

Santa Ana Unified School District
1601 East Chestnut Avenue
Santa Ana, CA 92701

MINUTES

Regular Board Meeting
Santa Ana Board of Education

Tuesday, January 24, 2023

CALL TO ORDER

Board President Torres called the meeting to order at 5:03 p.m.

Other members present were Mr. Bustos, Ms. Brazer Aceves, and Dr. Rodriguez.

Ms. Torres announced the closed session agenda items as follows: labor negotiations, personnel matters, existing litigation, anticipated litigation, and real property negotiations.

CLOSED SESSION PUBLIC PRESENTATIONS

Ms. Torres asked if there was anyone wishing to address the Board related to closed session items.

There was no one wishing to address the Board.

RECESS TO CLOSED SESSION

The Regular Board meeting recessed to closed session at 5:04 p.m.

Dr. Alvarez joined the meeting at 5:11 p.m.

RECONVENE TO REGULAR MEETING

The Regular Board meeting reconvened at 6:45 p.m.

Cabinet members in attendance were Superintendent Almendarez, Dr. Perez, Ms. Flores, Ms. Iizuka, Ms. Barquin, Dr. Llamas, Dr. Olamendi, and Mr. Williams.

PLEDGE OF ALLEGIANCE

Superintendent Almendarez led the Pledge of Allegiance.

REPORT OF ACTION TAKEN IN CLOSED SESSION

By a vote of 5-0, the Board took action to appoint Rae Rice to the position of Executive Director of Special Education.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to appoint Dennis Chavez to the position of Director of Construction.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to appoint Alissa Nieto to the position of Coordinator of Special Education.

Motion by Dr. Rodriguez, second by Dr. Alvarez
Final Resolution: Motion Carries
Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to appoint Jacqueline Hanna to the position of Purchasing Manager.

Motion by Dr. Rodriguez, second by Dr. Alvarez
Final Resolution: Motion Carries
Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to appoint Tyler Nguyen to the position of Coordinator of Research and Evaluation.

Motion by Dr. Rodriguez, second by Dr. Alvarez
Final Resolution: Motion Carries
Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to appoint Ginnette Commings to the position of Safety Manager.

Motion by Dr. Rodriguez, second by Dr. Alvarez
Final Resolution: Motion Carries
Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to appoint Amy Scruton to the position of Principal, Advanced Learning Academy.

Motion by Dr. Rodriguez, second by Dr. Alvarez
Final Resolution: Motion Carries
Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

By a vote of 5-0, the Board took action to approve a settlement agreement between the District and Certificated Employee ID 9596, the terms of the agreement include continuation of the employee in paid status until end of the school year at which time the employee's resignation becomes effective.

Motion by Dr. Rodriguez, second by Ms. Torres
Final Resolution: Motion Carries
Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

RECOGNITIONS/ACKNOWLEDGEMENTS

6.1 Certificated Employee of the Month for January 2023, Martha Brambila

Jennifer Flores, Associate Superintendent, Human Resources invited Principal Ignacio Muniz to join her in recognizing Martha Brambila, Teacher at McFadden Institute of Technology as Certificated Employee of the Month for January 2023.

6.2 Classified Employee of the Month for January 2023, Elisa Garneri

Jennifer Flores, Associate Superintendent, Human Resources invited Gabriel Moreno to join her in recognizing Elisa Garneri, Attendance Technician at Mendenz Fundamental Intermediate School, as Classified Employee of the Month for January 2023.

SUPERINTENDENT'S REPORT

Superintendent Almendarez announced that this past weekend was the start of the Lunar New Year, one of the most important holidays in China, Vietnam, South Korea and other Asian countries and one of the most widely celebrated among Asian Americans, including community members in SAUSD. He wished everyone all the best in the year to come. Celebrating holidays such as Lunar New Year allows our District to continue embracing different traditions and customs that help sustain a harmonious and inclusive community. He also announced that in tonight's agenda, we will have a resolution for consideration proclaiming January 2023 as School Board Recognition

Month. He took a moment to recognize our SAUSD Board of Education's devotion to making sure our students have all the resources they need for success. He added that our Board is often tasked with ensuring accountability while also supporting and advocating for our children in our public schools. Each of our five elected Board members, whether they've served our District for years, or are new to their role, are driven by their commitment to education. School boards have a tremendous impact not just in our communities, but in our democracy overall. He encouraged everyone to thank our Board members for all they do in their roles as leaders of our community. In addition, Mr. Almendarez announced that in February, SAUSD will launch the annual "We Care" campaign. He explained that the purpose of this important initiative is to bring awareness to mental health in our schools and community. The events of the past few years have led to an increase in childhood and adolescent mental health concerns, such as anxiety, depression, suicidal ideation, and trauma. As educators, we are often at the forefront of helping identify, treating and providing support for our youth dealing with mental health issues. Statistics show that one in six youth in the U.S., ages 6-17, experience a mental health disorder each year. Through the "We Care" campaign, we aim to highlight the need for reducing stigma and shame surrounding mental illness to encourage students to seek and obtain help. He added that over the next month, we will share resources and opportunities to support the mental health of all our children. This will culminate with a "We Care" resource fair on February 15th. Please follow us on social media and visit www.sausd.us for updates and more information as we launch our "We Care" 2023 campaign.

PUBLIC PRESENTATIONS

Ms. Torres asked Ms. Quiroz if there were any public presentations. Public speakers present addressed the Summer LIFEvest Program, Think Together, and Big Brothers Big Sisters.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the consent calendar for discussion and separate action:

9.12 Approval/Ratification of Listing of Agreements/Contracts with Santa Ana Unified School District for 2022-23 School Year

Motion by Mr. Bustos, second by Dr. Alvarez to approve the remainder of the consent items.

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

9.1 Approval of Annual Organizational and Regular Board Meeting Minutes - December 13, 2022; Special Board Meeting - Closed Session Only Minutes - January 10, 2023; and Special Board Meeting - Closed Session Only Minutes - January 17, 2023

9.2 Acceptance of Gifts in Accordance with Board Policy (BP) 3290 - Gifts, Grants, and Bequests

9.3 Williams Settlement Legislation Second Quarter Report 2022-23 Fiscal Year

9.4 Approval of High School Physical Education Permanent Waivers for Spring 2023

9.5 Approval of School Plans for Student Achievement for 2022-23 School Year

9.6 Approval of Membership for National Catholic Forensic League for 2022-23 School Year

9.7 Approval of Extended Field Trip(s) in Accordance with Board Policy (BP) 6153 – School-Sponsored Trips and Administrative Regulation (AR) 6153.1 – Extended School-Sponsored Trips

9.8 Approval of Payment and Reimbursement of Costs Incurred for Student(s) with Disabilities for 2022-23 School Year

9.9 Ratification of Master Contract and/or Individual Service Agreement with Nonpublic School and/or Agency for Student with Disabilities for 2022-23 School Year.

9.10 Ratification of Master Contract and/or Individual Service Agreement with Nonpublic School and/or Agency for Student with Disabilities for 2022-23 School Year.

9.11 Amendment of Master Contract and/or Individual Service Agreement with Nonpublic School and/or Agency for Student with Disabilities for 2022-23 School Year

9.13 Approval/Ratification of Listing of No-Cost Community Partnership Agreements with Santa Ana Unified School District for 2022-23 School Year

9.14 Approval/Ratification of Listing of Grant Award Applications with Santa Ana Unified School District for 2022-23 School Year

9.15 Approval/Ratification of Listing of Software License Agreements with Santa Ana Unified School District for 2022-23 School Year

9.16 Approval/Ratification of Listing of Disposal of Obsolete Unrepairable Computer Equipment and Miscellaneous Furniture

9.17 Ratification of Purchase Order Summary and Listing of All Purchase Orders for the Period of November 9, 2022 Through January 10, 2023

9.18 Ratification of Expenditure Summary and Warrants Issued Over \$25,000 for the Period of November 9, 2022 Through January 10, 2023

9.19 Authorization to Donate Personal Protective Equipment

9.20 Approval of Personnel Calendar Including the Transition of Specific Staff Members with such Topics as: Hiring, Promotions, Transfers, Resignations, Retirements, and Leaves

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION AND SEPARATE ACTION

9.12 Approval/Ratification of Listing of Agreements/Contracts with Santa Ana Unified School District for 2022-23 School Year

Superintendent Almendarez pulled Item 9.12 to remove agreements number nine (9) and twelve (12).

Approve/ratify the listing of agreements/contracts with Santa Ana Unified School District for the 2022-23 school year except agreements number nine (9) for Premiere Healthcare Services, LLC dba Aveanna Healthcare and number twelve (12) for Templo Calvario Community Development Corporation.

Motion by Dr. Rodriguez, second by Mr. Bustos

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

PRESENTATIONS

10.1 Review of Annual Financial Audit Report for Fiscal Year 2021-22

Pearl Iizuka, Interim Associate Superintendent/Chief Business Official, introduced Mr. Bobby Patel from Eide Bailly to present the audited financial statement, state awards, and performance audit for Measure I.

10.2 Governor's 2023-24 State Budget Proposal

Pearl Iizuka, Interim Associate Superintendent/Chief Business Official, provided a general overview of the Governor's 2023-24 State Budget. Dr. Rodriguez asked for a conversation around weighing ADA v. enrollment, follow up on which schools meet the criteria for the Equity Multiplier and stipulations on how that money is going to be spent, the calculation on PERS and STRS, and budget town halls.

REGULAR AGENDA - ACTION ITEMS

11.1 Acceptance of Annual Financial Audit Report for Fiscal Year 2021-22

Accept the annual financial audit report for fiscal year 2021-22.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.2 Approval of Appointment of a School Board Representative to California School Boards Association Delegate Assembly

Approve the appointment of Board Member Katelyn Brazer Aceves to serve on the CSBA Delegate Assembly for 2023-2025.

Motion by Mr. Bustos, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.3 Authorization to Utilize California Multiple Award Schedule Contract No. 4-20-78-0089C, Awarded to KYA Services, LLC for the Purchase of Park and Playground Equipment and 13 Other Categories of Products and Services

Motion by Dr. Rodriguez to combine 11.3 to 11.7 and 11.9 to 11.11 / Second by Dr. Alvarez

Authorize staff to utilize the California Multiple Award Schedule Contract No. 4-20-78-0089C awarded to KYA Services, LLC for the Purchase of Park and Playground Equipment and 13 Other Categories of Products and Services.

Motion by Dr Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.4 Authorization to Utilize California Multiple Award Schedule Contract No. 4-21-10-1072, Awarded to Carrier Corporation for the Purchase, Warranty, Installation, and Repair of HVAC and Mechanical Products

Authorize staff to utilize the California Multiple Award Schedule Contract No. 4-21-10-1072, awarded to Carrier Corporation, for the Purchase of warranty, installation, and repair of HVAC and mechanical products.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.5 Authorization to Utilize the San Bernardino County Superintendent of Schools Bid No. 19/20-1273 for the Purchase of Furniture Systems and Stand Alone to Office & Ergonomic Solutions, Inc.

Authorize the utilization of the San Bernardino County Superintendent of Schools Bid No. 19/20-1273 for the purchase of classroom and office furniture.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.6 Authorization to Utilize the Irvine Unified School District Bid No. 19/20-01 IT, Technology Equipment and Peripherals to CDW Government, LLC

Authorize the utilization of the Irvine Unified School District Award Contract for Bid No. 19/20-01 IT, Technology Equipment and Peripherals.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.7 Authorization to Utilize the Sourcewell Contract No. 090320-POW with PowerSchool Group LLC, for the Purchase of Public Sector and Education Administration Software Solutions with Related Services

Authorize staff to utilize the Sourcewell Contract No. 090320-POW awarded to PowerSchool Group LLC, for the Purchase of Public Sector and Education Administration Software Solutions with Related Services.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.8 Approval of Out of State Conferences with Santa Ana Unified School District for 2022-23 School Year

Item Pulled by Superintendent Almendarez. No action taken.

11.9 Approval of Second Amendment to an Existing Joint-Use Agreement and Lease Between Santa Ana Unified School District and Los Angeles Limited Partnership, dba Verizon Wireless, for the Existing Wireless Telecommunications Facility on the Lydia Romero-Cruz Academy Property

Approve Second Amendment to an Existing Joint-Use Agreement and Lease Between Santa Ana Unified School District and Los Angeles Limited Partnership, dba Verizon Wireless, for the Existing Wireless Telecommunications Facility on the Lydia Romero-Cruz Academy Property.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.10 Approval of Deductive Change Order No. 1 for the General Contractor on the Single Point of Entry Projects at Fremont Elementary, Pio Pico Elementary, Century High, Saddleback High, and Santa Ana High Schools

Approve the Deductive Change Order No. 1 for the General Contractor on the Single Point of Entry Projects at Fremont Elementary, Pio Pico Elementary, Century High, Saddleback High, and Santa Ana High Schools.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.11 Approval of Settlement and Mutual Release Agreement with Graves Construction Group Services, Inc., for King Elementary School Modernization Project Bid Package 1

Approve Settlement and Mutual Release Agreement with Graves Construction Group Services, Inc., for King Elementary School Modernization Project Bid Package 1.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.12 Adoption of Resolution No. 22/23-3487 – Proclaiming February 2023 as African American History Month

Adopt Resolution 22/23-3487 proclaiming African American History Month.

Motion by Mr. Bustos, second by Ms. Brazer Aceves

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.13 Adoption of Resolution No. 22/23-3490 – Confirming the Designation of Directors for the Santa Ana Unified School District Public Facilities Corporation

Adopt Resolution No. 22/23-3490 to thereby designate Directors for the Santa Ana Unified School District Public Facilities Corporation.

Motion by Mr. Bustos, second by Dr. Rodriguez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.14 Adoption of Resolution No. 22/23-3491 - Acknowledging Ancestral Land of Indigenous People

Item tabled to the February 14, 2023 Regular Board Meeting.

Motion by Dr. Rodriguez, second by Mr. Bustos to table the motion until next meeting.

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.15 Adoption of Resolution No. 22/23-3492 – Intent to Grant Easement to the City of Santa Ana for Inspection on the New Domestic and Fire Water Services Located on Anahurst Place at Washington Elementary School

Adopt Resolution No. 22/23-3492 – Intent to Grant Easement to the City of Santa Ana for Inspection on the New Domestic and Fire Water Services Located on Anahurst Place at Washington Elementary School.

Motion by Dr. Rodriguez, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.16 Adoption of Resolution No. 22/23-3493 – Acceptance of Findings of Annual and Five-Year Developer Fees Report for Fiscal Year 2021-22

Adopt Resolution No. 22/23-3493– Acceptance of Findings of Annual and Five-Year Developer Fees Report for Fiscal Year 2021-22.

Motion by Mr. Bustos, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

Motion by Dr. Rodriguez, second by Ms. Brazer Aceves, to combine 11.17 - 11.19 with no opposition.

11.17 Adoption of Resolution No. 22/23-3494 - Proclaiming January 2023 as National Mentoring Month

Adopt Resolution No. 22/23-3494 proclaiming January 2023 as National Mentoring Month.

Motion by Dr. Alvarez, second by Ms. Brazer Aceves

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.18 Adoption of Resolution No. 22/23-3495 - Proclaiming February 2023 as School Counselor Month

Adopt Resolution No. 22/23-3495 proclaiming February 2023 as School Counselor Month.

Motion by Dr. Alvarez, second by Ms. Brazer Aceves

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.19 Adoption of Resolution No. 22/23-3496 - Proclaiming January 2023 as School Board Recognition Month

Adopt Resolution 22/23-3496 - Proclaiming January 2023 as School Board Recognition Month.

Motion by Dr. Alvarez, second by Ms. Brazer Aceves

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.20 Board Policy (BP) 0450 – Comprehensive Safety Plan (New: For Adoption)

Adopt the proposed new Board Policy (BP) 0450 – Comprehensive Safety Plan.

Motion by Dr. Alvarez, second by Dr. Rodriguez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.21 Board Policy (BP) 4119.11/4219.11/4319.11 - Sexual Harassment (Revised: For Adoption)

Adopt the revised Board Policy (BP) 4119.11/4219.11/4319.11 - Sexual Harassment.

Motion by Dr. Rodriguez, second by Mr. Bustos

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.22 Board Policy (BP) 5145.7 – Student-Sexual Harassment (Revised: For Adoption)

Adoption of the revised Board Policy (BP) 5145.7 - Student-Sexual Harassment.

Motion by Dr. Alvarez, second by Ms. Brazer Aceves

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.23 Board Bylaw (BB) 9100 - Organization (Revised: For Adoption)

Item Pulled by Superintendent Almendarez. No Action Taken.

11.24 Board Bylaw (BB) 9110 - Terms of Office (Revised: For Adoption)

Adopt the revised Board Bylaw (BB) 9110 - Terms of Office.

Motion by Mr. Bustos, second by Ms. Brazer Aceves

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

11.24 Revision of Board Policies: 11.25 Board Bylaw (BB) 9224 - Oath or Affirmation (Revised: For Adoption)

Adopt the revised Board Bylaw (BB) 9224 - Oath or Affirmation.

Motion by Mr. Bustos, second by Dr. Alvarez

Final Resolution: Motion Carries 5-0

Yes: Ms. Torres, Dr. Alvarez, Mr. Bustos, Ms. Brazer Aceves, Dr. Rodriguez

NEW AND REVISION OF EXISTING BOARD POLICIES - FIRST READING/NO ACTION REQUIRED

12.1 Board Policy (BP) 6146.1 - Graduation Requirements-Senior High School (Revised: First Reading)

BOARD REPORTS

Dr. Rodriguez acknowledged the shootings that took place over the last couple of days and honored those who were affected. He reaffirmed the commitment to violence prevention and mental health. He underscored the importance of attendance and shared information about a recent post regarding attendance letters from the district attorney. Dr. Rodriguez requested that we review policies and practices with respect to those letters to parents as they can be very impactful and are not legally mandated. He requested information and Dr. Llamas, Assistant Superintendent of School Performance and Culture responded. He thanked her for the fast response. He announced that we will be holding budget townhalls and highlighted the importance of community involvement. Dr. Rodriguez requested an update on simultaneous interpretation into threshold languages. He also requested to meet with Superintendent Almendarez to have a conversation around the issue of Think Together. Lastly, he shared that the acknowledgement of ancestral lands of the Tongva and Acjachemen people is a major deal and is a good sense of practice. He asked that we think through it through the ethnic studies lens, embed it in the curriculum, and infuse it through our value system.

Ms. Brazer Aceves acknowledged Ms. Torres for bringing up the land acknowledgement. She asked if the District could support the TET parade in the future. Ms. Brazer Aceves addressed item 12.1 on the agenda for first reading of Board Policy 6146.1 Graduation Requirements. She highlighted requirement 10, the requirement to complete the FAFSA and California Dream Act applications. There is a need for more information for California Dream Act and more access for undocumented students and mixed status families to be aware that there is financial aid. She added that there is a big discrepancy in students applying for the aid and would like to be part of brainstorming sessions. She asked that conversations take place with students before their senior year which include mental health.

Mr. Bustos wished everyone a happy lunar year. He condemned the hateful acts of violence in Monterrey Park and added that it is only January and there have already been 39 mass shootings this year. He highlighted the importance that elected officials take action now. Mr. Bustos asked that we end the meeting in honor of the victims lost in the Monterrey Park shooting as follows: My My Nhan, Lilan Li, Xiujuan Yu, Muoi Dai Ung, Hongying Jian, Yu

Lun Kao, Chia Ling Yau, Valentino Marcos Alvero, Wen Tau Yu, Ming Wei Ma, and Diana Man Ling Tom. Mr. Bustos also announced that he would like to attend the monthly ASB meetings as a previous Board member did. There is currently no process for a Board member to attend these meetings but would like to participate while we work on the process. Mr. Bustos asked the Board to consider implementing an LGBTQ+ support group and added that it is a perfect time to take action to support students, staff, and community. It would be an opportunity to bring together leaders and advisors from GSA's across the District to have critical discussions to better support these communities of students. He also requested to see the most up to date sexual health curriculum. It is really important that students receive sexual education courses that are accessible, inclusive, informative, comprehensive, age appropriate, and medically accurate, including HIV and AIDS information, that is free of racial and ethnic bias. Lastly, he shared his gratitude to SAUSD staff for coordinating We Care activities across the District. It is very important to practice kindness.

Dr. Alvarez gave a shout out to all school counselors in honor of School Counselor Month. He also gave a shout out to the Speech & Debate team who will be traveling out of state this Friday and asked that support be provided to them in order for them to succeed. He shared that the team will also be going to Harvard next month. Dr. Alvarez encouraged everyone to attend the budget town halls. He reminded Superintendent to work on the establishment, refinement, and implementation of a student board member. Dr. Alvarez acknowledged the Lunar New Year, the violence that happened last Sunday, and encouraged everyone to continue to condemn such violent acts.

Ms. Torres requested a follow up on the attendance policies as they relate to the district attorney's letter. She also requested an update on simultaneous interpretation, a B2B summary on the history with Think Together, future involvement with the TET parade in Westminster, process for committees and Board participation, and on a LGBTQ+ support group. Ms. Torres acknowledged Lunar New Year as the year of the cat. She echoed the sentiments of the other Board members in regards to the victims of the Monterrey Park shooting. Ms. Torres thanked the young student that alerted the Board of the district attorney letter and affirmed support of ethnic studies. Lastly, she shared that she went to see the Lion King at Santiago with Councilmember Jessie Lopez. She loved the theater and thanked the Visual and Performance Arts staff, administrators, and booster parents that helped. Ms. Torres announced that we will be closing the meeting in honor of the victims of Monterrey Park.

RECESS TO CLOSED SESSION

The Regular Board meeting recessed to closed session at 8:52 p.m.

RECONVENE TO REGULAR BOARD MEETING

The Regular Board meeting reconvened at 10:35 p.m.

ADJOURNMENT

Having no further business to come before the Board, Ms. Torres adjourned the meeting at 10:35 p.m.

The next Regular Meeting of the Board of Education will be held on Tuesday, February 14, 2023 at 6:00 p.m.

ATTEST:


Superintendent

1 RESOLUTION NO. 22/23-3487

2 BOARD OF EDUCATION

3 SANTA ANA UNIFIED SCHOOL DISTRICT

4 ORANGE COUNTY, CALIFORNIA

5 AFRICAN AMERICAN HISTORY MONTH

6 FEBRUARY 2023

7
8 WHEREAS, Americans of African descent helped develop our nation in countless
9 ways, those recognized, unrecognized, and unrecorded; and,

10 WHEREAS, African American history reflects a determined spirit of
11 perseverance and cultural pride in its struggle to equally share in the
12 opportunities of a nation founded upon the principles of freedom and liberty for
13 all people; and,

14 WHEREAS, African American citizens have participated in every American
15 effort to secure, protect, and maintain the essence and substance of American
16 democracy, as reflected by California Education Code Section 37221 (d) which
17 establishes March 5 as Black American Day to commemorate the anniversary of the
18 death of Crispus Attucks, the first African American martyr of the Boston
19 Massacre; and,

20 WHEREAS, the California Board of Education recognized in its Multicultural
21 Education Policy that each student needs an opportunity to understand the common
22 humanity underlying all people; to develop pride in his or her own identity and
23 heritage; and to understand, respect, and accept the identity and heritage of
24 others; and,

25 WHEREAS, the History-Social Science Framework of California Public Schools,
26 Kindergarten through grade 12, states that the history curriculum of community,
27 state, region, nation, and world must reflect the experiences of men and women and
28 of different racial, religious, and ethnic groups and must be integrated at every
29 level.

30 NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Board of Education
31 proclaims the month of February 2023 as *African American History Month* and
32 encourages all schools, community organizations, businesses, and the City of Santa
33 Ana to commemorate this occasion with appropriate instructional and celebratory
34 activities.

35
36 **APPROVED AND ADOPTED** by the Board of Education of the Santa Ana Unified School
37 District on January 24, 2023, by the following vote:

38 AYES: Torres, Alvarez, Bustos, Brazer Aceves, Rodriguez

39 NOES:

40 ABSENTIONS:

41 ABSENTEES:

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44 By: 

45 Carolyn Torres
46 President of the Board of Education
47 Santa Ana Unified School District
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49 **ATTEST:**

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51 By: 

52 Hector Bustos
53 Clerk of the Board of Education
54 Santa Ana Unified School District
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66 STATE OF CALIFORNIA)
67) SS:
68 COUNTY OF ORANGE)
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70 I, Clerk of the Board of Education of the Santa Ana Unified School District,
71 of Orange County, California, hereby certify that the above and foregoing resolution
72 was duly adopted by the said Board of Education at a regular meeting, thereof, held
73 on the 24th day of January 2023, true and correct copy of the Board of Education
74 Resolution No. 22/23-3487, and passed by a vote of 5-0 of said Board.

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78 By: 
79 _____

80 Hector Bustos
81 Clerk of the Board of Education
82 Santa Ana Unified School District
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RESOLUTION NO. 22/23-3490
BOARD OF EDUCATION
SANTA ANA UNIFIED SCHOOL DISTRICT
ORANGE COUNTY, CALIFORNIA

CONFIRMING THE DESIGNATION OF DIRECTORS FOR THE
SANTA ANA UNIFIED SCHOOL DISTRICT PUBLIC FACILITIES CORPORATION

WHEREAS, in or around December of 1989, the Santa Ana Unified School District ("District") caused the "Santa Ana Unified School District Public Facilities Corporation" ("Corporation") to be established as a California nonprofit public benefit corporation; and

WHEREAS, on December 12, 1989, the Corporation adopted certain "Bylaws of Santa Ana Unified School District Public Facilities Corporation" ("Bylaws"), which provide for, among other things, the Corporation to be governed by a board of directors ("Corporation Board"); and

WHEREAS, Section 3.03 of the Bylaws provides that the members of the Board of Education of the Santa Ana Unified School District ("Board of Education") shall designate the persons who shall serve on the Corporation Board (each such person a "Director"), and that no person shall be eligible to serve as a Director unless initially approved by resolution of the Board of Education; and

WHEREAS, Section 3.03 of the Bylaws also provides that a designated person shall serve as Director for the same term as the Board of Education member who designated that particular person (or until a successor has been designated and has accepted the Director position), and that a Board of Education member who designated a person to be a Director may, with or without cause, remove that person from the Director position; and

WHEREAS, Section 3.05 of the Bylaws provides that, on the second Tuesday of January of each year (or, if that is a holiday, the next following business day), the Corporation Board shall hold an annual organizational meeting for purposes of, among other things, selecting the officers of the Corporation Board ("Annual Organizational Meeting"); and

WHEREAS, certain persons who are or were serving as Directors, or as Directors holding particular offices with the Corporation, will no longer be

40 acting in those specific roles and, therefore, the Board of Education must
41 designate persons who will serve as Directors on the Corporation Board; and
42

43 **WHEREAS**, the Board of Education has selected a person to fill the position
44 with the District of Associate Superintendent\Chief Business Official, and the
45 District desires to clarify that the person in that position is one of the
46 District officers who will serve as a Director on the Corporation Board; and
47

48 **WHEREAS**, consistent with the requirement in Section 3.03 of the Bylaws
49 for adoption of a resolution, the District desires that the Board of Education
50 adopt this Resolution to confirm and clarify the designations, by titles or
51 positions, of the persons who will serve as Directors on the Corporation Board;
52 and
53

54 **WHEREAS**, the District desires that the Board of Education's designation
55 of Directors pursuant to this Resolution apply on an *ex officio* basis to whomever
56 may, from time to time, hold the titles or be in the positions identified
57 herein, such that it will not be necessary for the Board of Education to adopt
58 additional resolutions designating Directors of the Corporation Board unless
59 and until the Board of Education desires to alter such *ex officio* designations;
60 and
61

62 **NOW, THEREFORE**, the Board of Education hereby determines, orders, and
63 resolves as follows:

64 **Section 1.** The Board of Education hereby approves the designation,
65 by title or position, of the following persons as Directors who will
66 serve on the Corporation Board: (i) the person who is the President
67 of the Board of Education ("President"); (ii) the person who is the
68 Vice President of the Board of Education ("Vice President"); (iii)
69 the person who is the District's Superintendent of Schools
70 ("Superintendent"); (iv) the person who is the District's Associate
71 Superintendent/Chief Business Official ("Associate Superintendent");
72 and (v) the person who is the District's Assistant Superintendent of
73 Facilities and Governmental Relations.
74

75 **Section 2.** The Board of Education hereby determines and orders
76 that the designations of Directors set forth in Section 1 of this
77 Resolution shall be deemed and construed to constitute perennial and
78 recurring designations, applicable to whomever may from time to time
79 hold the titles or fill the positions identified in Section 1 of this

Resolution or their functional equivalents, and, therefore, it shall not be necessary for the Board of Education to annually or otherwise designate Directors unless and until the Board of Education desires to alter the designations set forth in Section 1 of this Resolution.

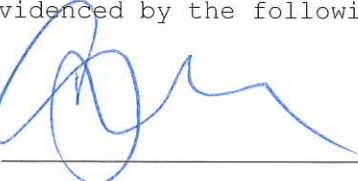
Section 3. Because the persons who will serve as Directors on the Corporation Board, as set forth in Section 1 of this Resolution, have been designated by majority vote of the Board of Education, and not by members of the Board of Education acting individually, the Board of Education, by majority vote and without need for cause, may remove from the Director position any person who holds that position as a result of the designation in Section 1 of this Resolution.

Section 4. The Board of Education hereby authorizes and directs the Superintendent, the Associate Superintendent, and/or their respective designees, to take any and all such actions as reasonably may be necessary to implement the intent and effect of this Resolution, including, without limitation, the filing from time to time as necessary, with the California Secretary of State, of updated Statements of Information in accordance with California Corporations Code Section 6210 or, as applicable, successor laws.

Section 5. This Resolution shall take effect immediately upon approval and adoption by the Board of Education, and shall remain in effect until repealed or altered by the Board of Education.

APPROVED AND ADOPTED by the Board of Education of the Santa Ana Unified School District on January 24, 2023, as evidenced by the following signatures:

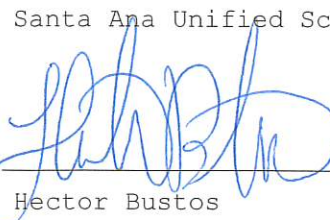
By: _____



Carolyn Torres
President of the Board of Education
Santa Ana Unified School District

ATTEST:

By: _____



Hector Bustos
Clerk of the Board of Education
Santa Ana Unified School District

STATE OF CALIFORNIA)
) SS:
COUNTY OF ORANGE)

I, Hector Bustos, Clerk of the Board of Education of the Santa Ana Unified School District, do hereby certify that the Board of Education duly approved and adopted the foregoing Resolution No. 22/23-3490 during its regular meeting held on January 24, 2023, at which a quorum of such Board of Education was present and acting throughout, and for which notice and an agenda were prepared and posted as required by law, and that the Board of Education adopted Resolution No. 22/23-3490 by the following vote:

AYES:Torres, Alvarez, Bustos, Brazer Aceves, Rodriguez

NOES:

ABSENTIONS:

ABSENTEES:

By: 

Hector Bustos

Clerk of the Board of Education

Santa Ana Unified School District

STATE OF CALIFORNIA)
) SS:
COUNTY OF ORANGE)

I, Hector Bustos, Clerk of the Board of Education of the Santa Ana Unified School District, do hereby certify that the foregoing is a full, true and correct copy of the Board of Education Resolution No. 22/23-3490, and that the same has not been amended or repealed and is fully effective as of the date specified below.

Dated: January 24, 2023

By: 

Hector Bustos

Clerk of the Board of Education

Santa Ana Unified School District

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RESOLUTION NO. 22/23-3492

BOARD OF EDUCATION
OF THE SANTA ANA UNIFIED SCHOOL DISTRICT
ORANGE COUNTY, CALIFORNIA

Resolution of Intention to Grant Easement to the City of Santa Ana for Inspection
of the New Domestic and Fire Water Services Located on Anahurst Place

WHEREAS, the Santa Ana Unified School District ("District") owns certain real property located at 910 W Anahurst Pl, Santa Ana, CA 92707 (APN: 015-101-16) ("Property"). The District is granting access to the City of Santa Ana ("City") for inspection of a new onsite domestic water backflow system that will be installed south of the Point of Connection (POC) at the existing water main located on Anahurst Place at Washington Elementary School. The City requires an approximately 1,151 square foot easement ("Proposed Easement") to inspect onsite backflow. The Proposed Easement area and Point of Connection is depicted in the attached Exhibit "A"; and

WHEREAS, District staff has independently determined that the Easement area is not needed for classroom buildings; and

WHEREAS, pursuant to Education Code section 17556, the District may grant an easement to the state or any political subdivision or municipal corporation thereof, for public street or highway purposes, pursuant to Education Code section 17556. Here, the Proposed Easement will allow the City to continue to assess the proper functioning of the water backflow system; and

WHEREAS, to grant the Proposed Easement, pursuant to Education Code sections 17556 et. seq., the first step is to consider adopting this Resolution of Intention to Grant an Easement, by two-thirds vote of all the members of the Board of Education, then to provide notice of a public hearing, hold that public hearing, and adopt a resolution granting the Proposed Easement at a subsequent Board meeting(s) noticed pursuant to the Brown Act (Gov. Code §54950 et seq.); and

WHEREAS, an easement agreement setting forth the terms of the Proposed Easement between the District and City shall be brought for approval at a subsequent Board meeting; and

NOW, THEREFORE, BE IT RESOLVED, that based upon the whole record of proceedings, the Santa Unified School District Board of Education ("Board") hereby finds, determines and orders as follows:

A. That the above recitals are true and correct.

B. The Board authorizes the public hearing for the grant of the Proposed Easement to be held at its next regularly scheduled meeting or soon thereafter.

C. The Superintendent or designee, is authorized to the cause the notice of the adoption of this Resolution of Intention and the time and place of the public hearing, to be given by publishing copies of the signed resolution in three public places in the District not less than ten days before the date of the public hearing, and by publishing the notice not less than five days before the date of the public hearing in a newspaper of general circulation within the District or in Orange County.

D. The Superintendent, or designee, is hereby further authorized to perform all actions and execute all documents necessary to carry out the intent of the Resolution of Intention.

The foregoing resolution was considered, passed, and adopted by the Board at the District's regular Board meeting of January 24, 2023.

AYES IN FAVOR OF THIS RESOLUTION:

NOES AGAINST THIS RESOLUTION:

Torres

Alvarez

Bustos

Brazer Aceves


Rodriguez

ABSTAINED:

ABSENT:

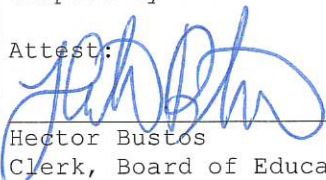
Dated: January 24, 2023

By:


Carolyn Torres
President, Board of Education
Santa Ana Unified School District

I, Hector Bustos, the Clerk of the Board of Education of the Santa Ana Unified School District of Orange County, California, hereby certify that the foregoing is a true and correct copy of Resolution No. 22/23-3492 which was duly adopted by said Board at a regular meeting thereof held on the 24th day of January, 2023, and that it was so adopted by the vote indicated above.

Attest:


Hector Bustos
Clerk, Board of Education
Santa Ana Unified School District

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RESOLUTION NO. 22/23-3493
BOARD OF EDUCATION
SANTA ANA UNIFIED SCHOOL DISTRICT
ORANGE COUNTY, CALIFORNIA

FINDINGS OF THE ANNUAL AND FIVE-YEAR REPORTABLE DEVELOPER FEES REPORT FOR FISCAL
YEAR 2021-2022 IN COMPLIANCE WITH GOVERNMENT CODE SECTIONS 66006 AND 66001

WHEREAS, the Santa Ana Unified School District ("District") has received and expended statutory and/or alternative school facilities fees ("Reportable Fees") for the construction of the District's school facilities in order to accommodate students from new development; and

WHEREAS, pursuant to Government Code Section 66006(a), the District has established and maintained separate capital facilities account for the Reportable Fees ("Reportable Fees Account"); and

WHEREAS, pursuant to Government Code Section 66006(a), the Reportable Fees have been deposited into the Reportable Fees Account in order to avoid any commingling of the Reportable Fees with other revenues and funds of the District, except for temporary investments, and has expended the Reportable Fees, along with any interest income earned, solely for the purpose(s) for which the Reportable Fees were originally collected; and

WHEREAS, Government Code Section 66006(b)(1) provides that the District shall make a written report containing certain required information available to the public within one hundred eighty (180) days after the last day of each fiscal year; and

WHEREAS, Government Code Section 66006(b)(2) requires that the Board of Education of the District ("Board") review the information made available to the public, including the report entitled "Annual and Five-Year Reportable Developer Fees Report for Fiscal Year 2021-2022" ("Report") at the next regularly scheduled public meeting, at least fifteen (15) days after the Report was made available to the public; and

WHEREAS, the Report contains the requisite information and proposed findings concerning the collection and expenditure of Reportable Fees pursuant to Government Code Sections 66006 and 66001; and

WHEREAS, Government Code Section 66001(d) provides that for the fifth fiscal year following the first deposit into the Reportable Fees Account, and every five years thereafter, the District shall make findings with respect to the portion of the Reportable Fees Account that remains unexpended; and

WHEREAS, the District has complied with all of the foregoing provisions.

NOW, THEREFORE, THE BOARD OF EDUCATION OF THE SANTA ANA UNIFIED SCHOOL DISTRICT DOES HEREBY RESOLVE, DETERMINE AND ORDER AS FOLLOWS:

Section 1. The Board finds and determines that the foregoing recitals and determinations are correct.

Section 2. Pursuant to Government Code Section 66006(a), the District has established and maintained a Reportable Fees Account during Fiscal Year 2021-2022.

55
56 Section 3. Pursuant to Government Code Section 66006(a), the Reportable Fees
57 collected during Fiscal Year 2021-2022 have been deposited into the Reportable Fees
58 Account in order to avoid any commingling of the Reportable Fees with other revenues
59 and funds of the District, except for temporary investments, and has expended the
60 Reportable Fees, along with any interest income earned, solely for the purpose(s)
61 for which the Reportable Fees were originally collected.

62
63 Section 4. Pursuant to Government Code Section 66006(b)(1), the District made
64 the Report available to the public within one hundred eighty (180) days after the
65 last day of Fiscal Year 2021-2022.

66
67 Section 5. Pursuant to Government Code Section 66006(b)(1), the Board reviewed
68 the Report at the next regularly scheduled public meeting at least fifteen (15) days
69 after the Report was made available to the public.

70
71 Section 6. Pursuant to Government Code Sections 66006(b)(1) and (2), the Board
72 reviewed the Report that is incorporated by this reference and contains the following
73 information:

74
75 (A) A brief description of the type of Reportable Fees in the Reportable Fees
76 Account;

77 (B) The amount of the Reportable Fees;

78 (C) The beginning and ending balance of the Reportable Fees Account;

79 (D) An identification of each Project on which Reportable Fees were expended and
80 the amount of the expenditures on each Project, including the total percentage of
81 the cost of the Project that was funded with Reportable Fees;

82 (E) An identification of an approximate date by which the construction of the
83 Project will commence if the District determines that sufficient funds have
84 been collected to complete financing on an incomplete Project, as identified
85 in Section 66001(a)(2), and the Project remains incomplete;

86 (F) A description of each interfund transfer or loan made from the Reportable
87 Fees Account, including the Project on which the transferred or loaned
88 Reportable Fees will be expended, and, in the case of an interfund loan, the
89 date on which the loan will be repaid, and the rate of interest that the
90 Reportable Fees Account will receive on the loan; and

91 (G) The amount of refunds made pursuant to Section 66001(e) and any allocations
92 pursuant to Section 66001(f).

93
94 Section 7. Pursuant to Government Code Section 66006(b)(2), Notice was mailed
95 at least fifteen (15) days prior to the Board meeting, to any interested party who
96 filed a written request with the District for mailed Notice of the Board meeting.

97
98 Section 8. The District posted Notice in the District's regular posting
99 locations and published Notice in a newspaper of general circulation within the
100 District's boundaries.
101

Section 9. Pursuant to Government Code Section 66001(d), the Board reviewed the Report which is incorporated by this reference and contains the following proposed findings:

- (1) Identification of the purposes to which the Reportable Fees are to be put;
- (2) Demonstration of a reasonable relationship between the Reportable Fees and the purpose for which they are charged;
- (3) Identification of all sources and amounts of funding anticipated to complete incomplete Projects of the District; and
- (4) Designation of the approximate dates on which the funding referred to in paragraph (3) is expected to be deposited into the respective District account(s).

Section 10. When findings are required by Government Code Section 66001(d), these findings shall be made at the same time as the findings as that information required by Government Code Section 66006(b).

Section 11. Pursuant to Government Code Section 66001(e) and (f), the District shall make certain findings when sufficient Reportable Fees have been collected to complete the financing of incomplete Projects, and the Projects remain incomplete.

Section 12. The Board determines that the District is in compliance with Government Code Section 66000, et seq., regarding the receipt, deposit, investment, expenditure and/or refund of Reportable Fees received and expended relative to Projects for Fiscal Year 2021-2022.

Section 13. The Board determines that no refunds and allocations of Reportable Fees, as required by Government Code Sections 66001(e) and 66006(b)(1)(H), are deemed payable at this time for Fiscal Year 2021-2022.

The foregoing resolution was considered, passed, and adopted by the Board at the District's regular Board meeting of January 24, 2023.

AYES IN FAVOR OF THIS RESOLUTION:

NOES AGAINST THIS RESOLUTION:

Torres

Alvarez

Bustos

Brazer Aceves

Rodriguez

ABSTAINED:

ABSENT:

158
159 Dated: January 24, 2023
160

By: 

Carolyn Torres
President, Board of Education
Santa Ana Unified School District

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165
166 I, Hector Bustos, the Clerk of the Board of Education of the Santa Ana Unified School
167 District of Orange County, California, hereby certify that the foregoing is a true
168 and correct copy of Resolution No. 22/23-3493 which was duly adopted by said Board at
169 a regular meeting thereof held on the 24th day of January, 2023, and that it was so
170 adopted by the vote indicated above.
171

172
173 Attest: 

174
175
176 Hector Bustos
177 Clerk, Board of Education
178 Santa Ana Unified School District
179

1 RESOLUTION NO. 22/23-3494

2 BOARD OF EDUCATION

3 SANTA ANA UNIFIED SCHOOL DISTRICT

4 ORANGE COUNTY, CALIFORNIA

5
6 Proclamation Declaring January 2023 as National Mentoring Month
7

8 WHEREAS, January is National Mentoring Month, an annual campaign to celebrate
9 quality mentors that provide support for young people; and

10 WHEREAS, the Santa Ana Unified School District recognizes the contributions
11 of volunteer mentors, who guide young people to success in their education, career,
12 and wellbeing; and

13 WHEREAS, the future of the Santa Ana Unified School District, City of Santa
14 Ana, County of Orange, our State, and Nation rest on the shoulders of our youth;
15 and

16 WHEREAS, mentoring programs make our state and communities stronger by
17 enabling impactful relationships that increase social capital for young people and
18 provide invaluable support networks; and

19 WHEREAS, third party research has shown that children and youth engaged in
20 one-to-one professionally supported mentoring programs are more likely to have an
21 increase in school attendance, improve the rate of high school graduation and
22 college attendance, and decrease involvement with drugs, alcohol, and violent
23 behavior; and

24 WHEREAS, mentorship is matching a young person with a caring, responsible
25 mentor to build confidence, connections, stability, and to provide guidance, social
26 capital, and direction to set them up for a lifetime of success; and

27 WHEREAS, educated, confident, and nurtured children will give rise to
28 stronger cities, counties, states, and nation; and

29 WHEREAS, throughout the COVID-19 pandemic, mentoring programs have stepped
30 up to ensure that mentoring relationships continued virtually, while also connecting
31 families to critical resources and services; and

WHEREAS, mentors can help young people explore careers and build skills to achieve higher lifetime economic outcomes through activities like helping them set career goals, write a resume, practice for an interview, connecting them to opportunities, and more; and

WHEREAS, mentors can help young people explore careers and build skills to achieve higher lifetime economic outcomes through activities like helping them set career goals, write a resume, practice for an interview, connecting them to opportunities, and more; and

WHEREAS, one in three young people still grow up without a mentor, demonstrating the need for additional awareness and resources for mentoring programs; and

WHEREAS, National Mentoring Month is the time of year to celebrate, elevate, and encourage mentoring across our state and recruit caring adult mentors.

NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Board of Education proclaims the month of January 2023 as "National Mentoring Month" and encourages all schools, community organizations, businesses, and the City of Santa Ana to commemorate this occasion with appropriate instructional and celebratory activities.

APPROVED AND ADOPTED by the Board of Education of the Santa Ana Unified School District on January 24, 2023 by the following vote:

AYES: Torres, Alvarez, Bustos, Brazer Aceves, Rodriguez

NOES:

ABSENT:

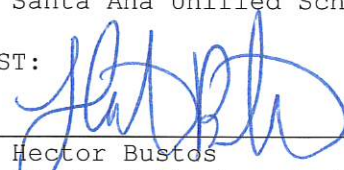
By:



Carolyn Torres
President of the Board of Education
Santa Ana Unified School District

ATTEST:

By:



Hector Bustos
Clerk of the Board of Education
Santa Ana Unified School District

66 STATE OF CALIFORNIA)

67) ss:

68 COUNTY OF ORANGE)

69 I, Clerk of the Board of Education of the Santa Ana Unified School District
70 of Orange County, California, hereby certify that the above and foregoing resolution
71 was duly adopted by the said Board at a regular meeting thereof held on 24 day of
72 January 2023 and passed by a vote of 5-0 of said Board.

73

74 BOARD OF EDUCATION

75 SANTA ANA UNIFIED SCHOOL DISTRICT

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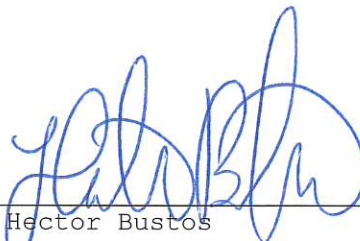
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By:



Hector Bustos
Clerk of the Board of Education
Santa Ana Unified School District

RESOLUTION NO. 22/23-3495

BOARD OF EDUCATION

SANTA ANA UNIFIED SCHOOL DISTRICT

ORANGE COUNTY, CALIFORNIA

Proclamation Declaring February 2023 as School Counselor Month

WHEREAS, school counselors are employed in public education to help students reach their full potential; and,

WHEREAS, school counselors are actively committed to helping students explore their abilities, strengths, interests, and talents as these traits relate to college and career awareness, development and readiness; and,

WHEREAS, school counselors help parents focus on ways to further the educational, personal, and social growth of their children; and,

WHEREAS, school counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves; and,

WHEREAS, school counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society; and,

WHEREAS, comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school.

NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Board of Education proclaims the month of February 2023 as "School Counselor Month" and encourages all schools, community organizations, businesses, and the City of Santa Ana to commemorate this occasion with appropriate instructional and celebratory activities.

APPROVED AND ADOPTED by the Board of Education of the Santa Ana Unified School District on January 24, 2023 by the following vote:

AYES: Torres, Alvarez, Bustos, Brazer Aceves, Rodriguez

NOES:

ABSENT:

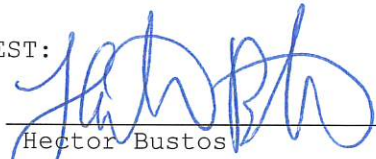
By:



Carolyn Torres
President of the Board of Education
Santa Ana Unified School District

ATTEST:

By:



Hector Bustos
Clerk of the Board of Education
Santa Ana Unified School District

STATE OF CALIFORNIA)

) ss:

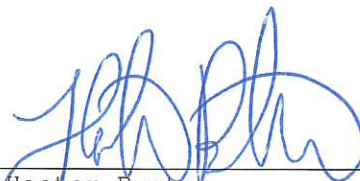
COUNTY OF ORANGE)

I, Clerk of the Board of Education of the Santa Ana Unified School District of Orange County, California, hereby certify that the above and foregoing resolution was duly adopted by the said Board at a regular meeting thereof held on 24 day of January 2023 and passed by a vote of 5-0 of said Board.

BOARD OF EDUCATION

SANTA ANA UNIFIED SCHOOL DISTRICT

By:



Hector Bustos
Clerk of the Board of Education
Santa Ana Unified School District

RESOLUTION NO. 22/23-3496
BOARD OF EDUCATION
SANTA ANA UNIFIED SCHOOL DISTRICT
ORANGE COUNTY, CALIFORNIA

Proclaiming January 2023 as School Board Recognition Month

WHEREAS, citizen oversight of local government is the cornerstone of democracy in the United States. School board members are locally elected public officials entrusted with governing a community's public schools. The role of the school board is to ensure that school districts are responsible to the values, beliefs, and priorities of their communities; and

WHEREAS, school boards fulfill this role by performing five major responsibilities: setting direction, establishing an effective and efficient structure, providing support, ensuring accountability, providing community leadership as advocates for children, the school district and public schools; and

WHEREAS, the mission of the public schools to meet the diverse educational needs of all children and to empower them to become competent, productive contributors to a democratic society and an ever-changing world is more poignant than ever before; and

WHEREAS, Santa Ana Unified School District's five-member Board of Education representing five Trustee Areas of Santa Ana, prioritizes the academic, social-emotional, physical and mental health needs of students, and has made a steadfast commitment to serving our community each and every day; and

WHEREAS, Santa Ana Unified School District Board members provide a voice of advocacy for public schools and the welfare of students, and work closely with parents, educational professionals and other community members to create the healthiest environments possible where all children can thrive; and

NOW, THEREFORE, BE IT RESOLVED, that the Santa Ana Unified School District Board of Education hereby declare the month of January 2023 as School Board Recognition Month. We urge all community members to join us in recognizing the dedication and hard work of local school board members and in working with them to create an education system that meets the needs of our children.

PASSED AND ADOPTED by the Governing Board of the Santa Ana Unified School District on this this 24th day of January 2023, by the following vote:

AYES: Torres, Alvarez, Bustos, Brazer Aceves, Rodriguez

NOES:

ABSENT:

ABSTAIN:

STATE OF CALIFORNIA)

) ss.

COUNTY OF ORANGE)

I, Carolyn Torres, Board President of the Santa Ana Unified School District of Orange County, California, do hereby certify that the foregoing is a full, true, and correct copy of a resolution adopted by the Board at a meeting thereof held at its regular place of meeting on the date shown above.

By:

Carolyn Torres
President of the Board of Education
Santa Ana Unified School District

ATTEST:

By:

Hector Bustos
Clerk of the Board of Education
Santa Ana Unified School District



Santa Ana Unified School District

BOARD POLICY NO: 0450

EFFECTIVE: 01/24/2023

SUBJECT: Comprehensive Safety Plan

CATEGORY: Philosophy, Goals, Objectives and Comprehensive Plans

RESPONSIBLE OFFICE(S): Risk Management

SCOPE:

The Governing Board recognizes that students and staff have the right to a safe and secure campus where they are free from physical and psychological harm.

POLICY:

The Board is fully committed to maximizing school safety and to creating a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others. (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 1312.3 - Uniform Complaint Procedures) (cf. 3515 - Campus Security) (cf. 3515.2 - Disruptions) (cf. 3515.3 - District Police/Security Department) (cf. 3515.7 - Firearms on School Grounds) (cf. 5131 - Conduct) (cf. 5145.4 - Bullying) (cf. 5131.4 - Student Disturbances) (cf. 5131.41 - Use of Seclusion and Restraint) (cf. 5131.7 - Weapons and Dangerous Instruments) (cf. 5136 - Gangs) (cf. 5137 - Positive School Climate) (cf. 5138 - Conflict Resolution/Peer Mediation) (cf. 5144 - Discipline) (cf. 5144.1 - Suspension and Expulsion/Due Process) (cf. 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)) (cf. 5145.3 - Nondiscrimination/Harassment) (cf. 5145.7 - Sexual Harassment) (cf. 5145.9 - Hate-Motivated Behavior)

The school site council at each district school shall develop a comprehensive school safety plan relevant to the needs and resources of that particular school. New school campuses shall develop a safety plan within one year of initiating operations. (Education Code 32281, 32286) (cf. 0420 - School Plans/Site Councils) (cf. 1220 - Citizen Advisory Committees)

The school safety plan shall take into account the school's staffing, available resources, and building design, as well as other factors unique to the site.

The comprehensive safety plan(s) shall be reviewed and updated by March 1 of each year and forwarded to the Board for approval. (Education Code 32286, 32288)

The Board shall review the comprehensive safety plan(s) in order to ensure compliance with state law, Board policy, and administrative regulation and shall approve the plan(s) at a regularly scheduled meeting. (cf. 0500 - Accountability) (cf. 9320 - Meetings and Notices)

By October 15 of each year, the Superintendent or designee shall notify the California Department of Education of any schools that have not complied with the requirements of Education Code 32281. (Education Code 32288)



Santa Ana Unified School District

BOARD POLICY NO: 0450

EFFECTIVE: 01/24/2023

SUBJECT: Comprehensive Safety Plan

CATEGORY: Philosophy, Goals, Objectives and Comprehensive Plans

RESPONSIBLE OFFICE(S): Risk Management

Tactical Response Plan

Notwithstanding the process described above, any portion of a comprehensive safety plan that addresses tactical responses to criminal incidents that may result in death or serious bodily injury at the school site, including steps to be taken to safeguard students and staff, secure the affected school premises, and apprehend the criminal perpetrator(s), shall be developed by district administrators in accordance with Education Code 32281. In developing such strategies, district administrators shall consult with law enforcement officials and with representative(s) of employee bargaining unit(s), if they choose to participate.

When reviewing the tactical response plan, the Board may meet in closed session to confer with law enforcement officials, provided that any vote to approve the tactical response plan is announced in open session following the closed session. (Education Code 32281) (cf. 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information) (cf. 9011 - Disclosure of Confidential/Privileged Information) (cf. 9321 - Closed Session Purposes and Agendas) (cf. 9321.1 - Closed Session Actions and Reports)

Access to Safety Plan(s)

The Superintendent or designee shall ensure that an updated file of all safety-related plans and materials is readily available for inspection by the public. (Education Code 32282) (cf. 1340 - Access to District Records)

However, those portions of the comprehensive safety plan that include tactical responses to criminal incidents shall not be publicly disclosed.

The Superintendent or designee shall share the comprehensive safety plans and any updates to the plans with local law enforcement, the local fire department, and other first responder entities. (Education Code 32281)

DESIRED OUTCOME:

School safety and create a positive learning environment that includes strategies for violence prevention and high expectations for student conduct, responsible behavior, and respect for others.

IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

District Policies and Procedures:

BP 0410 - Nondiscrimination in District Programs and Activities

BP/AR 1312.3 - Uniform Complaint Procedures

BP 1340 - Access to District Records

BP/AR 3515 - Campus Security

BP/AR 3515.2 - Disruptions



Santa Ana Unified School District

BOARD POLICY NO: 0450

EFFECTIVE: 01/24/2023

SUBJECT: **Comprehensive Safety Plan**

CATEGORY: Philosophy, Goals, Objectives and Comprehensive Plans

RESPONSIBLE OFFICE(S): Risk Management

BP/AR 3515.3 - District Police/Security Department

BP 4119.23/4219.23/4319.23 - Unauthorized Release of Confidential/Privileged Information

BP 5131 - Conduct

BP 5131.7 - Weapons and Dangerous Instruments

BP/AR 5144 - Discipline

BP/AR 5144.1 - Suspension and Expulsion/Due Process

AR 5144.2 - Suspension and Expulsion/Due Process (Students with Disabilities)

BP/AR 5145.3 - Nondiscrimination/Harassment

BP/AR 5145.4 - Bullying

BP/AR 5145.7 - Sexual Harassment

BB 9011 - Disclosure of Confidential/Privileged Information

BB 9320 - Meetings and Notices

BB 9321 - Closed Session Purposes and Agendas

Legal Reference:

EDUCATION CODE

200-262.4	Prohibition of discrimination
32260-32262	Interagency School Safety Demonstration Act of 1985
32270	School safety cadre
32280-32289	School safety plans
32290	Safety devices
35147	School site councils and advisory committees
35183	School dress code; uniforms
35291	Rules
35291.5	School-adopted discipline rules
41020	Annual audits
48900-48927	Suspension and expulsion
48950	Speech and other communication
49079	Notification to teacher; student act constituting grounds for suspension or expulsion
67381	Violent crime

GOVERNMENT CODE

54957	Closed session meetings for threats to security
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Santa Ana Unified School District

BOARD POLICY NO: 0450

EFFECTIVE: 01/24/2023

SUBJECT: Comprehensive Safety Plan

CATEGORY: Philosophy, Goals, Objectives and Comprehensive Plans

RESPONSIBLE OFFICE(S): Risk Management

PENAL CODE

422.55 Definition of hate crime

626.8 Disruptions

11164-11174.3 Child Abuse and Neglect Reporting Act

CALIFORNIA CONSTITUTION

Article 1, Section 28(c) Right to Safe Schools

CODE OF REGULATIONS, TITLE 5

11987-11987.7 School Community Violence Prevention Program requirements

11992-11993 Definition, persistently dangerous schools

UNITED STATES CODE, TITLE 20

7111-7122 Student Support and Academic Enrichment Grants

7912 Transfers from persistently dangerous schools

UNITED STATES CODE, TITLE 42

12101-12213 Americans with Disabilities Act

Management Resources:

CSBA PUBLICATIONS

Updated Legal Guidance: Protecting Transgender and Gender Nonconforming Students Against Sex Discrimination, July 2016

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, rev. 2011

Community Schools: Partnerships Supporting Students, Families and Communities, Policy Brief, October 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2010

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Safe Schools: A Planning Guide for Action, 2002

FEDERAL BUREAU OF INVESTIGATION PUBLICATIONS

Uniform Crime Reporting Handbook, 2004

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Practical Information on Crisis Planning: A Guide for Schools and Communities, January 2007



Santa Ana Unified School District

BOARD POLICY NO: 0450

EFFECTIVE: 01/24/2023

SUBJECT: Comprehensive Safety Plan

CATEGORY: Philosophy, Goals, Objectives and Comprehensive Plans

RESPONSIBLE OFFICE(S): Risk Management

U.S. SECRET SERVICE AND U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Threat Assessment in Schools: A Guide to Managing Threatening Situations and to Creating Safe School Climates, 2004

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education, Safe Schools: <http://www.cde.ca.gov/lr/ss>

California Governor's Office of Emergency Services: <http://www.caloes.ca.gov>

California Healthy Kids Survey: <http://chks.wested.org>

Centers for Disease Control and Prevention: <http://www.cdc.gov/ViolencePrevention>

Federal Bureau of Investigation: <http://www.fbi.gov>

National Center for Crisis Management: <http://www.schoolcrisisresponse.com>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

U.S. Secret Service, National Threat Assessment Center:

<http://www.secretservice.gov/protection/ntac>

ADOPTION AND REVISION HISTORY:

1-23



Santa Ana Unified School District

BOARD POLICY NO: 4119.11/4219.11/4319.11

EFFECTIVE: 1/24/2023

SUBJECT: Sexual Harassment

CATEGORY: Personnel

RESPONSIBLE OFFICE(S): Human Resource Department

SCOPE:

The following policy shall apply to all district employees, interns, volunteers, contractors, job applicants, and other persons with an employment relationship with the district.

POLICY:

The Governing Board is committed to providing a safe work environment that is free of harassment and intimidation. The Board prohibits sexual harassment against district employees and retaliatory behavior or action against any person who complains, testifies, or otherwise participates in the complaint process established for the purpose of this policy.

Sexual harassment includes, but is not limited to, harassment that is based on the sex, gender, gender identity, gender expression, or sexual orientation of the victim and harassment based on pregnancy, childbirth, or related medical conditions.

The Superintendent or designee shall take all actions necessary to ensure the prevention, investigation and correction of sexual harassment, including but not limited to:

1. Providing training to employees in accordance with law and administrative regulation.
2. Publicizing and disseminating the district's sexual harassment policy to employees and others to whom the policy may apply
3. Ensuring prompt, thorough, fair, and equitable investigation of complaints
4. Taking timely and appropriate corrective/remedial action(s), which may require interim separation of the complainant and the alleged harasser and subsequent monitoring of developments

The Superintendent or designee shall periodically evaluate the effectiveness of the district's strategies to prevent and address harassment. Such evaluation may involve conducting regular anonymous employee surveys to assess whether harassment is occurring or is perceived to be tolerated, partnering with researchers or other agencies with the needed expertise to evaluate the district's prevention strategies, and using any other effective tool for receiving feedback on systems and/or processes. As necessary, changes shall be made to the harassment policy, complaint procedures, or training.

Sexual Harassment Reports and Complaints

District employees who feel that they have been sexually harassed in the performance of their district responsibilities or who have knowledge of any incident of sexual harassment by or against another employee shall immediately report the incident to their direct supervisor, a district administrator, or the district's Title IX Coordinator Superintendent. Employees may bypass their supervisor in filing a complaint if the supervisor is the subject of the complaint. A supervisor or administrator who receives a harassment complaint shall promptly not



Santa Ana Unified School District

BOARD POLICY NO: 4119.11/4219.11/4319.11

EFFECTIVE: 1/24/2023

SUBJECT: **Sexual Harassment**

CATEGORY: Personnel

RESPONSIBLE OFFICE(S): Human Resource Department

notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 4119.12/4219.12/4319.12 – Title IX Sexual Harassment Complaint Procedures or AR4030 - Non-Discrimination in Employment, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 4119.12/4219.12/4319.12 concurrently meets the requirements of AR 4030.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

Under investigation of a sexual harassment complaint, any district employee found to have engaged or participated in sexual harassment or to have aided, abetted, incited, compelled, or coerced another to commit sexual harassment in violation of this policy shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

GOVERNMENT CODE

[12900-12996](#) Fair Employment and Housing Act, especially: [12940](#)

Prohibited discrimination

[12950.1](#) Sexual harassment training LABOR

CODE

[1101](#) Political activities of employees [1102.1](#)

Discrimination: sexual orientation

CODE OF REGULATIONS, TITLE 2

[11009](#) Employment discrimination

[11021](#) Retaliation

[11023](#) Harassment and discrimination prevention and correction 11024

Sexual harassment training and education

11034 Terms, conditions, and privileges of employment CODE OF

REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

CODE OF FEDERAL REGULATIONS, TITLE 34

106.9 Dissemination of policy



Santa Ana Unified School District

BOARD POLICY NO: 4119.11/4219.11/4319.11

EFFECTIVE: 1/24/2023

SUBJECT: **Sexual Harassment**

CATEGORY: Personnel

RESPONSIBLE OFFICE(S): Human Resource Department

COURT DECISIONS

Department of Health Services v. Superior Court of California, (2003) 31 Cal.4th 1026 Faragher v. City of Boca Raton, (1998) 118 S. Ct. 2275

Burlington Industries v. Ellreth, (1998) 118 S. Ct. 2257

Gebser v. Lago Vista Independent School District, (1998) 118 S. Ct. 1989 Oncale v.

Sundowner Offshore Serv. Inc., (1998) 118 S. Ct. 998

Meritor Savings Bank, FSB v. Vinson et all., (1986) 447 U.S. 57

Management Resources:

OFFICE OF CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEY'S GENERAL

Protecting Students from Harassment and Hate Crime, January, 1999

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov/> Equal

Employment Opportunity Commission: <http://www.eeoc.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr/index.html>

DESIRED OUTCOME:

Through this policy, the District shall comply with applicable State and federal laws.

Adopted: 1/24/2023 (3-02, 10-96, 8-97)

Santa Ana, CA



Santa Ana Unified School District

BOARD POLICY NO: 5145.7

EFFECTIVE: 1/24/2023

SUBJECT: Student-Sexual Harassment

CATEGORY: Students

RESPONSIBLE OFFICE(S): School Performance & Culture

SCOPE:

The Governing Board recognizes maintaining a safe school environment that is free from harassment and discrimination at school or at school-sponsored or school-related activities.

POLICY:

The Governing Board is committed to maintaining a safe school environment that is free from harassment and discrimination. The Board prohibits, at school or at school-sponsored or school-related activities, sexual harassment targeted at any student by anyone. The Board also prohibits retaliatory behavior or action against any person who reports, files a complaint or testifies about, or otherwise supports a complainant in alleging sexual harassment.

The District strongly encourages any student who feels that they are being or have been sexually harassed on school grounds or at a school-sponsored or school-related activity by another student or an adult, or who have experienced off-campus sexual harassment that has a continuing effect on campus, to immediately contact their teacher, the principal, the District's Title IX Coordinator, or any other available school employee. Any employee who receives a report or observes an incident of sexual harassment shall notify the Title IX Coordinator.

Once notified, the Title IX Coordinator shall ensure the complaint or allegation is addressed through AR 5145.71 – Title IX Sexual Harassment Complaint Procedures or BP/AR 1312.3 – Uniform Complaint Procedures, as applicable. Because a complaint or allegation that is dismissed or denied under the Title IX complaint procedure may still be subject to consideration under state law, the Title IX Coordinator shall ensure that any implementation of AR 5145.71 concurrently meets the requirements of BP/AR 1312.3.

The Title IX Coordinator shall offer supportive measures to the complainant and respondent, as deemed appropriate under the circumstances.

The Superintendent or designee shall inform students and parents/guardians of the District's sexual harassment policy by disseminating it through parent/guardian notifications, publishing it on the District's webs site, and including it in student and staff handbooks. All District staff shall be trained regarding the policy.

Instruction/Information

The Superintendent or designee shall ensure that all District students receive age-appropriate information on sexual harassment. Such instruction and information shall include:

1. What acts and behavior constitute sexual harassment, including the fact that sexual harassment could occur between people of the same sex and could involve sexual violence.
2. A clear message that students do not have to endure sexual harassment under any circumstance.



Santa Ana Unified School District

BOARD POLICY NO: 5145.7

EFFECTIVE: 1/24/2023

SUBJECT: Student-Sexual Harassment

CATEGORY: Students

RESPONSIBLE OFFICE(S): School Performance & Culture

3. Encouragement to report observed incidents of sexual harassment even when the alleged victim of the harassment has not complained.
4. A clear message that student safety is the District's primary concern, and that any separate rule violation involving an alleged victim or any other person reporting a sexual harassment incident will be addressed separately and will not affect the manner in which the sexual harassment complaint will be received, investigated, or resolved.
5. A clear message that, regardless of a complainant's noncompliance with the writing, timeline, or other formal filing requirements, every sexual harassment allegation that involves a student, whether as the complainant, respondent, or victim of the harassment, shall be investigated and action shall be taken to respond to harassment, prevent recurrence, and address any continuing effect on students.
6. Information about the District's procedure for investigating complaints and the person(s) to whom a report of sexual harassment should be made.
7. Information about the rights of students and parents/guardians to file a civil or criminal complaint, as applicable, including the right to file a civil or criminal complaint while the District investigation of a sexual harassment complaint continues.
8. A clear message that, when needed, the District will implement supportive measures to ensure a safe school environment for a student who is the complainant or victim of sexual harassment and/or other students during an investigation.

Disciplinary Actions

Upon completion of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with the law and applicable collective bargaining agreement.

Disciplinary Actions

Upon investigation of an investigation of a sexual harassment complaint, any student found to have engaged in sexual harassment or sexual violence in violation of this policy shall be subject to disciplinary action. For students in grades 4-12, disciplinary action may include suspension and/or expulsion, provided that, in imposing such discipline, the entire circumstances of the incident(s) shall be taken into account.



Santa Ana Unified School District

BOARD POLICY NO: 5145.7

EFFECTIVE: 1/24/2023

SUBJECT: Student-Sexual Harassment

CATEGORY: Students

RESPONSIBLE OFFICE(S): School Performance & Culture

Upon investigation of a sexual harassment complaint, any employee found to have engaged in sexual harassment or sexual violence toward any student shall be subject to disciplinary action, up to and including dismissal, in accordance with law and the applicable collective bargaining agreement.

Record-Keeping

In accordance with law, District policies, and regulations, the Superintendent or designee shall maintain a record of all reported cases of sexual harassment to enable the District to monitor, address, and prevent repetitive harassing behavior in district schools.

IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

District Policies and Procedures:

AR 5145.7 Sexual Harassment

Legal Reference:

EDUCATION CODE

200-262.4	Prohibition of discrimination on the basis of sex
48900	Grounds for suspension or expulsion
48900.2	Additional grounds for suspension or expulsion; sexual harassment
48904	Liability of parent/guardian for willful student misconduct
48980	Notice at beginning of term

CALIFORNIA GOVERNMENT CODE

12950.1	Sexual harassment training
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CIVIL CODE

51.9	Liability for sexual harassment; business, service and professional relationships
1714.1	Liability of parents/guardians for willful misconduct of minor

OTHER REGULATORY AUTHORITY

CODE OF REGULATIONS, TITLE 5

4600-4687	Uniform complaint procedures
4900-4965	Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1221	Application of laws
1232	Family Educational Rights and Privacy Act
1681-1688	Title IX, discrimination

UNITED STATES CODE, TITLE 42

1983	Civil action for deprivation of rights
2000d-2000d-7	Title VI, Civil Rights Act of 1964
2000e-2000e-17	Title VII, Civil Rights Act of 1964 as amended



Santa Ana Unified School District

BOARD POLICY NO: 5145.7

EFFECTIVE: 1/24/2023

SUBJECT: Student-Sexual Harassment

CATEGORY: Students

RESPONSIBLE OFFICE(S): School Performance & Culture

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.67 Family Educational Rights and Privacy

106.1-106.71 Nondiscrimination on the basis of sex in education programs

COURT DECISIONS

Donovan v. Poway Unified School District, (2008) 167 Cal.App.4th 567

Flores v. Morgan Hill Unified School District, (2003, 9th Cir.) 324 F.3d 1130

Reese v. Jefferson School District, (2001, 9th Cir.) 208 F.3d 736 Davis v. Monroe County Board of Education, (1999) 526 U.S. 629

Gebser v. Lago Vista Independent School District, (1998) 524 U.S.

274 Oona by Kate S. v. McCaffrey, (1998, 9th Cir.) 143 F.3d 473

Doe v. Petaluma City School District, (1995, 9th Cir.) 54 F.3d 1447

Management Resources:

CSBA PUBLICATIONS

Providing a Safe, Nondiscriminatory School Environment for Transgender and Gender-Nonconforming Students, Policy Brief, February 2014

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Transgender Students, May 2016

Examples of Policies and Emerging Practices for Supporting Transgender Students, May 2016

Dear Colleague Letter: Title IX Coordinators, April 2015

Questions and Answers on Title IX and Sexual Violence, April 2014

Dear Colleague Letter: Sexual Violence, April 4, 2011

Sexual Harassment: It's Not Academic, September 2008

Revised Sexual Harassment Guidance: Harassment of Students by School Employees, Other Students, or Third Parties, January 2001

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>



Santa Ana Unified School District

BOARD BYLAW NO: 9110

EFFECTIVE: 01/24/2023

SUBJECT: **Terms of Office**

CATEGORY: Board Bylaws

RESPONSIBLE OFFICE(S): Superintendent's Office

SCOPE:

The Governing Board shall consist of five members whose terms shall be staggered so that as nearly as practicable, one half of the members shall be elected in each year in which the Board's elections are regularly held. (Education Code 35012)

The term of office for members elected in regular elections shall be four years, commencing on the second Friday in December following their election. (Education Code 5017)

POLICY:

Board members whose terms have expired shall continue to discharge the duties of the office until their successors have qualified by taking the oath of office. (Education Code 5017; Government Code 1302, 1360)

DESIRED OUTCOME:

If a regularly scheduled Board election date is changed due to consolidation with a statewide or municipal general election, the term of incumbent Board members shall be extended to align with the next applicable election. (Elections Code 10404.5)

Members of the Santa Ana Unified School District Governing Board will be limited to three (3) four-year terms of office.

IMPLEMENTATION GUIDELINES AND ASSOCIATED DOCUMENTS:

Legal Reference:

EDUCATION CODE

5000-5033	Election of school district board members
35010	Control of district
35012	Board members; number, election and terms
35107	Eligibility

ELECTIONS CODE

1302	Local elections, school district election
10400-10418	Consolidation of elections
14050-14057	California Voter Participation Rights Act

GOVERNMENT CODE

1302	Continuance in office until qualification of successor
1303	Exercising functions of office without having qualified
1360	Necessity of taking constitutional oath

ADOPTION AND REVISION HISTORY:

(Adopted: 10-00 01-19) 01/23



Santa Ana Unified School District

BOARD BYLAW NO: 9224

EFFECTIVE: 01/24/2023

SUBJECT: Oath or Affirmation

CATEGORY: Bylaws of the Board

RESPONSIBLE OFFICE(S): Superintendent's Office

SCOPE:

Prior to entering upon the duties of their office, all Governing Board members shall take the oath or affirmation required by law. (California Constitution, Article 20, Section 3; Government Code 1360)

POLICY:

The oath may be administered and certified by a Board member, secretary or assistant secretary to the Board, the Superintendent, deputy or assistant superintendent, principal, or County Superintendent of Schools or any other person authorized in Education Code 60.

DESIRED OUTCOME:

The executed oath shall be filed with the County Clerk. (Government Code 1363)

ADOPTION AND REVISION HISTORY:

10/00 01/23