

**ORANGE COUNTY
COMMITTEE
ON
SCHOOL DISTRICT
ORGANIZATION**

c/o ORANGE COUNTY
DEPARTMENT OF EDUCATION
200 KALMUS DRIVE
P.O. BOX 9050
COSTA MESA, CA
92628-9050
(714)966-4000
www.ocde.us/CCSDO

January 14, 2022
HAND DELIVERY

Re: Additional Documents for County Committee Binder Related to the Adjustment of Orange County Board of Education Trustee Area Boundaries

Dear County Committee Members:

Enclosed with this letter are additional documents that are related to the adjustment of the Orange County Board of Education's trustee area boundaries to be added to the Orange County Committee on School District Organization: Adjustment to Orange County Board of Education Trustee Area Boundaries following 2020 Census Binder (Binder).

The additional documents enclosed and instructions for inserting them in the Binder are as follows:

1. Main Index (Please replace the Main Index with the enclosed updated version.)
2. Section A
 - a. Index (Please replace the Section A Index after Tab A with the enclosed updated version)
 - b. Insert New Tab 11 with accompanying documents:
 - i. Email to County Committee dated December 29, 2021;
 - ii. Correspondence from Leon Page, County Counsel, by Mark Servino, Supervising Deputy dated December 29, 2021;
 - iii. Correspondence from Jeffrey J. Riel, General Counsel, Orange County Department of Education, to the Registrar of Voters dated December 14, 2021; and
 - iv. Correspondence from Mr. Gregory J. Rolen, Counsel for the Orange County Board of Education, to the Registrar of Voters dated December 15, 2021.
 - c. Insert New Tab 12 with accompanying document:
 - i. Public input received by County Committee between December 11, 2021 and January 13, 2022

January 14, 2022

Page 2 of 2

3. Section B:

- a. Index (Please replace the Section B Index after Tab B with the enclosed updated version)
- b. Under Tab 7, after the agenda, please insert Minutes from Orange County Board of Education's Meeting on December 1, 2021
- c. Under Tab 8, after the agenda, please insert Minutes from Orange County Board of Education's Meeting on December 8, 2021
- d. Insert New Tab 9 with accompanying documents:
 - i. Index of Emails sent to the Orange County Board of Education regarding Cypress
 - ii. Emails sent to the Orange County Board of Education regarding Cypress
- e. Insert New Tab 10 with accompanying documents:
 - i. Orange County Board of Education Meeting Agenda dated January 5, 2022

If you have any questions or need assistance updating the Binder we will be available at the January 14, 2022 County Committee meeting to assist you. You are also welcome to call Laurie Weiss at (714) 966-4234 for additional assistance.

Sincerely,



Howard Marinier

Secretary to County Committee

Enclosures

CC: Laurie Weiss, Manager Business Services OCDE
Dean West, Assistant Superintendent Business Services, OCDE
Jeff Riel, General Counsel, OCDE
Ruth Brewda, Counsel, OCDE
Lysa Saltzman, Counsel, OCDE

INDEX

A. COUNTY COMMITTEE INFORMATION

NO	DATE	DOCUMENT	DESCRIPTION
1.	11/8/21	Agenda	Agenda, minutes and PowerPoint presentation
2.	11/24/21	Correspondence	From Secretary of County Committee to Orange County Board of Education
3.	11/28/21	Correspondence	From Board President OCBE to Secretary of County Committee
4.	12/10/21	Agenda	County Committee Meeting Agenda including <ul style="list-style-type: none"> • Legal Services Presentation • OCBE Redistricting Map – Option 5 • National Demographic Corporation Power Point Presentation During Public Hearing
5.	12/10/21	OCBE	Material provided to County Committee by OCBE including: <ul style="list-style-type: none"> • Resolution on County Board of Education Redistricting Plan – Orange County Board of Education – December 8, 2021; • National Demographics Corporation (41 pages); • Document entitled Nielsen Merksamer's Redistricting and Voting Rights Practice
6.	Various	Emails	Public Comments sent by email to County Committee regarding OCBE Redistricting Plan received <u>prior to</u> 12pm on December 10, 2021
7.	Various	Emails	Public Comments sent by email to County Committee regarding OCBE Redistricting Plan received <u>after</u> 12pm on December 10, 2021
8.	12/14/21	Correspondence	Letter to Orange County Registrar of Voters regarding the status of the County Committee's process
9.	12/16/21	Correspondence	Email from Secretary to County Committee with update following County Committee meeting
10.		County Committee	Bylaws
11.	12/29/21	Correspondence	Letter from Orange County Registrar of Voters regarding timeline for submission of OCBE map for June 7, 2022 Primary Elections and

			enclosures: (1) Letter from OCBE to OC ROV dated 12/15/21 and (2) Letter from County Committee to OC ROV dated 12/14/21.
12.	Various	Emails and Correspondence	Public input received by County Committee between December 11, 2021 through January 13, 2022

B. ORANGE COUNTY BOARD OF EDUCATION MEETINGS/INFORMATION

NO	DATE	DOCUMENT	DESCRIPTION
1.	5/5/21	Agenda/Minutes/Transcript	2021 Board Census Presentation by Greg Rolen
2.	6/2/21	Agenda/Minutes/Transcript	Board Action on Redistricting Contract with National Demographics Corporation (NDC)
3.	6/16/21	Agenda/Minutes/Transcript	Redistricting Committee Appointment
4.	8/4/21	Agenda/Minutes/Transcript	Redistricting Presentation by OCBE Redistricting by Doug Johnson, NDC
5.	10/6/21	Agenda/Minutes/Transcript	Update on Redistricting
6.	11/3/21	Agenda/Minutes/Transcript	Redistricting Presentation and Proposed Map Option 1, Option 2, Option 3 by Greg Rolen and Douglas Johnson Public Hearing on OCBE Redistricting
7.	12/1/21	Agenda/Minutes/Transcript	Redistricting Update by Douglas Johnson & Greg Rolen Public Hearing on Redistricting Map Options 1-10

8.	12/8/21	Agenda/Minutes/Transcript	Public Report of Action Taken in Closed Session Redistricting Update by Douglas Johnson and Greg Rolen Redistricting Public Hearing on Redistricting Map Option 4 and Map Option 5 Final Board Approval 2021 Trustee Districts
9.		Emails	Public Comment sent by email to Orange County Board of Education regarding Cypress.
10.	1/5/22	Agenda	Conference with Legal Counsel-Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9.

C. REDISTRICTING MAPS

NO	DATE	DOCUMENT	DESCRIPTION
1.	2011	Current OCBE Boundaries	Trustee area boundaries created in 2011 with demographic information from the 2020 Census
2.	11/3/21	Option 1	Created by NDC and submitted by OCBE Redistricting Committee. Considered by OCBE on November 3, 2021 and December 1, 2021.
3.	11/3/21	Option 2	Created by NDC and submitted by OCBE Redistricting Committee. Considered by OCBE on November 3, 2021 and December 1, 2021.
4.	11/3/21	Option 3	Created by NDC and submitted by OCBE Redistricting Committee. Considered by OCBE on November 3, 2021 and December 1, 2021.
5.	12/1/21	Option 4	Created by NDC (after public hearing on November 3, 2021) and submitted by OCBE Redistricting Committee. Considered by OCBE on November 3, 2021, December 1, 2021, and December 8, 2021.
6.	12/1/21	Option 5	Created by NDC (after public hearing on November 3, 2021) and submitted by OCBE Redistricting Committee. Considered by OCBE on November 3, 2021, December 1, 2021, and December 8, 2021.

7.	12/1/21	Option 6	Submitted by Tom Berry, Mappings and GIS. Considered by OCBE on December 1, 2021.
8.	12/1/21	Option 7	Submitted by Tom Berry, Mappings and GIS. Considered by OCBE on December 1, 2021.
9.	12/1/21	Option 8	Submitted by Tom Berry, Mappings and GIS. Considered by OCBE on December 1, 2021.
10.	12/1/21	Option 9	Submitted by Billie Joe Wright. Considered by OCBE on December 1, 2021.
11.	12/1/21	Option 10	Submitted by MALDEF. Considered by OCBE on December 1, 2021.
12.	12/3/21	Option 9A	Submitted by Billie Joe Wright.
13.	12/8/21	OCBOS	Redistricting Map adopted by the Orange County Board of Supervisors. Provided as a reference.

D. ORANGE COUNTY BOARD OF SUPERVISORS MEETINGS/INFORMATION

NO	DATE	DOCUMENT	DESCRIPTION
1.	12/2/21	Staff Report	Staff Report from Orange County Executive Office providing background on Board of Supervisor process.
2.	12/3/21	Revised Staff Report	Memo from Orange County Executive Office regarding Adoption of 2021 Redistricting Map Ordinance
3.	12/7/21	Ordinance	County of Orange 2021 Redistricting Ordinance with Adopted Map
4.	12/7/21	Map	2021 Map adopted by Board of Supervisors with demographic information

SECTION A: COUNTY COMMITTEE INFORMATION

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			for June 7, 2022 Primary Elections and enclosures: (1) Letter from OCBE to OC ROV dated 12/15/21 and (2) Letter from County Committee to OC ROV dated 12/14/21.
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11

Laurie Weiss

From: Laurie Weiss
Sent: Wednesday, December 29, 2021 5:24 PM
To: Sheila Benecke ; Marilyn Buchi; Meg Cutuli ; Jackie Filbeck ; Karin Freeman; Kathleen Heard; Kathryn A. Moffat ; Jo-Ann Purcell; Francine Scinto; Suzie Swartz; 'vfwilson@earthlink.net'
Cc: Howard Marinier; Ruth Brewda; Lysa Saltzman; Jeffrey Riel
Subject: Additional Documentation
Attachments: MDS Letter to Riel and Rolen (12-29-21 signed).pdf; J. Riel Letter Re OCBE Trustee Area Boundaries.pdf; Letter Submitting Redistricting Plan - 12.15.21 with link.pdf

Sent on behalf of Howard Marinier, Executive Director, Orange County Department of Education

Good evening County Committee Members,

Attached please find correspondence from Leon Page, County Counsel, by Mark Servino, Supervising Deputy. The County Counsel letter confirms February 2, 2022 as the deadline to submit a redistricting plan to the Registrar of Voter in time for the June Primary. Additionally, please find the copy of the letter from Mr. Jeffrey J. Riel, General Counsel, Orange County Department of Education, to the Registrar of Voters, and the letter from Mr. Gregory J. Rolen, Counsel for the O.C. Board of Education, to the Registrar of Voters.

A copy of the attached letters will also be mailed to the County Committee members to include in your binder. The binder was sent to each County Committee member via overnight Federal Express yesterday.

Sincerely,

Laurie J. Weiss
Manager, Business Services
Orange County Department of Education
(714)966-4234
lweiss@ocde.us

Ruth Brewda

From: Servino, Mark <Mark.Servino@coco.ocgov.com>
Sent: Wednesday, December 29, 2021 2:43 PM
To: grolen@bbblaw.com; Jeffrey Riel
Cc: Ruth Brewda; Lair, Marzette
Subject: Orange County Board of Education Trustee Areas
Attachments: MDS Letter to Riel and Rolen (12-29-21 signed).pdf; J. Riel Letter Re OCBE Trustee Area Boundaries.pdf; Letter Submitting Redistricting Plan - 12.15.21 with link.pdf

Dear Mr. Riel and Rolen:

The Registrar of Voters is in receipt of your attached letters regarding the submittal of maps for the Trustee Areas for the Orange County Board of Education. Attached is our responsive letter.

Please let us know if you have any questions.

Have a Happy New Year!

Mark Servino
Supervising Deputy County Counsel
Phone: (714) 834-4714
Work Cell: (714) 483-0331
Facsimile: (714) 834-2359

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED, AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL AND EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAW. IF YOU ARE NOT THE INTENDED RECIPIENT, ANY DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU RECEIVED THIS MESSAGE IN ERROR, PLEASE DELETE IT IMMEDIATELY.



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Mark Servino
Supervising Deputy
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E-Mail:
Mark.servino@coco.ocgov.com

December 29, 2021

VIA EMAIL ONLY

Jeffrey J. Riel, Esq.
Orange County Committee on
School District Organization
P.O. Box 9050
Costa Mesa, CA 92628-9050
E-mail: JRiel@ocde.us

Gregory J. Rolan, Esq.
Haight Brown & Bonesteel LLP
555 South Flower Street, 44th Floor
Los Angeles, CA 90071
E-mail: grolan@hbblaw.com

Re: Adjustment of Orange County Board of Education Trustee Area Boundaries

Dear Mr. Riel and Mr. Rolan:

The Registrar of Voters is in receipt of your letters dated December 14 and 15, respectively, regarding the adjustment of the Orange County Board of Education Trustee Area Boundaries following the 2020 Federal Census.

Mr. Riel explained that Section 1002, subdivision (c), of the Education Code requires the Orange County Committee on School District Organization (the "County Committee") to "adjust the boundaries of any or all of the trustee areas of the county board of education as necessary to meet the population criteria set forth in subdivision (a)" following the decennial federal census. Mr. Rolan stated that the Orange County Board of Education ("Board of Education") has submitted a redistricting plan to the County Committee. However, the Registrar has not received documentation reflecting the approval of a redistricting plan by the County Committee.

We understand that Section 1002, subdivision (c), of the Education Code requires the County Committee to complete and file changes in trustee area boundaries "with the county board of supervisors not later than the first day of March of any school year." Thus, it appears that Section 1002 of the Education Code places a duty on the County Committee to approve a redistricting plan before March 1, 2022.

However, with respect to implementing boundary changes for the upcoming June 2, 2022 election, Section 12262 provides as follows:

Jurisdictional boundary changes occurring less than 125 days before an election shall not be effective for purposes of that election. Voters residing within an area affected by a boundary change, occurring within 125 days before an election, shall vote at the ensuing election in all respects as if a boundary change had not occurred.

Mr. Jeffrey J. Riel, Esq.
Mr. Gregory J. Rolan, Esq.
December 29, 2021
Page 2


Section 12262 does not set a deadline for the completion of redistricting. Rather, it sets a deadline for the submittal of any boundary changes to the Registrar prior to an upcoming election. Thus, for the Registrar to implement new trustee area boundaries for the June 7, 2022 primary election, the Registrar will need to receive a redistricting plan approved by the County Committee no later than February 2, 2022.

The purpose of Section 12262 of the Election Code's 125-day deadline is to provide elections officials with enough time to make the necessary changes to accommodate boundary changes for an election. For example, if elections officials do not know the operative boundaries for a district-based office, election official would be unable to process nomination papers and signatures for candidates because they would not be able to determine who is eligible to run for the office or sign the nomination documents. Likewise, potential candidates would not know what electoral districts they are eligible to run for, or where to collect valid nomination signatures, unless they know the operative district boundaries prior to the filing deadlines.

Mr. Rolan cites Section 21501 of the Election Code, which sets the deadline for adopting the boundaries of county supervisorial districts. Section 21500, *et. seq.*, governs redistricting for counties, including the County of Orange, and contains comprehensive provisions governing the criteria, and notice and hearing requirements, for county redistricting. Cal. Elec. Code § 21500.1(a) ("This chapter applies to a county that elects members of the county's board of supervisors by districts or from districts.") In contrast, school elections are "governed by the Elections Code, except as otherwise provided in [Education] code." Cal. Educ. Code § 5300. Section 1002 of the Education governs the adjustment of trustee area boundaries for the Board of Education. Finally, Section 1002, subdivision (e), of the Education Code does allow the County Committee to adopt trustee areas that are coterminous with the Supervisorial Districts that were recently adopted by the Orange County Board of Supervisors on December 7, 2021, but we have no record that the County Committee has taken such action.

Very truly yours,

LEON J. PAGE
COUNTY COUNSEL

By 
Mark Servino, Supervising Deputy

**ORANGE COUNTY
COMMITTEE
ON
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c/o ORANGE COUNTY
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December 14, 2021

VIA EMAIL AND U.S. MAIL

Neal Kelley
Registrar of Voters for Orange County
P.O. Box 11298
Santa Ana, CA 92711-1298
rovwebmaster@rov.ocgov.com

Re: Education Code Section 1002(b): Adjustment of Orange County Board of Education Trustee Area Boundaries following 2020 Federal Census

Dear Mr. Kelley:

On behalf of the Orange County Committee on School District Organization ("County Committee"), this letter provides the current status of adjusting the Orange County Board of Education Trustee Area Boundaries following the 2020 Census.

In accordance with Education Code section 1002(b), following each decennial federal census, the County Committee is charged with the responsibility and authority to review validated population figures and adjust the boundaries of any or all of the trustee areas of the Orange County Board of Education, as necessary, to ensure that the trustee areas are as nearly equal in population as practicable with consideration given to other criteria as provided in Education Code section 1002(a). Pursuant to Education Code section 1002(c), the County Committee must file in writing any changes in trustee area boundaries with the County Board of Supervisors by March 1.

Elections Code section 12262 provides that boundary changes that occur more than 125 days prior to an election shall be effective for that election. Based on Elections Code section 12262, the County Committee would need to submit an adjusted map for the trustee areas of the Orange County Board of Education to the County Board of Supervisors before **February 2, 2022**, to be effective for the June 7, 2022 primary elections.

On December 8, 2021, the Orange County Board of Education approved a map referred to as Orange County Board of Education 2021 Redistricting Option 5 (Map 5). In addition, the Orange County Board of Education adopted a Resolution stating that the Orange County Board of Education would submit its redistricting plan directly with the Orange County Registrar of Voters by December 15, 2021.

Mr. Neal Kelley
December 14, 2021
Page 2 of 2


On December 10, 2021, the County Committee held a public hearing to receive input and consider Map 5 submitted by the Orange County Board of Education. At the December 10, 2021 meeting, the County Committee did **not** approve or adopt Map 5. Instead, the County Committee voted to postpone taking action and will bring this matter back in January 2022 for further review, discussion, and consideration. The County Board's trustee area map adopted in 2011 with demographic information from the 2020 federal Census data broken down per trustee area.

The County Committee is committed to working collaboratively with the Orange County Board of Education and to considering information provided by the Orange County Board of Education, as it has done in the past, as part of its process to meet its legal obligation to adjust the Orange County Board of Education trustee area boundaries under state and federal requirements. Education Code section 1002(b) is clear and unambiguous that the County Committee has the final responsibility and authority to adjust the boundaries of the trustee areas following a decennial federal census.

Should the Orange County Registrar of Voters receive a redistricting map from the Orange County Board of Education that has not been approved or adopted by the County Committee, the redistricting map must not be implemented unless or until the County Committee approves or adopts a redistricting map that is filed with the Orange County Board of Supervisors pursuant to Education Code section 1002(c).

We appreciate the Orange County Registrar of Voters' assistance in ensuring the statutory process for adjusting the Orange County Board of Education trustee area boundaries following the 2020 federal census is followed. If you have any questions or require additional information, please do not hesitate to contact me.

Sincerely,


Jeffrey J. Riel
General Counsel

cc: Mark Servino, Supervising Deputy County Counsel, County of Orange
Orange County Committee on School District Organization
Howard Marinier, Secretary to the Orange County Committee on School District Organization

Gregory J. Rolan
direct: (415) 281-7654
grolen@hbblaw.com

Haight Brown & Bonesteel LLP
555 South Flower Street
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Los Angeles, California 90071
415.546.7500
415.546.7505 fax
www.hbblaw.com

December 15, 2021

VIA EMAIL ONLY

Marica Nelsen
Matthew Eimers
Rebecca Getzen
Orange County Registrar of Voters

Email: *Marcia.Nielsen@rov.ocgov.com*
Matthew.Eimers@rov.ocgov.com
Rebecca.Getzen@rov.ocgov.com

Re: Submission of Redistricting Plan

To Whom It May Concern:

Attached please find the 2021 redistricting plan for the County of Orange Board of Education. The electronic files are available here:

<http://www.ndcresearch.com/wp-content/uploads/2021/12/OC-BoE-Registrar-Files.zip>.

As you know, Board of Education elections are consolidated with those for the Board of Supervisors, pursuant to Elections Code §1302. Under that Code section, the County Board of Education elections “shall be conducted in accordance with all applicable procedural requirements of the Elections Code pertaining to that primary, general, or municipal election, and shall thereafter occur in consolidation with that election.” Under Elections Code §21501(a)(2) redistricting plans for the June 7, 2022 election must be adopted by tomorrow, December 15, 2021: “For redistricting occurring before 2031 and where a county has a regular election occurring after January 1, 2022, and before July 1, 2022, the boundaries of the supervisorial districts shall be adopted by the board not later than 174 days before that election.” This deadline is applicable to redistricting of the Board of Education according to Section 1302(b)(3).

Following at least 20 years of precedent in Orange County, upon receipt of the severely delayed Census data in late September 2021, the Board of Education, following three (3) public hearings and seven (7) meetings, prepared a redistricting plan for its trustee areas under its plenary authority over its own governance. Education Code §§1040(a), 35160, 35161. Since May 2021,

Registrar of Voters
December 15, 2021
Page 2

staff for the County Committee attended each of those meetings, as did the County Committee's legal counsel, who were aware of the redistricting deadline for the Board of Education, which was repeatedly discussed at those meetings.

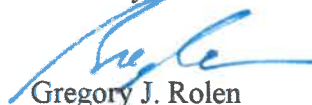
On December 10, 2021 the Board of Education, again following at least 20 years of precedent in the County, submitted the redistricting plan with full documentation of the plan's population counts and characteristics to the Orange County Committee on School District Organization pursuant to Education Code §1002(b), under which the County Committee is required to approve redistricting plan adjustments to meet the population equality standards set forth in subsection (a) of that Code section, "The trustee areas shall be as nearly equal in population as may be." The trustee areas of the redistricting plan submitted by the Board of Education have exactly equal populations under the 2020 Census as adjusted pursuant to state law with regard to the residences of certain incarcerated persons. The County Committee, however, declined to timely perform its statutory duty.

The County Committee asserted it could delay until February 1, 2021, under a general Elections Code section pertaining to jurisdictional boundary changes. Election Code §12262. While the Board of Education disputes section 12262 applies, even if it can be made applicable to redistricting the electoral subdivisions of a jurisdiction, it does not supersede the very specific requirements of section 21501(a)(2). That section specifically applies to the June 7, 2022 election and was enacted by the Legislature to address procedural requirements applicable to that election which had been disrupted by the delay in receipt of the Census data.

The Board of Education has precisely complied with its statutory duties in accordance with 20 years of precedent in Orange County for redistricting of the County Board of Education. The County Committee was provided an opportunity to perform its duties as part of that process and declined to do so, thus putting implementation of a redistricting plan for the Board of Education's June 2022 elections in jeopardy.

Accordingly, in compliance with Elections Code §1302 and §21501(a)(2), and to preserve the constitutional rights of the residents of Orange County to equal protection under the Fourteenth Amendment, the Board of Education hereby submits its redistricting plan to the County Registrar of Voters for timely processing and implementation in the June 2022 elections for the Orange County Board of Education.

Sincerely,



Gregory J. Rolen
Haight Brown & Bonesteel LLP

GJR:PH

12

From: [Billie Joe Wright](#)
To: [County Committee on School District Organization](#)
Cc: [Billie Joe Wright](#)
Subject: OC BOE Map 9 Revised 12/22/21 Submission
Date: Wednesday, January 5, 2022 12:05:18 PM
Attachments: [OC BOE Submission Map 9 Revised 12.22.21.pdf](#)

Dear Howard Marinier,

I am hoping as Secretary to the County Committee on School District Organization, that you will share this email and attached map with all 11 committee members. Thank you for your assistance with this matter and work on behalf of our students! - Billie Joe

Dear County Committee on School District Organization Members,

My name is Billie Joe Wright, I am a high school teacher and the person who on November 12, 2021, submitted the original "Map 9" for consideration by the OC Board of Education. I regret that the map I submitted was not given adequate consideration at that time.

I attended and spoke at the County Committee meeting on December 21st. I appreciated all of the comments made by the community and the board's representatives regarding the redistricting process. I am a person who has great respect for process, procedures, and seeing things through until the end. I listened, took notes, and heard all of the concerns. So, I took many of them under consideration and incorporated some of them when I revised the original map that I submitted on November 12th.

I have been working diligently based on the input from your committee meeting to create a map that incorporates the metrics I believe you are looking for. This "Map 9, Revised 12/22/21" keeps the incumbent trustees in the same numbered trustee area they are in now, as well as complies with all of the requirements for protecting voting populations. This map creates a Latino VRA seat, and a seat that maximizes Asian CVAP in another district. It also respects the concern that communities of Cypress and Los Alamitos fall in the same trustee district. Map 9 Revised 12/22/21 also meets your concerns to keep as many school districts together as possible, limiting splits.

Map 9 Revised 12/22/21 is attached for the committee's study and consideration. I am asking that this revised map gets a full and fair review by the committee members.

It is my understanding that the OCDE has used the Maptitude for Redistricting software to report Demographic information for each of the maps that had been submitted. I do not have access to Maptitude and request that the staff adapt the Demographic reporting for Map 9 Revised 12/22/21 using the Maptitude software to make sure that committee members will be able to compare "apples to apples" when you study each of the maps under consideration.

My community partners who worked with me on creating this map care deeply about an equitable and transparent redistricting process. I look forward to attending the next committee meeting to discuss my map.

I know each of you live very busy lives, especially right now for all of us working in

education.

Thank you for your commitment and service to our Orange County schools and students, you are appreciated and the work you do matters!

Stay safe and HAPPY NEW YEAR!

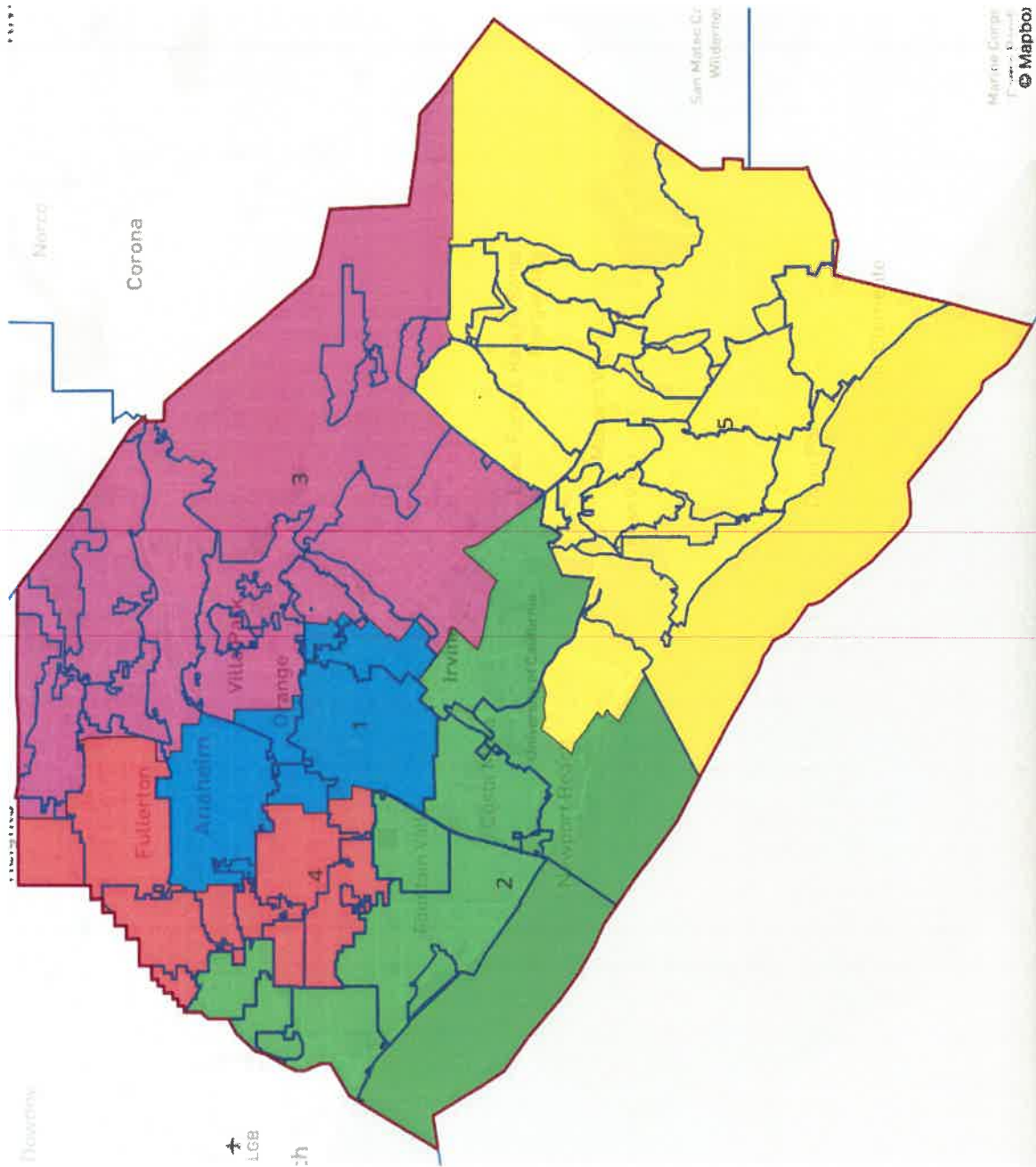
Billie Joe

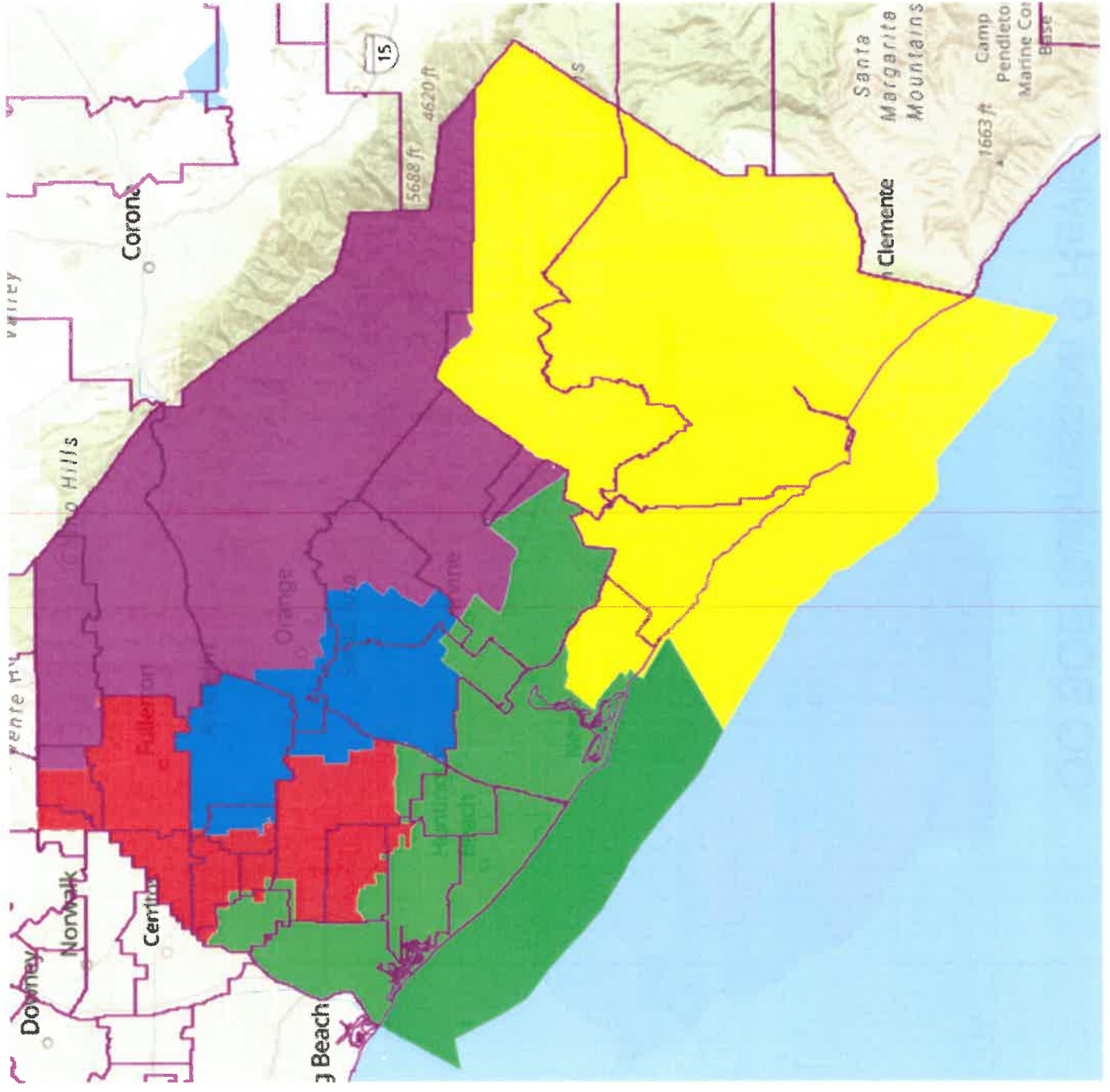
Billie Joe Wright

mrwrightemail@gmail.com

818-635-3152

OC BOE Submission 9 Revised 12/22/21





TOTAL Population:	3,193,010
Mean Target Population:	638,602
Largest Positive Deviation:	2,850
Largest Negative Deviation:	-3,222
Overall Range in Deviation:	6,072
Overall Range in Deviation Percentage:	0.95

District	TOTAL Population	Target Population	Target Deviation	Target Deviation (%)
1	638,795	638,602	193	0.03
2	641,452	638,602	2,850	0.45
3	636,779	638,602	-1,823	-0.29
4	640,604	638,602	2,002	0.31
5	635,380	638,602	-3,222	-0.50

Total Population by Race/Ethnicity

District	Total Population	NH White	Hispanic	NH Black	NH Asian	NH Other
1	638,795	92,865	431,450	10,576	86,841	17,063
2	641,452	14.54%	67.54%	1.66%	13.59%	2.67%
3	636,779	330,683	132,877	10,274	127,879	39,739
4	640,604	51.55%	20.72%	1.60%	19.94%	6.19%
5	635,380	253,082	155,993	10,034	183,519	34,151
		39.74%	24.50%	1.58%	28.82%	5.36%
		130,839	246,977	11,680	227,623	23,485
		20.42%	38.55%	1.82%	35.53%	3.68%
		392,659	122,984	7,379	73,405	38,953
		61.80%	19.36%	1.16%	11.55%	6.13%
Total	3,193,010	1,200,128	1,090,281	49,943	699,267	6,367

Citizen Voting Age Population

District	Total CVAP	NH White CVAP	Hispanic CVAP	NH Black CVAP	NH Asian CVAP	NH Other CVAP
1	345,222	90,655 26.26%	183,494 53.15%	7,882 2.28%	56,395 16.34%	6,796 1.97%
2	448,425	283,832 63.30%	69,862 15.58%	8,503 1.90%	71,048 15.84%	15,180 3.38%
3	399,360	216,568 54.23%	78,944 19.77%	6,576 1.65%	86,618 21.69%	10,654 2.66%
4	405,829	126,200 31.10%	113,156 27.88%	9,391 2.31%	146,627 36.13%	10,455 2.58%
5	461,563	328,030 71.07%	62,484 13.54%	6,991 1.51%	50,629 10.97%	13,429 2.91%
Total	2,060,399	1,045,285	507,940	39,343	411,317	56,514

From: [Amy Stevens](#)
To: [County Committee on School District Organization](#)
Subject: OCBE Redistricting
Date: Monday, January 10, 2022 9:12:12 AM

Hello,

I am writing to express my opposition to Map 5 as a redistricting strategy. This vote directly impacts my family as I have a young child in SVUSD. As a resident of Lake Forest, moving from District 5 into District 3 would mean that I would not have the opportunity to vote for a school board member until 2024. This goes against the redistricting principle that one should "minimize voters shifted to different election years." I am a very active voter and believe it is fair to keep Lake Forest in District 3 so my neighbors and I can vote in the upcoming election.

Thank you for your consideration,
Amy Stevens
SVUSD Parent
Lake Forest Homeowner

From: [Andrea Alexander](#)
To: [County Committee on School District Organization](#)
Subject: Redistricting
Date: Monday, January 10, 2022 9:20:27 AM

Dear OC Board of Ed. Redistricting Committee,

I have grave concerns about Map 5 that you are currently considering and I find it unfavorable for the following reasons:

It will move Laguna Woods, part of Laguna Hills, and part of Lake Forest and Aliso Viejo from District 5 to District 3 which is currently represented by someone who will not be up for re-election until 2024.

- This violates the redistricting principle that requires voters rights be respected
- This violates the principle that continuity in office also be respected.
- This violates the principle of minimizing voters shifted to different election years
- This violates preserving the core of existing election areas...and
- This would split a community of interest with the dissection of Laguna Woods from part of Laguna Hills

It seems Map 5 would violate “5” core principles of redistricting. Perhaps you may want to reconsider your choice.

Thank you for your kind consideration.

Andrea Alexander
Resident of Lake Forest

From: loisanderson47@cox.net
To: [County Committee on School District Organization](#)
Subject: OC board of education districts
Date: Monday, January 10, 2022 10:53:07 AM

I want to voice my objection to the proposal to change parts of Lake Forest and Laguna Woods from District 5 to District 3. This change is not in the best interest of my community. It removes my right to participate this year in election for the board. It also separates me from like communities of interest in an awkward redistributing that is unnecessary and looks like gerrymandering. Please keep these areas in District 5.

Lois Anderson
Lake Forest

Sent from my iPhone

From: [Louise Adler](#)
To: [County Committee on School District Organization](#)
Subject: NEW MAPS
Date: Tuesday, January 11, 2022 10:36:07 AM

Please keep all of Laguna Woods and Laguna Hills in district 5. That keeps a community of interest together and lets them vote in 2022.

--

Louise Adler, She/Her

From: [Jayme Brittingham](#)
To: [County Committee on School District Organization](#)
Subject: No District Movement!
Date: Tuesday, January 11, 2022 1:02:37 PM

Please do not move Aliso Viejo into district 3, it does not benefit us and is actually a detriment to our voting rights.

Blessings, Jayme

From: [HERB COHEN](#)
To: [County Committee on School District Organization](#)
Subject: OCBOE Redistricting: Map 5
Date: Tuesday, January 11, 2022 8:07:54 PM

Dear Committee Members:

As a long time resident of the City of Lake Forest, and as parent whose children were educated in the SVUSD, I ask that you vote **NO** for Map 5 proposed by the Orange County BOE.

Two basic considerations form my thinking as follows:

* Map 5 violates the "Community of Interest" redistricting principle. It would do so by moving parts of thee cities - Laguna Hills, Lake Forest, and Aliso Viejo from District 5 to District 3. For some inexplicable reason, Laguna Woods Village would also be moved from District 5 to District 3.

* Map 5 violates the Principle that requires minimize voters shifting to different election years. Voters in the communities whose district is changed from District 5 to District 3 would not be able to vote in the next election because the incumbent in District 3 is not up for election until 2024.

-herb cohen

From: [Ann Nin](#)
To: [County Committee on School District Organization](#)
Subject: Objection to moving Aliso Viejo out of district 5
Date: Tuesday, January 11, 2022 8:22:42 PM

I am writing to voice my objections to moving Aliso Viejo from District 5 to District 3 due to the split from all other schools in CUSD this will violate our ability to vote in this election for a new board member.

Thank you for your attention to this matter.

Ann Nin
65 Sprucewood
Aliso Viejo, CA 92656

Sent from my iPhone

From: [luca grecu](#)
To: [County Committee on School District Organization](#)
Subject: 5 District
Date: Wednesday, January 12, 2022 4:58:29 PM

Dear Orange County School Board please consider NOT moving Aliso Viejo out of District 5 and into District 3. Especially since the majority of Aliso Viejo students are in Capistrano Unified School District which is in District 5.

Thank you so much for all you do and I hope you consider this fact.

Luca Grecu Klaus
Aliso Viejo

From: [Lucinda Corral](#)
To: [County Committee on School District Organization](#)
Subject: Do not move Aliso Viejo out District 5
Date: Wednesday, January 12, 2022 5:10:14 PM

Dear Orange County School Board,

Please consider NOT moving Aliso Viejo out of District 5 and into District 3. Especially since the majority of Aliso Viejo students are in Capistrano Unified School District which is in District 5.

My daughter attends Aliso Viejo Middle School.

Thank you so much for all you do and I hope you consider this fact.

Lucinda Corral-Rzepka
Aliso Viejo Resident

Sent from my iPhone

From: amstack66@gmail.com
To: [County Committee on School District Organization](#)
Subject: Keep AV Where it is!!!
Date: Wednesday, January 12, 2022 5:10:38 PM

Dear Orange County School Board,

Please consider NOT moving Aliso Viejo out of District 5 and into District 3. The majority of Aliso Viejo students are in Capistrano Unified School District, which is in District 5. That potential move seems to create more issues than benefits.

Thank you for your consideration.

Anne Glass
240.426.4626

Stand where you are, draw a circle around yourself, see what needs to be done...and do it

Sent from my iPhone

From: [JoeJen Horner](#)
To: [County Committee on School District Organization](#)
Subject: Aliso Viejo
Date: Wednesday, January 12, 2022 5:14:41 PM

Dear Orange County School Board please consider NOT moving Aliso Viejo out of District 5 and into District 3. Especially since the majority of Aliso Viejo students are in Capistrano Unified School District which is in District 5.

Thank you so much for all you do and I hope you consider this fact.

Jen

From: [Jen Horner](#)
To: [County Committee on School District Organization](#)
Subject: Aliso Viejo
Date: Wednesday, January 12, 2022 5:15:07 PM

Dear Orange County School Board please consider NOT moving Aliso Viejo out of District 5 and into District 3. Especially since the majority of Aliso Viejo students are in Capistrano Unified School District which is in District 5.

Thank you so much for all you do and I hope you consider this fact.

Joe

From: [Tammy Reed](#)
To: [County Committee on School District Organization](#)
Subject: Aliso Viejo - please keep in district 5
Date: Wednesday, January 12, 2022 5:17:07 PM

Orange County School Board:

I would respectfully ask you to consider NOT moving Aliso Viejo out of District 5 and into District 3. The majority of since of Aliso Viejo students are in Capistrano Unified School District, which is in District 5. Changing one portion of the district's students to reside in a completely different district would not be beneficial to our parents and students.

Thank you for your consideration.

Tammy Reed

From: [Laura Williams](#)
To: [County Committee on School District Organization](#)
Subject: Aliso Viejo should remain in district 5
Date: Wednesday, January 12, 2022 5:33:44 PM

Dear Orange County School Board,

Please consider NOT moving Aliso Viejo out of District 5 and into District 3. Especially since the majority of Aliso Viejo students are in Capistrano Unified School District which is in District 5.

Thank you so much for all you do and I hope you consider this fact.

Thank you
Laura Williams
Aliso Viejo Middle School PTSA VP of membership

From: [Emily](#)
To: [County Committee on School District Organization](#)
Subject: Urgent Communication
Date: Wednesday, January 12, 2022 5:53:03 PM

Dear Orange County School Board please consider NOT moving Aliso Viejo out of District 5 and into District 3. Especially since the majority of Aliso Viejo students are in Capistrano Unified School District which is in District 5.

Thank you so much for all you do and I hope you consider this fact.

Emily Cravens
Oak Grove Elementary PTA President

Sent from my iPhone

From: [Julie Colombero](#)
To: [County Committee on School District Organization](#)
Subject: County District Redistricting-Aliso Viejo
Date: Wednesday, January 12, 2022 9:40:06 PM

Hello!

It has come to my attention that the Board of Education wishes to move the city of Aliso Viejo out of District 5 and into a newly formed District 3. This is a mistake.

The vast majority of Aliso Viejo students attend schools in the Capistrano Unified School district which is in District 5; as such, by switching the city out of District 5, the Board will be splitting a community of interest which violates a redistricting principle.

Additionally, if the boundary is changed, Aliso Viejo voters would not be able to vote this year for a school board candidate because Mr. Williams is not up for re-election until 2024. This would violate the principle to minimize voters shifted to different election years as Aliso Viejo voters planned to vote for a candidate in 2022.

Please keep Aliso Viejo in District 5.

Thank you.

Julie Colombero

Aliso Viejo resident and parent

Julie Colombero
Preferred Pronouns: She/Her

To: **Members of the County Committee on School District Organization**

From: Judge Lynne Riddle (ret)¹, an Orange County resident

Re: **MEMORANDUM: The OCBE's Redistricting Process and Recommendation Violated Due Process**

PART I: OCBE Meeting Content Summary TIMELINE [Part II sets out evidence re: violations of due process]

Bottom Line Request: Because the OCBE's trustee redistricting map consideration process and selection violated fundamental due process, it was fatally – *irreparably* – flawed. I therefore urge you to set aside the Board's selection and recommendation that Map 5 serve as the OCBE trustee area-boundaries-map over the next decade. Rather, I appeal to you – *our* County Committee – to exercise your full discretion, as you deem just and proper, and reconsider *either* all prior maps, create a new one, *or* amend Map 5 after due consideration of the required redistricting principles and guidelines.

Additionally, I submit that it was the *board's* conscious and utter *lack of* redistricting time management *diligence* – approving and recommending Map 5 in the evening of December 8th, delivering it to our OC Committee on School District Organization, likely the next morning, and thereafter pressuring members to grant approval within far less than *48 hours* -- that deprived the Committee itself of fundamental fairness; basic, democratic due process.²

The board's unjustifiable, dilatory conduct, which knowingly burdened and deprived the public and this Committee, along with its knowing disregard of due process, simply cannot stand.

GUIDING PRINCIPLE: I start with a fundamental principle of *participatory* democracy: When *we* elect community leaders, we task them to be our guides and facilitators to understand, embrace and sustain the democratic process; follow the law, help and encourage us to inclusively exercise our voice. We never ask or elect them to solely decide and mandate what's best.

That principle is reflected in and required to be honored by all California governmental agencies. Most especially of our elected school boards. Likewise, that principle is mandatory in the application of our various redistricting criteria.

¹ Memo presenter, Lynne Riddle, is available to any Committee or public member who wishes further discussion or sharing of background facts. Every attempt has been made to report meeting facts accurately; for notes and comments to be fairly drawn inferences in light of all the facts available. Any errors are inadvertent and sincerely regretted. Presenter also regrets the Memo's repetitiveness. Yet it covers some 8 months of discussions that often repeat, then add new material. Accordingly, it seems helpful to repeat themes and findings, rather than assume they've been remembered and reconsidered.

² In my experience too, the board's insistent, self-important conduct at the Committee's December 10th meeting – which I personally witnessed -- was completely consistent with its general treatment of public members who often need and seek board information, board input and collaborative board respect.

The public has a role in that process as it does in all other democratic decision making. We must be informed. We must be assisted to facilitate our input. We must have opportunities to be instructed by, and to instruct, the board.

With that principle in mind, I proceed ³.

In my view the Board's redistricting actions have been fundamentally – *fatally* – flawed; not just once, but in numerous, harmful, ways. As this timetable will demonstrate, much of board's failure lay in its *self-preferred/self-imposed lethargy*.

The following board meeting content timeline contains a record – *evidence* - demonstrating that *while* the board had a 7-month period whereby it was informed of its redistricting (1) tasks, (2) legal and best practices obligations, (3) role to facilitate and encourage public input in the redistricting process. And that *while* the board engaged, at significant expense, special education counsel to guide it through every step and retained experienced redistricting, demographic, mapmaking and process professionals to assure full and timely compliance, *something went terribly amiss*.

OCBE'S AWARENESS OF TIMELINE REQUIREMENT/PRESSURES; ITS PUBLIC INPUT APATHY

OCBE'S REDISTRICTING PROCESS TIMELINE – abbreviated

Significant board meeting dates ⁴ (all in 2021)

-- **MAY 5**: The May 5th meeting featured the first of many board *attorney-led* discussions re: the board's redistricting tasks including the seriousness of *COVID-created* delays and *the condensed time constraints*, as well as being instructed by their counsel of the *public participation requirements* and the need for a *board website* to inform/encourage/facilitate public input in the redistricting process.

³ Note to readers: It's *without intending offense* that I use italics and bolding as an aid to identify my key points.

⁴ Generally, the OCBE conducts its *general meetings* monthly; it sets two meetings during June.

The board also sets *special meetings* as it perceives a need: Often to accommodate appeals of local school district denials. More frequently they are called for the board to discuss the initiation of litigation against other elected officials (2 against the OC Superintendent of Schools; 3 against Governor Newsom), to hold its various subject matter *Forums* (California Healthy Youth Act (2018), COVID & School Reopening (2020), and two special meetings in 2021 re: CRT and Ethnic studies, along with a pre-Forum *press conference for each*), and for other time-sensitive purposes.

Notably in 2021, the OCBE held *seven special meetings*. *Four between May-December*, only *one* re: redistricting, on 12/8/21. Accordingly, it appears the board is not reluctant to schedule special meetings when it feels a time-sensitive need to hold them.

AND NOTE: All the above meeting content information comes directly from OCBE meeting transcriptions; all are available online using the OCBE/OCDE website link: <https://ocde.us/Board/Pages/Meeting-agendas-minutes-and-audio.aspx>

OCBE attorney Gregory Rolén also *recommended* on 5/5 that the board *retain* the *much-sought-after* National Demographics Corp. (NDC) to gather and analyze data, advise it regarding legal requirements, create and propose alternative, legally-compliant trustee area maps, appear at OCBE meetings, facilitate public input, etc.

On that date too, the board specifically tasked Rolén to pursue clarifying terms and *obtain a contract* with NDC.

-- **JUNE 2, JUNE 16, JULY 7, AUGUST 3, SEPTEMBER 1, OCTOBER 6**: Generally, over these 5 months there were continuing attorney and trustee-led discussions focusing on census data delays and increased demand upon and competition for limited demographer availability and time, as well as general discussions regarding NDC's possible cost options, the scope of his engagement, etc.

[**BUT NOTE**: At no time in the between May and October – or ever, in fact -- did the board present or even discuss in any organized or concise manner *a redistricting plan and timetable* whereby it identified its required and “best practices” tasks and an actual timetable to complete those tasks.]

-- **JUNE 2**: Because of the high demand for NDC's services and the certainty of a tightly compressed redistricting schedule, OCBE Redistricting Committee chair Tim Shaw urged the board to *retain NDC quickly*. [See: Meeting transcript, p. 60.]

-- **JUNE 16**: The board accepted Trustee Williams' suggestion that it create a board Redistricting Committee with Trustee Shaw as the chair, and Williams as the second member. [See: Meeting transcript, p. 51.]

Attorney Rolén then informed the board that on June 14th he'd met with NDC's president, Dr. Douglas Johnson. “I shared with him the outcomes of the June [2nd] board meeting whereby we set a \$50,000 *base price*... We had a discussion about what that scope of work would entail. There is two conceivable ways we could do it. One, [Johnson] explained is a *more simple* internal process whereby NDC receives the demographic data. [NDC would] meet with the Board on a number of occasions. Either he will do public meetings and Executive Committee meetings if so desired and meet with board members one-on-one. He would draw the maps and present the maps at a public hearing. He explained that *this is the process generally employed by a county board of education*.”

Rolén continued: “The timeline is critical. The Census data will become available in August of 2021. There is a California adjustment... That is about a six to eight-week process. [Johnson] explained that the data would be available in or about September of 2021. He would *bring the data to a board meeting in October 2021* and explain what, if any, other changes occurred at that time. Then, we would go through a mapping process whereby he would create maps. He would attend board meetings in October and November of 2021. Again, he is also available to meet with Board subcommittees as necessary. Because the Board has a June [2022] winner take all primary sort of election, the voting trustee areas *must be approved by no later than December 15th, 2021*. That somewhat truncates our timeframe.”

Turning to the second NDC service option, Rolan said that “[Johnson] also explained that there is another *more robust public engagement process whereby we do community outreach and we accept mapping suggestions* by any and all members of the community. *Some jurisdictions even use professional outreach firms to accomplish this.* [Johnson] explained that this *is much more expensive*, and it is going to be *very difficult given the truncated timeframe* that he explained.”

“In light of *the two options*,” Rolan said, “we discussed a sort of *a hybrid process* where he would go through the internal process with the Board. *He would then post the demographic data for public consumption and accept and consider any maps created by the public.* I said I would bring this option to the Board. Of course, when Board gives me direction, he would create the exact scope of work.” Trustee Williams then asked “Do you need- you don’t need anything now?” “I don’t need a vote,” Rolan said, “I just need *some direction to tell Dr. Johnson, which direction we would like to go so he could create the scope of work* and start the process and start perhaps meeting with Board Executive Committee.”

Trustee Williams then asked Rolan “We have to have decision by *December 15th*?” Rolan said, “That’s correct. We’d have to vote and approve a map.” Williams followed with another question: “We are not going to see actually anything until October-November. Then the meeting in December is where we actually make the decision?” Rolan answered, Yes.

Trustee Gomez then asked Rolan “[Johnson] is going to draw the maps and then put it out on . . . ? [Her question was interrupted.] “He is going to bring it here. He is going to bring it for public consumption. *We didn’t discuss the website because of cost.*” Rolan said. “But *it could be on our board website?*” asked Gomez. Rolan answered “Right. *He could post the data for the public to review.* Then, they could draw their own maps, and they would be considered. *I thought that was an important add-on that the Board may like.*”

Trustee Williams then asked when those steps would take place. “That would take place in the *same timeframe.* He would do his work. If the public *saw the data and wanted to draft their own maps, he would consider them in the final map decision,*” Rolan said.

Trustee Williams then asked about the public role in redistricting. “We have to have some public input. It could be *a lot*, or it could be *minimal as far as my experience doing this, this is the third time.*” Asked about the submission of public maps, Rolan said “Yeah. . . . The problem with the December 15 date is [Johnson] hypothesized that the *public would only have about 10 days to do that in this truncated timeframe. That is why we talked about having him make the data available on our website.* . . . That would be September-October, I think. . . . As soon as he has the data, [Johnson] said *he would provide some sort of a tech thing.* A zip file or a link or some such thing.”

When Trustee Gomez asked whether he could provide the board with a timeline “so that we all are aware of the timeline?,” Rolan answered “Why don’t I have another meeting with [Johnson], then do a communication to the Board with *specific timelines.* . . . I can communicate it with staff as well. They are going to have to [Rolan was

interrupted] . . . I think it would be difficult for me to get a specific timeline. [Johnson] is going to be providing me a scope of work. I don't think that would be a difficult ask."

Associate Superintendent Nina Board then raised a question to the board's redistricting attorney. " Mr. Rolen, you are also aware of county committee involvement?" "*I am not aware of a county committee involvement,*" Rolen responded. "We will need to talk about that," said Boyd, "because there *is a county committee process that falls on us to be included in this.*" "Okay." Said Rolen. [See: 6/16 Board transcription, pp. 51-55]

-- **JULY 7:** Neither *redistricting* nor the retention of NDC was discussed by the board or by attorney Rolen.

-- **AUGUST 4:** The board voted to enter a contract with NDC providing its fees not exceed \$50,000. The actual contract date or terms, while likely *discoverable* via a Public Records Request, were not made public

[NOTE: Notwithstanding the always-mentioned redistricting *time-crunch*, the board took 3 months just to secure this utterly essential professional service contract. Also during the 8/4 meeting, OC Department of Education (OCDE) Assoc. Superintendents Boyd and Hendrick informed board members that, and how, the 2021 process substantially differed from that followed previously. In 2011, they said, it was largely OCDE senior administrators that did all necessary and timely "legwork;" expeditiously retaining the demographer and moving the public input and other processes along. Thereafter that work was presented for board any modification and action. But 2021, they said, senior OCDE staff were not consulted: they were omitted entirely from the process. Instead, the record reflects, Shaw, Williams, and attorney Rolen took control of the entire redistricting matter. Why? That's uncertain. But just remember; since 2011 the board has initiated litigation against the OC Superintendent of Schools – who supervises the OCDE -- twice: Once in 2018 and again in 2019. (SEE: Meeting Transcript, 8/4, pp. 61-63))

-- **SEPTEMBER 1:** In a very brief presentation Mr. Rolen informed the board of federal census and California data adjustment *delays*. He ended saying "I've been in *some contact* with [NDC's president, Dr. Johnson], ...[he'll] present[] *something* . . . at the October. . . meeting." [See: Meeting transcript, 9/1, p. 13]

[NOTE: Notwithstanding Rolen's telling the board 4 months earlier of the numerous redistricting tasks required within a shorten time period, and even with this further 9/1 *time-compression warning*, there was still no discussion or presentation regarding a specific board ***redistricting tasks plan and timetable***. Yet, by way of contrast, during this time the board planned, located and secured for appearance some 12 Critical Race Theory (CRT) experts, and held 2 press conferences and hosted two OCBE CRT/Ethnic Studies FORUMS; one in July, one in August. Both, by the way, were special meetings. Once simply must ask. What were the board's priorities?]

-- **OCTOBER 6:** There was very little redistricting content at this meeting. During the meeting's last 3 minutes or so Trustee Shaw said "*We probably do need to mention redistricting, right?*" and then added, "There's not much to say." Mr. Rolen concurred, "There is not much to report. Dr. Johnson has relayed that the census data is coming out as he predicted. [Note: Johnson was said to have predicted all redistricting data would be available to be processed near the end of September]. It's coming out slowly." Both Trustees Shaw and Williams concurred that the census delay would not change the map approval deadline – *December 15, 2021*, they said. Trustees Williams and Shaw, along with Rolen, agreed the board was now on a very *tight timeline*. Williams then mentioned there would be a "public

hearing” at the next meeting (set for November 3rd). Neither Rolan nor any trustee, however, discussed or explained just what that “public meeting” would entail.

Sensing the timeframe urgency Trustee Gomez said that *the census data “is out now . . . and I’m not sure what’s happening.... Can we get any of that information prior to then?”* Rolan answered “I’ve been trying.... I’ve been checking with them pretty regularly.” [See: 10/6 Meeting Transcript, pp. 104-5 of 105]

[NOTE: To follow up, “Public Hearing” was listed on the November 3rd agenda. As it turned out “Public Hearing” meant nothing more than what is Brown Act-required and normally available; a public comment opportunity (generally, 30 minutes total; 3 minutes per speaker) provided before board discussion and/or decision. But note too: At the 11/3 public hearing there was no opportunity at any time for public members to ask questions; to request and receive redistricting and public input information of any kind.

Additionally, while not mentioned during this meeting, Merrs. Rolan, Shaw and Williams had previously stated and concurred that NDC would have its first maps available for presentation and discussion at the November 3rd meeting.]

-- **NOVEMBER 3:** THIS IS A LONG, SOMEWHAT COMPLEX, BUT LIKELY THE MOST IMPORTANT OCBE REDISTRICTING MEETING TO DATE. Please bear with me . . .

Here are the major considerations/events/plot points:

--- TRUSTEE SHAW RESIGNS: At the very beginning of the meeting, Tim Shaw, OCBE District 4 trustee and OCBE’s Redistricting Committee Chair, arose from a seat in the audience and discussed his hour’s-earlier resignation from the board and promptly left the meeting. Trustee Williams therefore was solely left to speak (along with attorney Rolan, of course) for the OCBE Redistricting Committee regarding the board’s redistricting plan, processes and actions.

--- NDC MAPS POSTED: In preparation for this meeting, NDC’s proposed Maps 2 and 3 were timely attached to the posted meeting agenda. Pubic members familiar with board meeting procedures therefore had the knowledge necessary to locate them and thereafter follow along – and even comment upon – with the map reviewing process.

[NOTE: Map 1 was not timely posted on the meeting agenda; it was later – but untimely --added. NOTE also: While we’ve no exact information re: when the OCBE’s *Redistricting webpage* first appeared online, it appears that didn’t happen until after the 11/3/21 meeting]

--- THE “PUBLIC MEETING”/PUBLIC COMMENTS: A redistricting “Public Hearing” (simply the 3-minute public comment process described above) was listed on the 11/3 agenda. If counted correctly, there were 18 public speakers during regular and redistricting speaker opportunities. While eight speakers spoke of their concerns/anxiety that the board process *lacked transparency* and *failed to give timely information* regarding its facilitation and encouragement of public input, there were other interests voiced. Four spoke of their COVID

mandate concerns; one advocated for Latino majority districts; one thanked the board for its COVID precautions. Two spoke of Cypress and their disagreement with its placement in District 4 in Maps 1, 2 and 3. The first said that Cypress was “being gutted out. Los Alamitos, Rossmoor, and Cypress . . . It's three cities in one city. . . . it's just like one community. Even our kids in the city of Cypress go to Los Alamitos school ⁵ and vice versa. They should not be separated.” (It’s unclear whether she meant that the students or the communities should not be separated.) The second said she “wanted Cypress to remain in District 2 otherwise her life would be “totally [torn] apart” because, she said, she shops in Rossmoor. [See: 11/3 Meeting Transcript, pp. 8-9]

--- THE NDC VIDEO MAP PRESENTATION: Following a brief redistricting map introduction by attorney Rolan, NDC’s president, Doug Johnson, appeared via a pre-recorded video and gave an 11-minute+ presentation. He discussed, demonstrated and advocated – with each map shown on several, large boardroom screens -- the correctness and benefits of the NDC maps; Maps 1, 2 and 3.

--- MR. ROLEN’S MAP PRESENTATION FOLLOW-UP: Board attorney Rolan told the room that he thought Dr. Johnson would be available (or, at least, the OCDE staff would try to contact him regarding availability) via live-streamed video later in the evening to answer any question, including those specific to Maps 1, 2 and 3. Rolan also announced (for the first time either during a meeting or by any other means) that public members “...will have an opportunity to bring us some maps this evening.” Dr. Johnson did not appear later on 11/3 either in person or via livestream. Therefore, no one had a chance to raise and questions regarding Maps 1, 2 and 3.

[NOTE: No public-made maps were presented on November 3rd. That’s likely because even as of November 3rd nothing had ever been posted on OCBE’s website intended to give any information, aid or useful mapmaking and/or data presentation tools to permit public members to prepare and submit maps.]

--- BOARD QUERY AND BEFUDDLEMENT: DID JOHNSON PRESENT THE WRONG “CURRENT” OCBE TRUSTEE DISTRICT BOUNDARIES MAP?: Following Johnson’s pre-recorded video presentation, Trustee Sparks mentioned the *map displayed* during his presentation showed the *present* or current (the map adopted in 2011) OCBE trustee district boundaries saying she thought it was *incorrect*. “The one I’m thinking [of] was from four years ago,” ⁶ she said, and then added that “Newport Beach is one of my cities. *It wasn't* [shown] *in my district in that* [Johnson displayed] *existing map*,” Sparks said. Later, other trustees joined the puzzlement. Trustee Gomez asked: “Isn't the map that's on our website the *most current* map . . . ?” To which Trustee Barke responded “*That's the one* I find challenging, yeah.” Later, Gomez asked “... I'm wondering if that map that we have on our website is consistent with what the Registrar of Voters has?”

⁵ This assertion appears to be in error. Cypress School District provides K-6 education to children living in Cypress and La Palma; Anaheim Union High School District provides junior and senior high school education to children from Cypress and La Palma.

⁶ Sparks first ran and was elected in 2018. This was likely her reference to “four years ago.”

[NOTE: These are fundamentally significant questions. You'd have to ask: How can mapmakers -- DNC, Williams and others -- determine the OCBE trustee districts *population changes/migrations* between the 2010 and 2020 censuses if they start with the wrong 2011 map and data?

Which "present" boundary map and data is correct remains a public mystery. The map Johnson displayed showed the western portion of Newport Beach in District 2. [See: Johnson video, 11/3/21 meeting video, at about timeline 3:31:50] But a different "current" trustee district map that is, and has been over the past few years, posted on the OCBE website. It shows all of the city of Newport in Area 5. [See: <https://ocde.us/Board/Pages/default.aspx>] Who knows which is correct? But it's astonishing that neither the OCBE Redistricting Committee nor its \$50,000 retained redistricting professionals seem to know. More concerning, notwithstanding that two months have passed, the befuddlement remains.]

--- REDISTRICTING CHAIR WILLIAMS RESPONDS TO *LACK OF TRANSPARENCY* CONCERNS: Perhaps an hour after the public comment period had closed, Trustee and Redistricting Committee chair, Ken Williams, commented on the eight or so publicly stated "lack of transparency and information" concerns.

Based on his "26-years" and this being "*his third redistricting experience*" -- Williams said, "We've been very transparent, very open, very honest. I think part of the process that the public doesn't understand was the significant delay in the data. I mean, we didn't get the data until about a month ago I think from the state.... We just got the maps recently. *We are doing a public hearing. We are doing a discussion.* We are going to have another one December 1 at our board meeting. *We are doing more than what we've done in my previous two redistricting.* I appreciate everybody who is here, but that's historical how we we've done it. *We don't have to do it. We don't have a staff by the way.* There's been some comments out there. '*Why don't we have community forums?*' *We don't have the staff. We all have full-time jobs someplace else. We don't have the staff to be able to have constituent outreach. We'd love to have that, but that's going to cost more money.*⁷

⁷ Trustee Williams' reply to public complaints regarding the lack of redistricting public outreach efforts -- saying the board has *no staff* and that public outreach would *cost money* -- lacks credibility or credulity. The record, including meeting videos and transcripts, as well as local media reports, will show that during June, July and August the board invested a great deal of its time and ideological energy -- as well as some \$35,000 in tax payer money for event expenses (expert travel, etc.) and who knows how much in attorney's fees to Mr. Rolan --to plan, logistically arrange and host two OCBE *press conferences* and "Forums" on critical race theory and ethnic studies (held on July 27th and August 23rd). The board also generously and liberally used top OCDE leadership -- *staff* -- to logistically facilitate those two, *filled-beyond-capacity*, multi-hour Forum events. One wonders whether -- in view of the importance of redistricting and the fact that the OCBE has *neither a modicum of authority over the ethnic studies curriculum* decisions made by OC's 28 local school districts *nor* curricular authority over decisions impacting students under the educational authority of OCDE -- using tens to hundreds of hours of OCDE staff time and spending some \$40,000 - \$50,000 of taxpayer dollars for these Forum events outweighs the need to use similar resources toward assuring public participation and input in the *once-every-ten-years* redistricting process. And -- re: the possible expense -- note too, the board's litigation/attorney's fees expense. It spent some \$3.2 million in its 2018, now concluded, lawsuit and trial against our OC Superintendent of Schools. It's 2019 lawsuit against Superintendent Mijares and California Superintendent of Public Instruction Thurmond is still actively pending and likely will cost the same or more. The board's budget now has an historically astonishing annual -- 2021-22 -- line-item account of \$2,000,000 for board attorney's fees to cover both its litigation and its ever-present board special counsel Gregory Rolens' fees. It has an hourly services contract with yet another attorney to provide the board answers to with other legal queries and to provide legal opinions. This will likely cost another \$50,000 just in 2021. The board, it appears, is not shy about spending education-intended, tax-payer dollars. One wonders too: Doesn't the board's contract with NDC cover all the necessary terms/services -- including helping with the board *redistricting website* and access by NDC to process or reformat public submitted maps and data? If not, why not? Mr. Rolan was tasked with negotiating terms and entering the board's contract with NDC way back in May. It took 3 months to get that done. That seems, to some, like enough time to cover all the bases.

Oftentimes we have to depend upon good citizens coming and sharing with us their vision. I think the goal of this meeting right now and our board is to hear from our constituents. ***If there's any constituents out there that has maps they'd like to present, please send them to us.***⁸ There is a lot of details that have to be done with balancing of the census data. Just like he presented just now, there's a lot of work that's being done on this project." [See: 11/3/21 meeting transcript, pp. 27-28.]

--- TRUSTEE GOMEZ ASKS: HOW ARE PUBLIC MEMBERS TO LEARN EXACTLY HOW AND WHEN TO SUBMIT THEIR PROPOSED MAPS? Midway through the 11/3 meeting, Trustee Gomez asked the OCBE Redistricting Committee and its attorney "How will the public be able to submit maps?" Rolen responded, "At their will. They *could probably* submit them through the Department." Then, for the first time, Rolen publicly asked OCBE staff, "*Would that be acceptable?*" Gomez then persisted: "... I'm asking. What is the process to submit maps?" Rolen then adds "Why don't we talk about that? ... They can provide [their map] to me. I'll provide it to Dr. Johnson *for analysis.*"

Recall, however, the fleeting timeline and that (1) this question was being raised on November 3rd, (2) the next meeting was scheduled for December 1st, (3) the board had decided December 8th would be its final decision date, and that (4) when asked about the board's plan for the receipt public-made maps, the board's attorney answered with a "*probably*" and asked "*Would that be acceptable?*" Accordingly, this is an admission that at no time prior to or even on November 3rd did the board ever have *any plan or timetable* in place, let alone any mechanism to *assist public input*. Worse yet, this "*probably*" discussion only addressed the question of *where* public maps could be delivered. Remaining was the question of "*how?*" Were there any mapping tools available from NDC or other sources for public use? That was not answered.

After further discussion the board decided -- at about 7 or 8 p.m. on 11/3 -- *only* that the public could submit redistricting maps on or before November 12th. That was less than 7 days "working days" away.

Again, Trustee Gomez asked Rolen for specific, publicly available guidance and map-making facilitation assistance. "What are they supposed to do? They're supposed to take something like this and draw it with crayon? . . . Perhaps you can share that with the public as to *what tool they might use?*" Rolen provided several replies, including that "[t]here's publicly available electronic demography [available]" and that he would "... try to find out what tool that is? I don't know right off the top of my head." Assoc. Superintendent Boyd then offered that if "... Mr. Johnson [would] provide the template that he's using [then the public could use the same] so that then you all are

⁸ Recall that even as late as 11/3/21 there were no OCBE redistricting website instructions for the public regarding how and where to send/submit any public member maps. Finally, recall too: It appears the OCBE and its Redistricting Committee had knowingly, affirmatively declined to ask for and avail itself of OC Department of Education's senior leadership to lend redistricting support to the board. Very likely the OCDE could and would have helped to create a redistricting website prior to 11.3. [See: August 4 OCBE meeting entry, above.]

looking at the same templates [and] everything.... *If he sends that to us, we can get that out, or put it on the website and whatever.*"⁹

Rolen then clarified: "Just so that I'm understanding, you want me to contact Doug Johnson to *get us the template to make available to the public so that they can work with the data?* *I think that's reasonable* because in our discussions Dr. Johnson, he made it abundantly clear that there are tools out there that are available to public organizations and private citizens to do this work with. *If we can provide a template or some sort of demographic data that's available, we will do that.*"¹⁰

[NOTE: This whole "probably" and "I'll check with Dr. Johnson" conversation regarding public mapmaking and submission assistance was occurring, for the first time, with the public having just **7 working-days** before its map and data submission deadline.]"

Adding further assurance, Redistricting Committee chair Williams later added that "I think *it is reasonable to provide whatever tools/software is out there. I'm sure we can get it from Mr. Johnson* *We will be working with the consensus of the board, with our website developer to put some sort of information on our website regarding that. That will be done this week.*"¹¹

Trustee Sparks later joined her colleagues re: providing useful information and map-making and data analyses tools for public use on the OCBE's website saying "I have a suggestion.... [h]ave a *link that's very prominent* especially because *right now this is a very important issue. We're on a timeline.*"¹² [Make it a] [b]ig thing on the front of the webpage that people can easily click on. Then it takes them to the link.¹³ Then they can play around with it. Then *they can upload it easily.*"¹⁴ [Re: the foregoing discussions, See 11/3/21 Meeting Transcript, pp. 29-33.]

[NOTE: Sincere and as helpful as Gomez' and Sparks' suggestions were on the evening of November 3rd, one has to ask: Shouldn't these the discussions regarding the facilitation of redistricting public input – and a *redistricting plan and timetable* presentation – have taken place long before November 3rd? Even in June, July or August? Doesn't it seem possible and helpful that the board create a redistricting website in August, September or October if only to announce that help would be forthcoming. To say "Watch this space?" And especially because public maps would not even be invited for consideration before December 1st?

True, the usable census data was not available until late-September. But in light of the known and palpable *time-crunch*, wasn't it the task of the board's Redistricting Committee, its general counsel (compensated at \$355/hr.+ travel, SFO-OC-SFO) and the demographic and maps experts under a \$50,000 contract to have planned ahead by creating and sticking to a fair, reasonable and public input-supportive timeframe and strategic plan?

Regrettably, there's no evidence that any useful information regarding *map making software*, how to access it and use it, and/or how to access and later create a *data chart compatible* for comparison with the NDC maps was ever made public or posted on the Board's website.

⁹ Just to be clear. That was never done.

¹⁰ Just to be clear. No template was ever posted.

¹¹ Just to be clear. No mapping tools or data software was ever posted to the redistricting website.

¹² Yes. There was an imminent public map submission timeline. The board on 11/3 required public maps to be submitted by 11/12.

¹³ Didn't happen.

¹⁴ Didn't happen.

Accordingly – other than making 3-minute-per speaker public comment periods available on November 3rd and December 1st -- the board appears to have never made any effort to assist meaningful public input as part of its redistricting map determination process.]

DECEMBER 1: AFTER THE PUBLIC COMMENTS OPPORTUNITY CLOSED, THE BOARD -- DURING AN EVOLVING DISCUSSION -- CAME TO SOME *CRITERIA* (WITH *ONE SEEMINGLY DOMINANT*) BY WHICH IT ELIMINATED ALL BUT TWO MAPS, 4 AND 5, FROM FINAL CONSIDERATION.

This too is lengthy, so, please, once again, bear with me . . .

BUT FIRST . . . NOTE THIS SCREEN SHOT of this Demographic Comparison chart presented at the December 1st OCBE meeting via a pre-recorded video as part of the OCBE’s demographer, Dr. Johnson, public review of the 10 submitted maps. [See: <https://www.youtube.com/watch?v=WPXxLCas86U>, at about timeline point 3:11:00.]

During his map review and discussion Johnson had already eliminated from consideration Maps 6,7 and 8. According, they are not included in the chart. Map 10 -- which was never presented by its makers and had no public comment support but was listed on the chart -- was also later eliminated and is therefore not relevant to the discussion here.

Demographic Comparison

Option	Latino D1	Asian D2	Balance	Pct. Dev.
1	51%	33%	1 person	0%
2	51%	33%	1 person	0%
3	51%	33%	1 person	0%
4	52%	33%	2,349	0.37%
5	51%	34%	1 person	0%
9	52%	25%	13,940	2.18%
10	56%	31%	58,864	9.22%



During Johnson’s presentation -- and then as *noted frequently in board discussion* captured below and as cited by board members as being a determining factor in Map 9’s elimination -- much was made of the “fact” that where the chart shows the District 2 percentage of Voting Age Citizens who are Asian Americans, the chart states that number at 25%. Look at the chart, that’s a full 8% lower than Map 4; 9% lower than in Map 5. YET, its entirely unclear *where that 25% number came from*. Was it a typo? We don’t know.

The demographic data presented by Mr. Wright in support of Map 9 shows District 2 Asian Citizens of Voting Age at **29%**. And in the reprocessed or *reformatted* Map 9 demographic data DNC made available in hard copy (but only to board members) just before the December 1st meeting showed that number at **30%**. Williams' Map 4, as you see, shows 33%, as did Maps 1, 2 and 3.

Would that 3% -4% difference, if known, have effected the board's determination to eliminate Map 9? We don't know. But we do know that *the 25% number* the board seems to have relied upon was, without any explanation or foundation, materially erroneous.

In any case, here are the major considerations/events/plot points taken from the meeting transcript:

--- PUBLICLY POSTED MAPS AND POPULATION DATA: Copies of all submitted maps (1-10) and their accompanying data were timely posted on the OCBE's website and as attachments to the 12/1/21 meeting agenda. That said, *while* public individual and organization maps and data (for Maps 6,7,8,9 and 10) were submitted by the 11/12 deadline, *none of their data had been reformulated or converted* to the NDC format; the format that would have allowed comparison with the NDC and Williams submitted maps –Maps 1,2,3 4 and 5. This created a difficult if not impossible comparison circumstance.

--- NDC'S/JOHNSON'S PRE-RECORDED 15-MINUTE VIDEO EXPLAINING THE 10 MAPS. Dr. Johnson was unavailable personally or via livestream, but he provided a 15-minute+ pre-recorded video by which, said attorney Rolen, Johnson would go through all 10 submitted maps and "... *describe all the demographics* and considerations relating to redistricting."

The video is too data driven to be easily summarized, but it's viewable using the 12/1 video link -- <https://www.youtube.com/watch?v=WPXxLCas86U>. Since Dr. Johnson's presentation was pre-recorded, not live-streamed, there were no opportunities for questions or clarifications. [NOTE: Johnson's presentation is viewable at about timeline 2:59:00- 3:14:10, or may be read from the 12/1 Meeting transcript at pp. 31-36.]

[NOTE: re: the NDC/JOHNSON map *presentation time and large-screen assistance*. Recall that Dr. Johnson had, likely, some 8-10 minutes on November 3rd to introduce/describe his Maps 1,2 & 3. On 12/1 he had 15 minutes to present the 10 maps (1 2, 3, 4 and 5 by NDC's and William's; Maps 6,7,8,9 and 10 from public members) and his analyses. Moreover, Johnson's presentation was made with the aid of large screen projections of the maps, the data and his major points. That's as it should be. That was helpful to all. Educational. *But no other mapmaker was given this kind of opportunity*. Just a 3-minute presentation at a podium with mic. No projections. No power point key concepts on a screen.]

Johnson did make a bit of a summary at his conclusion saying "All the maps have a Latino majority seat. All the maps, *except Option 9*, have a seat where *Asian Americans* are essentially *one third*¹⁵ of the citizens of voting age

¹⁵ Yes. 33%, one-third, vs. 30% -- not quite one-third.

or eligible voters.¹⁶ Maps 1, 2, 3, and 5 are essentially perfectly balanced down to no more than one-person deviation in each trustee area. While 4 and 5¹⁷ are anywhere from 0.37 to 2.18. Then, Option 10 maxes out that deviation at nearly 59,000 people between the largest and smallest a 9.22% deviation. That concludes my presentation . . .”

[NOTE: As set out in footnote 12, apparently the Map 9 population demographics data had actually been subjected to a “processing”—a reformatting or re-analysis -- using NDC’s licensed software (called Maptitude). Board members were given that reconfigured data. However, that Map 9 reconfigured data had not never been previously posted; nor had it ever been mentioned in public prior to 12/1. Accordingly, the public had no knowledge of where Dr. Johnson’s numbers were coming from. Thus, Mr. Wright and other public attendees were deprived of any opportunity to raise any question, to object or to comment.]

--- EIGHT PUBLIC COMMENTS WERE MADE DURING THE REDISTRICTING PUBLIC HEARING:

Once the Public Hearing was opened, speakers came forward appearing in person. *Six*, including mapmaker Billie Joe Wright, used their 3 minutes to describe their reasons for supporting *Map 9*.

Two speakers spoke of favoring Map 4, of which one said *only* “I ... support *Map 4*.” The second shared her view that it was the voters that selected the current trustees, and the voters’ choice should be honored. She then added that “... our voters ... genuinely value what this board has done ... in protecting and ... approving better charter schools.... I think another thing for me personally [has been] ... these forums that you've been holding ... the last one ...being Critical Race Theory and Ethnic Studies....” [See: 12/1/21 Meeting Transcript, pp. 36-39]

-- ONLY ONE PUBLIC MAP-MAKER/SUBMITTER APPEARED AND SPOKE TO PRESENT HIS MAP AND DATA; HE WAS GIVEN ONLY THREE-MINUTES DURING THE “PUBLIC HEARING” PORTION: Public mapmaker Billie Joe Wright personally appeared. His time was treated as a public comment; he had just 3 minutes to introduce his map, Map 9, and data. Neither his map nor data were shown via the boardroom’s large screens. Accordingly, unless persons present in the room, or those who watched over the internet via livestreamed YouTube, had a Map 9 copy and its data in hand they could not follow along. They didn’t *get the picture*.

Mr. Wright asked board members to consider district population size deviations, along with ethnicity. “Having heard [Dr. Johnson’s] recap,” Wright said, “I believe the question that you have to ask yourself is, Why is there a *deviation of up to 10% allowed?* Why in some instances is it not, and why is it here, allowed? That is where you really get into the *community*. You've heard some of the statements already tonight to talk about that *every ethnicity*

¹⁶ According to the data submitted with Map 9 by its maker, Billie Joe Wright, the Asian American population is listed as 29% of the Voting Age Citizens. Maps 4 and 5 do show Asian Americans of voting age in District 2 at 33%. However, as we learned for the first time later in the meeting, NDC had “reformatted”/recalculated Map 9’s population data. The NDC District 2 reformatted data shows an Asian population of 30%

¹⁷ It appears Dr. Johnson may have misspoken here regarding population by district deviances. He first said Maps 1, 2, 3 and 5 are nearly perfectly balanced; then said Maps 4 and 5 have a population deviation between .37 to 2.18. In NDC’s population charts, it’s Map 4 does show a .37 deviation, but it is the NDC Map 9 data that shows a 2.18 population deviation among all districts.

is not the same. Whether you're from one part of Asia or from one part of South America, you could be Venezuelan or you could be Mexican. You have to take those into account. In creating Option [Map] 9, I believe that that was taken into account. Option 9, I believe, is by far the most fair proposal of all. I do believe that it keeps Little Saigon whole and takes the community's interests into mind. It's important that the city's boundaries are clear and distinct.” [See: 12/1 meeting transcript, p. 38-39]

--- ATTORNEY ROLEN FACILITATED THE BOARD’S MAP DISCUSSION; HE BEGAN BY FOCUSING ON MAPS 1, 2 AND 3: Rolen suggested the board discuss the maps one at a time, then decide which to *eliminate* from further consideration and which to *forward* for board approval on December 8th. After that, he informed the board, “[t]he board will then request that the Orange County Committee on School District Reorganization approve the new trustee area boundaries as complying with the equal population criteria on December 10, 2021.”

After separate discussions of Maps 1, 2 and 3 the board concluded it would *eliminate all of them* from further consideration. Why? Rolen reminded the board that they had been drawn, introduced and presented by Johnson at the 11/3 meeting. Rolen then continued opining that after that 11/3 presentation “[t]here was some public dismay about [those three] maps *not based on their demographics, but based on the fact that Cypress was separated from other communities that they wished they were together with.*” It was on that account, he said “We redrew.” suggesting that Williams Map 4 and NDC’s Map 5 had been drawn and submitted based upon the two November 3rd speakers “public dismay.” [See: 12/1/21 Meeting Transcript, p. 40]

[NOTE: See: 11/3 transcript, pp. 8-9. And, recall that at the 11/3 meeting two speakers mentioned Cypress. First, Harumi began by saying “I agree with all [six] previous speakers that there is no transparency in redistricting process. They are not engaging the public. I only found out today about the proposal maps. I couldn’t find it anywhere on the internet or on the website. There was no opportunity for the public to be engaged, or comments, or map proposals by the community. This is unacceptable. There should be multiple community forums and engage the community to participate.” She then stated that she’d resided in Cypress for some 30 years, that Cypress had always been part of District 2 and that “Our city of Los Alamitos, Rossmoor, and Cypress, they are pretty much together. It’s three cities in one city. . . . Even our kids in the city of Cypress go to Los Alamitos school and vice versa. They should not be separated.” Further recall: It appears that Cypress has its own elementary school district serving the children of Cypress and La Palma; for junior and senior high those children attend in the Anaheim Unified district.

The other Cypress-mentioning speaker was Clare, who said, in essence, that if you place Cypress in “. . . district number four. It’s totally, you know, tear my life apart. In my point of view is Cypress, Los Alamitos, Rossmoor it’s not just to next together. We share the same family values and their culture, traditional cultures. . . . I always go to shop in Rossmoor to go grocery shopping in Sprouts. Also, you know, grab my [inaudible] snacks there.”]

--- TRUSTEE GOMEZ STATED DISAPPOINTMENT THAT EACH MAP SUBMITTED WAS NOT ACCOMPANIED BY THE SAME DATA [AND DATA FORMAT]; EXPLAINED THAT THE SAME DEMOGRAPHERS [DNC] PROVIDED THAT SERVICE TO THE CITY OF TUSTIN: When asked for comments regarding Maps 1, 2 and 3, Trustee Gomez, apparently referring to the presentation of all three said “ I don’t like any of them so that’s easy for me.” She then added, “I don’t like the way they’re drawn. *I do like the data...*

I'm very disappointed that we *don't have the same data for each of the maps so that we could actually look at them. We're looking at drawings and some of the later maps without the same kind of data that we got for Options 1, 2, and 3.*"

Attorney Rolen quickly responded: "I wanted to respond to Trustee Gomez regarding the data. *Every time we had data, we provided it.* Some of the maps were provided without the underlying data so that's the only reason they were omitted."

"Well, I'm going to differ on that, because we ¹⁸ just went through this with *Tustin* and our citizens provided maps," Gomez said. "We used the same firm (NDC), and they were *able to do the data the way that you see it presented on Options 1, 2, and 3.* I'm a little bit disturbed by the fact that we're *not able to compare the same kind of data for each of these maps.* I really have a difficult time looking at these maps when we don't have all the data that we need.... I think it's a little bit difficult for us to make that decision about which maps we want to move forward without all of the data."

"*One would agree,*" Rolen said. [See: 12/1 transcript, pp. 41-42]

--- RE: CONSIDERATION OF MAPS 1, 2 AND 3 and THE OCBE REDISTRICTING CHAIR, TRUSTEE WILLIAMS', NEW, NON-PUBLIC "*CYPRESS*" *DISMAY* INFORMATION – *THE 50+ E-CYPRESS MAILS*:

Following on Rolen's Cypress and "*public dismay*" comments, Trustee Williams spoke: "*We had approximately 50 emails on the issue of Cypress not being within a community of interest in District 2. Based upon that . . . let me digress. We have that issue of Cypress not being in District 2, same thing with Map 9. Cypress is not in District 2 in Map 9. It is in all of the other ones ¹⁹. . . [F]or Options, 1, 2, and 3, the biggest one [militating against those maps] that I see is that Cypress is not included in District 2.*" [See: 12/1/21 Meeting transcript]

Later in the meeting, but relevant here, Trustee Barke added to Williams' *50 emails* comments saying "[A]t this point I would just make a comment just for all those listening . . . we did receive tens of letters. Ken said 50. I'm not sure if it wasn't even more than 50 that people wanted to keep Cypress in District 2, and I just appreciate the

¹⁸ OCBE Trustee Rebecca Gomez is also an elected member of the Tustin City Council. FYI: That Council, it appears, completed its redistricting process in November.

¹⁹ Williams pointed out, correctly, Map 9 did not place Cypress in District 2. But a review of Johnson's video presentation of Maps 1-10, shows that Maps 4 and 5 * were the only maps submitted that placed Cypress in District 2. But all those other maps were drawn without being privy to the *50 Cypress-supporting emails* or that separating Cypress from Los Alamitos and Rossmoor would harken an absolute disqualification. [* Reviewer is just curious. Where Maps 4 and 5 submitted before November 12th—the maps submission deadline? Did Williams submit his map via ocbe@ocde.us as others were encouraged to do? How is it that Trustee Williams was able to submit his map and data in the NDC format? Was he, because he is a trustee, able to have NDC make his map for him when no one else was given that option? Just some thoughts.]

response from the public.... that *they want to stay together* and they, you know, expressed that.” [See: 12/1/21 Transcript, p. 46]

In the end, the board agreed to eliminate Maps 1, 2 and 3, likely from the discussion based most heavily on the Cypress location. Later it became clear: All maps having Cypress in District 2 were advanced; those not placing it in District 2 were eliminated. The Cypress placement, it seems, was to everyone but NDC and Williams an unseen death knell.

-- WILLIAMS PRESENTS HIS SUBMISSION, MAP 4: Attorney Rolen opened discussion of Map 4 and reminded members the “we had two members come forth in public comment in support of [this] Map ²⁰...,” after which Trustee Williams spoke. “Yeah. I made Map number 4 out of the overwhelming response from the community, over 50 emails that we received wanting Cypress in District number 2. The intent of this was to bring Cypress into number two and also to preserve another interested community.” He added that “Map number 4 preserves the existing election areas and the right of the current trustee to run for reelection. [T]he Latino community has 52% and with the Asian community has 33%, the same as 1, 2, 3. Certainly the Asian community *doesn't go to 25% like it does in Map 9* ²¹ or 31% in Map 10 Map 4 preserves a high percentage of Asian population in District 2 there. Regarding the balance, it's only off by 2,300. I don't think that's significant. It's only 0.37%. It meets all of the federal laws and the Voting Rights Act so that's my thoughts and reasoning behind Map 4.” [See: 12/1/21 Meeting Transcript, p. 43]

--- TRUSTEE WILLIAMS GETS AN OPTION TO AMEND HIS MAP 4: After Trustee Sparks voiced some Map 4 concerns, Williams assured her he understood, would be willing to review her points and then said “*I may offer Option 4-A for the next meeting. I'll think that over with the comments that I'm receiving from the public today, but you know, there's a swap. No district is going to be perfect.*” [See, generally: 12/1/21 Meeting transcript, p. 44.] Trustee Barke then added: “Yeah. I just want to be clear on what the changes are based on the comment tonight, what you're looking forward to change?” She then added: “*I ... don't have a problem with bringing [Map 4 and a possible 4A] forward. Because we're not making a decision tonight, so pushing it forward is fine. I was just looking to better understand what changes you're looking for, or the public is.*”

²⁰ One public speaker said, in one sentence, merely that she supported Map 4; gave no reason. The other speaker supported Map 4 saying, primarily, that several of the other submitted maps would have a negative impact on the present board members because a border change or changes would mean a sitting member might no longer reside in the same numbered District they presently represent. She stated her firm belief that the OCBE voters' choices in 2018 and 2020 should be honored.

²¹ It's not clear on what basis Trustee William's stated that Map 9's Asian population was only 25%. Likely he relied on Johnson's video presentation chart. Likely too that all trustee received hard-copies of that chart in the meeting binders. As set out in footnote 12, above, NDC's Map 9 data shows that within its District 2 boundaries the Asian population is 30%.

Mr. Rolan then added “. . . we’d have to be able *to create that map* extremely quickly.” The board thereafter agreed any amended Map 4 – any Map 4A – would have to be ready to be posted on Friday (two days away) in order to be considered at the December 8th meeting. Later during the discussion of Map 5 [See: 12/1/21 transcript p. 48] Barke, Rolan and Williams circled back regarding the option for Williams to present a new map, Map 4A. Barke queried: “So, we’ve decided unanimously . . . forward Map 4, *which may become 4-A*, and 5.” For clarification, Rolan asked Williams “Did you envision 4 becoming 4-A or there being a new map of 4-A?” “What I envisioned,” Williams said, “. . . *is to create another map*. A little alteration of 4 and we’ll call that 4-A, *so we have Map 4 and 4-A to consider*.” The board thereafter agreed: Maps 4, and possible Map 4a, would be considered for approval on December 8th.

--- MAP 5 WAS QUICKLY ADVANCED ON THE BOARD’S 4-0 CONSENSUS: Mr. Rolan introduced discussion of Map 5 saying it was “. . . created [by NDC] from Maps, 1, 2, and 3 *in response to the public comment about Cypress*, similar to Map number 4.” While there was some board discussion, with trustees Williams, Barke and Sparks liking it. Trustee Gomez said she didn’t like it but would agree to its “forwarding.” Thereafter the all agreed to advance Map 5 along with Map 4 for possible approval on December 8th.

--- DID THE BOARD ALSO GIVE NDC/JOHNSON AN *OPTION TO AMEND MAP 5*?: There was a quick and *curious* discussion regarding “*tweaks*” (aka, amendments?) to Maps 4 and 5 prior to the December 8th meeting. Trustee Sparks said “We are going to make little tweaks to [Map 4], not big tweaks. Because [Map] 5 is...” (Trustee Sparks was interrupted and didn’t finish her thought).

Trustee Williams then offered “I don’t know what Doug [Johnson, the maker of Map 5] is going to do as far as the *tweaks*.” Then he added “[Johnson] will look at the numbers and stuff too. He looks at all the data. . . . *I have no idea what he is going to do*.” “Will he be able to turn it around in two days?,” asked Sparks. Rolan said he didn’t know but would find out. [See, 12/1/21 Meeting transcript, p. 48].

[NOTE: In the end it appears there was no tweaking to Map 5. Moreover, to be clear, Map 4 was not tweaked either. No Map 4A was submitted or posted. But the point is clear: Williams and NCD – who submitted maps based on *an assertion of Cypress resident* support -- were given an option to amend and resubmit their maps when other map makers – those having NO knowledge of the Cypress-issue -- never received an offer or opportunity to amend and resubmit. Instead, they were eliminated. Period.]

--- MAPS 6, 7 AND 8 WERE REJECTED FROM ANY FURTHER CONSIDERATION: No one appeared as a mapmaker or as an advocate for either Maps 6, 7 or 8. Neither did any public speakers come forward in support of any of them. There was no mention of any email messages in support of any one of the three. There was considerable discussion but ultimately, no trustee supported any further consideration of any of those three maps. They were eliminated. [See: 12/1 transcript, pp. 49-52]

--- **MAP 9 OPENING DISCUSSIONS:** Trustee Sparks began with the same concerns she'd previously raised regarding every map discussed. She seemed, at every turn, to have believed the size of her District 5 representation was being unfairly or disproportionately reduced/shrunk. "My only concern with Option 9 is, *again*, similar to my other earlier concerns, I lose, in the inland part, I lose about 5-8% of my current area, Laguna Woods and Lake Forest. *I also lose Costa Mesa* representation. It looks like maybe 3-5%. I can't tell exactly, and I'm not gaining anything," she said, "... that part of it, I don't really love."

Attorney Rolan then added to the Map 9 discussion by mentioning its population demographics. "[T]here's a 2.18% deviation, about 14,000 voters and I guess it's the Asian American demographic has only 28.6%²² so that's something," he said. Trustee Williams then *corrected* Rolan: "[I]t's 25%. That's what Doug [Johnson] gave us" ... whereupon, Trustee Gomez spoke saying ... [See: 12/1/21 Meeting transcript, p. 52]

---- "WAIT A MINUTE, WAIT A MINUTE. WAIT A MINUTE." TRUSTEE GOMEZ ASKED "DOUG [JOHNSON] GAVE YOU SOME INFORMATION THAT WE DON'T HAVE?": The long and short of this back and forth is as follows: [See: 12-1 transcript, pp. 52- to about 55 for the complete dialogue]:

Background. Recall, the board never made available to the public via its website access to, or as an attachment to the meeting agenda, Map 9's reconfigured population data using the board's/NDC's preferred and used *software*. That software appears to be identified as 2021 Caliper for mapping and Maptitude for population and demographic data presentation. Neither did it mention there would be any issue in the event public members submitted maps and data using software other than 2021 Caliper and Maptitude..

Additionally, at various times from May through November board members and their attorney, Mr. Rolan, suggested the *board would do everything possible to assist public mapmakers, including making the preferred software available online*. In any case, that *never* happened; none of the publicly made maps submitted on or before November 12th used either 2021 Caliper and Maptitude formatted graphics or data. That made them difficult, if not impossible, for population data comparison.

To be clear: All maps and data submitted for public and board review were *posted* – not using 2021 Caliper or Maptitude – but in *the format* the makers had available to them and employed.

However, it became clear during this meeting that board members were given – *actually had in hand* – Map 9 configurations and data the *public never had knowledge of or access to*.

The Bottom Line: What Trustee Gomez pointed out was that apparently at, *or just prior to* the 12/1 meeting, board members were given copies of the map Dr. Johnson had showed on screen as Map 9 when he said "*we simply processed it.*" Once again, that screened Map 9 was presented using 2021 Caliper software. [See: 12/1 meeting video,

²² Here Mr. Rolan states a Map 9, District 2, Asian population number of 28.6%. That number came from Mr. Wright's Map 9 population chart. But, once the data was reprocessed by NDC, that figure was said to be 30%.

at abt. 3:08:30] But board members also had, *in hand*, Map 9's reconfigured data. Later in the meeting Associate Superintendent Boyd confirmed on the record that the "processed" or reformatted Map 9 and data (which was not shown in the Johnson video) were given only to board members in "your red folders," she told them. [See: 12/1 transcript, p. 52]

That is, board members alone were given Map 9 *population data* presented using Maptitude software. That document provided much more data, in a unique format; data and presentations the public ever knew of; had never been given access to. Since neither mapmaker Wright nor any Map 9 supporters had even seen the NDC Map 9 Maptitude data, they had no opportunity to compare and raise questions regarding any numerical or other data differences from that Wright had tendered.

Finally, and in addition, *the board* also had been given a copy of a chart ²³— one entitled Demographic Comparison -- that Douglas had presented onscreen. It showed key data comparisons between Maps 1, 2, 3, 4, 5, 9 and 10. Once again, public members no had access to this helpful chart either. Yet it was referred to and relied upon – and in particular the District 2 25% Asian number -- by the board in coming to its evaluation and elimination of Map 9. In what seems a twist of irony, the board members and attorney Rolan ultimately agreed that this new information "*should be*" posted on the website. There's no evidence that ever happened. But most importantly, in the end, posting it was too late to have made any difference to the public members supportive of "forwarding" Map 9.

[NOTE: To its credit, once this deprivation had been revealed, OCDE staff scrambled, made and distributed copies of the reformatted Map 9 and its attendant data to everyone in the 12/1 audience. HOWEVER, that was *long after all public comment opportunities were closed*. Through no fault of OCDE leadership, that distribution came too late to aid Map 9 supporters and commenters.]

--- **MAP 9 ELIMINATED; THE VOTE, 3-1:** Trustee Williams next spoke of his Map 9 sentiments; his several disqualifying concerns. First, he said, "the *big part of this, Cypress is not in District number 2*, it's actually in District number 4." Second, he added was "... that the Asian community in District 2 is low. *It's 25%.*"

[NOTE: Once again, Williams was likely referring to Johnson's Demographic Comparison chart, not to the NDC Map 9, District 2, Asian community number which is 30%. Why did Williams continue to mention the 25% number when he had the two differing NDC data sheets in hand? Who knows. Could be a simple oversight. While it's repetitive, its key to remember that neither Map 9's mapmaker nor its supporters had access to Johnson's chart or his reformatted, reprocessed Map 9 data sheet before his video was shown on 12/1.]

Trustee Williams next pointed out that if Map 9 were adopted, he'd live outside his district. ²⁴

When asked for her Map 9 input, Trustee Barke found troublesome that "[I]t didn't take into consideration the communities of interest with *Cypress that we heard a lot of public comments* so that's all I would comment on."

²³ The Demographics Comparison chart is shown on Memo p. 9.

²⁴ Trustee Williams' residence appears to be close but just over the boundary of Lake Forrest in the area of Silverado. While he seems to have resided at his present address when re-elected in 2020, But for some 22 years of his reported 26-year tenure he resided in Villa Park, in the heart of District 3.

[NOTE: As described above, there were 2 Cypress-interested in person public comments on 11/3; none on 12/1.]

Asked for her views, Trustee Gomez advocated that Map 9 *be forwarded* for consideration at the 12/8 meeting based on the 6 in-person public support presentations. When Trustee Sparks spoke, she repeated her claimed loss-of-area concerns, and said, *for the second time* regarding Map 9 that “. . . *I'm also losing Costa Mesa.*”

[NOTE: While it's not clear what the *present* OCBE trustee area map consists of, a review of the two *claimed* to be *the present map* -- NCD's version presented in the Johnson video or one posted on OCBE website -- there's no evidence that Trustee Sparks has EVER represented the people of Costa Mesa. Accordingly, it's not clear how she could have thought she would be losing Costa Mesa.]

Finally, attorney Rolen returned to Trustee Barke and asked *how she'd vote on Map 9* -- forward it or eliminate it? “I don't know. I'll stay out of it,” Barke said first, then added she won't support Map 9 “. . . *because of Cypress.* That was a big community interest, and I think *despite* the hearing and *hearing people* tonight, I counted, and there were *six people that liked Map 9*; but there were *over 50 letters, if not more, that wanted Cypress in District 2*, so *I will go with the data.*” Map 9 was eliminated on a 3-1 vote.

--- **MAP 10.** AFTER MEMBER DISCUSSION, AND THERE BEING NO MAPMAKER PRESENT AND NO PUBLIC COMMENT SUPPORT, MAP 10 WAS ELIMINATED. THE VOTE, 4-0: During discussion, Trustee Sparks said Map 10 “. . . makes no sense to me . . . it's crazy. Yeah.” Trustee Williams opined that it was “political gerrymandering” and that he was “not be in favor of [its] advancing.” Neither did Trustee Gomez agree it should be advanced. Finally, Trustee Barke recommended “. . . let's just make it a consensus and just not support it.” All agreed. [See: 12/1/21 meeting transcript, p. 57]

--- THE BOARD SET DECEMBER 8th AS THE DATE TO MAKE ITS FINAL REDISTRICTING DECISION: The board had previously, and at various times, discussed the need for a special meeting prior to its next regular meeting, set for January 5, 2022. They chose to meet one week later, on December 8th.

--- TRUSTEE GOMEZ ASKED FOR THE CLARIFICATION OF THE *FORWARDING FOR FINAL CONSIDERATION* PROCESS; SHE QUERIED, WHAT'S THE ROLE AND MEASURE OF PUBLIC INPUT?:

Trustee Gomez began by commenting that the board had received “a lot of emails” about Cypress, and then asked: “So, are we saying that *if we got 50 plus emails to support Map 9, we would consider Map 9?* . . . I'm asking the question because that's what, okay, so here we are listening to the public on those maps. Yet we've got people here supporting Map 9, and we're not listening to them. That's my point. . . I mean, we got a lot of different people who are supporting Map 9. *I would be very hesitant to not push Map 9 forward for purposes of discussion and consideration.*”

Trustee Williams responded that “. . . we take into consideration public input, *the total input*, and there's a lot of moving parts to the decision-making process here. We have to meet the letter of the law, the Voting Rights Act, we have the traditional redistricting principles. . . . I don't know [Map 9 submitter] Billie Joe Wright probably sounds like he's a very good human being. If we'd probably go out and beer and enjoy each other's company. [B]ut [the] data is *real bad for the Asian community, which should be preserved in District 2.* You know, we have *Cypress . . . which is important to Mari here.* And then, [under Map 9] I'm termed out. . . . We, as the board, make the decision. We don't send this to the people and our constituents to vote on this. This is a map that the board creates. We're *going to be submitting it out of courtesy and difference* to the County Committee on December 10th, so we have just one week left to make that decision.”

--- TRUSTEE GOMEZ ASKED ATTORNEY ROLEN FOR CLARIFICATION RE: THE COUNTY COMMITTEE ON SCHOOL DISTRICT ORGANIZATION AND FINAL MAP APPROVAL: “I think the County Committee has the final approval or say so on the maps. They could potentially. . . have the final say if they were to tweak a map or approve a map that was submitted to us, but we didn't push forward? For instance, could the County Commission come back and say, ‘We like Map 3,’ that none of us liked,” Trustee Gomez said before asking: “...could that happen?” Importantly/noticeably, attorney Rolén answered with “*I'm hesitant to discuss things that were discussed in closed session.*”²⁵

Gomez persisted: “I'm asking the question. Can the County Committee make a change like that? Could they pick another map that has been submitted to us, but we didn't move forward?” Rolén answered: “That's an unsettled legal issue, but the County Committee would have to comply with the, not only the will of the board, but also all the parameters of Education Code Section 1002. . . .”

Gomez persisted: “So, if there was a map that we didn't move forward. . . [For instance,] [w]hat if the [Committee] decides they like Map 3? Could they support Map 3 and approve Map 3?” “*They could try,*” Rolén answered. Then Trustee Williams stepped in: “That would not be precedent. . . . The precedent is the board in 2001. . . and in 2011 . . . selected the map and it went to the County Committee and the county approved. That's the precedent.” “But, legally, could they approve another map? That's my question, from a legal standpoint,” Gomez asked. Rolén again said “*They could try. That's a dead-bang, accurate legal answer. Because, they may be subject*

²⁵ Three items were listed on the December 1st closed meeting agenda; all relating to pending and anticipated litigation. The two pending cases involved include a 2019 case, OCBE v. Al Mijares and Tony Thurmond and a 2021 case (but dismissed by the court on August 8, 2021 – 8 days after it was filed) which was a petition to the California Supreme Court to stay or limit Governor Newsom's COVID-10 emergency powers. The third, was entitled “Conference with Legal Counsel- **Anticipated Litigation** ... 1 case.” Since Trustee Gomez was asking about the legal powers and authority of the County Committee on School District Organization, it appears likely that Rolén was referring to a closed session, “anticipated litigation,” matter involving redistricting and the CCSDO. That “surmise” seems to be borne out by the OCBE's December 8th Resolution on the County Board of Education Redistricting Plan. That Resolution may be viewed at:

https://ocde.us/Board/Documents/Resolutions_2020-21/21-21%20Resolution%20on%20County%20Board%20Of%20Education%20Redistricting%20Plan.pdf

to a lawsuit if they deviated from the will of the board or the Voting Rights Act, so simply put, *they cannot exercise their discretion in my view, in my humble legal opinion. They can't exercise their discretion willy-nilly.* They're constrained by the statute.” Back comes Gomez: “. . . I'm just saying if there's a map that was presented, that was legally compliant within the deviation, and came in compliance with the Voting Rights Act, could they select and approve another map?” Rolen said a quick “I don't believe so,” then announced that the redistricting public meeting was closed. [SEE: 12/1 transcript, pp. 60-62; 12/1 meeting video, at abt. 4:20:00- 4:22:50.]

DECEMBER 8: AT THIS MEETING THE BOARD, HEARD A NDC PRE-RECORDED VIDEO, TOOK PUBLIC COMMENTS, HELD DISCUSSIONS, THEN VOTED 3-1 TO APPROVE NDC'S MAP 5.

PREFATORY NOTE RE: FINAL MEETING AND THIS MEMORANDUM'S INTENT

Because this Memorandum has focused on the presenter's assertion that board's entire process, between May 5th and December 1st, was irreparably flawed by its lack of due process and its failure to provide for adequate and respectful public input, the description of the board's discussion and decision to favor Map 5 over Map 4 will be only summarily covered. In this Presenter's view, the irreparable due process damage was done before the December 8th meeting.

Rather – consistent with goal of providing the Committee with a full redistricting process history -- there will be an abbreviated presentation of some public comment which – *futilely* – sought the board's reconsideration on its December 1st elimination of Map 9.

Finally, the Memorandum's author reiterates that this work is not about support for Map 9 or any other submitted map.

Very simply: This Memorandum's focus is about the board's relentless and knowingly unfair dismissal of its duties: Its duties of temporal and substantive diligence, of consideration of and assistance regarding public input, and, most importantly, of democratic, fundamental due process.

At this Memorandum's conclusion the only issue here is this: Does the evidence presented support the conclusion that the board's conduct throughout this process so irreparably damaged the redistricting process and outcome that the County Committee on School District Organization has the unquestionable authority and duty to set aside the OCBE's recommendation, exercise its discretion, and thereafter make its own determination as to the proper OCBE trustee district boundaries for the next decade?

This Memorandum recommends nothing more than that a complete *de novo* review by the Committee is justified, if not mandated, based on the evidence presented. If, after full consideration Map 5 as submitted is the Committee's preference, so be it. But the Committee too, under the above set of facts,

must be afforded discretion to modify Map 5, choose any of the other of the Maps submitted or create something entirely, but complying, new.

--- AFTER WAITING FOR AN HOUR FOR THE MEETING TO BEGIN, THE BOARD EMERGED TO BEGIN THE REGULAR SESSION. THEN, FOLLOWING THE OPENING PRAYER, ATTORNEY ROLEN READ INTO THE RECORD A 13-MINUTE “RESOLUTION ON [THE] COUNRTY BOARD OF EDUCATION’S REDISTRICTING PLAN:” While the OCBE’s posted agenda stated the meeting would begin at 4:00 p.m. with a closed session, it did not list a time for the commencement of the regular session. Accordingly, many public members, having no other information, showed up at 4:00 p.m. only to be told the board would leave for closed session and return “in one hour.”²⁶

Following the Christian prayer/invocation, Mr. Rolan was called upon to report on the closed session agenda item listed on the agenda as “Conference with Legal Counsel - *Anticipated Litigation*”. He said that during the session, the board approved, 3-0-1, a Resolution which he then, over a 13-minute period, read aloud and into the record. Of note was the fifth “therefore” saying, in general, that the OCBE has made no request to the County Committee of School District Organization under Ed. Code Sec. 1002(a) that it (1) change any boundaries, (2) increase or decrease the number of board members, or (3) otherwise take any action under Ed. Code 1002(a). [See: 12/8/21 Meeting video, at abt. 1:07:55- 1:20:55; Meeting transcript, pp. 3-7; View Resolution online at link:

https://ocde.us/Board/Documents/Resolutions_2020-21/21-21%20Resolution%20on%20County%20Board%20Of%20Education%20Redistricting%20Plan.pdf]

--- NDC’S DR. JOHNSON APPEARED BY PRE-CORDED VIDEO; HE REVIEWED MAPS 4 AND 5: As he did on November 3rd and December 1st, NDC’s Dr. Douglas Johnson appeared via pre-recorded video; it lasted 7.5 minutes. He first reviewed redistricting requirements and standards, showed images of both maps under consideration, Maps 4 and 5, and then screened a new Map 4 and 5 Demographics Comparison chart.²⁷

²⁶ This announcing, after a 4 p.m. timely arrival, that the board would begin its “open session” in an hour likely appears to be just another *piddling irritation to Presenter here*. True. But that said, it’s simply, in my view, another – and consistent – example of the board’s polarized/political disrespect for some OCBE meeting attendees. And, interestingly too, only supporters of Map 9 arrived at 4 p.m. Those public attendees intending to support either Maps 4 or 5, or those praising the board for its support of parental rights re: COVID mandates, etc. – some 10-15 of them -- came into the board room much closer to 5 p.m. Was that just their good luck? Yes. I found that troubling, irritating and consistent with the board’s often similar conduct toward some public attendees. In retrospect, it also seems reminiscent of the board’s and its attorney’s conduct at the Committees December 10th meeting. Disrespectful. Condescending. Presenter understands that the remedy for poor board conduct is at the ballot box. But while the game is on, attentive public members should “call-*em* as [they] sees-*em*.”

²⁷ See: This Memo, p. 12.

[Note: The Demographics Comparison chart was neither previously available to the public nor posted with the meeting agenda. Only board members had this document before and during the meeting.]

Again, Johnson's presentation, being graphics-driven and data rich is not amenable to a brief summary. And while he made no particular recommendation, Dr. Johnson did point out that Map 5 had no population deviation between Districts, and had a 1% higher Asian population in District 2 than did Map 4. [See: 12/8/21 Meeting video, at abt. 1:23:15- 1:30:45; Meeting transcript, at pp. 8-9.]

--- NDC REPRESENTATIVE JUSTIN LEVITT MADE AN IN-PERSON PRESENTATION; HE TOOK BOARD QUESTIONS FROM TRUSTEES WILLIAMS AND GOMEZ: Early in the meeting, Trustee Williams asked about Dr. Johnson's November 3rd comments regarding publicly provided maps. More particularly, that "when NDC provides services to *cities*," Williams said, it would actually "take that [public provider's] data and create the information." Williams suggested his understanding from Johnson was that "[t]here was actually applications that you can download *in the cities* you were able to take that data and create the information. There was actually applications that you can download."

[NOTE: While the language is a bit unclear, Williams appears to question or comment that NDC was able to, and did, provide NDC-analyzed and presented population data for public-made maps *for city clients*, but had not provided/applied the same map graphics and data presentation services to public maps submitted to the OCBE].

Trustee Gomez had previously told the board, Williams said, that during the Tustin City Council redistricting meetings some public members submitted maps using crayons that thereafter NDC was able to, and did, format and present population data, "but *in the county*"²⁸, Williams said, "you were unable to take these applications, take this data, take the map and *give us* [the OCBE] all of the metrics that you have given us for Maps 1, 2, 3, 4, and 5."

Mr. Levitt responded: "I'm not sure exactly what the question is: . . . [M]any cities . . . have *spent a lot of additional resources on mapping tools, some of which have been available early on*. . . . [A]lso just because of the sheer volume of jurisdictions that are looking for tools, a lot of the companies and vendors that are selling them are certainly prioritizing the people who pay. . . . I don't want speak for the Board of Ed., *but for most school districts that puts them well out of their price range*. . . . I would say that *all of the submissions from the public certainly contribute to our knowledge, understanding, our look at communities of interest as reflected in the maps*."

Trustee Williams then interjected: "But as far as the data for some of these maps that *we received from the public, we didn't get anything back from NDC*. I believe Doug was sharing with us that *he just didn't have the tools to do that*. Could you comment on that?"²⁹

²⁸ While it's unclear, Presenter surmises that Trustee Williams was not taking about other Orange County redistricting efforts, but about the O.C. Board of Education's redistricting efforts.

²⁹ While Williams' comment that "we didn't get anything back from NDC appears to have been true regarding public submitted Maps 6, 7, 8 and 10 (none of whom, I repeat, after they submitted maps never appeared to support their work; whose maps never received supportive public comments.) As to Map 9, however – and as discussed above -- the record reflects that *board members* did indeed receive a NDC- processed, "reformatted" or reconfigured Map 9 and also copies of the recreated/

“... I'm not sure exactly what you're referring to. I know that *we did receive community input that went into the maps*³⁰, but unfortunately creating and analyzing each map for demographic, for the full demographic spreadsheet, was not feasible given the time constraints that we were under,” Levitt said.

Trustee Gomez – who, during the November 3rd meeting, raised concerns regarding *the publics' timely access to mapping and data analyzing tools*, and asking what the board's and NDC's requirements for public map submission were – followed up on Williams' query. “[Are you] saying that we [the board and/or NDC] were *not able to provide the same data on all the maps that we did on the first few maps that were submitted?* Is that what you're saying?”

“I believe so”³¹ said Levitt. “[S]ome of the maps ... we could very easily tell were not population balanced.... [W]e don't want to spend a lot of time focusing ... on maps that are not able to be adopted for legal reasons.”

Switching topics, Gomez then asked NDC's Levitt about communities of interest in reference to Map 4 and Map 5. “Can you tell me *how many school districts were split* in these maps?” “I don't have that number...,” Levitt answered. Gomez followed up: “Can you tell me *how many cities were split* in these maps?” “*I can get that information quickly*,” Levitt said. The then followed saying that “Anaheim is split in both maps. Santa Ana is split in both maps. Tustin is not split in Map 5, but is split in Map 4. Garden Grove is split in Map 4, but not in Map 5. Huntington Beach and Orange are *both split in both maps*. Irvine is *split in both maps*, and I believe those, those are the only cities that are split.” [See: 12/8 meeting transcript, p. 12]

--- ATTORNEY ROLEN OPENED THE PUBLIC HEARING WITH *ANOTHER* RECITATION OF THE BOARD'S STEP-BY-STEP REDISTRICTING PROCESS: This recitation appears to have been a 3-minute version of his earlier reading of the board's redistricting Resolution. [See: 12/8 Meeting Video, at abt. 1:42:00 – 1:45:00; 12/8 Meeting Transcript, pp. 13-14].

--- THE PUBLIC HEARING aka PUBLIC COMMENTS: Six speakers rose in support of Map 5. None spoke in support of Map 4. Five speakers appeared and asked the board to *reconsider Map 9* and the newly presented Map

re-represented Map 9 population data prior to the December 1st meeting. It was the public that NEVER received the re-presented Map 9 and data until after the public comment period was closed. Accordingly, the public had no opportunity to examine, compare or comment on the additional data provided.

³⁰ It's unclear what Levitt meant by NDC having received “... *community input that went into the maps.*” There was, apparently, no community input considered in NDC's Maps 1, 2 and 3. They were presented before there was any public comment re: redistricting. Accordingly, the only “community input” NDC likely received would have from the 2 Cypress-concerned speakers on 11/3 and the *purported* 50+ Cypress-supporting emails Williams and Barke spoke of on 12/1. And, as discussed above., none of the content of those purported email messages were published on the OCBE website; neither have they ever been made available to the public by the OCBE notwithstanding its 12/3/21 receipt of Public Records Request. To date, the OCBE has NEVER responded to that CPRA request. Copies of those Cypress-supporting emails *were provided* to a member of the public, however, following a Records request, from the OC Department of Ed in the afternoon on December 6th.

³¹ But, recall that Trustee Williams' Map 4 and data were presented on December 1st. Both were presented using the same map and data software process used and preferred by NDC. Perhaps Trustee Williams had independent access to 2021 Caliper and Maptitude software. But if not, one must ask: If William's Map 4 could be processed by NDC, then why not afford the same privilege or assistance to the public map makers?

9A (a map amended to move Cypress into District 2 from District 4). In general, they argued that Map 9's elimination from final consideration had been, *per se*, unjust.³² They also reminder the board that after Map 9 had been eliminated on December 1st, the makers of Map 4 (Trustee Williams) and Map 5 (NCD) were afforded an opportunity to adjust or amend their maps prior to their final consideration on December 8th while Mr. Wright, the maker of Map 9, *was not afforded a similar opportunity*. In fact, since the public comment and Public Hearing periods had ended, he was not even permitted to speak even to ask for an opportunity to amend.

--- THE GOMEZ-WILLIAMS *CLOSING COLLOQUY*: (paraphrased) "THE OCBE REDISTRICTING PROCESS WAS A DISSERVICE TO THE PUBLIC; THEIR COMMENTS HAVE BEEN DISMISSED" *VS.* "WE HEARD EVERYONE, DISMISSED NO ONE; WE DIDN'T CAUSE THE RUSHED PROCESS; WE DID EVERYTHING RIGHT": After it was *moved and seconded* that Map 5 be approved, Trustee Gomez said "... [A]s I said at the last meeting ..., I think we are doing a huge disservice to the public who did *not have enough time to look at these maps, and we did not get all the data*. ... [T]his has been a very rushed process. *I don't think we allowed enough time for the public to see all the maps and to see all the data*. I'm concerned that *we did not push forward Map 9*. . . . It's very disappointing to me. It's very disappointing to members of the public. This board has said when people show up to meetings, it's important. I think these people did that [and] expressed support from Map 9. Yet, *we are dismissing their comments*, so I will not be supporting Map 5.

"No one is dismissing anybody," Williams responded. "No one is dismissing. No one is disparaging anyone. We heard everybody. We gave our reasons. That is well documented . . . I don't think it was a rushed process that we caused. This was a process that was constrained by time and COVID. I think, the [OCBE Redistricting] [C]ommittee that we formed went through this appropriately, and thoughtfully, deliberately. We sought legal counsel. We obtained the best demography group around. You know, maps are controversial and difficult, because not everybody's going to agree. There's a *lot of information* that was *shared tonight* that is just *blatantly false*. *Map number 4-A was requested by my colleagues here. It never went forward*, because there was no time to do it. I don't think that this was prejudice. *I don't think this was unfair*. Was it ideal and perfect [?], not because we didn't want it. *It's just because of the circumstances*. That's my comments."

--- THE BOARD VOTED 3-1 TO APPROVE MAP 5. Williams, Barke and Sparks voted Aye. Gomez, No.

Respectfully submitted.

³² As discussed and documented above, when Map 9 was submitted on November 12th neither its maker nor any public member knew of the 50+ Cypress supporting emails. Consequently, they could not have knowledge that the board would decide on December 1st that because Map 9 showed Cypress in District 4 rather than in District 2 (as had NDC's Maps 1, 2 and 3) it would be eliminated with no opportunity to amend.

**SECTION B: ORANGE COUNTY BOARD OF EDUCATION
MEETINGS/INFORMATION**

NO	DATE	DOCUMENT	DESCRIPTION
1.	5/5/21	Agenda/Minutes/Transcript	2021 Board Census Presentation by Greg Rolén
2.	6/2/21	Agenda/Minutes/Transcript	Board Action on Redistricting Contract with National Demographics Corporation (NDC)
3.	6/16/21	Agenda/Minutes/Transcript	Redistricting Committee Appointment
4.	8/4/21	Agenda/Minutes/Transcript	Redistricting Presentation by OCBE Redistricting by Doug Johnson, NDC
5.	10/6/21	Agenda/Minutes/Transcript	Update on Redistricting
6.	11/3/21	Agenda/Minutes/Transcript	Redistricting Presentation and Proposed Map Option 1, Option 2, Option 3 by Greg Rolén and Douglas Johnson Public Hearing on OCBE Redistricting
7.	12/1/21	Agenda/Minutes/Transcript	Redistricting Update by Douglas Johnson & Greg Rolén Public Hearing on Redistricting Map Options 1-10
8.	12/8/21	Agenda/Minutes/Transcript	Public Report of Action Taken in Closed Session Redistricting Update by Douglas Johnson and Greg Rolén Redistricting Public Hearing on Redistricting Map Option 4 and Map Option 5 Final Board Approval 2021 Trustee Districts

9.		Emails	Public Comment sent by email to Orange County Board of Education regarding Cypress.
10.	1/5/22	Agenda	Conference with Legal Counsel-Anticipated Litigation Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9.

7



MINUTES
Regular Meeting
December 1, 2021

ORANGE COUNTY BOARD OF EDUCATION
MINUTES

WELCOME

CALL TO ORDER

The Regular Meeting of the Orange County Board of Education was called to order by Board President Barke at 4:05 p.m., December 1, 2021 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via YouTube live stream.

ROLL CALL

Present:
Lisa Sparks, Ph.D.
Ken L. Williams, D.O.
Mari Barke

Absent:
Rebecca "Beckie" Gomez (arrived at 4:15 p.m.)

AGENDA

Motion by Sparks, seconded by Williams, and carried by a vote of 3-0 to approve the agenda of the Regular meeting of December 1, 2021.

MINUTES

Motion by Williams, seconded by Sparks, and carried by a vote of 3-0 to approve the minutes of the November 3, 2021 Regular Board Meeting.

PUBLIC COMMENTS (related to Closed Session)

- Lynne Riddle – Closed Session #2

The Board took a recess to go into closed session from 4:08 p.m. to 4:58 p.m. Trustee Gomez joined the closed session at 4:15 p.m.

CLOSED SESSION 1

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Orange County Board of Education v. OC Superintendent of Schools, Al Mijares, and State Superintendent of Public Instruction, Tony Thurmond Case No 30-2019-01112665-CU-WM-CJC - Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 2

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION- Orange County Board of Education v. Newsom Case Number S270319 - Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (1 case)

INVOCATION

Rabbi David N. Young (Virtual)
Congregation B'nai Tzedek
9669 Talbert Ave

Fountain Valley, CA 92708

PLEDGE

Tim Shaw

Closed Session Report Out Mr. Brenner reported, for Closed Session 1, the Board received an update from counsel. No action was taken with the exception of the approval of an Epstein, Green & Becker invoice #108102, dated November 30, 202, by a vote of 3-0 (Williams, Barke, and Sparks voted Yes; Gomez Absent). For Closed Session 2, the case number was corrected to reflect case #30-2021-01233170 that was filed with the Orange County Superior Court on November 23, 2021. The board had a discussion. No action was taken. For Closed Session 3, the Board received an update. No action was taken.

Comment Board President Barke made a statement regarding her affiliation with the Orange County Classical Academy (OCCA) and recused herself from all discussions regarding the OCCA.

INTRODUCTIONS

None

CHARTER SCHOOLS

1. Charter submissions – None
2. Charter School Public Hearing – Oxford Preparatory Academy – Saddleback Valley Material Revision - Aracely Chastain, Director, Charter Schools, facilitated the public hearing.
 - Amy Kernan, Executive Director
3. Charter School Public Hearing – Orange County Classical Academy II - Countywide Charter School Petition - Aracely Chastain, Director, Charter Schools, facilitated the public hearing.
 - Semi Park, OCCA Lead Petitioner
 - Helen Suhr, OCCA Headmaster
 - Lucas Garcia, OCCA Student
 - Janelle Ruley, Legal Counsel

PUBLIC COMMENTS (OCCA Only)

- Skylar
- Eddie
- Lisa
- Madison
- Yesenia
- Mike
- Kristen
- Drew
- Dawna
- Rafael
- Sukhi
- Rebecca

- Roy
- Tina
- Joel

The Board took a recess from 6:27 p.m. to 6:42 p.m.

PUBLIC COMMENTS (General)

- John Nielsen, CRT Survey
- Madison, Item #6

CONSENT CALENDAR

4. Motion by Williams, seconded by Sparks, and carried by a vote of 4-0 to approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
5. Motion by Williams, seconded by Sparks, and carried by a vote of 3-1 (Williams, Sparks, and Barke voted Yes; Gomez voted No) to approve invoice #3248331 in the amount of \$566.10 and invoice #3248332 in the amount of \$19,208.50 for Haight, Brown & Bonesteel LLP.

BOARD RECOMMENDATIONS

6. Motion by Williams, seconded by Barke, and carried by a vote of 3-1 (Williams, Barke, and Sparks voted Yes; Gomez voted No) to adopt a resolution Insisting for State Officials to Recommend and Not Require the Covid-19 Vaccine for Students and Staff.
7. Redistricting Update - Douglas Johnson & Greg Rolen
 - Video presentation
8. Redistricting Public Hearing #2 – The public hearing was opened at 7:10 p.m. for public input.

PUBLIC COMMENTS (Redistricting)

- Andrea
- Libby
- Natalie
- Debbie
- Rona
- Billie Joe
- Lorrie
- Linda

The public hearing was closed at 7:23 p.m.

Mr. Rolen facilitated the discussion on the ten map options. The following actions took place:

- By consensus of the full board, map options 1, 2, and 3 would not move forward for consideration at the December 8, 2021 Special board meeting.
- By consensus of the full board, map options 4, 5, and an additional map 4A moved forward for consideration at the December 8, 2021 Special board meeting.
- By consensus of the full board, map options 6, 7, and 8 would not move forward for consideration at the December 8, 2021 Special board meeting.
- By a majority vote of 3-1, map option 9 would not move forward for consideration at the December 8, 2021 Special board meeting. Williams, Sparks, and Barke voted against and Gomez voted in favor of moving forward map option 9 for consideration.
- By consensus of the full board, map option 10 would not move forward for consideration at the December 8, 2021 Special board meeting.

STAFF RECOMMENDATIONS

9. Presentation and Public Hearing (OCDE ACCESS and Special Schools) – Renee Hendrick, Associate Superintendent facilitated the presentation and public hearing regarding the Educator Effectiveness Block Grant for the Orange County Department of Education’s Alternative, Community, and Correctional Education Schools and Services (ACCESS) and Special Schools.

The public hearing for public input was opened at 8:15 p.m. There being no input from the public, the hearing was closed at 8:16 p.m.

10. Presentation and Public Hearing (CCPA) – Renee Hendrick, Associate Superintendent facilitated the presentation and public hearing regarding the Educator Effectiveness Block Grant for the College and Career Preparatory Academy.

The public hearing for public input was opened at 8:21 p.m. There being no input from the public, the hearing was closed at 8:22 p.m.

11. Motion by Williams, seconded by Sparks, and carried by a vote of 4-0 to approve revisions to the annual budget in excess of \$25,000 as per Education Code Section 1280. These revisions have been included in the Second Interim Report that is certified Positive by the County Superintendent of Schools.

INFORMATION ITEMS

ANNOUNCEMENTS

Superintendent

- OC Pathways Showcase
- CEO Leadership Alliance
- Golden Bell Award
- Collaboration with OC District Attorney – truancy intervention
- Native American Heritage Month Celebration
- National Blue Ribbon School Program- Christy Flores, Principal, Davis Magnet School, Newport-Mesa USD

Deputy Superintendent

- Next board meetings: December 8th Special meeting, posting and delivery on Friday, Dec. 3rd and December 21st Special meeting regarding 4th District trustee appointment; next regular board meeting is Wednesday, January 5, 2022 at 5:00 p.m., submission deadline is December 17th, delivery on December 29th.
- Office closed: December 23, 24, 30, 31

COMMUNICATION/INFORMATION/DISCUSSION

- New School Update - Renee
- Rancho Sonado Update - Renee
- Vacancy 4th District Update – Trustee Williams

COMMITTEE REPORT

- Website – Trustee Williams
- OCSBA, CSBA – Trustee Gomez

BOARD MEMBER COMMENTS

- Trustee Gomez- Delegate Assembly at CSBA Conference, Dec. 1st – Dec. 4th, OC School of Arts tour, Scholarship Prep Groundbreaking, Native American Heritage Month
- Trustee Gomez requested the board move map option 9 forward for consideration at the December 8th special meeting, with revisions concerning Cypress and Los Alamitos.
- Trustee Barke- Middle Tree, Scholarship Prep Groundbreaking
- Trustee Sparks- Orange County Classical Academy Visit

PUBLIC COMMENTS


None

ADJOURNMENT

On a motion duly made, and seconded, the board meeting of December 1, 2021 adjourned at 9:09 p.m.



 Nina Boyd
 Assistant Secretary, Board of Education



 Mari Barke
 President, Board of Education

Next Special Board Meetings: Wednesday, December 8, 2021 & Tuesday, December 21, 2021
 Next Regular Board Meeting: Wednesday, January 5, 2022 at 5:00 p.m. All meetings will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 with limited seating and via YouTube live stream.

Individuals with disabilities in need of copies of the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Darou Sisavath, Board Clerk at (714) 966-4012.

8



MINUTES
Special Meeting
December 8, 2021

ORANGE COUNTY BOARD OF EDUCATION
Special Meeting Minutes

WELCOME

CALL TO ORDER

The Special Meeting of the Orange County Board of Education was called to order by Board President Barke at 4:01 p.m., December 8, 2021 in the Board Room, 200 Kalmus Drive, Costa Mesa, California and via YouTube live stream.

ROLL CALL

Present:
Lisa Sparks, Ph.D.
Ken L. Williams, D.O.
Mari Barke
Rebecca "Beckie" Gomez

(*) AGENDA

Motion by Williams, seconded by Sparks, and carried by a vote of 4-0 to approve the agenda of the Special meeting of December 8, 2021.

(*) MINUTES

None

PUBLIC COMMENTS

No public comments regarding the closed session.

The Board took a recess to go into closed session from 4:02 p.m. to 4:59 p.m.

CLOSED SESSION

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION
Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9:
(1 case)

INVOCATION

Lorrie Kaylor

PLEDGE

Trustee Sparks

Comment

Acknowledgment of Orange County Sheriff's Department by Trustee Williams.

Closed Session Report Out

Mr. Rolen reported, for Closed Session, the Board received information on a matter of potential litigation and directed the reading out of a resolution regarding Redistricting that was approved by a vote of 3-0-1 (Williams, Barke, and Sparks voted Yes; Gomez Abstained). The resolution was read by Mr. Rolen into the record.

STAFF RECOMMENDATIONS

1. Motion by Williams, seconded by Barke, and carried by a vote of 4-0 to approve the Educator Effectiveness Block Grant for the Orange County Department of

Education's Alternative, Community, and Correctional Education Schools and Services (ACCESS) and Special Schools.

2. Motion by Williams, seconded by Sparks, and carried by a vote of 4-0 to approve the Educator Effectiveness Block Grant for the College and Career Preparatory Academy.

BOARD RECOMMENDATIONS

3. Redistricting Update – Greg Rolen and Justin Levitt
 - Video presentation by Douglas Johnson
4. Redistricting Public Hearing #3 facilitated by Greg Rolen - The public hearing was opened at 5:39 p.m. for public input.

PUBLIC COMMENTS (Redistricting)

- Libby, Map 9
- Harumi, Map 5
- Lynne, Map 9
- Dorie, Map 9
- Billie Joe, Map 9
- Miguel, Map 9
- Eddie, Vaccine Mandate
- Lorrie, Map 5
- George, Map 5
- Linda Cone, Map 5
- Linda Cameron, Map 5

The public hearing was closed at 6:00 p.m.

5. Motion by Sparks, seconded by Williams, and carried by a vote of 3-1 (Sparks, Williams, and Barke voted Yes; Gomez voted No) to approve map option 5 to be submitted to the Orange County Committee on School District Organization for final approval at their December 10th special meeting.

ADJOURNMENT

On a motion duly made, and seconded, the Special Board meeting of December 8, 2021 adjourned at 6:04 p.m.



Nina Boyd
Assistant Secretary, Board of Education



Mari Barke
President, Board of Education

Next Special Meeting: Tuesday, December 21, 2021 at 2:30 p.m.

Next Regular Board Meeting: Wednesday, January 5, 2022 at 5:00 p.m. The meeting will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 with limited seating and via YouTube live stream. Individuals with disabilities in need of copies of the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Darou Sisavath, Board Clerk at (714) 966-4012.

9

Public Comments sent by email to OCBE regarding OCBE Redistricting Plan

	Date/Time Received	From	Notes/Description
1.	Wednesday, November 3, 2021 at 8:16 a.m.	Karen Swenson	Keep Cypress with Rossmoor and Los Alamitos
2.	Wednesday, November 3, 2021 at 12:06 p.m.	Linda Keenan	Keep Cypress with Rossmoor and Los Alamitos
3.	Wednesday, November 3, 2021 at 12:23 p.m.	Tim Keenan	Keep Cypress with Rossmoor and Los Alamitos
4.	Wednesday, November 3, 2021 at 1:00 p.m.	Beth Culver	Cypress does not belong in the LA County School District
5.	Wednesday, November 3, 2021 at 1:58 p.m.	Maria Hernandez	Keep Cypress with Rossmoor and Los Alamitos
6.	Wednesday, November 3, 2021 at 2:08 p.m.	Robin Westerkamp	Keep Cypress with Rossmoor and Los Alamitos
7.	Wednesday, November 3, 2021 at 2:51 p.m.	Harumi L	Keep Cypress with Rossmoor and Los Alamitos
8.	Wednesday, November 3, 2021 at 2:52 p.m.	Clare Chu	Keep Cypress with Rossmoor and Los Alamitos
9.	Wednesday, November 3, 2021 at 3:00 p.m.	Cierra Nevada	Keep Cypress with Rossmoor and Los Alamitos
10.	Wednesday, November 3, 2021 at 3:00 p.m.	George Li	No separation of Cypress from OC Board of Education
11.	Wednesday, November 3, 2021 at 7:53 p.m.	Jeannine Childs	Keep Cypress with Rossmoor and Los Alamitos
12.	Wednesday, November 3, 2021 at 8:39 p.m.	Staci Muller	Keep Cypress with Rossmoor and Los Alamitos
13.	Friday, November 5, 2021 at 9:08 a.m.	Carrie Hayashida	Request for Links to Map
14.	Monday, November 8, 2021 at 12:09 a.m.	JoAnna C.	Keep Cypress with Rossmoor and Los Alamitos
15.	Monday, November 8, 2021 at 12:28 a.m.	JoAnna C.	Keep Cypress with Rossmoor and Los Alamitos
16.	Monday, November 8, 2021 at 9:57 a.m.	Arlene Gellerman	Keep Cypress with Seal Beach and Los Alamitos
17.	Monday, November 8, 2021 at 9:31 p.m.	Jeri Snow	Keep Cypress with Rossmoor and Los Alamitos
18.	Tuesday, November 9, 2021 at 10:27 a.m.	Carrie Hayashida	Question about Cypress
19.	Wednesday, November 10, 2021 at 12:10 a.m.	Jane Torres	Keep Cypress with Rossmoor and Los Alamitos
20.	Thursday, November 11, 2021 at 12:14 a.m.	Harchris	Keep Cypress with Rossmoor and Los Alamitos
21.	Thursday, November 11, 2021 at 12:14 a.m.	Clare Chu	Keep Cypress with Rossmoor and Los Alamitos

22.	Friday, November 12, 2021 at 9:38 p.m.	Cierra Nevada	Keep Cypress with Rossmoor and Los Alamitos
23.	Friday, November 12, 2021 at 9:40 p.m.	Mitesh Damania	Keep Cypress with Rossmoor and Los Alamitos
24.	Friday, November 12, 2021 at 10:02 p.m.	Harumi Lucak	Keep Cypress in District 2
25.	Friday, November 12, 2021 at 11:56 p.m.	Harumi L	Keep Cypress with Rossmoor and Los Alamitos

Joanna Robold

From: Karen Swenson <napkaren@me.com>
Sent: Wednesday, November 3, 2021 8:16 AM
To: ocbe@ocde.us
Subject: Redistricting

Please keep Cypress with the communities of Rossmoor and Los Alamitos. Orange County communities Los Alamitos, Rossmoor, Cypress should vote with other Orange County residents. Our communities intermingle via the cultural and social thread of companionship achieved through utilization of the SAME THINGS: same sheriff /police departments, same Orange County Board of Education, same utility companies, same County mandates, same transit, same County Supervisors, same Diocese, same entertainment venues, same businesses and same desire for freedom of speech.

Karen Swenson
11752 Newbury Road Los Alamitos, CA 90720

Joanna Robold

From: Linda Keenan <linda@creativemediarecording.com>
Sent: Wednesday, November 3, 2021 12:06 PM
To: ocbe@ocde.us
Subject: Redistricting

Dear Clerk of the Board,

It has come to my attention that the **boundaries** for the **Orange County Board of Education** are being redrawn.

We strongly request that three cities that have been joined together for years are Rossmoor, Los Alamitos and Cypress remain in the same OC Board of Education district. As a Cypress resident, we have so much in common with Los Alamitos and Rossmoor and wish to remain together. We shop in each others stores, attend each others events, dine in each others restaurants.

Please do not disrupt what has worked for years.

Linda Keenan

Creative Media Recording
11105 Knott Avenue, Ste G
Cypress CA 90630
www.creativemediarecording.com
714.892.9469

Joanna Robold

From: Tim Keenan <timkeen@creativemediarecording.com>
Sent: Wednesday, November 3, 2021 12:23 PM
To: ocbe@ocde.us
Subject: Item #6 for today's Board Meeting

To the Clerk of the Board/Orange County Board of Education:

I would like to have my statement submitted to the board for review of item #6 on today's regular agenda.

My name is Tim Keenan. I'm a resident of Cypress - and a Cypress business owner and former Cypress Mayor. It has come to my attention that the **boundaries for the Orange County Board of Education** are being redrawn as a part of Census driven redistricting. The three cities in particular that have been *joined together* for years with many things in common are Rossmoor, Los Alamitos and Cypress. Now I see that they want to carve CYPRESS off of this area.

These three areas have a ton of common interests and should be kept together with the same representation. The Los Alamitos School District crosses over into Cypress city boundaries and we don't want to split up cities in this process. We share numerous events such as the 4th for JULY FIREWORKS SHOW on the Joint Forces Training Base.

In addition, City Recreation Services from Los Al & Cypress cooperate together on numerous events that are open to all THREE areas - Cypress, Los Alamitos & Rossmoor.

Please reconsider this change. Thanks for your attention.

Tim Keenan
CreativeMediaRecording.com
714 892-9469

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:10 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: Removal of Cypress from OC into LA School District

Email for Board.

From: Beth Culver <jbc3rd@gmail.com>
Sent: Wednesday, November 3, 2021 1:00 PM
To: ocbe <ocbe@ocde.us>
Subject: Removal of Cypress from OC into LA School District

Please end these Destructive redistricting shenanigans by breaking up the "sister cities" school districts. Cypress does not belong in the LA County School District. Your actions to do this are not in the interest of the families and children of Cypress, but purely self-seeking!

Cypress parent

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:06 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: please keep City of Cypress with the current OC board of education

Email for Board.

From: KeepourFreedoms <KeepourFreedoms@protonmail.com>
Sent: Wednesday, November 3, 2021 1:58 PM
To: ocbe <ocbe@ocde.us>
Subject: please keep City of Cypress with the current OC board of education

NOTICE: This email originated from outside of the United States. Please exercise caution when clicking on links or opening attachments unless you recognize the sender and know that the content is safe.

My name Maria Hernandez and I live in the city of Cypress for over 30 yrs.

The city of Cypress is part of OC board of Education district with the cities of Al Alamos and Rossmoor for as long as I remember.

We sometimes don't know where one city starts and where it ends, that's how much all three are intertwined.

Everyone of the three cities go to each other's celebrations, events and festivals. We enjoy each other's restaurants, shopping outlets, and have for years gather for the 4th of July at the Joint Forces Training Base.

Our children from these three cities, cross over each other's school district, notably Cypress kids into Los Alamos School district. For that alone the three cities should remain within the same OC School District. We are considered one unit city, even though they are three cities.

Please don't split the city of Cypress from our sister cities Los Alamos and Rossmoor School District. Please Keep Cypress within the same Orange County Board of Education District as Los Alamos and Rossmoor.

Thank you in advance for including our objection with your committee discussion

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:06 PM
To: Beckie Gomez - OCBE (rebgoomezustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbeWilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: Cypress school re-districting

Email for Board.

From: Robin Westerkamp <westerkamp@verizon.net>
Sent: Wednesday, November 3, 2021 2:08 PM
To: ocbe <ocbe@ocde.us>
Subject: Re: Cypress school re-districting

To Whom It May Concern:

I am a Cypress resident and do not want my city to be taken away from the district it is currently in linked with, which includes the city of Los Alamitos and the unincorporated area of Rossmoor. Cypress has a great school district, and I'm not even sure which cities are proposed to be linked together with Cypress in the new re-drawn boundaries. Because Cypress contains the number one school in the state, Oxford Academy, it is a feather in the cap for any district, and of course with their super high test scores, it would make other cities without such outstanding results look better than they actually are. Anyway, please do not cut Cypress from being linked with Los Alamitos and Rossmoor. The city of Los Alamitos is so closely linked with Cypress, that the "Los Alamitos Racetrack," is actually in Cypress! And Cypress pays Los Alamitos to use their cities name annually based on an agreement made about 60 years ago because at the time the city government in Cypress did not want the city to be linked with gambling! Anyway, I know many students in Cypress who attend Los Alamitos schools and vice versa. In fact, there is one area in Cypress which is on the border between Cypress and Los Alamitos where the schools the residents send their children to are the Los Alamitos schools. I have been told by realtors that those homes in that area sell for more than the identical homes in other parts of Cypress which have their students sent to Cypress schools. Years ago it was about \$10,000 more per house, but with the dramatic rise in home prices in this area, I'm sure that has doubled or even tripled. The point is that these two cities are linked together very closely. As you know, School Districts are one of the many reasons why people choose to purchase a home in a certain area. In fact, my neighbors moved here from the city of Wilmington because of the good schools we have here. Please keep Cypress with Los Alamitos and Rossmoor. We have similar demographics, and shop and use the same services such as the Los Alamitos Hospital among other things.

Thank you,
Robin Westerkamp, a long time resident of Cypress!

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:05 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbearke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: Please keep the city of Cypress, Los Alamitos and Rossmoor within the same OC board of education district

Email for Board.

From: Chris Lucak <chlucak@dslextreme.com>
Sent: Wednesday, November 3, 2021 2:51 PM
To: ocbe <ocbe@ocde.us>
Subject: Please keep the city of Cypress, Los Alamitos and Rossmoor within the same OC board of education district

My name is Harumi L and I am writing this to request to keep the City of Cypress within the same Orange County Board of Education District as Los Alamitos and Rossmoor. I live in the of Cypress for over 20 yrs and the cities of Cypress, Los Alamitos and Rossmoor are like one city.

The area run into the other to where we don't always know which city we are shopping in.

Everyone goes to each other's Festivals,. We enjoy each other's restaurants and have for years gathered for the 4th of July at the Joint Forces Training Base.

many Cypress children go to Los Alamitos Schools District , and for that alone the cities must stay together.

Please keep the city of Cypress, Los Alamitos, Rossmoor together, within the same Orange County Board of Education District

Thank you in advance for including my objection with your committee discussion.
Sincerely,
Harumi L

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:03 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: *KEEP CYPRESS IN ORIGINAL DISTRICT TOGETHER WITH LOS ALAMITOS & ROSSMOOR

Email for Board.

From: Clare Chu <clarechu88@gmail.com>
Sent: Wednesday, November 3, 2021 2:52 PM
To: ocbe <ocbe@ocde.us>
Subject: *KEEP CYPRESS IN ORIGINAL DISTRICT TOGETHER WITH LOS ALAMITOS & ROSSMOOR

Dear OC redistrict committee members,

This is Clare Chu, resident of Cypress.

I strongly oppose any change on Cypress, please keep Cypress in original district together with sister cities of Los Alamitos and Rossmoor.

1. Cypress locates on northwest of Orange County next to Los Alamitos and Rossmoor, these 3 sister cities has geographic connections.
2. The residents in these 3 sister cities share same family values and traditional cultures.
3. We have strong bindings for past half century and we are actually one big family.

I totally have no idea who is the 'genius' creates such bias radical suggestion to tear apart our peaceful and harmony community. I will find out and question that 'genius'. I pretty sure that 'genius' doesn't represent residents in our community and doesn't work for our neighborhood, and doesn't care our interests at all.

Just a kind reminder that you committee members are working for our communities and residents, NOT for any political party and organization. DO NOT apply any political agenda into your job.

Again, please keep Cypress in original district together with sister cities Los Alamitos and Rossmoor.

Thank you for your kind attention!!!!!!

Best Regards,
Clare Chu

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:04 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: Please do not split the cities of Cypress, Los Alamitos, Rossmoor into a different OC board of education

Email for Board.

From: CierraNevada <CierraNevada@protonmail.com>
Sent: Wednesday, November 3, 2021 3:00 PM
To: ocbe <ocbe@ocde.us>
Subject: Please do not split the cities of Cypress, Los Alamitos, Rossmoor into a different OC board of education

NOTICE: This email originated from outside of the United States. Please exercise caution when clicking on links or opening attachments unless you recognize the sender and know that the content is safe.

Hi my name is Cierra

I am writing this to request to keep the City of Cypress within the same Orange County Board of Education District as Los Alamitos and Rossmoor

I live in the of Cypress for over 20 yrs and the cities of Cypress, Los Alamitos and Rossmoor are like one city.

The area run into the other to where we don't always know which city we are shopping in.

Everyone goes to each other's Festivals,. We enjoy each other's restaurants and have for years gathered for the 4th of July at the Joint Forces Training Base.

many Cypress children go to Los Alamitos Schools District , and for that alone the cities must stay together.

Please keep the city of Cypress, Los Alamitos, Rossmoor together, within the same Orange County Board of Education District

Thank you in advance for including my objection with your committee discussion.

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:04 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: No separation of Cypress from OC Board of education

Email for Board.

From: W H <ggli2000@gmail.com>
Sent: Wednesday, November 3, 2021 3:00 PM
To: ocbe <ocbe@ocde.us>
Subject: No separation of Cypress from OC Board of education

I am george Li. Resident of OC.

Joanna Robold

From: Darou Sisavath <DSisavath@ocde.us>
Sent: Friday, November 5, 2021 6:03 PM
To: Beckie Gomez - OCBE (rebgomezjustin@aol.com); ocbearke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: Redistricting

Email for Board.

From: Jeannine Childs <jmchilds@yahoo.com>
Sent: Wednesday, November 3, 2021 7:53 PM
To: ocbe <ocbe@ocde.us>
Subject: Fwd: Redistricting

Dear Clerk of the Board,

It has come to my attention that the **boundaries** for the **Orange County Board of Education** are being redrawn.

We strongly request that three cities that have been joined together for years are Rossmoor, Los Alamitos and Cypress remain in the same OC Board of Education district. As a Cypress resident, we have so much in common with Los Alamitos and Rossmoor and wish to remain together. We shop in each others stores, attend each others events, dine in each others restaurants. Our children play on the same sports teams and engage in summer activities together.

Please do not disrupt what has worked for years.

Jeannine Childs

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 5, 2021 6:02 PM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com; Tim Shaw (timcshawjr@gmail.com)
Cc: Nina Boyd
Subject: FW: Redistricting

Email for Board.

From: Staci Muller <stacimuller@gmail.com>
Sent: Wednesday, November 3, 2021 8:39 PM
To: ocbe <ocbe@ocde.us>
Subject: Redistricting

What are you thinking? This is a ridiculous idea!

Keep Cypress together with Los Alamitos and Rossmoor. Children in those three cities need to have a sense of community when growing up and the school district provides the cohesiveness of the communities. These areas run into one another so you don't always know which city we are shopping in driving in and connected to. Let the Cypress children remain part of Los Al and Rossmoor.

Staci Muller
stacimuller@gmail.com

Joanna Robold

From: Carrie Hayashida <ch4change2020@gmail.com>
Sent: Friday, November 5, 2021 9:08 AM
To: Mari Barke
Cc: Nina Boyd; Darou Sisavath; Ken Williams
Subject: Re: Link to maps

Thx all!

Looking forward to the info to share!
Happy Friday!
Carrie Hayashida
Cypress Resident

Sent from my iPhone

> On Nov 5, 2021, at 8:56 AM, Mari Barke <ocbebarke@gmail.com> wrote:
>
>
> Hi Nina and Darou,
>
> I have a community member asking to see the redistricting maps. Do we have a link setup yet to view all three maps, plus the software to submit changes?
>
> I think you are working on that piece right now. If so, once it is set up, please share the link.
>
> Thanks!
>
> --
> Mari Barke
> President, Orange County Board of Education
> 714-745-7513

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 8, 2021 8:04 AM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Redistricting

Email for Board.

From: Harumi Lucak <hinipenpen@live.com>
Sent: Monday, November 8, 2021 12:09 AM
To: ocbe <ocbe@ocde.us>
Subject: Redistricting

Hi my name is JoAnna C and I am a long time resident of Cypress and I am writing this on behalf of several Cypress residents who are very upset about the three maps proposed by the Board of Education Redistricting Committee.

The city of Cypress has been within the same district with the cities of Los Alamitos and Rossmoo, as well as Westminster, Garden Grove, Seal Beach for a very long time. For the City of Cypress, the cities of Rossmoor, Los Alamitos, Seal Beach are like a big, tight knit family. We go to each other cities to celebrate festivals, events, holidays, we shop at each other's cities, we attend each other's churches. Many Cypress kids cross over Los Alamitos Unified School District.

They are so intertwined that we don't know where one starts and one ends.
Please do not separate these four cities.

We are hereby asking to please reconsider your redistricting, to keep the city of Cypress in the District 2, along with our NW Orange County family.

Thank you in advance for including our objections with your committee discussion.

Sincerely,

JoAnna C.

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 8, 2021 8:04 AM
To: Beckie Gomez - OCBE (rebgomezustin@aol.com); ocbearke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Redistricting: keep Cypress in District 2

Email for Board.

From: KeepourFreedoms <KeepourFreedoms@protonmail.com>
Sent: Monday, November 8, 2021 12:28 AM
To: ocbe <ocbe@ocde.us>
Subject: Redistricting: keep Cypress in District 2

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To Board of Education Redistricting Committee

Hi my name is JoAnna C and I am a long time resident of Cypress and I am writing this on behalf of many Cypress residents who are very upset about the three maps proposed by the Board of Education Redistricting Committee.

The city of Cypress has been within the same district with the cities of Los Alamitos and Rossmoo, as well as Westminster, Garden Grove, Seal Beach for a very long time. For the City of Cypress, the cities of Rossmoor, Los Alamitos, Seal Beach are like a big, tight knit family. We go to each other cities to celebrate festivals, events, holidays, we shop at each other's cities, we attend each other's churches. Many Cypress kids cross over Los Alamitos Unified School District.

They are so intertwined that we don't know where one starts and one ends.

Pease do not separate these four cities.

We are hereby asking to please reconsider your redistricting, to keep the city of Cypress in the District 2, along with our NW Orange County family.

Thank you in advance for including our objections with your committee discussion.

Sincerely,

JoAnna C.

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 8, 2021 3:36 PM
To: Beckie Gomez - OCBE (rebgomezjustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: keep Cypress with Seal Beach, Los Alamitos

Email for Board.

From: Arlene Gellerman <gleegee@aol.com>
Sent: Monday, November 8, 2021 9:57 AM
To: ocbe <ocbe@ocde.us>
Subject: keep Cypress with Seal Beach, Los Alamitos

PLEASE keep Cypress grouped with Seal Beach and Los Alamitos districts. I have lived in my Cypress home for 54 years. My three sons went to Landell, Lexington and Cypress High Schools. I volunteered for the Cypress Police Department for over 19 years. I truly believe Cypress schools would be harmed by changing the districting.

Arlene Gellerman
4234 Paseo De Plata
Cypress, CA 90630

gleegee@aol.com

Joanna Robold

From: Darou Sisavath
Sent: Tuesday, November 9, 2021 10:51 AM
To: Beckie Gomez - OCBE (rebgozetzustin@aol.com); ocbekarke@gmail.com; ocbesparke@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Cypress Students

Email for Board.

From: Jeri Snow <pookiesmomjeri@aol.com>
Sent: Monday, November 8, 2021 9:31 PM
To: ocbe <ocbe@ocde.us>
Subject: Cypress Students

Keep Cypress schools in the same district as Los Alamitos and Rossmoor! They share businesses, restaurants, Police cooperation and are "Communities of Interest". Please keep these neighbor cities' schools together! Stop trying to re-district everything just for the sake of change.

Thank you

Jeri Snow, 22 year Cypress resident
4428 Larwin Ave

[Sent from the all new AOL app for iOS](#)

Joanna Robold

From: Darou Sisavath <DSisavath@ocde.us>
Sent: Tuesday, November 9, 2021 12:19 PM
To: 'Carrie Hayashida'; Mari Barke
Cc: Nina Boyd; Ken Williams
Subject: RE: Link to maps

Good afternoon,
Information regarding Redistricting is on the board's webpage. Please see link below. Thank you.

<https://ocde.us/Board/Pages/2021redistricting.aspx>

Darou Sisavath
Senior Executive Assistant
Deputy Superintendent's Office
Orange County Department of Education
Phone: (714) 966-4012 Email: dsisavath@ocde.us

-----Original Message-----

From: Carrie Hayashida <ch4change2020@gmail.com>
Sent: Tuesday, November 9, 2021 10:27 AM
To: Mari Barke <ocbebarke@gmail.com>
Cc: Nina Boyd <NBoyd@ocde.us>; Darou Sisavath <DSisavath@ocde.us>; Ken Williams <drkenwilliams@gmail.com>
Subject: Re: Link to maps

Morning!

If you can't provide the map can you let me know what district Cypress is being proposed to move to; and the cities in that district??

Pls respond at your earliest convenience... people are asking!

Thanks so much
Carrie

Sent from my iPhone

> On Nov 5, 2021, at 8:56 AM, Mari Barke <ocbebarke@gmail.com> wrote:
>
>
> Hi Nina and Darou,
>
> I have a community member asking to see the redistricting maps. Do we have a link setup yet to view all three maps, plus the software to submit changes?
>
> I think you are working on that piece right now. If so, once it is set up, please share the link.
>

> Thanks!
>
> --
> Mari Barke
> President, Orange County Board of Education
> 714-745-7513

ORANGE COUNTY DEPARTMENT OF EDUCATION
E-MAIL CONFIDENTIALITY NOTICE

This e-mail communication and any attachments, including documents, files, or previous e-mail messages, constitute electronic communications within the scope of the Electronic Communications Privacy Act, 18 U.S.C. § 2510 et seq. This e-mail communication may contain non-public, confidential or legally privileged information intended for the sole use of the designated recipient(s). The unauthorized and intentional interception, use, copy or disclosure of such information, or attempt to do so, is strictly prohibited and may be unlawful under applicable laws. 18 U.S.C. § 2511. If you have received this e-mail communication in error, please immediately notify the sender by return e-mail and delete the original e-mail from your system.

Joanna Robold

From: Darou Sisavath <DSisavath@ocde.us>
Sent: Wednesday, November 10, 2021 10:43 AM
To: Beckie Gomez - OCBE (rebgomezustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Redistricting 2021

Email for Board.

From: Harumi Lucak <harlucak@yahoo.com>
Sent: Wednesday, November 10, 2021 12:10 AM
To: ocbe <ocbe@ocde.us>
Subject: Redistricting 2021

11/09/2021

Dear Orange County Board of Education Committee:

Hi my name is Jane Torres and I live in the city of Cypress. The proposed redistricting maps show Cypress separated from her sister cities Los Alamitos and Rossmoor.

Cypress has always been within the same district as these two cities, along with Westminster, Garden Grove, Seal Beach, Huntington Beach.

We are like a family of three cities, where we share many of the activities, , events, we go to each other's festivals, sports competitions, we shop at each others cities, and so on.. The cities are so connected and intertwined, we don't know where one ends and where the next one starts. Many of our kids from Cypress go to Los Alamitos School District.

As such , Cypress must stay within the same district 2 and should not be separated from Los Alamitos and Rossmoor.

Please keep the city of Cypress in District 2.

Thank you very much for your consideration.

Sincerely,
Jane Torres

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 12, 2021 10:14 AM
To: Beckie Gomez - OCBE (rebomezustin@aol.com); ocbearke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Redistricting

Email for Board.

From: Tucker L <harchris6059@gmail.com>
Sent: Thursday, November 11, 2021 12:14 AM
To: ocbe <ocbe@ocde.us>
Subject: Redistricting

Hi my name is Harchris and I am long time resident of the city of Cypress. I'm writing this, requesting to please keep Cypress in District 2, together with the sister cities of Los Alamitos and Rossmoor. These cities are community of interest for Cypress, as well as Huntington Beach and Seal Beach. We go to each other's cities for shopping, festivals, sports competitions, churches. We are a close knit community, where the cities are intertwined with each other. Many Cypress kids attend Los Alamitos School District. We do not have anything in common with the cities of Buena Park, Placentia, Fullerton.

Please reconsider your map proposals to include the city of Cypress into District 2. Thank you ver much

Joanna Robold

From: Darou Sisavath
Sent: Friday, November 12, 2021 10:15 AM
To: Beckie Gomez - OCBE (rebgomezjustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: OC BOARD OF EDUCATION , 2nd sample letter

Email for Board.

From: Clare Chu <clarechu88@gmail.com>
Sent: Thursday, November 11, 2021 10:44 PM
To: ocbe <ocbe@ocde.us>
Subject: OC BOARD OF EDUCATION , 2nd sample letter

Dear members of OC board of Education:

My name is Clare and I am writing to request your kind consideration of keeping the City of Cypress in District 2, together the same district with Los Alamitos and Rossmoor.

I have lived in the of Cypress for many years, the truth is that Cypress, Los Alamitos and Rossmoor are sister cities binding as one big family.

I go to Shops of Rossmoor for my weekend late breakfast in Hof's Hut Restaurant or Panera Bread, do my weekly grocery shopping in Sprouts, and often hang on with my friends in Home Goods or Burlington or Kohl's.

We share the same family value and traditional cultures, part of Cypress kids (right cross the street of Los Alamitos School District) choose McAuliffe Middle School and Los Alamitos High as their home schools.

We three sister cities enjoy and participate each other's Festivals or events. We have for years as a tradition gathered for the 4th of July at the Joint Forces Training Base.

For above reasons, I strongly urge OC Board of Education to keep Cypress, Los Alamitos and Rossmoor in one district area within Orange County, these 3 sister cities must stay together.

Thank you in advance for including my objection with your committee discussion.

Sincerely,
Clare Chu

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 15, 2021 8:15 AM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Please keep Cypress in District 2

Email for Board.

From: CierraNevada <CierraNevada@protonmail.com>
Sent: Friday, November 12, 2021 9:38 PM
To: ocbe <ocbe@ocde.us>
Subject: Please keep Cypress in District 2

NOTICE: This email originated from outside of the United States. Please exercise caution when clicking on links or opening attachments unless you recognize the sender and know that the content is safe.

To Board of Education Redistricting Committee:

My name is Cierra and I am writing this to ask you to please keep the City of Cypress in District 2. I am a long time resident of Cypress and I am writing this on behalf of several Cypress residents who are very upset about the three maps proposed by the Board of Education Redistricting Committee. All three redistricting maps have the city of Cypress out of District 2.

The City of Cypress, Rossmoor, Los Alamitos, along Seal Beach are like sister cities. We are like a big, tight knit family. We go to each other cities to celebrate festivals, events, holidays, we shop at each other's cities, we attend each other's churches. Many Cypress kids cross over Los Alamitos Unified School District, we would like to stay within the same BOE.

Please do not separate these four cities.

We are hereby asking to please reconsider your redistricting, to keep the city of Cypress in the District 2, along with these four NW Orange County family.

Thank you in advance for including our objections with your committee discussion.

Sincerely,

Cierra

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 15, 2021 8:16 AM
To: Beckie Gomez - OCBE (rebomezustin@aol.com); ocbearke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: The 3 Cities - Cypress, Los Alamitos and Rossmoor - one District

Email for Board.

From: Mitesh Damania <mitesh.damania@gmail.com>
Sent: Friday, November 12, 2021 9:40 PM
To: ocbe <ocbe@ocde.us>
Subject: The 3 Cities - Cypress, Los Alamitos and Rossmoor - one District

Dear OC Board of Education:

Please keep Cypress in District 2 with Los Alamitos and Rossmoor.

Being in Cypress for many decades, I feel Cypress, Los Alamitos and Rossmoor belong together. I go to shopping in Rossmoor and Los Alamitos. I even go to their restaurants. Everything is close by. The schools also share kids amongst each other in schools like McAuliffe Middle School and Los Alamitos High. I know friends and family from all 3 cities meet at the Joint Forces Training Base for events like the 4th of July.

Dear OC Board of Education, please do not divide Cypress, Los Alamitos and Rossmoor. Please keep them in one OC district.

Thank you for listening to my objection.

Sincerely,
Mitesh Damania

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 15, 2021 8:16 AM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Cc: Nina Boyd
Subject: FW: Please don't take Cypress out of District 2

Email for Board.

From: Harumi Lucak <harlucak@yahoo.com>
Sent: Friday, November 12, 2021 10:02 PM
To: ocbe <ocbe@ocde.us>
Subject: Please don't take Cypress out of District 2

Please keep Cypress in District 2 Board of Education

Thank you

Joanna Robold

From: Darou Sisavath
Sent: Monday, November 15, 2021 8:19 AM
To: Beckie Gomez - OCBE (rebgomeztustin@aol.com); ocbebarke@gmail.com; ocbesparks@gmail.com; ocbewilliams@gmail.com
Subject: FW: Redistricting: please keep Cypress in District 2

Email for Board.

From: Chris Lucak <chlucak@dslextreme.com>
Sent: Friday, November 12, 2021 11:56 PM
To: ocbe <ocbe@ocde.us>
Subject: Redistricting: please keep Cypress in District 2

Dear members of OC board of Education:

My name is Harumi and I am writing this to request to keep the City of Cypress to stay in District 2, the same district as Los Alamitos and Rossmoor

I live in the of Cypress for over 20 yrs and the cities of Cypress, Los Alamitos and Rossmoor are like one city.

The area run into the other to where we don't always know which city we are shopping in.

Everyone goes to each other's Festivals,. We enjoy each other's restaurants and have for years gathered for the 4th of July at the Joint Forces Training Base.

many Cypress children go to Los Alamitos Schools District , and for that alone the cities must stay together.

Please keep the city of Cypress, Los Alamitos, Rossmoor together, within the same Orange County Board of Education District

Thank you in advance for your time and for including my comment with your committee discussion.
Sincerely,
Harumi L

10

REGULAR MEETING
January 5, 2022
3:30 p.m.

Location: The public meeting will be conducted onsite with limited seating at 200 Kalmus Drive, Costa Mesa, CA 92626 and via YouTube live stream <https://www.youtube.com/watch?v=xGr0IRjKBL8>

ORANGE COUNTY BOARD OF EDUCATION
AGENDA

WELCOME

CALL TO ORDER

STATEMENT OF PRESIDING OFFICER: For the benefit of the record, this Regular Meeting of the Orange County Board of Education is called to order.

ROLL CALL

(*) AGENDA

Regular Meeting of January 5, 2022 – Adoption

(*) MINUTES

Regular Meeting of December 1, 2021 – Approval
Special Meeting of December 8, 2021 – Approval

PUBLIC COMMENTS (related to Closed Session)

TIME CERTAIN

3:30 p.m.

1. Inter-district Appeal Hearing (closed) – 01052022001I – Santa Ana Unified School District to Tustin Unified School District.

CLOSED SESSION 1

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION Orange County Board of Education v. OC Superintendent of Schools, Al Mijares, and State Superintendent of Public Instruction, Tony Thurmond Case No 30-2019-01112665-CU-WM-CJC - Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 2

CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION- Orange County Board of Education v. Newsom Case Number 30-2021-01233170 - Government Code §§ 54956.9(a) and (d)(1)

CLOSED SESSION 3

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (1 case)

CLOSED SESSION 4

CONFERENCE WITH LEGAL COUNSEL-ANTICIPATED LITIGATION Significant exposure to litigation pursuant to subdivision (b) of Section 54956.9: (1 case)

INVOCATION

5:00 p.m.

Jordan Hansen, Lead Pastor
Mesa Church, Irvine CA
<http://www.mesa.church>

PLEDGE OF ALLEGIANCE

INTRODUCTIONS

PUBLIC COMMENTS (30 minutes)

CONSENT CALENDAR

- (*) 2. Approve the granting of diplomas to the students listed from Alternative, Community, and Correctional Education Schools and Services, Alternative Education Division.
- (*) 3. Approve new Board Meeting dates for August 2022 through June 2023.
- (*) 4. Approve invoice #3249277 in the amount of \$2,252.76 for Haight, Brown & Bonesteel LLP.
- (*) 5. Approve invoices #9742 in the amount of 21,924.50 (October) and #9771 in the amount of \$5,673.75 (November) for the Law Offices of Margaret A. Chidester & Associates.

CHARTER SCHOOLS

- 6. Charter submissions
- 7. Suncoast Preparatory Academy Update

BOARD RECOMMENDATIONS

- (*) 8. Adoption of the White Paper-California Ethnic Study Model Curriculum (Barke and Williams)
- (*) 9. Superintendent Salary 2022-2026 Term (Williams)
- (*) 10. Legal Opinion Presentation Health Contracts- Margaret A. Chidester (Williams)

STAFF RECOMMENDATIONS

INFORMATION ITEMS

- ANNOUNCEMENTS
- Superintendent
 - Deputy Superintendent

COMMUNICATION/INFORMATION/DISCUSSION

- Vacancy 4th District Update

Legislative Updates

- CSBA Update
- CCBE Update
- NSBA Update
- Capitol News Update
- School Services Update

COMMITTEE REPORT

- Website

BOARD MEMBER COMMENTS

PUBLIC COMMENTS

ADJOURNMENT



Nina Boyd
Assistant Secretary, Board of Education

Next Regular Board Meeting: Wednesday, February 2, 2022 at 5:00 p.m. The meeting will be held onsite at 200 Kalmus Drive, Costa Mesa, CA 92626 with limited seating and via YouTube live stream.

Individuals with disabilities in need of copies of the agenda and/or the agenda packet or in need of auxiliary aides and services may request assistance by contacting Darou Sisavath, Board Clerk at (714) 966-4012.

(*) Printed items included in materials mailed to Board Members