SHAW: Good afternoon. Welcome. For the benefit of the record, this regular meeting of the Orange County Board of Education is called to order at 2:05 PM. Is that what I see? Darou, please call roll.

SISAVATH: Trustee Sparks?

SPARKS: Here.

SISAVATH: Trustee Valdes?

VALDES: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Barke?

BARKE: Here.

SISAVATH: Trustee Williams?

SHAW: He will be arriving at three, so we're going to proceed without him. He's still at work. Do I hear a motion to adopt the agenda for August 5th?

BARKE: So moved.

SPARKS: Second.

SHAW: All in favor?

SPARKS, VALDES, SHAW, BARKE: Aye.

SHAW: Any opposed? Passes 4-0. Approval of the minutes from the meeting of July 8th.

BARKE: So moved.

SPARKS: Second.

SHAW: All in favor?

SPARKS, VALDES, SHAW, BARKE: Aye.

SHAW: Passes unanimously 4-0 and one absence. Are there any public comments related to closed session items?

HENDRICK: There are none.

SHAW: Very well. We will move to closed session.

[The Orange County Board of Education goes into closed session and returns.]

SHAW: Good evening. It's so fun to have so many of you. We're excited to get started having a good meeting here this evening. So as is our custom, we will begin with an invocation be offered by Mandy Cooper, followed by a pledge of allegiance, which will be led by Heidi Gasca. So Mandy, you're on, you're up. Come on.

BARKE: Up here.

SHAW: Up here is fine. The microphone.

MANDY: We ask for wisdom and clarity and discernment as we gather tonight to guide our schools. Grant us the patience to listen openly, the humility to respect differing views and the courage to make fair decisions. Always keeping our students, teachers, and community at the forefront of our minds. May our primary focus be these thoughtful decisions. Amen.

AUDIENCE: Amen.

SHAW: Amen. Thank you. Okay. Heidi, come on and lead us.

HEIDI: Please stand. Put your right hand over your heart. Ready? Begin.

AUDIENCE: I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

SHAW: Thank you for that. Renee, are there any introductions this evening?

HENDRICK: We have none this evening.

SHAW: Very well. We will move to public comments. Vice President Valdes, how are we looking?

VALDES: We only have two public comments tonight. General comments. I'm going to read the first name and then the second name and that'll be it.

SHAW: And before we do that, we're going to do the statement now.

VALDES: Oh, that's right.

SHAW: We're going to have this automated next time, but we're going to try to start our public comments with this statement. Before we begin public comment, I would like to remind everyone that the Orange County Board of Education values public participation and welcomes

public comments. Public comment is an essential component of open government and provides the board with the opportunity to hear diverse viewpoints on matters within its authority. The board will conduct today's meeting in accordance with Board Bylaw 9323 and the Orange County Board of Education civility policy, both of which are intended to ensure that the public's right to participate is balanced with the board's obligation to conduct its business in an orderly, respectful and efficient manner. Accordingly, we ask that everyone observe the following guidelines. Please direct your comments to the board as a whole. Comments on agenda items should relate to the agenda item under consideration.

General public comments should address matters that are within the jurisdiction of the Orange County Board of Education. Public comment is an opportunity for the board to receive input from the public. It is not intended to be a dialogue or debate between speakers, board members, or staff. Each speaker will be allotted the time established by board rules. Please conclude your remarks when your time is expired so that all individuals who wish to speak have an equal opportunity to do so. Consistent with the board's civility policy, we ask all participants to treat one another with courtesy, dignity, and respect, even when expressing strongly differing opinions. Pursuant to Board Bylaw 9323, the board may enforce reasonable rules governing the conduct of the meeting to preserve order and ensure that the business of the board may proceed. Conduct that materially disrupts the meeting or prevents the orderly transaction of business may result in appropriate action as authorized by law and board policy.

Members of the audience are also asked to refrain from interrupting speakers, engaging in demonstrations or otherwise interfering with the orderly conduct of the meeting so that every participant has an opportunity to be heard. The Orange County Board of Education is committed to conducting its meetings in a matter that is open, respectful, and consistent with the Brown Act, the First Amendment, Board Bylaw 9323, and the board civility policy. Thank you for your cooperation. We will now proceed to public comment.

VALDES: Okay. First comment tonight is Rudi Krause.

RUDI: Hi. Well, at least you introduced me as Rudi Krause. Last time you introduced me as Rudi Kraut. So, Kraut, Nazi. I got the tape of it. I replayed it. Made a little video of it. So talk about disrespect. That's a Freudian slip. You must have had it in your mind. You must be talking about me with other people, otherwise you wouldn't have said that. And the people over to the left, can you guys please stop talking when I'm speaking? You have no knowledge of what I'm saying because you keep on getting your ideas and concepts wrong. You have no comprehension. You're burping and farting and whatever. So, let's talk about your concept, which I heard on your invocation three months ago where the person giving the invocation, which is kind of like a religious thing, spoke about multiculturalism, which is our greatest strength. This is a lie.

Multiculturalism without assimilation is our greatest weakness. You have to stop saying that to the students. Multiculturalism with assimilation, that is a strength. If there is no assimilation, it is a weakness. It's allowing these diverse cultures that want to take over the United States, and I'm talking about the Muslims, to get over on the students and convince them that their ideology, their immorality is acceptable.

If you want to continue with that statement, you have to state multiculturalism with assimilation is a strength. No assimilation, no strengths. Because in application with the Muslims and their ideology, they're a religion of rape and pedophilia. Do you think that rape is a strength for the United States? Pedophilia? It's all in the Quran. You need to start studying about it. We're talking about the Islamification of the United States. 2030, 2035, 2040, if we make it. Did you see the Muslim, Moroccan, Muslim invasion of Cuerta, Spain? It's the biggest news in the world where they cross the border and invade into Spain. 100,000 of them. And how do they show their appreciation to their benefactors within one day? Already saw the knifing in the neck, hallelujah bar, the rapings, looting the stores, burning and riding, burning cars.

VALDES: Okay, Rudi, that's enough. Thank you. Heidi Landgraf. Sorry.

HEIDI: It's okay. It's okay. I'm only here every month. Good evening, Board Members. My name is Heidi Landgraf and I've been with Suncoast Charter for the last five years. I wanted to begin and say congratulations on your new positions. I watched from Colorado when I was there visiting family last month. We are so grateful for all you have done and continue to do in supporting our charter. Our new Suncoast Charter School is in full swing preparing for our school year. I'm proud to report that we are growing and currently have 800 on our wait list. And our enrollment is at 2361 as of today. We have hired new staff and many are eager to offer in-person classes like I do and encourage our families to connect and engage within our community. My team that oversees our Explorers Club, which offers families hands-on learning experiences throughout all of the counties we serve once a week, is very excited about this new school year.

We just had our staff meeting, and as I have reported before, I once again witnessed staff members express their gratitude for Suncoast and expressed what a pleasure it is to work for a school that values our perspective, insight, and ideas to engage our families. Stay tuned for how our school will transform this year. We have so many innovative plans in store for our families. On behalf of our entire staff at Suncoast Charter, we are so grateful for you. Thank you.

SHAW: Thank you, Heidi. I guess that's it for public comments.

VALDES: That is it, President Shaw.

SHAW: Thank you. Let's proceed to item number seven, nominate and approve board member assignments for fiscal year ‘26-‘27. If I'm looking at the existing appointments, I think the executive committee is set with myself and Vice President Valdes. OCSBA, currently Dr. Williams. Do you want to continue with that Ken?

WILLIAMS: Sure.

SHAW: Thank you. PTA liaison, it's been Dr. Sparks. How does that role work? Are you both assigned Trustee Valdes?

SPARKS: We were last year.

VALDES: We were last year.

SHAW: Okay. Is that an assignment you'd like to continue?

SPARKS: Sure.

SHAW: Thank you so much.

VALDES: Do we have to have two?

WILLIAMS: No.

SPARKS: Mari, what would you like to do?

BARKE: What I'm doing.

SPARKS: I can share that with you if you want.

BARKE: All right.

SHAW: You want off then, Jorge?

VALDES: Oh yeah. I was going to nominate Trustee Barke.

SHAW: Okay

BARKE: I don't think I have enough to do. All right.

WILLIAMS: Tim, just for clarification.

SHAW: Yes.

WILLIAMS: We only require one. It's always been…

SPARKS: Yeah, we only need one, but we share the last one.

WILLIAMS: That's fine.

SPARKS: Because Mari's kind of busy right now.

SHAW: All right. So how about Lisa, you'll be primary and…

SPARKS: Sure.

SHAW: Mari's backup? Okay.

SPARKS: Sure.

SHAW: ACCBE. It's currently Dr. Williams? You want to…

WILLIAMS: That is correct.

SHAW: You want to continue that?

WILLIAMS: No, thank you. I nominate Mari.

BARKE: I have a very full plate right now.

SHAW: I'm not exactly sure what this is, to be honest.

BARKE: It's the county.

SHAW: Oh, the county. Okay. That's right.

WILLIAMS: We had Brandon for a while with a board liaison helping out with that.

SHAW: You declined that, Mari?

BARKE: Well, it's just I…

VALDES: Well, we're going to have a new liaison.

SPARKS: Yeah, we're going to have a new liaison.

SHAW: Right. But there's a trustees assigned to it, right?

HENDRICK: They require a trustee to be assigned.

BARKE: All right. You can assign me. Last time I wasn't assigned and I went to their meeting. So, I'll figure now that I'm assigned, somebody else will go for me.

VALDES: Renee, can I ask you about that? They require a trustee?

HENDRICK: Well, because it's a membership of board members.

BARKE: No, it makes sense.

HENDRICK: So that's who they want to be.

BARKE: I'm happy to be the trustee assigned to ACCBE.

SHAW: Okay. Did you get all that, Darou? All right. Very good. Do we need to vote on that? We do. Okay. So, to recap, Williams, OCSBA, PTA liaison, Sparks and Barke, ACCBE, Barke.

BARKE: Did you want to do that with me, Lisa?

SPARKS: Sure.

BARKE: There we go.

SHAW: And Sparks is now added also as an alternate. Okay.

VALDES: So moved.

BARKE: Second.

SHAW: Okay. Second by Barke. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? Very good. Jorge. Yeah. Item number eight and nine are the consent calendar. Any item needed to be removed by a member of the board or public?

WILLIAMS: Make a motion for the consent calendar.

SPARKS: Second.

SHAW: Very well. Moved by Williams, second by Sparks. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Passes unanimously. Item number 10, charter submissions. Renee.

HENDRICK: We have none today.

SHAW: Okay. Onto item number 11, charter school public hearing, Orange Springs Charter School material revision. Aracely, welcome.

CHASTAIN: Good evening, President Shaw, Trustees. Today, you will hold a public hearing on the material revision submitted by Orange Springs Charter School on July 8th. Orange Springs is a countywide charter school serving students in transitional kindergarten through grade 12. The school is requesting approval of a material revision to remove the proposed school facility in Anaheim and add a school site within the boundaries of Fullerton School District in the fall of 2027. The public hearing is being held pursuant to Ed Code section 47605.6 to consider the level of support for the material revision. Representatives from Orange Springs Charter School will now have up to 10 minutes to provide testimony regarding the proposed material revision. I invite the charter school representatives to the podium.

MICHELLE: Well, good evening. I'm Michelle Sheane Sapanara. And this is Trevor Johnson and we are here from Orange Springs. We're excited to be here today. Today is the day that everybody in our network gathers for our back to school. So, all of our teachers, our instructional aids, management, everybody has gathered in Temecula today. So, we snuck out to join you to have a chance to talk to you about our material revision. So pictured here is a Fullerton location. The proposed changes to the charter are, first of all, we were unable to locate a property in Anaheim, a suitable property. So, a couple miles away, we found an existing school. It actually already has the CUP in place to be a K-5 conditional use permit. It can hold up to 220 students, and it is available now in Fullerton. We do have an established presence, as you know.

I see you every month in Orange County and we do expect to be able to meet our enrollment projections. So, this is the property. It's on one and a half acres over 12,000 square feet. There are 11 classrooms and you can tell that it's just ready to go. It's gorgeous. And we are very excited to find this property so close to where we originally anticipated being able to open. So, it

has a turnkey ready to go field area. There's a playground. It has some shaded classroom and lunch areas, a study zone. There's a multi-sport court, so we're able to offer sports for the kiddos as well as PE and recess. There's an office space for our special education team, as well as an outdoor stage for our community gatherings. As you know, Orange Springs is, we're committed to responsible growth. We think that this property is the right size for us with about 220 students and we'll be able to maintain our enrollment and be able to serve the students in Northern Orange County. We only have a campus right now in Santa Ana. So, this opens up a little bit more space for us in Northern Orange County to serve those students as well. This will be a K-5 classroom-based charter. So, if you have any questions for me, I brought Trevor here. He knows everything money if you have any questions.

SHAW: That picture you have doesn't do it any justice. I drive by this all the time. It's a beautiful church, right? I think I'm thinking of the right. It's the Lutheran church, right?

MICHELLE: Well, it's a school and a church built into one. So right now, we would just be taking the classrooms. Yes.

SHAW: Right. The roof is not nearly as attractive looking. Sorry, go ahead.

MICHELLE: But that sports court. That sports court though is gorgeous.

CHASTAIN: The public hearing is now open for 15 minutes of public comment. Trustee Valdes, are there any speakers for this item?

VALDES: Yes, we have one. Jeff Rice.

JEFF: Good evening, everyone. Jeff Rice with APLUS+, the Association of Personalized Learning Schools and Services. We are a statewide membership association whose mission is to advance a more flexible and personalized learning experience for K-12 students, particularly those who struggle in a traditional classroom only model. I am here in support of both the Orange Springs material revision request, as well as the Excel Academy Charter appeal request. Both of these schools are members in good standing with APLUS+. Our association prides itself in being integrity based and only will allow members who are committed to high standards of integrity, accountability, academic excellence, and compliance. And both of these schools are really established to serve a mission for the greater good, and that is to serve the needs of students and parents and families and communities where students have been marginalized, disadvantaged, left behind and failed by a model that doesn't match their needs.

And we have proof over 25 years now where those students who have come and fallen behind enter into a more flexible and personalized learning model. They thrive because it is a student driven students first type of model where the delivery model is tailored to the needs of each individual student. When students come into a model like that, they're engaged and they are motivated to learn. And our data shows that even students who have been far behind in English language arts and math for many, many years, once they come into our model within two years, they outperform the state average in both English language arts and math. So, I am here to respectfully ask for your I vote both on behalf of Orange Springs and for Excel Academy. Thank you.

VALDES: That's all we have, President Shaw.

CHASTAIN: This concludes the public comment period. Trustee Shaw, I now close the public hearing and return the meeting to you.

SHAW: Thank you. All right. Is anyone anxious to lead off? Dr. Sparks?

SPARKS: I'll lead off. I just have positive things to say. The first thing I like to do is go to the budget. I go right to the numbers. Looking fantastic. Really, I can tell you've done your due diligence, you've done your homework, which makes our job quite a bit easier. Thank you for all of your due diligence. We know that you're academically sound. Happy to support you all moving forward and happy you got that space. That's amazing.

SHAW: Thank you. Vice President Valdes.

VALDES: Michelle. We do a fair amount of the charters here and I want to make sure that this is the right one, but didn't you take over a school just right next to your school?

MICHELLE: You mean six driveways down?

VALDES: Yeah, yeah.

MICHELLE: So in Santa Ana…

VALDES: What was that earlier this year?

MICHELLE: It was earlier this year. We opened in the fall and that's in Santa Ana. And so that's an old Scholarship Prep building.

VALDES: Yeah, yeah.

MICHELLE: Yeah. So, it's right near our current building and we're just expanding our base there.

VALDES: Okay. But now we're going up into Fullerton. Now you don't have students up there. You're going to fill up 220 slots or new students for…

MICHELLE: Yes. So, we have a graduated enrollment plan in which that we will open with as many classrooms as we can fill, anywhere between four and 10, and then build capacity over the next three years.

VALDES: And when do you want to start with this new location?

MICHELLE: Next fall.

VALDES: Next fall. This would be next year. Okay.

MICHELLE: As ready as it is, that would be very, very, very hopeful.

VALDES: Well, your numbers, your financial numbers are good. Your academic numbers are just fine. So, I'm totally fine with this.

SHAW: Thank you. Trustee Barke.

BARKE: I would just say ditto to what my colleagues have said. Congratulations. I'm thrilled that you found a beautiful site. I know that's the biggest challenge is finding facilities. And I know you've got a whole year, so it's going to be amazing. Can't wait to come to the ribbon cutting and the opening and congratulations.

MICHELLE: Thank you.

SHAW: Dr. Williams?

WILLIAMS: What is in your checking account now as far as a balance? And what is your reserves?

TREVOR: Our reserves, we're sitting at pretty healthy reserves with Orange Springs. I want to say we're about two and a half million. Cash on hand, we are running about a million and we are looking at securing bond financing for this location. We use an LLC structure for our facilities. So, the facility LLC would own the building and lease the location back to the charter school, which allows us to collect SB 740 facility reimbursement up to 75% of the cost of this one.

WILLIAMS: Do you have access and you've secured a contract to get these facilities?

TREVOR: So, we're currently in negotiations with the current owners. So, we do have an intent to move forward with them, but we want to make sure that we have approval here and along with our own board before we sign anything official. But we are in the process of the preliminary.

WILLIAMS: How close are you to closing that deal?

TREVOR: With approval after, I know this is our presentation and we'll come back for actual approval. We will have our own board in September as well. And then we have the bond prepared to go out for financing in late September as well. We're ready to move on this one quickly because as Michelle stated, it's been very difficult to find a location. This one is as much turnkey as you can really get, so we want to move on it quickly.

WILLIAMS: I'm done Tim.

SHAW: Thank you. I'm just thinking about the macro picture of our declining enrollment kind of being the macro situation we're at as a county. And I see your enrollment projections very optimistic. And I guess I just want to ask how you're arriving at that, these numbers. I mean, because it shows you guys are projecting out through 2030 a fairly substantial growth in enrollment. And of course, you're a great school and people vote with their feet and come. I get that, but can I just challenge you just a touch? Is there any thought that maybe these are overly optimistic enrollment projections?

MICHELLE: Well, this is our 26th year in business. So, we have shown our ability to meet our projected growth or to adjust. So that's one of the things being so flexible, not only for our students, but we're able to adjust and make changes if we need to. But our enrollment has been steadily increasing as we offer all of these different options for our families.

SHAW: And your method, how did you arrive at these numbers? I'm curious how the methodology might work.

TREVOR: So, there's a couple things with Orange Springs is Orange Springs' first year of operation, which we just concluded, they were essentially homeschool only with our Santa Ana property, which is a much smaller location. With the Scholarship Prep building that we had purchased, we have already a lot of interest from families and we're already seeing enrollment and commitments from those students. We're a big network. I know Orange Springs is one of our 10 charters that we have. And so, we like to be very conservative. I know it looks very optimistic, but just from the growth that we've seen over the last 26 years, particularly in just the last five years or so, we feel like we are going to hit those numbers. We're pretty confident in that. And we build our budgets around something that we believe we can achieve so that we don't put ourselves in a bad situation within a couple years. So, we gauge it based off of interest that we receive from the families already, and then just based off of the area and the needs of those students.

SHAW: Very well. Okay. So, what's our next step here?

HENDRICK: So, they will come back for a vote at the next meeting.

SHAW: At the next meeting, right. Okay. Thank you for your presentation. Onto item number 12, charter school public hearing, Excel Academy Charter School Irvine appeal petition. Aracely, you're back on.

CHASTAIN: So, the next item before you is public hearing and action on the appeal petition submitted by Excel Academy Charter School Irvine. On February 2nd, Excel Academy Charter School submitted a petition to establish Excel Academy Charter School Irvine within the boundaries of the Irvine Unified School District. The proposed school would operate as a non-classroom-based charter school serving students in kindergarten through grade 12. On May 19th, the governing board of Irvine denied the petition. On May 22nd, the petitioner timely submitted an appeal to the Orange County Board of Education. Since the appeal was filed, OCDE staff has conducted a comprehensive review of the appeal petition supporting documentation submitted with the appeal and information presented during the clarification meeting and public hearing process. Under Education Code 47605, the board's role is to independently consider the appeal petition. In reaching its decision, the board considers whether granting the petition is consistent with sound educational practice and in the interests of the community in which the charter school proposes to locate while also considering the academic needs of the pupils that the school proposes to serve.

If the board determines that there is a statutory basis for denial, the law requires the written factual findings supporting that decision. Following its review, OCDE staff determined that the appeal was timely filed, does not contain new or different material terms than the petition that

was submitted to Irvine Unified School District, includes the affirmations required by law, and we did not find a statutory basis for denial under Education Code 47605-C. Accordingly, staff recommends that the Orange County Board of Education approve the Excel Academy Charter School Irvine appeal petition for a five-year charter term beginning July one, 2026 through June 30th of 2031. If the board approves the petition, staff will work at the charter school to execute the board approved agreement prior to the commencement of charter school operations. Pursuant to Education Code 47605, the Orange County Board of Education conducted a public hearing on July 8th to consider the level of support. Prior to board action today, the charter school representatives are allotted equal time and opportunity or 10 minutes, whichever is longer, to present evidence and respond to the published staff report and recommendation. I now invite the charter school representatives to the podium.

HEIDI: Good evening, President Shaw and Trustees of the Board. Thank you for having me. My name is Heidi Gasca, the superintendent of Excel Academy Charter School. I want to take a moment just to thank each of you and specifically the charter schools unit division at OCDE for their extreme diligence in taking the time to thoroughly review our petition and hold the very robust clarification meeting with over 15 members of the OCDE district staff and 10 members of Excel Academy leadership. During the meeting, we were asked numerous questions to clarify our educational model, our intent, our operations, our budget, and all elements throughout the petition. We are grateful for the recognition to serve the demand for a proven educational model that has earned a recognition as a California distinguished school and a California Dashboard that reflects commitment to sound educational practices, producing significant academic growth with blue and green status across the California Dashboard.

Thank you very much for the recommendation to approve our charter school, acknowledging the commitment to our students and the families, specifically the 81 existing families that reside within the Irvine Unified School District boundaries. I'm extremely confident that I have done my due diligence as a school leader to serve the demands of our school community, and I thank you again for this time and opportunity.

CHASTAIN: I now call the representatives from Irvine Unified School District to the podium.

CASSIE: Good evening, Board President, Trustees, staff. I'm Cassie Parham. I'm having trouble with the mic. Got it. Should just. Okay. We understand that the OCDE staff has recommended approval of Excel Academy, another non-classroom-based charter, the very kind of organization that fueled brand new legislation as of July through AB126, which continues to increase accountability for all chartering authorities. We also understand that the standard exists in other counties of whether the school offers a superior program or serves an unmet need that justifies redirecting taxpayer dollars from under-resourced public schools doesn't appear to be the standard here. Prior to 2015, Orange County maintained a thoughtful balance between traditional public schools and high-quality charter schools. Charter schools served distinct student populations and offered educational models complimenting rather than duplicating the educational opportunities already available. Families seeking independent study or virtual learning opportunities in Orange County currently have them. They can choose from existing charter schools and they can access similar independent study options at their home districts, including here at the Orange County Department of Education.

So, the question becomes why approve yet another charter school and a non-classroom-based charter that kind notorious for fiscal mismanagement and poor instructional outcomes? This board has redirected tens of millions of taxpayer dollars from Orange County schools that are in declining enrollment and in desperate need of these resources to unnecessary and often inferior programs. As we shared, the Los Angeles County Office of Education serving more than 1.27 million students has approved 26 charter schools. The Orange County Board of Education serving approximately 430,000 has approved 33. Relative to student enrollment, this board has approved charter schools at four times the rate of LA County. Trustee Valdes, you had characterized LA County's Board of Education as anti-charter. Obviously, they do approve charters, but it seems they do so with a level of discernment, applying the provisions of AB 1505, which we have laid out for you. Excel Academy will duplicate an existing program, an existing IUSD program without the same programmatic excellence and integrity, and without demonstrating a longstanding record of serving special populations.

It will redirect public dollars, taxpayer dollars from our district impacting our programs, our staff, and our students. As we shared before, the fact that this board is under investigation by the state auditor is deeply concerning. To our knowledge, the state auditor has never investigated a county board of education. Based on the decisions you have made, it appears that your interests align solely with charter schools, and yet you represent all of the 430,000 public school students in Orange County. We are struggling to understand why you would make decisions devoid of the collective interests of Orange County students. Imagine for a moment if all of the students and families enrolled in our Orange County school district showed up to OCDE board meetings to advocate for these resources, to advocate for their programs and teachers because you stripped vital funding from their schools. There wouldn't be a boardroom or a professional stadium for that matter large enough to house the collective outrage. Tonight we have limited time, but you will hear briefly from John Fogarty, our assistant sup of business services, and Irvine Unified Board Trustee, Cyril Yu. Thank you.

JOHN: Good evening. I'm John Fogarty, assistant superintendent of business and CFO with Irvine Unified School District. I wanted to revisit some of the discussion and questions that came up on July 8th. As communicated, the Irvine Unified School District experienced a decline in student enrollment in 2025-26 for the first time, and is projecting further declines through 2028-29. There was a question related to the specific declines projected by year, and I communicated that we lost 273 students in 2025-26 and are anticipating further declines of 420 in ‘26-‘27, 513, and ‘27-‘28 and 495 students in ‘28-‘29. An additional question came up regarding the percentage of decline by year. For ‘25-‘26, the decline is 0.7%. For ‘26-‘27, 1.1%. For ‘27-‘28, 1.4%. And for ‘28-‘29, 1.3%. While these percentages do not appear significant, the aggregate financial projected loss due to these enrollment declines from 2025-26 through ‘28-‘29 is $21.5 million, representing 144 full-time teachers.

The Fiscal Crisis and Management Assistance Team, FCMAT, has identified declining enrollment as the top two risk factors measuring fiscal insolvency, if not properly managed. On page 29 of Excel's proposal, it states that the projected enrollment for ‘26-‘27 school years is 300. And during the five-year term will increase to 348, but this projection is in no way a limitation on enrollment. Since Excel is petitioning the Irvine Unified School District, absent any clarifying information, it is appropriate to assume that they intend to significantly increase their enrollment from Irvine. Otherwise, why are they petitioning Irvine? Failure to recognize the

forecasted enrollment in the petition and corresponding impact on the district's budget would be a breach of fiduciary responsibility. In accordance with Assembly Bill 1505, I encourage you to take the district's fiscal concerns into consideration while making your decision. And once again, thank you for your time and consideration.

CYRIL: Good evening. I've been on the school board in Irvine for about six years. I served this county as a deputy district attorney for 23 years. And currently I work for Lozano Smith, a firm that provides legal advice and legal representation to school districts across the state. I am not here to give you any legal advice, but I would like to share my thoughts as someone who spent a…

VALDES: What's your name? I'm sorry, you didn't...

CYRIL: Cyril Yu. Sorry about that. C-Y-R-I-L. Last name is Y-U.

VALDES: Y-U.

CYRIL: Sure. One of our core responsibilities as elected officials is to ensure that taxpayer dollars are not wasted. This responsibility is magnified because our school age population in the state continues to shrink. Fewer students, fewer dollars. And because we are all experiencing declining enrollment, that financial impact, as John just talked about, impacts every district in Orange County, not just Irvine. As our population ages and our workforce shrinks, it also means that every student we graduate, every student we put in the workforce needs to succeed. As a society, we cannot afford to get that wrong. So, when a charter school comes before us or comes before you and asks the public and asks you for public dollars, that school needs to show you, prove to you that they know what they're doing and that they have an education program that will deliver results.

When Excel came before our board in Irvine, Excel didn't meet that standard. And maybe we have high standards here in Irvine. Our community expects that we're going to have the highest performing public schools in California. We have a reputation we have to uphold. And so do you. There are, as mentioned before, 51 charter schools here in Orange County. And you are responsible for over 30 of them. That means 65% of the charter schools in Orange County. But you also know that too many charters and you risk cannibalizing your existing charters. So, has Excel shown you that they offer something better than what's already currently available, better than what you've already authorized? We don't think so. Now we may disagree as to whether or not someone who's a non-educator who's a parent can teach their high school kids high school level classes. That's Excel's model. But here's one thing that we should not disagree on.

Taxpayer dollars should not just be handed to charter schools whose business model is to give that money directly to families. Excel touts on their website, every high school student in their personalized pathway will receive this year $4,100 and a free Chromebook. $4,100 and a free Chromebook. How do you as authorizers do oversight of that? It is just a recipe for waste, fraud and abuse. Now you might say, well, their test scores will show us if that money's being spent effectively. But what if they rig their test scores? Don't want your student tested. Disenroll. Encouraging dis-enrollment violates the education code and inflates your test scores because only your best students are testing. Maybe all they need is an ethical leadership team. Well, the

conflict-of-interest rules that you and I are required to follow do not apply to charter schools. And so common sense tells us when the conflicts are this blatant, something's not right. Governing board members who serve on multiple boards where the schools are seeking and competing over the same students. How about board members receiving compensation from interconnected entities? You have to wonder in that situation whether or not the service agreements and the vendor contracts are being negotiated at arm's length. Now I'm not suggesting that Excel is the next A3, but there's a reason why California had a moratorium on non-classroom-based charter schools for the time period that it did. Their business model is rife with opportunities for waste, fraud and abuse and authorizing entities don't have the resources to uncover it until it is oftentimes too late.

One final point. And this should come as no surprise to you. School boards in this county do not trust this board. Why? Because this board does not respect the work that locally elected boards do. School districts in this county, including Irvine Unified, have approved charter schools, but we've also spent countless hours reviewing and scrutinizing petitions where we've denied it and yet you've overturned those decisions. So, I ask you what it takes to rebuild trust, perhaps showing that high standards matter and that you're good stewards with the public's money. Thank you.

CHASTAIN: The public hearing is now open for 15 minutes of public comment. Trustee Valdes, are there any speakers for this item?

VALDES: Yes, there are. Raianna Chavez and Connie Stone.

RAIANNA: Following last month's meeting, an Irvine resident and former Excel parent reached out to IUSD with their concerns. Here are excerpts from what they wrote. “As an Orange County charter school parent, I believe your focus should remain on whether these particular petition serves an unmet need in Orange County and whether approving it is in the best interest of students and the broader educational community. For years, Excel has required participation in state assessments. As a condition of continued enrollment, families who declined testing are withdrawn from the program. Traditional public school districts do not have the ability to remove students from exercising this legal right. And California charter law similarly requires that charter schools serve all eligible students rather than encouraging withdrawals based on accountability measures. These practices deserve careful consideration because they may artificially influence student performance data while limiting program access for certain families. Given the breadth of existing similar educational options, it is difficult to identify a unique unmet need that this petition would address. Healthy educational choice benefits families, but excessive duplication of similar programs ultimately creates unnecessary competition for a shrinking school age population and can weaken both charter schools and traditional districts alike”. Thank you.

VALDES: Okay. Connie Stone.

CONNIE: Good afternoon. I'm Connie Stone, Irvine Unified Board Trustee. I was here earlier. I'm here to address Trustee Valdes's assertion from our last meeting, if you recall, that Irvine Virtual Academy only outperforms Excel because Excel serves more socioeconomically disadvantaged students. So let me tell you a little bit more about Irvine. That assumption is

incorrect as IUSD serves a substantially high needs student population. In fact, 15 out of our 25 elementary schools and four out of our six middle schools are Title I. Over 21% of our students come from low-income households. 13.6% are English learners and 10% receive special education services. We have over a hundred homeless and foster students. One of these homeless students actually lived with my family for most of 2025. So, I know firsthand the kind of supports these students and families need. IUSD supports all of these students meeting them where they are and delivering superior academic outcomes while doing so. I was proud to watch my extra child graduate from high school in June earlier this year. Approving Excel Academy drains vital funding and resources away from the very students who need them the most. And I urge you to deny this appeal. Thank you.

VALDES: No more comment cards, President Shaw.

CHASTAIN: The public comment period is now closed. The board has three options for action. Option one, approve the appeal petition and grant the charter for a five-year term. Option two, approve the appeal petition subject to conditions established by the board. Option three, deny the appeal petition upon making written factual findings required by Education Code section 47605-C. President Shaw, I now close the public hearing and return the meeting to you.

SHAW: Thank you. Before I turn to board comments, I think as a matter of fairness, there were some fairly strong accusations made there. So, I wanted to maybe give Heidi an opportunity to respond if that's okay. Can I ask you very specifically, I was making notes here, $4,100 and a Chromebook. What are the safeguards that you may or may not have in place around the use of that money and that?

HEIDI: Yeah. So, the $4,100 is carefully looked at for each grade level of students based on the curriculum needs. And so, they have to choose their core curriculum must be in place first and no order is placed without teacher approval first, credentialed teacher approval. So, we have all approved state standard curriculum. And once the core curriculum is met, they are allowed to also use some of those instructional funds for additional supplemental curriculum or activities. And then the Chromebook is something that was an initiative that came about. We felt that that was a necessary piece for all of them to have access. And it also allows us to monitor online cybersecurity, which was something really important to us as well.

SHAW: If a family gets this $4,100, are there receipts required or is there accounting involved?

HEIDI: Yeah. No, it's not a direct. It's not really like a. There's no cash.

SHAW: Okay. How does it work exactly?

HEIDI: So, it's all done through a system called OPS. It's an ordering system. So, it's basically an account balance that as the orders are put in, our school with approved vendors only, vet and send out the payments based on the orders. So, if a curriculum order is put in for, let's say, $150 textbook with an approved vendor, then that's a process. We have a whole department.

SHAW: It draws down on the form.

HEIDI: Correct.

SHAW: Okay. Can you speak to this? If I understood the suggestion that students can disenroll as a way of not having their test scores counted against the academic performance of the school.

HEIDI: Yeah. That's actually something that I find ironic because if anything, we hold our parents to very high standards, which is why our participation rate in testing is so high. I can have our assessment director come up and speak to anybody ever dis-enrolling. We've never withdrawn any student for not testing. We have alternative modes of testing if they don't participate.

JENNY: Hi there. Thank you for having me. My name is Jenny Craig. I'm the director of compliance and special programs. I've been with Excel Academy for, I think, starting my 13th year. I've overseen assessments the vast majority of the time. And I can tell you that we have not had a student withdrawal based on not participating in assessments. If a student does not participate in the, as we know, the state allows students, parents to opt their student out. We have ample phone calls to the parents. We let them know how important testing is. We are always exceeding the state set 95% participation rate, and we've never had a student leave Excel for not participating. We also, if a student does not participate, we also hold them accountable and we have an alternate assessment that's provided to them so that we have data for all of our students.

SHAW: All right. Thank you for that clarification. Dr. Williams, I see you frantically writing over there. Are you ready to want to lead us off or want me to come back to you?

WILLIAMS: I have to gain control.

SHAW: Okay. Why don't I come back to you? All right. Vice President Valdes, want to lead us off?

VALDES: Ms. Gasca, so Mr. Yu came down here earlier and the way I heard it, it was like $4,100 in cash. And I wrote it immediately down because I was going to ask you this. But you're telling me this is a drawdown account with approved vendors and textbooks or other curriculum materials that someone can basically decide that they want. Is that what you're saying?

HEIDI: Yeah, but it's all approved by state standards, correct. On through the teachers. There's no. Yeah.

VALDES: At any point in the process, does this turn into cash in a pocket for a parent?

HEIDI: None at all.

VALDES: I guess the Chromebook is by virtue of the type of school you're running. You want to make sure that there's a standardized computer that every child has. Is that the reason for this?

HEIDI: Correct. So, the secure browser for testing as well as we have GoGuardian for any kind of cyber bullying, cybersecurity. So, it just with some of the grants, the Learning Recovery Block Grant, we decided to put the money towards every student having the exact same device. And so, we were able to kind of come in and control and see if where there was ever complaints of any kind of bullying or inappropriate material being searched or it was just a more control over the technology.

VALDES: Mr. Yu came down earlier as everyone heard and said that, again, it was quick. I don't want to mischaracterize this, but the insinuation is that students are dis-enrolling and that your test scores then would be disproportionately high because of a student dis-enrolling. And I want to flush that out again. You said that 95% of your students actually test with the state. Is that what you said?

JENNY: No, over 95%. So, we have a very small population of students that opt out based on the state guidelines of allowing parents to opt out. Maybe it's a medical opt-out or a parent opt-out, but I believe we were at 97, close to 98% participation rate. So, our students test and if they do not test, we also provide them an alternate assessment because we do our due diligence to make sure we have data on every single student.

VALDES: Can I call Mr. Yu up here?

SHAW: If he wants yeah.

VALDES: Mr. Yu, take the podium. Please. So is there any basis for the statement that. And again, I don't want to mischaracterize what you said, but you said it quickly. And I'm trying to digest everything as happening. So, you insinuated that kids are deliberately dis-enrolling and that this school's test scores may not properly characterize the actual students in the school. I think that's what you said.

CYRIL: So, part of my challenge is I'm given a very limited amount of time. So, I'm trying to put issues in front of this board so that you can digest what I'm saying. So, part of it for my point is the larger issue as it relates to non-classroom-based charters is the challenge around oversight. And the question is, how does a board such as this and your Department sufficiently be able to evaluate an organization such as this in terms of it? And so, in terms of what I'm saying is as a…

VALDES: But I want to get back to the particular comment that you made. And I want to talk about this school, not charters in general.

CYRIL: No, no. And I understand that. But my point of saying that is to say as you evaluate these things, what are different things that you can look at to ensure that there isn't a problem? And my point being that, oh, you can look at test scores would be a backstop to say, "Hey, is there going to be a problem with them doing something fraudulent or whatever?" It should be reflected in the test scores. And my point is you need to be careful and just simply relying on test scores where there is any type of practice that could suggest that they're perhaps rigging or modifying their test scores. And my point in terms of the disenrollment is that, as you heard from the public comment, we as Irvine Unified did receive information from a parent who formerly was at Excel, who did share with us there was concerns around students being disenrolled where they were indicating they didn't want to take the test. And so, if there was a practice where a charter school is encouraging…

VALDES: Was there a reason provided?

CYRIL: Was there a reason provided?

VALDES: So, if a kid has anxiety and a parent doesn't want that kid tested, that doesn't mean that student support…

CYRIL: No, on individual levels, right. There may be very different reasons why a student on an individual basis is choosing not to test. The information we were provided…

VALDES: Less than 5% doesn't sound that much to me.

CYRIL: Yeah. And that's based on the numbers that they're providing. I can't sit here and I don't have access to their books.

VALDES: But you guys are coming down here and you're kind of throwing all these schools under the bus and you're kind of making all these allegations. But I'm looking for proof. I'm looking for actual facts.

CYRIL: And our point is that when you look at an education model and when you look at how a organization is structured, the concern is, are there risks there? And that's what we're highlighting is the fact that there are certain things that present unique challenges for any type of authorizer in the oversight of an organization. I can't prove that they have been doing inappropriate illegal things in the other charter schools that they operate. But what I can do is based on information that we've received in our investigation, point out things that stand out to us. Basically, the amount of time I spoke was just about four minutes. So, in that period of time, I can't do a full presentation. I cannot provide you binders full of paperwork which has been previously presented to you, nor am I sitting there and evaluating everything that this organization does because that is not what we do.

You understand that? You have your own organization that you're operating. My job is not to sit there and parse through everything. We have a team at IUSD that spent the time, spent the hours, did that presentation, did that work, presented it to us. And we as the board looking at everything, reach a certain conclusion. And what I'm doing is all I'm doing is highlighting things that we flagged as things that might get your attention. And I'm not here to suggest that I know everything that's happening at Excel, but I am highlighting to you the things that stood out to us that were of concern.

VALDES: I appreciate that. But while you're there, my…

SPARKS: With respect, you were not just highlighting. You were slandering, using language, accusing them of rigging test scores.

CYRIL: Again, I had…

SPARKS: That's it. I don't need to hear a rebuttal.

CYRIL: That's fine. All right.

SPARKS: You were using slanderous language, not facts.

CYRIL: I'm going to disagree with that. But we're not here to have an argument about it.

SPARKS: You said it. Everyone heard it.

CYRIL: Sure. And you can go back and listen to my words exactly.

SPARKS: You should have said it. You crossed the line.

CYRIL: I did not. Respectfully I disagree with that.

VALDES: Thank you, Mr. Yu. Can I speak with Mr. Fogarty, please? Mr. Fogarty, so I listened to your presentation last month and the numbers you threw around were 3.9, I think to 4.3 million. Tonight it was $21.5 million. So, I want to figure out how you got to that number.

JOHN: Which would you like me to tackle first? Last time or this time?

VALDES: No, we did the last time. Okay. Because you assumed every. Hold on. You assumed every student was going to come from Irvine Unified, and that's how you got to the $3.9 or $4.3 million. I want to go to the $21.5 million tonight.

JOHN: Sure.

VALDES: It was a number of years. And again, it was quick and I don't want to mischaracterize this.

JOHN: Sure.

VALDES: How did you come up with this?

JOHN: Okay. So, I can give you a very detailed response if you'd like that, or I can give you a broader response.

VALDES: I'll take whatever response you want.

JOHN: Okay. So, the district declined in enrollment in ‘25-‘26 by 273 students. We apply an attendance factor to that. For Irvine, we're about 96%, meaning that when we calculate our ADA, for the most part, we generate about 96% of the students. And that's how we're funded. Understand that, right? So, we take the 273, apply the 96%, that's 262 ADA that we lost. We apply that to our blended LCFF calculation, which for ‘25-‘26 was $12,376. So, for that year, it was $3.2 million. When we look at the declines from ‘25-‘26 to 26…

VALDES: But hold on, hold on. But that was due to declining enrollment, not just this school.

JOHN: I didn't say anything about the school this time.

VALDES: Okay, but wait a minute. If you're going to throw around numbers like that, right, and now you're talking about declining enrollment, which I'll concede is an issue in Orange County like it is in all of California. But I want to talk about this school. How does this school impact Irvine?

JOHN: What I was trying to share…

VALDES: Okay. I'm listening.

JOHN: Is that the Irvine Unified School District, like many school districts, is struggling with declining enrollment. They have told us in their petition, which I pointed out, that they are going to start a school with 300 students. They're going to grow that to 348. I can't assume that that is not going to have any additional impact on their declining enrollment.

VALDES: Okay. I mean, that's a fair assumption. The numbers are either going to be 0 to 100%. Why do you assume it's 100%?

JOHN: What would I assume?

VALDES: Okay. So, you are assuming that every student that they are bringing in is coming directly from Irvine.

JOHN: What I would say is, I'm not assuming that. What I'm saying is if that happens, because remember in their petition it says we're going to have 300 to 348 and there's no limitation. It's on page 29. I'm not making that up.

VALDES: I don't think you are.

JOHN: Okay. So as the CFO, I have to give my board somebody some parameters. I don't know how many. I've heard them throw out 81. If they're not going to grow the enrollment in Irvine, why are they petitioning our district? That makes no sense to me. So, they're going to enroll some additional amount of students. So, for me as a CFO, I would say worst case scenario, worst case scenario is that, and that's the number that I shared with you last time, is 3.7 to 4.3. If they go from 300 to 348.

VALDES: But how do we get to 21 tonight? 21.5.

JOHN: I think we're missing apples and oranges here. So, I'm going to try and be more clear. The 21 is the declining enrollment that the district already faces right now. This is what we have planned for. This is what we have in our financials. So, in our budget for ‘26-‘27, we built in a decline of 420 students. In our multi-year projections, we built in a decline of 513,495. The point I was making is that charter schools take away more students. We're already looking, and when we look at those five years, we're looking at a loss of about 140 teachers. It's not hard to figure that out. We have 21 million. Our average teacher salary is 150,000 with benefits, right? So that's what we're looking at already. The point that I'm making to you, the board, is that this charter school, any charter school can exasperate that. That's what I said last time.

VALDES: Well, look, I can concede that the number is going to be greater than 0%. That I can concede. The chances are it's going to be greater than zero. But it just goes back to assuming that it's the maximum number, I just don't think is a fair characterization. But thank you for providing me your insight. Okay?

JOHN: Okay. Thank you.

VALDES: Madam Superintendent. You once again came up with this example about LA with the 26 charters, Orange County with the 33 that we've authorized. And I think it was Trustee Stone that mentioned it last time, but now I'll say it again to you. If Orange County is at 33 and LA's at 26 and you make the statement that Orange County is authorizing too many, I could just turn around and say, "Well, LA is not authorizing enough." So, I said it last time. I'm saying it again. If you have any response to that, I'd like to hear it.

CASSIE: What's the question?

VALDES: No question. I guess it was more of a comment because I heard it last time and I don't buy into that. I feel like you could just turn around and say that LA just doesn't authorize enough with 1.5 million students and we're at 430.

CASSIE: Have you looked at what other county boards of education authorize? Have you seen that you are an outlier? That you are you an anomaly? I understand. I understand.

VALDES: Look, quite frankly, this is a policy...

SPARKS: The voters have seen that for sure.

VALDES: This is a policy debate.

CASSIE: I would disagree with that, Trustee Sparks.

SPARKS: The voters have voted.

CASSIE: I believe that the boards…

SPARKS: The voters have voted. They like what Orange County's doing.

CASSIE: They don't understand. I would argue that most voters don't understand the impact of your decisions.

SPARKS: Oh, you're saying voters don't, they're not smart enough? Is that what you're saying?

CASSIE: No.

SPARKS: That's what I heard.

CASSIE: No, I think they don't understand…

SPARKS: That's a typical comment.

CASSIE: I think they don't understand the impact of this board's decisions. I think they don't understand that you are redirecting dollars from public schools.

SPARKS: I think they do.

CASSIE: I think we're going to find out. And I also think there's a reason.

SPARKS: We just found out.

CASSIE: What we also know, and Trustee Williams has spoken to this, we've never had a state audit of a county board of education. It has never happened. And it's happening in part because at the rate that this board approves charter schools, when you approve a charter school, you have a fiduciary responsibility to ensure that that charter is filling a need that has not been met. You have not done that. When you approve a charter, you need to make sure that those dollars that are flowing to a different institution are not harming the district on which it comes.

VALDES: Madam Superintendent. I don't have a question pending. I appreciate the commentary, but I've heard enough tonight. Thank you.

SHAW: Oh, you still have more questions?

VALDES: No. Look, all I'm going to say to the public as I conclude my comments and my questioning is that this is a policy debate that's going on throughout California. This board takes one position and clearly Irvine Unified takes another. And the voters have spoken because they've elected the five of us sitting up here. And quite frankly, I believe that the school systems in California, parents should be able to walk with their feet. That's just the way things—and if a school district doesn't like it, my job is to offer and support parents and kids and let them make the choice of where they want to go. I think we are less than 5% of students that are serviced by charter schools in Orange County. I don't think that's an unduly high number. And this is just a policy debate that you just witnessed right in front of our eyes. Those are my comments.

CASSIE: It's more than a policy debate. I will say this. It's more than a policy debate. It has impact on all school districts, not just Irvine Unified. And you will be hearing from us. When I say that there are 430,000 public school students in this county, you will be hearing from us.

VALDES: I appreciate that.

CASSIE: Thank you.

VALDES: Thank you.

SHAW: Trustee Barke.

BARKE: Well, I'm not sure there's a lot left to be said, but one thing I will comment, and I know a lot of studies have been done on this, is that most kids who go to charter schools do not come from the districts. Most of them come from private schools. They come from homeschooling. They come from other charter schools. It's a certain family that chooses a charter and they're not just running out of the district school. So that's my two cents. I think Excel is a terrific school. I'm sorry that you're going through this and I appreciate you being here and everything you do for students in our community. So, thank you.

SHAW: Dr. Williams.

WILLIAMS: Wow. After 30 years, this is a wow experience. First time ever for me. For those of you who are on YouTube in the virtual world, and for those who are here, you heard a public

policy debate about the validity of charter schools and the rights of parents to direct the education of their children and to protect the innocence of their children. And that's what you witnessed here today. The attack by Irvine Unified School District, a little bit over the top by the way, Mr. Cyril and Superintendent Cathy and Mr. Fogarty. Cathy, you can come on up. I will have some questions for you. So, this is the epitome of the never-ending war between union-controlled school districts, which control the teachers and the superintendents. And they buy trustees for their school board elections. You know that, Cathy, because your husband was a former…

CASSIE: Trustee Williams.

WILLIAMS: I'm not recognizing. You don't have the floor. You don't have the floor.

CASSIE: But I would like to correct my name for the record.

WILLIAMS: You don't have the floor.

CASSIE: It's Cassie, C-A-S-S-I-E.

WILLIAMS: Mrs. Parham, right?

CASSIE: That's better. Yes. Thank you.

WILLIAMS: Yeah. What did I call you?

CASSIE: Cathy.

SHAW: Cathy with an S.

VALDES: Cassie.

SHAW: S. Ken.

WILLIAMS: Okay. Cassie.

SHAW: Cassie.

WILLIAMS: Yeah, Cassie Parham. Okay. So, let's look into the significance of what was said tonight. So, there was a lot of political statements here. Ms. Parham, you said and made the allegation, and it was a strong sentiment that these politically appointed process of this joint committee of the assembly committee to investigate this board because we pass charter schools. How did you know about that?

CASSIE: How do we know about the state audit?

WILLIAMS: Yeah. How do you know about that?

CASSIE: It's been shared with all of the superintendents.

WILLIAMS: Okay. Who shared that with you?

CASSIE: The information is publicly available.

WILLIAMS: Okay. Did you ever talk to the author of that particular…

CASSIE: We have had conversations with…

WILLIAMS: I'm not done asking my questions if you can be so kind. You know leading a school district that decorum is extremely important. So, this is a political attack. And the JLAC committee is nothing but a political attack based upon Senator Tom Umberg and his working against the concepts that we have advanced as public policy. Have you ever had a private conversation with Mr. Tom Umberg about this?

CASSIE: With the senator? No, I have not.

WILLIAMS: Okay. Have you ever had a conversation with anybody from the state committee?

CASSIE: No.

WILLIAMS: Why are you so strongly opposed to charter schools?

CASSIE: I'm not opposed. We have a charter school in Irvine.

WILLIAMS: Okay. So, you feel that this JLAC is reasonable and prudent and a good spending of what, $1.2 million?

BARKE: $839,600.

WILLIAMS: Okay. So almost a million dollars because of a political public policy position by this board. You attack that concept. And you're not giving any support.

CASSIE: You are stewards of public dollars.

WILLIAMS: Right.

CASSIE: And you approve charters.

WILLIAMS: And are charter schools public schools?

CASSIE: We have yet to see it. Some of them are, yes.

WILLIAMS: Wait a minute. So, you're suggesting…

SHAW: Hold on. We can't be shouting out from the comments from the public, please.

CASSIE: They are publicly funded. Here's what I would like to share.

WILLIAMS: I don't want to know what you shared. I have questions and we have limited times, Mrs. Parham. You're not acknowledge that this board. Don't let this be like Washington DC.

CASSIE: Prior to 2015, there were, prior to 2015.

WILLIAMS: Parliamentary order Mr. Shaw. I have the floor.

SHAW: We can only have one person speak at once.

WILLIAMS: The guest speaker is taking up my time.

SHAW: Please. One at a time.

WILLIAMS: So, you feel that this political process and attack upon this board by Senator Tom Umberg is correct? Is justified?

CASSIE: I believe it's warranted.

WILLIAMS: Okay. You also made the statement you'll be hearing from us. What did you mean by that?

CASSIE: I'm not the only school district and not the only superintendent that is concerned about the decisions that this board is making.

WILLIAMS: Are you suggesting that you and the other superintendents in school districts are talking? Are you conspiring against this board?

CASSIE: We have concerns about the decisions that this board makes.

WILLIAMS: So, when we give the rights of parents to make decisions to leave Irvine Unified School District and go to a charter school, you don't like that because you're losing funds?

CASSIE: That's not what I said.

WILLIAMS: That's what you meant. That's what you essentially said. Mr. Fogarty talked about all this different money that you would lose and you're going to lose anyway because the declining enrollment is a real big issue.

CASSIE: Trustee Williams, when you approve a charter, you should know that that charter is performing at a superior level, that it's meeting a need that is not already being met. Otherwise, how do you justify taking the dollars away from that school district?

WILLIAMS: Heidi, I'll have you come up next? Thank you. Heidi, has Excel Charter ever had a dis-enrollment complaint from a parent or an authorizer?

HEIDI: Not to my knowledge.

WILLIAMS: So, this ruse that Irvine Unified School District is bringing up about this disenrollment, that is not a real issue. Is that correct?

HEIDI: No. I mean, only thing of issue would be as parents. If anything, on the flip side of our expectations are so high, parents won't come to us knowing that we require assessment and evaluation of their students. So, they might not like that, but that's how we operate.

WILLIAMS: Very good. Okay. In closing with my comments, I appreciate the good people from Irvine Unified School District for being here and sharing with us their concerns. I think this only validates the real vacuum and the distance between people of us who have expectations and policy positions that parents know and have the right to make decisions for their children's education. I think that's what this comes down to. And the people out in YouTube world and who are here, you've seen a very pivotal discussion on public policy and these issues. And it was rather eye-opening to see what happened here tonight because the salacious manner and attacks and words were quite great upon this board. And it's unfortunate. I've never seen this lack of decorum by another school district in my 30 years of being here.

BARKE: They also attack the charter, not just the board.

WILLIAMS: It's true.

SHAW: Okay. I guess I just had a few comments I would like to make. For those who watched our board, a few meetings ago, we actually closed a charter school. It wasn't a fun experience, but I don't want this suggestion to slide that we would blindly authorize a charter school no matter what. If in that case, they were having serious problems and challenges and we revoked the charter. So, we're only interested. I can speak for myself, but I think I'm speaking for my board. We do only want to, if we're authorizing a charter school, it's a quality charter school. We're not in the business of having poorly performing charter schools just for the sake of having them. So, I would point that out. I mean, I think our record stands on that. And what was mentioned earlier is correct. If you looked at all the students in Orange County, the K-12 level, about 5% of them are enrolled in a charter school.

So yeah, I understand for the districts they would maybe have those other 5%. I think Mari makes a very valid point. A lot of those kids might be in a private school or a homeschool or some other situation than the traditional public school. But in theory, you can understand a district saying, "Hey, those could have been our students there." There's no question Irvine Unified offers terrific schools. And I wouldn't argue that. I don't think anyone would argue that. The beauty of having a charter school is parents get to vote with their feet. As was said, if you see Irvine Unified schools and they're terrific, you can send your kids there. But if you have another option and that works for your family, that could be something to consider. So, it does give parents that choice. And I think we are all interested in giving families a choice. I'm always a little interested in being compared to Los Angeles County.

For those who don't know, the Los Angeles County Board of Education is not elected at all. They're appointed by the Los Angeles County Board of Supervisors. The one thing about doing it our way is if we are screwing things up, the voters can send us packing real easily. But we just saw Lisa Sparks walk away with 75% of the vote. I think that was a pretty validating situation. What else did I want to say? Here at the Orange County Department of Education, we have our charter school unit. They're fantastic. And I think our charter operators would say that the charter school unit here at the Department, they're not a bunch of slouches just rolling over, turning a

blind eye to whatever. I think that they'll be the first to tell you, "We're tough. We're fair, but we're going to be tough making sure you're doing everything you're supposed to." So, I guess those are my comments. With that, I would be happy to entertain a motion.

WILLIAMS: I'll make a motion to approve Excel Charter School.

SPARKS: I'll second that.

SHAW: Now, is this with or without condition?

SPARKS: Option A. Option one.

WILLIAMS: Option one. Let me restate my motion. I move that we support this charter under option one.

SPARKS: Second.

SHAW: Moved by Dr. Williams. Seconded by Dr. Sparks. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? All right. So that takes us to item 14, I believe. Did we want to. I know that maybe the—we'll give you Excel folks maybe just a minute if you were interested in heading out.

BARKE: Or you can stay. Oh, you can stay. It's no fun. Come on. It's been fun so far.

SHAW: Drive safe.

WILLIAMS: I've never seen the lack of decorum by Irvine before.

BARKE: Tried going to one of their meetings.

WILLIAMS: And they even talk about them transitioning children. The opposite gender without their parents.

BARKE: Bye, Janelle.

SHAW: Okay. We'll move on to item number 14, charter school public hearing, International School for Science and Culture material revision. Aracely, you're busy tonight.

CHASTAIN: The board will now conduct a public hearing to grant or deny the material revision submitted by International School for Science and Culture on June 23rd. ISSAC is requesting to add an additional facility within the boundaries of Newport Mesa Unified School District. Staff reviewed the revised charter petition and determined that it meets the standards outlined in Education Code section 47607 and 47605 and recommend approval of the material revision. Representatives from ISSAC will now have up to 10 minutes to respond to the staff report and recommendation. I invite the charter school representatives to the podium.

PADMINI: Good evening. And thank you for allowing us to speak before you today. Orange County Board of Education Trustees. I would like to report to you from our last conversation that we have made very good progress on the move, which we accessed the facility only in July. And it was not quite turnkey, but we are making steady progress on the move and getting ready to welcome students on both campuses. The health department and fire marshal are both scheduled to visit this coming week. We will provide OCDE with the inspection results and approvals as soon as they are received. We do not anticipate any particular issues on either. In addition, responding to the concern raised by Trustee Valdes, we have eliminated the need for transporting students between campuses by serving all grades at the new campus. Ms. Patricia has an enrollment update briefly.

PATRICIA: Thank you, Dr. Srinivasan. Good evening, everyone. My name is Patricia Hirano and I will be sharing a few enrollment updates. So last month we had 185 students who had completely their registration. And since then, we have grown to 200 fully enrolled students with an additional 10 students currently in onboarding process, which we start school on August 17. And based on our current projections, we expect to begin the school year with approximately 210 students. To support enrollment efforts, we distributed more than 2,000 flyers throughout the community surrounding our new campus. And we also hosted two open houses events for both perspectives and returning families, giving them an opportunity to become familiar with our new location and learn more about the upcoming school year. Thank you.

PADMINI: Before we conclude, I would like to share one exciting update. This week, ISSAC is carrying out our Vision 2033 strategic planning process, looking ahead to where we want ISSAC to be seven years from now and how we'll get there. We're engaging teachers, staff, family, students, alumni, board members, and community partners in conversations about who we are, what we've accomplished, and where we want to go. The goal is to build a shared vision for where we want ISSAC to be in 2033, seven years from now, which will guide our decisions and strengthen our charter renewal and long-term success. We are very fortunate to have Maria Guajardo, Dr. Guajardo facilitating this work. Dr. Guajardo brings extensive experience in educational leadership and strategic planning. And I'd like to invite Maria to share a few of her impressions from our process so far.

MARIA: Thank you, so much and good evening. I just want to say that it has been quite the privilege to be engaged in the strategic planning assessment phase for ISSAC, really trying to couch these concepts of what's working well, what else needs to change, what transforms, and where is the impact happening in order to set the vision moving forward. Today began this three-day strategic planning process. Our youngest participant was five years old. So, think about how do you capture the opinion, the impressions, the impact on the smallest of our learners? And it went all the way up to students that were currently enrolled, seventh grade, sixth grade, up to alumni. And also, the voices of parents, parents who students have graduated, parents who have children currently enrolled. The morning began with over a dozen faculty members, teachers who were there trying to grapple with how do I put into words the impact that we are having on individual lives.

And some of those initial impressions from parents, a couple of them who had come from private schools transferring over to this charter school saying this was the best move that we could have done. And they now have three of their children who are either enrolled or have been enrolled.

The teachers who are saying there's a lot of change and change doesn't always mean that it's welcomed. Change is upsetting at times and yet they are putting their arms around this community. And that was the word that came through loud and clear. We are a community. When children were asked, when students were asked, what makes a difference to you here? To have a nine year old say to me, “I feel respected and I feel seen”. And I like going to recess. I like lunch. And those are the things also that are important to them. But to hear this young learner be able to capture in his own words, I'm a learner here and this is what makes a difference to me. So, I just feel very privileged to have been able to launch that assessment process today. We look forward to using this information that is collated into the development of future plans. And as Dr. Padmini said, we want to be able to set that vision. If we don't know where we're going, any road will take us there. We want to set the road. And we want to set that road informed by the voices of the ISSAC community. And that community are both the learners, the teachers, the parents and the staff. Thank you so much.

PADMINI: So, at this time, I respectfully request the board's approval of our material revision, which will support ISSAC 's expansion to two campuses and position us for the next phase of our growth. Thank you for your consideration.

CHASTAIN: The public hearing is now open for 15 minutes of public comment. Trustee Valdes, are there any comments for this item?

VALDES: There are none.

CHASTAIN: The public comment period is now closed. The board has three options for action. Option one, approve the material revision and revised charter petition. Approve the revised petition subject to conditions established by this board or deny the revised petition upon making written factual findings regarding the reasons for denial per Education Code 47605. President Shaw, I now close the public hearing and return the meeting to you.

SHAW: Thank you. Are there questions from the board?

WILLIAMS: Yeah.

SHAW: Dr. Williams.

VALDES: No, I don't have any questions. I just want to acknowledge what—I don't want to misstate your name.

PADMINI: Padmini.

VALDES: Madmini.

SPARKS: Padmini.

VALDES: Padmini said, and acknowledging my concern. And it sounds great that you managed to figure out a way to not have to transport students between two campuses. That is always a

major concern for me when there's a second campus and how we're going to get back and forth because student safety is a very high priority for me. So that's all I want to say.

SHAW: Thank you. Dr. Williams.

WILLIAMS: Oh, please forgive me if I seem a little emotionally upset. Most of the audience has left, but I'm still thinking about what happened. Padmini, may I have you up here? I'm just going to ask you a few routine questions because this helps sets the record, helps sets the historical perspective of ISSAC. You know when you came out, I was not a real big fan and supporter. I was concerned about many different things and functions of your charter school. But thankfully, you've proved me wrong. And you have been there for what, 10?

PADMINI: Seven years.

WILLIAMS: Seven years. Okay. So almost a decade. And has any time during that time period, Newport Mesa Unified School District attacked this board like the Irvine Uniformed School District?

PADMINI: I don't believe in this fashion, not at all.

WILLIAMS: We're also told that it's justified to have a political audit by Sacramento attack us. Are you aware of anything of this?

PADMINI: Peripherally, as would a general member of the public and charter operator.

WILLIAMS: Okay. And did you see the similarities with what they said and the understanding that this is a battle that has been going on for a couple decades here in California regarding charter schools? Do you see that similarity in argument?

PADMINI: Yes, I do.

WILLIAMS: And it's because union controlled school teachers control the district. They control the school trustees which make and establish the budget. And it's the unions which have a big conflict of interest involved in politics. And what we see here with Tom Umberg is his involvement in politics because he's leaving office and he wants to run for a higher office. Poor Tom has been a very good legislator for almost two decades in this county, but he became very political in this last year trying to weaken this board. They make allegations that we're redirecting public funds and misdirecting public funds. And that investigation, a political investigation, I must add to that, is justified. As you have worked with our wonderful staff and you've worked with this board for seven years, do you see or have any complaints with how we're operating? I don't want to come across too nice, but we've been critical of your school. I've been critical of your school. And you've only improved because of the pressure and the changes that we wanted you to see.

PADMINI: As I mentioned in the last meeting, I believe that this board and the OCDE staff has been tough but fair. And in every case when there is feedback, I'm always looking for what can we do to respond as we did with Trustee Valdes's comment. I said, "It's a real concern. How can we respond?" Right? So, that's been the approach with us all the time. And I will also add that

the place where the decision is made is with parents. Parents make the decision. They decide to wander into the place where their children will receive the best education. And if I were a charter school or a district that wanted to have impact, the place where I would try to have impact is with the parents.

WILLIAMS: Right. Yeah.

PADMINI: So, to reiterate, to respond to your question, while I have not always been comfortable, I will say that, and the situations have not always been what I would have necessarily wanted, I recognized fairness and I recognized a desire for improvement. And I respect that thoroughly.

WILLIAMS: I'm done.

SHAW: Thank you. Anyone else?

SPARKS: I would just say I appreciate that you take our feedback seriously. You go back with your team and you all brainstorm what are the ways you can make it better and provide a better experience for the kids, the students and the parents. And I know you guys are very dedicated to that and we noticed that. So, I really appreciate.

PADMINI: Thank you.

BARKE: I would agree with that, that we do appreciate all that you're doing with the community and do appreciate that you have done what it takes to get along with us and appreciate our feedback and all that.

PADMINI: Thank you.

SHAW: I would entertain a motion.

BARKE: I'll make a motion to approve without conditions.

SPARKS: Second.

SHAW: Very well. So, this is option one, approve the revised charter petition without condition. Okay. Moved by Trustee Barke, seconded by Trustee Sparks. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? Passes unanimously. All right. Tonight is the night of charter schools. We got one more here. Let's go to number 16, Suncoast Charter School agreement, MOU. Do we have a staff report?

CHASTAIN: Not really a staff report, but I can just let you know before you tonight is the Suncoast Charter School's request to revise the agreement or MOU previously approved by the board. So, on April 8th, the board approved Suncoast Charter School charter petition. As part of that action, I need to enter into an agreement governing the operational relationship between the

board, OCDE and the charter school. Following approval, Suncoast submitted a number of revisions to the agreement. Staff reviewed each request individually to determine whether the proposed changes were appropriate and consistent with the board's oversight responsibilities. This item first came before the board on June 17th. Following discussion, the board continued the matter to tonight's meeting to allow time for review and consideration. Since the June meeting, staff have continued to review the MOU with redlined language being reviewed by legal services, consultation with OCDE's risk management team, and consultation with ASIP.

Overall, we continue to advise that the provisions in the original MOU provide an appropriate balance between supporting charter school operations and protecting the board's oversight responsibilities and the public interest. For those reasons, staff has recommended that the board approve two requested revisions to the agreement. Property insurance may be tailored to Suncoast's actual operational footprint given its limited physical facilities. And the addition of a self-insured retention of up to $10,000 for crime and fidelity coverage provided that the required $1 million coverage limit remains unchanged. It is further recommended the board deny all remaining revisions requested by Suncoast Charter School. So, what you have in your packet is, I guess it's bluelined, but redlined. And that is the requested language that Suncoast has submitted.

SHAW: Okay. What we're looking at here where it's blue.

CHASTAIN: Blue are Suncoast, what they're requesting from the board.

SHAW: And the part that's lined out is what?

CHASTAIN: That's them as well.

SHAW: That was them.

CHASTAIN: Yes. All of these changes that you have in front of you are what they submitted to us.

SHAW: And that is the staff recommendation to agree to this language?

CHASTAIN: No, the staff recommendation is, right, just a couple of items.

SHAW: Got it. Okay. Very well. Do we have public comments on this? No. Oh, really? Okay. Do we have questions or comments from the board? Dr. Williams?

WILLIAMS: I'll defer to Jorge.

SHAW: Go ahead, Jorge.

VALDES: I just have a comment. It would seem callous if I didn't mention, because the staff report is basically recommending two minor requests, but I did ask Mr. Rolen to go through all the investigation we did to get to that very limited concession. And Mr. Rolen, I'm going to ask you to discuss the work that we did in order to come to. The staff came to come to that conclusion.

ROLEN: Thank you, Trustee Valdes. It was covered in some part by the executive director, but I came up with a chronology explaining exactly what was done. OCDE staff began work on the insurance work stream on May 21, 2026, when Suncoast emailed insurance notes to the executive director and myself. The executive director provided Suncoast with some proposed MOU language after Suncoast indicated it cannot review language on a mobile device. On May 30, Deputy Superintendent Renee Hendrick reported discussions with CharterSafe, the largest provider of charter school coverage, and ASCIP, OCDE's insurance and risk management partner. She noted that both organizations viewed the current MOU limits as below industry norm and that CharterSafe would not write coverage below OCDE's limits. She also reported the CharterSafe did not use different minimum limits for virtual and seat-based schools, although a virtual school might be priced differently and that she reviewed insurance information from six of our non-classroom-based charters and more than half carried limits above what we require in our MOU.

While Suncoast did not meet the current limits. On June 2nd, Suncoast provided additional current insurance comments confirming the insurance review remained active and that the parties continued refining the requirements rather than treating either as a final draft. On June 3rd, our risk manager requested redline insurance page from Suncoast shifting the discussions from general to a detailed line-by-line review of the insurance provisions. The board meeting was on June 17th. On June 18th, the executive director again said Suncoast, the most recent version of the MOU at Suncoast requests, continuing the iterative drafting process and preserving a record of the revisions. On June 23rd, OCDE received additional information from Suncoast and our risk manager received Craig Meyer's recommendations regarding insurance revisions to the insurance limits. He forwarded these recommendations to legal services for review, adding yet another layer of legal and risk management analysis before they were accepted or rejected.

On June 29, OCDE received Suncoast's final redlined MOU and forwarded it again to legal services for further review, demonstrating again that insurance provisions were being evaluated and refined through multiple drafting cycles. Following the June meeting, the insurance provisions underwent an extensive multidisciplinary review involving legal services, risk management, and ASCIP, a joint powers authority that provides insures and risk management services to public educational agencies. Legal services reviewed successive redline drafts while risk manager conducted a comprehensive section by section evaluation of every insurance requirement to reach a reasonable compromise with Suncoast wherever the charter school's operational risk profile supported doing so. Rather than simply insisting the board's standard MOU insurance requirements, the risk manager analyzed each coverage independently and determined whether a reduced risk exposure associated with non-classroom-based charter justified lowering coverage limits or modifying requirements without creating an unacceptable exposure for the board in its capacity as authorizer for the superintendent in carrying out the board's oversight responsibilities and Suncoast, as well as monitoring public resources.

His review included commercial general liability, property insurance, crime infidelity coverage, CSAM, which is sexual molestation insurance, related to coverage and umbrella liability and other insurance provisions. Throughout this process, ASCIP was consulted to ensure that any modification remained consistent with sound risk management principles. The final insurance requirements were therefore a product of weeks of collaborative negotiations, multiple rounds of revisions, legal analysis, independent risk assessment, and consultation with ASCIP and OCDE's

risk management professionals reflecting a deliberate effort to accommodate Suncoast while ensuring that catastrophic liability risks remained appropriately insured. On July 21, 2026, the insurance review was complete after nearly two months of sustained work to evaluate risk exposure, revised policy language, and establish insurance requirements that were appropriately balanced Suncoast requests with the board's responsibility as authorizer to prudently manage public risk. The importance of this careful review is underscored by a December 2, 2025, news report regarding Pacific Coast Academy. A non-classroom-based charter just like Suncoast, which was reported to have entered into an $8.5 million settlement arising from allegations that two teachers failed to fulfill their mandated reporter obligations. The settlement illustrates that non-classroom-based charters remain exposed to significant liability despite their different instructional model and reinforces the importance of conducting a thorough individualized review of insurance requirements before exercising an agreement. So, it's important to point out that although Suncoast has a very healthy reserve of somewhere around $5 million, one claim like that could cripple them. So, this review is in large part, if not exclusively to protect Suncoast.

VALDES: Thank you, Mr. Rolen. And thank you for doing that. And to the folks at Suncoast, I didn't want to just present to you the staff report with the two minor revisions. I wanted everyone to hear how we really arrived at that. And that was hours and hours of work.

ROLEN: Tens of times.

VALDES: Tens of hours of work to come to that conclusion. So, I think we heard what you asked for, but that's how we arrived at our conclusion. Now, my only other statement is to the charters in general. There was a request to really remove pretty much all of paragraph B3 from the MOU and that deals with curriculum. And this goes to everybody. And I'm only going to speak for myself, but the aspects of B3 that are in here, they are really, really, I feel, not only important to me, but my constituents and the people that support me and have supported me in elections and basically are the reason I'm up here. They will not accept gender transition plans behind the backs of parents. They simply will not do it. When we put this in here and I was the primary motivator, this is really, really important to me. But not only that, I truly believe it's important to my constituents in district one. Any change to paragraph B3 is very likely going to just be a flat out no for me. And that's just who I am. You take the good and the bad, but that's who I am. And that's how I feel. And I feel very strongly about that paragraph. That's all I have, Mr. President.

SHAW: Any other comments? Oh, I'm sorry. Dr. Williams?

WILLIAMS: Yeah. And let me read out loud that paragraph, Jorge, to follow up with what you said. And I do agree. I want to thank you for you taking the leadership on this. This was a 5-0 vote. This is a vote that represents the public policy position of this board. And it says, "Children attending charter schools shall not be compelled to adopt identities as either victims or oppressors solely based on their skin color and other immutable characteristics. Two, the children attending charter schools shall two, not be made to question whether they were born in the wrong body or to view their parents and their reality as enemies or to be blamed. Three, be imprinted with any anti-American subversive, harmful, and false ideologies such as but not limited to critical race theory. Part four, be assisted, encouraged, or facilitated in any gender

transition plan without parental support. Charter schools shall review and approve all individual teacher curriculum class materials provided to students before such materials are distributed." So those are simple common-sense values that I think parents, most parents agree to. And again, I thank you, Jorge, for that language. I never did think lawyers were very much in life, but you proved yourself to be very valuable. I can say that because my son's an attorney and my best friend is Greg is an attorney and you know I'm not serious.

ROLEN: I don't think you can say that.

WILLIAMS: But on a sincere note, this language I think does reflect the values and the policy, governance policies that we hold as a board. So, you're right, Jorge, they're not going anywhere. They're not going to be changed. Can I ask a question?

SHAW: Yes, please.

WILLIAMS: Windi, can you come up?

BARKE: That was funny.

WILLIAMS: Okay. So most importantly, we recognize that we didn't take this lightly. We took everything you said very seriously. We have to listen to counsel. We have liabilities on both your part, on our part. We take our decision. You may not like it.

WINDI: 100%. And we discussed that when the first time we were here. I said I don't always have to win.

WILLIAMS: Okay. Well, we haven't voted yet. But most importantly, I just want you to know that we care about your charter school.

WINDI: I know.

WILLIAMS: We understand your situation, but there are certain public policy positions and beliefs that we have that we can't change. If I can't, what did you think about that last discussion by Irvine Unified School District accusing our board?

WINDI: I thought they were not making many friends. If they want you to vote against the charter, they shouldn't be making enemies of you.

WILLIAMS: Yeah. Very interesting.

WINDI: Well, they also showed why kids do leave their districts. I mean, I wouldn't want my kids in their school.

WILLIAMS: Okay. I'll stop.

WINDI: You better stop there.

SHAW: We're off topic.

WINDI: Can I say one more thing? Not about that.

WILIAMS: Pardon me?

WINDI: Can I say one more thing?

WILLIAMS: What's it about?

WINDI: The language.

BARKE: The thing we're talking about? You want to discuss that?

WINDI: Yes. Unless you want some more backstory on Umberg and his relationship with Al Mijares. I don't know what you'd like to know.

WILLIAMS: There is a background there. I didn't know that.

WINDI: Oh yes. I can enlighten you later.

WILLIAMS: Okay.

SHAW: We're a little off topic.

WINDI: Just search it on YouTube.

SHAW: Windi, let's go to the language.

WINDI: So, I just wanted to clarify that our parents are active in choosing the curriculum. So, the school would not be pushing any such curriculum on any student.

SHAW: That's a good thing.

WINDI: Yes.

SHAW: All right.

SPARKS: President Shaw, if I may make one little spelling edit.

SHAW: Please.

SPARKS: To 3B where it says charter school. There should be an S there. On the last sentence, charter schools shall review and approve. Or is it the singular this charter school?

WINDI: Singular for the MOU, for our school only.

SPARKS: This charter school. Okay. So, it's not in general? Okay.

WINDI: Yeah.

SPARKS: Okay. That's what I wanted to clarify.

SHAW: Okay. Any other questions or comments from the board?

WILLIAMS: No, I thank the executive committee for taking this very seriously. And Mr. Rolen, of course.

BARKE: I mean, I think the charter schools know that we always have their best interests in mind and what we do is to protect you and us, and that's what we have to do. And I know you understand that.

WINDI: Yes, 100%.

SHAW: You don't always want to win, but you want to have a good batting average.

WINDI: Exactly.

SHAW: Yeah. I've heard that before.

WINDI: Thank you, guys.

VALDES: Can I make a motion to make the amendments to the MOU consistent with Aracely's conditions, let's say?

SHAW: Go ahead, Renee.

HENDRICK: The recommendations to deny the revisions.

VALDES: Yeah. Yeah. So, I'm going to make a motion to deny the request subject to Aracely's recommendations.

ROLEN: Those are in the [inaudible].

SHAW: Those two exceptions.

VALDES: Right.

SHAW: Got it. All right. Moved by Vice President Valdes. Is there a second?

WILLIAMS: I'll second that. I have a question.

SHAW: Very good.

WILLIAMS: So, we're approving, the motion is we're approving or not approving, save the language that is not crossed out in our packet. Is that correct?

VALDES: We're denying the request.

WILLIAMS: Denying the request.

VALDES: Except for Aracely's two recommendations, which she articulated about the footprint.

ROLEN: Right. And the crime prevention.

VALDES: And the crime prevention.

HENDRICK: They are included in the agreement.

ROLEN: So, you can just approve staff's recommendation and that'll cover it.

SHAW: Okay.

WILLIAMS: Okay. We're approving staff recommendation basically, Jorge. Is that right?

VALDES: Yes.

WILLIAMS: Okay.

SHAW: Okay. Motion and second. Is there any more discussion or comment? Seeing none. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? Very well. Why don't we take a bathroom break? Let's try to get back by seven. How's that? All right.

[The Orange County Board of Education takes a break and returns.]

SHAW: Well, now we're getting warmed up. Let's proceed to item number 17. This is an item—let me get this related to the board liaison position. So as everyone probably knows, we had a liaison position created working for our board and that individual set sail for greener pastures. And so, we had an Ad Hoc committee, Dr. Williams and myself interviewing candidates. And we did have quite a number of applicants. Am I correct?

HENDRICK: I think we had like 22 applicants.

SHAW: Yeah. I think it's very interesting, fair amount of interest out there in representing our board. And I kind of took a little bit of pride in that. The staff had screened through the resumes. And as often happens with these sorts of things, we had multiple outstanding candidates. So, it's never easy when you're picking people. It's a good problem to have several strong applicants to pick from. And then I certainly want to publicly thank all those who did apply and especially

those we did interview in person. And everyone did a fantastic job. I want to thank Dr. Williams, Deputy Superintendent Renee and Mr. Rolen, our general counsel, Aracely, participated as well in interviewing the candidates. After the interviews, we had quite a robust discussion and I could have made an argument for any number of people. But I think I generally ended up leaning towards one of the candidates. I was going to put forward the name.

Nikki Bainum-Ramirez. She has a very strong resume, worked for different members of Congress, holds a master's degree from Wake Forest, other strong things like that. What stood out to me is that her experience really lines up with what the job actually is. Working with elected officials, government agencies, community organizations, and the public. She would understand how to communicate, build relationships and keep a lot of moving pieces organized. So that's what this position calls for. Let's see. I think we checked her references and they were very strong. And let's see. I know reasonable people could have come to different conclusions. I guess that's the hard part of being in a leadership position. You have to make a tough choice sometimes. I would like just to recommend Nikole Bainum-Ramirez to our board. And I don't know if you want to add anything.

WILLIAMS: Well, let me add a few things before I second it. So, this individual, very well qualified. The other two individuals that were actually interviewed, well qualified too. I think when we originally discussed this probably over a year ago about this position, we were looking for someone that had congressional, the sacramental type of experience working for an aid for an elected representative. And it's hard really to find these people without much experience. And I think Nikki has that. So, I'll second that nomination.

SHAW: Thank you. Greg, would you like to say anything? Renee? Having participated?

ROLEN: Nothing that hasn't been said. All the candidates who are exquisite. Her resume was fantastic. 3.5 grade point average in her master's program in Wake Forest. That's nothing to sneeze at. So, it's a difficult decision, but you made it.

HENDRICK: Yeah. I think one of the ones also, she was the one that had the clearest actually expertise working with different congressmen and fielding constituents' questions and things like that. I think that's the first time I had heard one of them actually be able to articulate that well.

SHAW: Okay. So, does any member of the board have any questions or comments?

VALDES: I guess my only, I don't want to call it a concern, but the comment I have is I did hear about this candidate's resume. And I guess if I have a concern, I would say is she overqualified for this job? And this is not a knock on the prior liaison who absolutely did a great job for us, but it was a steppingstone for him. And I guess if I had a concern, is this job going to be a steppingstone for Nikki and are we going to be looking for somebody eight months from now? And I'm kind of hoping that doesn't happen. And I'm sort of thinking that if it does, maybe we want to consider another option in the future. Not for this time, but maybe in the future there may be a staff member that could do this. But I'm happy to support this primarily because I know Dr. Williams, who I respect greatly, really thinks this position is needed. I'm happy to support this. But if I had a concern, that's my concern is, is this person overqualified for this job?

WILLIAMS: And we did discuss that. We did take that very seriously.

SPARKS: Is this a contract, like a year or two contract? Or could that be part of...

HENDRICK: It's actually a short term employee.

SPARKS: Short term employee.

HENDRICK: They're not a full-time employee. So, the short term and so work up to maximum 195 days in the year.

SPARKS: Okay.

WILLIAMS: Have we actually told this person about what we're doing tonight?

ROLEN: I don't believe.

WILLIAMS: Okay. So, this is brand new to publicly?

ROLEN: Yeah.

WILLIAMS: Okay.

SHAW: So, Nikki might be at home watching, getting sitting up in her chair.

HENDRICK: She does know that she was the final candidate because we had a check of references.

SHAW: Oh, okay. All right. Mari, do you have any comments?

BARKE: No. I mean, I think, as you guys probably remember, I was sort of the outlier who didn't think we really needed the position, but I respect that my colleagues want it. So, I vote my conscience. I did vote against it. But there also was not a candidate. There's time there's a candidate. I think I'm just going to abstain because I don't really want to vote against someone. I think I'll just abstain from the vote, if that's all right.

SHAW: Okay. Anything else? All in favor of hiring Nikki? Say aye.

SPARKS, VALDES, SHAW, WILLIAMS: Aye.

HENDRICK: You're making a recommendation to Dr. Bean to hire.

SHAW: Thank you. We are recommending to Dr. Bean. Because Dr. Bean is the employer here, not the board. Thank you very much for the reminder. I knew that.

ROLEN: We would've gotten hung.

WILLIAMS: So just for purposes of clarity, will you restate your motion?

SHAW: Yes. I think it was. We are recommending to Dr. Bean to extend an offer of employment to Nikki.

WILLIAMS: Nikki.

SHAW: Nikki Bainum-Ramirez.

WILLIAMS: And I second that.

SHAW: And Dr. Williams seconded.

WILLIAMS: Okay.

SHAW: So, it'd be 4-0-1 with Trustee Barke abstaining. Did I get that? All right.

ROLEN: Perfect.

SHAW: All right. Thank you. And congratulations and looking forward to seeing her good work. We'll move on to item number 18, Heads Up Checkup. Dr. Eaton.

HENDRICK: Actually, we'll have Dr. Maria Poulin come up with him also.

SHAW: Fabulous. Good to see you.

MARTINEZ-POULIN: Good evening, everyone. Today we also have Amy Smith joining the team for the presentation. And we are going to share a little bit about how ACCESS is supporting student wellbeing through a mental health screening as part of our multiple tiered system of supports. At the center of this work is a simple but important belief. When we design systems that help us identify needs early and respond to it with care, we give students a stronger chance to stay connected, supported, and to be successful. MTSS, multiple tiered system of supports, helps us organize support for students in a clear and intentional way. For all students, we provide social emotional instruction, school-wide prevention, positive school climate, and screening. For some students, we offer targeted supports such as restorative circles, counseling groups, and skill building. For students who need the highest level of support, we provide individual counseling, crisis prevention, safety planning, and coordinated services with families and community partners.

This structure allows us to respond to student needs in a way that is proactive, not just reactive. Because you see, our implementation model is designed to be accessible and family-centered. Parent consent then is included in ACCESS enrollment paperwork, and our family community liaisons, school counselors, and clinicians maintain direct communication with parents and guardians. Screening is administered continuously across ACCESS Community Schools with mental health providers available during the process and interventions tailored to meet student needs and responses. This is not a one-time event. It is ongoing and part of how we support students throughout the year.

SMITH: So, this work is also strengthened by collaboration. ACCESS partners with Heads up Checkup…

HENDRICK: I'm sorry, Amy. I just need for recording. I need you to be in the microphone. Sorry.

SMITH: Sure. No problem. Thank you. ACCESS partners with Heads Up Checkup, the National Guard, Orange County Probation, Orange County Healthcare Agency, our principals, and our school site mental health teams. These partnerships create a broader network of care so that our students are not left alone to navigate complex needs on their own. Students across ACCESS were given the opportunity to be screened throughout last school year. That included students across 18 of our community school sites, our youth in care at out of Fischer School, Sunburst Youth Academy, College and Career Preparatory Academy, 150 day school students, and 33 contract learning students were screened. This broad participation reflects the diversity of the students and the programs we serve. It reminds us that this work must be flexible enough to meet the different needs of our settings. The data show that we reach the great reach and impact of this work. Excuse me. Last year, 103 students, 183 students were screened. In that 20 mental health referrals were submitted for those students. 21 of the students screened were already receiving mental health services. And the mental health team provided 26 suicide risk assessments and two threat assessments. Across the broader referral system within ACCESS, 339 mental health referrals were submitted. 84% of the referred students receive school-based mental health services. So, the real measure of success is not screening alone, but ensuring that we're identifying the needs, coordinating care, and connecting students with the right support.

EATON: So, this first slide talks about the importance of screening. And as you can see that half of all lifetime mental health illness occurs by the age of 14 years old. But unfortunately, most people are not diagnosed until about 11-year gap, so about age 25. And this 11-year gap goes right in between some of the most important time for youth. This is where youth are shaping their identity, their relationships, and providing a foundation for the future. So, the cost of mental health issues is real. 70% of the juvenile justice system have youth that have diagnostic mental health issues. So, if you think about that, when you're seeing somebody who is in a incarcerated situation, there's about a 70% chance that the person also has a mental health issue. Teens with depression are twice as likely to drop out of school. And now the updated on the suicide rate, suicide is the second leading cause of death for ages 10 to 24.

But now, unfortunately, it's the number one cause of death for kids 10 to 14 years old. This is why mental health assessments, universal screening matters, because what you're able to do is be proactive in trying to identify what is going on with an individual during that very important period. The second slide here, where slide one talks about the cost of waiting, slide two is really the antidote. So, when you think about being proactive with mental health issues, what we know from research is that there are five small daily habits that proactively protect mental health. And you can remember it by the acronym SCREEN, SEEDS specifically. So, the SEEDS stands for sleeping, eating, exercise, disconnecting from harmful habits to reconnect with healthy individuals. And then the S stands for the importance of spiritual development and stress management. So that sense of sleeping seven to nine hours, eating well, stabilizes brain chemistry. Exercise lowers anxiety and depression. Disconnecting from screens provides you an opportunity to connect with healthy people and the importance of stress management and spiritual practices. None of these are dramatic, but by being able to be proactive, what you're doing is you're not waiting for a crisis to intervene. You're giving kids and adults and parents the opportunity to practice small, consistent habits so that you're being proactive, not just reactive.

SMITH: So, I also want to pause and acknowledge the human side of this work because behind every screening, there's a student with a story. Many of the youth we serve have faced disruption,

trauma, instability, but they also bring resilience and determination. Our role is to ensure they're seen, supported, and encouraged to keep moving forward. So, I want to share a story of inspiration of one of our students whose details I will admit for confidentiality. So, we have a student who's enrolled in our contract learning program and he took the screener in the fall of 2025. His screening results hit a priority level three, which is in the middle. And our clinician went to meet with him to review the results. And the student shared about the anxiety he was experiencing and how it was impacting his life by becoming more isolated, no longer being out in the community, not even hanging out with his family. So, the clinician reviewed school-based mental health services and what it entailed and the student elected to participate. And through these sessions, the clinician was able to provide psychoeducation tools and strategies for the student to utilize and practice to deal with these symptoms of anxiety. And as a result, throughout the year, the student reported the anxiety decreased. The student participates with community events, has re-engaged with old friends, goes out with his family and takes care of his younger sibling. This student enrolled with ACCESS in December of 2025 with 35 credits. The student now has 132.5 credits. The student consistently engages with his teacher and the clinician and turns in the assignment. So, what started out as a screening allowed for an introduction and a conversation to a school mental health provider to help the student learn strategies and skills to build their own wellbeing and success.

MARTINEZ-POULIN: As we close, I want to emphasize that universal mental health screening, it's not simply a tool for identifying needs. It is a commitment to ensuring every student is seen, supported, and given an opportunity to thrive. This work reflects ACCESS's values, our partnership with families and community agencies, and our belief that every young person deserves a pathway to wellbeing, belonging and success. Thank you.

SHAW: Thank you. Terrific presentation. Are there questions from the board?

WILLIAMS: Yes.

SHAW: Okay. Dr. Williams?

WILLIAMS: Just as an introduction to this board, this has been a project that's been going on for many years now. Dr. Eaton, when did you begin Heads Up? Just for historical reference.

EATON: About nine years ago.

WILLIAMS: About nine years. Yeah. So almost a decade. And I have to give accolades and the positive attributes to what started by our late superintendent, Al Mijares. He was a strong believer in this. And part of how we got behind this is that this program, as I looked at it and talked with Dr. Eaton, and for full disclosures, he is a good man who I've known for a couple decades now. And he has a very Christian oriented perspective and spiritual concern for his patients. He's an incredible psychologist. He even screwed on my head right a few years ago.

SHAW: Boy, you deserve a raise.

WILLIAMS: He does this without getting significant—you don't get any income from this. This is something that's an outgrowth of the ministry of your heart. I need to tell my board members that everything that we've gone through in the last almost decade is very consistent with our

board policy B3. So, it's consistent with our governance policies. We're not going to be promoting any radical education fads or critical theories or any of those crazy things. So, it's very consistent with our governance policy. So, I want to thank the board for the past board, because I know Mari and Lisa, you've been a part of this way back when we started many years ago. And you helped me get going with this. And I want to thank the board for just allowing this to go. And I want to also give you the confidence that this is not going to be embarrassing to us. We're not changing kids and transitioning kids to a different gender. We're not doing that. This is purely about the art and science and treatment of mental health disorders, which is a very serious problem, which our board historically has supported the concept of mental health and seeking it out, identifying it and treating it. And I want to thank both of you from the staff for taking up that mantle and promoting it. And again, Dr. Eaton, it all comes down to you because this was your vision and what you wanted to do 10 years ago when I think we started talking about this.

EATON: Yes, it's great to see the fruition.

WILLIAMS: Yeah.

SHAW: Thank you so much. Did anyone else have any thoughts?

SPARKS: I'll just add that I think all of us have probably known somebody, a young person who's taken their life by suicide at some point in our lives. And so, the work you do is just so important that we capture these mental health issues early on. And I just so appreciate the work you do. It's not easy work, I know. And it's just amazing what you guys have put together. So, congratulations.

WILLIAMS: Great team here.

SPARKS: Thank you. Yes. Wonderful.

SHAW: Jorge?

VALDES: I think my only comment is Dr. Eaton, you were here like a couple of years ago as I recall. That's correct. And you did a presentation on your Heads Up program. And you described what it was. And I asked you a bunch of questions because I said, well, how much of this is passive? Or how much of this is the information about the students is safe? And I recall you answering all the questions in a way that I thought was very comfortable. Didn't we at that point turn to Stefan and say, how do we expand this throughout the ACCESS program? Wasn't it the five of us that asked Stefan to bring this access wide?

WILLIAMS: Was that done? I don't know.

ROLEN: I think it was initiated well before Dr. Bean.

WILLIAMS: Yeah. So, it was Al who I think really took this and promoted it. And we worked together for long.

VALDES: And I asked Dr. Eaton how much these screenings cost. Didn't I ask you that?

EATON: You did.

WILLIAMS: Yeah. It's like $5?

EATON: Yeah, that's like five. And so, we will sometimes go to a public school. A thousand students screen all of the students. Takes about eight minutes. And then we are able to identify those students that are in crisis. So, The vision still is, is if there's an opportunity to partner with the board to go to other public schools, districts, other opportunities, because the reality is every single time you screen, you save a life.

VALDES: Right. I thought it was us that asked Dr. Bean to expand this throughout the ACCESS program. That's how I remember it. Maybe I just remember it wrong.

HENDRICK: And maybe it was moving slower. So, there was an emphasis under Dr. Poulin's leadership of pushing it out in this last year. We did have a little bit of hiccups to start, I think, on the passive type of approval. So, we did make a very conscious effort in this last year to really move it forward.

WILLIAMS: And as a board policy and an issue that we felt very strongly with, and we still do, I believe, we want to screen those kids.

VALDES: Absolutely.

WILLIAMS: And pick out those kids that are suicidal or depressed. They need treatment. And can you, for the record, tell us how many kids' lives do you think that you've saved from suicide? It's number one now in 10 to 14. How many would you estimate?

EATON: Are you referring to the screening just within ACCESS or just screening in Orange County?

WILLIAMS: Orange County.

EATON: Yeah. I would probably say 4 or 500 students that we've identified who are imminently suicidal and therefore we're able to give them treatment. And we believe you figure if the rate is about 3% to 4% of students that when we assess, that's what we're going to find that are imminently in crisis. That just for us gives us kind of our marching orders to say, I wish we can screen more because every single student that we screen gives us an opportunity to have a voice.

VALDES: How many kids within ACCESS did you screen like in the last year?

SMITH: So, we were able to screen 183.

VALDES: Okay. I mean, I'd like to do all 5,000 if we could, but…

WILLIAMS: I agree. How do we do that? How do we screen everybody?

MARTINEZ-POULIN: So, with our students, because of continuous enrollment, we don't have a start date and an end date. And I think with Dr. Eaton, from what I understand, to get those higher numbers, it's at a comprehensive school where the students all start in mid-August and they're there for the whole 180 days. Our students come and go on a rolling basis. And so, what we shared is that we are able to screen a few. Some of them come to us with already a history and connected to services, and we work with them to make sure that they continue those services. And then other students, we find that they need supports through different methods. And so, through our clinicians, they work to support. And what's amazing in our system is that not only are we able to screen, but then we can also provide a service. So, if they need counseling, they need sessions, then our clinicians are able to do that. And I'm going to ask Amy to share a little bit more about that because that's her area of expertise.

VALDES: I don't need that. I mean, feel free, Amy, if you want to add that commentary. I would just, at least from my perspective as a trustee for ACCESS, we're the board for ACCESS. I would just encourage the Department, Dr. Poulin, Amy, to expand this as much as you can because I think it's that important. And certainly, I don't want to put a cost on anything, but for $5 or $6 a pupil, that is a minimal expense as opposed to the life that we could have saved or the medical treatment that child could avoid. So, to me, I would encourage you guys to expand this as much as you can. Okay.

MARTINEZ-POULIN: Thank you.

SHAW: Great comments, Jorge. Thank you. Okay. Dr. Martinez-Poulin, don't go anywhere. You're up. Item 19, public hearing, textbook and instructional materials.

WILLIAMS: Thank you, Dr. Eaton.

EATON: Thank you.

MARTINEZ-POULIN: Good evening, President Shaw, Members of the Board, Deputy Superintendent Hendrick. I would like to open the public hearing for the sufficiency of textbooks and instructional materials in accordance with Education Code 60605 and 33126. Mrs. Hendrick, do we have any public comments?

HENDRICK: I have none.

MARTINEZ-POULIN: Seeing no comment, I now close the public hearing and turn the meeting back over to you.

SHAW: Thank you. Any questions or comments from the board?

BARKE: No.

SHAW: Okay.

WILLIAMS: I'll make the motion for the resolution.

BARKE: I'll second it.

SHAW: Very good. Moved by Dr. Williams seconded by Trustee Barke. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? Passes unanimously. Okay. So that was item 19 and 20, right. So now we're going to recess the regular meeting of the Orange County Board of Education, and we will open the meeting of the Orange County Department of Education Facilities Corporation. Can I hit the hammer one more time? Did I do it wrong?

HENDRICK: No, we just have to do roll call.

SHAW: Yeah. Roll call.

SISAVATH: Trustee Sparks?

SPARKS: Here.

SISAVATH: Trustee Valdes?

VALDES: Here.

SISAVATH: Trustee Shaw?

SHAW: Here.

SISAVATH: Trustee Barke?

BARKE: Here.

SISAVATH: Trustee Williams?

WILLIAMS: Present.

SHAW: Very good. Okay. So items. Let's see. Item. Sorry. There it is.

HENDRICK: There's a packet. Yeah.

SHAW: Yeah, I got it. I got it. Okay. So, we have an agenda. Do I hear a motion to adopt the agenda?

WILLIAMS: I'll make a motion.

BARKE: Second.

SHAW: Okay. Moved by Williams. Second by Barke. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Minutes from the meeting of August 6th.

HENDRICK: You actually already approved those. They're just listed here because you will approve these minutes next month because we moved it to doing it right after the meeting instead of waiting a whole year because then we forget. So those you've already approved, but they're listed in here. So next you just need to go to the appointment of officers.

SHAW: Very good. Oh, and we had no public comments, you said? For this? Okay. So special recommendations. Item one, appoint the officers of the Education Facilities Corporation.

WILLIAMS: I'd like to make a motion to appoint as our president, our current President, Mr. Tim Shaw, and as our secretary, our current Vice President Valdes, and to the Treasurer, Lisa Sparks.

SPARKS: Sure.

SHAW: Very good. Don't screw that up. All right, Lisa. All right.

WILLIAMS: So that's a motion that we need a second on that.

SHAW: Thank you for that motion.

BARKE: I'll second the motion.

SHAW: All right. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? Passes unanimously. Item two, receive the Esplanade project operational report for fiscal year 2025 to 26. Questions or comments? I move that we receive that report.

BARKE: I'll second.

SHAW: All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Any opposed? Seeing none. All right. Item three, receive and approve the Esplanade project operational budget for fiscal year 2026 to 27. How are we looking there, Dave?

GIORDANO: Well, good. I can give you an update on the ‘25-‘26 annual report if you'd like.

SHAW: That'd be great.

GIORDANO: All right. All right. Well, thank you and good evening, President Shaw, Members of the Board.

SHAW: All right, not great. It'd be okay.

GIORDANO: Tonight I want to give you just a brief update on the Esplanade report. And we'd like to share with you the results of our operating budget for this past fiscal year. This is ‘25-‘26 that ended on June 30th of 2026. And then also provide a look at the operating budget for the current year of fiscal year ‘26-‘27. And so, here's a look at how we closed out last fiscal year. This is ‘25-‘26. Although we closed the year with a planned operating deficit, the deficit did come in less than projected, leaving us in good financial position. The primary reason for the deficit was a large capital outlay expenditure, and this is related to installation of an elevator in building number four. Our revenues exceeded projections totaling $3,082,129. While our expenditures came in slightly above forecast at $4,203,059, which left the project with an ending fund balance of $4,565,283.

That's as of June 30th of 2026. The interest rate on the loan for the property, it's fixed at 2.84%, and the loan expires on June 1st of 2029. So, a little less than three years, that property will be completely paid off. The current principle outstanding on the loan is $3.9 million. The property's occupancy rate averaged about 94% for the year, which was very good considering the overall commercial property market still remains relatively weak. We're also continuing to see a trend in the number of tenants that have been shortening their leases and downsizing to smaller spaces as well. And so that's something we always keep a close eye on. Overall, for fiscal year ‘25-‘26, it was a very good year for the project. And unless there are any questions, I can move on to the operating budget for the current year ‘26-‘27.

SHAW: Go for it.

GIORDANO: All right. So, here's a look at the operating budget for the current year, ‘26-‘27. We are projecting a very conservative occupancy rate of 85%. That's in the event that we see a downturn in the commercial property market. We're not forecasting a downturn in the market, but we are budgeting very conservatively. Total operating expenditures for the year are projected at $2,928,022. And our total operating expenditures are forecast at $2,988,708, which represents about a 15% increase over the prior year expenditures. Since we are planning another large capital facility project, capital expenditures are projected at $1.25 million. And this capital facility project involves modernization of the early education learning space over in building number four. Due to the planned one-time spending on this capital facilities project, we are projecting another deficit this year. This is estimated at $1,310,686, which will leave the project with an estimated ending fund balance of $3,254,597 as of June 30th of 2027.

And of course, this will leave us again well positioned in the current year as we close out the year. If there's any questions at all.

SHAW: You said that we're at 96% capacity. Is that what you said?

GIORDANO: About a 94% occupancy, yes.

SHAW: So, in theory, there's space that could be rented, but it's going to probably be very small.

GIORDANO: Yeah. And when you look at total square footage that's not actually leased out, it's a little less than I believe 9,000 square feet. So, it's pretty much almost at capacity.

HENDRICK: Dave, if I remember correctly, they're very small suites, so they may only be 500 square feet.

GIORDANO: That's right.

HENDRICK: They're not all in one area. And they're usually interior, no window. So, people seem not to want those. Kind of like Greg's office. Yeah.

WILLIAMS: What are we charging…

ROLEN: Great skylight though.

SPARKS: No distractions. Yeah.

WILLIAMS: What is the current lease rate that we're using for an average?

GIORDANO: Yeah. It averages anywhere from around $1.60 per square foot to over $2 per square foot. And because that property is not considered…

VALDES: Does that depend on the window?

GIORDANO: Excuse me?

VALDES: Does that depend on the window?

GIORDANO: It does. It depends on the type of space. Yes.

SHAW: Of course it does.

HENDRICK: Also, we have industrial and office space.

GIORDANO: Yes.

HENDRICK: So, the industrial is lower and then the office space is higher.

GIORDANO: Yes.

WILLIAMS: What is the percentage occupancy of our programs and education programs? You mentioned this $1.2 million for this new education. Could you give us some idea about that?

GIORDANO: Yeah, that's a great question. So, when you look at the total square footage for all six buildings over there, it's probably about, it's a little less than 150,000 square foot. Our staff primarily occupies one of those buildings. It's building number four, which I believe is the largest of the six buildings. And I believe the total square footage is approximately 30 to 35,000 square foot.

WILLIAMS: Okay. So just historically, when we did this program, how long ago, Renee? I think you were around.

HENDRICK: 2000.

WILLIAMS: 2000. It was. Yeah, that sounds right. And I was a little reluctant because I thought, wow, I don't know if we need it. But at the time I think we were expanding our base here on this Kalmus campus. And we're looking at projected populations that were expanding. And that was one of the reasons why we took that over because of the lease space. And since then, it's been a real money maker. What's the estimated value of the building now?

GIORDANO: We haven't had it appraised since…

HENDRICK: I think the last time we had it appraised, it was over 30 million, if I remember correctly. If you remember, we purchased it for 17 something, and then we added money for capital improvements that we needed to do. And Dr. Williams, you probably remember that this was funded in a specific way so we could still qualify for the state school funding program. And so those proceeds for this building can only go back into the building. They can't go out to any general fund purposes until the loan is paid off.

WILLIAMS: Right. When the loan is paid off and we have whatever the building appraised value is, 30, 35 million, who knows, what can we do with that property?

HENDRICK: Well, you still have a bunch of staff that you'd have to locate somewhere. And as we know, lease prices are quite a bit more someplace else. We have done some improvements to where we have a walkway between buildings. They're more connected. It's easier for people to get back and forth. But it is, if we were to say sell it, because we've had developers that have wanted to buy it over time, I think they've come to the board a few times. You'd have to find alternate space for all those people.

VALDES: If we just kept it and kept the rental receipts.

GIORDANO: Yeah.

VALDES: So, after the loan is paid off, and obviously we're not considering the portion that we're probably leasing to ourselves. So don't consider that. As far as the other receipts from the third-party tenants, how much money are we talking in a year?

GIORDANO: I'd have to go back and pick apart that number, but that $3 million, a portion of that would be ours. But if you look at it as, if you just look at the total, when you back out, The debt service payment, you're going to be left with an operating surplus of well over a million dollars a year. A portion of that surplus is the payments that we're making on the leases as a lessee as well. But let's say you back out 25% of that, you're still left with an ongoing surplus that you could put back into program.

VALDES: So, let's just say the loan is paid off and we have an extra million dollars coming in from this property. Can that go into our general fund at that point?

GIORDANO: That's correct. Yeah.

WILLIAMS: Can we put this on our balance books and in our budget, the value of this building as a potential reserve?

GIORDANO: Well, the value of the building, as far as our audited financial statements, it would be picked up. Yes.

WILLIAMS: So, in a emergency, in a real bad dire situation where the asteroids come down and destroy California. I'm being facetious. That is a positive on our books that we can sell in the event that we need the income.

GIORDANO: That asset, yes. On the balance sheet it would be, yes.

WILLIAMS: Okay.

SHAW: All right. Any other questions?

SPARKS: Thank you.

SHAW: Okay. So, did we need a vote on that?

HENDRICK: Yes, you do.

SHAW: Let's see. Okay. I'll entertain a motion.

BARKE: So moved.

VALDES: Second.

SHAW: Okay. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Closed session? Seeing no closed session for, this is the facilities, right?

WILLIAMS: Right. No closed session.

SHAW: I'm going off that agenda, right?

HENDRICK: We don't have a closed session. Yeah, no closed session. You just need to adjourn back to the regular meeting.

SHAW: Very well. We will adjourn the meeting of the facilities corporation and reopen the meeting of the Orange County Board of Education.

WILLIAMS: That was marvelous. Just great job. Inspiring.

SHAW: Okay. Item number 21, approve the ACCESS and Connections ‘25-‘26 Proposition 28 annual report. First submission to the California Department of Education. Go back to that.

WILLIAMS: So, does this require a vote, Renee? Or are we just receiving it?

HENDRICK: No, this one you have to approve. You have to approve.

WILLIAMS: Okay. So I'll make the motion then.

SPARKS: Second.

SHAW: Thank you. Moved by Williams. Second by Sparks. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Passes unanimously. Item number 22. Approve the College and Career Preparatory Academy 2025 to 26 Proposition 28 annual report for submission of the California Department of Education.

SPARKS: So moved.

WILLIAMS: Second.

SHAW: Moved by Sparks. Second by Williams. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Passes unanimously also. Item 23. Pursuant to Education Code section 17604, authorize Renee Hendrick, deputy superintendent or David Giordano, associate superintendent, administrative services, to execute on behalf of the Orange County Board of Education the agreement for purchase and sale of real property and joint escrow instructions for the property located at 601 South Lewis Street, Orange, California 92868, subject to board ratification and to make any necessary deposits or payments pursuant to the agreement.

SPARKS: So moved.

WILLIAMS: Second.

SHAW: Okay. Moved by Sparks, second by Williams. I am going to actually abstain on this item. My employer owns property that's fairly close to this property. So, I will just, out of an abundance of caution, not vote, but all in favor?

SPARKS, VALDES, BARKE, WILLIAMS: Aye.

SHAW: Okay. Passes 4-0-1 with Shaw abstaining. Item number 24, approved resolution number 22-26. Effective August 5th, 2026, authorizing David Giordano, associate superintendent, administrative services of the Orange County Department of Education to serve as a representative to physically sign all documents and papers or submit documents via Office of Public School Construction online that are associated with all the state allocation board administered programs.

BARKE: So moved.

SPARKS: Second.

SHAW: Okay. Moved by Barke, second by Sparks. All in favor?

SPARKS, VALDES, SHAW, BARKE, WILLIAMS: Aye.

SHAW: Passes unanimously. Information items. Let's see. The superintendent has not been real talkative tonight, so we'll move to the deputy superintendent.

WILLIAMS: For the record, because it has to be written, Dr. Bean is not with us tonight.

HENDRICK: Yes.

SHAW: Yes, Dr. Bean wasn't here.

HENDRICK: He's supposed to be on vacation, but based on the 18 million texts some of us have received, he's not doing a very good job of that. So, what we have for our next board meeting is September 4th. Or September, I'm sorry, September 2nd. And the submission deadline is August 19th, and board packet delivery is August 28th. That is all the updates I have.

SHAW: Wonderful. Legislative updates. We met with our lobbyist, the Sheehy Strategy Group. Do you have anything to say for that?

BARKE: No. I mean, session's been closed. It just opened up Monday, so I think we'll see some more activity at our next meeting. But no, I don't think we have anything really to report at this time.

SHAW: Okay. Any other committee reports? Seeing none, board member comments. I'll start over here. Dr. Sparks. Go ahead.

SPARKS: So, remember I promised that I was honoring our former president, Mari Barke, for her service, and my cheeseboard was sitting on my patio. Well, here it is. Here it is to present to Mari. Engraved. It's got some knives and things. Anyway, I don't know how it works.

SHAW: The knives are in the board?

SPARKS: Yeah. You pull this part out.

SHAW: Oh, there it is.

SPARKS: Pull it out, you've got knives.

BARKE: Oh my.

VALDES: Oh, very nice.

SPARKS: It's kind of cool. So thank you for your service.

BARKE: Thank you.

SHAW: Do I get one in a year from now?

SPARKS: Maybe so. Depends…

SHAW: Depends to see how I do.

BARKE: Thank you. I love that. Yeah. It's very cool. Thank you.

SPARKS: You're welcome.

SHAW: Thank you for that, Lisa. Go ahead, Jorge.

VALDES: Renee, I think you announced your retirement as of September 1. I just want to say that it was a pleasure working with you since August of '22.

HENDRICK: I will actually be here for the next board meeting. Dr. Bean asked me to retire right after the board. I will be here at the next board meeting, but thank you for that. Yes. But yes, it is imminent.

SHAW: Lovely.

VALDES: Well, then I'll say goodbye next time.

SHAW: Okay. Mari?

BARKE: No, just I'm thrilled with the honor for anyone who didn't see it. It's beautiful.

SHAW: Oh, and it's engraved. Mari Barke, OCBE president, 2023 to 24.

SPARKS: She was president a few years, but they messed up the year. It doesn't matter.

SHAW: That doesn't sound right. Okay.

BARKE: Yeah, I wasn't going to read out that part, but it is beautiful. And they did spell my name right. That's more important. Thank you. That was very thoughtful. Thank you. I will treasure that.

SHAW: Do you have any other comments?

VALDES: I would use that.

BARKE: No, I don't think I have any other comments right now other than thank you. And nope.

SHAW: Okay. Dr. Williams.

WILLIAMS: I will note that Lisa Sparks did not get that for me when I was the board member.

BARKE: Well, you did not get her a, I got her a gavel when she was board president.

WILLIAMS: Seriously. On a serious note here, there were public comments very early in our meeting tonight that were unfortunate. And an individual who routinely comes and speaks iterated and expressed some disparaging words about certain people's religious faith. And unfortunately, it's a real tough situation because he made it and tied it into our education system. And I'm wondering, his words are very offensive.

VALDES: As they usually are.

WILLIAMS: Yeah, as they usually are. So, I just wanted to get something said or expressed by you, Greg. Is there anything that we can do that we can stop that sort of nonsense talk? And what is the balance?

ROLEN: Yes and no. There is a balance. There are certain actions the board can take. That's why the readout was vague. There are all sorts of incremental steps that the board can take to reign in public comment that's not within the subject matter jurisdiction of the board. He's trying to tie it in to our educational mission. We can be very specific and technical that the Orange County Board of Education does not drive curriculum outside of our ACCESS programs. You can do that and he's talking about all these things about which he speaks. Let's put it that way. There are things we can do, but the balance is the prudence of fighting that battle, disrupting our own meeting, giving some air to these comments, or just letting him, for lack of a better term, talk. And then he goes home. So, we can have a discussion in closed session about the best way to handle this. This is something that is tied to litigation. Brown Act violations and the like. But that's the policy debate that we've been having about these kind of circumstances for a while. You don't have to be right to have First Amendment rights.

WILLIAMS: Very interesting perspective. Thank you for that. Maybe the executive, the EC can come up and maybe we have a closed session.

ROLEN: Yeah. The president's been speaking with me intermittently about this.

HENDRICK: Okay. And I will say thank you to the board because you did do the decorum policy, which we have posted. And so that does allow our team, Jason has taken his signs away, or not allowed him to bring his signs in because he has some pretty graphic signs.

WILLIAMS: Oh really?

HENDRICK: And so, because they don't fit our policy, we've been able to tell him he can't bring those in. And so, without posting that policy, I'm not sure we could do that. And so, we thank you for that.

WILLIAMS: Didn't know that. That's good. That's good.

HENDRICK: Last two meetings at least. Yeah.

BARKE: I do remember he used to bring prompts. Yeah.

WILLIAMS: Yeah. It's tough words and it's hard to swallow. I do also want to speak out about the political attack. I was a little bit surprised. Sorry for breaking decorum and kindness. I was really kind of struck with this absence of words and because of the offensive nature and characterization of this board by the Irvine Unified School District. Cabal that came here tonight. That was quite disappointing. I've never seen that before. Usually there's little less antagonism and adversarial relationships, but this was very adversarial from the very start, from the superintendent to the CFO and to the school board members that were here. The blame and the allegations and saying that this politically conspiracy by Tom Umberg and this JLAC committee is reasonable all because of a public policy position is quite troubling. So, I just want to make that comment, put it into the record that what this board does is for the best interest of the parents and families that we educate. And I think this is more political and they brought their politics into this board meeting tonight.

SHAW: Thank you, Ken. I don't know if I really had much to add other than I was very proud of our board this evening and thank you all for your hard work and coming prepared to meetings and taking the arrows. But we marched onwards. So, do we have a closed session report out?

ROLEN: Yes. The board held a meeting with counsel about anticipated litigation and gave direction to council.

SHAW: Very good. So, I believe we will stand adjourned until Wednesday, September 2nd, 2026, at 5:00 PM here at the Orange County Department of Education. We'll see you then.