

Santa Ana Unified School District
1601 E. Chestnut Avenue
Santa Ana, California 92701

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

January 11, 2011

CALL TO ORDER

The meeting was called to order at 5:07 p.m. by Board President Yamagata-Noji. Other members in attendance were Mr. Richardson, Mr. Hernández, Mr. Palacio, and Mr. Reyna.

Cabinet members present were Ms. Russo, Dr. Olsky, Mr. Lopez, Mr. Bishop, Mr. Mendez, Ms. Miller, Ms. Lohnes, and Mr. Dixon.

RECESS TO CLOSED SESSION

The Regular meeting recessed to Closed Session to consider student discipline issues, negotiations, public employee discipline/dismissal, confidential issues, legal matters, and personnel matters.

CLOSED SESSION PRESENTATIONS

Board President Yamagata-Noji asked those wishing to address the Board in matters pertaining to Closed Session to step to the podium.

There were no individuals wishing to address the Board.

RECONVENE OPEN MEETING

The Regular meeting reconvened at 7:00 p.m.

PLEDGE OF ALLEGIANCE

The meeting was opened with the Pledge of Allegiance led by Mr. Hernández.

RECOGNITION

2010 National Blue Ribbon School Award to Carl Harvey Elementary

Mr. Mendez introduced Teresa Stetler, Harvey Elementary Principal, who presented certificates to each teacher in attendance for their achievement in attaining the National *Blue Ribbon School* Award. The Board shook educator's hands and conveyed congratulatory comments for their exemplary achievement. Channel 31 aired a segment from KOCE TV's Real Orange that highlighted the school's success. The school's Academic Performance Index score is 828, which is above the State's recommended target of 800. Over a three-year period from 2007 to 2010, the school increased its proficiency rate in English language arts from 36% to 52.4% and in math, from 58% to 70% over the same period. Teachers or resource specialists in attendance were Christina Sanchez, Lucy Cortez, Rhonda McKanna, Josue Torres, Melissa Sokol, Pamela Irwin, Kathleen Calderon, Linda Carta, Karla Ledon, and Nina Stetson.

SUPERINTENDENT'S COMMENTS

The Superintendent welcomed everyone to the first Board meeting of 2011 and the second half of the school year. She then invited Chad Hammitt, Executive Director of Human Resources, to the podium to introduce SAUSD's newest administrators.

Edward Winchester, Director, Secondary Student Achievement/Charter Schools
Scott B. Werner, Assistant Principal, Mendez Fundamental Intermediate School
Osiel Madrigal, Social Services Manager, Head Start
Hilario Beltran, Manager of Custodial Services
Christopher T. Stamps, Facilities Planner

Ms. Russo reminded Santa Ana community parents of the eight fundamental schools of choice parent informational meetings for the 2011-12 school year. Dates and locations were simultaneously displayed on the screen.

Elementary meetings:

- Greenville Fundamental Elementary - Wednesday, January 19 at 3:30 p.m.
- Thorpe Fundamental Elementary - Tuesday, January 25 at 3:30 p.m.
- Muir Fundamental Elementary - Tuesday, January 25 at 6:00 p.m.

Intermediate meetings:

- MacArthur Fundamental Intermediate - Tuesday, January 18 at 6:00 p.m.
- Mendez Fundamental Intermediate - Wednesday, January 19 at 6:00 p.m.
 - Villa Fundamental Intermediate - Friday, January 21 at 6:00 p.m.

High School meetings:

- Godinez Fundamental High School - Tuesday, January 18, and Monday, January 24, both at 7:00 p.m. in the Gym
- Segerstrom High - Tuesday, January 18, and Monday, January 24 at 7:00 p.m. in the Gym

Ms. Russo showed a clip of the CENA (Caring Educators Nourishing All) event of December 24. As has been the tradition for more than 20 years, the SAUSD employee sponsored annual charitable event was held on Christmas Eve, December 24, from 9:00 a.m. to 1:00 p.m. at Valley High School.

PRESENTATIONS

Measure G 2009-10 Independent Financial and Performance Audit Report

Mr. Dixon introduced Tina Henton with Vicenti, Lloyd & Stutzman, LLP, who reviewed the report. Ms. Henton stated that there were no findings or recommendations related to the financial performance audits for the fiscal year ending June 30, 2010.

Mr. Dixon next introduced Mr. Desi Reyes, Bond Oversight Committee Vice-Chairperson, Bond Oversight Committee (BOC). Mr. Reyes introduced the BOC members in attendance then welcomed Mr. Schmitt to the podium to report on the annual report.

Mr. Schmitt reported that the committee finds that the SAUSD is compliant with the requirements of Article XIII A, Section 1 (b) (3) of the California Constitution. He then described the role and responsibilities of the BOC. He stated that there is one recommendation which was to post Minutes of the Bond Oversight Committee meetings dating back to 2008.

Mr. Hernández received consensus from the Board to act on Agenda Item 3.0 and 4.0 that are relative to the presentations. Each Board member concurred.

ACCEPTANCE OF MEASURE G 2009-10 INDEPENDENT FINANCIAL AND PERFORMANCE AUDIT

AND

ACCEPTANCE OF 2009-10 MEASURE G BOND OVERSIGHT COMMITTEE ANNUAL REPORT

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 5-0, to accept the following:

3.0 Measure G 2009-10 Independent Financial and Performance Audit

4.0 Measure G Bond Oversight Committee's Annual Report for 2009-10

Alternative Education Program

Ms. Miller presented the Alternative Education proposal to the Board. She identified goals for the program, current program offerings, structure, Program Improvement status, the program budget, and recommended timeline. The District program includes Community Day School, Independent Study Program, Cesar Chavez High, Lorin Griset Academy, and the Achievement Reinforcement Center (ARC), which currently serves over 1,400 students. She briefly highlighted each site structure. She then stated that Chavez and Griset High Schools were in year-4 Program Improvement (PI) and Community Day is in year-5.

Ms. Miller said that Chavez and Griset in year 4 must prepare a plan for alternative governance, which requires either reopening as a charter, replacing all or most staff including principal, contract with outside entity to manage school, State takeover, and other major restructuring, with this transformation completed in the 2009-10 school year at Community Day.

Ms. Miller examined the current alternative education organizational chart. She then reviewed the proposal that would potentially improve the program monitoring, increase Adequate Daily Attendance (ADA), ultimately increasing service to students, and bring in revenue. The proposal calls for a change in supervision structure of the alternative education program. It also calls to replace site principals with 12-month assistant principals and to add one 12-month Principal IV to oversee all the alternative education programs. Ms. Miller also proposed exchanging the ARC and Grant. Ms. Miller stated that there would be initial savings from the restructuring.

Next, timelines were reviewed. This new structure would be implemented in the 2011-12 school year. Hiring one (1) principal and three (3) assistant principal positions would take place in February and in March, which would allow planning for the 2011-12 school year.

2010-11 Budget Update

Mr. Bishop previewed the Governor's proposed 2011-12 budget. The Governor proposed multiple solutions to solve the \$25 billion State budget shortfall. Mr. Bishop described the proposals which included \$12 billion in new revenue that expires this year, \$12.5 billion in cuts, and \$1.9 billion in "other solutions" unidentified at this time. He noted that is a concern. Mr. Bishop said that K-12 funding was spared from cuts with a proposed extension of Class Size Reduction and Tier III flexibility for two years or after the 2014-15 school year. Mr. Bishop stated that state economics predict the recession to end in 2014-15 with the economy as was in 2007-08. He then briefly reviewed the 2010-11 multi-year proposals utilizing October 8, 2010 enacted State budget information showing that the SAUSD will need to identify \$32.5 million in reductions for the 2011-12 school year before March 8, 2011. He noted that a special Board meeting to identify proposed reductions has been scheduled for February 1, 2011.

Summary of General Obligation Bonds Series D, E, and Refunding Bonds

Mr. Bishop introduced Mr. Rich Malone, Certified Independent Public Finance Advisor, Government Financial Strategies, Inc. and Ms. Lynne Paquin, Senior Vice President, George K. Baum & Company.

Mr. Malone reported on progress of the \$200 million General Obligation Bond (GOB). He stated that the original tax rate with an estimated growth rate of 4.5% was projected to be issued by 2011. Approximately \$100 million of Series A bond was issued as planned in August 2008. Due to the economy, instead of increasing at 4.5%, annual rates decreased to 10.4%. The federal government created two types of lower cost financing called Qualified School Construction Bonds and Build America Bonds (BAB). In addition, in 2009-10, the District also refinanced \$46.22 million of Measure C bonds saving taxpayers approximately \$6.3 million.

Ms. Paquin provided information on the rating and insurance process. She stated that due to the SAUSD's conservative fiscal practices, SAUSD received an As2 rating. This credit-worthy rating enabled the District to achieve lower interest rates on the bonds by increasing the pool of potential investors interested in purchasing the District's bonds. The rating also enabled the SAUSD to sell bonds without bond insurance, saving costs of approximately \$487,000.

Ms. Paquin stated that in November 2009, the Federal Reserve planned to purchase Treasuries with shorter maturities, which caused concern about inflation. The State of California's \$14 million offerings of Revenue Anticipation Notes, Build America bonds, and tax-exempt bonds increased supply due to the lack of legislation to extend the BAB program beyond the expiration of December 31, 2010. She said the 30-year Treasury, 20 year Municipal Market Data (MMD), and 30-year MMD benchmarks saw interest rate increase beginning in November and continued to rise through December.

The SAUSD was fortunate to price on December 1, as rates dropped. With the strong Moody's rating, as well as the District's bond sale history, this attracted investor interest. She stated that approximately \$765,000 of current interest bonds and \$5,875,000 of Capital Appreciation Bonds were unsold. George K. Baum & Company purchased the \$6.64 million of tax-exempt bonds instead of raising the interest rates to attract investors. Bond proceeds of approximately \$45.9 million are now available for District facilities projects.

Ms. Paquin stated that market conditions did not permit the District to complete the entire proposed refunding. An opportunity to refund the remaining \$19.05 million for 1999 Election Series 2002 Bonds, will be when market conditions improve.

PRESENTATIONS

PUBLIC PRESENTATIONS

Board President Hernández asked those wishing to address the Board in matters pertaining to items on the Agenda to step to the podium.

Ms. Lupe Moreno, SAUSD resident, addressed the Board to publically thank two SAUSD individuals: THINK Together's After School Program leader, Mr. Boj Nueva and Edison Elementary School's third grade teacher, Mr. Daniel Perez. She said that these two individuals are exceptional teachers who truly do make a difference in children's lives. She donated \$200 to each, for celebrations with students in their classrooms.

APPROVAL OF MINUTES

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, to approve the Minutes of the Regular Board Meeting of December 14, 2010.

1.0 APPROVAL OF CONSENT CALENDAR

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mr. Reyna not present, to approve the balance of the Consent Calendar as follows:

1.1 Approval of extended field trips in accordance with Board Policy (BP) 6153 - School-Sponsored Trips and Administrative Regulation (AR) 6153.1 - Extended School-Sponsored Trips. A list is attached to the Minutes.

1.2 Ratification of amendment No. 2 to subcontract #2009-2257 with The Regents of the University of California, Irvine and SAUSD for 2010-11 school year.

1.3 Approval of master contracts and/or individual service agreements with nonpublic schools and agencies for students with disabilities for the 2010-11 school year.

1.4 Approval of Approval of recommendations by the Administrative hearing panel to expel students for the recommended terms including the remediation conditions:

170760 - Community Day High

For the violation of Education Code Section 48900, paragraph f, that the Board expels the student from the schools of the district, and that the student may apply for readmission on or after June 17, 2011.

318304 - McFadden Intermediate

For the violation of Education Code Section 48900, paragraph c, that the Board expels the student from the schools of the district, and that the student may apply for readmission on or after January 11, 2012.

170416 - Santa Ana High

For the violation of Education Code Section 48900, paragraph c, that the Board expels the student from the schools of the district for the fall semester, 2010-11 school year and that the expulsion order be suspended for only the spring semester, 2010-11 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

177154 - Santa Ana High

For the violation of Education Code Section 48900, paragraph c, that the Board expels the student from the schools of the district, and that the student may apply for readmission on or after June 17, 2011.

173774 - Valley High

For the violation of Education Code Section 48900, paragraph b, that the Board expels the student from the schools of the district, and that the student may apply for readmission on or after January 31, 2011.

1.5 Approval of purchase order summary and listing of orders \$25,000 and over, for the period of December 9, 2010, through January 6, 2011.

1.6 Ratification of expenditure summary listing all checks created and warrant listing of expenditures over \$25,000 for the period of December 11, 2010, through January 7, 2011.

1.7 Approval of listing of agreements/contracts between the Santa Ana Unified School District and various consultants submitted for the period of November 24, 2010 through December 15, 2010.

- 1.8 Approval of disposal of used vehicles, pursuant to Board Policy 3270.
- 1.9 Authorization to reject all bids and re-bid for the relocation, dismantle and removal of portable classrooms Districtwide.
- 1.10 Ratification of substitute subcontractor for floor covering at Heninger Elementary School under Overcrowding Relief Grant.
- 1.11 Acceptance of January 11, 2011, completion of contract with Micon Construction, Inc. for modernization project at Lincoln Elementary School in the amount of \$29,309.80.
- 1.12 Authorization to award contract for the purchase and installation of homerun safety fence at Godinez fundamental High School, in the amount of \$42,000, pursuant to Bid No. 18-11.

REGULAR AGENDA - ACTION ITEMS

2.0 ACCEPTANCE OF GIFTS IN ACCORDANCE WITH BOARD POLICY (BP) 3290 - GIFTS, GRANTS, AND BEQUESTS

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to accept the gifts in accordance with Board Policy 3290 - Gifts, Grants, and Bequests. A list is attached to the Minutes.

3.0 ACCEPTANCE OF MEASURE G 2009-10 INDEPENDENT FINANCIAL AND PERFORMANCE AUDIT

This item was presented previously in the meeting.

4.0 ACCEPTANCE OF 2009-10 MEASURE G BOND OVERSIGHT COMMITTEE ANNUAL REPORT

This item was presented previously in the meeting

RECESS REGULAR BOARD OF EDUCATION MEETING TO CONVENE ANNUAL MEETING OF SAUSD PUBLIC FACILITIES CORPORATION

5.0 APPROVAL OF APPOINTMENT OF DIRECTORS TO SAUSD PUBLIC FACILITIES CORPORATION

Board members were designated and appointed to hold the equivalent positions with the Public Facilities Corporation as with the Board of Education. Mr. Hernández was appointed President, Mr. Richardson was appointed Vice President, Ms. Russo was appointed Secretary, and Dr. Olsky was appointed as Treasurer to the Public Facilities Corporation.

It was moved by Mr. Palacio, seconded by Dr. Yamagata-Noji, and carried 5-0, to appoint corporate directors to the SAUSD Public Facilities Corporation.

RECONVENE REGULAR BOARD OF EDUCATION MEETING

6.0 APPROVAL OF PARTICIPATION IN SCHOOL-BASED HEALTH CENTER CAPITAL PROGRAM GRANT IN PARTNERSHIP WITH CENTRAL CITY COMMUNITY HEALTH CENTER

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 4-0, Mr. Reyna not present, to approve participation in the School-based Health Center Capital Program grant for Valley High School community through a partnership with Central City Community Health Center.

7.0 APPROVAL OF CONSULTANT AGREEMENT FOR MANDATED COST REIMBURSEMENT SERVICES

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0, to approve the consulting agreement with Educational Consulting Services, Inc. for mandated cost reimbursement services in the amount of \$35,000.

8.0 APPROVAL OF CONSULTANT AGREEMENT FOR FIXED ASSET INVENTORY SERVICES

It was moved by Mr. Hernández, seconded by Dr. Yamagata-Noji, and carried 5-0, to approve the consulting agreement with AssetWorks appraisal for fixed asset inventory services in the amount of \$85,425.

CONSENSUS OF BOARD TO TAKE ACTION ON ITEMS 9.0 - 10.0 COLLECTIVELY

9.0 AUTHORIZATION TO OBTAIN REQUEST FOR PROPOSAL AND FILE E-RATE FORM 470 REQUESTING AVAYA MAINTENANCE FOR TELEPHONE SYSTEM EQUIPMENT DISTRICTWIDE

AND

10.0 AUTHORIZATION TO OBTAIN BIDS FOR INSTALLATION OF AUDIO VISUAL SYSTEMS AT VARIOUS E-RATE ELIGIBLE SITES DISTRICTWIDE

It was moved by Mr. Reyna, seconded by Mr. Richardson, and carried 5-0, to authorize to obtain Requests for Proposals, file E-Rate Form 470 requesting Avaya maintenance for telephone system equipment Districtwide, and obtain bids for installation of audio-visual systems at various E-Rate eligible sites Districtwide.

CONSENSUS OF BOARD TO TAKE ACTION ON ITEMS 11.0 - 13.0 COLLECTIVELY

11.0 AUTHORIZATION TO AWARD CONTRACT FOR MAINTENANCE OF NETWORK EQUIPMENT AND CABLING DISTRICTWIDE

AND

12.0 AUTHORIZATION TO AWARD CONTRACT FOR INSTALLATION OF STRUCTURED CABLING SYSTEM AND NETWORK EQUIPMENT AT VARIOUS E-RATE ELIGIBLE SITES DISTRICTWIDE

AND

13.0 AUTHORIZATION TO AWARD CONTRACT FOR SMARTNET MAINTENANCE FOR NETWORK EQUIPMENT DISTRICTWIDE

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 5-0, to authorize the following:

11.0 Award contract for maintenance of network equipment and cabling Districtwide to Network Integration Company Partners, Inc., in the amount of \$270,800, pursuant to RFP #15-11

12.0 Award contract for installation of structured cabling system and network equipment at various E-Rate eligible sites Districtwide to NexusIS, Inc., in the amount of \$13,968,428.48 pursuant to Bid #14-11

13.0 Award contract for SmartNet maintenance for network equipment Districtwide to NexusIS, Inc., in the amount of \$233,719, pursuant to RFP #17-11

14.0 ADOPTION OF RESOLUTION NO. 10/11-2860 - FINDINGS OF 2009-10 DEVELOPER FEE REPORT

It was moved by Mr. Richardson, seconded by Mr. Hernández, and carried 5-0, to adopt the findings of the annual developer fee report pursuant to Government Code Section 66001 and 66006. A copy of the resolution is attached to the Minutes.

CONSENSUS OF BOARD TO TAKE ACTION ON ITEMS 15.0 - 18.0 COLLECTIVELY

- 15.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE NO. 14, FOR THEATER RIGGING AT SANTA ANA HIGH SCHOOL UNDER MODERNIZATION PROJECT
AND
- 16.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE NO. 15, FOR THEATER ELECTRICAL AT SANTA ANA HIGH SCHOOL UNDER MODERNIZATION PROJECT
AND
- 17.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE NO. 17, FOR THEATER AUDIO VISUAL AT SANTA ANA HIGH SCHOOL UNDER MODERNIZATION PROJECT
AND
- 18.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE NO. 18, FOR THEATER SEATING AT SANTA ANA HIGH SCHOOL UNDER MODERNIZATION PROJECT

It was moved by Mr. Richardson, seconded by Mr. Reyna, and carried 5-0, to authorize the following:

- 15.0 Award contract to Cruz, Prado & Associates, Inc. dba CP Systems for Bid Package No. 14 for Theater Rigging at Santa Ana High School in the amount of \$285,000 under Modernization project
- 16.0 Award contract to USS Cal Builders, Inc. for Bid Package No. 15, for Theater Electrical at Santa Ana High School in the amount of \$1,074,000 under Modernization project
- 17.0 Award contract to Digital Networks Group, Inc. for Bid Package No. 17 for Theater Audio Visual at Santa Ana High School in the amount of \$735,981.72 under Modernization project
- 18.0 Award a contract to Digital Networks Group, Inc. for Bid Package No. 18 for Theater Seating at Santa Ana High School in the amount of \$348,000 under Modernization project

19.0 ADOPTION OF RESOLUTION NO. 10/11-2863 - UNIFORM SYSTEM OF PREQUALIFYING AND RATING BIDDERS ON DISTRICT CONSTRUCTION PROJECTS

This item was removed from the Agenda and will return to a future Board meeting.

CONSENSUS OF BOARD TO TAKE ACTION ON ITEMS 20.0 - 21.0 COLLECTIVELY

- 20.0 AUTHORIZATION TO AWARD CONTRACT TO DIGITAL NETWORKS GROUP, INC. FOR PURCHASE AND INSTALLATION OF TECHNOLOGY INFRASTRUCTURE AND AUDIO VISUAL EQUIPMENT AT VARIOUS SCHOOL SITES UTILIZING STATE OF CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NUMBER GS-35F-0294S
AND
- 21.0 AUTHORIZATION TO AWARD CONTRACT TO CALIFORNIA TRACK & ENGINEERING INC. FOR PURCHASE AND INSTALLATION OF TRACK SURFACING AT CENTURY AND SANTA ANA HIGH SCHOOLS UTILIZING CALIFORNIA MULTIPLE AWARD SCHEDULE CONTRACT NUMBER 4-09-78-0048A

It was moved by Mr. Hernández, seconded by Mr. Reyna, and carried 5-0, to authorize the following:

- 20.0 Award contract for the installation of technology infrastructure and audio-visual equipment at various school sites to Digital Networks Group, Inc. in the amount of \$1,259,219.70 utilizing the State of California Multiple Award Schedule (CMAS) contract number GS-35F-0294S
- 21.0 Award contract for purchase and installation of track surfacing at Century and Santa Ana High to California Track & Engineering, Inc. in the amount of \$870,081 utilizing the California Multiple Award Schedule (CMAS) contract number 4-09-78-0048A, pursuant to Public Contract Code Sections 10298 and 10299.

22.0 APPROVAL OF REVISED JOB DESCRIPTION: SCHOOL PSYCHOLOGIST

This item was removed from the Agenda and will return to a future Board meeting.

23.0 PERSONNEL ACTION

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 5-0, to approve the Personnel Calendar in its entirety. A copy is attached to the Minutes.

24.0 BOARD AND STAFF REPORTS/ACTIVITIES

Dr. Yamagata-Noji:

- She welcomed everyone back from Winter Recess and wished them all a Happy New Year!
- She thanked everyone who contributed/participated in the CENA on December 24. It was a great event where more than 2,300 people were in attendance to receive a warm meal, a gift, and a book. She thanked the custodian and warehouse staff who did a fantastic job in getting it set up the day before and break down. She noted that school police spent the night; this was truly a team effort.
- She proposed Alumni Day at the SAUSD, where alumni could share encouraging stories with students. This would boost pride and school spirit and recognizing community members to speak as well.

Mr. Richardson:

- He too welcomed all back and wished everyone a Happy New Year!

Mr. Palacio:

- He wished everyone a Happy New Year! In addition, he looks forward to a new year.

Mr. Reyna:

- He asked parents to read to their children and send them to school every day.
- He said, as the fundamental lottery meetings will soon take place at 6:00 p.m. in secondary; elementary meetings are scheduled for 3:30 p.m. His concern is that most parents are working during that time. If times cannot be adjusted this year, to please look at later meeting times next year.

ADJOURNMENT

There being no further business to come before the Board, the meeting adjourned at 9:05 p.m.

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, January 25, 2011, at 6:00 p.m.

ATTEST:

Jane A. Russo
Secretary

Santa Ana Board of Education