

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

MINUTES

REGULAR MEETING  
SANTA ANA BOARD OF EDUCATION

October 12, 2004

CALL TO ORDER

The meeting was called to order at 5:00 p.m. by Board President Richardson. Other members in attendance were Dr. Yamagata-Noji, Mr. Tinajero, and Mr. Palacio. Mrs. Avila arrived at 6:00 p.m.

Cabinet members present were Dr. Bennett, Dr. Stabler, Mr. Lopez, Ms. Brown, Mr. Sharp, Dr. Stainer, Dr. Bratcher, and Mrs. Araujo-Cook.

MEETING RECESSED AND RECONVENED

At 5:00 p.m., the Regular meeting was recessed to Closed Session to consider real estate negotiations, legal matters, personnel matters, special education contracts, and student discipline issues.

The Regular meeting was reconvened at 6:15 p.m.

There were approximately 60 members of the community and District staff in the audience.

PLEDGE OF ALLEGIANCE

The meeting was opened with the Pledge of Allegiance led by Dr. Yamagata-Noji.

REPORT OF ACTION TAKEN IN CLOSED SESSION

By a vote of 5-0, the Board took action to ratify a master contract and individual service agreement between the SAUSD and The Devereux Foundation for the education of a disabled child for the 2004-05 school year.

By a vote of 5-0, the Board took action to ratify an individual service agreement between the SAUSD and Rossier Park Schools for the education of a disabled child for the 2003-04 school year.

By a vote of 4-0, the Board took action to approve a payment in an amount not to exceed \$5,500 to the Law Offices of Kathleen Loyer, Client Trust Account for costs incurred related to a student, as named in Closed Session.

SUPERINTENDENT'S REPORT

Dr. Mijares drew attention to the beautiful artwork posted in the Board Room contributed by students from Washington Elementary and Sierra Intermediate schools.

The Superintendent announced that Assemblyman Lou Correa was in attendance to present a special honor. The Assemblyman was called to the podium. Mr. Correa esteemed the heroes of our city and country with thoughts of 911. He said that he was honored to present a declaration to Mr. Richardson and the Santa Ana Unified School District in tribute to the new Heroes Elementary School. He said that he was proud of the Santa Ana Unified School District and its efforts to provide quality education and schools to the students and teachers of Santa Ana. He said that the District held a dedication ceremony for Santa Ana's first High Performance School last month. Today, the State of California is proud to acknowledge this great project that benefits our future leaders and our children. Mr. Richardson thanked Mr. Correa for taking the time from his busy schedule to make the special presentation.

Dr. Mijares introduced Timothy John Boyd, MacArthur Fundamental Intermediate eighth grade student and his parents. Tim Boyd was awarded the Boy Scout's highest award, an Eagle Scout Award, on July 10, 2004. For his Eagle project, he built lap top desks for students to use at the Orange County Interfaith Shelter of Costa Mesa. He also assembled supply kits for the younger children. The kits included items such as crayons, markers, coloring books and drawing pads. The Superintendent and Board congratulated Tim for his award and his generosity.

The Superintendent introduced Robert Vargas, Saddleback High School student. On September 21-26, 2004, sixty-four top young Olympic-style boxers traveled to the Piles Peak region of Colorado for the 2004 Pan American Cadet Championships. The event was held outside of Mexico City, Mexico, for the first time in its history, competition consisted of nine different nations. Robert represented the United States in the 125 lb. Division and came home with the gold medal for the 2004 Pan American Cadet Championship. Many feel that this competition features athletes that could be representing the U.S. at the Olympic games in Beijing in four years and give the public an early glimpse at the future stars of boxing. The Board and Superintendent congratulated Robert. Joining him were his parents Hugo and Xenia, and Principal Esther Jones.

While Mr. Busetti was in attendance at the Board meeting, a video clip caught him very surprised recently at his place of employment. Mr. Busetti is a second-grade Davis Elementary School teacher. The announcement came from the State Superintendent, County Superintendent, Board members, Superintendent, administrators, school principal, fellow teachers, several hundred students, including his own second-grade class, NFL legend Rosie Grier, and the news media. Mr. Busetti was one of 100 teachers throughout the United States to be honored with the Milken National Educator Award. He will be presented a \$25,000 award at the annual Milken Family Foundation National Education Conference, an all-expenses-paid professional development conference held in Washington, D.C. Mr. Busetti was asked to step to the podium as the Board, Superintendent, administrators, teachers, students, and the community in the audience honored him with a standing ovation. Mr. Busetti thanked the Board and Superintendent for honoring him tonight.

The Superintendent announced that the SAUSD will be presenting the 11<sup>th</sup> Annual Parent Conference themed "Excellence for All", on Saturday, October 16<sup>th</sup> at Century High School from 10:00 a.m. to 1:00 p.m. He invited all parents to attend. There will be transportation, child care, a community fair, and raffles.

On Saturday, October 23, from 10:30 a.m. to 2:30 p.m., all elementary school students and their parents are invited to attend a free Health and Safety Fair to be held at the parking lot of School Police Services at the District Office. The event is sponsored by the Santa Ana Unified School Police and the PTA. The fair will provide free health screenings, fingerprinting, and child photo identification cards for parents to keep at home.

A video clip featured McFadden Intermediate School students GEARING UP for high school. The emphasis was mathematics. Assemblywomen Loretta Sanchez encouraged students to try harder, stay in school, and attend college. The \$50,000 grant award received by the SAUSD will be used to create the McFadden Mathematics Institute. Seventh and eighth grade students will receive additional math instruction using technology-based materials. Assemblywomen Loretta Sanchez was instrumental in attaining the GEAR UP grants years ago.

Chief Miyashiro provided important information concerning the recent articles concerning terrorist threats. He confirmed that Orange County schools have received no specific threats in the latest public terrorist warnings. He said that the District and other collaborating agencies have a plan in place in the event of any emergencies. The District and the police department participate in programs such as the Terrorists Early Warning Group (TEWG) that holds bi-monthly meetings where they share information, update, and network. Participants include representatives from the City, State, and Federal organizations. School Police also receives alerts and information from the Department of Justice through the California Law Enforcement Telecommunications System (CLETS). He said that all police officers have been trained in bio-terrorism and proper use of protective clothing, gear, and rapid response. He spoke about the newly approved education communication system purchased by the Board that is able to notify all parents in a matter of minutes. He said that there is high visibility not only by school police, but also by District Safety officers and motorcycle officers.

Dr. Yamagata-Noji inquired about training for principals, teachers, administration, and parents. Chief Miyashiro stated that the District is currently working on a program. He said that it may be in collaboration with the local college. Dr. Yamagata-Noji would like Chief Miyashiro to keep the Board and administration informed as information becomes available concerning that program.

Mr. Richardson thanked the PTA and those involved in urging the Board to approve the communication device.

#### UPDATE ON SCHOOL BUILDING PROGRAM

Mr. Hills provided an update and review on the school building program. Also included were aerial views of the various schools in progress:

##### Manuel Esqueda Elementary School:

- Construction began September 2003
- Project 70% complete
- Anticipated completion date is January 2005
- Contract price is \$15,350,685

##### Segerstrom High School:

- Construction began May 2003
- Project 48% complete
- Anticipated completion date is August 2005
- Contract price is \$52,925,710

##### Hector G. Godinez Fundamental High School:

- Construction began October 2003
- Project 42% complete
- Anticipated completion date is January 2006
- Contract price is \$65,770,000

Heroes Remediation/Demolition Project:

- Construction began August 2004
- Completion date is October 2004
- Current Completion Status 100%
- Contract price \$589,000

Mountain View High School: (Corner of Raitt/McFadden Streets)

- Construction began October 2004
- Anticipated completion is March 2006
- Construction contract is \$11,387,000

Lincoln Elementary Modernization:

- Construction began September 2004
- Completion date is March 2005
- Current Completion Status 16%
- Contract Price is \$2,356,000

Jackson Elementary Modernization:

- Construction began September 2004
- Completion date is July 2005
- Contract price is \$2,500,000

Hoover Elementary Modernization:

- Start date is December 2004
- Completion date is September 2005
- Contract price is \$2,700,000

Lowell Elementary Modernization:

- Start date is December 2004
- Completion date is September 2005
- Contract price \$2,274,000

McFadden Intermediate Modernization:

- Start date is December 2004
- Completion date is September 2005
- Contract price is \$4,100,000

Roosevelt Elementary Modernization:

- December 2004
- Completion date is August 2005
- Contract price is \$2,720,000

Lathrop Intermediate Modernization:

- Start date is June 2005
- Completion date is May 2006
- Contract price is \$4,300,000

Group V - Fremont Elementary and Sierra Intermediate Modernizations:

- Bid opening date is September 23, 2004
- Award date: this item is going before the Board tonight.
- Anticipated start is September 2005
- Contract price is \$4,128,178

Qualified Zone Academy Bonds (QZAB) Science and High Learning Centers:

- Construct began May 2004
- Anticipated completion is December 2004
- Current completion status is 95%
- Contract price is \$3,890,000

Costs for Active Construction Projects:

- New Construction: Manuel Esqueda, Segerstrom, Godinez and Mt. View High Schools
- Modernizations: Group I; Lincoln/ Jefferson, Group II; Hoover /Lowell, Group III; Jackson/ McFadden and Group IV; Lathrop/ Roosevelt
- QZAB and Higher Education Centers; Saddleback, Century, Chavez, Valley and Santa Ana High Schools
- Total costs: \$176,665,000
  
- Total costs for current and completed projects is \$220,330,000.

Mr. Richardson referred to the science classroom where the hood was oversized. He asked that District combine a list from principals, teachers, students, and parents with concerns and pro-actively refer back to the list when constructing schools.

Mr. Richardson stated that public comments would follow the presentation and that perhaps questions the public have, may be addressed during the presentation.

PRESENTATION: OVERVIEW OF STUDENT ENROLLMENT PROJECTIONS AND CLASS SIZE

Dr. Mijares called upon Dr. Stabler, Dr. Stainer, and Dr. Bratcher who presented the overview on student enrollment projections and class size. Dr. Stabler began by reviewing the following:

Problem:

Significant budget problem in the State of California

- \$20 to \$30 billion deficit
- No new revenue sources
- Legislative Issues at State level
- No increase to school districts' revenue other
- than growth

Drastic enrollment changes in the SAUSD

- 3 years ago the District grew by over 2,000 students
- In 2002-03, the District grew only 100
- For 2003-04, the District decreased in enrollment over 700
- For 2004-05, the Orange County Department of Education recommended that the District budget
- a decrease of over 1,000 students
- Due to the actual decrease in 2003-04, the District budgeted a decrease of 700 students for 2004-05
- (Actual enrollment is within .05% of projection)

## Ongoing increase in District costs

- Employee step and column raises
- Increase in Health and Welfare costs
- Inflationary adjustments for all expenditures
- Deficit of \$29,800,000 for 2003-04 to 2005-06

## Solutions for 2003-04

- Increase of student teacher ratios one time flexibility
- transfers
- Staffing reductions due to decreasing enrollment
- Transfer/elimination of District office positions
- Athletic program changes
- Elimination of Saturday Work Program

## Solutions for 2004-05

- Reduced staffing due to decreased enrollment projection
- Implemented a District staffing allocation model
- Increased student/teacher ratios
- Eliminated 20 to 1 at K level
- Reduced Assistant Principals

## Negotiated items

- Reduced work year two days (equal to 1% of salary)
- Changes in health benefit programs
- Rolled back salary (3%)

Due to salary roll back and increased funding at state level the District has restored over 465 certificated positions and 35 classified positions

- Nursing Services/Elementary Music
- 1st-3rd 20 to 1/9th Grade CSR (Language Arts)
- 7th Period at Intermediate
- Intermediate/High School Counselors
- District Safety Officer positions
- Site Clerical positions
- Increased Intermediate/High School Teaching Positions by reducing student/teacher ratios
- Increased Elementary teaching positions

Ms. Brown then reviewed the following:

## Methodology

- Cohort Survival Enrollment Projection Method
- District-wide (weighted) by School

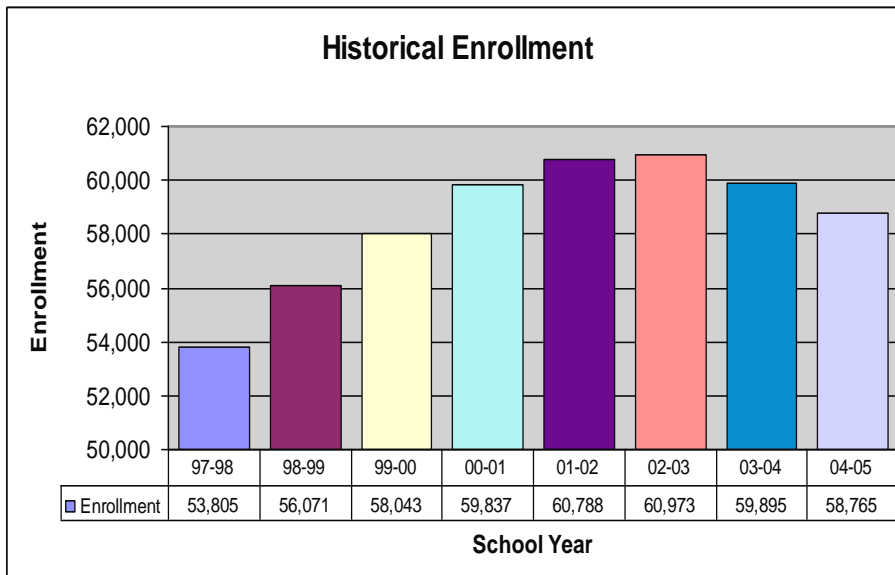
The cohort survival enrollment projection system is based on current and previous District CBEDS enrollment. It calculates the percentage annual change for each grade level. It progresses the latest CBEDS enrollment through a five-year projection period, modifying the grade progression each year by the annual change.

Districtwide - Enrollment Projection Method

**5 YEAR ENROLLMENT PROJECTION**

Method	Current Year	Year 1	Year 2	Year 3	Year 4	Year 5
	03-04	04-05	05-06	06-07	07-08	08-09
<b>1) Cohort Unweighted</b>						
Elementary: K-5	32,337	31,269	30,292	29,365	28,468	27,582
Intermediate: 6-8	13,969	14,355	14,367	14,083	13,533	13,071
High: 9-12	13,429	13,744	14,218	14,703	15,261	15,346
Ungraded: Unk	160	160	160	160	160	160
<b>Total</b>	<b>59,895</b>	<b>59,528</b>	<b>59,037</b>	<b>58,311</b>	<b>57,422</b>	<b>56,159</b>
growth	-1,078	-367	-491	-726	-889	-1,263
<b>2) Cohort Weighted</b>						
Elementary: K-5	32,337	31,206	30,205	29,294	28,459	27,677
Intermediate: 6-8	13,969	14,275	14,215	13,878	13,281	12,758
High: 9-12	13,429	13,657	14,037	14,410	14,844	14,857
Ungraded: Unk	160	160	160	160	160	160
<b>Total</b>	<b>59,895</b>	<b>59,298</b>	<b>58,617</b>	<b>57,742</b>	<b>56,744</b>	<b>55,452</b>
growth	-1,078	-597	-681	-875	-998	-1,292
<b>3) Modified Pushup</b>						
Elementary: K-5	32,337	32,003	31,653	31,238	30,779	30,098
Intermediate: 6-8	13,969	14,718	15,045	15,175	15,069	15,170
High: 9-12	13,429	14,721	15,770	16,638	17,513	18,132
Ungraded: Unk	160	160	160	160	160	160
<b>Total</b>	<b>59,895</b>	<b>61,602</b>	<b>62,628</b>	<b>63,211</b>	<b>63,521</b>	<b>63,560</b>
growth	-1,078	1,707	1,026	583	310	39
<b>4) Straight Pushup</b>						
Elementary: K-5	32,337	32,361				
Intermediate: 6-8	13,969	14,982				
High: 9-12	13,429	15,122				
Ungraded: Unk	160	160				
<b>Total</b>	<b>59,895</b>	<b>62,625</b>				
growth	-1,078	2,730				

Historical CBEDS Enrollment



Historical CBEDS Enrollment - Including Special Day Class (SDC)

	97-98	98-99	99-00	00-01	01-02	02-03	03-04
<b>K</b>	5,875	5,851	5,967	5,897	5,657	5,416	5,323
<b>1</b>	5,766	6,103	6,281	6,335	6,102	5,998	5,680
<b>2</b>	5,297	5,560	5,835	5,978	5,928	5,686	5,408
<b>3</b>	4,672	5,188	5,489	5,686	5,824	5,638	5,347
<b>4</b>	4,391	4,621	5,087	5,338	5,456	5,560	5,280
<b>5</b>	4,031	4,274	4,484	4,926	5,170	5,201	5,299
<b>6</b>	3,948	4,094	4,278	4,435	4,867	4,929	4,985
<b>7</b>	3,835	3,854	4,033	4,161	4,411	4,629	4,698
<b>8</b>	3,674	3,731	3,786	3,851	3,958	4,162	4,286
<b>9</b>	3,897	3,914	3,937	3,867	4,000	3,928	3,904
<b>10</b>	3,408	3,499	3,476	3,679	3,621	3,745	3,706
<b>11</b>	2,740	2,943	3,012	3,145	3,232	3,400	3,226
<b>12</b>	2,114	2,264	2,249	2,415	2,454	2,619	2,593
<b>UNG</b>	157	175	129	124	108	62	160
<b>TOTAL</b>	<b>53,805</b>	<b>56,071</b>	<b>58,043</b>	<b>59,837</b>	<b>60,788</b>	<b>60,973</b>	<b>59,895</b>

	97-98	98-99	99-00	00-01	01-02	02-03	03-04	04-05
Elementary: K-5	30,032	31,597	33,143	34,160	34,137	33,499	32,337	30,710
Intermediate: 6-8	11,457	11,679	12,097	12,447	13,236	13,720	13,969	14,040
High: 9-12	12,159	12,620	12,674	13,106	13,307	13,692	13,429	14,015
Ungraded: Unk	157	175	129	124	108	62	160	0
<b>Total</b>	<b>53,805</b>	<b>56,071</b>	<b>58,043</b>	<b>59,837</b>	<b>60,788</b>	<b>60,973</b>	<b>59,895</b>	<b>58,765</b>
growth	n/a	2,266	1,972	1,794	951	185	-1,078	-1,130
%	n/a	4.2%	3.5%	3.1%	1.6%	0.3%	-1.8%	-1.9%

Comparison Table

	K-5	6-8	9-12	K-12
<b>2004 CBEDS Projection Without SDC</b>	30,265	13,917	12,971	57,153
<b>Current Enrollment 2004 Without SDC</b>	29,758	13,917	13,450	57,125
Difference	-507	0	479	-28
%	-1.7%	0.0%	3.7%	-0.05%

Enrollment Adjustments and Restorations for Secondary due to approval of final State Budget in August:

- 16 positions restored for high schools at August Board meeting:
- 17 positions restored at high school level for growth and special circumstances
- 23 positions at the intermediate level
- 2.2 positions restored at intermediate level due to growth and special circumstances

Other Considerations: Master Schedule Planning, Balancing of Classes, and Graduation Requirements:

- Number of students by grade level
- Levels needed for ELD, English, Math, and singleton considerations (ASB, AP classes, etc.)



- Multiply number of staffing units times periods of instruction that teachers can teach, e.g. HS/5 in six period day and Inter/6 in a seven period day
- Number of requirements by grade level
- Elective classes desired
- Prioritize by subject matter and cap levels, i.e., chemistry, physics, and P.E.
- Map out schedules based on data gathered by grade level taking into consideration conflicts that normally present themselves
- Draft and revise until class size is as low as possible and as level as possible across the curriculum

#### PUBLIC COMMENTS/PRESENTATIONS

President Richardson asked those members of the community who wished to address the Board to step forward as he called their names.

The following individuals addressed the Board with respect to class sizes. They spoke about overcrowded classrooms, desk shortage, safety issues, finance issues related to class size, and/or the restoration of teachers.

Priscilla Gonzalez, Student, Saddleback High  
Steve Plumley, SAUSD Staff  
Charlie Aubuchon, SAUSD Staff  
Maria Rios, SAUSD Parent  
Lisa Jewett, SAUSD Staff  
Angelique Cooney, SAUSD Parent  
Ernest Salgado, SAUSD Staff  
Gail Burgan, SAUSD Staff  
Emil Barham, 74, Claremont, Long Beach  
Barbara Pearson, SAUSD Staff  
Tammra Dettviler, SAUSD Staff  
Ernest Salgado, SAUSD Staff  
Ernie Cannata, SAUSD Staff  
Tom Harrison, President SAEA  
Alice Lodwick, SAUSD Staff

Maria Rios, 1134 W. Carlton, Santa Ana, addressed the Board with concerns about her child's education. She encouraged the Board to help keep scores up.

Esther Tenschil, Parent, addressed the Board concerning the placement of her daughter at Walker Elementary.

Therese Mims, Community Member addressed the Board to thank the candidates for attending the Candidate Forum held at Century High School last week.

Mike Murphy, SAUSD Staff addressed the Board in reference to Algebra A and B and the reopening of his claim for a knee injury.

Deborah Vasquez, Community Resident, addressed the Board to announce her candidacy for Santa Ana Board of Education. She said that the students, parents, and the community need strong leadership and vision to lead Santa Ana in fulfilling its mission of "Education First".

## MEETING RECESSED AND RECONVENED

At 9:00 p.m., the Regular meeting was recessed to allow members of the audience to exit the meeting. The meeting reconvened at 9:20 p.m.

## CONTINUED PRESENTATION: OVERVIEW OF STUDENT ENROLLMENT PROJECTIONS AND CLASS SIZE

Dr. Mijares stated that class size is an important issue and one that is prevalent in many counties today. He expressed the necessity to live within our means. He asked Dr. Bratcher to provide an update concerning class size and enrollment at the high schools.

Mr. Tinajero stated that the Board has received information on ratios and numbers and would now like to know how to correct the problem. He added that students must be able to access graduation course requirements immediately.

Mr. Richardson asked that information concerning class size and enrollment be provided on the District Website and discussed at school meetings to make certain it is understood by everyone. He then requested the following:

- Staff to inform him when specific situations/cases occur at the school sites regarding class size
- Make certain that students can access classes that are required for graduation
- Would like a plot map (GIS) to identify where students are now and where they were a year ago
- Would like substitutes to be utilized temporarily in certain circumstances

Mr. Richardson stated that in the past, the District would hire staff when projections came in high. At this time, the Board has made a commitment to get through the current budget situation and must uphold that commitment.

Mrs. Avila inquired about the number of students at Santa Ana High School. Dr. Bratcher stated that in comparison to years past, numbers have increased at all schools. He said that it is difficult to cap Santa Ana High School when the other schools have also come in over projection. He said that additional textbooks have been ordered. He then referred to student classroom numbers in the 70's, as mentioned by a public speaker. After reviewing master schedules at all the high schools, one high school has 40 students in each classroom; two high schools have three classrooms in the 50's; and one high school has two classrooms in the 50's. He said that he cannot find any classrooms in the 70's, except physical education and band. He and Mr. Richardson visited Saddleback and Century high schools yesterday and confirmed that Saddleback science classrooms are available during the teachers' preparation periods in order to open up a new section for science therefore, opening five additional classrooms of science. Dr. Bratcher also stated that this year teachers have an extra week for the first grading period, which will be seven weeks as opposed to six weeks.

Dr. Mijares reiterated the District's financial matters. He stated that classes could not be loaded this year as last year or two years ago, nor can the budget take on the encroachment. Dr. Mijares asked Dr. Stabler what would happen in the event that the District hired 70 additional teachers.

Dr. Stabler responded that if the District were to hire 70 additional teachers it would cost an additional \$4 million and the District would not make the financial plan the next interim. Dr. Mijares asked for the number of teachers originally reduced in 2004-05. Dr. Stabler responded originally 290 with 50 restored, currently 240 positions.

Mr. Salcedo, Principal at Santa Ana High School, stated that there are no classes in the 70's at Santa Ana High School. There may be a couple of classes with 50 or 51 students currently, but staff is remedying that problem by balancing classes. He said that Santa Ana High School increased from 4,000 students to 4,220 students this year, which may be due to the new Fundamental School Academy. He said that students are coming from across the District, feeder schools, and outside the District.

Mr. Richardson stated from a policy issue, the outside students, raises an interest.

Mr. Palacio inquired about the number of SDC enrollment. Mr. Salcedo responded, 116 SDC students. Mr. Palacio then asked how many certificated teachers are in the classroom. Mr. Salcedo stated that originally there were 114 from FTE's, which increased by six due to the increase in enrollment, and currently has approximately nine or ten, that are out of categorical, which can be used for teaching, therefore, 130 in classrooms. Mr. Palacio asked about the number of teachers last year. Mr. Salcedo responded 128 from FTE, and seven or eight out of categorical. Mr. Palacio stated that the fact that Santa Ana High is working with less teachers and more students is a need to address. He said that he is concerned that there are not enough desks for the students. Mr. Palacio inquired about substitutes. Dr. Stabler clarified pay and policy. Mr. Palacio asked that staff combine total student enrollment to have a clear understanding in terms of class size, enrollment, ADA, whether funded categorically or special education.

Mr. Richardson echoed Mr. Palacio's suggestion. He would additionally like a chart with separately itemized numbers as well.

Mrs. Avila asked, since there are less students in elementary, if additional monies are available to be utilized for high school. Dr. Stabler responded negatively. He said that many elementary schools met their projections or higher and that teachers were restored at some sites.

Mrs. Avila offered some suggestions to assist teachers:

- College students assist teachers by correcting test papers
- Hire long-term subs until Christmas
- Assign certificated staff not assigned to classrooms
- Look at grants to help place teachers in classrooms
- Redirect some money to hire special help

Dr. Yamagata-Noji suggested the following:

- Take a head count of each student by classroom, school by school, for accuracy
- Look into university partners and utilize English majors or graduates to assist teachers
- School Administrators must make certain that students are going into required classes. She does not want to hear that students were not placed appropriately or that there was no room in required classes preventing graduation
- Asked that employees be sensitive to costs for color pamphlets and flyers especially, now while in a deficit

Dr. Yamagata-Noji requested that staff address these issues immediately.

The Board thanked the District staff for an informative meeting.

#### APPROVAL OF MINUTES

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, Mr. Tinajero not present, to approve the Minutes of the Regular Board meeting of September 28, 2004.

#### CHANGE OF AGENDA ORDER

#### DISCUSSION AND APPROVAL OF EASEMENT AGREEMENT FOR SUPPLEMENTAL VEHICULAR AND PEDESTRIAN ACCESS TO THE TAFT SCHOOL SITE

Ms. Brown stated that on August 24, 2004, the Board approved a revised Memorandum of Understanding (MOU) between the District, South Coast Church, and Nexus Development Corporation, for the design and construction of a supplemental drop-off/pick-up area and other school site improvements. She said that the agreement has been reviewed and approved by District's legal counsel.

It was moved by Mr. Richardson, seconded by Mr. Palacio and carried 4-0, Mr. Tinajero not present, to approve the easement agreement for supplemental vehicular and pedestrian access to the Taft Elementary School site, subject to a 90-day execution.

Dr. Yamagata-Noji inquired about the attached exhibits. Mr. Richardson stated that if the Nexus exhibits are not received by Friday, October 15, 2004, that the action taken by the Board would be null and void. Ms. Brown stated that she would have the agreement in the next couple of days.

#### APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Gifts; Purchase Orders; Food Services Statement of Operation; Approval of Amendment to Contract for Consultant Services for Soil and Construction Material Testing for Construction of Godinez Fundamental High School Project; Approval of Amendment to Contract for Consultant Services for Soil and Construction Material Testing for Construction of Segerstrom High School Project; Appointment of Architect to Provide Supplemental Support Architectural Services on Various Projects; and Approval of Consultant Agreement with Boys and Girls Club of Santa Ana and Santa Ana Unified School District for After-school Tutoring at Pio Pico Elementary School for 2004-05 School Year.

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 4-0, Mr. Tinajero not present, to approve the remainder of the Consent Calendar as presented.

Approval of warrant listings prepared September 22 through September 29, 2004, to pay budgeted District financial obligations.

<u>Awards</u>	<u>Vendor</u>	<u>Amount</u>
Construction of Fremont Elementary and Sierra Intermediate Modernization Projects	JRH Construction Company	\$4,128,478

Lunch Shelter Bid Package No. 94 FOR Construction of Manuel Esqueda Elementary School Project	JRH Construction Company	\$57,832
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Flooring for Bid Package 100 for Construction of Manuel Esqueda Elementary School Project	Continental Flooring, Inc.	\$168,800
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Approval of project Change Order No. 3 for Bid Package No. 2 for construction of the Godinez Fundamental High School project.

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

Acceptance of September 28, 2004, completion of contract with Valley Crest Landscape Development, Inc., in the amount of \$2,640,721.71 for Bid Package No. 2 for construction of the Godinez Fundamental High School project.

Approval of appointment of Smith-Emery Company for soil and construction material testing for construction of the Mountain View High School project.

Approval of appointment of Gateway Science and Engineering, Inc., Johnson Inspection, K & S McCreery Inspection, Sandy Pringle Associates, and Twining I.O.R. Services, at a fee not to exceed \$300,000 to provide inspection services at various school sites ending June 2005.

Approval of appointment and agreement with Hahn Fife & Company LLP to provide specialized services for condemnation action at 720 North Fairview, Santa Ana, CA

Approval of submission of the California Mathematics and Science Partnership Professional Development Program grant.

Authorization for disposal of obsolete computers, monitors, and printers, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

Approval of consultant agreement with the Boys and Girls Club of Santa Ana for After-School Tutoring at Pio Pico Elementary School for the 2004-05 school year.

Approval of District property insurance renewal with Travelers Insurance and Essex Insurance for 2004-05 at a premium of \$361,226.

Approval to renew membership in the Schools Excess Liability Fund (SELF) for 2004-05.

Approval of the recommendation of the Expulsion Readmission Panel to readmit students with ID #'s 118051, 115844, 121271, 126422, 195710, 118649, 137671, and 120859 to District schools for the fall semester of the 2004-05 school year.

Approve the recommendations for the administrative hearing panels to expel the students for the recommended terms and with the recommended remediation conditions.

130999 - Spurgeon Intermediate

for violation of Section (f), that the Board expel her from the schools of the District for the remainder of the fall semester 2004-05 school year and that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that she be permitted to return to a District school/program on a probationary status during that time period.

170275 - Spurgeon Intermediate

for violation of Section (c), that the Board expel him from the schools of the District for the remainder of the fall semester 2004-05 school year and that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

132087 - Spurgeon Intermediate

for violation of Sections (c and 3), that the Board expel him from the schools of the District and that he may apply for readmission on or after October 12, 2005.

107398 - Valley High

for violation of Sections (c and j), that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2005.

097488 - Santa Ana High

for violation of Section (c and j), that the Board expel him from the schools of the District for the remainder of the fall semester 2004-05 school year and that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

169661 - Pio Pico Elementary

for violation of Section (b), that the Board expel him from the schools of the District for the balance of the fall semester, 2004-05 school year, and that the expulsion order be suspended until January 15, 2005, and that he be permitted to return to a District school/program on a probationary status.

126481 - Spurgeon Intermediate

for violation of Section (c), that the Board expel her from the schools of the District for the remainder of the fall semester 2004-05 school year and that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that she be permitted to return to a District school/program on a probationary status during that time period.

144367 - Saddleback High

for violation of Section (a), that the Board expel him from the schools of the District for the remainder of the fall semester 2004-05 school year and that the expulsion order be suspended for only the spring semester for the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

105669 - Valley High

for violation of Section (c and j), that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2005.

106583 - Saddleback

for violation of Section (a), that the Board expel him from the schools of the District for the remainder of the fall semester 2004-05 school year and that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

Approval of Extended Field Trips:

Kennedy Elementary School  
Cedar Crest Science Camp  
Running Springs, California  
June 6-10, 2005 (Monday-Friday)

The following gifts were accepted subject to the condition that the District does not guarantee maintenance of the items or expenditure of District funds for their continued use.

Gifts

Greenville Fundamental Elementary  
\$500 for Student Body Funds

Jefferson Elementary  
350 books

Pio Pico Elementary  
\$11,500 for renovation of playing  
field to include labor and materials

Sepulveda Elementary  
\$662 for field trips

Sepulveda Elementary  
\$139 for field trips

Walker Elementary  
\$101 for field trips

Walker Elementary  
\$100 for field trips

Carr Intermediate  
School uniforms, dictionaries,  
trophies and medals

Sierra Intermediate  
Schaums Elementary Algebra Books

Sierra Intermediate  
Gift Certificate

Sierra Intermediate  
380 Webster Dictionaries

Mt. View High School  
20 Cu. Ft. Refrigerator

Santa Ana Unified School District  
\$1,000 for Parent Conference

Donors

Exxon/Mobil Oil Company\*  
Mr. Mike Alhayck  
Costa Mesa

Mr. and Mrs. Moloney  
Huntington Beach

California Youth Soccer  
Association-South  
Mr. Paul Doty  
Fullerton

LifeTouch National School Studios  
Ms. Connie Cimaglia  
Eden Prairie, MN

Target  
Mr. Gregg Steinhuf  
Minneapolis, MN

Target  
Mr. Gregg Steinhuf  
Minneapolis, MN

The Child I.D. Program,  
Mr. and Mrs. Mike Vizzi  
Moorpark

California Youth League\*  
Boy Scouts of America  
Santa Ana

Crowell & Moring Attorneys at Law  
Mr. R. Scott Feldmann  
Irvine

Orange County Teachers  
Federal Credit Union  
Santa Ana

Santa Ana Education Foundation  
Ms. Bernedette Medrano  
Santa Ana

Mrs. Irene Sullivan  
Westminster

Nuestra Casa Mortgage, Inc.  
Mr. Robert F. Gallegos  
Santa Ana

Dr. Yamagata-Noji inquired about the use of the soccer field at Pio Pico by the California Youth Soccer Association. Dr. Stabler stated that this gives the organization no rights. The organization would have to complete an application through Civic Center to utilize the field as any other club or organization.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Palacio, and carried 4-0, Mr. Tinajero present, to approve the gifts and donations as presented.

APPROVAL OF PURCHASE ORDERS ISSUED AUGUST 15, 2004, THROUGH SEPTEMBER 28, 2004, TO PURCHASE MATERIALS, SUPPLIES, ETC., WITH FUNDS PREVIOUSLY APPROVED

Dr. Yamagata-Noji inquired about the FCMAT expenditure. Dr. Stabler stated that this is an open purchase order for services from FCMAT, which will support what the OCDE requested on an as-needed-basis. Dr. Stabler stated that the county is supporting the cost of the fiscal expert.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 5-0, to approve the Purchase Order Listing for period of September 15 through September 28, 2004.

#### FOOD SERVICES STATEMENT OF OPERATION

Mr. Richardson stated that there is a loss recorded for the period July 31 through August 31, 2004. Dr. Stabler stated that in one of the budget recommendations to help balance the budget that the District was going to look at additional costs that could be charged to restricted programs and other programs. We have worked with the Food 4 Thought program and increased the indirect cost rate that is being charged to the program. It is the intent of the program to be positive by year end.

Ms. Marylou Romero, Director, Food 4 Thought, brought to the attention of the Board a combination of unintended consequences such as the State bill that was approved restricting the sale of beverages through the eighth grade, the National School Lunch Program that the District absorbs costs on, and the school calendar adjustments that affect the Food 4 Thought program. Dr. Stabler stated that the numbers on the Statement of Operations show a negative balance due to the multi-year schedule beginning in July to the modified schedule beginning in August. He stated that next month should be a positive result.

Mr. Richardson asked Ms. Romero to discuss the soda matter at hand with District administration. He also asked where the gas surplus was included on the Food Services Statement of Operations.

Dr. Noji asked that Ms. Romero discuss food meal costs and beverage situation with community, parent groups, and DELAC.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 4-0, Mrs. Avila not present, to approve the Food Services Statement of Operations from July 31 to August 31, 2004.

APPROVAL OF AMENDMENT TO CONTRACT FOR CONSULTANT SERVICES FOR SOIL AND CONSTRUCTION MATERIAL TESTING FOR CONSTRUCTION OF GODINEZ FUNDAMENTAL HIGH SCHOOL PROJECT

Dr. Yamagata-Noji inquired about costs. Mr. Sharp stated that due to the unforeseen conditions, Division of State Architect directed special inspection for stone columns, driven piles, and concrete block masonry, it is necessary to amend



the consultant agreement. He said that it was approximately \$340,000 lower than the budgeted amount.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 4-0, Mrs. Avila not present, to approve the amendment to contract with Ninyo & Moore for soil and construction material testing for construction of the Godinez Fundamental High School project in the amount of \$750,000 for a new not to exceed contract total of \$1,405,837.

APPROVAL OF AMENDMENT TO CONTRACT FOR CONSULTANT SERVICES FOR SOIL AND CONSTRUCTION MATERIAL TESTING FOR CONSTRUCTION OF SEGERSTROM HIGH SCHOOL PROJECT

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 4-0, Mrs. Avila not present, to approve the amendment to the contract with Twining Laboratories for soil and construction material testing for construction of the Segerstrom High School project in the amount of \$400,000 for a new not to exceed contract total of \$829,585.

APPROVAL OF APPOINTMENT OF ARCHITECT TO PROVIDE SUPPLEMENTAL SUPPORT ARCHITECTURAL SERVICES ON VARIOUS PROJECTS

Dr. Noji asked that the following be included:

- Process to select the firm
- Include four other firms
- What projects, please name
- Estimated amount of work
- Time frame for this arrangement
- District staff named
- Legal counsel named

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

APPROVAL OF CONSULTANT AGREEMENT WITH BOYS AND GIRLS CLUB OF SANTA ANA AND SANTA ANA UNIFIED SCHOOL DISTRICT FOR AFTER-SCHOOL TUTORING AT PIO PICO ELEMENTARY SCHOOL FOR 2004-05 SCHOOL YEAR

Dr. Bennett, Deputy Superintendent, stated that at the request of the Board President, the item was reviewed by county legal counsel for conflict of interest as the community knows Mr. Richardson continues to serve with the Boys and Girls Club of Santa Ana. It was found that Mr. Richardson has a non-interest in this agreement, and therefore, there is no conflict of interest and he may vote on the item. Dr. Stainer stated that the Boys and Girls Club of Santa Ana would work with the students at Pio Pico Elementary School to provide tutoring services in the after-school program. These programs are funded under the After School Education and Safety grant. Boys and Girls Club of Santa Ana will hire twelve after-school program leaders to provide these services. Community collaborations and partnerships are required by the grant.

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve the consultant agreement with Boys and Girls Club of Santa Ana for After-School Tutoring at Pio Pico Elementary School for the 2004-05 school year.

ADOPTION OF ORDINANCE OF THE SAUSD BOARD OF EDUCATION AUTHORIZING THE LEVY OF A SPECIAL TAX-WITHIN COMMUNITY FACILITIES DISTRICT (CFD) NO. 2004-1 (CENTRAL PARK PROJECT)

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to adopt an ordinance of the SAUSD Board of Education a authorizing the levy of a special tax within Community Facilities District (CFD) No. 2004-1 (Central Park Project).

ADOPTION OF RESOLUTION NO. 04/05-2583 - AUTHORIZATION OF SIGNATURES FOR SANTA ANA UNIFIED SCHOOL DISTRICT AS APPROVED BY THE BOARD OF EDUCATION

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to adopt Resolution No. 04/05 - Authorization of signatures for Donald L. Trigg, Associate Superintendent, Business Services; Juan M. Lopez, Assistant Superintendent, Human Resources; Jamie Brown, Director, Accounting and Payroll; and Kara Wantlin, Manager of Payroll.

A copy of the resolution is attached to the Minutes of the meeting.

APPROVAL OF CONSULTANT AGREEMENT BETWEEN THE SANTA ANA UNIFIED SCHOOL DISTRICT AND YMCA OF ORANGE COUNTY - CENTRAL ORANGE COAST BRANCH FOR THE 2004-05 SCHOOL YEAR

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve the consultant agreement between the Santa Ana Unified School District and YMCA of Orange County - Central Orange Coast Branch for the 2004-05 school year.

APPROVAL OF ORANGE COUNTY SPECIAL EDUCATION LEGAL ALLIANCE FOR THE 2004-05 SCHOOL YEAR

Mr. Erhard, Interim Director for Special Education, stated that the purpose of this legal alliance is to share resources with other districts in Orange County to identify common legal issues that pertain to Special Education. The alliance would assist in the training of staff which could withstand legal hearing, help appeal cases that have common issues of compliance throughout Orange County, and lobby for legislation to improve Special Education that maintains a balance between school districts and parents.

Mr. Richardson asked that a copy of the Joint Powers Agreement be provided to the Board.

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0, to approve the Orange County Special Education Legal Alliance for the 2004-05 school year.

APPROVAL OF PERSONNEL ACTION

Mr. Tinajero asked that page A4 be removed for further discussion. Dr. Yamagata-Noji stated that there is a lack of consistency on the specified rate of pay for after-school funding. She requested that pages A9 and A10 be removed until further discussion as well.

It was moved by Mrs. Avila, seconded by Mr. Tinajero, and carried 5-0, to approve the remainder of the Personnel Calendar with the exception of pages A4, A9, and A10.

A copy of the Personnel Calendar is attached to the Minutes of this meeting.

BOARD AND STAFF REPORTS/ACTIVITIES - REPORTS ON VISITS TO SCHOOLS, CONFERENCES ATTENDED, OR MEETINGS SCHEDULED

Mr. Tinajero:

- Congratulated Santa Ana High for their win against Saddleback High School last week. The Santa Ana High school's football team is the proud owners of the bell for the 2004-05 school year.
- Congratulated Davis Elementary teacher Mr. Busetti for receiving the Milken National Educator Award.
- Congratulated student Robert Vargas for representing the United States in the 2004 Pan American Cadet Championships and bringing home the Gold Medal in boxing.

Mrs. Avila:

- Echoed Mr. Tinajero. Congratulated student Robert Vargas for bringing home a Gold Medal.
- Thanked employees from Deloitte & Touche USA, LLP, one of the nation's leading professional services firms, who spent a day recently painting and landscaping Edison Elementary School. They also painted beautiful murals.

Dr. Yamagata-Noji:

- Announced the Latino Youth Institute student training on Thursday, October 14, 2004, at 6:00 p.m., in the District Office Board Room.
- Enjoyed attending the football games this season. She asked District staff to send a letter to the City to ask for assistance for parking costs.
- She commended Mr. Best and Dr. Stabler for their service to the District and how they have enriched so many through the years.

Mr. Richardson:

- Echoed Mrs. Avila. There were over 400 staff members from Deloitte & Touche USA at Edison. He thanked them for taking a day off work to upgrade the school and invited them to think of the SAUSD again next year. He thanked Mr. Chad Hammit, Principal at Edison.
- Said that it has been a pleasure working with Dr. Stabler and Mr. Best for the past 18 months and wished them well in their new endeavors.
- Applauded teaching and Administrative staff for their efforts to work through budget constraints and class size.
- Visited Saddleback and Century high schools yesterday and met with Administration concerning class size.

MEETING RECESSED AND RECONVENED

At 11:15 p.m. the Regular Meeting was recessed to Closed Session to consider legal issues, real estate negotiations, and personnel matters.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The President reported the following actions taken in Closed Session.

By a vote of 5-0 the Board took action to approve the appointment of Lyn Maher to the position of Principal at Segerstrom High School, effective November 1, 2004.

By a vote of 5-0, the Board took action to approve the appointment of Marvin Smulowitz to the position of Interim Principal at MacArthur Fundamental Intermediate, effective November 1, 2004.

By a vote of 4-1, the Board took action to approve the appointment of Lee Gotcher to the position of Assistant Director of Career Development/Regional Occupational Program (ROP)

By a vote of 4-1, the Board took action to approve the appointment of Patricia Carter to the position of Assistant Director of Career Development/Regional Occupational Program (ROP)

By a vote of 5-0, the Board took action to approve the appointment of Curtis Bouyer to the position of Manager of Food Services Operations, effective October 13, 2004, at the Food 4 Thought facility.

By a vote of 5-0, the Board took action to deny the claim for damages for an individual as named in Closed Session and inform the guardian of the statutory provisions for filing a lawsuit.

By a vote of 4-0-1, the Board took action to deny the claim for damages for a former teacher named in Closed Session and inform her guardian of the statutory provisions for filing a lawsuit.

By a vote of 5-0, the Board took action to deny the claim for damages for a student named in Closed Session and inform her guardian of the statutory provisions for filing a lawsuit.

#### ADJOURNMENT

There being no further business to come before the Board, the Regular Meeting adjourned at 12:15 a.m.

#### FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, October 26, 2004, at 6:00 p.m.

ATTEST:

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Al Mijares, Ph.D.  
Secretary  
Santa Ana Board of Education