away and help us out with that.

Williams: And your other sites that you are operating right now, where are they again?

McLeod: Chino and Chino Valley Unified School District. And Mission Viejo which is a part of the prove for the Charter Agency of Capistrano Unified.

Williams: And so this would be your third, second in Orange County is that correct.

McLeod: Yes sir.

Williams: Ok. So the SELPHA, maybe Jerry, Mr. Simmons you can help me here. Are they required to be in El Dorado? And if not, is there a transition to Orange County the SELPHA's that we have with our county here?

Jerry Simmons: So they're not required to be in the El Dorado SELPHA but when the charter is initially written the petitioners have to identify whether they are going to be a school of the district which in this case would have been Saddleback or whether they'll be an independent local education agency. And frankly, given the history of the prior denial by Saddleback, it was our anticipation that Saddleback would deny this new petition in spite of the academic and fiscal performance. So, given that we chose to have the language be an independent local educational agency. But it is possible they could join a SELPHA here locally. That's an option that could be discussed further.

Williams: I don't know if your school would find that more pragmatic and easier to work with having something local.

McLeod: Local. Something we can definitely consider. I agree with Mr. Simmons on that. Something we would definitely consider.

Williams: No more questions.

Hammond: Alright. (Inaudible) Madam vice president.

Lindholm: Yes, thank you. And just for the audience members, I know some of you weren't here in the morning when Mr. Bedell was here and he had to leave. He had surgery about 7 days ago so he needed to leave and I just wanted to let you know that he's not being disrespectful at all to any of you. I want to pull something out to show you. This is a charter petition. From Oxford Preparatory Academy.

Hammond: And it's that heavy too.

Lindholm: It is that heavy. Why I wanted to share that with you is I love Saddleback. It's a great school district. They have a lot of wonderful schools, wonderful teachers and great kids. This is an option. This is a parental choice. I see lots of parents in this audience. To me it's about parental choice but this is the amount of paperwork that they had to submit to show all of the items. They didn't have to be this long. This is 600 pages. Doesn't have to be that long. But that's the hurdles they have to go through to get these schools through. I'm excited about this school. I just wanted to share that with everybody. I'm hoping this one goes through because I think they've done enough in terms of any kind of MOU...

McLeod: Thank you. We appreciate that.

Lindholm: All the details I think are in there but I just want to share that with you the requirements and the answers and the details they have to go through so. I'm excited your school started yesterday. And how many, well that's not this school, this is for the next time.

McLeod: Correct yes.

Lindholm: But how many are in that school. Over 850 students started school yesterday with us and over 852 are on the wait list. I'm trying to have an option for those families.

David Boyd: That's the Orange County campus.

McLeod: Yes sir.

Lindholm: I do have one (inaudible) and I know we had one neighbor who said the traffic is really awful. The traffic's always really awful by all the schools, especially elementary schools. Anything you can do to help them?

McLeod: Yes.

Lindholm: Routing and street. Anything you can do.

McLeod: I can share you it's been done in the past and we will continue to work on that as we do every year.

Lindholm: Yeah, because I am cognizant of that. It's tough to be a neighbor. And it's around every single school. So, um. I think I've read a lot. So.

McLeod: Thank you Trustee.

Hammond: Thank you madam vice president. I do have a follow-up on that in regards to the traffic as my background is Special Education, I'm a varsity coach, so I'm a little bit more blue collar than all my colleagues. Exactly how do you plan on tackling the traffic cause I know traffic can be incredibly irritating if it's, especially if it's not yours and you've got over 800 families attending roughly the school you have operating right now. I could see people saying you know what? We're going to put up spikes or something. What thoughts do you have to mitigate this?

McLeod: Thoughts we've had for Saddleback or for the current charter?

Hammond: I'm gonna ask for both.

McLeod: Sure, no problem. Mr. Jeff Rich is currently here if I can help defer. He's a chancellor and a principal of the South Orange County site and he can speak directly to that and then I can talk about Saddleback a little bit better. So I'll defer.

Jeff Rich: Hello, board members. I am the chancellor of our Mission Viejo campus and I just would like to address about the traffic. We are a commuter school number 1. We have families coming from all over the CAPO Unified School District and the Saddleback Valley Unified School District. So, when we, there is a lot of traffic. The roads are very narrow. It is a nice tightknit community. However, our daily dismissal takes less than 15 minutes so we get everybody in and out in 15 minutes and the drop off is actually easier than it is in the afternoon because they are staggered as they come in in the morning. But we have been working on that a lot. It has improved over the years and I think because of the type of school that we have it really isn't as bad. The initial impact is pretty; I mean there are a lot of cars there right away. But it is dispersed very quickly. We have a very great system. All our teachers are out there on duty so we do not have all of them. So we in the morning and after school we have all our teachers out on duty to help facilitate with all of that. So, it is something we consciously work on all the time and are always working to improve because we do know that we do not want to disrupt our neighbors and make sure that everything is flowing for them. When we started our late time at 8:30 it did have a great impact on the traffic as far as school starting later after families were already leaving their homes. So that was something that we considered when we started our start time.

Hammond: What kind of a community outreach have you done in regards to those neighbors? You know, do you have anybody on staff that goes, have you gone out and talked to the neighbors. Have you tried to solicit their input you know as to what's going on?

Jeff Rich: Yes. Yes. Actually I've had a meeting almost right at the beginning every year with a couple of our neighbors that lived directly across the street and we do talk about the traffic and the driveways and we do understand all of that so we do have at our parent meetings we have traffic, specific meetings for traffic to instruct our parent community on not to use their driveways and how to come in and out of the school and the community.

Hammond: Ok

McLeod: (inaudible)

Hammond: Yeah, I'd like to see something that you have. Something in writing and some type of...

McLeod: We have traffic mitigation plans that we've worked on with the police department and have them come out and review those plans. And talking with best strategies so I'm more than happy to share those with you and working with Chancellor Rich on that.

Hammond: Because I'm also interested in you know, obviously, wherever we all live it's like you know the streets are designed for X amount of traffic. Um, you know I'm interested to know, are you exceeding that and you know what we have on that. So, I'm not sure what you have...

Jared McLeod: Sure.

Hammond: And then what kind of community outreach you're doing – the school year specifically addressing.

McLeod: For Saddleback we will be working with the local district on a Proposition 39. So location of that facility has not been named, but that will definitely be in our conscience as we're working with that district to select a facility. So, that will be something that will be ongoing but is definitely in our forefront of mind.

Hammond: Okay. I hear some grunting.

Lindholm: Yeah. We gotta keep moving.

Robert Hammond: Alright. I have no further questions. Um, Mr. Boyd, anything else?

David Boyd: No, sir.

Hammond: Dr. Williams?

Williams: No.

Hammond: No. Madam Vice President?

Lindholm: No.

Hammond: Alright. Thank you, very much.

Jared McLeod: Thank you, very much.

Hammond: And thank you all for being here.

Lindholm: Do you want a five minute recess so they can, can move?

Hammond: Alright. Yeah, we're going to take a 3 and a half minute recess so you guys can herd out. We'll make it about 5.

David Boyd: Our time certain is going to be pushed back...

Lindholm: Yeah. But it didn't say time certain on this.

David Boyd: Oh it didn't?

Back From Recess

Hammond: Alright, Orange County Board of Education is back in session and we still have a full house. This is impressive. Um, and uh for me I spend most of my time in elementary, so seeing the little kids around is awesome. So, with that, Ms. Kelly, are you ready to do this again? Alright.

Public Hearing/Charter Appeal

Kelly Gaughran: We will now hold a hearing to consider input from the public regarding the appeal of the Albert Einstein Charter School petition which was submitted to us at the August 20th Orange County Board of Education Meeting following the May 19th denial by the Huntington Beach City School Board. Subsequent to today's meeting, the charter school review team will meet with the petitioners to assist with clarification and address any questions. Again, for today's hearing, each party is allotted fifteen minutes to summarize their position and then the hearing will be open for the purpose of public comments with a total of 30 minutes for the public comments section. In addition, the board will consider all written information for the final recommendation. Written testimony forms are located on the back table and should be submitted by September 11th. Each board member is reviewing all materials that were presented by the Albert Einstein Charter School petitioners which includes a copy of the Huntington Beach City School Board's action that result in the denial of the petition. Therefore, in today's presentations and public comments, it will not be necessary to repeat any of this information. I

would like to open the public hearing for Albert Einstein Charter School. I call Ms. Tricia Blum, the lead petitioner to the podium.

(Applause)

Tricia Blum: Pretty impressive, thank you everyone. Good afternoon, President Hammond and Vice President Lindholm, Superintendent Mijares and the esteemed board. Let's see if we can make this work. Thank you for granting us this opportunity today. As you know, I'm Tricia Blum and I'm the new CEO of Albert Einstein Academy for Letters Arts and Sciences. Also known as AEA. We started our first school six years ago and we now have six additional – five additional schools with roughly 2,000 students enrolled. Today, we are here so that you can save our Huntington Beach school and give its 300 students another year of great education. Before I address Huntington Beach School District's concerns, I would like to clarify the Huntington Beach campus history. The Huntington Beach campus came to us really serendipitously. Um, about 18 months ago, we had a broker call us that said we hear you're a great school and we happen to have a vacant school that we'd like you to move into. And, so very organically and very quickly we put together a resource center that was chartered under the San Diego – or the Alpine Unified School District. That Huntington Beach resource center was so popular that we quickly had to make a decision about what to do and we moved it to our um, Santa Clarita Valley Elementary Charter, chartered under Acton-Agua Dulce. Um, just to back up as a resource center, you can't be larger than the existing school that you're chartered under. And so that what had happened in San Diego. So we were chartered then under Acton-Agua Dulce. That charter, the Santa Clarita Valley Elementary Charter was retired at the end of May and that elementary school became chartered as the STEAM charter also chartered under Acton-Agua Dulce. And that's how we find ourselves here, right? No authorizer and no charter because of a moving set of charters. Since I began with AEA I've been diligently adding controls so that we don't have this happen again. Here in Orange County, I've been working to follow the process and begin what I know will be a long and successful relationship. Unfortunately, the tying and the controls and the process have caught up with us and today is supposed to be our first day of school. Our students are getting a great lesson in Civics uh, and they're here. Uh, and really that's what this is all about is it a sophisticated conversation in negotiation that really effects them. And so, I'm really asking that you save our school. According to the Huntington Beach City School – City School District Staff Report, our petition fails to provide a reasonably comprehensive description of all required elements. Now, we did not submit a tomb, but we submitted some 300 pages. 116 of them were the petition themselves, the rest were appendices and in those 116 pages AEA adequately describes all required 16 elements. In fact, elements 1, 2, and 3, arguably the most important aspect of any petition, the education part takes over 59 pages. Huntington Beach City School District further states that petitioners are demonstrably unlikely to successfully implement the program presented in the petition. You've already seen AEA's response to the staff report, but I would like to highlight what I think might be your biggest concerns. I'm going to briefly discuss finances and litigation. I want to assure you that AEA is not only a great

educational program, but we really are driven to succeed. A FCMAT Audit was completed in 2014. It showed no wrong doing and I stress no wrong doing. It did point out concerns. A vast majority of these concerns have been addressed. Since the audit we've hired new leadership including a CFO, consolidated back office services, improved internal processes and procedures and worked on our governance and we will continue to do such. Our financial success which I was brought in to ensure is only strengthened by our financial partner who believes in the organization and a new leadership so much that it has pledged 30 million dollars of support over the next five years. By the way they are here today. As for litigation um, I'm proud to tell you that AEA is no longer involved in the litigation that we sort of talked about a few minutes ago. This past June we closed the school in San Diego and once it became clear that we would no longer have a school in San Diego; AEA stopped any and all recruiting. Just last month in August, the California Court of Appeals found in favor of AEA in the Newhall case. In both cases AEA has worked within the law and is no longer involved in a new litigation. It is clear that when all the facts are reviewed objectively that the Huntington Beach City School District has not respected the intent of the Legislature. Charter schools are and should become an integral of the California education system and that establishment of charter schools should be encouraged. Choice in education. This presentation taken together with the charter and AEA's response to the Huntington Beach City School District Staff Report has answered each of the deficiency arguments posed and has clarified that AEA charter does in fact meet the legal requirements set forth in Ed Code 47605. Most importantly, the AEA charter petition is in essence and in substance replicating a program that has already been successfully implemented at all six of our schools and the importance of that program to the community has been demonstrated right here in Orange County. You can see it today, I have over 125 letters of support, I believe you all also have them. I can leave them for you. Um, they're from parents, students and the community. Parents have taken time off from work, worn our school color and the students really have been pretty quietly waiting for you to save our school. I'd like to now introduce Bree Sarrow, she's our school Principal in Huntington Beach and she'd like to talk to you about the successful implementation of our programs.

(Applause)

Bree Sarrow: Good Afternoon Board Members, Superintendent. Thank you for allowing me the opportunity to speak with you on behalf of Albert Einstein Academy or AEA and share with you what makes AEA work. Albert Einstein Academy is the right choice for our students, our parents and our teachers. AEA works for students, we value the whole child. Our goal is to keep students educated, engaged and excited about learning. How do we do this? We give students more opportunities to find their niche. We have a greater variety of curricular areas and more time to learn. Students are learning approximately 30 minutes more each day. That's two and a half hours a week. That's 10 hours a month. That's a lot of extra educational opportunities that they have with us. This allows us to focus more on 21st Century Learning Skills which will prepare students for college, career and life. In those valuable extra hours, we help students

foster their love for education with our multi-disciplinary approach and find what works for them to help us keep students engaged. First, AEA STEAM emphasis works to keep students excited about their education. One example is our first graders last year participated in a STEAM challenge through Dupont. Mrs. Wong led her class to win an honorable mention award. This was one out of six awarded in North America. Additionally, AEA students regularly participate in enrichment classes to educate and excite students beyond the core curriculum. Our art program incorporates a broad spectrum of art education, styles of artists and techniques. Mrs. Rambo our Art Teacher works with classroom teachers to develop projects that support grade level learning. At AEA physical education is not an afterthought. It's part of our core curriculum. Coach Pickard our P.E. teacher engages and excites students in a way that I've never seen before. Another class that students regularly participate in is World Language. At our Huntington Beach campus we offer Spanish. Mrs. Vallejo teaches the language, conversational Spanish and cultural aspects of the Spanish speaking countries. Our goal at AEA is to expose students to world language to help give them a vital skill that they will need for the rest of their lives. These classes consistently provide students with opportunities to be excited and engaged in their learning. Students don't want to miss school. They love Art, P.E. and Spanish. The next part of how we excite and engage students is through our project based and inquiry based learning. Last year students participated in a school wide project based learning unit that culminated with a gingerbread expo. All of our students, Kindergarten through 5th grade participated. For example, our 4th graders led by Mr. Clark, created California landmarks such as the California Missions, the Golden Gate Bridge and even an Orange County landmark, Disneyland all out of gingerbread. Our 3rd graders led by Ms. Corubius, created gingerbots. Robots made of gingerbread. Students incorporated Math such as arrays, geometry, scaling and even Science to make these projects. All of these projects require teamwork and a strong curricular understanding. Another project based learning activity that was brought to us by our 5th grade teacher Mrs. Riorson, was called Biz world. Students created a business and from start to finish, they planned manufactured, marketed and sold. Our 5th graders sold over \$600.00 worth of products to our student population in just two days. They actually sold out. All of this money was donated to local charities that our 5th graders chose to support. Even our Kindergartners learned through this project based learning approach. They learned how recycling effects their local and global community and they use this learning to also develop a recycling program which we will be implementing school wide this year. Finally, AEA students contribute to our community by completing 10 service hours. We ask that our students complete 10 community service hours each year and last year, I can tell you 100 percent of our students worked toward the school. Together, AEA students work to complete a total of 2,366 community service hours.

(Applause)

Bree Sarrow: These things combined, STEAM, enrichment classes, our project based learning community service, they all work to create a well-rounded student. AEA works for students.

Albert Einstein community also works for parents. We value parents as a partner. Our goal is to work together as a team for the benefit of their children. How do we do this? Well, many parents have a lot of stress and anxiety about placing their children in school. Last year, we were able to help alleviate many of these worries and concerns for a lot of our parents in a variety of ways. We were able to provide a safe and secure environment for all of our students. However, we do have a small population of students with severe health concerns. Students that were not able to attend school before AEA existed for them and students that will not be able to attend school should AEA not exist. Many parents worry about their children being lost in a classroom, just another number, just another face. At AEA we have a low teacher to student ratio. All of our students have a minimum of 4 teachers. This alleviates parent anxiety because they know their children are being looked after and cared for. I've had many conversations and shared many e-mails with parents over the last year regarding their students who dislike school prior to coming to AEA. This all changed from them in a matter of days or in a matter of weeks. Students love coming to school, they love learning, they love seeing their friends, and they love seeing their teachers. All of this anxiety, the parents had was replaced with pride. As parents saw children grow and succeed last year. Parents chose us last fall and they are choosing to return because AEA works for parents. Albert Einstein works for teachers. We value creativity and innovation. Our goal is to allow teachers to teach in a way that keeps our students excited, engaged and educated. Our faculty is passionate about education and students. AEA provides grade level collaboration time which is invaluable to our teachers and a huge benefit to our students. Teachers have strong buy-in because they play an active role in decision-making. We are a team. Teachers that continue to work even in these past few weeks of uncertainty. They are planned, their rooms are ready, they're excited because AEA works for teachers. AEA works. It works for our students, our parents, and our teachers. Please give us the opportunity to keep our students, parents and teachers working. I'd like to introduce, Eadie Ganshov (sp?).

Eadie Ganshov: To the Orange County Board of Education, my name is Eadie Ganshov and I'm a 4th grader at Albert Einstein Academy. I want to continue to go to AEA and your approval is needed to keep it open. I want Albert Einstein – I want Albert Einstein Academy to remain open because it is a great school. They make it fun to learn. This year, I was able to do many science projects which I didn't get to do at my old school. Science at my old school was learning a bunch of vocabulary words and that was it. There are a lot of classes at Albert Einstein Academy that are not offered at my old school, like Spanish, Art and Enrichment. The coolest thing I got to do was make a robot out of graham crackers that lit up. It taught me about opened and closed circuits. Another example of a fun project is that I made a PowerPoint presentation of the different kinds of angles that can be found in everyday life. As you can see Albert Einstein Academy is a great school. Please approve the charter so I can continue learning, go to college and become a nurse. Thank you.

(Applause)

Gaughran: I now call Superintendent Gregory Haulk, Superintendent of Huntington Beach City School to the podium.

Hammond: Mr. Superintendent, hang on just a second. I appreciate your enthusiasm and stuff, but I'd appreciate it if you all would kind of not yell out so much. Sorry, it's the elementary school teacher in me. Alright, Superintendent, you have the floor sir.

Greg Haulk: You know board member Hammond, most of the time elementary teachers do this.

Hammond: Dude, I was Special Ed. That didn't work.

Greg Haulk: (Laughter) It works. You know far too often, in a superintendent's career we have to follow students, that's just not fair.

Hammond: Yeah.

Greg Haulk: I am Greg Haulk, Superintendent of Schools for the Huntington Beach City School District, and as was stated, we did deny the petition submitted by the Albert Einstein Academy. Um, our board determined that the charter school presented an unsound educational program. And I'd like to go a little bit more in depth than this and I know that you have some of the materials in front of you in regards to this. First off, the regulations require that consideration that whether petition has presented a realistic, financial and operational plan, including the areas of administrative services, financial administration, insurance and facilities. One of the things that I know as a superintendent is that often the district office is forgotten, but the work that we do ensures that our schools stay open for our students and have the appropriate materials to move our students forward. When we considered, and by we, I mean the Board of Education, the governance team and my district, when we considered the Albert Einstein Academy, we found numerous errors in their finances. One error alone was a four hundred twenty thousand dollar error. Those are the type of mistakes that you just cannot make when you're running a school. Those are the type; quite honestly, those are the type of mistakes that close schools. Keep in mind that out of all the schools in California, or all the districts that have gone to negative, none of them went from qualified to negative. Every single one of them went from positive to negative and it's because they overestimated their income and they underestimated their expenditures and that's one of the pieces that we consistently saw in the Albert Einstein Academy's proposal to us. The answer to the county basically was, in your materials, we've made a mistake and here is a whole nother budget. Um, they did the same thing for us and uh, we were, and now we're being accused of not working with them. You know the regulations also state that uh, part of their packet to us, has to have a one year operating budget and a three year proposed budget. It says nothing about, hey make some estimations and then come forward to our school district. So our board had some serious considerations about their finances. Um, again, you can't just kinda wing-it and see how things turn out. It just doesn't work that way. As was mentioned, FCMAT, was also called in to look at the um, the Albert Einstein Academy. To us that was a great concern, although, they did come back and say there wasn't any

misappropriation of funds. They had some incredible concerns and reading directly from the FCMAT, they said that although the evidence did not reveal fraud or misappropriation, they were unable to perform a complete audit due to problems with documentation such as misidentification of vendor, general ledgers, failure to formally document cash and checks collected and deposited and failure to present and/or provide documentation regarding donations accepted. FCMAT found that they failed to keep board meeting minutes, failed to keep an arm-length relationship with affiliates and failed to maintain adequate capital. Again, for a school board sitting and worried about our students gonna have the ability to go to school; this was an incredible concern for us. Also, a concern was and we've heard a little bit about their computer courses, which they're STEAM courses sound wonderful, when we look at their budget, again, there were zero dollars for capital outlay such as equipment, computer equipment, other items. The evening of our board meeting, our board was told, because the question was directly asked, our board was told that oh we get everything through donations, this isn't a problem. Well, we also have a very strong educational foundation in Huntington Beach. They do a wonderful job of supplementing the technology purchases that we as a district provide. But again, supplement not completely dependent upon donations, so we were concerned about that. Um, governance became a concern of ours as well. The, the charter is run by the Board of Directors in Santa Clarita. That's not local representation. When I was asked directly at our board meeting, the answer to that was there was a board of overseers at the school and the overseers are asked or required, we weren't quite sure, to work with the board of directors. However, at our meeting, the individual that was on the board of overseers said he had never made it to a board of directors meeting, that he didn't have any plans to because of his work schedule and their meeting schedule and in the Albert Einstein Academy's report to you, they said well we can do this through Skype. I would have loved to instead read it's already been done through Skype and that we've fixed this problem, but they didn't do that. Um, we had concerns over individuals being listed as Board of Directors who aren't. Um, that concern still continues. Um, we just saw this – this huge compellation of errors. I thought it was interesting that Vice President Lindholm showed the application for the other school, over 600 pages which looks like quite a document. The application here was nowhere near that and what we found as we went through the application, were just an incredible amount of errors and we were very concerned about that. Lastly, I'd like to talk a little bit about working together, because we've been accused of not working together and not wanting choice. Nothing can be further from the truth from our board. Our board wants choice. We are an extremely, we are, we're a great district, I'll just say that. I'm – we're a great district. We have uh, we have nine school. Eight of our nine schools have been California Distinguished schools. Our two middle schools both won gold ribbons from the state of California last year. Every single one of our schools has an API over 800 and seven of the nine have an API over 900. But we realize that we don't meet the needs of every single parent in our community. That's ok. We allow interdistrict transfers to go in and out of our school district. The only restriction we've ever given was for impacted programs and that's very very few and far between. So, we have open enrollment, we aren't opposed to charters. We are

concerned about a charter that may open and then have to close their doors because they're not being run appropriately, both financially and with their governance system and then leaving a lot of kids out of school and scrambling as we've seen in our schools over the last week of parents attempting to get back in. By the way, any parent who has come to our school in the last week asking if they can get back into a Huntington Beach City School our answer is absolutely, yes. Um, the whole working together thing – Albert Einstein kind of showed up in the middle of the night. Um, I'm older so I think that when the Baltimore Colts left Baltimore, and it was done with moving vans in the middle of the night and all of a sudden by the time everybody woke up, they were gone. We first heard of the Albert Einstein Academy when I received in my mail on a Saturday, a card inviting me to attend one of their meetings. They were already going to be a school, they were already opened up. They never contacted Huntington Beach City Schools they came in on a charter from San Diego. Never once talking to us. The first time that they had any conversation with us as a district, was when they wanted a charter through us and the reason they wanted that was because we believe of legal issues in San Diego. They say that those – the lawsuits are moot at this point. Well, the only way the one in San Diego becomes moot is if they are approved through a charter here in Orange County. I don't think that's moot, I think that's trying to go around um, the proper procedures. Every single time that the Albert Einstein Academy has asked to meet with me, I have done so. I met with their former CEO, Dr. Shapiro numerous times, um; one of the things that was missed in their applications, or in their response to you was that we never told them our desire for their Special Ed program. I most certainly did, I had a very long conversation with Dr. Shapiro in my office where we talked back and forth over what we would like done for Special Education. So, at this point, you know, I just find it, um, it's kinda hard to swallow when they say we're not willing to work with them. We were throughout the entire process, we continue willing to be worked through the entire process. I understand choice, I, I, think every parent's primary responsibility is to be an advocate for their child. If there's a program – if our program isn't meeting your needs, wonderful, but I would rather that, just like our board decided that you guys support our decision and would rather see a charter that comes in that has much stronger financial paperwork and much stronger governance that's local that represents the people that are actually in their school district. Thank you.

Hammond: Great. Thank you very much, Mr. Superintendent. I appreciate that.

Gaughran: We will now open the hearing for public comments. Each speaker will be given three minutes for a total of thirty minutes. President Hammond, please call for the first speaker.

Hammond: Alright, Kelly, thank you very much. Alright, first up, I would like to call on, I guess Andrea Donovan, and then followed by Jeff Ball.

Hammond: Ms. Andrea, thank you for being here.

Andrea Donovan: Good Afternoon, Trustees, Superintendent, thank you for allowing me to address this board. My name is Andrea Donovan; I'm General Counsel for San Diego Unified

School District. Um, as you're aware we were engaged in litigation with this organization and before you undertake the responsibility to supervise them, I thought you should hear from us what our experience has been. This organization obtained a charter from Alpine Union School District with no intention of operating in Alpine. Uh, they opened a facility in our district with no notice to our district. They also opened a Huntington Beach site with no notice to Alpine. It was not until our litigation was filed that Alpine went from us that they were operating in Huntington. Uh, they switched to, or they say they switched to being authorized under Acton-Agua Dulce because of the size. It isn't because of the size, it's because their charter was deemed void by the court. Um, we had problems at the outset with them. They operated; they opened or tried to open initially in a substandard below code facility and had to move at the last minute. We received a complaint from STRS that one of our charter schools was failing to make required contributions although it was taking money from the employees. It turned out to be this school. Uh, we got a liability claim filed against us. And a different San Diego authorized charter called Einstein uh, that was for an injury that occurred on their school and it took forever for them to even acknowledge that it was in fact their school. We were forced to file a very expensive litigation to void their charter, uh, and when they were faced with the judgment against them, they filed an appeal, I can say it appears for the sole purpose of continuing to operate until the end of the school year because they dropped it in the midst of the school year ended knowing that they were going to allow the Alpine Charter to expire. Uh, there are a number of misstatements in their appeal itself. I believe that the issue of the litigation being ongoing has been put to rest, but uh, I don't think it's accurate to say they (inaudible) case, the new (inaudible) judge deemed their charter void as well and sent them back to get a new charter and that is when they got approval for the charter but they have – they say they have operated um, uh, their current school under for some time. They are operating what is uh, a classroom based program. They call it a hybrid program. There's no authority in the code to operate a classroom based program in a district outside your authorizing district. Certainly not outside your authorizing county, um, and they have indicated in their uh, facts for parents, as well as some waiver that I don't quite understand that they submitted to you that if this board does not approve their matter today, that they intend to continue operating under the Acton-Aqua Dulce charter notwithstanding the fact that that's illegal. Um, I understand parent choice. San Diego Unified have more than fifty charters with whom we have very very good relationships. Um, but, if I could finish my sentence?

Hammond: Go ahead, please.

Andrea Donovan: I feel for the parents here, who came here and enrolled their children believing that this was a validly authorized charter when in fact it is not and it comes before you with the very last minute and they're faced with last minute decisions that they have to make. Thank you.

Hammond: Counselor, thank you very much. Next up, Mr. Jeff Ball.

Jeff Ball: Thank you. Uh, President Hammond. Vice President Lindholm, Members of the Board, Superintendent Mijares, I appreciate this opportunity, I speak to you today as a parent and a member of the community that has been very involved with this school, uh, since the time that it opened. I have two, older – I have two sets of twin boys, I have an older set that went through the Irvine District, just graduated, and I have two more boys who will be Kindergarteners hopefully, next week at Albert Einstein Academy. I am a citizen of Huntington Beach with all respect to the superintendent. I've been involved with the school and I am a local resident that's been involved. We have had outstanding parental support from our school. I became involved because I believe that charters are important. While I respect that the work that the superintendent and the district do and I like the fact that we have nice schools in our community that's part of the reason I chose to live in Huntington Beach, but I also like the fact that there's an alternative for my children, such as Einstein. And so when I heard about this school coming, I did decide to get involved, even though my kids were a year away from entering Kindergarten. I wanted to learn about the charter operation. I wanted to learn about this alternative to conventional public schools that my older kids had gone through and that I had gone through as well. As I learn more and understood about the curriculum and I saw the involvement with the school, this school is a family. What you are seeing here today, is not a show. This is typical of how we are throughout the school year and throughout the summer. My kids before even entering Einstein have had the chance to get together over the summer and organized events with other parents, other students, and so it's all part of the family. You look at the academic side of it and what is presented there. I'm excited by this. As a parent, I like the fact that I have this type of alternative. I've listened to, I've learned about these different legal issues and the different things that you have to consider. I myself I'm the president of a bank, I serve on several non-profit and for profit boards. Our mission is to provide a platform that allows for people to succeed. This school was given a platform, and it worked off that platform and it succeeded. It's following a platform that's been proven up in Santa Clarita. They've implemented it here in Huntington Beach and as a parent I think it would be a shame that my kids would not have this opportunity to pursue such an education as what they are providing. Thank you for your consideration on our appeal.

Hammond: Thank you, sir.

(Applause)

Hammond: Alright. Our next two speakers will be uh, Sarah Sutherland and then followed by Cynthia Wong.

Sarah Sutherland: Uh, Good Afternoon, President Hammel, Board Members, uh, Mr. Superintendent, uh, it's a pleasure to be here before you this afternoon. I know it's not under the best circumstances. Um, I represented San Diego Unified in the litigation against this organization. Um, that is not moot and continues to be ongoing. There's a judgment against this organization uh, on behalf of San Diego Unified that has not been paid that they are non-

responsive too. We're about to go into court again to attempt to compel compliance with that court order. Um, I'd like to uh, I guess quickly tell you a little bit about myself. Hopefully, for some perspective, um, you know I went to law school to represent public schools. I believe in public education. Uh, I work at a law firm that represents LEA's exclusively. I'm not in the business of suing school districts by any means. Um, we attempted to work for two years to avoid litigation with this corporation to try and help them operate lawfully in a way that does not disrupt children and students obviously as public educators. We all care about the kids. We are not trying to close school mid-year. We are not trying to create a situation, where there is this trepidation about save our school. Being pled to an elected body the Wednesday beforehand. Um, at, at the end of the day they are here complaining about a peril that they themselves created. And I feel have taken these parents and a lot of families along for the ride. I informed Alpine of the Huntington Beach location. They had no idea. Their petition did not list any location whatsoever. Uh, that was one of the things that the judge in San Diego ordered them to do that they have still not done in this petition before you. Um, and that decision is final. They withdrew their appeal; they have not pursued any sort of appeal. That judgment is binding on them. Um, and they continue to choose not to follow it. Uh, and as so this board considers authorizing this charter and particularly a resolution that would allow the charter to operate um immediately without regard to a decision or preclude you from challenging that, I would encourage you not to embark on that uh, endeavor at this stage. You are just one of a series of authorizers that this charter has burned. Potential authorizers that have been sued and have left to hold the bag. Uh, Alpine Union School District who could not be here today, called us after the fact and said can you help us we're out of money trying to represent ourselves and the charter told us they would represent us, indemnify us and now they want us to pay this entire judgment. Um, and so note that there are lots of people before you that the same story has been shared with. I agree that educational programs is most important thing and in fact it's what we're doing. However, as the superintendent shared from Huntington, running a school is a very serious endeavor, and involves a lot more than a good educational program. The Charter Schools Act does not exalt criteria over the other. There are sixteen criteria that must be described including facilities, administrative services um, and I think this board should have some very serious concerns um, about embarking upon authorizing an organization, a corporation that cannot be held accountable for the promises that they make. Thank you.

Hammond: Thanks, Sarah. Thank you very much, councilor. I appreciate that. Cynthia Wong?

Cynthia Wong: Good Afternoon. Thank you for giving me the opportunity to talk on behalf of Albert Einstein Academy. In particular, my name is Cynthia Wong and I am one of the first grade teachers there. This is my second career. It was a lifelong dream for me to become a teacher. I wasn't able to pursue that for different circumstances that came in my life and so as an adult I was able to return to California State University, Long Beach. I received a 4.0 and my preliminary teaching credential in 2012. But and I was passionate and I was ready to go. But

could I get a job? No. Couldn't even put in an application. No experience. So thankfully, Long Beach Unified School District had a brand new BTSA program that they were running where I was able to co-teach in a classroom, one day a week for two years for free so I could clear my credential. So maybe that would give me an opportunity. So, I did substitute teaching and cleared my credential and I got to create units using the next generation science standards and Common Core before those were even completely implemented. Last summer, a local parent told me about Albert Einstein Academy and I was nervous but also excited because I heard that they were esteemed and project based learning and I knew that I had that under my belt. I applied and not only was my application accepted, I was given an interview and an opportunity to do a demo lesson. They saw past my limited experience and instead they saw my passion, my creativity and my innovation. They took a chance on me and I proved myself. My class is one of six in the United States and Canada to win the Dupont Challenge for Excellence in Scientific Writing. Twenty of my twenty-five students made an A on a difficult Math benchmark test and I would like to think that twenty-five students and families, some of them here today would say that they love Mrs. Wong. And even though Albert Einstein Academy may not look perfect or pretty on paper like myself, with only one year of experience here, and maybe some mistakes done way above my level, I would like to hope and plea that you please take a chance and that you let us continue to prove ourselves and show our success because now myself and other staff members who are passionate, creative and innovative are at risk of being without a job, which means I with little experience, even though many would say I'm an excellent teacher will find myself being turned down over and over again because I don't have a master's degree and many years of teaching experience. So I am not a good teacher. I just hope that you please give me the opportunity to continue to do what I truly love and that is teach. Please vote today and vote yes, for our charter so that 300 students ready to attend our school can continue to be taught by passionate, creative, innovative teachers like myself. Thank you.

(Applause)

Hammond: Alright. Next up, uh, Michelle Usay or is it Mike Lesay.

Voice in Audience: Michelle.

Hammond: Michelle. Michelle, thank you for being here.

Michelle Usay: Thank you. Thank you for allowing me to speak. Um, I'm used to having a presentation, so this is uh, a little different. But I look out here and I see um, our fabulous community of parents. And that is presentation enough. Um, for full disclosure. I'm one of three co-presidents of the parent organization for Albert Einstein Academy. Um, and so what I want to talk to you about, there's so many things that I could, but I want to talk to you about the community that we've established here. I realize that uh, you have on paper the credentials of what the charter is meant to do, um, and I certainly can't pretend to know how uh, all of the specifics of how we have found ourselves here today. But what I can say is that the community

that we have built around this school, this school of our choice um, is something worth fighting for, um and it is something that clearly we all feel so strongly about that we have disrupted our kid's schedules and our own schedules to be here and to represent it. Um, over the course of this year, this school came together quite, uh, rapidly over the last summer. All of us attended information sessions and so many different things brought us there. We all have different reasons for making this choice. Um, and there too varied to number and to speak to now but we built a community from that. Um, we rallied together to fill classrooms with furniture and with anything that our teachers needed and, and wanted. Starting a charter school is I think starting any school takes a tremendous amount of support and money especially when you're starting from very little or nothing. Uh, and the parents rallied and we rallied for our teachers and our kids and we were rewarded for it this year um, we had twice this year that our location was tagged, graffitied and um, within hours of it happening parents were out there painting over the graffiti and um, and, and it was like it never happened. And that is really indicative of what we all want in a school. We want it to be a community. It's parents and teachers working together and it's our choice and I would really hope today was supposed to be the first day of school we would much rather be in school today. And our kids would much rather be in school today, I'm sure, as you can hear. Um, and I'm just pleaing on behalf of so many of us parents that are both here and not here that you allow us to continue what we had started this year. We had an incredible first year. We want an incredible next ten. And I'm just really hopeful that you consider this appeal in any form that you can let us continue, cuz it's so important to us and it's so important to our children. Thank you, very much.

(Applause)

Hammond: Next up, is Miss Julie Armendarz, darn, sorry for butchering your last name and then next after that will be Miss Amy.

Julie A.: Good afternoon. Thank you very much, for allowing me to speak. Uh, my son is a 1st grader. Well, hopefully will be a first – can you hear me? At um, Albert Einstein Academy. I am uh, with respect to the superintendent, I am a was a former student for all of the schools at Ocean View. I went to Crestview which is now Walmart. Um, and I went to Ocean View High School. Um, my son attended a preschool in Huntington, last year, told him that he couldn't go to Kindergarten. Sorry. And, because of that I wasn't going to send him to Ocean View schools because they were too large. The class size is too large and I was afraid he would get lost and I was going to hold him back into preschool for another year. When I heard Einstein was opening I filled out an application and we won a lottery pick. My son successfully completed Kindergarten. He is smart. He loves school; he loves his teacher, Mr. Kobe. Um, I'm a math teacher, I teach college math. College Algebra actually. My son doesn't need his fingers to count. But my college students do and I attribute that to the education that he gets at AEA. He talks to me about the White House and shows me how to find the White House virtually and all of these amazing things and his experiences. I love his school. I love his teachers. I love his

classmates. I'm not asking you to love us like I love us. But please, please consider opening our school. Our kids need it. I want that choice. My son needs that choice. Thank you.

(Applause)

Hammond: And Ms. Amy is it Ganchero?

Amy Gantrov: Gantrov. Close enough. I go by – I had a first grader who called me Mrs. Groundhog all year long. So, I will accept just about anything.

Hammond: Fair enough. Alright.

Amy Gantrov: Um, so my name is Amy Gantrov. Um, before I start I want to say that I kind of take offense to some of the previous speakers who say our parents don't what we're getting into and we don't know what we're doing. I find that very demeaning, just so you know. I've been an educator for twenty years. But more importantly, I'm a parent of a fourth grader and two second graders at Albert Einstein Academy. Today, I'm speaking as a parent. My children need AEA.

Hammond: Hold that. Hold that thought for a moment. That was a really quick three minutes.

Amy Gantrov: Right?

Dunseth: We have to re-start it, I'm really sorry.

Amy Gantrov: I was like, whoa!

Dunseth: We'll make it two and a half.

Amy Gantrov: I, do you want me to start from the beginning or?

Hammond: Na, keep going.

Amy Gantrov: Okay. (Laughter) I have a unique perspective. Because my three children span across a spectrum of educational needs. I have a high achieving student. I have a typical student, and I also have a student who has been identified with specific learning disability. At our local homeschool, my high achieving student was placed in the back of the classroom and ignored because she's a rule follower and will do well on any test that she is given. She was not challenged and she has lost her love for learning. At AEA she qualified for the honors class and is now actively loving and engaged in her own education. As you heard from her earlier in the presentation, she loves Albert Einstein Academy. My twins are going into second grade, one is your typical learner and honestly, she'll be fine wherever she's placed. But again, she loves AEA. My other twin left Kindergarten at our local school without knowing his numbers, letters, and sounds. When I approached our local school about my concerns, they told me, let's wait a year before he tests, before we test him. He'll probably mature and outgrow it. This was not

okay with me. As a educator and a person with dyslexia, I know early intervention is absolutely crucial for these children. Last September when he started AEA, he was tested, identified and began surfaces by mid-October. His classroom teacher, RSP teacher and speech teacher work together. He has made tremendous progress, he actually is very good at math and with all of his hard work and all the hard work of the teachers at school and his projects during summer, I can now say that he is a reader. School will always be more difficult for him. But I know that I feel the team at AEA saved him before he became frustrated, discouraged and even give up. I'll be ever for grateful for (inaudible), Ms. Flores and Mr. Cabo and all the teachers at AEA for help saving my child. He will never admit that he loves school but he feels good about it. I am so confident that he will be successful now that he has Albert Einstein Academy. Please prove the charter. My kids need this charter. Thank you.

(Applause)

Hammond: We only have time for three more and there are five cards so we picked them at random. Alright, next up will be Mr. Pete uh, Fennerty?

Peter Fennerty: I thought I was on deck. Good afternoon, um, pardon me for my casual dress. I was going to be a part of the silent majority but I appreciate the opportunity to speak with you today. Um, our story's like so many other families here. We uh, we had our children in a pretty well-known private school in Huntington Beach and after a few years, started to notice that uh, we were just experiencing lethargy, maybe laziness with our children's education and I'm not quite sure. But it was unremarkable and it started to become very apparent in what we were seeing from our children. Uh, we took them out of that school, not an easy decision as I'm sure many people have experienced. Your comfort level, makes it easy to do the same old thing. As we prepare to put them in public school, Albert Einstein became available. We attended the meetings and really took a chance. Um, very shortly after our children were uh, in school we were rewarded with um, success in the chance that we took. And watched as our kids would come home and my daughter, sorry, um, would pretend to be Mrs. Franks, her teacher, (laughter), and I had to attend the class and go back through second grade again. And, my son, would ask when the weekend is over? Tomorrow's Monday, Dad, I get to go to school right? So, their excitement showed and I can sit here like a lot of the parents have done and I believe – impress you with the learning environment that they experience that was very different. Uh, was simple, hands-on projects that brought home that learning and incorporated a lot of the rudimentary stuff that they didn't even realize they were learning. But, uh, what I really want to talk about is something that a lot of people have also mentioned and that's the community. Um, it takes a lot of effort from the families to be part of a charter school like this. It especially takes a lot of effort when you want to be able to let the teachers focus on their classrooms and what they're doing. And we saw that come out immediately with people showing up and helping to stand the school up in a very short amount of time. A short amount of time that I didn't think could happen but it did. Um, you've heard a little bit about this but we probably had the worst building on the block and in short order we were contributing to that community by having a

nice facility that a lot of people worked very hard on. Including, I might add, keeping in the, within the rules of the drought policy by planting a really nice garden, but that was California compliant. Um, the biggest thing, one of the bigger uh, family supported events, is the community service hours and I'd like to just point out as I'm sure you would already have realized that doing those types of events and asking children to be good citizens through community service not only effects the facility that we're at and our school but, it effects the larger community when you participate in the loaves and fishes at Santa Ana, uh, when you participate in um, the, the uh, wetlands restoration. Uh, or you're at Newport Senior Living Facility. It allows Einstein to wrap its arms around that larger community. I would just ask that you think about those things when you make your decision. Thank you very, much.

(Applause)

Hammond: Next up are Jennifer Malbrows. And good afternoon, Miss Jennifer.

Jennifer Malbrows: Good afternoon. Sorry, I have four kids. Sometimes I don't know what time of day it is. Um, my name is Jennifer Malbrows and two out of my four children attended Albert Einstein last year. We come um, originally from the Ocean View School District which is North Huntington and we were happy at that school. It was a great school, Golden View Elementary, they have a good community. But my kids were just doing fine. I have one student who excels and another who needs a little more help and they did receive a good education there. I would never knock Ocean View. But when I heard about Albert Einstein, I was excited by the differences that they seem to offer. I am a graduate with an international relations background. I speak 3 languages. I was thrilled at the opportunity that my kids would have to learn Spanish. And, we jumped in full heart – whole heartedly, um, I strongly believe that like any start-up, the first year is the hardest. I mean like parenting too. God, that first year kills ya. But, that being said, um, we expected bumps. We knew that it wasn't going to smooth and easy sailing. We did not know all the levels of intricacies. That is not our job as parents. I also would like to say that the person that wrote the petition is not part of this organization any longer. That has been corrected. We know there were errors. But don't penalize us and the students who have had a phenomenal year and we want to continue. I have two more kids that I would love to see attend Albert Einstein, Kindergarten 2016 and 2018. Um, we have brought measurable impact to the community around us. Businesses that we now support through our fundraising efforts that have written letters to us and thanked us for being there. Um, my children have had an incredible experience. They have grown and changed and are not here today cuz for me that wasn't the right decision to have them involved in this. I didn't really tell them why school didn't start today. Um, and I'm just hoping and praying that despite the legalities, you can see the true heart of this school and this community. We have gotten someone new. We are getting our house in order. Please give us the chance to operate.

(Applause)

Hammond: Alright. Our last speaker will be uh Deborah Bingman. Uh, to the other two, my apologies. But you're always welcome to send us a letter if you'd like.

Ms. Bingman: Good afternoon, thank you for hearing us out. Um, no pressure being the last speaker. Um, I, I mean you've heard what a great school it is, you've heard from the teachers, you've heard from the parents. We need this school. I'm really thankful to hear that the Superintendent of Huntington Beach is willing to work with the school. Um, like Jennifer just said, we obviously have some improvements and my background is in Compliance. So I understand, you know, you need to meet the letter of the law and our management team, from what I've seen from the very beginning has tried as hard as they could and they continue to address the issues and you know it's unfortunate some of the other surrounding issues that have come up around this. But you could see the level of commitment from the parents to make this work and obviously on the management side too. We really want to make this work and um, you know I looked to South County, it was ironic that there was a south county school here cuz they have a lot of charters. And we're kind of in a desert in Huntington Beach, as far as choice goes. We had a lot of choice for preschool and then to look around and just it's all funneled to one place and I really love the choice and I'm happy to hear that there's a lot of support for choice here and I'm hoping that we can work out the technical details in short order because I mean we're literally in limbo just waiting for this decision and it's – the timing is horrible and I wish we could go back and re-do some of the relationship building and all that stuff but, it sounds like we're all in the same page. We want what's best for the kids, best for the community and I'm hoping we can really resolve this and get into school as soon as possible because for me to enroll in the public school and then un-enroll and then go back to AEA it's going to be a real nightmare. The first year was amazing so where the rubber meets the road in the classroom, they really outperformed and I was really impressed the whole year, cuz I was honestly expecting a lot more bumps. And um, I just really appreciate your time today and consideration and hope we can move to action as soon as possible. Thank you.

(Applause)

Gaughran: Thank you to all presenters and thank you board members for your due diligence in reviewing the information before you. President Hammond, I now turn the meeting back over to you.

Hammond: Thanks, doc. Okay, Mr. Boyd would you care to lead us off on any questions, comments, observations?

David Boyd: Sure, I would like to speak with CEO Blum. First of all let me say that I spent a lot of time on your website over the weekend. Very good site. Very impressed by the number of emails we've received or letters turned into emails in support of your school and the uh, the attendance today. But, I have a lot of concerns. Um, this is my trustee area; I would love to

approve this. There are a lot of voters here. Uh, um, but, do you consider as we speak today, the Huntington Beach site as an approved site? Approved by anyone?

Tricia Blum: I have been told by Acton-Agua Dulce that they are not our authorizer. Huntington Beach is not our authorizer. We never were authorized by San Diego Unified, and my understanding is within very short order, we were not authorized by Alpine. So, no. I have no authorizer.

David Boyd: And you have operated for the past year with no authorizer?

Tricia Blum: Actually, we operated for the past year, authorized by Acton-Agua Dulce. We were attached to the SCVE Charter, which was part of the Newhall litigation. We were asked by the courts to draft a new charter and go through a new public hearing, which we did. That, when the new charter was approved...

David Boyd: I'm looking at a letter dated July 29th addressed to you from Acton and quoting the most relevant portion: It was never the intention of Acton Trustees to approve a resource center in Huntington Beach or any other location without a prior written approval from the superintendent.

Tricia Blum: Right. That's to the STEAM charter I believe. Which is what we are currently operating under and why we don't have a charter. So, in November, when we began negotiating with them, I wasn't with the company. But my understanding is there was that conversation that we were attached to the Santa Clarita Valley Elementary Charter.

David Boyd: Okay. I, I understand you're relatively a new hire so a lot of the issues we're going to talk about are not your fault. But, um, on the other hand, I can't really ignore.

Tricia Blum: Sure.

David Boyd: I mean if I – in my private life I'm in private post-secondary education. If I operated an unauthorized site and accepted government money and not only when I have to pay it back, but they would take me away in handcuffs. Um, what's the status to your accreditation? WASC?

Tricia Blum: We were WASC credited in Santa Clarita Valley. We are not WASC eligible here in Huntington Beach yet. I do realize there is a plaque on our building that was from our prior tenant.

David Boyd: Well there's also a logo, a WASC logo on your website, that would lead, in my opinion a reasonable person to believe that you are WASC accredited. In looking over the uh, website, you guys did a lot of good things in terms of communications with parents. I see their monthly newsletters that go out to all the parents. But, I didn't see anything that put these people on notice that – we have a legal issue here. We might not be able to continue operating. We're

how, involved were the parents? Um, you know we're sitting here today, faced with a very difficult decision, um, were the parents given an opportunity to, or I should say (inaudible) – informed of the issues that uh, your organization was facing in the last year? Because there's certainly a lot of issues. We all have to acknowledge that.

Tricia Blum: Correct and yes. Um, that um, information began not last September, but fairly shortly thereafter that we would be in November when we began negotiating the STEAM charter with Acton-Agua Dulce. We started to have that conversation. We've had it prior to my arrival. I've had more than one meeting with parents and we have sent out almost daily now for the last several days and certainly monthly prior to that, so there's been a lot of communication with parents. It's not specifically on the website, but they're getting emails the same way you're getting emails.

David Boyd: Okay. Um, I do appreciate all the emails that we received. They were overwhelmingly positive. Uh, a few negatives. But you can't satisfy everyone and I recognize that. Uh, one of the emails was regarding Chromebooks and whether Chromebooks were parents are going to be required to purchase Chromebooks. Where do we stand on that?

Tricia Blum: Parents are not required to purchase Chromebooks. Parents are not required to purchase any supplies. We do ask for donations and we do ask for supplies and so therefore, some parents do purchase Chromebooks but we do have Chromebooks at the school for those children who don't have their own Chromebook.

David Boyd: Okay. Um, one or two story building?

Tricia Blum: It's actually, two buildings two stories.

David Boyd: Okay. And is there uh, disabled access upstairs?

Tricia Blum: Um, actually there isn't but last year we had a student who needed accommodation and we moved the class downstairs for that student.

David Boyd: Okay. Your opinion, if this board fails to approve your charter today, is that fault of the Orange County Board of Education or your organization's leadership?

Tricia Blum: Wow. (Laughter) I definitely don't think it Orange County Board of Education's fault in any way shape or form. I think that we're all working in a really tough spot. Um, it's easy to blame former leadership and say, gee why weren't those things done and I'm never going to know the answers to those questions right? Um, I'm certain that these folks here will tell you that we're working very diligently and because I am a CEO and it is my job to accept responsibility I am doing such.

David Boyd: Okay. That is all I have.

Hammond: Alright. Thank you, Mr. Boyd. Madam Vice President?

Linda Lindholm: Thank you. Um. This one, uh, for the parents, this one is a messy one. Some are really easy. Some um, this one is kind like a pile of spaghetti. It's just um, had issues up and down before uh. The letter, one of the letters he's referring to is July 29th. And if you think about July 29 and August when you filed the appeal, it's really only been about 3 or 4 weeks. So you didn't know way, way back, we're talking July 29th which is almost August 1st. I have to compliment every single parent and child in this room. I read through 88 of - I know there's 125 letters. They weren't the form letters; I mean I've gotten form letters before. These letters gave a story. A story about each child, you can look in the face of the child and how it would have affected them. And they were from the heart. And if it wasn't for the parents here, I would have no problem with this school. I mean it would just not be approved. Uh, because of all the other issues that come along with it. But because of your letters, I'm considering a different course of action, if possible. And, my course of action, is you've gotta get this stuff fixed. I mean, financials have to get fixed, the budget has to get fixed, STRS has to be paid. All of that has to happen. So, if we did anything and approved it, it would have to come back with a lot of conditions. And those conditions would have to be done by - our staff would be agreed upon by both entities. Uh, that's a big task. And that would be the only way I could approve this. It - you can't have your financials hanging out there. Um, if, if, I - is there a Ms. Gennaway here? Where is she?

(Applause)

Linda Lindholm: You sent me pictures of your classroom didn't you? Okay. So, I read through. I did read through these. And, and the hardships that the kids that were honor kids, the kids that were traditional kids, the kids that were special needs and you kinda covered all the bases. The moms are here, the dads are here and the kids are here. Um, I'm gonna try and lean towards having it, that it has to be fixed. A letter would have to go out to all the parents and say, what the problems are and that they have to be fixed. But that's so, I don't know if you're willing to do that. If you're not willing to do that, I'm, I'm.

Tricia Blum: I think they're really honestly, they're really aware of them. They understand the intricacies of litigation and FCMAT and finances like no parent of any other public school or charter school. So we're happy to do that. And just to address STRS, that's paid. It's taken care of.

Lindholm: Well, all those things would have to be handled and would have to have deadlines and we'd have to talk to attorneys. So I don't know what the rest of my board is going to do. That's kinda where I'm sitting on this one. Letting you guys know you got a pile of spaghetti going on right now. And it has to be all straightened out and put back in that package. So, back to you.

Hammond: Okay.

Linda Lindholm: Or other way...

Hammond: Dr. Williams? Any thoughts, questions, comments?

Williams: Yes... And let me commend you for your presentation, your organizational skills. This has been very impressive. But this is an extraordinary circumstance for us. My twenty years here never have been in such a complicated situation and a lot of my questions go a long the same direction and vain as, as uh, my good colleague Trustee Boyd, along the legal aspects. So, if I can have the General Counsel from the San Diego Unified School District, she talked, if you can come by and there is another lawyer, if you can both can get up here, I have uh, some questions for you.

Unidentified female voice: Am I sitting down?

Williams: Uh, yeah. I'm just going to direct uh, to these...

Hammond: So you're just going to talk to these two then?

Williams: And ask questions. And, and I would encourage anybody here if you want to ask questions.

Lindholm: No. The only other thing is I think you should talk to the school lawyer also.

Hammond: Yes. Do you have an attorney? Do you have legal representation?

Unidentified female voice: I have outside counsel, I'm also a lawyer, and I'm authorized by our board (inaudible).

Williams: Okay.

Hammond: Okay.

Williams: Well, you're welcome to listen and chime in. Um, so. You – your name again please?

Andrea Donovan: Andrea Donovan.

Williams: Mrs. Donovan. And?

Andrea Donovan: This is Sarah Sutherland.

Lindholm: The leaders.

Williams: Okay. Mrs. Sutherland, you mentioned in – when you got up to talk, that you are still involved in litigation and there was a decision that was in your favor and Albert Einstein owed you money? Is that what I heard?

Sarah Sutherland: Yes, sir.

Williams: How much is it they owe you?

Sarah Sutherland: Um. I'm not aware of the exact figure. But it's around \$40,000. Maybe close to 50.

Williams: Okay. So, 40 and 50,000. And are those like damages? Or is it borrowed money? Tell, tell me how this figure came up?

Sarah Sutherland: There is, part of it is cost incurred by San Diego Unified and PERS during the litigation, uh successfully, both at the trial court level as well as the Court of Appeals level and then the remainder of it is an attorney fee award that we were able to win um, based on establishing that the litigation San Diego Unified uh, pursued, answered uh, important issue of statewide importance that needed to be answered and that this district has proportionally barred the burden of getting that answer and so was entitled um, to some attorneys' fees. Some attorneys' fees reimbursement. Um, not complete reimbursement. Um, it's under the private attorney general fee statute. I'm happy to share that...

Williams: So, so basically with the cost of litigations and attorney fees and everything else associated with the lawsuit.

Sarah Sutherland: Which is about half of that, yes.

Williams: And you sued them, is that correct?

Sarah Sutherland: We, eventually did that. Yes.

Williams: And...

Sarah Sutherland: And, after about a year of trying to work with them to not to do that.

Williams: And you represented the San Diego Unified School District?

Sarah Sutherland: Yes. Right.

Williams: And Ms. Donovan. Who do you represent?

Andrea Donovan: I'm San Diego Unified's General Counsel.

Williams: Ok, so you're special counsel.

Andrea Donovan: And Ms. Sutherland is outside counsel.

Ken Williams: I see. Okay.

Andrea Donovan: And we retained her firm to handle the matter. First in an attempt to resolve it, uh, cooperatively and when that was unsuccessful to file litigation. And as Sarah mentioned the

court thought the issue was significant enough and when they ruled in our favor they found that we had accomplished an important public purpose.

Williams: And when was um, that trial decision or judgment made? How long ago was that?

Sarah Sutherland: Uh, the trial decision was made in the end of January. And the order for attorney's fees was either March or May. It could have been early May but I...May.

Williams: May – May of this year?

Sarah Sutherland: May.

Williams: Okay – okay.

Hammond: Was there any attempt in May to pay that off?

Sarah Sutherland: No. And several attempts have been made to get that paid. We have gone back into court on a motion to compel and they represented their appeal precluded the court from having jurisdiction. They then withdrew the appeal two weeks later. Um, and we have sent them I can count four letters off the top of my head – seeking payment without going back into court to compel. Basically to attach (inaudible) to the corporation's assets.

Unidentified female speaker in audience: (Inaudible)

Williams: Okay – okay, hold on, hold on.

Lindholm: We'll need you to mic.

Williams: I, I, I'm going to, I'm going to give a retort to you. I promise.

Sarah Sutherland: They have been represented by outside counsel. I have not corresponded with Ms. Blum because they are represented. Um, and so my correspondence has not gone directly to her but I assume they have been (inaudible).

Williams: And and our legal counsel, please help me Ron. Am I speaking inappropriately or asking questions inappropriately for a ongoing lawsuit here?

David Boyd: No.

Williams: I'm not?

Wenkart: No. (Inaudible)

Williams: I'm appropriate then. Okay, I know there's a big elephant in the room, and I'm addressing that here.

Sarah Sutherland: I don't think that there's any question that there is an award. Um, there's no dispute as to the fact that the money was awarded it just hasn't been paid.

Andrea Donovan: The judgments are final and the appeals are pending. And so it's just a matter of collections at this point, which cost more money when you aren't getting a response.

Williams: To, to our counsel, Ron, um, if we were to adopt and accept this charter here do we take on those costs as a department? Is that our responsibility now?

Wenkart: No. I don't think that, that's an issue between San Diego Unified and Einstein. So we would take that on directly. There are some potential liabilities with taking this project on. Because if we don't have compliance, we can end up with some future liabilities but I don't think we would be liable for this \$40-50,000.

Hammond: Ok, you're saying you think, can we get kind of a little bit closer to that? You know, last thing I need is something to be hung out there for attorneys to feast on.

Wenkart: Well, we've got several issues to consider. One issue is that there were a number of changes from the petition that was filed with Huntington Beach City to this appeal, that I think exceed our policy so that's an issue that somebody could challenge us on. Um...

Hammond: Substantive changes?

Wenkart: I think so. They – having to do with additional classrooms. There's also you know, a potential liabilities with respect to their budget. And, and Renee has more information on that than I do. But, um, there's some concerns about uh, the way they've you know, projected their income, the way they've projected their expenditures. There's concerns about what happens if they don't pay their rent for example. And we've authorized them, so there's potential liability there. The FCMAT audit that was mentioned several minutes ago or a while ago, there was a lack of strong controls and proper accounting of transactions so that's you know a big area of concern. We haven't had time to really do a report so we haven't completely analyzed the budget, but our preliminary review indicates that no funds are allocated for substitute teachers, for insurance, for computer equipment, so that causes us concern. Those are things that would normally be on a budget. So, there's a number of things like that were concerned, that could create some potential liability for this board.

Hammond: Alright.

Lindholm: Can I?

Williams: Jump in.

Lindholm: May I?

Hammond: Please.

Lindholm: I'd like to ask you a question.

Wenkart: Sure.

Lindholm: If we asked you to write something that would stipulate that all these things would be fixed. Could you write something that would say they're going to have something for substitute teachers? They're going to have to have; you're going to have to outline it. I understand you got an issue in the \$40,000 and she will address that. But can you write something that says this needs to be done; a budget needs to be done. This needs to be submitted by January. Um, can you write something like that?

Wenkart: Well, it would be very difficult because there's so many unknowns. We don't have enough information to know everything that needs to be in that MOU right now. We'd have to do a complete staff report, staff analysis. I would want to audit. I would want an accounting firm to come in and look at their books and say are they paying their bills, are they not paying their bills. Uh, you know, so I mean, it would be very difficult. I mean, certainly we could write something. But would it cover everything? I'm not sure. Would we be able to cover all the contingencies?

Lindholm: Okay, I'm going to ask this question, cuz this is what they want to know? Can we write something and it may not pass, where their school could start on the 4th? Could we write something that covers all these details, well I know we're not going to cover every single detail.

Wenkart: Well, I would not recommend that. What I would recommend is that if the board, is considering approving this charter that we give the staff time to do a report to analyze the situation and call a special meeting some time later in September and then the staff would come back and report to you what they found in that analysis. We could tell you, was Einstein cooperative or not cooperative. They have new management, they say they're going to be cooperative, but you know, in the next few weeks we would know. They, in the past weren't cooperative but Einstein is saying well we have new management now, we're going to be more cooperative. So, we could put them to the test in the next few weeks, have the staff work with them, do a report and then report back to you at a special board meeting.

Lindholm: I love all of that, except for the timing.

David Boyd: The timing.

Lindholm: The letter, January 29 to me, I mean you had other issues. The letter of January 9th triggered something. And but school started the 1st.

Wenkart: They've known about this problem for a long time. That was just the last straw.

Lindholm: That was the last straw.

Wenkart: That was the last straw. They've known about all these litigation problems and all these problems with authorization. The statute says that you can only have a resource center in another county and it has to be independent study. But they started a classroom based program. So their attorney should have told them that that's exceeding the statute. So these are all issues that they should have known about. Now, we have new management they want to fix the problems, but it's going to take time. I don't think we can fix them today. I just don't think that's possible.

Lindholm: Yeah. I understand that you can't fix them today. I'm just trying to figure out – there's a lot of really awesome children in here that need a decision.

Sarah Sutherland: Trustee Lindholm, if I can just interrupt for...

Hammond: Hang on, just a second.

Lindholm: Go ahead.

Hammond: You mentioned about doing a audit. Now is that something we would have to do internally or is there something that has to go outside? And if so, who pays for that?

Wenkart: Well, I think we would have to pay for it. I mean, you know, we want an accounting firm with some expertise cuz of the short time frame. We don't have the resources and the staff to go in and look at their books. Get a team in there, look at their books.

Hammond: Any idea of length of time?

Wenkart: Well, today is September 2nd. They want – need a decision before September 30th. So, I'm thinking three weeks. You know, today is the 2nd, so three weeks from today is the 23rd. And I don't know what your schedules are but...

David Boyd: The prior reports said that there was insufficient documentation.

Wenkart: Yes. So that could be a problem too.

David Boyd: So the auditors come in and – I, I think this would be a very – number one it would be a very costly project. We would have to search for a accounting firm that had very unique skills in auditing this this type of organization. And as much as I would love to from the student standpoint, I don't see how we can possibly do much today without a staff report. I mean we got clearly the most dysfunctional charter organization I've ever heard of and for us to do any type of approval today, I, I...

Hammond: Counselor? I know you want to say something.

Andrea Donovan: Yes and I was going to share this and ran out of time, but I printed Frequently Asked Questions off their website, two days ago, um, do we have a school next year, yes. We're

chartered through Santa Clarita. Charter went into effect July 1st and is sponsored by Acton-Agua Dulce. This represents that they're opening and their first day of school is the 8th regardless of what this board does.

David Boyd: I saw that as well and that's uh, very concerning.

Andrea Donovan: And you know...

Lindholm: (Inaudible)

Andrea Donovan: I'm not sure that they're actually (inaudible) regardless of what you do today.

Hammond: Ken, Ken, technically it's Ken...

Lindholm: Okay, okay, because I haven't heard the other side.

Williams: Yeah. And I'd like to hear the other side.

Sarah Sutherland: Can I add something? I'm not here on behalf of San Diego Unified to complain that we're owed \$40,000 nor would I ever recommend to my client that we ask this County Office of Education to bare that liability. I don't think you would – we would be able to, but we wouldn't do that. Um, my principal concern is to point out to you that this is an organization that has been refused to be held accountable. They were told by a court in January that they could not operate outside their authorizing district. They knew that it's a classroom based center and not a resource center and they continue to operate. They advertise their school all year long up until two days ago with the obvious intent to continue operations under the new Agua - Agua-Dulce Charter, sorry about that uh, charter. And it is my understanding that the prior operation, prior to the new charter, they were operating under the Alpine Charter, not the prior Agua one. So, that's the reason why I'm here I – we're not asking for the money.

Williams: Yes, real quick. So, what I'm hearing from you if we do approve this, you're not going to come after us for 50 grand?

Sarah Sutherland: No.

Williams: Okay.

Sarah Sutherland: No.

Williams: Okay.

Sarah Sutherland: They, I will tell you that Alpine has been asked to pay it by the charter organization.

Lindholm: Okay. I'd like to hear from...

Williams: Yes, yes.

Hammond: Ken, you had some good points. Do you, do you want her to come up now?

Williams: Absolutely.

Hammond: Alright. Yeah. Go ahead please...

Williams: Thank you, very much by the way. Appreciate that.

Sarah Sutherland: Thank you.

Williams: So...

Unknown Voice: You're all good lawyers.

Tricia Blum: So I'll put my lawyer hat on, but it's really my CEO hat right now, because that's really what you want to hear from me.

Williams: So, you have an emblem on your website that says you're WASC accredited. You have under the Frequently Asked Questions that you're going to open up under...

Blum: Can we – can I address like them – as you go down so that we can make sure you get the answers you're looking for?

Williams: I haven't asked a question yet.

Blum: Okay.

Williams: Um. So, it looks like false representation to me. I'm not a lawyer, but it doesn't look like you're telling the truth and that's that's hard to follow because you're asking basically you and I to get married and I don't know you and I see a lot of things that I'm concerned with before I even step down that isle to marry you and I'm concerned. I really love how you brought your family together and we feel the spirit of the family of Albert Einstein. But still underneath all that facade there's a great deal of concern for us as a board with the liability and what appears to be the truth not spoken. Uh, I'll go ahead and allow you to address that.

Tricia Blum: Okay.

Williams: How do you respond to that?

Tricia Blum: So, first, Dr. Williams, I would never suggest slapping lipstick on a pig. Um, and we're not talking about getting married, you and I, but we are talking about a long relationship I hope and possibly a marriage with Orange County Board of Education. So, it does sound like misrepresentation without what I'm going to tell you right now, which is, I'm not sure which of

our webpages you've been on. Often times when you key up AEA, our high school comes up and you can portal to every school under our high school.

David Boyd: This is the Huntington Beach website.

Tricia Blum: I am told that on the Huntington Beach website, the WASC, and so if someone can do that right now, I'd really appreciate it. As for the document that counsel read to you regarding um, our statements that we are chartered under Acton-Agua Dulce, she's referencing a document that's on our website actually that is the Frequently Asked Questions regarding our July 8 conversation with parents. At that time, not only did we think we were authorized, but my understanding is Orange County staff thought we were authorized, outside counsel thought we were authorized. So, that statement really was a time specific statement. At that time we did believe we were authorized.

David Boyd: Well, the website I was on contained here, student parent handbook, Albert Einstein Academy Letter, Arts and Sciences. And it also contains the e-mail that went out to parents encouraging people to come out today. So, I was on the right page.

Tricia Blum: I'm looking at right here and I don't see it.

Hammond: When did you print those out? Or when did you...

David Boyd: Saturday.

Hammond: Saturday. Okay.

Tricia Blum: No. Uh-uh. So, with all due respect, I do apologize, but I am not seeing it. I, you know, the great thing about the Internet is you can find information anywhere. The bad thing about the Internet is that it's not always correct. I'm not sure what we're looking at.

Lindholm: Is it there? We're looking.

David Boyd: Well the bottom line is, from my standpoint, it was your organization's website that I was on. Now, there may be different links going different directions, but, uh, I was clearly on the right website when I printed the parent student handbook and the master student agreement, long term home study on Saturday. And I saw the WASC logo which I'm very familiar with.

Lindholm: Uh, he's looking for it.

David Boyd: Even if it wasn't on the page, you're referring to, it would still cause confusion amongst parents who would go to the same place I went and they see a WASC logo.

Tricia Blum: Part of our organization is WASC approved.

David Boyd: I know, I've spoken to WASC and they made it clear that the Huntington Beach location is not an approved location.

Tricia Blum: It's not even eligible. So we can't seek it until the end of next year, if we can manage to be chartered.

Lindholm: Can I ask a question? Um, you mentioned earlier, there are people concerned about money. Uh, at the very beginning you mentioned that you have a benefactor of some kind, in spite of the ADA kind of funds. Do you want to talk about that or no?

Tricia Blum: Great. Yes. I'd love to. Thank you. And really quickly before I do, I want to let you know that we have an outside auditor, an independent auditor currently working on an audit for us.

Lindholm: Oh.

Tricia Blum: So, that would be you know, again, I'm not asking you to trust us, but it is an independent auditor and we've already undertaken the expense and we'd be more than happy to of course share that with you and not – you wouldn't have to incur expense on that.

David Boyd: But a financial audit, it's significantly different than uh the audit that we would be referring to.

Tricia Blum: Okay.

Lindholm: When will your audit be done?

Tricia Blum: Our audit should be done by the end of September.

Lindholm: Okay.

Williams: Will your audit have the fee that you owe from the lawsuit as a debt?

Tricia Blum: I, I assume so. Yes.

Williams: Okay. Um, can I have Mr. Jeffrey Ball is he still here? Can you come up sir?

Lindholm: And you can come back.

Williams: Yeah. Okay. I just want to say that you were very impressive in your uh, oral arguments, in your three minutes up there. I do appreciate that. I sense that a strong um, dedication to the cause of the school. Um.

Jeffrey Ball: Yes, sir.

Williams: You, you are currently in what capacity as a board member?

Jeffrey Ball: I am on the board of overseers.

Williams: Who's your president of your board?

Jeffrey Ball: Uh, Jeffrey Blum is the current chair of the board of overseers.

Williams: Okay, and that's Dr. Jeffrey Blum?

Jeffrey Ball: Yes, sir.

Williams: Okay.

Jeffrey Ball: I believe he's also a resident of Huntington Beach.

Williams: Okay. And has your board met?

Jeffrey Ball: Yes, sir.

Williams: Okay. And do you talk about the things that we're talking about now?

Jeffrey Ball: Yes, sir. We, um, management and of course we're aware through the CEO change but they have shared with us a number of the administrative issues that were going on and allowed us an opportunity to ask questions and have discussion.

Williams: How long have you been on the board?

Jeffrey Ball: I've been on it since the school opened. So, it would be uh, I believe the first meeting that I was on the board of was a year ago, September.

Williams: So when you heard of all these concerns about being properly chartered and having the right credentials and paperwork and who's actually sponsoring you, what did you think and what was going through your mind at that time?

Jeffrey Ball: Well we were naturally concerned. And of course in my professional life, I often had to deal with different types of issues. And so, I asked a number of questions in regards to how a number of these issues were being addressed. There was a CEO change that was executed, primarily because of these issues and my feeling was that the administration, the new administration was working diligently to address these issues. Uh, the exact nature of – I'm not an education specialist, I'm a business man but from what I saw in regards to the benefits of the school and how administration was handling some of those challenges, I felt it was a worthwhile thing.

Williams: Okay, so you saw a lawsuit from San Diego come across your desk...

Jeffrey Ball: That particular item did not come to the board of overseers. That would be an item that would be with the board – uh the parent board up in Santa Clarita.

Williams: Okay, so it never came to you?

Jeffrey Ball: It did not come to us. We did not have any jurisdiction on that, we were informed, but there was no jurisdiction for us.

Williams: Okay. Okay, thank you.

Jeffrey Ball: Okay. You're welcome.

David Boyd: Can I ask you a quick question?

Jeffrey Ball: Sure.

David Boyd: Uh, tell us about the board of overseers. What responsibilities do you have? What powers do you have?

Jeffrey Ball: Sure. And I'll – and I'll uh, Tricia addressed as well. The board of overseers is a group of local members, we have both community members as well as parents, so I came on the board as a community member and will now continue as a parent member. Um, we work with the school site administration relative to the school calendar and also any specific issues pertaining to the campus and then we also receive reports from uh, management or the parent board in regards to what's happening with the parent organization.

David Boyd: Does the board have the authority to make decisions or at least make recommendations to the board of directors?

Jeffrey Ball: Primarily recommendations, decisions for the local campus and then other than that recommendations that would go to the parent board.

David Boyd: And most of the parent – and most of the members of the parent board are located where?

Jeffrey Ball: I believe they are up at the Santa Clarita area.

David Boyd: Okay. Thank you.

Williams: So, your school would be under the control of this um, group in Santa Clarita?

Jeffrey Ball: Yes, sir.

Williams: So, you don't have any ability to implement any actions or anything like that, is that correct?

Jeffrey Ball: Uh, as strictly as a member of the board of seers in Huntington Beach, no.

Williams: So, in this application that you're giving to us, who is the one that we're going to be dealing with if there are problems, if you are approved, who is going to be implementing these changes? Who, who's gonna have the oversight and responsibility – what Board?

Tricia Blum: I - Well ultimately our fiduciary Board is our corporate Board but we work in conjunction with our Board of overseers at our school.

Williams: Ok. And the corporate Board is up at Santa Clarita.

Tricia Blum: Most of the – I think – most of the Board members live up there, but many of them work in Pasadena and Hollywood. And one of our intents – um, there has been a movement and we have not brought an Orange County Board member up to uh, join the parent board. Uh, primarily because in the last month we've been concerned about going forward with the school, but we have a Board of Overseers member from our other campuses on that Board and we'll have a Huntington Beach one as well as long as the school goes forward.

Williams: That's – that's the, one of the weaknesses I see here because all of our other relationships with our Charters we – we deal with people directly here in this community who – who came to the meeting who were here to observe and witness the questions that went back and forth. Um, that – that's uh, that would be a concern. I don't – are any of these Board members here today?

Tricia Blum: Yes actually.

Williams: (inaudible) Board.

Tricia Blum: Um, there's Kirk, Board of Overseers.

David Boyd: No, are the Board of Directors here?

Tricia Blum: Yes, I've got at least two here. I'm not sure where Byron is right now but I know he's here, I saw him earlier. Kirk Kawasawa's our President.

Lindholm: I'd asked a question earlier about - because there seems to be concern about your budget, which probably is – we have an excellent team that uh, reviews budgets, um, you were going to talk to me about a benefactor too that might be able to help if you had issues.

Tricia Blum: So because of our prior financial challenges we have partnered with – um, Marcie are you still here? Um, with CSC: Charter School Capital.

Lindholm: Mmmm.

Tricia Blum: Um, they've made almost a billion dollars in loans to charter schools and they've only lost \$85 million. I tell you that because on paper we've got a lot of warts, but they're making a bet on us and they've written a contract with us for \$30 million over the next 5 years –

of course subject to underwriting – but nonetheless, they’re going to help us get through our financial challenges.

Lindholm: Mmmm.

David Boyd: (inaudible) Debt service. This is a tough one.

Hammond: Any more questions?

Lindholm: Ok uh, to our legal counsel – Yeah I’m the - I like to ask questions, I like to get to the bottom. If we do not do anything today, if we don’t say “ok we’re gonna appeal, here’s the second date, we’re gonna get the audit, etcetera, etcetera, etcetera,” what happens to this school and the start of the school?

Wenkart: Well that would be up - up to them. I mean, legally I don’t think they can start until this Board approves the appeal. But...

David Boyd: On their website it presently says September 8th.

Wenkart: Yeah so it’s up to them. I mean if they operate starting September 8th I think they’re taking a risk, but that would be up to them. Uh, you know I – so I really can’t answer that question other than it would – that would be their decision.

Lindholm: So if we did anything today...

Wenkart: They can’t legally operate, but...

Lindholm: If we did anything today you’d require a second meeting.

Wenkart: Yeah, there would be a second meeting – the way it should work legally is that – it - if – we, let’s say three weeks from now we have a Special Board Meeting. We’d come back with a staff report, audit report if possible, we’d provide you more information, we give you a - a more detailed recommendation and then you take action. If you approve the uh, appeal three weeks from now, then they could start operating.

Lindholm: So what we could do is one of these lengthy, a lengthy MOU, at – not at this meeting, we can’t do it at this meeting.

Wenkart: What we’d certainly, you know, be willing to work with them on a MOU if this Board approves their appeal three weeks from now; we would certainly work with them.

Lindholm: Ok.

Wenkart: The staff –

Lindholm: I’m just looking at options.

Wenkart: Yeah we would definitely work with them.

David Boyd: Can we bring Ms. Blum up once again?

Hammond: I - I'd also like to know too from Renee, I've got a couple questions...

Lindholm: Do you want to ask her?

Hammond ...unfortunately for you...

David Boyd: Assuming this Board does not take any action today, uh, do you still plan to open on the 8th?

Tricia Blum: No.

David Boyd: Ok. Thank you.

Tricia Blum: Let me just say that really loudly, no. And unfortunately my parents know that.

David Boyd: Ok. Thank you.

Tricia Blum: Right?

Lindholm: That's an honest answer.

Williams: I - I have a question. So - so, are we as a Board - Ron you can please help us um, with direction - we have action items, or J items: J 5 and 6 today requesting action. These are what we're talking about that we have to approve in order for this to go forward...

Williams: ...is that right?

David Boyd: That's correct.

Wenkart: Uh yes. Tho - those actions were put on the agenda at the request of Ms. Blum to give you the opportunity to take action. So you have, you know, several options. One would be to approve it today, one would be to um, set a special board meeting and we'll come back with a staff report and review it, the other option would be to wait until the October 14th regular Board meeting and we'll bring - come back with a staff report and provide you the information. But what I'm recommending is that we have a special board meeting sometime in September.

David Boyd: And what - what they're asking today would be counter to the Board policy that was um, Trustee Lindholm and I worked on...

Wenkart: Yes I believe so.

David Boyd: ... just a few months ago - the ink is hardly dry.

Lindholm: I – I – I – understand – I understand that as from what Dr. Williams has said, this is the most unique situation that has come up in twenty years since he's been on this Board.

Wenkart: I – we have not had this situation come up before.

Lindholm: So that's kind of what I'm trying to do the best here. Did you want to address um, Item number 6?

Wenkart: Item Number 6?

Lindholm: Oh not yet? I'm sorry, not yet.

Hammond: Not yet. Sorry. I'm going to bounce you on that one.

Lindholm: Not yet. Never mind. Ok you can.

David Boyd: Did – did we want to do the interdistrict appeal before we get to 5 and 6?

Hammond: Yes I would like to but...

Williams: (inaudible) wait – wait - wait a minute

Hammond: Renee I'm sorry, I've gotta ask you – 'cause I believe part of your staff is going to be responsible for looking into any of this if we were to agree or I mean...

Hendrick: Well based on -

Hammond: how – how much time are we talking about for you and your staff to look into this?

Hendrick: Well based on – you know – from the Executive Committee we had done a preliminary look at the charter. I have to tell you I'm extremely concerned. And so there are um, part of the part that wasn't mentioned is they talked about the FCMAT audit which is here and it was an extraordinary fraud audit. And so they didn't find fraud necessarily, but they had very strong concerns about the financial um, makeup. One of the problems is um, it's not just this school it's the charter organization and that's the thing with Dr. Williams was alluding to, it's this parent company is the one that actually we would be working with. They have violated the law numerous times.

David Boyd: And - and the audit um, that you're referring to there, the auditors were in some instances unable to draw a conclusion –

Hendrick: They were -

David Boyd: - because there wasn't appropriate documentation.

Hendrick: And some of the findings – I just want to kinda bring to your attention also – is besides them not being able to find things, in multiple um, petitions they had shown that their

foundation was pledging dollars toward the new charter – they never had that money to pledge. So in one of those charters they said the foundation would give the school \$145,000.00 – they didn't have that much money in the bank to even do that and they had done that for multiple schools. Another item was that they transfer funds in-between sites and they never could tell you how much each school actually had in their books. That's a very serious finding. They can't even tell what school has which money at this point. Another one is that they had violated IRS rules, which if they're audited they will have to pay for that. They have independent contractors that they don't have any contract – any legal contracts for and they also issued over 40 checks to employees and did not um, show that as wages and compensation and they didn't issue a 1099. One of the other major concerns I have is that it's a very messy charter looking at it. And we're having a hard time even tracking the ADA right now. Since they were supposedly a resource center and not operating a regular school, that should have been a non-classroom based ADA yet when I tried to track back where the ADA is – which is kind of confusing cause I'm not sure who the real authorizer is – if I go back to the one in Santa Clarita it's actually recorded as a um, classroom based ADA which if that is not correct, they will have to pay that money back and that would be a huge financial hit to them also.

Hammond: About how much?

Hendrick: I can't tell right now.

David Boyd: Could be (inaudible)

Hammond: Wow.

Hendrick: It – it - so these things are very, very complicated and a conversation with CDU right now – that could be a State Controller's audit – there's a lot of different issues there. And so it is very, very complicated and so it's not just this one school which – there's – you know there's great people here for that. This is a whole charter management organization that has multiple findings. This audit was just done on December 4, 2014. It has not been that long ago. Besides that, one of the things I wanted to mention (inaudible) the impact: what does it say if you authorize this charter and they now opened a resource center in another county and start operating? You would now be liable for that if they were sued. They have done this multiple times. So, I have grave concerns - it would take a lot of time and effort to go through these items um, but that's just my preliminary look at...

Hendrick: ...and I have a whole list of other things but, for time.

Hammond: Alright. Thank you, Renee.

Hendrick: Um, one more thing I might want to just mention about the budget: Normal school district and charter school budgets that we look at, between 75% - 85% of their budget is for salaries and benefits. You guys are used to seeing that with our budget. In their budget they

only have 59% budgeted for that. So my guess is there's something missing in there um, and that's I think the only way they could get their budget to balance possibly? But I may not be looking at the most current on either 'cause I know there's some revisions and so that would be another question we would have.

Hammond: Thank you Renee, very much. Um, Mr. Boyd, did you have any other questions for Renee?

David Boyd: No, just an observation that you know, we've – we've seen today that we have some outstanding local educators and some very dedicated parents and children, but - a hugely dysfunctional organization.

Hammond: Dr. Williams?

Williams: So, it's now 5:20. Um, we've been talking for 2 hours about this charter. I - I'd like to talk about giving them some resolve here. Um, I think we should go on and vote on 5 and 6, at least address that. Uh, I'm done with the questions I have in my mind how I would like to proceed. Uh, I'd like to help these families 'cause these are kids that need to eat, they need to go to bed, um, you guys have been so wonderful and the issue again is not how incredible you are as human beings or as parents 'cause I'm very impressed. I'm very, very impressed. The issue is one of great legal uh, deep issues that I – is unusual and it's not any of your fault uh, the issues go to higher ups above the pay grade of you who you seem to a very good person. But a lot of what's happened – your foundations are weak and cracked.

Tricia Blum: We're working very diligently to fix those foundations.

Hammond: Alright. I do have 2 questions but Mr. Boyd did you have any other questions?

David Boyd: No. No I agree with uh, Dr. Williams. I think these folks deserve an answer.

Hammond: Madam Vice President?

Linda Lindholm: Um, I - these are the most wonderful families and wonderful kids and great teachers.

Hammond: I agree with you.

Lindholm: This is just so frustrating to me. Um, I think you're hearing us say it's frustrating and it's just very challenging. Um, but I'd like to take 6 before 5 if I understand from our attorney –

David Boyd: Yeah, good point.

Lindholm: - that you wanted to explain that.

Hammond: Alright well he's coming up on that, then I'll just ask you, um, I heard, I don't remember – it was during your presentation I believe that you said that there are some special needs kids that can go to you but they really can't go anywhere else. Were you referring they can't go anywhere else in the Huntington Beach School District or in general? I'm...

Tricia Blum: I think that's actually Bree.

Hammond: So, my apologies. Ms. Bree.

Bree: No, I was referring to students that they – they can't um, public schools have uh, nut-free tables, we have quite a few kids with severe nut allergies, life threatening nut allergy um. We had a student that um, just sitting in the nut-free table wasn't enough for her – for this particular child. And there's actually another one as well. So we became a nut-free school – 100% nut-free - so that's been a huge benefit to those few families and it was very controversial but um, you know I think we got a lot of community support and all the parents were on board and really supported being a nut-free school.

Hammond: Alright. And then I don't remember, I'll have to – I'll bounce between you two. Um, one of you said you felt like the lawsuits were moot and then immediately – and I'll say opposing counsel came up and said that's not quite correct. Can you comment on that please?

Tricia Blum: Um, I actually didn't say they were moot, I said they were finalized. Um, we closed our school in San Diego in June, and in Newhall the California Court of Appeals just found in our favor in August. So...

Hammond: So how – how so did they find in your favor?

Tricia Blum: So Newhall brought a lawsuit against Acton-Agua Dulce Unified School District and our corporation, AEA, because we were authorized under Acton-Agua Dulce and we were operating a charter school outside of their physical boundary. Newhall was the district in which we were operating brought suit and said that is not legal. California Courts stated it was legal and the California Court of appeals has affirmed that. That is how we ended up writing a new charter by the way; is what they did find in that case was that while it was legal to operate a school or a charter school outside of physical boundaries, apparently – and I wasn't here at the time – the hearing was not done to their satisfaction. So that's how come we wrote – we wrote a new charter and had a new hearing – to satisfy the Court.

Hammond: Okay. And you heard, you know, the Superintendent, I think – you are still here!

Gregg Haulk: I am.

Hammond: Man. I hope you're getting overtime for this, sir.

Gregg Haulk: (inaudible)

Hammond: Yeah. Um, you know – the Superintendent, good Superintendent, you know, mentioned that he basically got a postcard in the mail, I realize it was before you know, you got here – what have you all done to basically, I'm going to say reach out to that school district, and try to make amends, you know?

Tricia Blum: Um, thus far I have not reached out to make amends. It's not an intentional slight; it's a - I have a lot of fires right now unfortunately, this one being exceptionally important. They denied us on my second day in employment so I wasn't part of that, but since then I have been working really diligently and really quickly to find a charter so that we can open school in the fall.

Williams: Ms. Blum is - is a member of the organization – the governing board above you - are they here? At this time?

Tricia Blum: Yes.

Williams: Can - can I speak to one of them?

Tricia Blum: Our Board President, Kirk Kawasawa.

Hammond: You know what I - I – Mr. Boyd; I think has a follow up question for you.

Williams: Sure.

David Boyd: Yeah, um, what's your opinion on the exposure that you might have to repay the ADA money - that was received for students at the Huntington Beach location?

Tricia Blum: I - Yeah that's um, that's the first time I've heard that argument. We've been in contact with the CDE, we've worked - I mean Acton-Agua Dulce is our authorizer on three other charters. So they are an authorizing partner, this is a most unfortunate set of circumstances, it's disappointing, um...

David Boyd: Should - should that happen, my trusty little calculator here, that's a \$2,400,000.00 hit.

Tricia Blum: Oh yeah. So that's the first time I'm hearing that um, California Department of Education hasn't suggested that and Acton-Agua Dulce hasn't suggested that, so yes, that is news.

Hammond: Alright. Ok.

Williams: Sir, what is your name?

Kirk Kawasawa: Kirk Kawasawa.

Williams: Kirk Kawasawa. And – and where do you live sir?

Kirk Kawasawa: In Santa Clarita.

Williams: In Santa Clarita, ok. And you're a member of the Board that is the grand-daddy of them all.

Kirk Kawasawa: Correct.

Williams: Ok. So give me a timeline on what happened here. Because we have Ms. Blum, who seems to be really a wonderful human being and citizen, and she comes into a very difficult situation – a hornet's nest – and the foundation broken, uh, what do you say about – how you got here? And do you bear any responsibility for being in this situation?

Kirk Kawasawa: Uh, so to give you color of my background, I've been on the Board of Directors for close to two years, um, I - after the issue of the FCMAT report I actually took over the presidency of the Board in the following January. Um, three months later is when we parted ways with the CEO, a month after that we hired Tricia as our new CEO. We brought in a new financial person who's likely going to be our CFO. Um, we've worked very hard at being upright and forthright, but there are a lot of things that were set in play that we had to catch up to.

Williams: Did you have legal counsel at all during this - the Board meetings to help you figure out where you're going and the directions and all – all these issues that are coming out right now?

Kirk Kawasawa: Yes.

Williams: You did?

Kirk Kawasawa: Um..

Williams: Are you a member of the California Charter Association?

Kirk Kawasawa: Our organization?

Williams: Yeah.

Kirk Kawasawa: No we are not.

Williams: Because you know what - what's happening here, I - I know my Board members are just wonderful people and –and if we weren't in this difficult situation we would say you got thumbs up and you've got a green light to go. But I have to place blame on you. You're part of the Board that allowed in the last 2 years for these good people to be in a situation that puts us in a very awkward situation. I'm the nicest guy here – I'm the most pro-charter guy (laughter)

David Boyd: Can we vote on that? (Laughter)

Williams: And – and I feel really uncomfortable, and – and I have to place it on you, sir. Kirk, you're probably a nice guy but you - you guys have to bear some respons - responsibility and face these people and tell them the truth – you guys screwed up.

Kirk Kawasawa: Understood. And we're trying to fix that, and I'm doing – personally I'm doing everything possible inclusive of trying to get leadership on board that can actually steer the organization in an appropriate direction.

David Boyd: Yeah I - I have to agree with Dr. Williams. If – if all, based on the information I know, if all we were looking at were the academic issues, this would probably be a slam dunk. But of course, it's not.

Lindholm: Uh, is there anything you would like to say, I – I – that – I know you're working on this and you have other successful schools. I – I - I hate to say, you know, you're trying to help kids with education that's I'm sure why you did this. I – I don't want to lay that – gosh didn't you know absolutely everything going on um, I don't think it's this Board's I- it – it just came to our Board like a month ago and we're trying to fix the problems but, do you want to say anything?

Kirk Kawasawa: Well it's been a very frustrating two years. It culminated in January where I could no longer take that and I wanted to make a change. I could either resign and run from it or I can take it on and try to fix it, and I just decided to try to fix it. Um, we're working very hard to do that. We're working very hard to be very transparent, doing – trying to do things by the book. Trying to honor the word and the rule of our authorizer as opposed to saying “well we have legal grounds we're just gonna run over you”. We don't want to do that. We want to do things the right way from here going forward and that's what we're trying to do today.

Lindholm: Mr. President?

Hammond: I got a question for uh, let's see, CEO Blum and principal, one last question.

Lindholm: Thank you. Thank you very much

Hammond: Alright if - If you don't open up next week, where do these kids go? At least maybe for a couple of weeks?

Tricia Blum: Well the - the answer to that is two-fold actually, because I'm – I'm hearing us wrestle with this and um, one of the challenges is these parents are here today to, you know, really help save our school. But if we continue to push this out, they're going to be forced to go elsewhere even if their loyalty and heart is with us um, and that's not your problem but the reality is if you talk about we're not guaranteeing that we're opening by the 30th of September, that's 4 weeks of school that kids are missing. Certainly for older kids, - you know - the 3rd graders, 4th graders, 5th graders that - that starts to get difficult, right? So when we talk about pushing things out, I respect that we have some due diligence to do um, and I will certainly do

everything I can to push that along, including – I haven't slept for weeks, so I can continue not to sleep so that we can get an MOU put together to protect your interests. Um, but so that's – that's one of my answers is: really honestly if we don't open here within really short order, even if we somehow figure out how to open before the September 30th deadline, most of my families will have to probably find education elsewhere just because their children will be four weeks behind in education, right? Um, we've – we've talked a lot um, as leadership, as parents, we've cried, teachers and um, really some of them have um, already made contingency plans, right? And the beautiful thing is they're calling them contingency plans um, so they're gonna go to their home-schools, they're going to go to home school, they're - a lot of them are - are doing everything they can not to go elsewhere, but do recognize that they will.

Williams: Mr. Haulk, are you still here?

Hammond: He is.

Williams: Um, could you just stand up and come up here?

Hammond: He's got a booming voice; we can hear him from there.

Lindholm: No - gotta be at a mic.

Ken Williams: No.

Hammond: I know, I was just trying to save you from walking –

Lindholm: It's gotta be recorded.

Williams: Yeah... Thank you Mr. Haulk, Gregg for - for being here, 'preciate it. You - you see the circumstances, you probably foresaw this even before this meeting began. The question that I have, and I'm sure my other Board members do also, where are these kids gonna go? And can your district absorb all these kids and can they start um, next week or two, or whenever the schools begin?

Gregory Haulk: Absolutely. And uh, I - I respect your discussion. I think you're having a very similar discussion to um, what my Board of Education did. Uh, we didn't have a lot of questions about academics um, we were – they were tied up in the, in the governance and the – and the business. Um, my – my biggest concern is absolutely we'll take any students, and that direction has been given to all of my principals and office managers – we will take them all. My HR is um, also not getting any sleep um, because we have uh, we have substitutes lined up; we are looking for uh, where we can have empty classrooms. My concern is if this drags on for a couple of weeks and all those students leave, we have a spike in enrollment and we bring people in uh, we divide classes up certain ways and then if uh, you know, then if we have an exodus at some point and now we're leaving partial classes – regardless, we'll do what's right and make sure kids are in school.

David Boyd: Your school has started?

Gregory Haulk: No, we don't start – we're - we're Huntington Beach; we never start until after Labor Day, so we don't start until the 9th.

David Boyd: Ok.

Gregory Haulk: And then people wonder why we have to go until the end of June.

David Boyd: When – when's your first semester end, approximately?

Gregory Haulk: Um, we have trimesters um, and you know offhand I don't know. It's..

David Boyd: Ok. Well I mean one option could be that, you know, these students could go for the first trimester in the Huntington Beach district and transition over. It - assuming that the charter is approved.

Lindholm: That won't work, uh Renee says -

Nina Boyd: Excuse me, if we could just take a 2 minutes recess um, we're having some tech – technology – we need to change tapes. We exceeded, we're at a little over 6 hours. (Laughter)

David Boyd: It probably tells us to go home.

Nina Boyd: Um, so we need to –

Hendrick: She just needs one minute –

Nina Boyd: - in order to make sure we're recording.

Hammond (bangs gavel) We're taking a two minute break.

Nina Boyd: Thank you.

(Gavel Bangs)

Lindholm: I wish Jack was here, that would be nice.

Hammond: Jack does not want to approve, he told me he wants a special meeting.

Lindholm: Oh. Oh he does? Well then what do you do?

Hammond: Orange County Board of Education is back from our very long 2 minute recess. Typical of me, I always found a way to extend recess. So um, Mr. Boyd do you have any other questions?

David Boyd: No.

Hammond: Madam Vice President?

Lindholm: Um, no but I - I do want to hear about 6 before I hear about 5.

Hammond: Alright. Um, Dr. Williams do you have any questions for...

Williams: I - I - I didn't catch, I don't have any more questions. I'm - I'm ready to move on and help the - these families resolve this.

Hammond: We're - we are going to go ahead and - and for the record, we're going to go ahead and take um, items -

Lindholm: 6 before 5.

Williams: 6 before 5.

Hammond: Yes, and um, so we're going to go ahead and take Special Recommendation Item 6 um, and then - but I - but I saw Renee up there, now I see Ron - did you need to address us on something?

David Boyd: Probably.

Wenkart: 6 is the uh...

David Boyd: The waiver...

Wenkart: ...request for the waiver request.

David Boyd: Correct.

Hendrick: I just wanted to clarify; you had asked the question before break: could they do it at mid-semester and they cannot under the State law. They would have to be an authorized school prior to September 30th to receive any funding for this year.

David Boyd: Ok.

Hendrick: I just wanted to clarify that.

David Boyd: Thank you for that.

Hammond: Wow. Thank you very much for that. And Renee, by the way thank you to you and your staff for what you all do. 'Preciate that. Um...

Williams: Question - Renee? So...

(Laughter)

Hammond: Can we give her the microphone?

Williams: So let's suppose we hold a Board – a special Board meeting at nighttime so everybody can be here at 6 o'clock to reconsider this item. Can we do that?

Hendrick: Prior to September 30th.

Lindholm: But not after.

Williams: Pardon me?

Multiple voices: But not after.

Williams: But not after.

David Boyd: We would have to act by the 30th I'm guessing.

Williams: So we have to act, ok that means the school won't open until after that date.

David Boyd: Well it shouldn't.

Williams: That correct?

Wenkart: Yes.

Williams: Ok. I would like to make a motion um...

Hammond: I'm gonna – sorry I'm going to have to –

Williams: Go ahead.

Hammond: I'm gonna...

Williams: I'll – I'll – this is – this is the most difficult decision I think I've ever made in my time on the Board

Hammond: Alright.

Lindholm: I just want to hear 6 first.

Hammond: Yeah, Ron? Would you care to enlighten us in regards to Special Recommendation Item Number 6, which is the Albert Einstein Charter School's request for action on their waiver request?

Wenkart: Um, yes. The waiver request was basically a proposal by uh, by Einstein Charter School to enter into with this Board to waive the ability of this Board to – to sue Acton-Agua Dulce Unified School District. Um, and I talked to their outside attorney and they – she told me that this was at the request of Acton-Agua Dulce because they were concerned about um, uh being sued by us over this whole issue. Um, and uh, I - so I – I – talked to Acton-Agua Dulce's

attorney and they said that they were not really that aware of it, at least the attorney wasn't, and that uh, they - it was up to us whether we wanted to enter into it or not. I – you know I was kinda surprised because we never even talked about that contingency and there would be no reason for this Board to take any action against Acton-Agua Dulce so I - I didn't see any need for the waiver. So that would be my – I – I would just recommend that you not enter into this waiver 'cause I don't see any benefit uh, from it to this Board.

Hammond: Ok.

David Boyd: Yeah who's - I'm still confused as to who is waiving what?

Wenkart: Well and it was a little bit confusing the way it was worded too. So yeah, that's why I called them to say, you know, what was the purpose behind this, what was the intent? And the attorney, the outside attorney for Einstein said the intent was to make uh, Acton-Agua Dulce more comfortable that they wouldn't be sued if they decided to reverse their action of July 29th and authorize uh, the charter. And I said, you know, we haven't even talked about this, we've never even had a conversation about it, um, and you know. So I – you know, I couldn't sign a waiver because I wouldn't know how the Board even felt about it. And when I called Acton-Agua Dulce they said that they weren't really worried about it, they just said it's up to your Board what they want to do, you know, they - and Acton-Agua Dulce isn't even a party to this waiver agreement. Um so, you know that – so for that reason I just didn't see any reason for this Board to consider it or enter into it, I just...

Hammond: Would - would you recommend then basically this Board take no action?

Wenkart: Yes I would recommend...

Lindholm: On Item 6.

Wenkart: ...taking no action.

Hammond: On Item 6, yes.

Wenkart: On item 6.

Hammond: Um, alright well since we are discussing Item 6, Dr. Williams, did you – well is there anything else you wanted to hear about Item 6?

Williams: So moving on the agenda to J-6, you are saying that we should just ignore this or vote it down?

Wenkart: Um, you could do either one.

Williams: Ok.

Wenkart: I mean, because it would -

Williams: That would be...

Wenkart: - it would take an affirmative act for you to enter into it. If you take no action it just dies. You could vote it down if you want to make a motion to uh, deny entering into the agreement, you could do that but I don't think it's necessary.

Williams: Dave, what do you think?

Hammond: Yeah. What do you think Mr. Boyd?

David Boyd: Well uh, you know I, certainly couldn't agree it - to it today because to because to be perfectly candid I don't fully understand what...

Wenkart: I didn't - I didn't...

David Boyd: ...what the purpose of this whole thing is.

Wenkart: I didn't understand it when I read it.

Lindholm: (inaudible) take no action.

David Boyd: Yeah - yeah uh, I have.

Lindholm: Ok.

David Boyd: I'm not the Robert's Rules of Order guy around here.

Lindholm: So anyway, we just wanted to make sure 6 was off the table.

Hammond: Alright well in that case then um -

Williams: So I will make the motion then that um, we lay on the table and not vote on item 6.

David Boyd: I'll second.

Williams: Ok so what happens here?

Hammond: So help me out here. You guys just made a motion...

Wenkart: He made a motion.

Lindholm: (inaudible) made the motion.

Hammond: ...a motion I've never heard of.

David Boyd: Motion not to do anything.

Williams: A motion to lay it on the table so we don't address it (inaudible)

Hammond: Ok I want to make sure we're not tabling this thing.

Lindholm: Why don't we just vote no?

David Boyd: I don't want to bring it back.

Multiple voices: I don't want to bring it back.

Williams: You don't want to bring – you don't want to bring it back? Alright I withdraw my motion then.

Hammond: But you got a second, so does the second concur with the route...

David Boyd: I withdraw me second.

Williams: Ok.

Hammond: Ok.

Williams: Linda, do you want to make the motion?

Lindholm: No, I – I think no act- he said no action it - it dies.

Wenkart: Yeah if you don't take any action -

David Boyd: I think you can just ignore it and move on.

Lindholm: We're ignoring item number 6.

Hammond: So - so ok the Chair seeks a motion on Item number 6 and if there is nothing for about 10 seconds – little quicker – it dies.

David Boyd: Ok. Sounds good.

Hammond: 2, 3, 4, 5, 6, 7, 8, 9, 10... Ok, in the Chair's opinion it dies due to lack of a motion. Alright we're done with 6. Alright.

David Boyd: Good job.

Hammond: Thank you! Leave it to a varsity coach... Um, alright Item number 5, the Albert Einstein Charter School's request for action on their petition - Chair seeks...

Lindholm: Dr. Williams has something.

Hammond: ... a motion. Um, Dr. Williams?

Williams: So again as I was sharing, this is probably the most complicated difficult situation, I am probably one of the most pro-charter school trustees uh; however I can't in all good

conscience with all the issues that we've talked about um, being a fiduciary – or having a fiduciary responsibility – enter into any sort of agreement at this time. Uh, but I would be willing to make the motion on Recommendation 5 that this be moved to a Special Board Meeting to be decided at a different date, in the evening 6 o'clock, uh to discuss this further and - and only this particular item.

David Boyd: Could we ask Kelly a question?

Hammond: No.

David Boyd: 'Cause...

Hammond: We are all out of questions. I'm just kidding. Yeah, go ahead.

Williams: Does – does it need a second? Does it need a second?

David Boyd: What I was wondering – to see how reasonable it is to get a staff report at all prior September 30th.

Hammond: No we - we can wait before we get a second. Kelly?

Gaughran: So your question is what uh...

David Boyd: Realistically uh, we're at the second of the month - knowing what you know today – how long will it take you to put together a comprehensive staff report?

Gaughran: That's difficult to say. I - I would – I would need at least 2 weeks.

David Boyd: Ok.

Lindholm: What day would that be?

Male voice: (inaudible)

Lindholm: What?

David Boyd: As well as the audit.

Gaughran: Yeah the audit I can't speak for that.

David Boyd: Who would be responsible for the audit?

Lindholm: I think what we're saying is – and I would second that motion – but I don't think everything's going to be completed. So there's gonna be some things that you're going to have to put time certain on that if we approve it, this gets done. Uh, but - so the MOU's going to have a whole list...

Gaughran: Right.

Lindholm: ...but it may not be done.

Williams: What – what – are we doing an MOU - MOU's? Is that what we're talking about?

Lindholm: No if- if at that meeting there's probably going to be a whole list of things.

Williams: Oh, gotcha.

David Boyd: Special meeting -

Lindholm: I think she can probably – she's pretty good, she's awesome...

Gaughran: I can put together the staff report, but a staff report and an MOU at the same time would probably be impossible.

David Boyd: Oh, and we need an MOU to – or do we? We don't need an MOU to approve.

Hammond: No.

Gaughran: Well it depends on how you approve it. If you approve it with conditions, then you follow...

Lindholm: We just approve it with conditions...

Gaughran: ...with the MOU.

Lindholm: ...that we've got to have a budget, we have to have finances...

Lindholm: ...would have to (inaudible)

David Boyd: Would that satisfy the State as far as their funding for this uh...?

Gaughran: They need to start school, not be approved by September 30th..

David Boyd: Ok.

Gaughran: ... but start school by September 30th.

Lindholm: Oh ok.

Gaughran: And they can start school once a Board approves them.

Lindholm: So what's two weeks from now?

David Boyd: So you're – you're ...

Nina Boyd: Just remember that there are other charters that are in the process...

Lindholm: Sure, I know.

Nina Boyd: ...that staff is currently doing reviews for, so it's not just this one would be pulled out.

Lindholm: But this one is the most time sensitive, a lot are starting in September of next year.

Nina Boyd: Right, but the staff review – the other one would be for the October 14th. So...

Lindholm: So two weeks from now is when?

Hammond: Today's the 2nd, 16th.

Dunseth: September 16th

Hammond: Do you real - Kelly, do you feel like it is reasonable to ask us – do you think your staff can give some type of a report in fourteen days?

Gaughran: I don't think they can give a completely comprehensive report of - of a situation this complicated in two weeks, no.

Williams: Three weeks. (Laughter)

Nina Boyd: And I think in fairness - we put Kelly on the spot - because we send it out, Kelly actually facilitates the direction that the um, review goes and then it comes back and the report is written by herself and um, Legal. So we've got the Special Ed component, we've got someone who's looking at that; we have the fiscal piece of it – the financial report. So in terms of where these people are, what their timetables are – we're asking her question - I think, if you're gonna look at a Special Board Meeting you would be looking at the last week of the month which means that you would be doing something on the 28th or the 29th with the int - if in fact it moved for approval – they would have the next day to start school or 2 days to start school. But anything prior to that would put staff at a – at a very big disadvantage in terms of being able to get information and then have the report written because they have to review it, then it needs to go – there may be questions back and forth, we'll be dialoging with um, the charter um, excuse me – the petitioners, and so there's a collaborative conversation going back and forth. And we'll do everything possible to make sure that staff's available.

Lindholm: I totally agree with you, but I think it's got to be within a two week frame. But – and I get that – it can't be – but I'm looking at the President of Albert Einstein: would you devote as much time as you could to this project? 'Cause it's gonna take a lot, I mean – but we can't put it on Kelly.

Hammond: Um, Ren – Renee? Is you -

Lindholm: Ok, he's on the record -

Hammond: - and your staff going to have to do some a bunch of extra on this as well?

Hendrick: (inaudible)

Hammond: I kind of thought as much. So Kelly's not alone in this mess then.

Lindholm: No no no no.

David Boyd: I just don't see how (inaudible).

Hendrick: There's a whole team and there's a - there's a very large Special Ed component with the budget and things like that. Also that we didn't mention yet. So it - it is a pretty comprehensive - um, the concern is we could - we could try our best, I'm - I'm concerned that we would not be giving you complete information, and some of the items are so complicated it's taking - I - it's very hard to trace things back. And unfortunately for us, I mean I know they're trying to be very cooperative, but she doesn't have a lot of history either and so it's going to be very difficult to find some of those answers. So it would be very, very hard to do within a couple - 2 week frame - timeframe.

Nina Boyd: I think the other challenge is the Brown Act and what we have to back into in terms of posting.

Gaughran: Correct. You gotta do 72 hour notice.

Nina Boyd: So you're talking about 2 weeks and us trying to develop and then have posting and so forth, you're really cutting it close.

Hammond: But the Special Meeting only requires one day notice, right?

Gaughran: That's correct.

Nina Boyd: Yes, for the posting.

Multiple voices: (inaudible)

Lindholm: I don't think that's hard. (Inaudible).

Hammond: Alright.

Lindholm: Yeah that's not hard.

Williams: Lin - Linda do you have any problems with the 28th of - of ...

Lindholm: No I just wanted the - uh...

Williams: That - that's stretching out three almost three and a half weeks.

Lindholm: Well then can we cut the – can make it two and a half weeks?

Hammond: See here - here's my concern is that if we go that long, I wonder how many kids are gonna end up – you know...

Lindholm: Yeah.

Hammond: ...you know going elsewhere. See it -

David Boyd: Well that's true and I think we need to be candid with the parents.

Hammond: ...this – this –

David Boyd: Speaking for myself, based upon what I have heard today I'm gonna have a very difficult time voting for this Charter. I mean there's just so many issues out there that I don't – I just don't think can be resolved in thirty days. And I don't wanna - if we elect to go down this road of a special meeting, I don't want to give the parents the false impression that this is going to be automatically approved.

Hammond: Agreed.

Williams: Agreed.

Hammond: Alright so, alright you seconded your motion of your wanting to table this to a Special Board Meeting at night that begins at 6:00 pm –

Williams: At a – at a date that we haven't decided upon, but -

Hammond: Sometime down -

Williams: Period.

Hammond: Do we have to choose the date today?

David Boyd: I don't think we do because Dr. Bedell's not...

David Boyd: ...even here. I don't have my calendar.

Hammond: I – I don't think we – we do. Ron, do we have to?

Wenkart: Well, um, you know we - we could have Penny get dates from you by email and then she can - we can look at those – what date works for everybody and then we can administratively set the date.

David Boyd: Ok. So we don't have to have a meeting to set the date.

Wenkart: No.

David Boyd: Ok.

Lindholm: Ok.

Wenkart: But we would make the decision on the date administratively based on - hopefully there's at least one day when all of you are available.

David Boyd: Yeah.

Lindholm: Ok.

Hammond: Mr. Superintendent, is there anything that we as a Board can do to either get out of the way or help with what you all are trying to do?

Lindholm: (laughter)

Al Mijares: Well obviously um...

Hammond: Besides say, "thank you"?

Al Mijares: ...our staff um, has considered this extensively. We have met innumerable times pretty much over the last week. Night calls, morning calls, the whole thing. And we grieve for the families; and I think that's where you're caught. At the same time there's a very rational side to this. There are laws in this State that we must abide by and there's the huge fiduciary responsibility. Because the budget really is the instructional plan in dollars and cents and if you don't have that budget in place you can't deliver the quality of instruction that they expect. So I like the fact that you are giving us time to really consider this so we don't deceive them, we don't over promise the public nor yourselves, and all you need is a 72 hour posting or a 24 hour posting in case of emergency. So we can figure that out and I'd like to get together, have a cabinet meeting with my staff tomorrow morning and we'll give you a date that we think we can - we can have it.

Hammond: Is there any additional information you feel like you need or any help from Huntington Beach School District?

Al Mijares: No. The - the one thing that concerns me that we really haven't vetted carefully is Special Education because that is a wildcard in and of itself. You're driven by the IEP and the IEP Team and least restrictive environments forces that school to accept that student and provide the accommodation, regardless of what it might be. The only time we get in - 'cause something I read in the petition said that the Special Ed students will be served by OCDE - that's us. That's not how it works. We do help in those extreme cases and we create a partnership - a collaborate experience with districts. But the district fundamentally bears the responsibility. So that's another thing that I am looking at very carefully because we do serve Special Education students and um, we can't be in a situation where we can't abide by a legally binding contract between

the parent and the school. We – we’ll – we’ll have to be blamed for that or we’ll have the accountability or liability I should say.

David Boyd: Ron, can you – can you give us an opinion on the probability that the State would uh, have a claim for returning ADA money for this past year?

Wenkart: Um, yes I’ll work with Renee on that and uh, sure.

David Boyd: I mean again you know that’s huge. I mean if the State makes that claim, they’re insolvent immediately.

Lindholm: (inaudible)

David Boyd: Two and a half million dollars give or take.

Lindholm: Ok. That’s a “if”. Um, can I say why I’m seconding this motion?

Hammond: Go ahead.

Lindholm: Thank you. And that’s because the thing I care about most is the education of the children. And what I saw in this school and what I saw in the letters is your kids are getting a great education. Parents love it. The kids love it. They’re asking if – when does school start? That’s the bottom line under all this other money and finance and I agree, it all has to be done. It has to be done. But the kids are happy and they’re thriving and they’re doing great and the stories are fabulous. That’s why I’m voting as a second on this motion.

Hammond: Al, would it be possible to get a phone call from you or staff whatever as soon as you – kind of, just - just to give me an approximate...

Al Mijares: Yes. I’ll call you tomorrow with a - an idea of our thinking concerning when would be a good time for us to um, regroup.

Hammond: Ok.

Lindholm: Ok.

Hammond: Thank you Superintendent. And, Ron?

Al Mijares: And we’ll be in touch with the C – CEO and I do appreciate the fact that she’s been responsive to us. Um, so we’ll make sure that we have the communication on their side as well.

Lindholm: And the President of the company said he would be - make himself available.

Hammond: Ron, what happens if let’s say, in about a week or so some of the families are wanting to still meet and a couple of teachers on their own accord say “you know what” and

kinda start working with these kids? Any uh, legal ramifications with that? Sorry, I gotta throw that out there.

Lindholm: (Laughter) don't ask!

Wenkart: Well, um...

Hammond: You want to get back to me on that one?

Wenkart: The school should be closed. Legally it shouldn't be open. You know if they meet at home you know – I mean, we can't control what people do on their own time and their own behavior. But they wouldn't be working – the State won't fund until we uh, until this Board approves you know, if this Board gives approval. So there will be no State funding no - so I assume no salaries you know it would be all volunteer...

David Boyd: Theoretically they could meet on the side...

Wenkart: Volunteer -

David Boyd: ...and then it's private school until it becomes a charter school.

Wenkart: Or you know tutor, they could tutor the kid. But that would be up to them, the individuals involved.

David Boyd: Yeah.

Hammond: Ok.

Lindholm: Can -

David Boyd: Before we go can I ask one thing of...

Hammond: Sure

David Boyd: Ms. Blum.

Tricia Blum: We just said we weren't going to open.

David Boyd: If we elect to hold the special meeting - in your communication with parents, and many are here but I'm - many are not here, you know – please don't give them the impression that this is automatically going to happen on whatever date we choose.

Williams: Do you have a webmaster that can make that happen like tomorrow on the website?

Tricia Blum: What - what would you like me to put the site?

Williams: Well you have a lot of dates when things are gonna happen, and there's nothing there that says this may not happen. Depends on...

David Boyd: Or you could do a report on what transpired today.

Tricia Blum: (inaudible) we may not open?

Williams: Yeah

Tricia Blum: (inaudible) pull the site down.

Williams: I don't know about pulling the site down.

Multiple voices: (inaudible)

Williams: (inaudible) just disclose everything, be upfront and honest and truthful and...

Hammond: Like on the WASC accreditation thing.

Williams: Yeah. I think that would be reasonable.

Lindholm: I - I think we - if we're going to put in this effort that it would be a good idea for you to have some kind of parental information tomorrow that said you have a five hour Board meeting and that there's still a lot of issues and things are - are not decided. The parents deserve to know that and then they deserve to be able to make those decisions.

Tricia Blum: Sure we can do that in email, so you want it on the website as well (inaudible)

Lindholm: I think it's reasonable.

David Boyd: Yeah just make sure they understand that whatever form it's takes.

Hammond: Alright. Um, to my fellow Board members is there any other questions or comments or discussions on Special Recommendation 5?

David Boyd: What was the motion once again?

Hammond: I have no idea. (Laughter) No, it was um, Ken you say it.

Williams: Um, we'll let Penny say it.

Dunseth: Dr. Williams moved that there - that there be a Special Board Meeting set up to reconvene with these people to um, finish discussion, look at the staff recommendations, 6 o'clock and only this item.

David Boyd: Ok.

Dunseth: On the agenda, they'll of course have to be public comments on the agenda.

Lindholm: within the next two and a half...

Dunseth: And then Linda seconded it.

Lindholm: Within the next two and a half to three weeks.

Dunseth: Ok.

Lindholm: We – we need a date that works.

Hammond: Alright. Any other discussion on this motion?

Williams: So is everybody clear out there what we're doing?

Unidentified Female Audience Member: Can you please repeat (inaudible)?

Hammond: I'm not sure

Williams: Robert?

Hammond: Um, what we're gonna do is - is, in essence we are tabling this item so that we can get a lot more input from staff as to some of the viability aspects and legality aspects and then come back in about two to three weeks and see then if we cannot go ahead and um, you know agree to a charter - your organization. And that's kinda where we're at. So, I see people wanting to ask questions and unfortunately I can't take the questions um...

Unidentified Female Audience member: (inaudible) comments.

Hammond: ...and it kills me as a teacher. Um, so um, that's – that is where our Board is at at this time. Um, with that Chair will call for the motion uh, all those in favor of supporting the motion as Dr. Ken Williams has proffered signify by saying "aye".

Multiple voices: Aye.

Hammond: I will oppose. Motion passes 3-1 with Dr. Bedell absent.

Lindholm: Ok. Then you need to tell him what's going on. (Laughter)

Hammond: So with that as I said we will be reconvening in two to three weeks um, with staff recommendations on how to proceed with uh, you charter. Thank you for helping...

Unidentified Female audience member: (inaudible) school.

Williams: Correct.

Wenkart: That's correct

Hammond: Correct. Alright.

Lindholm: Do you want to tell – we have a closed session right after – right now we’re like three hours late on.

Hammond: Only two and a half.

Lindholm: So we need to say thank you.

Nina Boyd: Robert, you gonna take a recess?

Lindholm: Yeah let’s just set it up.

Multiple voices: (inaudible)

Multiple voices: (inaudible)

(Gavel Bangs)

Consent Calendar

Hammond: Orange County Board of Education is back in order for our closed...

Hammond: Alright doors are open um...

Lindholm: Do you have to redo the gavel? Do we?

Williams: Well if you’re...

(Gavel bangs)

Hammond: K, I’m going –

Linda Lindholm: ...keep going.

Hammond: Yeah let’s keep going while we can. Alright -

David Boyd: Make a motion to approve the consent calendar.

Williams: Second.

Hammond: Been moved and uh, seconded to approve the consent calendar. Uh, any discussion?
All those in favor signify -

Lindholm: Aye

Hammond: ...by saying “aye”

Multiple voices: Aye

Recommendations

Hammond: Motion passes 4-0. Um, recommendation Number 1 adopt Resolution 23-15

Williams: Motion for J-1

Hammond: Um... you've moved..

Lindholm: Moved

Hammond: Seconded

Lindholm: Seconded

Hammond: Uh, any discussion Dr. Williams?

Williams: Always again uh, a big, big issue with Red Ribbon - drugs, alcohol, um, supported by local law enforcement, uh, we all wear red uh, ribbons. So uh, thank you, it's been supported every year I've been here. So, that's all I have to say.

Hammond: Alright, any other comments from my Board members?

Lindholm: No.

Hammond: All those in favor of adopted Resolution Number 1, signify by saying "aye".

Multiple voices: Aye.

Hammond: Opposed? Abstained? Passes 4-0 um, Recommendation Item 2 adopt resolution 24-15 identifying Gann actual appropriations limit -

Lindholm: Move it.

Hammond: Is there a second?

Williams: Second.

Hammond: Moved and seconded. Any discussion?

Lindholm: No. Oh I'm sorry.

Hammond: No that's alright. Mr. Boyd, any discussion?

David Boyd: No sir.

Hammond: Doc? No? None from me. Alright all those in favor of adopting Item 2 signify by saying "aye".

Multiple voices: Aye.

Hammond: Opposed? Passes 4-0. Alright, Item Number 3 - adopt Resolution 06-

Lindholm: Move it.

Hammond: Alright.

Williams: Second.

Hammond: Um, any discussion? Hearing none, all those in favor signify by saying “aye”

Multiple voices: Aye.

Hammond: Opposed? Passes 4-0. Item number 4 discuss Resolution 13-15 –

David Boyd: I would move that we table 4, 8 and 9 because of Dr. Bedell’s absence.

Hammond: Alright it’s been moved to table items 4, 8 and 9. Is there a second? Hearing no second, motion to table dies due to lack of a second. Um, is there another – is there something else in regards to Number 4, another motion? Hearing nothing else, Item 4 dies due to no motion. 5 and 6 have been dealt with. Item 7 - Approve Board member assignment for PTA only for 15-16 fiscal year, Chair seeks a motion.

David Boyd: I’ll move.

Hammond: Please do. Um, moved, let’s see.

Lindholm: Did you nominate somebody?

David Boyd: I have to find it – I’m, my only concern, I guess we have to wait and see if we have any - have a second.

Hammond: You know I’ll - I’ll second.

Williams: Wait a minute (inaudible)

Hammond: We’re on item 7 – Approve Board Member Assignment for PTA.

Nina Boyd: That was for Dr. Williams – (inaudible)

Williams: Yeah, yeah that’s no problem I’ve done it many years in fact.

David Boyd: Well my concern was given your stance on Common Core and the PTA’s strong support of Common Core and the fact that you have uh, a history of limiting – attempting to limit County resources in support of the PTA, is that really the - the best match? And given your heavy schedule are you able to attend meetings?

Williams: Ok so let – let me um, ask you: given my history of what?

David Boyd: Efforts to limit county resources in support of the PTA. County for example as I understand it, uh copies the newsletters for the PTA and occasionally provides meeting rooms for the PTA.

Williams: I'm sorry, I – I don't recognize what you're even saying – is this the truth, David?

David Boyd: Well I'm - all I know I'm – I'm - I spoke to...

Williams: I'm not sure I've ever done anything to limit that. I have voted to – because I don't think the taxpayers should be paying for private citizens to attend public meetings, I have said “no that's not right”. But – but to characterize that vote as what you just described would not be an accurate -

David Boyd: That is how it was characterized to me by the former Superintendent – former Deputy Superintendent.

Williams: So is – well, again I - I take offense of what you're saying. I - I don't see it as being charitable. Um, you never talked to me or said anything and unfortunately we have to have this on record but um, no I have no problem with being um, a representative to the PTA. They – they've – when I oppose class and school to work in the 90's and I went to their meetings. We're always very cordial and kind and professional, and they understand my public policy perspective, and I'm always nice to them and they're nice to me...

David Boyd: And you feel your schedule will allow you to um, attend the meetings.

Williams: My schedule doesn't allow me to be here but I do it anyways (laughter)

David Boyd: Ok. So you will attend the meetings.

Williams: Well, I again I – I - I don't like the perspective that you just asked that.

Lindholm: Um, can I move Item number 7?

Williams: If I make the commitment I'll do my best to make it.

Hammond: (inaudible) call.

Lindholm: Can I call the motion?

Hammond: Yes you may and I'll second it.

Lindholm: Ok, thanks.

Hammond: Ok. Number 7's been called. All those in favor of approving the assignment for PTA for the 15-16 fiscal year, signify by saying “aye”.

Multiple voices: Aye.

Hammond: Opposed? Motion passes 4-0. Item 8, Chair seeks a motion.

David Boyd: Yeah I –

Hammond: If you want -

David Boyd: Yeah I – I will move.

Hammond: If you want to try and table this one to...

Lindholm: No wait - wait. There's no second. He moved it but there's no second.

Hammond: Oh I'm sorry. Did - did you move it?

David Boyd: Yeah.

Lindholm: He did.

Hammond: I'm sorry, my apologies. Alright, moved um...

Lindholm: There's no second.

David Boyd: And it's no problem. We can uh, we can ignore it and I'll bring it back next month.

Lindholm: There's no second.

Hammond: Well there's no second to move -

David Boyd: There's no action necessary.

Williams: Well it dies.

Hammond: So it dies, it could be tabled to next month.

David Boyd: I can bring it back next month.

Lindholm: I don't want to table it.

Hammond: Alright. Then Chair – decision of the Chair on number 8 dies due to lack of a second. Item 9 – Chair seeks a motion.

David Boyd: I'll move. No second?

Hammond: This is one I'd actually like to have Dr. Bedell here for so um, I – I will, I will - will not give you a second on this but -

David Boyd: Ok, I understand. I - I agree.

Hammond: So uh, in the Chair's opinion then it fails due to a second. Moving onto Item 10 – Legal opinion Mr. Williams, Dr. Williams.

Williams: Yeah I'd like to move um, move that legal opinion dated – oh help me out here...

Hammond: July 17th

Dunseth: July 17th

David Boyd: July 17th

Williams: July 17th um, there was some indecision about whether it was public or client privilege and I always assumed that it was a public document since it was asked in public. Uh, I see no reason why it can't be public. So I'd like to make the motion that we as the Board formally make it a public document.

David Boyd: I will second it but I would like to question our attorney.

Hammond: Ok, alright. So it's been moved and seconded in discussion. Um, Dr. Williams you're the maker of the motion did you have any questions first for Ron before um, Mr. Boyd?

Williams: Well Ron and I have talked about this -

Wenkart: Yeah we did.

Williams: - at great length.

David Boyd: My – my question is very simple.

Wenkart: Oh sure.

David Boyd: Is there any reason why we shouldn't make it public in your opinion?

Wenkart: Well it was intended to be confidential it was intended to be just for the Board um, and so you know, I would recommend that you just keep it confidential but if the – if the Board prefers to make it public I don't see any...

David Boyd: To - to me it's a well-reasoned document and I think the public is interested.

Lindholm: Um, Mr. Chair? I'm gonna to be voting no on this item because I think it's beyond the question - and I've shared that with you, that I thought it should be very short and to the point of answering the question. So I think its way too long at 29 pages and so I'm not going to be supporting making it public.

Hammond: Ok.

Lindholm: Unless it's redrafted to 5 pages.

David Boyd: Well I think the longer the better actually, I mean it goes out in argument pros and cons.

Lindholm: Well it's just my personal opinion.

Hammond: Dr. Williams? Any questions for um -

Williams: No it's -

Hammond: Or comments?

Williams: To me it's a simple straightforward – we asked for it in public. I do agree with Linda that the question is very narrow and it was lengthy, but you know - Mr. Wenkart has his reasons and we've amicably discussed his reasons and we will agree to disagree and we're going to talk about this perhaps if we have time later on um, so anyways I'll just keep it at that.

Hammond: Ok. Anything else, Dr. Williams? No? Ok. Mr. Boyd, anything else?

David Boyd: No sir.

Hammond: Madam Vice President?

Lindholm: Call the vote.

Hammond: Ok, Um, I'll call it – all those in favor of making the legal opinion public signify by saying “aye”.

Multiple voices: Aye.

Hammond: Opposed?

Lindholm: No.

Closed Session

Hammond: Passes 3-1. Closed session items, Ms. Nina Boyd, any closed session items?

Nina Boyd: No.

Information Items

Hammond: Woohoo. Informational items? Mr. Superintendent, the floor is yours sir.

Al Mijares: Just very quickly I want to advise the Board that um, last weekend I spent a couple of days with um, the Discovery Cube – you know...

Lindholm: Oh yeah.

Al Mijares: - the Discovery Science Center is now called the Discovery Cube and it was a retreat. We gathered with the Orange County Board and the LA County Board 'cause there's now a Cube in LA County.

Hammond: Oh.

Al Mijares: We have - just found that out yet. Just had a couple of opportunities there to discuss uh, science standards and discuss um, you know what the Cube could do for professional development for some of our schools, and I see Dr. Olmstead here we're working on a relationship with them to help us um, be part of our training for science teachers. So I just want you to be aware of that. And then also I had a chance to meet with the Superintendent of the Diocese of Orange County Schools uh, that's Mr. Greg Dhuyvetter. I don't know if you've met him, but there's about 22,000 students in Orange County that are part of the Catholic school system.

Hammond: Wow.

Al Mijares: So I don't know if you knew that it was that large, and we have been meet - we met the one time and we're going to continue to talk about ways that we might be able to help them uh, because we do have a responsibility, I think some of those schools do draw down I believe Title 1 funds, and so help them with professional development as well as there's some things they can do to perhaps help us. Um, and that's all I'm gonna report on other than let you know of course I'm very involved with the Boy Scouts of America - and the Girl Scouts - but I see the Boy Scouts and the Girl Scouts, both of those organizations, as having a - a role in the character development of our students. Particularly the Boy Scouts in trying to close these gaps that affect young men um, that are - are um, needing the particular guidance to keep them on the road that's going to be productive for them and our great country. That's all I want to report on Mr. President.

Hammond: Thank you, Mr. Superintendent. Appreciate what you and your staff do. Madam Assistant Superintendent, any reports?

Nina Boyd: Just some reminders for the Board. Just want to remind you that our next scheduled Board meeting is October 14th, deadline for submissions is September 30th. As the Board agreed today we will meet and Penny will send out some dates with regards to a Special Board Meeting prior to September 30th, within the next two to two and a half weeks. Um, per the direction from the Board. There is a Orange County School Boards Association fiscal seminar that is being offered on September 30th here at the Department. Information should be in your take home packet, and we will send you reminders by email as well. If you're interested in attending please RSVP through Penny. Uh, CSBA again is in December and uh, we have Jack, David and Linda who have confirmed. We also have the Academy Reception and Fundraiser September 12th, the Board will send information with regards to that and invitations are, again, in your packets. Uh, Mr. Hammond and Ms. Lindholm have confirmed attendance at that and again that's a

celebration. There will be a special announcement with regards to some changes in the name. Next month at the Board meeting there will be some revisions that will be coming back to the Board with regards to that charter as well.

Hammond: And what date is that again? I'm sorry.

Nina Boyd: September 12th.

Hammond: September what?

Nina Boyd: Twelfth, 6:30 – 9:00.

Hammond: Got it.

Nina Boyd: I would also like to acknowledge that uh, the Director Anthony Saba is here –

Hammond: He's been here for the long haul.

Nina Boyd: - and has been here for the duration of the meeting today to support and to listen to the dialogue with regards to the charters that are coming before the Board.

Al Mijares: I want to say Nina also that I jabbed him a little bit because he has been here from the beginning of the meeting to now and of course he was watching all the drama of the other charter schools. But just let me tip my hat to this young man because he's done a fantastic job at the Academy. Uh, as you know this was at a special mission to reach out to students who are in the foster care system and they're indeed doing that and a very ambitious building program that I think is really going to provide a huge uh, asset to this county. And he's not only serving that particular student population but there's other students that have come from the neighboring area there and many of those kids are at the flat out poverty level. And the students that you're turning around Anthony, I want to commend you for that because the special treatment that you give them and the special instructional program is paying off. So thank you for your leadership.

Anthony Saba: Thank you for your support.

Hammond: Mr. Superintendent, by the way, I do know um, one of the kids very well that goes to that school – and he knows who I'm talking about – and I know for a fact that um, this young man's life has absolutely done about a 180 degree turn around because of this man's leadership and the teachers that are there so, this is indeed money well spent and the man deserves a pay raise.

Al Mijares: So we're looking forward to the special event on the 12th and the special uh, unveiling and it should be great.

Anthony Saba: (inaudible)

Hammond: Ok, um -

Nina Boyd: And also as a reminder this uh, Friday, September 4th is the last day to turn in your healthcare uh, options. Uh, it's open enrollment um, until Friday so I understand that some of you took advantage of Blue Shield being here today uh, I know that 2 of you had turned yours in prior, and if you would like to schedule a meeting or you have some questions we can set that up.

David Boyd: Can those be mailed?

Nina Boyd: Uh, yes we just need to receive it by Friday.

David Boyd: Oh. Receive it by Friday.

Nina Boyd: Yes. Receive it by Friday.

David Boyd: Short answers.

Hendrick: (inaudible)

Nina Boyd: Renee's saying we'll give you some latitude if you send them out.

David Boyd: Ok.

Nina Boyd: Um, also make sure that before you leave you pick up the new charter submittals there are binders and flash-drives in chambers uh, so we want to make sure you get those. And last I wanted to mention that we did receive a public records request late uh, late Monday afternoon from an individual who is wanting email correspondence uh, between um, Mr. Hammond and the Superintendent and myself, and Mr. Williams and the Superintendent and myself. So just wanted to let the Board, the full Board um – make you aware of that because we know oftentimes we see public records requests that are followed by other public records requests.

Williams: And to put on the record, that was a request by Mr. Barry Resnick in - in Orange, is that true?

Nina Boyd: That's correct.

Williams: And just for the record Barry Resnick um, was a Orange Unified Trustee. I have spoken about him publicly when he was a Trustee and um, critical of some of his decisions and positions. Um, I look at him as a political foe, and tell me um, Mr. Boyd is he still working for you over at Taft University?

David Boyd: Yes.

Williams: And what position is he over at -

David Boyd: He's uh, an Administrative Dean in the School of Education.

Williams: I see, I see. And did he tell you that he was going to be asking for uh, these records?

David Boyd: I - I don't want to get into a discussion.

Williams: You don't want to get into a discussion. Well I - I - I do need to um, bring up then that these um, emails - there's nothing wrong with the emails - but uh, my legal counsel says that uh they're subject to a pre-decisional state which um, means that this Board needs to provide the Superintendent and Robert and I with our own legal counsel regarding the status of these emails and so that's going to create a little bit of a snafu here; because we can't just go releasing um, personal correspondence if - if they're pre-decisional. So that's going to bring up a little complicated situation.

David Boyd: It - it's my understanding is this is not time sensitive, so with respect to - well I can't speak for Dr. Resnick - but I would...

Williams: You just did though, David.

David Boyd: - I would be surprised if...

Williams: You understand? So that means you know some insight - this looks very political for you.

Hammond: Mr. - Doctor I would ask that you allow uh, Mr. Boyd to finish his sentence.

Williams: Sure.

Hammond: Mr. Boyd, I'm sorry.

David Boyd: Forget where I was.

Hammond: Something about um, not time sensitive.

David Boyd: Oh I expect that uh, Dr. Resnick, and I can't speak for him but based on conversations - would have no objection to extending the timeline for normal documentation requests.

Williams: So even though you say you're not speaking for him, you really are speaking for him. That's very political, David. And I - I'm just so, again, disappointed that you want to further divide this Board by these things.

Hammond: Ok. Uh, any other reports uh...

Nina Boyd: That's all I have.

Hammond: Ok. From anybody else on your staff at all, any other reports?

Nina Boyd: No.

Hammond: No. Ok. Board member comments – alright. Uh, Communications/Credible Sources of Information, Dr. Williams.

Williams: Actually we should – we should take that off, I’m not sure why that’s on there.

Hammond: Alright.

Williams: So let’s just – let’s remove that.

Hammond: Ok, it’s removed.

Williams: Uh, website design, that - that’s going to be awhile, that’s something...

Hammond: So that should carried it over then?

Williams: Um, I - I’ll um,

David Boyd: I would have liked to comment on that ‘cause I think that’s important.

Hammond: The website design?

David Boyd: I think our website can be -

Williams: Improved?

David Boyd: - materially improved.

Hammond: Um...

Williams: It does need to be improved it’s just a matter of someone has to sit down and we need to get with whoever – IT or whoever designs it, make it look nice and I just at this point uh, uh, I can’t take on that task.

David Boyd: Perhaps the Executive Committee could appoint an ad hoc committee.

Hammond: I was wondering if – if um -

David Boyd: Or the Board I -

Hammond: - if the Board would like to – can contemplate having an ad hoc committee in regards to that.

David Boyd: Bring it back, I think Trustee Lindholm would have an interest in that.

Hammond: Alright. Do you want that as, um, do you feel comfortable in even having that as an action item per se as forming an ad hoc committee?

David Boyd: It’s your call.

Williams: It's an – that's an Executive Committee decision.

Hammond: Ok. Alright, uh Free Programs is me. I was just curious if the OCDE has had a chance to reach out to um, that kickboxing place to find out about um, their free program.

Nina Boyd: We have not. Um, as you know the last Board meeting was just less than two weeks ago so we are in the process of our to-do list.

Hammond: Ok.

Nina Boyd: We will have that uh, and report back at the October meeting.

Hammond: Alright. Yeah just carry it over then. Financial Literacy – probably carry it over as well. Have you heard back from anybody that came before us talking about wanting to help our kids finan – ok carry over. Security – yeah I still would like plain-clothes, the guy that was here um, on two separate occasions- he was completely out of it at one point he was playing games on his phone, so um, I really would like to have active security. So I guess we can carry that over – but I'd sure like to, and I'll be talking this over with Linda in Executive and – if my other Board members would like please why don't you to send something in to Ms. Penny about, you know, security or whatever concerns or ideas that you have, I appreciate that.

Williams: Why are we having security?

Hammond: Um, Mrs. Lindholm would like – like more security because of that outburst.

Williams: But that's happened like – that maybe's the second time in my 20 years that it's been here. I don't know if we really need security.

Hammond: That's fine. You know, my – my...

David Boyd: I – I agree maybe we should um, defer this discussion until Linda's here.

Ken Williams: Yeah, yeah.

Hammond: Alright, carry it on over.

David Boyd: And if we have security I think what we did today was fine.

Nina Boyd: But - and actually the discussion that we had, was that we were committed to two meetings – the August and the September. So if you are going to uh, have future security that was going to come up as discussion for the full Board uh, with regards to what you wanted to do for future, and that was in response to the one outburst uh, that happened in July.

Hammond: Ok. Alright. Can you make um, make sure that is brought up at our next EC meeting and -

Nina Boyd: Will do.

Hammond: - somehow gets on the agenda that would be great.

Williams: I mean this kid who was here had no command presence. He wouldn't intimidate anybody and he was off on his phone a couple times so – I'm not so sure we need to have security. And perhaps we'll talk about it at the next meeting. I - I feel very comfortable not having it.

Hammond: Well Al's here, so...

Al Mijares: Mr. President just one other thing.

Hammond: Yes sir.

Al Mijares: I want to let you know that I can disappear, I got that one down. But we have been talking with the Chief of Police of Costa Mesa.

Hammond: Oh.

Al Mijares: He's new.

Hammond: Seems like a great guy.

Al Mijares: And uh, he's reaching out to people forming relationships, as a matter of fact you met his Captain um, last Board meeting and we are now on the Watch Commander's list so –

Hammond: Wow.

Al Mijares: - if we think we need somebody he's willing to help us. Admittedly he's - he's shorthanded but he's willing to help us. And perhaps even from time to time he can park a patrol car out there.

Hammond: Alright.

David Boyd: I met him when he was a junior in High School.

Al Mijares: Really?

David Boyd: He was an outstanding pitcher, signed with the Angels – first round draft pick.

Hammond: What – what happened to his career? Did he last long?

David Boyd: He pitched two or three years. From what I understand - probably arm issues as a pitcher.

Hammond: Makes sense.

David Boyd: He's known as The Kid back then.

(Laughter)

Hammond: How appropriate. Alright.

David Boyd: He's actually you know – well its 7 o'clock we probably shouldn't go into this – but he was actually traded for Don Sutton indirectly, Hall of Famer.

Hammond: That's a bad trade. Executive Board Assistant position – Dr. Williams.

Williams: Um, again that's something that I've been talking about. I have a big meeting in Chicago, I leave Friday I'm giving like 10 lectures so, um, I have to now focus on that so I haven't focused on any of these things because of the big –

Hammond: Ok well when you come back you want to -

Williams: We'll talk about it at the next one.

Hammond: Alright, carry over then. Testing talking points. Bedell-Lindholm, they're neither here, carry over. Um, National Motto – Lindholm's not here, carry over. Um, couple things I know I've asked for before and that is uh, we had that cheating scandal at Corona Del Mar High School – the tutor – um, did we ever find out if that guy is an American citizen or a dual citizen I'd like to know.

Nina Boyd: We have no way of finding that out um, Mr. Hammond. I think I've indicated that to you, that we can't – it's personal information so...

Hammond: Alright.

Williams: He's a Chinese national, that's what I...that's what I heard.

Nina Boyd: Well that was what was reported in the paper but I mean we can't delve any further into trying to figure out -

Hammond: Oh.

David Boyd: What difference would it make? I mean -

Hammond: It's just personal. Um, Chinese students. Um, I met briefly with a gentleman from China, (inaudible) and has expressed interest in having High School junior/seniors come and perhaps start attending some schools here uh, so they can earn an American diploma – uh, you know a High School diploma and possibly interested in you know, maybe looking into one of our programs if it's possible. Alright new items um, Dr. Williams, Final and Sole Authority on Agenda Items.

Williams: Yeah I just want to verify with the Board members that Executive Committee has the - the sole and final authority on agenda items and um -

Hammond: Ok.

David Boyd: Are you talking about the order of uh, agenda items? Or the -

Williams: The - the order, the creation, the ability, yeah -

David Boyd: Ok. The order - I have no problem with that. If you're saying the Executive Committee can refuse to put an item on the agenda I have serious problems with that as I assume you would too since you fought for that for 20 years.

Williams: Right.

Hammond: Well that's not something I would ever do, that's - that's why I'm -

Williams: Yeah. I - I - I - and - which leads to the next one because um, the special presentation when I fought for and put that item on was not really intended for presentations. I think presentations are very unique and unusual and our presentations today - I'm not sure what it accomplished other than - other than a discussion on an issue that I think we've beaten the horse to death. Uh, and so you know, I would have argued if I were here that special presentations would not be covered under that because it was never discussed with the spirit and intent when it was passed twenty-so years ago or whenever it was uh, and it really only applies to consent and roundtable and action items. So, what I'm gonna do is create a Board policy that will uh - and I'm working with um, Lindholm on this with the Board policy that we'll submit - if you wanna - if anyone wants to do a special presentation you have to have um, somebody on the Board to - to second that.

David Boyd: Ok. I would have no problem with that.

Williams: And - and so that would be a policy we'd discuss at the next meeting.

Hammond: She left me a little piece of paper here and she just wanted you know, to say, yeah she wanted some restrictions on that. So I'm gonna turn this over to you, and what it - what it says, Mr. Boyd is that you know, like for Board policy presentations 8 minutes by Board members only and only after approved by a majority um, and presentations -

Williams: And she's - who's she writing this to?

Hammond: She left this with me to share with the Board.

Williams: Oh - oh I see.

Hammond: So and she just says that the presentation is uh, is under Board member items um, at end of agenda. So I'll leave that with you so if you're gonna work with her -

Williams: Yeah I'm gonna be working with her so...

Hammond: So that's yours. Um, request for second legal opinion regarding July 17th opinion – Dr. Williams.

Williams: So, um Ron and I have had a wonderful conversation, deeply um, felt and uh, we – we walked away being good friends and nothing uh, was negatively expressed other than after page 12 there's some real concerns with Government Code 1222 um, and how it was applied in that anytime you vote against a Superintendent's budget or the LCAP you have the potential for all these criminal and civil actions including um, removal of office. So um, which – which leads to what my legal counsel says is a conflict of interest that it should never – Ron should have never have given that 'cause again it has to do with the Superintendent and the Board and the budget. So it's a very conflicting um, opinion and – and - and I have already shared with Ron my other personal thoughts; I'm gonna keep it nice and above reproach in that uh, because the conclusions that were given um, suggest that there's criminal and civil actions that may be taken against Board members who in the future may vote against the Superintendent's budget or LCAP, I think it's reasonable um, and – and – I just - throwing this out for discussion to have a second opinion regarding that specifically. The first 11 pages I've well researched, I thought it was well written; but the result of voting no I – I don't agree with and neither did my legal counsel and they thought it – it's a bad precedent for this Board, 'cause in the future it's saying that you have to vote for the budget and the LCAP and if you don't you're gonna get this happen to you. Uh, you may get removed; you may have criminal/civil actions taken against you – and if you have to vote why even have a Board to begin with? So...

David Boyd: Hypothetically, let's assume you get the – we get the legal opinion and it's um, contrary to Ron's opinion um, similar to what the opinion we received with respect to the separation of responsibilities between the Board and the Superintendent. We got that opinion but we never did anything with it, ok? So we have an opinion that says we have far more responsibilities than uh, we're currently being given, and yet we're not doing anything with it.

Williams: Because there's no reason at this point to do anything with it.

David Boyd: Well, but you -

Williams: It – it...

David Boyd: I – I think we could be criticized to be perfectly honest that uh, we're not fulfilling our responsibilities because we're not following the advice of our legal counsel in that we're not exercising the powers that our legal counsel says we should be exercising. Now I – I'm not in favor of litigation, never have been, but I - I did talk to Dr. Mijares about this um, many months ago.

Al Mijares: About what? About what?

David Boyd: About the difference in opinions between Ron's opinion and our Board's counsel's opinion. Separation of responsibilities. Powers of the Superintendent and powers of the Board. Dr. Mijares indicated to me at the time that he – if we submitted this to an Attorney General opinion which would cost us virtually nothing, he would be willing to follow the advice of the Attorney General if the Board would make a similar commitment.

Williams: That – that's not a bad idea. Again I had forgotten about that 'cause I think you mentioned it before. Um, Robert what do you think? Unfortunately we don't have two members here but this is a great discussion we're having.

Hammond: I - with all due respect to both of you I – I would feel more comfortable having this discussion with everybody here.

David Boyd: I'm always at my best after 7 o'clock.

(Laughter)

Hammond: Golly. Wow. I don't - Ok.

Williams: So, so anyway that - that's on that separate issue, but getting back to the legal opinion because -

David Boyd: What I don't want to do though is - is get another legal opinion and do nothing with it. And this is also something that could be resolved by the Attorney General.

Hammond: Can we ask directly to the Attorney General or do we have to have somebody like, in the legislator?

David Boyd: I believe we have to have a legislator but –

Hammond: Is that correct Ron?

Wenkart: (inaudible) have somebody from the legislator to do it. But I'm sure if this Board and the Superintendent both concurred and requested it, that there would be a legislator who'd be willing to do it.

Hammond: Is there anybody else besides the legislator?

Robert Wenkart: Uh, there is a few other people um -

David Boyd: Supreme Court, I think and uh -

Wenkart: Yeah, there's a few...

David Boyd: Attorney General himself.

Wenkart: Yeah and the Attorney General himself, and there's a few other State officers that can request Attorney General's opinion.

Hammond: What about like, the County DA?

Wenkart: Possibly, yeah.

Hammond: Is that - I mean can the County DA...?

Wenkart: I think that's one of the people on the list.

David Boyd: Yeah it - it -

Wenkart: I'd have -

David Boyd: But I think it has to be relevant to something that is going on within his office at that time.

Hammond: Ok.

Wenkart: Yeah I'm not sure the DA would be interested in this issue. But we can get a legislator interested in the issue. And I can - you know - research the statute, there's a statute that lists who can request an Attorney General's opinion.

Williams: But - but Ron, are you conflicted?

Wenkart: Um, as far as just facilitating getting an Attorney General's opinion?

David Boyd: I don't think so.

Wenkart: I don't think I'll be conflicted on that.

Hammond: I don't think - Yeah on this on don't think he's conflicted, just helping us to get someone to get us an opinion.

Williams: Well is he gonna write anything? How - how is it gonna be framed? Is he gonna write - I'm not gonna write it. I - I'm hardly qualified to do that.

David Boyd: You - you mean write the appeal?

Williams: Write - write the appeal, whatever.

David Boyd: Well I think we would have our own counsel -

Wenkart: Frame the questions?

David Boyd: We would have our own counsel do it -

Williams: Frame the questions –

David Boyd: - Ron would have uh...

Williams: Well therein lies the conflict of interest

David Boyd: I know. I - I say by “our counsel” it would mean the outside counsel we retain.

Williams: But we hire outside counsel.

David Boyd: And Ron would express his opinion and both of them would be submitted to the Attorney General and we’d get a truly independent view – the tiebreaker.

Williams: Or - Or are we submitting Romo’s and um, our – our guy’s opinion and having a third uh, attorney frame the questions to send it off? Is that what you’re saying?

David Boyd: Well I’ll - I’ll confess I don’t have a lot of experience in this area but I think what we – someone would ask for the opinion, our attorney would submit their comments to the Board, Ron would submit – or the Attorney General – Ron would submit his comments just like a friend of the court brief.

Wenkart: Yeah they - they typically will ask for any opinions that are out there -

Williams: Mmhhmm.

Wenkart: - to review as, when they write the - their opinion. So they’ll look at the various different opinions from different counsel. I mean, there’s a couple of ways you could go to go to frame the question. I mean, I could put together a draft and you could look at it and if you’re ok with it we’ll send it in. Or you could hire outside counsel to draft the questions.

David Boyd: Well I think it would just be best – if you draft the questions then it will then be submitted to the Board’s outside counsel.

Williams: And the Superintendent – he’s involved in this too, does he need his counsel?

David Boyd: Well Ron is his counsel.

Wenkart: Well I mean...

Williams: But he’s conflicted – he can’t represent us both.

Ronald Wenkart: Well but – you know as far as framing the questions, you know I think we can come to a consensus on that.

David Boyd: Yeah.

Williams: Depends on the questions that are framed.

Hammond: Well –

Al Mijares: And there's a pragmatic side to this as well in that – this question may have already been raised, will the Attorney General want to, you know, indulge in this. The Attorney General, Kamala Harris, is running for U.S. Senate, you don't know how – whether that -

Williams: Right, right.

Al Mijares: - protracts this and...

David Boyd: Realistically these are staffers that -

Hammond: I mean, she doesn't even have to – I mean, let's say we even get a legislature – or - legislator to ask the question to Attorney General Kamala Harris. She doesn't even have to technically give a - render an opinion.

David Boyd: No she doesn't. Ab – absolutely not.

Al Mijares: But if that's the way - I think the litigation route is not only costly financially, emotionally, but it also creates uh, an image problem for the Department.

David Boyd: I – I – personally think she would take it because, as Ken as pointed out, these code sections are so vague. I mean we talked about this four years ago.

Williams: Yeah. Ok, so we'll - we'll kick it around and – there's so much going on with this - this charter -

Wenkart: Yeah.

Williams: I think that - that's such a priority.

Al Mijares: Yeah.

Williams: You know this is just something -

Wenkart: But, should – yeah -

Williams: Kick the can down a little -

Wenkart: Put it on the agenda for the next Board meeting and when everybody – all the Board members are here -

Williams: In October, yeah.

Wenkart: - and discuss it and go from there

Hammond: Alright. Um, new Board policy – Board recording secretary, Dr. Williams.

Williams: Yeah so I put this on because I heard Penny was retiring and we will miss her dearly, and – and I wanted to um, be – because we- we - we share this position with the Superintendent's office, I - I wanted to have it so we would have like an advise and consent, be a part of the decision making process. And um, you know when – when Lynn Hartline was here she would go around to each one of us – this happened two or three times I - I think in my last twenty years, and Lynn would just sort of go around and get our opinion and talk about the position and uh, so – so we all felt like we were stakeholders in this very, very important role. And uh, so it was just my thought that I would communicate that to our good Superintendent so we can have a say so in that. So just -

Boyd: Are- are you-

Williams: - out of courtesy and respect.

David Boyd: - are you talking about the individual or the number of hours that are allocated towards Board –

Ken Williams: The individual.

David Boyd: Ok.

Hammond: Ok. Alright. We do have this welcome statement um, and I really would like um – Nina if you can, can you send this to all the Board members and – ‘cause I’d like some input from the Board members to kind of work on this a little bit. Um, just get their input ‘cause I don’t think we’ve had their input from everybody and I’d really like input to be sent to Penny so we can massage this. Um, SBAC testing results um, do we know when if – or if the SBAC testing results for our kids is gonna be released?

Williams: Kristen.

Hammond: I wondered why she was still here, I was “man let this lady go home.”

Female Speaker: They are supposed to be released Tuesday. That’s the latest information we have.

Hammond: Alright, if it is, can you -

Female: We already have a press release um, started, and talking points and everything.

Hammond: Ok, that’s all I needed. Thank you so much. Um, and on the speaker cards, um, thank you when you were writing like either “pro” you know, “pro for this school district” or something like that...Do you think it would help to have on there, printed like you know “pro” or “anti” or “pro or con” on the card or not? Bless you.

David Boyd: We can't actually require that, under the Brown Act they don't have to fill out a card.

Nina Boyd: Right.

Multiple voices: (inaudible)

Hammond: They don't have to fill out anything, really.

David Boyd: Yeah.

Nina Boyd: And some of it they don't – we put it on when we ask the question. Like for today you had more cards than you were going to have allotted amount of time. So people you know, acknowledged.

Hammond: Yeah. Which no, and I appreciate you, you know, delineating that I thought made it pretty fair. I just didn't know if - if even the Board would like that additional information you know printed on there. It's just something maybe we can kick down the road.

Nina Boyd: We can look at it again. We've revised it the last three meetings and we're running out of space um,

Hammond: And then my last thing is – China paper. Dr. Mijares I think you wrote a paper about your experience to China?

Al Mijares: I did.

Hammond: I'd love to get a copy of it...

Al Mijares: Ok.

Hammond: I looked for it and I can't find it, 'cause I thought it was a great paper.

Al Mijares: Yeah, I definitely um, it's on the list of things to do and you did request it last week I think, so I will get that to you.

Hammond: Awesome. I have nothing else. Mr. Boyd, anything else?

David Boyd: No, sir.

Hammond: Dr. William, anything else?

Adjournment

Williams: Move to adjourn.

Hammond: Is there a second?

David Boyd: Yes

Hammond: We're done. (laughter)

David Boyd: What time will our hot meal be here?