

ORANGE COUNTY BOARD OF EDUCATION
REGULAR BOARD MEETING
Costa Mesa, California
Wednesday, November 12, 2014

Track 1

Williams: Good morning! For the benefit of the record, this regular meeting of the Orange County Board of Education is called to order. And today we have a very special meeting in honoring our veterans of this great country that we live in. We have the color guard from the Sunburst Academy that this agency has supported and is a part of their educational experience for the last several years who will be leading us in the Pledge of Allegiance and well as singing the National Anthem. So, if we may all stand, Sgt. Nunez, you take it from here now.

Color Guard
Pledge of Allegiance
National Anthem was sung

Williams: You may all be seated. If you knew each and every one of those young men and women's lives, you would be very touched. I'm sorry for my tears. It's just because of what we do here. It's so very important. And what you see here is young men and women who were going down a trail and path in life which is dark and sad leading to drugs and crime all the lasciviousness that society gives.

Track 2

Williams: And thank you the leaders and the officers in the US Army for doing what you've done for these kids. Cause it really makes a difference what we do as a culture and as a community and as a country. Can we take the roll call.

Duneth: Trustee Boyd

D Boyd: Here

Duneth: Trustee Hammond

Hammond: Present

Duneth: Trustee Williams

Williams: Present

Duneth: Trustee Bedell

Bedell: Here

Dunseth: Trustee Lindholm

Lindholm: Here

Williams: Introductions

N Boyd: There are no introductions at this meeting.

Williams: Very good, ok. I have a motion for the adoption of this agenda.

Hammond: I'd like to move with a minute that we have a moment of silence for those kids and adults that were unfortunately killed on Halloween and specifically for have a moment of silence for Andrea Gonzalez and the twins, Lexi and Lexandra Perez who were killed on that night.

Bedell: Second.

Williams: So with the motion to second all those in favor say Aye. Motion passes 5-0 and we may take just 30 seconds of silence to remember those young lives that were lost there at the Orange/Santa Ana communities.

30 seconds of silence

Williams: And may I have a motion of approval of our minutes from the October 15, 2014 meeting.

Bedell: So moved.

D Boyd: Second

Williams: The motion is second, any discussion? All those in favor say Aye. Oppose? Motion passes 5-0. Well, this is the good part of our meeting when we get to recognize those individuals and organizations that have had a significant contribution to our communities and to our children in schools and I'll ask Phyllis if you can come on up and lead us in the next half hour or so of celebrating those lives.

Outstanding Contributions to Education

Track 3

Outstanding Contributions to Education

Track 4

Outstanding Contributions to Education

Track 5

Outstanding Contributions to Education

Track 6

Outstanding Contributions to Education

Track 7

Outstanding Contributions to Education

Track 8

Outstanding Contributions to Education

Williams: We'll be in adjournment.

Track 9

Williams: Ok. Are we all ready? Are you ready down there? Ready? Is he? Okay 5, maybe. The gavel represents that we are returning to our regular business and we're moving on to item G-2. Dr. Mark Lerner are you, there he is. Dr. Lerner here on deck here sir and up to bat.

Lindholm: Nice.

Williams: Welcome, good to see you again.

Lerner: Thank you. Nice to see everyone. I've had a chance to meet most of you but by way of introduction, first of all, good morning Board members, thank you for the invitation to speak and good morning Dr. Mijares. I am Dr. Marc Lerner. I am the medical officer for the Orange County Department of Education and have been here since 2011. I'm also a member of our Department of Education Center for Healthy Kids in Schools and so I'll be describing some of our work, but it's really our work rather than mine, including the work of Pam Kahn who's here who is our lead school nurse for OCDE, and Arthur Cummins and other members of our center. I've been asked to comment briefly on our preparedness around the issue of Ebola. And I'm pleased that while we're addressing this issue fortunately today we have seen in some of the papers this morning no cases of Ebola active in the United States. And up until this point there have been no children who have experienced Ebola in the United States despite the terrible catastrophe of what's happening in West Africa. Our work then at OCDE is particularly in the domain of preparedness and has addressed aspects of communication and support with community partners. Through OCDE efforts we have communicated with a number of partners here in the county, and so our county connections have been particularly with our health care agencies, a division of epidemiology, that's the

infectious disease fighters and case trackers who work on to help establish approaches here in the county. Agencies such as the Orange County Intelligence Assessment Center or (inaudible). Our fire authority partners who have participated in a number of projects together with us. And folks from the Emergency Operating Center. And all of them have directed communications to us about Ebola and preparedness have promoted preparedness activities to us. Our work is in support of our OCDE partners. Our schools, our students, our staff and family members. The work has taken a number of different steps including communication with school health partners regionally. So, Ms. Kahn and I have communicated with school health leaders in San Diego County, LA School District, LA County and through the California Department of Education. Some of our communication has been to establish a distribution of resources. And those resources have been for purposes of education, education of our community. The second has been to establish contact phone numbers and to make those available to our schools and school partners. The primary contact is the Ebola line that has been established in the health care agency in the epidemiology division. The second has been one that's been established by the California Department of Public Health. And then much of the effort to organize our community response has been through our first responders. And so we've been following the communication and we'll turn to the first responder community through our 911 lines if required. But our initial response as has been established has been through those other resources. The information has been in communication has taken place by the placement of a banner on the OCDE website, by the creation of an infectious disease communication page on OCDE's website which includes not only Ebola but related concerning infections including the intra -....

Track 10

Lerner: virus G-68 and some information regarding influenza. We've also utilized our Principals List Serve communication that Christine Olmstead from OCDE directs out on a weekly basis. So, these have been the primary mechanisms. On a regular basis we've also communicated through our HR group to all employee communications and with communication through List Serves, particularly to our school health partners, all of our lead school nurses and includes OCDE's school nurse. There have been multiple communications that have been directed in that fashion. So that represents our communication strategy about Ebola. Our work on preparedness has been communications with leaders like Dr. Matt Zahn at HCA Epidemiology and the various responder groups and emergency operating groups. At this point I'll stop and ask if there is a question.

Williams: Yes.

Bedell: First of all thank you for all the work you and your staff are doing. Would you please give me just, us, 20 seconds or 30 seconds. If a student comes presenting to you with a high fever and said he or she is traveling, what would our ACCESS sites do for our children, what would our staff do. What would happen? What would be the environment right then when that happened?

Lerner: Right. So what the recommendation is that the health care agency would be communicated with through the epidemiology number and the individual, depending on the age of the child, particularly like an ACCESS student, might be asked to occupy themselves in an environment which would be a closed environment. In the absence of any cases, again, what wasn't present I appreciate the foresight of the Board in addressing this last month, what has been established as we hear about every day in the news has been a tracking mechanism to be able to route individuals coming from West Africa through specific airports, and now as those individuals return back to our community, there is tracking and directed monitoring of temperatures and (inaudible) individuals are in that circumstance. Orange County has not received any individuals, we have not been notified of any school age individuals who are coming back in that circumstance or school staff, although it has happened in other areas of the state and that's monitored. But what would happen here would be that the school staff would communicate and they might communicate with us or communicate with epidemiology or call 911. And then the directions on how to have that student wait patiently while a response would be directed to the school, would emerge. That would be then offered to the school staff.

Williams: You know, I could see where as we're starting to get into the flu and upper respiratory infection season, everybody who develops a flu all have Ebola, you know how that type of sentiment spreads throughout the community. It's awful, it's mis-truths and not the absolute clinical diagnosis that people are thinking of like you and I think about as primary care doctors. You know that's an upper respiratory infection, there's literally hundreds of different viral types and sub-types and that's the most likely diagnoses.

Lerner: Right.

Williams: But how are we transmitting that truth to schools and communities.

Lerner: So, again that's partly through our education efforts and those are represented on our website. We've used the American Academy of Pediatrics communication about how to talk about Ebola and fears about Ebola, #1 to your child. We're trying to help strengthen our staff and our families if those questions are coming up first of all.

Williams: We have it on a website but do other people know about our website and...

Lerner: Again, I think you know we're continuing to work to strengthen our communication about our resources. And as again, if we were to have started in this process we were communicating with school, nurse and health personnel. Now we're communicating with principals, to communicate with their staff and we have a public, you know, a face, to the communications that's happened right on the front of OCDE's website. That's been posted. So again, I think we're building in that capacity. But I think that...takes time.

Williams: Takes time.

Lindholm: Mr. Chair?

Williams: Yes

Lindholm: Thank you Dr. Lerner. I was interested in having this put on because I'm used to having an emergency preparedness group that is there for those...

Track 11

Lindholm: very rare circumstances. But having a preparation in place is absolutely essential. So what I'm understanding, and I do understand also from the paper that we're not getting cases right now. Your right they're being filtered by specific airports. So you have educated with the lead nurses...

Lerner: Yes.

Lindholm: the principals. Who's the point if somebody in a school says hum, something's a little odd or it could be the improvise, and I probably didn't say that correctly, who is the lead person at that school? They may not want to call epidemiology, they may not want to call 911. So who, what is the hierarchy of who gets called when.

Lerner: I think that, again, communications within in schools typically are directed to school site directors or principals. And so, it often, because of the paucity of school nurses, we don't have a school nurse at all of our sites to be able to say let's turn to the nurse. And so, until such a resource would be available, there are designated health clerks in association with many of our sites, or it's our administration. That's why it's important that we reach out and provide resources to these non-health leaders.

Lindholm: So the first goes to the principal...

Lerner: So the communication...

Lindholm: I will contact...

Lerner: The communication might go to the health clerk or the person doing attendance or teacher. They would then communicate through their administration. We serve ready to respond here at OCDE and we have received calls from some of our sites and from some of our staff members. So that would be an option or they would utilize one of the information lines for Ebola which are now available for both the county and the state.

Lindholm: Ok. Thank you. Thank you so much for coming.

Williams: So Marc, do you have an office here then at this department.

Lerner: Yes, I'm full time here at OCDE administratively. I'm not caring for patients substantially in association with my OCDE work. It's more administrative.

Williams: You're still doing primary care though.

Lerner: And I'm doing sub-specialty care as a non-work activity in association with the University of California, Irvine in the area of developmental disorders.

Hammond: Doc, is there any training going on currently for staff through Orange County Department of Ed right now?

Lerner: So in terms of professional education in this area, you know we have many areas that we've been addressing this to but it's mostly been to our health personnel. I'll give you two examples. We recently did a health 101 program that is con-directed towards health clerks. Not the nurses but the first contact health clerks. And we covered a range of issues, including infections, immunizations, mental health and the lot. The second is that we have on-going meetings with our school, our leadership nurse, where our leadership nurse from OCDE participates and those address a variety of issues including infectious concerns.

Hammond: Will you offer any more training. Cause I'm asking cause I'm teaching part-time in Long Beach right now and I haven't heard squat about this being done. I'm not saying Long Beach isn't, I just haven't heard anything and I'm dealing a lot with special needs kids. So I was just curious if you're offering any more training.

Lerner: Again, I'm happy, you know part of my responsibility is to support the educational needs and we're very capable, both ourselves and again, I have to acknowledge that I'm not standing here as an infectious disease expert. I'm here as a developmental behavioral pediatrician and general pediatrician. But I've been delighted to have the support of our Orange County immunization coalition, the health care agency, the lead epidemiology team and the like. And we really co-presented with them in a variety of settings. And so those are all, I think, excellent opportunities that we can address.

Hammond: And at Sunburst is there some training going on? I'm not fully clear about how our department medically works with the Sunburst. I mean, they're military so I'm assuming they have all their military...

Lerner: Right.

Hammond: medical personnel. I didn't know if there was cross training.

Lerner: So for example my work at Sunburst has been to go out and I have given presentations to Sunburst military staff on health conditions and other members of our team have provided support in terms of professional education to their both educators and military staff.

Hammond: Thank you.

Williams: Thank you for what you do, Doctor.

D Boyd: As Dr. Williams pointed out, this is flu season. Can I assume that the special protocols that you're talking about...

Track 12

D Boyd: only go into place when there's a history of travel to one of these special areas.

Lerner: Yes, at this point the communication that we've had as recently as earlier today with our epidemiology leadership has been that schools should continue to use the policies and procedures that they have in place around youth with fevers and to continue to address things in a usual and typical fashion. And so I think that would be our approach at our various sites and we do have a standard approach to these concerns that's occurring. And a lot of our work around, specifically around influenza, has been around very young kids for the first time we are working with external partners for some school base influenza clinics. And so there are a variety of activities that are going on to help us to try and strengthen the protection we have in our school community against influenza.

D Boyd: We don't serve parents for example on where they've traveled in the last six months.

Lerner: No. And the recommendation is again that we currently should not although all of these things will be addressed in continued communication with the community experts.

D Boyd: Ok. Thank you.

Williams: Any other questions? Thank you again Dr. Lerner for coming to our meeting. Ron? Just because I have eight public comments and one person has to leave before one, are we going to be okay time-wise with your presentation?

Wenkart: Yes, fine. If you want me to go now or if you want to do public comments first, either way.

Williams: No, no, no. Is your presentation 5, 10, 15 minutes?

Wenkart: I'd say about 15 minutes.

William: Ok so we're doing ok time-wise. So however that one person is is that okay. I promise you, whoever it is, before one, I'll get you in.

Wenkart: Well good afternoon, members of the Board, Dr. Williams, Dr. Mijares. Thank you for inviting me today to talk about the Brown Act. And I know that you're somewhat familiar with the Brown Act having been on the Board for a while but I'm just gonna by way of background talk a little bit about the purpose and the scope of the Brown Act which is to give the citizens of California access to government agencies and prohibit government decisions from being made in secret. Another purpose is to require the actions and deliberations of the governing boards of local agencies to be taken openly and in public. So all meetings and deliberations, including discussion, debate, acquisition of information, are to be conducted in public and subject to public scrutiny except when the closed meeting exception applies. And then of course the Brown Act doesn't apply to employee meetings or staff meetings where just members of the staff are present. So how do they define a meeting? Under the Brown Act, a meeting is defined as any congregation of a majority of the members of the legislative body at the same time and place to hear, discuss, or deliberate upon any item. And one of the key words there is hear. Because hear is a very broad term. And an issue that comes up quite often with respect to that word is does that include emails. So if we send, and we'll talk a little bit more about emails in a minute, but the receipt of an email, when it's received by a majority of the Board members could be interpreted by the courts as including "hear" and so we've advised, and we'll talk a little bit about more about that in a minute, be very careful about sending emails to all of the members of the Board. And so, the Brown Act goes on when it talks about the definition of a meeting, "a majority of the members of legislative bodies shall not outside of a meeting, use a series of communications of any kind directly or through intermediaries, and that could be like community members or third parties, to discuss, deliberate or take action on any item that is within the subject matter jurisdiction of the legislative body. So I think the key word there is the subject matter jurisdiction. It's very broad. That includes any item that's within the subject matter jurisdiction of the Board which having to do with education, educational programs, curriculum, facilities, all those kinds of things. Whether they're on the agenda or not, whether they're currently an item of discussion or whether that might be an item of future discussion, all of those things would fall within the definition of subject matter jurisdiction. And then separate conversations or communications outside of a meeting with members of a legislative body are permissible. So a one on one conversation is permissible so long as the person does not communicate to other members of the Board the comments or positions of any other member of the Board. So if you...

Track 13

Wenkart: have a one on one conversation. So Board Member A and Board Member B are talking, they can talk about anything they want. But as soon as either Board Member A or Board Member B communicates to Board Member C the substance of the conversation that A and B had, now you have a violation of the Brown Act. And so for these reasons we've told Board members you should limit your communications, particularly emails, to a single Board member or to the District Superintendent. Or in this case, the County Superintendent. Or a member of the staff. Because if you have emails that are going to all of the Board members now you're getting into that situation where you're talking about subject matter jurisdiction, matters that would come before this

Board possibly, and you're getting into areas where you could have a violation of the Brown Act. And so you shouldn't copy other Board members, other than maybe the Superintendent. Or forward emails you receive from Board members to other Board members. That's how you, so if you get something from CSBA for example about a topic that might come up within the subject matter jurisdiction of the Board and you forward it to all the Board members and you go beyond just information but you start a discussion about what CSBA put out then you could end up violating the Brown Act. So it's very important to bring those things to a Board meeting and have those things discussed at a Board meeting. And so it gave a few examples, I've kind of already covered this, so I'll just kind of skip these slides. We've already talked about that. So any series of communications to discuss deliberator take action on any item that is within the subject matter of jurisdiction of the Board, can cause a violation of the Brown Act. So very careful, very important that you, these communications take place at Board meetings, these discussions take place at Board meetings. But as I said, individual contacts or conversations between members of the Board are not for evidence so any one on one conversations are fine. And then there are a few exceptions to the definition of Board meeting. Things like conferences, attendance at city council meetings, social gatherings, that type of thing, these next few slides talk about that. Those are not prohibited. But what's really important, what I always suggest to Board members is that you don't congregate together or sit together at these events. So that there's not an appearance of a violation of a Brown Act or you don't accidentally slip into a violation of a Brown Act by starting to discuss about things that come within the subject matter jurisdiction of the Board. So it's very easy cause that's what you have in common to start talking business. It's better if you don't, like I said, don't sit together, that's really I think the most important thing. So those next few slides talk about that and I mention social or ceremonial occasion. Legislative body, that could be a city council meeting or a Board of Supervisor's meeting. Any kind of special district meeting where you might want to attend. I think it's important that you not sit together. And this next slide is a good example of what kind of situations that come up. This involved a city council and they were offered a private tour of water district facilities and this water district provided services to the city and the purpose was to acquire information regarding the water district's services and they did it without posting a public notice or agenda or calling a special meeting. And the attorney general said that that was a violation of the Brown Act. That that meeting should be open to the public at large if a majority of the city council goes on that tour. So those kinds of things sometimes that come up with this Board you need to go on a tour or tour of one of our schools, if a majority goes at the same time that might fall under the Brown Act and might be a special Board meeting. So typically we'll have one or two Board members go on a tour at a time, usually scheduling-wise it works out better as well to have one or two Board members go on a tour. Ok, so that's kind of how they define a meeting and I think that's kind of really the most important part of this presentation but the other things that I wanted to mention are the general rule under the Brown Act is that all meetings must be open in public. And then if you do have going into closed session under those specific limited exceptions, any action that's taken in the closed session has to be reported out in public. The Brown Act prohibits taking action by secret ballot so anytime you take a vote the...

Track 14

Wenkart: how each Board member voted should be made public and should be included in the minutes. I think this has come up in several of our meetings. People have wanted to record our meetings and they have a right to do that and we have a right to work with them to make sure that it doesn't disrupt the meeting. So typically we have them in the back of the room film from there so that it doesn't disrupt the meeting. So that's generally how we've handled that in the past. Another issue that comes up, teleconferencing, it's not as simple as it first seems. We have to prepare in advance whenever we do a teleconferencing because of the requirements of the Brown Act. Whenever you have a teleconference you have to have a roll call vote so that the public knows exactly how everybody voted. If you use teleconferencing you have to post agendas at all the teleconference locations and so that would require 72 hours in advance if it's a regular meeting, 24 hours in advance if it's a special meeting so we'd have to plan ahead. We'd have to know where a Board member is going to be for that teleconference and then it talks about protecting the statutory and constitutional rights of the parties. And as it mentions on the next slide, you have to identify each teleconference location in the notice and the agenda of the meeting. And then it has to be accessible to the public. So if somebody is going to call in from their home, they have to have the front door open so that it's accessible to the public. So a lot of people don't want to do that of course so if you're going to do a teleconference we usually arrange it at some other location. For example, if you're at a conference in a hotel in Sacramento, you have to have a location that is accessible to the public so we usually will arrange a conference room at the hotel so that it's accessible to the public so that anybody can access it rather than somebody's hotel room which is generally not accessible to the public. So that takes advance planning so if you're considering doing a teleconference situation we would, the staff would need to know in advance so that we can plan ahead and arrange that. And then at least a quorum of the members have to participate from locations within Orange County so that we can only have up to two members outside of Orange County. But typically this Board hasn't come up to often. We've had it come up a couple of times and we've been able to work it out. And then with teleconferencing you have to provide an opportunity for members of the public to address the legislative body at each teleconference location. So that we've typically set up a speaker phone at any teleconference location so that if people did want to participate and make a public comment from that location rather from this Board room that they were able to do that. I don't believe anybody has actually gone to a teleconference location to make a public comment. I think they've always come here. But the Brown Act foresees that that might happen and they require that you make it accessible. There's been a couple of things that I'm sure you're familiar with, I'll just mention. Agenda requirements at least 72 hours before a regular meeting and 24 hours before a special meeting. We have to have an agenda. The only business that's on the agenda can be discussed and transacted. A brief general description of the item not to exceed 20 words is usually sufficient. It should be descriptive enough so that the public knows what we're going to be discussing at the Board meeting. So that usually hasn't been, we've been very careful in the agenda to make it descriptive so that people will know what we're going to be talking about. We're supposed to specify the time and location of the meeting. It has to be posted in a location

that's freely accessible to members of the public. We generally post it outside in the front and then we also post it on our internet website as well. Alternative formats, if we have a request, under the Americans with Disabilities Act, we're supposed to make the agenda available in alternative formats for the disabled. As I mentioned earlier, no action can be taken on an item that's not on the agenda. There is a provision that allows you to amend the agenda by a two-thirds vote if there's a need to take immediate action. And that need for action came to the attention of the local agency subsequent to the agenda being posted. So if something happened let's say for a regular meeting within that 72 hour period, and there's a need to take immediate action, then we could amend the agenda and put it on the agenda. So that comes up occasionally.

Track 15

Wenkart: We have to provide an opportunity for members of the public to directly address this Board which we have typically done. We're allowed to have time limits and that's and a total amount of time for a particular issue which we've done on occasion. And we have rules that cover that. So I think we're all familiar with that. That's a Brown Act requirement. And then I'm just going to mention two things cause I know we're a little short on time. So I'll just mention two other additional items. There's certain authorized closed sessions and prior to holding a closed session we have to disclose in an open meeting the items to be discussed in closed session. The main one that this Board typically goes into closed session for is for litigation to get advice from legal counsel regarding pending litigation or to initiate litigation. And this is what the agenda should look like. This is the recommended language to put on the agenda for a closed item with conference with legal counsel that's recommended in the Brown Act. So I just copied that for you to see. And then if you take any action in close session you're supposed to publically report that out and the report can be orally or in writing and then it should be reflected in the minutes. And then I'll just briefly mention because I know we're pressed for time, that there are penalties for violations of the Brown Act. The district attorney or any interested person can commence a lawsuit for the purpose of stopping or preventing passed violations or on-going violations or threatened future violations of the Brown Act. And in the past in Orange County the district attorney has been fairly active in going after districts for violations of the Brown Act. Typically that's been done through a letter but on occasion it's done more publically as well. So with that, I'll just open it up to questions I know we're limited on time. So I'll just open it up to questions.

D Boyd: Ken?

Williams: David?

D Boyd: I think you answered this for the most part but let me expand.

Williams: Sure.

D Boyd: On the teleconferencing, from a practical standpoint that becomes very awkward cause I simply can't say that I'm going to be out of town and my planes going to land at 1:00 pm and I'll be at baggage claim # 6. I mean, it has to be specific enough so that public comments, the public could meet at that site if they so choose to do so?

Wenkart: Yeah, it has to but I'm not sure that baggage claim # 6 would be publically accessible cause I believe now that there's restrictions at airports that doesn't allow the general public to come in, only passengers. So it would have to be someplace that's accessible to the public. And when these kinds of issues come up we try to figure out a way to do it where we can set a time so that the teleconference can take place, usually at a hotel conference room usually works the best. I suppose there might be a conference room at the airport but it's usually harder to figure out and harder to arrange. So we try to use hotel conference rooms typically.

D Boyd: Ok. One more question. Hypothetical. Let's say Ken and I are communicating either on the phone or via email on a relevant subject matter. And I ask Ken, what do you think Jack's going to think about this? And without contacting Jack, Jack's not in the picture at this point and time, the comments made but I don't know five years ago we had a similar issue and this is what Jack stated. Brown Act violation?

Wenkart: I don't think so because you're asking Ken's opinion of what Jack might think and he's going back past statements that Jack might have made. So you're not contacting Jack or you're not informing Jack of your conversation so I think you're ok.

Williams: Is that it? Another situation that we all can see is events that happen in the community through the Orange County Register. Something appears in the newspaper and we send it in to Penny. Penny can you send this and make sure all of the Board members know about it. Is that ok?

Wenkart: Yea, that would be fine. The problem comes in is if the Board members respond. Let's say Penny sends out an article from the Orange County Register to all five Board members and then one of the Board members clicks reply to all and says, makes a comment about the article. Then that would be a Brown Act violation.

Williams: Even though the article had nothing to do with what we do in the subject material.

Wenkart: Well, if it had nothing to do with subject matter jurisdiction then it might not be a violation of the Brown Act...

Track 16

Wenkart: but typically the articles that are sent out are sent out because they relate somehow to the subject matter jurisdiction of the Board. I mean the types of things that you could talk about without violating the Brown Act that are outside your jurisdiction are things like family, vacations, weather, you know, things that we generally talk about.

You know. But once you get down to business, I mean if you're talking about anything that let's say an article about something that's going on in Washington, DC that might have impact locally which is a typical article that the Register might write about. That, if somebody comments on it, that's within the subject matter jurisdiction of this Board.

Bedell: Ron, on slide four and five on page 2, when I first when I read slide four I was thinking that means literary so far, that Trustees Lindholm, Bedell, and Boyd, could not talk about their grandchildren. Until I got down to slide five cause it dealt with items that come within our purview.

Wenkart: Right.

Bedell: Right? However, these three Trustees are talking about their children's Common Core experiences in their local public school. Now what?

Wenkart: Now it's falling within the subject matter jurisdiction of the Board if you get that specific. If you're just talking about...

Bedell: Great soccer game!

Wenkart: yea, or soccer game or they attend this school or that school and make a general comment about the school, like you know, my son and daughter-in-law are very happy with the education their child's getting at XYZ school. I think that's probably fine. But once you start talking about specifics like Common Core curriculum, I think then you're getting into the subject matter, particularly since this Board has been discussing that at its Board meetings and is going to have a special meeting and has had one special meeting on that topic. So yea, I think that would be a violation.

Bedell: That's it. That's where I was going. Also slide six and seven. Are you aware of districts, and I had a sidebar here with Trustee Lindholm, districts, the way I read that last square on the bottom of slide six, Board members should limit their communications, particularly emails, to a single Board member or the district superintendent. Would there be any benefit, and if you go to the next slide, slide seven, Board members should not copy other Board members, blah blah blah blah blah blah. Would it make, are you familiar with any districts that have codified that into a Board policy that says, Board members shall limit their, and secondly Board members shall not copy. Rather than, cause the way it's read now somebody who wanted to be difficult could say this is auditory. What I'm saying, the policy that says shall not is mandatory and puts the Board into a better position I think as it relates to Board members. Does that make sense?

Wenkart: Yes. I'm not aware of any districts that have adopted a policy that's made it mandatory. This same presentation I've given to districts; as you can see I forgot to change district superintendent to county superintendent. So I've given the same presentation to school districts and we've had this same discussion and I've got some of the same questions from the local Board members as well. I know it's difficult because you naturally want to talk to each other but you have to be careful about the way you

communicate. Like I said, one on one conversations are fine. But once you start sharing the substance of your conversation with a third Board member, then you start to get into a Brown Act violation.

Bedell: Right. As I understand, some subsequent slides around 14-18, that it would not be a good idea for the three of us to go to Sunburst Academy on a tour at the same time.

Wenkart: No. Right.

Bedell: That's what I'm taking away from that. That's more firm than we've heard in the past.

Wenkart: You should not, if the three of you go, then it's a violation of the Brown Act cause it's similar to a tour of the water district that the city council took.

Bedell: And I want to apologize cause in the past I have supported teleconferencing. I never knew realized it was such a hassle. And the notion that I would have some stranger coming into my living room with an open front door with the dogs that run out is more than I'm willing to do. I think it means I'm going to schlep to Costa Mesa for a two minute or four minute meeting. Thank you very much. It's very helpful.

D Boyd: One follow-up.

William: No no, go ahead. Go with your follow-up.

D Boyd: No mine was just an observation. At what point...

Disc 2
Track 1

D Boyd: the time the, assembly and senate had exempted themselves from the Brown Act. Is that still the case?

Wenkart: That's still the case.

D Boyd: So that can do their back office deals.

Wenkart: Yes.

Lindholm: They don't have the Brown Act.

Hammond: Must be nice.

Lindholm: Only local Boards.

Hammond: Ron, then about a year ago or so when Dave was president of the Board and Liz was still on the Board remember when the Academy was just starting you gave your prepared remarks. If I remember I think there were three of us from the Board there. I think Liz was there. I know I was there and you were there. Remember that?

D Boyd: At a meeting? Off site?

Hammond: Yea, we were there at the Academy. Remember when they were putting down one of their last beams. I thought there were three of us there.

D Boyd: Yeah, ok. At the groundbreaking.

Hammond: Right.

D Boyd: I think all three of us were there.

Wenkart: So I could fall under that exception for ceremonial meetings and there's another agency involved cause the military's involved. So the main thing though is not to be sitting together or having a three-way, three-party discussion. Cause that would definitely be a Brown Act violation.

Hammond: That's what I was curious about as it was more like a groundbreaking or putting in the final beam, whatever it was and there was the three of us there. So I didn't think anything about it.

Wenkart: That was probably okay but I think if it was a tour just set up for you to see what the program is like that would be very close to that tour of the water facility and I think that would be a violation of the Brown Act.

Hammond: What about then you know on the teleconferencing I have to admit I'm with Jack on this. One of our last teleconferences I said you know I'm going to try and make it home but I know I couldn't make it home. So, I proceeded to actually pull over and I didn't know that I was gonna have to tell Penny. That's kind of a troubling thing. You know what? I'm over here at the parking lot of this school. Where do I post the agenda, on my front window?

Wenkart: Well that raises an interesting issue. One of the things we could do, if one of the facilities is close to your house and you want to teleconference we could probably set it up at one of the schools and work something out with the Principal of that school to allow you to use an office and open it up publically so we could do the teleconference that way which I hadn't thought of that but that might be a good way to do it.

Hammond: Okay and then if somebody from the public decides to talk with Dave and then they talk with say Jack and then they come up and talk with me, I'm assuming in and of itself as long as it's one on one it's not a violation of the Brown Act. Am I correct?

Wenkart: Yea, that's not a violation of the Brown Act.

Hammond: But if they go up to talk with Dave, let's say, and then they go talk with Jack, you know I'm a whether it's Sunburst, Common Core, I don't care what it is, and then they share with Jack pretty much what they learned from David, and that's still ok but if they come up and talk to me and say this is the conversation that I had with Dave and Jack. Then I'm assuming at that point wouldn't that:

Wenkart: That would be a violation of the Brown Act.

D Boyd: On behalf of a member of the public.

Wenkart: Well if you're engaged in it the three Board Members could be in violation of the Brown act as well. What I suggest you do if that happens, if you realize that happens, let me know and I'll talk to that person, the member of the public and we'll work out so they understand that this creates, puts you in jeopardy and creates a possible violation of the Brown Act and so we'll try to avoid that from ever happening again.

Hammond: Then the last question was on page 9 was slide 25. And it says members of the public and media can request that the agenda be mailed to them. Have you really ever had requests for our agendas to be mailed and I'm thinking what's roughly the cost to mail out the agenda to somebody.

Wenkart: I think we've been emailing them. Yea, I mean that the term in the law's mail because it's been there for a long time before email but I think it's our practice to email? Yay.

Hammond: What assumed, I mean could someone, I'm assuming someone could request a hard copy, not an electronic.

N Boyd: Well they certainly could but they haven't in a number of years since email has become available. Then, we haven't had anyone ask for a hardcopy agenda to be mailed.

Hammond: Cause I was just curious what the rough cost would be on that? But if that's it, thanks.

Wenkart: Ok. We'll thank you very much. O, I'm sorry.

Lindholm: I'm sorry.

Williams: One more question.

Lindholm: No, thank you. We have, I understand Radick pretty well. At the end we have trustee comments. That's where I can bring up an issue I would like to discuss as long there's no consensus brought on it. That's my only point.

Wenkart: Right.

Lindholm: Cause a lot people don't jump in on what you're bringing up at the time until it's agendized.

Wenkart: It's more informational. The consensus of the Board is this is something that should be discussed we can put it on the agenda for the Board.

Lindholm: Thank you.

Wenkart: Sure. Thank you.

Williams: Very good, thank you Ron. Ok moving to public comments, last time I felt...

Track 2

Williams: ...still...we went a little bit longer than usual and so one of our commenters had to leave, who has a time certain that they have to be out with urgency.

Dunseth: Eric Stoelting

Williams: Oh, ok. So Eric, come on up. And we'll get you next.

Eric Stoelting: Good afternoon Board, good afternoon Board, thank you for taking the time to let me come up a little quicker. I apologize for making that inconvenient for your schedule, this looked kind of important. I'll make it quick, I did have to leave last time so I will talk a little bit about what I was going to speak about last time. I came to understand that I was at a Capistrano Beach informational meeting on Monday night. And I come to understand that Anna Brison had through their Board had stopped Common Core from being completely implemented in the Math Department. They were keeping their original, most of their original I'm not sure how the most part fit in but I believe it was the majority from what I understood of the conversation that they kept 8th grade algebra and a good deal of the original math in their curriculum rather than switching over to the integrated math. They also had voted as a Board to not allow any surveys or data mining that would include any personal identifiable information and actually not any even surveys that asked any personal questions that could be considered unusual or not proper. That they were not doing that as a Board. So this is just a thought that you guys might want to consider. These are things some other Boards in the county, this is Capistrano, so you might want to consider that. And on those lines, the last time I had come, my youngest daughter's going to be graduating 8th grade through CHEP this semester, this year. And I've always put all my girls through Pacific Coast High School. And my concern, obviously I'm not very hip on Common Core, and how they're implementing it through the Pacific Coast High School is obviously probably a little different than everyone else because it's an online school and is not necessarily book related but they are pushing it. I know through at least CHEP you have the option of

using older curriculum which I don't know long is going to be available because as they buy new books and the older books get old and they get to discarding the older books. As a recommendation at least in the temporary until we Common Core either gets pushed out or whatever, I would highly recommend and encourage that you guys offer maybe secondary or alternative older types of educational trying to offer both if possible? If people want to use Common Core, which should be an option anybody I suppose if they really want to but offering the original curriculum as a secondary option, I don't know if that's possible, but I know through CHEP it is but at least through Pacific Coast High School and maybe ACCESS I'm hearing parents through different places that I'm going that there are issues with the math, that there are issues even with English more so with the parents than the kids but with math definitely I've spoken to somebody who's from South Orange County just a few days ago. (Timer rings) Am I done? South Orange County that her kid actually had to go to the hospital based on her participation in math class. So there are just some thoughts. Thank you.

Williams: Thank you, Eric.

Dunseth: We have three from the Kahn family here, are you the ones that need to leave early?

Christian Kahn: Hi, my name's Christian and I'm reading this letter on behalf of Gloria Pruyne. She is ill and she wished to read this to you. So here I go I'm going to read this to you. Dear Superintendent Al Mijares, President Williams and honored school board members. We are so appreciative that you are giving parents and concerned citizens the opportunity to listen and to expert speakers with various opinions about Common Core. I don't have the names yet of those speaking in favor of Common Core but we are very honored and privileged to have excellent nationally known speakers who are against Common Core. You probably would be very surprised to know that the opposing experts come from very different religious and political backgrounds.

Track 3

Christian Kahn : The one issue that they have in common is their concern about Common Core. To my knowledge, none of them are affiliated with the Tea Party movement. Some of them don't want to be associated with it at all as you found out at the last meeting. I trust that all of the Board members will show respect to all those speaking for and against Common Core just as you would show respect to guests in your home. We are very privileged to have extraordinary experts flying here from out of state to share their concerns with the Board and the audience. They're taking time out of their lives to speak the Common Core issues. As we learned at the last meeting, Dr. Gary Thompson left his wife and family in the midst of life-threats against the family which have continued. His wife, who is pregnant, has just miscarried so we all need to appreciate the sacrifices that these speakers are making to accommodate the Orange County Board of Education. Therefore, the Board shouldn't take their efforts for granted. It is a very heavy responsibility to make wise decisions on such important issues that can have a lasting effect on children's lives and futures. I'm confident that all of you will decide

what you believe is best for the children. It's important that wise decisions are made based on thoughtful reflection and consideration. For the children, Gloria Pruyne.

Williams: Christian, excellent job. Thank very much for reading that so well. Where do you go to school Christian? Tell me.

Christian: I go to Veritas Classical Academy.

Williams: Awesome, how old are you again?

Christian: I'm 13.

Williams: 13. 13 going on 18. What a politician.

Noah Kahn: Hi, my name is Noah Kahn. I am an American, not a global citizen. As you make decisions after the November 17th hearing, I would like you to think about a few things I have to say. I attended and spoke in favor of AB 2307 in Sacramento. Over 100 citizens spoke in favor of this bill and the room was packed. We were told that the state takes care of these things. After all of these kids, parents, grandparents and teachers spoke in support, they said no. Then I was here on October 20th and as I listened, I heard the people in favor of Common Core keep saying the same thing over and over again. They also didn't have answers to questions they were asked. Sounds like they didn't do their homework. Let's stop passing hundreds of bills every day. Remember, the bigger the government the smaller the citizen.

Mrs. Kahn: That's it. He went to the assembly bill and they sent him for speaking it.

Williams: Nice. It's good to have you involved at such a young age.

Hammond: Mrs. Kahn, how old is your son here?

Mrs. Kahn: He's 10.

Williams: Thank you, ma'am.

Dunseth: I don't think anybody else has a time.

Williams: Anybody else has a time that requires you to leave early? Very good, ok so we'll just continue on with Public Comments then.

Dunset: Tom Pollitt.

Tom Pollitt: It's a hard act to follow. President Williams, Trustees, Superintendent Mijares, my name is Tom Pollitt and I live in Costa Mesa. At the last Board Meeting I was asked if I was pleased with the two special meetings and I answered I was pleased. Let me expand on why I was pleased. Trustee Boyd, you were able to hear from a constitutional lawyer about the Common Core State Standards. That it was

unconstitutional and that it broke a number of other state laws. As a chancellor of a law school, you should be concerned about the rule of law and not being taken seriously.

Track 4

Tom Pollitt: Trustee Bedell, you were able to hear experts describe the problems that Common Core will cause minority and underprivileged students. The very students that you are most concerned for. Trustee Lindholm, you were able to hear the experts talk about problems and privacy, including the fact that Smarter Balanced contracts require them to give the Federal Government all the testing information. Trustee Hammond, you found out that no one knows the actual cost to implement the Common Core or where the money is coming from. What will happen if money becomes tight and the economy changes and we're not able to fund the Common Core? Are we experimenting with our children? Finally, we had over 250 standing room only in attendance. What a great demonstration of the first amendment. I know you're going to be talking about J-2 today, the agenda. My only comment would be that we have three rounds; I think that was originally proposed. These people are coming in from across the country, these experts. The more time we can give them, the better. I would suggest that we cut down on the Public Comments. If the public wants to comment, they can come to the Board Meetings and do that, the regular Board Meetings. And allow another 20-30 minutes maybe for a lightening round so that we can hear from the true experts and find out more about Common Core. Again, I want to thank each and every one of you who voted for these special meetings. I want to thank you from the bottom of my heart. Thank you.

Williams: Thank you, Mr. Pollitt.

Dunseth: Garrett Kaylor:

Garrett: Good afternoon. Thank you Superintendent Mijares, President Williams and honored Trustees. My name's Garrett Kaylor. I attended public schools in Orange County from K-12. I live in Orange and I have two sons 18 and 14. My mom taught in the county for several decades, four or five decades and my sister is currently a teacher here. Each of the Trustees has acknowledged the need to better understand what all is involved in implementing the Common Core Standards. I want to commend each member of the Board for their complete or at least partial willingness to hold these hearings. The public has a right to know. Implicit in the word trustee is the word trust. One of the duties of a trustee in this organization is to help protect the public from things of which they are not aware. I still meet people every week that have not yet heard of Common Core which makes the statistic that over 60% of Americans are against Common Core even more amazing. Of the 38% or so that are not opposed to it I wonder how many of them don't even know what it is yet. As rated by the Fordham Institute and the Fordham Foundation, California had some of the highest state standards in the nation. They were rated the top state in math. Why should we scrap these excellent standards for ones based on the lowest common denominator? That was a math joke right there. Mathematicians aren't known for their sense of humor. Common Core is under attack throughout this great nation. It has already been removed or is being removed or is under review throughout the land. As someone that implements projects and systems for a

living, this was doomed from the start. Their approach of not involving all the constituents up front and doing it behind closed doors is just a bad approach. Apparently they don't know how to implement something on this scale. You can't lump Common Core opponents together. They represent a majority. They include Democrats who spoke here last month and who are coming next week. They represent the largest teacher's unions in the country. They include medical doctors and psychologists and academic standard experts. Mark my words, Common Core will be eliminated throughout the United States. They'll be an example of a failed experiment that we hope will not be repeated in our lifetimes. So if one of you feels compelled to stand up for it now, my question is, what are you going to say after it has been removed? The writing is on the wall. Be a part of the solution not of the problem. Thank you.

Williams: Thank you Mr. Kaylor.

Dunseth: David Whitley

Track 5

David Whitley: Thank you Superintendent, and President and Board. My name is David Whitley. My children are in the Irvine Unified School District. James Madison in 1792 said if Congress can employ money indefinitely into the general welfare of the Supreme Judges of the general welfare they may take into their own hands the education of children assuming from the highest object of state legislation down to the most minute object throwing it under the power of Congress. Were this power of Congress to be established in the latitude contended for it would subvert the very foundations of the limited government established by the people of America. Madison, the principal author of the Constitution was responding to those who would pervert the Constitution by attempting to Federalize those things which there is no power or authority to Federalize. At the Orange County Board of Education's Special Public Forum on Common Core on October 20th, Professor Hugh Hewitt urged this Board to sue Education Secretary Arne Duncan in Federal Court over the issue of Federalization of National Standards under Common Core, and I agree and second that request. Professor Hewitt also disagreed with Trustee Boyd regarding having this public forum saying that it's the perfect reason and the perfect place to use Board resources. Any public debate like this is the First Amendment in action. Trustee Boyd at the same special forum insinuated and applied in his comments that the debate had already been high-jacked by the Tea Party. I want to say for the record I am not nor have I ever been a member of the Tea Party. Second, I denounce this tactic and political smear as unbecoming of any official entrusted to sit on this Board. These statements were made for one purpose and one purpose only to pollute the discourse. To disperse lies and innuendo like the seeds of a dandelion which are impossible to take back. I request a written retraction and apology that's posted on the OCBE website. A friend of mine who I invited to the Special Forum also was shocked to be told upon entering the foyer and inquiring about the press conference in the parking lot that it was the Tea Party. Given that response and the statement by Boyd, it sounds like a concerted organized effort to demean the opponents of Common Core before the Forum ever began. I believe Mr. Boyd needs to look in the mirror at which time he will identify

the character assassin and hijacker of this first public forum on Common Core. A repeat of these tactics at the next meeting will not be tolerated. Let me also add that Mr. Boyd who's been working...that we have been working individually and collectively on Common Core for almost two years. Regardless of what we write on our comment cards, we are here because of Common Core. And let me close with this, even if these standards were perfect, even if I could write these standards, the curriculum and the tests and have no fear of data mining, the Common Core still violates three Federal statutes and the 10th Amendment of the United States of America. So I ask you Board, if you took an oath to defend the Constitution, this is your chance to prove it. Thank you.

Williams: Thank you Mr. Whitley. Penny, who's next?

Dunseth: Jeff Arthur.

Jeff Arthur: Good afternoon everyone. I like the Brown presentation. I'm the chair of the Costa Mesa pension over-site committee and we've operated under Brown rules. One thing I did notice at a tele-conferencing, I've seen CalPERS Board do tele-conferences. They video tape live and they have people call in so you hear the audio so maybe there's room for that. And I want to give you along the lines of transparency in Costa Mesa we just got our PERS evaluations so as you might know, we had a 228 million unfunded liability for pensions. Well, the good news is it dropped down to 217 million which is about \$463,000 per employee. But, PERS gave a two year look ahead after paying about 20 million a year we'll be up to 229 million again. So one thing I want to suggest for you, you have PERS employees and STRS employees that you get the transparency from PERS and STRS. STRS you probably need 40 years and they're less transparent than PERS. PERS you probably need 30 years to see when the unfunded liabilities are paid off. Other ideas in the realm of transparency, is to and...

Track 6

Jeff Arthur: I provided kind of an analysis of the school districts and the unfunded liabilities, is to post your financial statements online. Most school districts in the county don't post their financial statements online. Post your actuarial statements for the unfunded medical online. Most of them don't do that either. The way you can find the financial statements is that most school districts have borrowed money so the bond covenants require them to post them but most of them do not have them online. And I have learned the example is from Costa Mesa. Another thing is to post the staffs salary and benefits including overtime. This is all on the Costa Mesa website. And I also encourage you to look into doing public negotiations like COIN, which is a Civic Openness in Negotiations; it's an ordinance in Costa Mesa where you have a third party negotiate. You publish what the current situation is under an employee contract and every iteration of what the offer is from both sides and you publish that and there's a time frame for review. When I was an administrator at Coast Community College District people negotiated continuously, all year long. HR would roll out one day with the Board and oh, we have an agreement, well we do. The finance people would go how much is this going to cost? So there's no transparency at all in those kind of things. Another

suggestion, looks like you audio record; I would suggest video recording. Sounds kind of like a STEM thing to do. And broadcast if possible, like Costa Mesa. Thank you.

Williams: Thank you, Mr. Arthur. That's it. Ok. So moving on to the consent calendar, may I have a vote.

Hammond: So moved.

Bedell: Second.

Williams: Ok, any discussion?

D Boyd: Could I make a comment, not really discussion because it's not on the consent calendar but an observation, that there are about 100 students who are graduating, earning their diploma as a result of our outstanding staff, and faculty, and it's a good reminder of why we're really here. I'm mean, there are a lot of these counties who don't reach out to these folks like we do. And these kids, young adults, you know now have the foundation you now, whatever they may choose to do in later life, they've got the foundation of this High School Diploma. And I think that every once in a while we should think about why we're here.

Williams: Thank you. Any other comments? Ok, bar none. All those in favor say AYE. All those opposed, sustained. Motion passes 5-0. Moving on to item J-1. Approving of Board policy 100-11 regarding vacations we have a motion.

Bedell: So moved.

Williams: Ok we have a motion, and do we have a second.

Hammond: I'll second.

Bedell: Mr. Chairman for parliamentary procedure my understanding was according to the minutes we tabled this. The motion was made to approve at the last meeting what do we need to do now? Is what we've just done (inaudible) is another motion to approve? Or do we need another motion to take it off the table?

Williams: So, excellent point, and there was a lot of confusion and I think I specifically at the end asked that this would be tabled and brought back to reexamine the language to look at it and so..

Bedell: So, I'll move then with consent of the body I'll move to remove it from the table given that the motion to approve has already been made. Let's move to table was a subsequent motion.

Williams: Do we need a motion?

Lindholm: Do we need to do that? Can we ask our attorney? Do we need to do anything?

Williams: Do we need a motion to untable?

Bedell: It's a technical questions and I want to be sure the records clean.

Wenkart: My recollection was that there was a motion to table it. And I don't recall was it specifically to this thing?

Bedell and Williams: Yes.

Bedell: Yes, this November meeting.

Wenkart: Ok, then I don't think we need a motion to remove from the table because it was tabled specifically in general then I (inaudible) a motion to move it in general.

Williams: Yae, does that make sense Jack? Are you okay with that?

Bedell: I just want to be sure that that's.

Wenkart: I can look at the minutes. I didn't get a chance to look at the minutes.

Williams: So the question is...

Wenkart: I think it was tabled to this meeting so therefore...

Bedell: Yes to this meeting.

Wenkart: So then I don't think.

Bedell: As long as it's clean. That's all I care about.

Wenkart: So I think a motion to approve the policy is fine.

Williams: So, is it the technical question, do we actually make a motion to return it.

Bedell: We don't have to.

Williams: No it's been (inaudible)

Bedell: Thank you for clarifying that. Also I would like to again I appreciate the editing work that went on...

Track 7

Bedell: and among my colleagues and the staff working on the language to make it more efficient and less burdensome on the staff.

Williams: Very good. So we have a motion and a second and we're in the discussion phase of this item. Anybody have any discussion thoughts or anything they want to add?

Bedell: Call the question.

Hammond: I did have a question for Jack if I may, Mr. President.

Williams: Absolutely, go ahead.

Hammond: Thanks, I know you'd mentioned before possibly but like if we had a Rabbi chosen or a Methodist, then that we wouldn't allow any other say Rabbi for that calendar year.

Bedell: That came out.

Hammond: Ok, I couldn't (inaudible)

Lindholm: That's mine.

Bedell: That's what Trustee Lindstrom's said so that we don't have to worry about picking within various streams of religion.

Hammond: Thank you, ok that was mine...

Lindholm: Yes. I don't want to do, I don't want to discern between them.

Hammond: Yeah, that's it for me.

Williams: Ok, so just my thoughts and questions have to deal with pragmatic implementations so this is going to be a new Board Policy 100-11. We'll be adding it to our official policy. My concerns are that this infringes upon free speech and I do believe in prayer. I do it every day. I would love to see invocations but my concern is does this policy restrict free speech. And I think it does. Any time, such as in paragraph two where it says a prayer or invocation shall, or in paragraph three an invocation shall...there's the potential there to limit free speech. So let's suppose somebody from "The Children of god" from the Ram Ashish religion or the twelve tribes religion, some of the more extreme people of religious faith, that whole tenets of hurting other people. Will they be allowed to speak.

Bedell: Mr. Chairman, I am comfortable with those words should become should. The purpose of this policy was to become inclusive and to be positive and that's why having them direct their comments to our unique children was to take care of that.

Williams: So in saying that you should use this language, does that ...it strikes me as though it restricts free speech.

Bedell: Trustee, I appreciate that I'm not interested in hearing somebody come in here and talking about denuclearizing Iran. Following your argument, it could go out that way. I was wanting it to really focus on our kids. You saw some of them today. Unique needs, unique missions about which many have no knowledge about. So that would even be further of a blessing but also an education function. And that's where I was coming from.

Williams: Sure and I don't want you to receive the perception that I'm against invocations.

Bedell: No, no, no, no. I don't.

Williams: Ok, it's just that like I would feel much at ease, I would look forward to this if we just said prayer invocation will be at each meeting. Just leave it as that. That restricts nothing.

Hammond: Mr. President, in regards to paragraph three where it says invocations shall not last more than three minutes, I'm okay with that, only because if I want a long sermon, I know where to go.

Bedell: I'll be with you.

Williams: I would to.

Hammond: So for that I'm thinking like to limit it to no more than three minutes. I'd even be okay with it if it was only two. I mean, capping it at three, I think is being incredibly gracious but I think if we don't cap it, we could open up Pandora's Box on that one and I'm.

Lindholm: I agree with you. The thing we limit the public speakers comments to three minutes, unless you're doing a presentation or awards ceremony. The three minutes makes a good deal of sense to me. I think what we might want to do is to have this be accompanied by a letter when somebody accepts that they will doing the invocation. And that letter could be drafted and that letter should be addressing some of your concerns. That letter should be addressing that you will not have anything about violence about anybody else. Here there are some who go under the cloak of religion that ask to harm other people. So I think that letter needs to go out when somebody accepts and this is the criteria. It's general to be kind...

Track 8

Lindholm: and to talk about the youth of the Board of Education. So I think this needs an accompanying letter. Not just an email confirmation, "I am coming." So they know

what's expected of them and if they step over or they transgress those lines then it's stopped. We're not going to hear that.

Hammond: Quick question for Trustee Lindholm, if you'll yield to a question.

Lindholm: Yes.

Hammond: Did you have something similar to this at your city council by any chance or is there any city council that you know of that may have something similar?

Lindholm: We had an interfaith council and that interfaith council was the one who brought forth from many religions. And they were instructed by them and probably given a letter by them that they were to be respectful, that the content is with special emphasis on serving the children of Orange County. So there is no other language that goes into this where it can be harmful. There are countries that we know that we are at war with that we don't want some of that language, any violence kind of language. So that is how we did it. We had an inter-faith council that handled that. But I'm sure we could have a letter drafted that addressed these and the president, and vice-president could review that letter and so we know that letter goes out as soon as they except, here's your letter.

Hammond: Would perhaps would the maker of the motion be amiable to, I hate to say this, table this for another 30 days?

Bedell: I would rather not. I think like Trustee Lindholm suggesting is a very common, ethical procedure. These are the guidelines. If you're going to partake of this privilege these are the norms that you are to follow.

Hammond: Ok.

Bedell: And I don't think that's limiting speech I just think that's graciousness and part of being a civil society. So I would rather vote on it today.

Hammond: Ok.

Bedell: And I think we can all get some ideas about that letter. That letter should not be a dissertation.

Hammond: Do you want it limited then to just two minute prayer?

Bedell: No, I'm fine with the three.

Hammond: Ok.

Bedell: We've had the time-limits, that's fine. That's consistent.

Williams: Ron, may I ask you a question? Regarding the free speech. The points I made before regarding the “shall” in paragraph two and the “shall” in paragraph three, could that be legally challenged?

Wenkart: We’ll, paragraph two – the language was taken directly from the recent Supreme Court decision in the town of Greece, where it says, “shall not denigrate non-believers or religious minorities, proselytize, advance or disparage any religious belief, or threaten damnation or preach conversion.” That came directly from the US Supreme Court decision. And then the term “promote harm to people” was suggested by Trustee Lindholm and we added that and I believe that’s consistent with the Supreme Court decision. So I think the Supreme Court said you can allow invocations at public meetings but it should not be a situation where people are disparaging another religion or making any kinds of threats or promoting harm to people. I think that was the intent of the decision so I think it’s consistent with the US Supreme Court decision.

Williams: Ok. So do you personally see any language in here that may impact free speech or the first amendment?

Wenkart: I don’t think so because the Supreme Court said this consistent with the First Amendment. They basically approved a policy from the town of Greece that was very similar. And so when we drafted this, we tried to follow what the town of Greece did which was approved by the Supreme Court. So, I think the courts would uphold it.

Hammond: Even the “shall not” in paragraph three?

Williams: Even the “shall not” in paragraph three Ron?

Wenkart: Ah, paragraph three where it says “shall not last more than three minutes”? Yay, I think we have a right to reasonably regulate how long people talk at our meetings and I think three minutes is consistent with our public comment policy so it’s very consistent. So I don’t think we’re discriminating against religious speech as opposed to non-religious speech so I think that’s consistent. Yay, I think the courts would find that that’s constitutional as well.

Williams: And is there anything in here that limits this to pastors or people who wear the white collar? Can it be the average citizen off the street? I assume it’s not limited.

Wenkart: It’s not limited. It just allows anybody to volunteer who wants to give an invocation. So it’s possible somebody might not even be affiliated with a particular religion. That’s possible.

Track 9:

Williams: So, pragmatically let’s suppose, and this is one for a situation that may not occur, I don’t mean to be barking up the wrong tree or making an issue that may not happen but there are odd groups out there that call themselves religions and they are not

religions. What happens if they start talking about something that's not on these topics? Do I stop them?

Wenkart: No, I don't think we could. I think we'd have to allow them to speak so long as they don't violate this policy about denigrating non-believers of religious...

D Boyd: I mean realistically they're up, they're in the midst of their prayer and they're not following this policy. What does the president do in that.

Williams: Yay, that's for everybody here.

Wenkart: We'll I think.

Williams: Shall I gavel them?

Wenkart: I think you could gavel them down if they were directly violating this policy.

Lindholm: Yes.

Williams: That's policy?

Wenkart: Cause I think the courts have upheld this policy in the town of Greece case so I think consistent with that if somebody is violating the policy and we send them a letter, you know, outlining the requirements of the policy, and then they purposely come here and violate that policy, I think we can gavel them down.

D Boyd: You know what the headline will be? Laughter. Williams...

Williams: That's right, that's right.

Bedell: Mr. Chairman, I must admit the irony of your comments are not lost on me because on the one hand you're worrying about stifling free speech and on the other hand it sounds like you're engaging in stifling free speech if you hear something you don't like to hear. I mean that's a classic Bethsonian double bind. I mean we can't have that both ways. If somebody comes in here and says something funny or says something denigrating I would hope that whatever they're doing, not just during the invocation, if somebody says something in the regular meetings that's denigrating I would hope that would be gavelled out of order. But whomever's chairing the eh...it's part of the civil society.

Williams: It's not just me. It's for every...

Bedell: This is not unique though.

Williams: Right. So here I am, I'm just one of the trustees and now you're the president. And what happens if a follower of the Bhagwan Shree Rajninesh, who in the 80's in

Oregon underwent and institute bio-terror, they request to come up here. They are very well known and they are very outspoken about their beliefs and they are very controversial. Do we let them get up and speak?

Bedell: Have they agreed to what's in the content of the letter?

Williams: Yes, yes.

Bedell: Then yes, yes, yes, yes.

Williams: So he then...

Bedell: And then with whoever is president with gavel the hell of em out of order.

Williams: Ok, so they in the name of Bhagwan Shree Rajneesh bless you and thank you

Bedell: Sue me...

Williams: and then they begin to go off on odd language and rhetoric, you would have no problems gaveling them.

Bedell: Absolutely.

Williams: Ok. Cause that's what we're talking about.

Bedell: Sure, sure.

Wenkart: Odd language, I get to make a comment here. If it doesn't violate the policy and it's just odd language, I don't know that we can gavel them down.

Unknow: That's right.

Wenkart: Uh, you know, I think we have to give them the leeway. But if they're threatening others or they're threatening harm, or they're denigrating other religions, then I think that we can gavel them down. But em, if it's just something that's a little out of the main stream or odd, or however you want to characterize it, something we disagree with or we find objectionable or distasteful, we wouldn't be able to gavel them down.

Williams: Ok.

Bedell: Call the question.

Williams: David, the (inaudible). Ok, we have a motion to second?

Bedell: It's a resolution.

Williams: No that's a Board policy, so it's not a resolution. Ok, so all those in favor of item J-1 say aye.

Various Trustees: Aye

Lindholm: On that, remember, we want to have a letter drafted that goes with it.

Bedell: That will be in the minutes.

Hammond: Well, should that be a subsidiary motion?

Bedell: I would assume that since it's in the minutes and there was consensus on the (inaudible) it should be ok.

Hammond: But did we actually

Lindholm: Do we need to add that as part of the motion.

Hammond: I'm thinking we need to add...we discussed it but we didn't...

Wenkart: Well you could do it two ways. You could pass a motion approving the policy and then do a second motion for the letter.

Lindholm: Ok, that's fine. I'll wait.

Williams: So the issue will be resolved and we'll be taking a vote on this once again and then the letter will be drafted and submitted and approved at a later date. Ok, so we kind of broke up the momentum there I'm going to do it over again. All those in favor of J-1 say aye.

Trustees: Aye

Williams: Opposed? Abstain?

D Boyd: Abstain

Williams: Ok, so the motion passes 4-0-1.

Lindholm: And do I need to then to make the motion for the letter. I think I heard the attorney say I need to make a second motion for the letter to accompany it.

Track 10:

Lindholm: So I'm making a motion for the letter to accompany it that outlines the general policy.

Hammond: Second.

Williams: Well, that's not on our Board agenda so can we vote?

Wenkart: Well, it's close enough to the J-1. I think it falls under that cause it says, approve invocations at Board meetings, so this is just implementing that policy so I think it falls within the Board agenda.

Williams: Ok, so...

Wenkart: I'm sure I can work with staff and bring back a letter to the next meeting.

Williams: That's not a subsidiary motion it's just a whole different motion.

Lindholm: It would be a motion as amended if you would allow that. But you've made that other motion so...

Bedell: And it passed...

Lindholm: And it already passed.

Williams: So we pass into discussion, we ended all sort of amendments or...I think we're all in consensus about this. I think we can have it drawn up by staff, Jack you'll work on it and then bring it back.

Lindholm: We will see it next meeting.

Wenkart: Sure at the next meeting we'll bring back a letter.

Hammond: Can I work with Jack at all if...

Williams: You can two Board members not breaking Brown, sure.

Bedell: Thank you very much.

Lindholm: Ok.

Williams: Ok. Moving on to, get my stuff right here, moving on to...

Bedell: Can we have a lunch break?

Williams: A lunch break. Ah, let's just do J-2 and then let's take a lunch break. It's 1:20. Ok, may I have a motion for item J-2.

Bedell: So moved.

Williams: So moved. May I have a second.

Lindholm: Second.

Williams: Second by Trustee Lindholm, ok. Discussion.

Bedell: Is this where you wanted to change, somebody wanted to change the number of times the panelists...

D Boyd: Well, now, I share Mr. Pollitt's concern that two (inaudible) does not allow for a comprehensive discussion of the topics and I don't know given the number of panelists exactly what we can do at this point in time but if you look at the anti-Common Core panelists I doubt that we're gonna learn anything new under this format because all of them have very extensive videos online so if you want to hear their views, and if I'm not mistaken all with the possible exception of Dr. Ephron have spoken to the community within the last few weeks. So is there a way we could, I'm just throwing this out for discussion.

Lindholm: One question that we heard was to decrease the amount of time for public comments.

That way it increases the amount of time that all the speakers who came here for the purpose of speaking are able to not rush through their agendas as we had one speaker go very very fast.

D Boyd: I spoke to all of the anti-Common Core people individually before and after and with the exception of Mr. Hewlitt, all were very unhappy with the amount of time that they were allocated. I mean...

Williams: For them themselves or us asking questions?

D Boyd: For themselves. They flew across the country and they weren't under the impression that they were only going to be allowed 10 minutes to say what they needed to say, you know, from what I understand some had power points or similar presentations that they normally would have presented in the time format simply didn't allow.

Hammond: But we do have to allow some public comment, I believe, don't we Ron?

Wenkart: Yes.

Hammond: Is there a minimum amount or...what would be a reasonable minimal amount? Oh I'm asking an attorney this question.

Wenkart: I think we've allocated up to 30 minutes and then given three minutes each. That's reasonable. Shorten it much more and you might start having Brown Act issues.

D Boyd: You know, particularly with the number of people going to attend if we're allowing 30 minutes when we only have 20 guests in the audience then now we're cutting it down to whatever when there might be a couple hundred.

Williams: Here's a couple of thoughts as I look through this and we ended up about 15 minutes early, oh maybe 9:15 was it?

Hammond: No we ended like maybe 5 after. We ended like about 25 minutes early.

Williams: We can cut out a lot of this call to order. There's 5 minutes. We can make that down to 1 minute. Presentation by Maggie we can cut it down because we already went through the preamble last month. So I think that we can probably cut out at least 20 minutes and begin at 6:30, that give us some time and then if we want to cut the public comments down 10 minutes that gives us 30 minutes for a third round. If we wanted to some...

Track 11

Williams: something like that.

Lindholm: In retrospect, I really don't want to cut the public comments section down. I understand why but I think we need to afford any member of the public who is coming here to be able to put their name in that hat and be chosen. Because some people may want this and some people may want that. But I think to be fair to all, that we keep that and I agree with Mr. President that we want to keep it, we could limit the style a little bit and start at 6:30.

Hammond: The thing is I don't think you can cut it down, I mean you have the call of order at 6:00 and public comments beginning at 6:05 but you have call of order, you have roll call, you have pledge, I mean, I don't see how we could do that in one, let alone two minutes.

Bedell: Ya, if you remember last time, I was voted against changing the agenda that reduced public comments and I want to second Trustee Lindholm's comments. I don't think we should reduce. The public has been very happy with the flow this last time and I don't you know, if anything you could if there's some way that you could increase their very closing times so that they could think at the end, okay so I didn't get this in, or something like that. But I think it went fine. Why would you need 8 minutes at the end of the meeting at 9:22-9:30. Why would you need 8 minutes there? The break is 10 minutes that's probably important to them to have a break. But other than that, I don't see any place to pick up time and I just think that it should be. Have they seen this?

Boyd: Ya, has the panel...

Bedell: Have the panelist seen this..

Lindholm: In was in the confirmation, the timeframe?

Hammond: Al have they seen it?

Al: Yeah, Jeff, you've gone over this with each panel?

Jeff: (Inaudible)

Al: Oh the latest one.

Jeff: I don't know if they've seen it (inaudible).

N Boyd: No.

Hammond: Jack, would you be opposed if we extended our meeting 30 minutes? I mean I know there's a cost involved but I share with what David's talking about. It's like I think the panelists are flying from all over from both sides. How do you do 5 minutes? I mean, I really think that they should be given, good grief, 8 minutes at a minimum. And I really think that three rounds of questions, cause I was under the impression when we first started this that we were going to go three rounds of questionings from us.

D Boyd: And we were going to accept questions from constituents.

Williams: Remember that?

Hammond: Yeah, you have brought that up.

Bedell: So if you added, if you took eight forty and changed that closing remark each panel, eight minutes per panelist, that would do what to the time limit? See what...

Hammond: Well, no, I see what you're saying, changing from 5 to 8 would it be better to add it at the beginning or at the end? For the panelist to...

Bedell: Well, sort of like a closing statement. Wouldn't you want more there to flesh out ideas rather than start off? I don't know I'm just, we might...

Hammond: You know what, usually I think that we in the debate classes I remember having we usually have more for our openings than we did for the close.

Bedell: You can go.

Hammond: I'm thinking if we're gonna add, we should add to the opening and I remember from Ms. Gutierrez talking, saying that she had brought some visual with her of what she used to use in her classroom versus what she's using now. There was no place for her to put anything either on her table or off to the side and I think David didn't you

just bring up too that you thought one or two of them were at our last meeting wanting to use some type of powerpoint or something?

Williams: Somebody asked.

Hammond: Shouldn't that be allowed?

D Boyd: Sure it should be again we're battling the clock.

Williams: It's pragmatically very difficult now. To turn from your position of your panelist to turn to the screen that would be very very difficult.

Bedell: The last one generated 500 pages of transcript for that meeting. Is that correct? So the way it was already, we generated 500 pages of transcript for that meeting. Right?

N Boyd: Well actually you have about 130 pages of transcript and then you have an additional 500 pages of documents that were provided as exhibits for the opposition. And they're part of the official because we included them.

Hammond: So you're saying 130 pages of verbal transcript...

N Boyd: Correct

Hammond: And you're saying 500

Track 12:

Hammond: pages but that's just from the one side.

N Boyd: Yes. That was just the documents that were handed at the end to the stenographer and she copied.

Hammond: Was there any documentation handed by the other side at all?

N Boyd: No.

Williams: Is this going to be put into a PDF file.

N Boyd: It's actually online as of this...

Williams: All of these 500 pages you put them online?

N Boyd: The audio of the testimony is online but not of the exhibits.

Hammond: Did you say the audio only would be online?

Williams: No the transcripts are online. It's in a PDF, they just down file it.

Bedell: Ya, I printed it already.

Williams: Ok. And then.

Hammond: Good grief.

Williams: And then the addendums, those are going to be made into pdf's and be available.

Dunseth: They're on a pdf right now but they're too large to put online.

Williams: Oh really?

Dunseth: So we're going to have to do it different if I can.

Williams: Can you condense the, there must be some way to condense (inaudible).

Hammond: Can you zip it?

Dunseth: It condenses like just a little tiny bit to big.

Williams: Hmm.

Hammond: Well I guess part one and part two.

Williams: You know another issue-camera position. I was asked formally as the Board president to address this in this meeting regarding position of the cameras. The individuals who wanted to video this are right now videoing from the back and they wanted to have the faces of the panelists. And so, they want me to ask all of you. I didn't want to make this executive decision without input from the Board but they would like to put cameras looking at the faces of the panelists.

Lindholm: I'm going to interject on that one because I'm used to being videotaped at many different locations for many reasons. It's always been the courtesy to those who are in attendance that they are in the back of the room. Because the speakers may or may not want to be videotaped. They may or may not want the distraction. We are public elected officials. We sign up for that. It's something that happens. But all of the Boards that I've been on which are many county-wide Boards, if you are not the actual agency itself, your videotaping is done by the back. And it's a courtesy to the speakers as well. So I'm very, I guess I would say firm on that. I understand what the members of the public may want to do but I just don't think that's. If we were doing it ourselves we might want to do it but it's not something they've agreed to do. And I'm always uncomfortable with that.

Hammond: I realize that for Federal employees on the congressional side but also for our own state legislature, if you go before a committee or sub-committee and you speak, ya-all of us would be videotaped, I get that, but if you go and speak, generally now, if you address or you make a special presentation, your videotaped as well. And it be from your front and so I'm. I mean, if our guests don't want to be I'm okay with that. But I'm, but it just seems like policy has been for a number of years now both the Federal and State level if you speak or give a presentation, you're videotaped as well.

Lindholm: But we don't typically do that. This is not our typical scenario. And I think people need to know. And we've had young people here at the podium. To me that's not something that I would want to have.

Hammond: Well, for that I agree with you.

Lindholm: And it can very intrusive to the speakers and to the Board. So I'm just not a propionate of it. I think it could be any group who would want to do stuff or I want the cameras here, I want the lights there or. I'm just not a propionate of it. I would vote no for moving it.

Williams: Ok. Well it's a discussion consensus issue.

Bedell: I totally agree with Trustee Lindholm on this. We have had situations where people have been showing up on tape and they have not given their permission to use it. We've had even done it at commencement where you have 25,000 people. People have been concerned to see themselves on tape without permission. It's our meeting. It's for our benefit. And I think back there we're fine. And it's unfortunate that some people are unhappy about it. But, they were still able to do it.

Williams: Ron, question for you. So, Jack brings up an issue. Do we have consent by our speakers when they are here to even tape them publically?

Wenkart: We'll we've.

Williams: I guess it's a public meeting.

Wenkart: I'd have to look at the information that we gave them but I think we've told them that it would be videotaped. But I don't (inaudible).

Mijares: No, we did not tell them that it was professionally videotaped by OCDE. But there are these other groups who with homemade cameras that are doing it. And you can't stop then under law, right?

Wenkart: Right, the Brown Act says that people have a right to tape to tape a public meeting...

Track 13

Wenkart: And we have the right to reasonably regulate how they do that so that it doesn't disrupt the meeting. And we've always traditionally had them in the back of the room when they've done that from the back. So, you know it's one thing if you're being videotaped from the back but you know if you're taped from the front through three and one-half hours it can be edited you know people scratch their head and scratch you know for three and one-half hours and then somebody can edit it and put that two minutes on the internet. It's embarrassing to the person. I think that's one of the concerns we have.

Lindholm: Another point to that is perhaps, this is a friendly group and it's an interesting discussion and we do like to hear about both sides but when you set a precedent, you could have other groups come and want the same thing which is sitting behind us and taping people and I don't want to set a precedent in anyway shape or form. Why did you do it for that group and not for this group? I'm always very cautious when you have a precedent and they say we'll why? And you go well I like that group but I don't like your group. You can't say that. So.

Wenkart: You know typically with at least for the city councils and Board of Supervisors they tape from the back. I'm not sure what the State and Federal Government do but typically the local agencies do it from the back.

D Boyd: Robin Eubits didn't even put her picture in her book. She told me she didn't put it there because there are people in the government that don't like what she writes.

Lindholm: And we had one individual who said he was very afraid for his family and his home. I don't want to put anybody in that kind of position but for the convenience of somebody else. He expressly said "I am very, very concerned for my family" and I don't, we've kind of signed up for this job. And I'm okay with that. I can sit here for three hours and because I do want to hear.

Mijares: Mr. President I'd like to also, if you don't mind, interject a thought with respect to these submittals that have been given to put into public record. I don't believe you had anything from the pro people but you had this archive, voluminous. And really, nothing would preclude them from handing you a book and say I want that submitted into the public record. So, how useful is that going to be for the Board? I mean, you could, it's costing us to have to capture this information, catalogue it, make sense of it, and if we went through the task of trying to understand it so it's consumable, that would take us who knows how long that would take us. I mean what did you have, 500 hundred pages? If the other side had also given you 500, and if this new group you let them know that whatever they want to bring will be put into the public record. I mean I just think you really have to think about that part and it's up to you and it's the Board and we'll do what we can to serve you, but it is onerous. And how consumable will it be for you.

Hammond: I'm thinking we could limit what is submitted.

Mijares: Ya.

D Boyd: We'll we could also do away with the court reporter all together and just rely on the audio tape as a historical record.

Williams: And so to remind everybody about the white paper that we're going to create after this, we need some sort of, I'm sorry I can't just listen to an audio tape and pray that a document, I like having the documents in front of me when I write my papers so you can reference that. So that's why the documentation. 500 pages is a little long. I will admit that.

Bedell: It's a whole ream of paper.

D Boyd: Well in terms of this white paper, I never really got an understanding as to who's going to write it or where's it going to go, what the purpose of it is.

Bedell: Mr. Chairman, can we go back, with all due respect to the agenda (inaudible).

Lindholm: Can we do this time table?

Williams: Laughs-yah, we're getting off on tangents aren't we. Ok, so we do have a first and second I believe.

Bedell: We haven't changed anything.

Williams: We haven't changed anything and everybody's okay with it. Are we still going have the two rounds of questions by the Board and then leave it as is? Is that the consensus?

Lindholm: It works.

Hammond: I would like to see three rounds but before even that, we have these panelists here and I really don't know anything about these panelists. I mean, the only thing I know about Sandra Stotskyis, I believe she teaches at the University of Arkansas and I know that she's very much against Common Core.

D Boyd: You had no input as to what (inaudible).

Hammond: This or the other one. So, it would be nice to have a little vitae on these people. Again if that's possible.

N Boyd: We'll have that for you today.

Hammond: Ok. In regards to the format,

Track 14

Hammond: Jack I don't know how you feel about this but I'd, five minutes per panelists? I know Dave you said the same thing, I mean. Five minutes is really dadgum quick.

D Boyd: You know, all of these people have YouTube videos that are in excess of an hour on the same topic.

Lindholm: Would you prefer that they start, I remember speech and debate class, would you prefer that they start with an eight minute and then they ate. But then that only leaves them two at the second portion. Seven and three? I'm mean if you want to change something.

Bedell: You'll still end up at ten.

Lindholm: Still end up at ten, time-wise.

Hammond: I don't know how somebody really does ten minutes. I don't see it work. I wish we could just give an extra three minutes per person on their opening. I'm okay with 5 minutes or even knocking it down to four minutes for a close. That I'm okay with. But even my bigger concern is us only having three rounds of questions.

Bedell: Three?

Hammond: Sorry, I mean only two rounds. I would really like us to be able to have three rounds. I had a bunch of questions that I'd already written out and I didn't know about this format change until we walked into our meeting when we only had two rounds. That's why I was trying to stay on top of my questions.

Bedell: Can I be real candid here?

Williams: When have you never.

Bedell: I know. I don't see the benefit, I felt like Jack was stretching to fill in his five minutes. With all due respect, I did not feel that I needed five minute. There was one point where I said I was going to pass because I did not learn anything new and I'm not zinging anybody. I don't want anybody to misquote me or spin me. So, I would be comfortable that from me speaking as just one trustee, if you took the trustee down each time to four minutes per trustee or even three minutes per trustee and gave it to the panelist because we're here to learn. And in all candor, there was some repetition among our questions. So, if we realize, ok Ken asked that already I won't go there. See what I'm saying? Or if Ken asked it of the pros I'll ask it of the anti's. Something like, so that we can do internally so that we give it more to the expert. We want to hear from the experts.

Hammond: That's why I was trying to ask my questions and trying to get as many...

Bedell: We had one expert who talked about No Child Left Behind and really didn't talk very much about the Common Core which that was an interesting experience in and of itself. Which I didn't find very helpful. I think this panel that's coming up seems to more in tune to the issues that we might be interested in.

D Boyd: Ya, this panel...

Bedell: I'm willing to sacrifice some of my time if the panelists thing, where you're going to get more out of the panelist.

N Boyd: Ken

Williams: Yes.

N Boyd: If we reflect back to the last meeting I think that the panelists did not utilize all of the remainder of the time that we gave them and so it was about seven minutes after nine when we went to Maggie and you doing the closing and so forth. So from the standpoint of as you all have dialogued if you increased the panels at the beginning to eight minutes and then did the closing for each panel member down to three minutes, you could still be within your time-frame. It gives them more time on the front end and then in terms of the round table as Jack said some of you are finished beforehand. That is where we ended up having the extra time because you all passed each other before your five minutes were up. If you don't change this and we just continue to do roundtable until we get to the time certain that we need to do the closing three minutes each for the panel, then you may get three maybe even four rounds depending on what each of you do in terms of your Q and A.

Williams: Ya. Just a couple of comments. So, initially we've always told the panelists when they received this in the letter, that you have five minutes and if you need more than five minutes, you can submit your remarks for the record.

N Boyd: Correct.

Williams: So, by giving them more time, I'm not sure if that's going to change anything except at the back end where we're going to be losing more time. I thought the closing arguments were actually the most interesting as each side kind of critiqued each other in what was said back and forth clarifying any of the misconceptions and misinformation that they looked at and thought of. So, I mean this is a, this a not an easy issue and I want to validate everyone's thoughts on this. As far as where we want to go from this, again, I'm just here to serve the consensus...

Track 15

Williams: of this Board. I'm not hearing any clear consensus.

Hammond: It seemed like though that the panelists, especially for their closing, each one of them used their full five minutes and I'm going to agree with Jack that if we're here to learn from them I think we need to give them as much time as possible. I'd rather not, if we can keep their five minutes at the close that would be great if we can also increase their five to say eight minutes at least the opening. I know it's a little extra time but yet at our last meeting we finished up about 25 plus minutes early. And I'm thinking I don't think we're gonna go over or if we do, a couple of minutes, maybe? I'd like to hear from them.

Williams: So let's suppose then that we're ending about 9:05, we see that the remarks, everyone is done saying their remarks and it's let's say 9:10. Would it be something this Board is interested in doing in allowing more time for closing? If we're ahead of schedule? Can that be spontaneously created at that moment.

Bedell: (Inaudible)

Williams: Ya, suppose now instead of closing remarks which should begin at 8:40. Suppose it's now 8:20. Do we want to say that we're willing to give closing remarks more time? Instead of five minutes maybe seven minutes?

Bedell: Is it legal to say that time's approximate? What is that?

D Boyd: Or is it fair to the panelists? You know they've been told to prepare for ten minutes.

Williams: Exactly.

Hammond: Well but Jack that's a good question. You're saying time approximate that's a question for Ron.

Wenkart: Well.

D Boyd: You went to law school for this, right?

Wenkart: With all due respect, I think it's probably a question for you. The Brown Act says that you're supposed to have an agenda and you can't, you have to set the time for the meeting. The start time is the most important cause it's at 6:00, you can't change that because the public has the right to know when the meeting is going to start. You're indicating that the meeting closes at 9:30 but I don't think it's a violation of the Brown Act if you go over a few minutes.

Williams: These are not time certain, right?

Wenkart: No. But you have to generally follow what your agenda, I mean within reason. I mean if you go over a few minutes here or there, that's not going to be a violation of the Brown Act. But if you're going to change the format, you'd need to change it in advance

of posting. Or if you're going to. You've got on here five minutes per panel so if you want to change it to eight minutes then it needs to be decided today and then put on this agenda so that the public has awareness too. Cause it's not just the panelist but the public has a right to know what the format is too.

Hammond: Dave, how would you feel about us giving more minutes for an opening than just five minutes? I mean ideally what would you like to see?

D Boyd: You don't really want to know.

Hammond: No..

Laughter by all.

D Boyd: I'd like to be watching Monday night football.

Laughter

Hammond: Well it depends who's playing!

D Boyd: No, I regret we find ourselves in this position. But this is what it is. We have eight panelist. Had we had more time to massage this a little bit, maybe have four panelist and give them twice as much time. But this is what we have to deal with. I don't care if we stay until 10:00 if that's your question. If we have to. If we want to add another half an hour or two to the meeting, I don't care.

Bedell: I'm on a plane at 6:00.

Hammond: But Jack, sleeps overrated anyway though isn't it?

Bedell: I know. Look what it's done to me!

Laughter

Lindholm: Just because that whole other agenda, can we just get a consensus on this one that if you want eight minutes at the beginning go ahead and go with eight minutes. I'd go with five at the closing. And they we try and end up as much as we can on time at 9:30. And I think that's the best we can do.

Hammond: Ken, well alright.

Lindholm: And I would make that motion. That's a substitute motion. That we do eight minutes at the very beginning. If they use that time, if not it's relinquished to somebody else. And at the end they keep the five minutes. That would be my motion. And we move forward.

Bedell: Can you keep our times constant.

Lindholm: And we keep our times constant.

Hammond: Sorry, one last question for you.

Lindholm: Is there a second on that?

Bedell: Second

Lindholm: Ok, here we go. Go ahead.

Hammond: Alright, then, in regards to that, if we end up early, let's say we've done our two rounds of questioning and we're way ahead of the 8:40 or so, can we have an optional, I don't know, extra one minute of questions from each or something, I'm just trying to say, if we end up with a little more time, maybe after two rounds of questionings, each of us might have

Disc 3 Track 1

Hammond: one additional question and allow for a minute or so?

Lindholm: It just complicates it so much for the public. You had 250 people here. It's just so complicating and confusing.

Williams: My only thoughts about your substitute motion...

Lindholm: Substitute motion?

Williams: Your substitute motion is my thinking here is it's just too long for the intro because remember they can give their opening remarks as part of the documentation and I thought the last closing remarks was probably the most

Lindholm: Let's flip it!

Williams: inspirational teaching aspect of all.

Lindholm: You want five and eight?

Hammond: Would you be ok...

Williams: I would rather go five and eight.

Lindholm: ok

Williams: (inaudible) change. Give more time to closing.

Lindholm: I'll let you make that substitute motion cause I already made the other one.

Hammond: Well then we have to deal with the substitute motion that's on the floor?

Williams: Ok, so.

Bedell: The unanimous consent of the body that can be withdrawn.

Williams: Do you want to withdraw it?

Lindholm: I will withdraw that.

Williams: And then I'll make...

Hammond: Well that's second withdraw, agree to withdraw.

Bedell: Second? (inaudible)

Laughter

Williams: Ok. So then may I make a subsidiary motion that we change the format to increase the closing remarks to eight minutes per panelist.

Hammond: I'll second that.

Lindholm: Can I call the question?

Hammond: Come on Dave. Jump in on all this madness.

Lindholm: I called the question.

D Boyd: Oh are we voting?

Williams: Well, we are now. Ok. So, everybody in favor of increasing the closing remarks to eight minutes per panelists say aye.

Aye's

Williams: Opposed?

D Boyd: Opposed.

Williams: And abstain, ok, motion passes 4-1-0. And now we're back to the item J-2 with the amendment. Any further discussion on that before we move on?

Lindholm: Ok, what do we have.

Bedell: With all due respect, I'm not so sure, we did not...we've added times right or we just let...

Williams: We've added eight minutes.

Lindholm: We added time.

Bedell: We added time.

Hammond: We added three minutes per person at the end.

Bedell: So that's going to dummy down the rest of it right? Theoretically, right? I want to be sure I understand.

Williams: Well, we're going to end pretty close to 9:35. That's what I kind of figure with how the meeting went last time with adding the additional three minutes per person.

Bedell: So we've messed up, that's not, I don't mean that, but we've changed 24 minutes internally.

Williams: To the end, ya, we're going to be adding.

Bedell: So something is going to change after 7:31 p.m.

Williams: Ya, ya.

Bedell: That's what I want to know.

Williams: That would naturally be changed.

Bedell: And I'm comfortable taking four minutes for Board Member. That way you would pick up eight minutes of it there. Twice.

D Boyd: Hesperian I will likely have five minutes of questions.

Bedell: I can't imagine myself having. I will have 70 students here.

Lindholm: hmm, impressive.

Hammond: 70?

Bedell: Yes, so I don't want to be embarrassed.

Laughter

Williams: Are you really having 70 students?

Bedell: Yes, yes.

Williams: Good for you.

Bedell: Yes, they are coming. They are invited.

Hammond: Which class?

Bedell: Which class?

Hammond: Ya, well which class is it. Or do I not want to ask.

Bedell: Parliamentary procedure.

Laughter

Hammond: Bless you, bless you my friend.

Bedell: No I just made that up. It's Introductory to Sociology.

Williams: I would like to have ten minutes for Board questions but I know I'm not going to get that so I'm not even going to go there.

Hammond: Why not? I'll support ya.

Williams: Ok.

Hammond: What the heck?

Williams: Just to move on. Are we happy with these changes?

Lindholm: I am because the last one worked. If it didn't work then I'd be a lot more concerned with this one.

Williams: Right.

Lindholm: and so I'm comfortable with that and I'm happy that they have more time. One thing that does concern me and it's in terms of people being able to just turn in books or documents. I think that would probably work if people have it on a, it's not a USB, help me out.

Williams: USB

Bedell: Thumbdrive

Lindholm: On a thumbdrive. If they want to submit things, because I don't want our staff to be having to take photos of each piece of paper that somebody has turned in whether or not we feel it's relevant and I haven't seen it. So if they would like to submit something that's already formatted, then I think that's probably okay. And I have secondary issue with that. We have usually been fairly cautious on things that we post as a city because we haven't previewed them. And we don't know if you have language, if you have things you would not personally want on there so, but if it's a book it's in a USB drive, it's in a thumb drive, that's all great, and I just don't want staff to be taking pictures of documents. I don't know how to make that suggestion.

Mijares: Well there could be a copyright issue on some of that stuff too. You can't violate copyright.

Lindholm: So there's issues with that. And time and energy. I'm not sure we need. I'm okay with the "clerk?" because that was here and that's something we all heard. And that makes sense.

Hammond: So are you saying...

Track 2:

Hammond: you're wanting us to limit what can be submitted then by the panelists?

Lindholm: Not limited but it comes in a thumb drive. The format. Don't turn in a book, five books that are 500 pages. And it has to be in a format that we can use without spending thousands of dollars.

Hammond: Ok. But if then again it's like somebody says I have two thumb drives. Are you saying basically one thumb drive or...

Lindholm: No, no I don't care how many thumb drives that want to submit. But I don't want us, our staff to be going, that's what you have to do, right? Page by page or I don't know how you're doing it.

Dunseth: Just scan it in.

Lindholm: Their scanning it, I mean. Is that really what you want our staff to be doing.

D Boyd: To be made part of the public record though does it have to be presented at the meeting Ron?

Wenkart: Well, there's no specific law on that, I mean. If they submit it at the meeting on Monday as part of the record we would treat it as part of the record. If this Board

decides to allow people to submit things later, and include it in the record we could do that.

D Boyd: Ya, we're only talking about panelists, right? We're not talking about members of the public submitting documents.

Wenkart: We're just talking about panel members? Ya, we could the Board could decide how they want to do it.

Hammond: I'm sorry?

Williams: Submitting records?

Bedell: I thought it was like they come up here and they say I want to put this in the record. I thought somebody could come up and we're the ten persons chosen and I want this entered into the records and we say no now?

Williams: No no. That one person who did say that she didn't want to leave statement publically? Her statement I think is in the record, correct?

Bedell: I mean the ten will randomly join, picked. They have the right to put something in the record?

Hammond: What they read.

Williams: Their testimony is a part of the official record. But this one particular person...

Bedell: I get that piece. But some of them they...

Wenkart: We've allowed members of the public when they do public comments to submit documents.

Williams: Ya but they can't submit a book.

Hammond: We'll I don't know, Ron?

Wenkart: I'm not usually that long.

Bedell: Does that mean that they're violating...

Wenkart: Well, that's up for discussion. But in the past our practices didn't allow paper copies. But I don't think anybody has anybody submitted 500 pages. I think they've usually been shorter.

N Boyd: No, and the documents that were submitted were I think Trustee Lindholm's statement is right on because unfortunately none of the information was provided that said what it was supporting so we just got loose documents to support opposition as opposed to that these are exhibits that support part of my discussion related to mathematics. You know or something like that. So from that standpoint when you're saying you know, staff's just scanning pages, it's just a bunch of literature that supports the opposition to Common Core as opposed to it being tied to something that they directly or they didn't give us indications that it was tied to part of their statements.

Williams: Now when Dr. Thompson submitted his paperwork he did say it was tied to what he was talking about.

N Boyd: He did say that but I'm saying the documents themselves are just, and you'll see them, we put a copy in chambers for you, but they're just materials that as you go through them that you'll see. You can tie them based on you know going through and so forth, but we weren't able, we can't tab them per say, to say that this is, but that was part of the challenge.

Williams: So can we do this then, cause I want to get moving with the meeting here but I don't want to stop this conversation, it's very important, I want to validate what Linda is saying here that we just don't have anything come in and let's make it limited to a format of a flashdrive.

Can we, do we have enough time to write our panelists to say if they do want to submit anything that it will be...

Dunseth: sure...

Williams: And in a USB flashdrive...

Dunseth: Whatever you need we can do.

Williams: Is that reasonable for this Board? We don't need a vote on that. We'll just ask them to do that. I think there's so much consensus on this, right now.

Lindholm: Makes sense.

Williams: Ok. Ok, so let's move on then. We're done with item J-2 is that correct?

Hammond: No, we need to vote on it sir.

Bedell: As amended.

Williams and all: (inaudible)

Williams: Okay, so we didn't do that too? Ok, so all those in favor of item J-2 say aye. Aye. Opposed – no. Abstain. Items passes 4-1-0. Moving on to item J-3 which is a conflict of interest. This is persuayant to political...

Lindholm: Move the item. Move the item.

Bedell: Second. Do we have ten minutes after this.

Track 3

Williams: Ah sure, ah I'm just all. I just won't be here.

Unknown: Ok.

Lindholm: We can do J-4 quickly I'm sure.

Hammond: Ya.

Lindholm: Do you have the vote on J-3?

Hammond: We'll we have a motion on J-3.

Lindholm: And a second.

Williams: Ya an a second. Any...

Bedell: Seems like it's right put us in line with the County.

Williams: Ya, it's nothing unusual.

Lindholm: It's standard.

Williams: We've done this before.

D Boyd: Is there anything different from what we've done in past years?

N Boyd: Updated information pursuant to the designated filers so as...

D Boyd: But in terms of what we have to disclose, Ron is there anything different.

Wenkart: Isn't.

D Boyd: Ok, thank you.

N Boyd: No, it's categories.

Hammond: What was? I'm sorry Nina you said something right before that. You should something about this particular item and I didn't quite catch that.

N Boyd: Just that we've updated the classifications for the estimated filers pursuant to what the Board of Supervisors requested.

Hammond: Ok.

Lindholm: Standard.

Hammond: I was curious if Al had anything else to say about it or Jeff. Yes sir...

Al: No, other than we never have one. No.

Laughter

Hammond: I'm ready for lunch now.

Bedell: We have no interest.

Williams: Ok, any further discussion. Item J-3, darn we have to sign. All those in favor , Aye.

Hammond: Point of order, sir. It's a resolution. I believe it has to be roll call.

Williams: That's right, a resolution.

Dunseth: Trustee Boyd?

Boyd: Yes

Dunseth: Trustee Hammond?

Hammond: Yes

Dunseth: Trustee Williams?

Williams: Aye

Dunseth: Trustee Bedell?

Bedell: Yes

Dunseth: Trustee Lindholm?

Lindholm: Yes

Williams: Very good. Moving on with item J-4.

Bedell and Hammond: So moved.

Williams: Motioned viced.

Lindholm and Hammond: Second.

Lindholm: But you probably want to second it. Would you probably want to second it. Would you like to...

Williams: We'll, since it's mine can I...

Lindholm: Yeah I think you should...

Several talking at the same time...

Lindholm: Please make a motion.

Williams: Ok, I'd like to make the motion for item J-4.

Hammond: Ok.

Williams: Second?

Bedell: Second.

Williams: Second by Jack. Ok, discussion.

Bedell: Roll call?

Williams: Roll call?

Bedell: Laughter.

Dunseth: Trustee Boyd

D Boyd: Yes.

Dunseth: Trustee Hammond?

Hammond: Yes.

Dunseth: Trustee Williams?

Williams: Yes.

Dunseth: Trustee Bedell?

Bedell: Yes

Dunseth: Trustee Linda.

Lindholm: Yes

Williams: And so, that passes by 0. Are we interested in a break, is that what I'm hearing?

D Boy: No.

Williams: from my trustees.

It's 2:00 o'clock.

Lindholm: Laughs

Williams: Ok, so we're going to take a lunch break for 10 minutes.

Bedell: Perfect.

Lindholm: Rebelling.

Hammond: All right. The Orange County Board of Education is back in session from our wonderful lunch break. And by the way my compliments to the chefs. Alright, we are on I believe item J-5. Is that correct?

All speaking

Lindholm: Move the item.

Hammond: Ah, I have a motion to accept. Is there a second.

Bedell: David got the second.

Hammond: David got the second. Alright. Is there any discussion on item J-5? Hearing no discussion I guess we'll call it for the vote. All of those in favor of accepting the first quarter report. Say aye. Any opposed. Abstentions. Motion passes 4-0. Item J-6, approved travel.

For CSBA 2014 annual conference as requested. Is there a motion?

D Boyd: Yes. I will move.

Lindholm: Second.

Hammond: Moved and seconded. Is there any discussion.

D Boyd: I would like to thank Dr. Bedell for taking the time. Normally I don't think I miss two meetings in a role since I've been on this Board. But this the timing of this one so late in the month. December 13-16 makes it very difficult. But I do appreciate that the Board will be represented.

Bedell: Thank you.

Lindholm: Comment on that, if you do get Board money to travel, then you get to report back. So I'm looking forward to your reporting back.

Bedell: Absolutely.

Hammond: So...are you going to drive up or are you going to fly back? For this meeting?

Bedell: I'm flying.

Hammond: Ok. Any other discuss on this? Hearing none, all those in favor say aye. Any opposed? Motion passes 4-0. Item J-7, approved travel to Washington, DC in order to meet with legislators. Do I have a motion?

Lindholm: Move the item.

D Boyd: Second.

Hammond: Moved and seconded. Is there any discussion.

D Boyd: Once again I appreciate the level of commitment that Dr. Bedell demonstrates on these type of things. Trips to Washington DC in November are always dicey weather wise.

Hammond: Are you going to be meeting with anybody particular?

Bedell: They are setting that up right now. The purpose of this, and thank you for asking, the purpose of this to follow up on the budget, issues in the budget as it relates to the lame duck and what needs to be going forward on fully funding mandates...

Disc 3 Track 4

Bedell: and as we talk about it.

Hammond: Any chance to discuss hopefully more of a IDEA?

Bedell: Oh I'm sure that will be on the agenda. I know I'm going over to the NSBA to talk about that.

Hammond: Awesome. I hope you can arm twist there.

Lindholm: My only comment is I thank you for going. I appreciate that and I look forward to going next year.

Bedell: Absolutely.

Lindholm: Possibly with you.

Hammond: Ok.

Lindholm: This year is just a little overbooked for me.

Hammond: Ah, any other discussion? Hearing none, all those in favor signify it by saying Aye. Opposed, none. Passes 4-0. Miss Nina, do we have any close session.

N Boyd: No closed session.

Hammond: Ok, then we are to informational items. Also, L-1, Mr. Superintendent. The floor is yours sir.

Mijares: Yes, thank you. Mr. President and members of the Board, great to be with you today. Appreciate the discussion that we had earlier on Common Core State Standards. Just a couple of things. Last month I wanted you to be aware that I did participate in what was dubbed as a prayer breakfast although I don't think we prayed. I think some people did but it was with some very distinguished people here in the county and it was Sheriff Hutchens, Chief Carlos Rojas from Santa Ana PD, Chief David Maggard, Irvine PD, and Chief Raul Quezada from Anaheim Police Department. And the whole goal, and I was there myself and Rusty Kennedy from the Human Relations council was on the panel and the purpose of the meeting really was to talk about how we can strengthen our communities and it had a little bit to do with the Ferguson, MO situation. We have total meltdown of confidence in the public entities and particularly law enforcement. But education plays a big role in this and so we're going to continue to meet in some capacity so that we can make sure that the alliances between education, law enforcement and other community agencies are in place so that we can deal with issues that might arise involving crime perhaps or people that may just be frustrated with the system. And of course our goal is to help people understand that as public servants we're here to serve them. Also I want to let you know that I delivered a keynote address at the Hispanic Heritage, for Hispanic Heritage month at the Southern California Edison, their large facility in Irwindale. And it was well attended and a good event. And some of you, Jack, thank you for attending the event that was held in Fullerton for the Fullerton Elementary

School District on technology was done by the Fullerton Technology Foundation. And it was over, let's see we were on the campus of Cal State Fullerton. Raised a ton of money, I think they raised a million bucks. Was it a million dollars?

Bedell: That's what I heard. Yes. It was nice of you to write that check.

Mijares: I signed it David Boyd.

D Boyd: NSFD

Mijares: But all for the kids of Fullerton, and not only Fullerton. There's a sense that we need to help all of our kids in the county to gain access to technology. Then, I just want to let you know that I also spoke at Mariner's Church. They had what they call a Q Comm's which is sort of like a TED Talk and the church was used because of its facility and the technological capacity of that venue and I talked about the changing demography in Orange County. So I just gave a quick highlight of the national picture, the state picture, and then zoomed in on Orange County itself and its amazing how the demography has changed in the last 20 years. So that went pretty well. Then I want to let you know quickly and then I'll be done, on Friday we went to the HEEF, Hispanic Education Endowment Fund Scholarship dinner and our Cabinet was present. Thank you guys for being there. Those of you that were there now HEEF as you know was established in 1985 and they've given out hundreds of scholarships, thousand dollar scholarships to Hispanic kids who need the hand up to get through the university system and it was a great event. But I wanted to really tip my hat to Ryan Ruelas who runs the BROS at..

Disc 3 Track 5

Mijares: at Anaheim High School and this is an effort to get kids familiar with colleges and universities and what it takes to navigate that system and he's just done a fantastic job. In fact, tomorrow we're doing the Gift of History event at Angel Stadium and much of the back lifting work was done by these BROS, these kids, a few hundred of them that just came in, swooped in and helped put this on track. If you're not aware of the event, kids get a backpack and those backpacks are filled with a bunch of goodies and somebody has to stuff those backpacks and for a long time we did! You guys did. The Orange Department of Ed did but it's too big now and you have several pallets of backpack stuff come to you and you know it's just too big. And so they have done an amazing job and by the way Ryan was just elected to the Anaheim Elementary School District Board of Education but the great thing is he got the Apple of Gold Excellence in Teaching. He's just a fantastic young man. Then I also had a chance to participate in a forum with the UCI Chancellor, Howard Gilman, new chancellor at UCI taking over for Dr. Drake who as you know is now at Ohio State University. So I'll be very happy when the PAC 12 teams beat Ohio State. Howard Gilman is an amazing educator and I thoroughly enjoyed his speech. Before that, believe it or not, he was at USC for several years as the dean there at the Dornsife College of Letters, Arts and Sciences, and now he's the Chancellor. And what I loved about his speech was his emphasis on the K-12

system. Because that is their pipeline, right? If it's anemic, they're going to get students at the UC that are not what they want to have so he did focus a little bit of his speech on that which I'm happy about and hopefully we can continue our dialogue and our allegiance with the University of California as well as Cal State Fullerton, the other private universities and certainly the community college system. And I think I'm going to stop on that note. That's enough for right now. Thank you.

Hammond: Did you say something about that you were at a prayer breakfast recently?

Mijares: We called it a prayer breakfast, ya. And it was an opportunity to have breakfast with the people that I mentioned a minute ago in law enforcement individuals. For the sake of determining how we can strengthen our collaboration and our lines of communication and how they could also strengthen their partnership so that we can assure that we're serving the county as best as we can.

Hammond: I'd like to know more about it. Miss Nina, I turn it over to you.

N Boyd: Renee?

Hendrick: Penny's coming around with the first quarter results for the Esplanade building project. Our buildings next door. So I did try to do a quick narrative to make it easier to read, so hopefully Trustee Lindholm you'll like that. So we are showing we're at an 86% occupancy rate which is up from our last quarter and we actually have quite a few, we're in the process of a lot of new leases also and so the important thing for you to know is our revenues were \$491,000 for this quarter. Our expenditures look low at \$262,000 but that's because we only pay our debt service twice a year. And so we only pay that in December and June. And so in the next quarter you're going to see a larger expenditure there. And to let you know right now our expenditures are going a little above our budget mostly because of all these new tenets coming in and it's a major tenet approvals that we need to do. And so just to give you a little background of what we're trying to do there is normally we're wanting them to sign a 3-5 year lease if we're going to do any major improvements but really trying to get that as full as we can. And really for our area, even at 86% that's a pretty high occupancy rate compared to a lot of the buildings in the area and so overall we think we're going to end in right around budget in our ending fund balance will be about 4.8 million. Informational item only.

Hammond: Ok, I was just. Was this the building you guys were talking about to possibly add an elevator to.

Hendrick: We've discussed that, yah.

Hammond: Ok. Thanks. Miss Nina.

N Boyd: Just a few updates.

Disc 3 Track 6

N Boyd: Penny's going to give you some information on the Gift of History that Superintendent Mijares mentioned that is occurring tomorrow. Our apologies but we have been trying to get information for the last couple of weeks so that we could get to the Board and unfortunately we just received this Monday afternoon and then yesterday was a holiday so we opted to get it to you by virtue of the Board Meeting. If any of you are available and would like to attend if you can let Penny know this afternoon then she will get information over there so that they have your name and information. I believe David indicated...

D Boyd: It's about 50/50 whether I'll be there or not.

Hammond: Have you done this before David?

D Boyd: Yeah, it's a fun event. Varies from year to year but 10,000 to 12,000 kids focusing on the history of Orange County in particular. Lot of good information I didn't know. (inaudible)

Bedell: I will be teaching so I won't be able to go.

N Boyd: Ok. And we have been trying to finalize the Board brochure for the last couple of months and so we would like to give you a document to take a look at. All of you gave us some input with regards to your specific area and we've updated that information. But then there was a question with regards to changing some language underneath so that it was the terminology and the Ed Code related to the Superintendent's title as opposed to what's been used in the past and we wanted you to see it so that we weren't going back and forth in terms of which version you liked. And it's really just a matter of under Al's name. The terminology has always been used, Secretary of the Board, on the brochure that's gone out and the question came in should it be the terminology and Code that says ex officio. Thank you. Secretary/Executive Officer, County Superintendent of Schools. So wanted to find out if the Board has a preference on that so that we can finalize and get your brochure printed and available to the public.

Hammond: Dave, got any thoughts?

D Boyd: I don't know if it's a big deal one way or another but I like Ex Officio better. It, if I'm not mistaken that means non-voting, correct?

Bedell: No, it means by office.

D Boyd: Ah, ok.

Bedell: The Ex Officio voting, the Ex Officio non-voting, it means by Office.

Hammond: Dr. Bedell, any thoughts?

Bedell: Pardon me?

Hammond: Are we to discuss this now

N Boyd: Please.

Bedell: I am most appreciative of their using my high school picture.

Laughter

Lindholm: I like Secretary of the Board. I think it's just clear and simple. Ex Officio, I think it will confuse the public.

Bedell: It's redundant.

Lindholm: The Secretary of the Board sounds good. County Superintendent of Schools, very clear. Always keep things simple.

Hammond: Jack you want to...

Mijares: I think that Ken's the one who wanted the Ex Officio.

N boyd. He had suggested and asked us to dialogue and find out...

Hammond: And he's not here.

Mijares: That's right.

Hammond: Dave, any other thoughts?

D Boyd: No I can live with either one.

Hammond: I'm amiable with either one but if you to prefer...

Lindholm: I like Secretary of the Board. It's just sounds very clear to the general public. I don't like acronyms, I don't like...

Hammond: Then let's go with that then.

Lindholm: Good, done, great. Thank you very much.

N Boyd: Just a reminder we have a special Board meeting Monday evening, November 17th. We'll post the agenda for that on Friday. We have a draft agenda for you today so if you have any comments or concerns with what you see, similar to what we did last time. So we'll just be passing that out to you. And then our next regular Board meeting is Wednesday, December 10th. And at that meeting we typically have holiday

entertainment. This year we have two student's from our program who will perform for the Board. They are from our CHEP program and so they have agreed to come and provide the holiday entertainment. And then we sent out information to the Board inviting them to the Hospitality Councils Annual Holiday Lunch on Friday, December 12th. So please let Penny know if your plans have changed or if you have not RSVP'd well then we need you to do that. As a reminder, Jack's birthday is next month. We won't hold it against him. December 21st. And then we have our holiday Thanksgiving holiday where the office will be closed on November 27th

Track 7

N Boyd: and 28th this month. And then just as an item that needs to be discussed. We have a conflict by one of our Board members for the February Board Meeting and would like to have some discussion around availability the first week of February to have the Board Meeting, so Penny will be sending out information to you all to find out your availability to see if that meeting might be moved.

D Boyd: Ok

Hammond: Is it the whole day in question or the time.

N Boyd: The whole day.

Hammond: Ok.

N Boyd: And the only option is to move it to the first week. If that doesn't work then she'll just be absent and we'll hold the meeting on the regularly scheduled date and time.

Hammond: You said also that there's that special meeting on Friday, December 12th, isn't that the same day as the graduation for Sunburst?

N Boyd: The Hospitality Luncheon is Friday, the 12th and it is the same day as the Sunburst graduation. Sunburst graduation starts about nine in the morning for the things that they do on ground and then they'll move to the ceremony. It's a tight race. We've done it before, in terms of getting back. You're coming in a little bit late to the holiday luncheon but it's doable.

Bedell: CSBA is the same day up in San Francisco. So I will not be at either.

Hammond: Ok. Any of you, Miss Lindholm, do you have any questions about what we just shared?

Lindholm: No but I have a comment when we get to Trustee comments.

Hammond: Ok.

N Boyd: And those are all the reports from Associates Sup reports.

Hammond: Jack or Dave, do you have any other questions for Miss Nina at this point and what was shared? No? Ok.

D Boyd: No.

Hammond: Well then, the Executive Committee report...

Not known: No.

Hammond: So we'll go to L-4, Trustee Reports Round Table and I'll start with...

D Boyd: Could we talk about the Executive Committee for just a moment, Robert.

Hammond: I'll tell you what.

D Boyd: It's the intention of this Board to have an Executive Committee and if I understand what I've gotten from you over the last few weeks...

Hammond: I tell you what, let's go over that in round table and I want to hear what you have to say. But it's just only because there is no report and so Miss Lindholm, you're first up. You've got the white paper and whatever comments or else you have. Sorry I didn't mean to...

Lindholm: Ok, I think the white paper is going to be I hope have like three pages of cover sheet that will be able to be given to the Senator's groups, the California State Board of Education. I just would like the five major areas of concern which might be Data Mining, the level for math. I think it all should be factual and then the rest I'm not sure at the point. I think that needs to be when all five are here. I did want to bring something to you which I had mentioned a couple of meetings before and that is about bond borrowing by the Districts. And one of the things that I actually ran on, not as an oversight but as an educational opportunity we have great staff here with Wendy and with Renee and what I'm hoping...I do have a lot of ...it's quite interesting if you look at the California Policy Center. California voters were asked to borrow 156 billion for school construction since 2002. That's billion. So I think just an educational forum opportunity for the school districts. I understand from being on TCA and sharing TCA with bond borrowing not as much as you would of course but there are ways to borrow and borrow smart. And make sure that the money is going the right place and your borrowing at the best cost so I think what I heard them say is they'll be able to do a seminar, an educational summit in January to help the districts. They'll be invited to attend I believe at no to minimal cost. They're looking at perhaps OC Tax or somebody who can give them information on how you do that and how you want to borrow for normal budget items. Technology requires upgrades so you probably don't want to be borrowing for 30 years on technology. You want to be borrowing for critical facility improvement. So...in present cost versus future cost, buy down with insurance, all those kinds of issues, I think it would be just an

informational thing that we could provide because we have tremendous staff. So I'm hoping... I wanted to share that with you, I did meet with them and I think that's a good direction to share information. Not to say yes or no on things but to let them know the questions they should ask and what they should know.

Bedell: This is the Board members?

Lindholm: Board members should attend but my goal is to have district members come...

Track 8

Lindholm: Superintendents... anybody who wants to borrow money. As you can tell, the list is quite huge. There were a hundred and thirteen educational bond members this past election. And you just want to do it practically, save the tax payers, save the citizens the most amount of money you can so I'm hoping they can find a date to schedule it and that we'll be invited to attend as observers in the back, no role.

Bedell: On television.

Lindholm: Not televised, no. So that's just what I wanted to share with you and then of course the consideration I will be gone most of the month of February except for the first week.

Hammond: Galapagos by chance?

Lindholm: No, he's already been to the Galapagos. It's our anniversary.

Bedell: Nice.

Hammond: For the white paper though did we want to have a little sub-committee for that.

Bedell: I think there should be some general discussion about it because I'm confused about it.

Lindholm: I think it should be an agenda item probably after the hearing. So that you know which direction to go. To do it now would be too soon.

Hammond: Well, Mr. Boyd, review of current policies and procedures in Charter Schools.

D Boyd: Yes, Miss Lindholm and I have started on that. We're getting some information on...from Ron provided his opinion and we also obtained the opinion from Lisa (inaudible) from a few months ago. If you have a few minutes after the meeting I have a few thoughts on what our next step might be.

Lindholm: We just need a meeting date between the two of us to do that. So looking forward to that.

D Boyd: Staff is also working a little bit on reformatting the budget too, that's not on here but it is a work in progress.

Lindholm: And we plan a meeting maybe in January to, January, is that good? Or February? January's good? January will be fine. Ok, we're looking at redrafting it in terms of having it by segments, having it by capital improvement. Well, not capital improvement, you don't have much capital improvement. But by programs having it be a very accessible and readable document and doing that with Trustee Boyd.

Hammond: Executive Committee. You have some thoughts about that as well?

Bedell: I do round table.

Lindholm: (inaudible)

Hammond: Well I was just letting it...

D Boyd: No, this is round table.

Bedell: Usually he goes from the right to the left and he leapt over me. So I'm beginning to take this personal Trustee Hammond.

Hammond: They had him as second so I was going with that, so.

Bedell: Oh you're doing, you're going odd series by item.

Lindholm: Yah

Hammond: Sorry, I was trying to be half-way organized for a change. No, but um. Well, Dr. Bedell.

Bedell: I pass.

Laughter

Hammond: But I'm fine.

Bedell: No, seriously I first of all I very much enjoyed our Superintendent's comments at the Teacher of the Year event. That's always a nice event. I think it's the first time I have been that the Gross' weren't there. Hope that doesn't mean anything in terms of future funding, and PIMCO. But anyway, I don't want it in the minutes. Secondly, I come from a city that I'm not very proud of right now, and I know I just want to vent

here. The election for school board in Fullerton was an embarrassment. There was partisanship, there were attacks. There were (inaudible) attacks, there were personal attacks and I don't know if the rest of you have experienced that in your districts but to me it was a low point in the history of Fullerton and education where the boards were against each other. Elementary board people were actively engaged like person against members on the joint high school board, it was just an ugly time.

And I just wanted to get that in there and just say that was the first time I've really been embarrassed on something like that. And I don't know if you're going to have it on...I am concerned this is the 5th meeting in a row I believe. And Trustee Williams has had to leave early. And the example we just had now with the title of the Superintendent and I would have benefited from his conversation there. And so I appreciate that. I didn't want to share that I have, we've been dealing with Common Core since April 2013 by my notes. And there are several comments that have been made particularly by members of the audience where I personally feel as a Board member that this Board has been high jacked at times on issues and how it...

Track 9

Bedell: is spending it's time. And I've been really concerned that somebody once said that you can judge a Board's quality by the amount of time it spends on the needs and issues of those for whom they have a special responsibility and that's why I appreciate having those kids here today so that the rest of the public can see it. And my comments over there about working with the Samoan group, they are dedicated. I think this Board needs to very fast get moving and get beyond some of this because I don't like what's happening within the Board about it. And I don't like the time. The time is the least of it. But I don't was to in any way shape or form for our mission to be lost as it relates to our unique kids. And I just want to say that for the record. And that's all I have. Thank you.

Mijares: Can I just add one thing on the Teacher of the Year, I did not say it earlier, but, we had two finalists. And I think you're aware of this Amy Laughlin from Hanson School in Savanna and then we had Aaron Roselli from Panarama ES School in the Orange School district will get two of the one two three five finalists at the State level and we've done that, consistently, right? And like last year I think we had the same thing. So, there are 58 counties in this state. To have Orange County put two of the finalists at the state level is amazing. And the teacher that won, however, is a teacher from Manhattan Beach, Maggie Mayberry, she will be the representative for the State of California.

Bedell: Very nice.

Hammond: Jack, anything else?

Bedell: No, I'm fine.

Hammond: Well, Dave, Executive Committee, you touched on it.

D Boyd: Yay, I mean do we have an Executive Committee I guess is my question?

Hammond: Well, it's on paper. We didn't have a meeting this month. Or leading up into this so. But I think you were...

D Boyd: Was there a meeting last month?

Hammond: Yay, there was a meeting. What I'm, you mentioned about maybe starting a little bit earlier, your concern so you know it's something that I think maybe we should ask Penny to poll the Board members and see if that'll work for Ken or whatever.

Bedell: Does 10:00 work for you?

Lindholm: It does.

Bedell: 10:00.

N Boyd: Ken's indicated that he can only come at 8:00 or 11:00 would be the timeframe for starting the meeting because the rest interferes so he has given us that information. We did have this discussion in August I believe. So we can certainly poll the Board again but in terms of Ken's interest he was very comfortable with 8:00 or he could do 11:00. But in between that it was difficult for him.

Hammond: What about evening? Having a couple of evening meetings?

N Boyd: The only challenge with that is that our evening meetings will conflict a school district meeting at whatever time that we do it. So as long as we know that, if there aren't outstanding contributions or something that particular month or recognitions from district folks.

D Boyd: It's a perfect world if we have our president here for the entire meeting but if we don't have that luxury I would rather him be here for the substantive portion of the meeting. Today, if Ken had not been here at the time certain of 11:00, well, we could work around that. But at least he could have been here for this discussion. You know, back at the Executive Committee I guess my question to you Robert are you happy with the way the function of the Executive Committee. If you're happy, I'm happy.

Hammond: I think we just need to try to figure out a way for us to be able to meet more regularly which is one of the things that I was planning on talking with Ken later this week about. So that's the only thing I can share with you right now.

D Boyd: Ok.

Bedell: I think on my eleven years on the Board, we haven't had this situation so I think its new waters for me to navigate. I think it's very important that the Vice-Chair be involved in the socialization of the future roll and the continuity of participation.

D Boyd: Well and not to mention the fact that had Robert been able to participate in the meetings the discussion we had this afternoon on the format of the meeting could have been handled weeks ago. Ok.

Hammond: Anything else?

D Boyd: No. I mean Ken, would it be appropriate to just poll the Board now on start times?

Hammond: I'd rather have email because I don't have my full calendar in front of me.

D Boyd: Ok, alright. That's fine.

Lindholm: My thought on it is, the meeting should not be four hours...

Track 10

Lindholm: It's more of a process than a length of time. To move it to 8:00 doesn't make any difference. We went from 11-3. That's a four hour meeting. You were right about the agenda and how the meeting on Monday night could have been discussed at the Executive Committee and presented as here. Here is the suggestion of the Executive Committee. So I don't see that as our obligation. I see that as an obligation of trying to have a little bit more time with the Executive Committee. I know there's been a lot of very good things going on there and families. But I'm happy with the 11:00 start time. I think it's more of a time management issue.

Hammond: Jack, anything else?

Bedell: No sir.

Hammond: Alright. Well does anybody else have anything for round table before I go then? Dave, anything else for round table?

D Boyd: No sir.

Hammond: Well, real briefly. I have to say happy birthday to all my fellow double dogs two days late. We're a young 139 and Veteran's Day was yesterday so that was kind of fun. Just real quick and Al I don't know who to throw this out to. Just throw it to you and do whatever and I'm just curious, in regards to the Ebola thing, does every Board of Education and does all of the Orange County School Districts have some type of information on their websites about Ebola and stuff like that. If you don't know, next week or two weeks can you.

Mijares: I'll get that to you.

Hammond: And the other thing is do we offer driver's ed at all. Is it even something we can offer?

Mijares: It was dropped a long time ago.

Hammond: Cause I've heard that there's a couple of school districts that are now starting to bring it back in Orange County. So I didn't know...

N Boyd: It's an individual district decision.

Hammond: But we don't offer it at all through the County?

N Boyd: No.

Hammond: Alright. Last two things would be the press conference. I know that people had talked about in regards to our special meeting. I hope that's, something's being, I'm sure something's being done. I just don't know what. If you could just send me an email.

N Boyd: I can tell you now.

Hammond: Alright.

N Boyd: I had a conversation with Ken and apparently there are individuals who have asked him to work on a location other than the grassy knoll in the parking lot that was identified for them previously and the indicators said that they would like to start at 5:30 which would be after office hours and after consultation with the Superintendent, the quad area has been identified as a alternative offering to them as opposed to the grassy knoll. So Ken is going to be communicating that fact to them.

Hammond: Alright. And the last thing is contracts whatever with the different things if you could send me an email as to let me know like for teacher contracts it has like...I don't ever recall that in my two years on the Board ever any of that stuff ever coming before so I don't know if it does.

N Boyd: It doesn't. It's not under the Board's purview in terms of the contracts with the classified employees association and with the teacher's association are contracts with the superintendent as the employer. So those are outside of and they have not come. Now what we do do is Sunshine negotiations with the Board each year when the associations are wanting to open negotiations then we ask the Board and the Board has been generous in allowing us to do openers at the Board meeting.

Hammond: Good work.

D Boyd: Could the contracts be put on the website?

N Boyd: They are on the website. If they are internal to the employees. The contracts for the association contracts? Yes.

Hammond: And I just want to say on this for...

Lindholm: Ours are public. Are you saying the MOU's are?

N Boyd: No, you're talking about the association contract with the Superintendent? Yes, those are on the website, both internal and external.

Hammond: And I just thought I'd say how (inaudible) this is in a larger font. Thank you.

Dunseth: That was an accident.

Hammond: You know what though, good job. Make it an (inaudible). That was awesome for me. I'm getting' older so. If there's nothing left, motion to adjourn.

Bedell: So moved.

Hammond: Thank you.

Lindholm: Actually you don't need a motion to adjourn.

Hammond: Oh we don't? I thought we needed one.

Lindholm: No.