

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

MINUTES

REGULAR MEETING  
SANTA ANA BOARD OF EDUCATION

Tuesday, October 28, 2003

CALL TO ORDER

The meeting was called to order at 4:45.p.m. by Board President Avila. Dr. Yamagata-Noji, Mr. Richardson, Mr. Palacio, and Mr. Tinajero were also present.

Cabinet members present were Dr. Mijares, Dr. Bennett, Dr. Stabler, Mr. Best, Mr. Sharp, Ms. Araujo-Cook, Dr. Bratcher, and Dr. Stainer.

MEETING RECESSED AND RECONVENED

At 4:45 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 6:30 p.m.

There were approximately 75 members of the community and District staff in the audience.

PLEDGE OF ALLEGIANCE

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

SUPERINTENDENT'S REPORT

The Superintendent asked those present to observe the student artwork displayed in the Board Room by students from Monroe, Remington, and Lowell elementary schools.

Dr. Mardel Kolls, Director Research and Evaluation, stated that the newest State report on the Academic Performance Index (API) has been released. The report showed a 43 point gain for SAUSD from 2002 to 2003, based on the scores of 42,654 students. While 98% of Santa Ana schools met or exceeded their API growth targets, only 78% of the schools met their targets statewide. Dr. Kolls then provided growth target comparisons across-the-board. She said that the overall gain was attributed to the continued emphasis on grade level literacy, higher number of students taking Algebra, college-ready graduation standards, implementation of Standards-based curriculum, and the support of Standards-based professional development. Dr. Mijares commended all those involved in the achievement of higher API scores. Trustees voiced congratulatory comments to teachers, students, and parents for working hard to attain the increase.

Dr. Mijares announced that for the first time in its 32-year history, Santa Ana High School's NJROTC was selected as the "Best Unit" in Area 11 which includes 65 units in Southern California, Arizona, and Nevada. The team was named 4<sup>th</sup> best unit in the nation out of approximately 600 nationwide. More than 230 cadets served in the unit last year. Students participated in more than 115 activities and donated more than 22,000 service hours. The Superintendent

congratulated Commander Tom Osseck and Santa Ana NJROTC cadets on a job well done.

Red Ribbon Week has been observed throughout the District in a variety of ways. Red Ribbons, bracelets, and positive messages promote healthy, drug-free lifestyles and encourage kids of all ages to say "no" to alcohol and drugs. At McFadden Intermediate School, the theme is "Shoot for the Stars, You'll Go Far." Students placed individual shooting stars (with goals written on them) on a mural that is a recreation of Van Gogh's *Starry, Starry Night*. Board member Sal Tinajero will wrap up the week's activities as a motivational speaker at a Red Ribbon assembly on October 30<sup>th</sup> at McFadden Intermediate. He further announced that on October 29<sup>th</sup>, Assembly member Lou Correa and he would be at Madison Elementary School to meet with students and teachers for a special Red Ribbon assembly.

Recently, Kennedy Elementary hosted a weekend reading event. The Orange County Chapter of Executive Women International hosted the occasion. Firefighters visited classrooms where reading, drawing, and spelling took place. Books and goodie bags were provided to more than 200 participating students.

Dr. Mijares congratulated *Olivia Jaramillo*, an instructional assistant at Taft Elementary School, who was bestowed the *Outstanding Contributions to Education Award* from the Orange County Department of Education. Olivia will receive her award at a ceremony hosted by County Superintendent Bill Habermehl on November 13<sup>th</sup>.

The Superintendent announced that students from Edison and Monte Vista elementary schools were visited by Mr. Jaime Escalante, who not only inspired, but taught life lessons to students through the *Learning for Life* program. He is a highly acclaimed mathematics teacher who taught at Garfield High School in Los Angeles and starred in the movie *Stand and Deliver*. He encouraged students to go above and beyond and to believe in themselves.

#### Election Results of Merit System

Dr. Mijares announced that on October 23, from 6:30 a.m. to 6:30 p.m., voting was held on the use of a Merit System for recruitment, testing, selection, and discipline appeals. Education Code §45221, requires that districts report results of the election to the Board of Education as "certified" by the Tabulating Committee. Of slightly more than 1900 eligible voters, 834 participated in the election, "No" votes were cast by 651 (78%) employees, and "yes" votes were cast by 182 (22%) employees. The tabulating committee was comprised of CSEA representatives Lilia Amaro and Jerry Costin; SAUSD Administrators Archie Polanco and Roxanna Owings; and Board of Education President Rosemarie Avila. The Merit System will not be implemented at this time, as voted by the majority of classified employees.

#### School Building Update

Mr. Jerry Hills, Construction Manager, provided project updates in progress which included aerial views of various projects:

- ◆ New School Additions at Jackson, Lincoln, Roosevelt, and Washington - Construction began December 2002 and will be completed April 2004:
  - Jackson - 31 new classrooms, four staff restrooms, and four student restrooms. Cost is \$6.5 million and is 82% complete.
  - Lincoln - 32 new classrooms, four staff restrooms, and four student restrooms. Cost is \$6.4 million and is 81% complete.
  - Roosevelt - 23 new classrooms, four staff restrooms, and four student restrooms. Cost is \$5.1 million and is 81% complete.
  - Washington - 38 new classrooms, four staff and four student restrooms. Cost is \$6.3 million and is 78% complete.

- ◆ New School Construction (Segerstrom High School):
  - 88 classrooms
  - Construction started May 2003 for the off-site work
  - Grading started July 2003
  - Anticipated completion date is September 2005
  - Cost: \$55.5 million
  - 40 acre site
  
- ◆ New School Construction (Godinez High School):
  - 98 classrooms
  - Construction started October 2003
  - Anticipated completion date is March 2006
  - Cost: \$66.5 million
  
- ◆ New School Construction (Manuel Esqueda Elementary School):
  - 48 classrooms
  - Construction started October 2003
  - Anticipated completion date is June 2005
  - Cost: \$15.8 million
  
- ◆ New School Construction (Godinez High School):
  - 98 classrooms
  - Construction started October 2003
  - Anticipated completion is March 2006
  - Cost: \$66.5 million
  
- ◆ Modernization Project (Adams Elementary School):
  - Start date April 2003
  - Anticipated completion date is February 2004
  - 78% complete
  - Cost: \$1.4 million
  
- ◆ Modernization Project (Taft Elementary School):
  - Start date June 2003
  - Anticipated completion date is November 2003
  - 98% complete
  - Cost: \$3.0 million
  
- ◆ Modernization Project (Monroe Elementary School):
  - Start date June 2003
  - Anticipated completion date is November 2004
  - 78% complete
  - Cost: \$1.4 million
  
- ◆ Modernization Project (Madison Elementary School):
  - Start date July 2003
  - Anticipated completion date is July 2004
  - 45% complete
  - Cost: \$2.4 million

Ms. Margie Brown, Assistant Superintendent, Facilities/Governmental Relations, stated that the Facilities Department, with the assistance of Mr. Jay Davison, President, Capital Program Management, would provide a detailed project and program budget of the SAUSD's School Building Program at a Board study session to be held mid-November. She then introduced Mr. Davison, who said that he was currently collecting and analyzing data for the study session. He also provided an update containing information on strategies being used to compile data for the analysis. He said that at the study session he will provide a

complete and accurate report which would ultimately be incorporated into a program budget.

Dr. Yamagata-Noji requested the following to be included in the report:

- ◆ developer fees information
- ◆ an account of re-development funds

Ms. Brown called attention to the Proposition 47 State Funding chart that was before each Board member. She said that it contained information which would be provided on a monthly basis for Board's review. She provided explanations concerning the color-coded projects outlined in the chart and explained the highlighted cash flows. She then provided an update on Otsuka Elementary. She said that the application was submitted to the State last week with a placeholder of \$7.9 million and now believes it may be \$10 or \$10.5 million, and continues to wait for that verification. She said that District hopes to receive funding in January. If the project is funded in January, it will go out for bid in the spring.

Ms. Brown stated that another undertaking is the Mountain View High School Relocation project which is approximately 20% over budget. Facilities is looking at ways to scale back parts of the project and to see if the bid climate is better at the start of the new year which would bring more attractive bids forward. She said that the project must be awarded by September 26, 2004, otherwise it would allow for loss of state funds. She said that the advantage is that it allows the architect time to work on the design.

Ms. Brown also addressed the Tustin settlement fund and said that payment in the amount of \$747,600 would be paid into the Tustin fund by June 2005, and then the Godinez High School project would continue. She said that the additional monies in the amount of \$14.7 million wouldn't be needed until the 2005-06 fiscal year.

Mr. Palacio inquired whether or not this included Phase II and III. Ms. Brown responded, "Affirmative." She said that it does not include soft costs and the total project is \$86 million.

Mr. Palacio inquired about the cash flow for the \$15 - \$20 million. She responded that most of the monies have already been paid; and are already in the existing budget which will come from the State and Measure C funds.

Dr. Yamagata-Noji requested the following to be included in the report regarding Godinez High School project:

- ◆ overall project by project cash flow description
- ◆ a description of plans for which they were originally intended

#### PRESENTATIONS

##### Primary Academy Program

Dr. Mijares called upon Dr. Stainer who introduced Dr. Patricia Beyer, external evaluator from CSULA who provided a presentation on the Primary Academy. Dr. Mijares said that last June, the Board approved the Primary Academy program and before the program was considered, Board had thoroughly researched the possibility of a two-year kindergarten program. Through the efforts of District and Area II principals, it was thought to pilot the Primary Academy which is now in its second year. He said that the program has been proven successful.

Several principals were present in support of the Primary Academy Program currently ongoing at seven school sites. Mrs. Marisela Longacre, Principal at

Jackson, and Ms. Anita Ford, Principal, Monte Vista, spoke and esteemed the program, then thanked the Board for approving the pilot. Mrs. Longacre stated that the intervention program was developed due to the critical need of the at-risk and retention-identified student. Ms. Ford stated that when looking into the demographics of those students, by the end of kindergarten they had inadequate skills to enter the first grade. The need for an assessment was evident. Dr. Beyer was then called to the podium.

Dr. Beyer stated that there are seven schools that piloted the program. She and her assistant began evaluating by identifying the need. She then provided the following goals to be attained by the evaluation such as:

- ◆ lasting changes in students approach to learning
- ◆ preventative intervention to avoid failures
- ◆ non-tracking program (specific criteria to identify students) with flexible student exits
- ◆ individualized standards-based curriculum
- ◆ small classes in language arts and English language development
- ◆ expanded parent involvement and school communication

Dr. Beyer looked at assessment data from the inception, which included:

- ◆ California English Language Development Test
- ◆ Governor's Reading Initiative (GRI)
- ◆ Promotion/Retention Rates

Dr. Beyer stated that with the data established were bench marks by levels, which would show achievement and provide movement results. She then provided evaluations from the fall of 2002 to spring 2003. From 289 students earmarked for retention, 199 were promoted (69%), and 90 were retained (31%). The average student's age is six-years old, currently comprised of equal numbers in gender, and includes 95% English language learner students.

She then provided a summary of results:

- ◆ CELDT benchmark gains: 82% of Primary Academy students with matched scores made at least one level gain
- ◆ Governor's Reading Initiative benchmark gains is 63% of Primary Academy students with matched scored made at least one level gain
- ◆ 69% of Primary Academy students were promoted to the second grade

Dr. Beyer stated that she has met with teachers and principals and the goals would remain constant. Training of teachers and staff were held in the areas of Open Court curriculum, Project GLAD, curriculum alignment, backwards planning, standards work, UCI Writing Project, and data driven decision making. Goals are to improve student learning, provide teacher and staff development, and increase parent involvement. She said that for student, learning it was necessary to include these three components: 1) program consistency at all schools, 2) more productive assessment, and 3) individual assessment. She then provided program attributes:

- ◆ early intervention
- ◆ positive 2003-03 results
- ◆ SAUSD is committed to high expectations for student achievement
- ◆ Teachers within the Primary Academy are dedicated professionals supportive of educational excellence
- ◆ Parents value a successful educational experience for their children

Dr. Yamagata-Noji inquired about the criteria for student placement in the Primary Academy program. Dr. Beyer responded that placement is based on the kindergarten teacher's recommendation. She then inquired about students who enroll late into the first grade and are identified as at-risk. Dr. Beyer

responded that it was discussed with the principals and decided that an early exit would be fine, but not a late entry. Dr. Yamagata-Noji inquired about the funding. Ms. Christine Anderson, Principal, Harvey Elementary, stated that funding is provided by each school site, which includes evaluator funds as well. Dr. Yamagata-Noji encouraged grant funding in the future. She commended the program and requested that the District package and promote the Primary Academy. Dr. Beyer agreed and said that after the second year that would definitely be considered. Dr. Yamagata-Noji inquired about the various factors that made the program successful. Ms. Anderson responded that the intervention in language arts, small groups, and the amount of time committed by principals and parents after school, which totaled a minimum of 100 extra hours contributed to the success. Dr. Yamagata-Noji asked if a parent survey was completed. Dr. Beyer responded that a survey is a part of the second year plan. The Board and Superintendent commended all involved in the program.

## CHANGE IN ORDER OF AGENDA

## PUBLIC COMMENTS/PRESENTATIONS

The following Walker Elementary School teachers addressed the Board with concerns regarding 20-1 Class Size Reduction and requested that they too have a voice on the matter. They echoed each other's comments regarding the right to help make decisions concerning budget reductions:

Ilian Guzman  
Carolina Espinoza  
Tanya Guzman  
Pat Tully

Pilar Sanchez, CSEA President, addressed the Board concerning the O.C. Register's article regarding the budget. She said that Administration excluded CSEA from any budgetary decisions. She then requested that the Administration respect CSEA by including them in the negotiations concerning the proposed reductions. She also thanked all staff and faculty involved in the Merit System elections.

Kim Gerda, community resident, spoke in support of FCMAT. She encouraged open communication between staff and Board members, and also inquired about the District budget. She asked for clearer and more specific presentations. She also inquired about the Measure C Bond not being addressed for months and the need for more Santa Ana students at the Orange County High School of the Arts (OCHSA).

Mike Murphy, Valley High School teacher, addressed the Board in support of Algebra A and B mathematics classes. He provided statistics of Santa Ana students failing mathematics relative to Districtwide test results.

## PUBLIC HEARINGS

Consideration of Adopting a Mitigated Negative Declaration (MND) for Heroes Elementary School

The President declared the meeting open to receive comments on the adoption of a Mitigated Negative Declaration (MND) for Heroes Elementary School. Persons interested in speaking to the matter were asked to step to the podium.

Kim Gerda, Community Member, voiced her concerns regarding traffic safety. She stated that the District has been remiss in updating the community on the Heroes traffic plan. She requested a Board presentation to include the drop off and pick up areas, congestion concerns, pedestrian safety, and an inadequate play area.

Hearing no further comments, the public hearing was closed.

Mr. Palacio inquired about the return of the Heroes architectural plans. He said that the return timeframe was August 15, 2003, and Board is yet to see the final design plan.

Dr. Mijares stated that because this is a Public Hearing the matter can not be discussed. He then referred to the Agenda, where an item pertaining to the Heroes site would be an appropriate time to speak to the item.

Dedication of Easements to the City of Santa Ana over a Portion of Manuel Esqueda Elementary School Owned by the District

The President declared the meeting open to receive comments on the dedication of easements to the City of Santa Ana over a portion of Manuel Esqueda Elementary School owned by the District. Persons interested in speaking to the matter were asked to step to the podium.

Hearing no comment, the public hearing was closed.

Charter School Application for the Proposal of Therapeutic Education Center (TEC) Charter School of Santa Ana

Dr. Bratcher introduced the item. He said that the Therapeutic Education Center (TEC) initially presented a proposal to the Board for a charter school in August 2003. At that time, the TEC location was found to be outside of the Santa Ana Unified School District's boundaries, and therefore was canceled. The TEC has recently moved into the boundaries of the Santa Ana Unified School District and tonight parties representing the proposed charter are here to present once again. Dr. Bratcher introduced Dr. Donald Verleur, Olive Crest Founder/President; Mr. Malcolm Brown, Olive Crest CFO; and Ms. Kennedy Rocker, M.A., Education Program Consultant. Dr. Verleur was asked to step to the podium.

Dr. Verleur provided information concerning the new school location, students served, placement (shelter/group home), financial information, and the educational and emotional programs. He stated that the charter school would not be limited to the academic and sports needs for students. On-campus intervention to meet students' emotional needs through the Olive Crest Group Home psychologists is also a part of the program.

Mr. Richardson inquired about the financial impact to the Santa Ana Unified School District. Ms. Rocker stated that the TEC is independently incorporated and directly funded and stated that the District would be indemnified with no financial support. She said that the charter would be paid at 1% for ADA which would go to the District.

Dr. Mijares stated that the item would return to the District for Board approval following the due diligence process expressed by Mr. Richardson.

Members of the Board expressed support for the TEC. Mr. Palacio added that the charter would be a specialized school unlike other charter schools. Students are highly at risk and challenged, and said that this is doable.

Open Court Implementation Update

Dr. Stainer provided an overview of the Kindergarten through Grade 5 Districtwide Open Court reading adoption implementation. She then called upon SAUSD Principals Bob Silva, and Chris Anderson, and teachers Jessica Yee, Nina Stetson, and Kim Spraska, who spoke of the challenges and successes of Open Court at their school sites. Dr. Stainer discussed the program, materials, AB 466

training, SRA workshops, District support, challenges, solutions, and future steps. The following information was provided:

- ◆ Open Court classroom sets delivered in July and August
- ◆ Back orders delivered in September
- ◆ Site-selected supplemental orders are on-going
- ◆ K-3 teachers trained to date: 1,074
- ◆ Teachers to be trained: 155
- ◆ K-3 Open Court texts ordered this year
- ◆ Some schools purchased their own 4-6 grade Open Court materials
- ◆ K-3 SEI/EMC teachers trained: 200
- ◆ Grades 4-5 SEI/EMC teachers trained: 100
- ◆ ABE teachers trained: 200
- ◆ AB 75 Administrative Leadership Training: 51 administrator participants, which included:
  - ◆ Program overview
  - ◆ component-specific instruction
  - ◆ appropriate use of materials
  - ◆ classroom observation (principals' point of view)
  - ◆ program and teacher evaluation (to provide support for teachers)
- ◆ District Support:
  - ◆ Reading First program administrator
  - ◆ Reading First program specialist
  - ◆ District curriculum specialists
  - ◆ Administrators' instructional leadership team (to work on focus on results)
  - ◆ Administrators' assessment task force (Headed by Dr. Kolls)
  - ◆ California Reading and Literature Project (networking through State and looking at different ways of teaching Open Court)
- ◆ Site Support Strategies:
  - ◆ Literacy coaches and/or designated literacy resource teachers
  - ◆ Teacher collaboration meetings
  - ◆ Instructional assistant training
  - ◆ Site instructional leadership team meetings
- ◆ Challenges:
  - ◆ Yearly pacing (began late, all will become familiar next year)
  - ◆ Daily lesson implementation
  - ◆ Writing program
  - ◆ Material management
- ◆ Future Steps:
  - ◆ District-wide annual pacing (consistency)
  - ◆ District-wide assessments
  - ◆ Networking of all literacy coaches, resource teachers and curriculum specialists
  - ◆ On-going administrator training and collaboration
  - ◆ Explore resources for the purchase of 4/5 grade Open Court adopted materials
  - ◆ AB 466 training
    - ◆ Remaining and new K-3
    - ◆ Grade 4 and 5 Open Court teachers
  - ◆ Replenish consumables

Mrs. Avila inquired about the Primary Academy and how it correlates with Open Court training. Ms. Marjorie Cochran, Diamond Elementary Principal, stated that Reading First training with Primary Academy teachers is occurring and the core Language Arts program is Open Court. Ms. Cochran then described the training and stressed the importance of routine. Mrs. Avila then inquired about the funding of curriculum specialists. Ms. Cochran responded that not all



curriculum specialists are funded. Mrs. Avila inquired about Categorical (Title I) funds. Dr. Stainer confirmed that 15 literacy coaches are funded through the Reading First Grant.

Board and the Superintendent commended principals for their achievement in the API growth.

#### APPROVAL OF MINUTES

It was moved by Dr. Yamagata-Noji, seconded by Mr. Palacio, and carried 3-0-0, Mr. Tinajero not present and Mr. Richardson abstaining, to approve the Minutes of the Regular Board meeting of October 14, 2003.

#### CHANGE IN ORDER OF AGENDA

It was the consensus of the Board to move items 5.0 and 6.0 to this portion of the Agenda due to the current time and interest of the community in attendance.

#### APPROVAL OF REVISED 2003-04 DISTRICT BUDGET

Dr. Stabler stated that at the September 9 Board meeting, the Board approved the 2003-04 fiscal-year budget. At that time, the budget included an \$11 million contribution from other funds to balance the budget. The Board was informed that between then and the end of October, budget adjustments would be provided to backfill the contribution. The budget revision reflects that and increases the mandatory reserve for economic uncertainties from the legislative amount of 1% to 1.46%. Dr. Stabler said that it was the Board's desire to arrive at 2% reserve by second interim. Ms. Michelle McClowry, with Fiscal Crisis Management Team (FCMAT), described how the District began the process of working toward the multi-year plan. She provided an itemized chart incorporating the revisions to arrive at the 1.46%. Ms. McClowry then addressed questions concerning the deferred maintenance fund, self-insurance fund error, and Risk Management self-insurance fund.

Mr. Palacio stated that he was pleased that the District is returning the Tustin settlement money to its proper account.

Mr. Richardson stated that in reference to the Tustin settlement monies that he was pleased that every effort was made to not use those dollars. He said that it was a mistake to use one-time monies which does not solve problems.

Mrs. Avila stated that the District was fortunate to have had that money at that time to solve that monetary problem.

It was moved by Mr. Tinajero and seconded by Mr. Palacio, and carried 5-0 to approve the revised 2003-04 District budget.

#### APPROVAL OF IMPLEMENTATION OF 2003-04 BUDGET ADJUSTMENTS AND 2004-05 MULTI-YEAR FINANCIAL PLAN

Dr. Stabler stated that the item pertains to two specific elements which are the implementations of 2002-03 budget adjustments and the 2004-05 multi-year financial plan. He said that with the assistance of FCMAT and OCDE, the Board is being requested to adopt the budget adjustments and proposed financial plan. The budget adjustments for 2003-04 will move the District closer to the necessary 2% reserve for the current year. The proposed adjustments for 2004-05 will meet the significant budget shortfall of \$29.8 million caused by the State budget crisis, reduced enrollment in Santa Ana, and increased expenditure requirements. He provided a chart of the 2003-04 budget which listed revisions and said that the previous ending balance of \$3,491,952 provides the District \$11.8 million reserve for economics uncertainties of \$10.5 million which totals the 2.0% reserve. Dr.

Stabler then addressed the Board's questions concerning the 2003-04 budget adjustments, such as: lottery monies, instructional materials, categorical funds, substitutes, restricted and unrestricted funds, enrollment, Registration and Testing Center, CELDT testing at school sites, standardized bell schedule, Public Information Office, and Channel 55/ITV.

Attention was then shifted to the multi-year financial plan. Dr. Stabler stated that it is a requirement of AB 1200 to provide a balanced budget for the 2003-04, 2004-05, and 2005-06 school years, which is the multi-year financial plan. He said that prior to September 9<sup>th</sup> (year 2004-05), the need to reduce \$29.8 million was evident. He said that in 2002-03 and 2003-04, one-time activities caused amounts to be extended. He said that the District had to provide the county with the reductions totaling \$28.9 million to gain approval of the multi-year financial plan. Next year, due to a reduction in ADA, District would reduce revenue by \$1.85 million, which would affect the number of teaching staff employed in the SAUSD. He then referred to a chart listing other reductions and/or eliminations in staff. He explained class size reduction options, support staff allocation model versus District allocation model, state funds and CSR options I and II totaling negotiable items in the amount of \$23.9 million and non-negotiable items totaling \$23 million in reductions.

Mr. Tinajero inquired about the model used to predict last year's enrollment. Dr. Stabler responded that facilities provides an enrollment analysis based on CBEDS, principals do a modified cohort and check the growth over three years, then the percentage increase is applied. Dr. Stabler then provides the total numbers to principals and together come up with final numbers. Kindergarten principals do a straight percentage increase. Mr. Tinajero asked what confidence the District can provide to the community that this years projection is more accurate. Dr. Stabler stated none, because numbers cannot be compared to historical projections, with the current unstable economy. Mr. Tinajero then inquired about the fleet of District cars. Mr. Larry Seroter responded that there are a number of vehicles, but is looking into removing most of those and have employees claim gas mileage. Dr. Stabler offered to do an analysis on maintenance and gas and provide the results to the Board.

Mr. Palacio inquired about the District eliminating 19 assistant principals or if the District was not eliminating and just shifting them under categorical funding. Dr. Stabler responded an elimination of positions in elementary and intermediate will be occurring. Dr. Stabler said that he met with principals and the spoke about teaching assistant principals and the possibility of utilizing half-time assistant principals at their respective school sites and the other half at other sites. He said that creative funding was also discussed.

Mr. Palacio stated that when District shifts personnel from unrestricted funds to categorical funds, one of the governor's goals is to block categorical program funding and it would not be at the expense of the classroom. Mr. Palacio said that categorical funding was slated for the classroom as opposed to administrative personnel. Dr. Stabler stated that categorical funds are used for instructional assistants and resource teachers and could not be spent on a regular teacher. Because of the size of schools and their various needs, personnel are able to wear different hats, therefore it can be done. Mr. Palacio stated that he is concerned that by shifting to categorical which ties into personnel. The end result would be an impact to the classroom. Dr. Stabler stated that last year District carried over a categorical balance of \$55 million. This year carry over was \$30 million which shows there are funds available.

Board discussion ensued concerning categorical and unrestricted funds. Discussed topics were workers compensation, special education model, instructional assistants and whether they would be eliminated or reduced in hours. Dr. Stabler stated that District had no knowledge of special education instructional assistants being eliminated or reduced in hours. Also discussed were ADA projections and the inconsistency of enrollment. Mr. Richardson asked the District to consider the declining enrollment before continuing with hiring

practices. Indirect costs added to State programs, flexibility transfers from State and Local Categorical programs, and Grade 9 Class Size Reduction program were also discussed. He said that the actual encroachment on the general fund is approximately \$250,000 and when that amount is subtracted from \$29.8 million, the 2003-04 reductions totals \$19.6 million.

Mr. Palacio inquired about CSEA not being aware of proposed cuts. Mr. Best stated that the field representative was not available at the last scheduled meeting, therefore the meeting was canceled, and subsequent meetings have been scheduled. He then inquired about SAEA and their awareness of reductions/cuts. Mr. Best responded affirmative. Dr. Stabler stated that any documents and information pertaining to reductions have been made available to representatives at the Board meetings when they are in attendance.

Dr. Yamagata-Noji stated that she is disappointed that the communication was not conveyed to the classified staff. She said that although enrollment trends are unstable, the task to build schools for overcrowding purposes is still important. She stated that because of the previous staff reductions and retirements, SAUSD did not lose as many staff members because of those vacancies. If parents would schedule meetings in the afternoon rather than the morning, ADA/revenue would be increased. Dr. Noji asked that District communicate with parent groups and PTA.

Dr. Stabler stated that in an effort to clarify the Tustin Settlement funds he provided the following statement. The \$15.5 million was a one-time transfer made up of one-time monies and the \$29.8 million includes significant reductions. He said that the District transferred \$15.5 million from the Tustin Settlement special reserve fund into 2002-03 budget. At the time of the transfer, it was not the intent for the District to utilize those funds, rather a way of meeting the requirement of the AB 1200 for the second interim financial report. When the District completed the 2003 fiscal budget year, it was necessary to use \$4.5 million of the \$15.5 million, in lieu of making additional program cuts. The District was able to provide the county of a balanced budget. He said that the District will replace the \$4.5 million before June 2005 from additional savings in the amount of approximately \$6 million, plus developer fees which would be an additional savings.

Mrs. Avila provided clarification of what was being voted on. She said that the District is still looking at other cuts and information provided was not a completed product. Dr. Stabler affirmed her comments.

Mr. Richardson stated that Administration must present information in a clear and concise fashion in order for Board to make necessary decisions in a timely matter. He believes that the District should have foreseen some changes occurring which would have prepared the District's budget outcome.

Mr. Palacio stated that he would be registering a dissenting vote, due to the following reasons: 1) the enrollment projection is not new information; 2) public safety issue, due to the decrease in the number of safety officers; 3) impact on the cleanliness in classrooms, due to reducing the number of custodians; 4) shifting unrestricted to categorical, which he believes would impact classrooms 5) impact on special education; 6) public negotiations; 7) lack of communication and the exclusion of information to CSEA; 8) increase of class size; and 8) use of school construction monies. He said that the cutbacks that the District is recommending are more than the State created.

Mr. Richardson stated that the Board of Education is responsible to deal with the deficit. The Board is faced with the situation and must take responsibility. There is a mandate in that the Board must turn in the multi-year plan to the OCDE by the end of October. There are adjustments that are necessary, and if the District does not make those adjustments, the State will.

Dr. Mijares stated that he met with Mr. Habermehl, County Superintendent, to speak about FCMAT. It was confirmed that the District's fiscal crisis was caused by the State and FCMAT who has notable credibility attested to that. He said that a plan to replace the \$15.5 million was discussed with the Board and Administration. The direction of SB 18X was unsure and Administration knew that cuts were necessary and knowing that District had received a previous Board approval to utilize that fund, the \$4.5 was utilized. Dr. Mijares said that it grieves him, knowing that at that moment funds had to be used, but it was completed in an effort to protect jobs and services.

Mr. Tinajero stated that although he was not in favor of this item he will vote in favor of it, because it's about trust and commitment. He said that the Board, to this date, does not receive information in a timely manner. He said that he does not agree with the cutting of health clerks, but understands the necessity of reductions as should all Board members. He said that the financial plan did not discuss how the District would receive the repayment of \$15.5 million. He said that collaboration must take place and do what is best for our students.

It was moved by Mrs. Avila, seconded by Mr. Tinajero, and carried 4-1, Mr. Palacio dissenting, to approve the implementation of the 2003-04 budget adjustments and the 2004-05 multi-year financial plan.

At 11:20 p.m., the Regular meeting was recessed for a short break. The meeting reconvened at 11:35 p.m.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Warrant Listings - Review and Approve List of Warrants Prepared to Pay Budgeted District Financial Obligations, Approval of Revision to Charter Agreement for the Orange County High School of the Arts (OCHSA), and Approval of Rates, Fees, and Premiums for Employee Benefits Insurance Carriers and Administrators.

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0 to approve the remainder of the Consent Calendar as presented.

MEETING RECESSED AND RECONVENED

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**  
 \$447 for general use

**Greenville Fundamental Elementary**  
 \$2700 for Open Court Assessment

**Jefferson Elementary**  
 GATE 5<sup>th</sup> Grade Class  
 \$4,000 for field trips

**Kennedy Elementary**  
 \$150 for Twilight Pre-Kinder Supplies

**Kennedy Elementary**  
 \$1000 for Kinder Readiness Materials

**Kennedy Elementary**  
 \$350 for Child Care Center Supplies  
 and Parent Empowerment Project (PEP)

Donors

Target  
 Minneapolis, MN

P.F.O., President  
 Mr. Richard Montecino

CSSI, Inc.  
 Cynthia Castillo  
 Washington, DC

Minnie Street Family Resource Center  
 Ms. Victoria Zaragoza  
 Santa Ana

Minnie Street Family Resource Center  
 Ms. Victoria Zaragoza  
 Santa Ana

Minnie Street Family Resource Center  
 Ms. Victoria Zaragoza  
 Santa Ana

<b>John Muir Fundamental Elementary</b> \$100 for Kindergarten Class Supplies	Washington Mutual Bank Ms. Patricia Garter Huntington Beach
<b>Roosevelt Elementary</b> \$65 for Student Incentives	Target Minneapolis, MN
<b>Santiago Elementary</b> \$500 for Instructional Supplies	Morrison Park Neighborhood Assoc. Mr. Dave Hoen and Mr. Darren Shippen Santa Ana
<b>Santiago Elementary</b> \$1369 for Instructional Supplies	Mr. Alan Wood Orange
<b>Santiago Elementary</b> \$361 for Instructional Supplies	Target Take Charge of Education Program Minneapolis, MN
<b>Sepulveda Elementary</b> \$169 for School Musical	Target Mr. Gregg Steinhuf Minneapolis, MN
<b>Thorpe Fundamental Elementary</b> \$8300 for Field Trips	PTA Mrs. Elvia Harvey
<b>Thorpe Fundamental Elementary</b> \$1000 for Student Body Instructional Supplies	Disney Consumer Products Nam Hong Doan Burbank
<b>Walker Elementary School</b> \$1000 for Instructional Supplies	Walker Parent Group Mrs. Maria Arias Santa Ana
<b>MacArthur Fundamental Intermediate</b> \$263 for Staff Recognition Program	Target Minneapolis, MN
<b>McFadden Intermediate</b> 35 Koi Fish (Est. value: \$3000)	Mr. John Secretan Laguna Beach
<b>Century High School</b> \$5,000 for Dollars for Scholars Program	Ingram Micro, Inc. Ms. Heather J. Walker Santa Ana
<b>Santa Ana High</b> Boys soccer \$825 for Uniform and Equipment	James Production, Inc. Ms. Loan Nguyen Anaheim
<b>Valley High</b> \$405 for Student Education Scholarships	Target Minneapolis, MN
<b>Public Information Office</b> \$1000 for Partners in Education Ceremony	Orange County Teachers Credit Union Santa Ana

Approval of purchase orders issued September 24 through October 16, 2003, to purchase materials, supplies, etc., with funds previously approved.

Authorize the Administration to withdraw Salamander Fire Protection as the sprinkler contractor for the construction of the Segerstrom High School project.

<u>Award</u>	<u>Vendor</u>	<u>Amount</u>
Construction of Manuel Esqueda Elementary School Project - (electrical)	West Star	\$2,116,000
Construction of Manuel Esqueda Elementary School Project - (painting)	CT Georgiou	144,400

Construction of Segerstrom High School Project	Cosco Fire Protection	487,000
Purchase of Classroom and Office Furniture and Equipment for Various Sites	Culver Newlin, Inc. McMahan Desk, Inc. School Specialtyas.z,1 Virco, Inc. Michael E. Powers & Associates, Inc.	1,000,000

Authorization to award a contract to Complete Recycling Services, Inc., to pilot a recycling service at the District Office, Martin Elementary, Carr Intermediate, and Santa Ana High at no cost to the District.

Approval of Change Order No. 5 for the construction buildings at Jackson, Lincoln, Roosevelt, and Washington Elementary Schools in the amount of \$61,342.71 for a revised total construction cost of \$24,731,375.36.

Authorization to reject all bids and rebid the flooring for construction of the Manuel Esqueda Elementary school project.

Approval of appointment of Ninyo & Moore as a pre-qualified consultant for soil testing and construction testing for the construction of Godinez Fundamental High School project for an amount not to exceed \$600,000.

Approval of authorization to execute an agreement for an amount not to exceed \$16,000 with FUSCOE to provide property survey services for the Lorin Griset Elementary School project located at the County property.

Approval of appointment and agreement with School Planning Services to provide a developer fee justification analysis.

Approval of appointment and agreement with NTD Architects for the removal and repair of glu-laminated beams and associated work with the Taft Elementary modernization project.

Approval of modification of contract with James Thernes & Associates, Inc., in the amount of \$25,000 to provide assistance for the Hazard Mitigation Grant Program (HMGP) for a new total of \$40,000.

Authorize to increase amount of agreement with Fiscal Crisis and Management Assistance Team (FCMAT) for fiscal year 2003-04.

Approval of consultant contract with Vicenti, Lloyd, Stutzman, LLP, to provide services in the area of budget and financial services.

Approval of continuation of contract with Paradigm Health Care Services and Medical Administrative Activities (MAA) and billing services.

Approval of receipt of \$110,745 from the City of Santa Ana Workforce Investment Act (WIA) Board for funding to continue the provision of services to youth residing in Santa Ana.

Approval of expenditures for Math Field Day, Saturday, April 3, 2004, for a budget not to exceed \$6,000.

Adoption of high school Business textbooks and software programs:

Microsoft Office XP Introductory Concepts and Techniques by Gary B. Shelley, Thomas J. Cashman, and Misty E. Vermaat; Microsoft Office XP Advances Concepts and Techniques by Gary B. Shelley, Thomas J. Cashman, and Misty E. Vermaat; and SAM XP (Skills Assessment Manager) and TOM (Training Online Manager) by Thomson Course Technology.

Adoption of Advanced Placement (AP) English Literature and Composition Textbook:  
AP English Literature by Robert DiYanni.

Adoption of high school Psychology textbook:  
Social Science/Psychology by Henry Gleitman.

Approval of readmission of expelled former students for the fall semester of the 2003-04 school year.

Rescission of suspended expulsion of student (128355) and expel student from the schools of the District for the remainder of the fall semester, 2003-04 school year and set the date of January 15, 2004, after which student may apply for readmission.

Rescission of suspended expulsion of student (130198) and expel student from the schools of the District for the remainder of the fall semester, 2003-04 school year and set the date of January 15, 2004, after which student may apply for readmission.

Approval of recommendations of the Administrative Hearing Panel to expel the following students for the recommended terms and with the recommended remediation conditions:

110337 - Valley High

For violation of Paragraphs c and j, that the Board expel him from the schools of the District for the remainder of the fall semester 2003-04 school year and that the expulsion order be suspended for only the spring semester of the 2003-04 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

198231 - Century High

For violation of Paragraph c, that the Board expel him from the schools of the District, for the balance of the fall semester, 2003-04 school year, and that the expulsion order be suspended until January 15, 2004, and that he be permitted to return to a District school/program on a probationary status.

085942 - Century High

For violation of Paragraph c, that the Board expel him from the schools of the District, that he may apply for readmission on or after June 15, 2004, and that student be assigned a rehabilitation plan consisting of 50 hours of community service as a condition for his readmission.

103470 - Mt. View

For violation of Paragraphs c and j, that the Board expel him from the schools of the District for the remainder of the fall semester 2003-04 school year and that the expulsion order be suspended for only the spring semester of the 2003-04 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

Ratifications/Approval of Extended Field Trips:

Edison Elementary  
Outdoor Science School  
The Wildlife Conservancy

Angeles Oaks, Ca  
December 8-12, 2003 (Monday-Friday)

Jackson Elementary  
Outdoor Science School  
The Wildlife Conservancy  
Angeles Oaks, Ca  
November 3-7, 2003 (Monday-Friday)

Santa Ana High School  
NJROTC Students  
Marine Corps Air Station Miramar  
San Diego, CA  
October 16 - 19, 2003 (Thursday-Sunday)

APPROVAL OF WARRANT LISTINGS PREPARED SEPTEMBER 26, 2003, THROUGH OCTOBER 3, 2003, TO PAY BUDGETED DISTRICT FINANCIAL OBLIGATIONS.

Dr. Yamagata-Noji requested that District research warrant listings items which are not financially consistent and asked that she be provided back-up information concerning warrant invoice numbers 41146, 41187, and 41190.

It was moved by Mr. Richardson, seconded by Mr. Palacio and carried 5-0 to approve the warrant listings prepared from September 26 through October 3, 2003, to pay budgeted District financial obligations.

APPROVAL OF REVISIONS TO THE CHARTER SCHOOL AGREEMENT FOR THE ORANGE COUNTY HIGH SCHOOL OF THE ARTS.

Mr. Tinajero stated that he was under the impression that additional information was to be discussed tonight. It was the consensus of the Board to approve the MOU tonight and return the item to discuss other issues as requested by Mr. Tinajero.

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 5-0 to approve revisions to the Charter School Agreement for the Orange County High School of the Arts.

APPROVAL OF RATES, FEES, AND PREMIUMS FOR EMPLOYEE BENEFITS INSURANCE CARRIERS AND ADMINISTRATORS, EFFECTIVE JANUARY 1, 2004.

Dr. Yamagata-Noji inquired about rates, increase in fees, coverage dates and expirations, and the affects to the 2003-04 budget.

Dr. Stabler stated that health benefits have increased by 1%. The benefit cost per employee was \$6,900 and has increased to \$7,500. He said that budget would have to be adjusted.

Dr. Yamagata-Noji inquired about the period of coverage. Mr. Best stated that some insurance policies run by fiscal years and others by calendar year and some benefits are locked in for 18 months.

Mr. Montgomery, SAUSD Benefit Consultant, recommended that rather than renewing benefits next January that the District allow those plans to continue then obtain a renewal for six months.

Dr. Yamagata-Noji inquired about benefit percentage increases per employee for 2004. Mr. Montgomery provided percentage increases by carrier. Blue Cross 22%, Delta Dental 6.8%, Kaiser 15.34%, MetLife 4.84%, Pacific Care Dental 4%, and United Behavioral Health 4%. He said that carriers that will not be changing are the multi-year contracts.



Dr. Noji asked if Mr. Montgomery could negotiate with carriers to continue with current rates. He said that he didn't know if they would agree. He said that he believes some rates are high and is currently negotiating to lower rates. He said that the Blue Cross plan is underwritten based on the number of uses by employees.

Mr. Palacio asked if rates are comparable to other District's rates. Mr. Montgomery responded that SAUSD rates are lower. He then explained process.

Mr. Best stated that all figures will be returned to the Board before rates are approved.

Dr. Yamagata-Noji inquired about the number of employees with each carrier. Mr. Montgomery provided the approximate number of employees currently with the following carriers:

- ◆ Blue Cross (HMO) 2,000
- ◆ Delta Dental 3,000
- ◆ Health Net Dental 400
- ◆ Kaiser 938
- ◆ Medical Eye Service 2,000
- ◆ MetLife Dental 900
- ◆ United Behavioral Health 5,000
- ◆ Vision Service Plan 3,000

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 3-2, Dr. Yamagata-Noji and Mr. Richardson dissenting, to approve rates, fees, and premiums for employee benefits insurance carriers and administrators, effective January 1, 2004.

It was moved by Mr. Palacio, seconded by Mr. Tinajero and carried 3-2, Dr. Yamagata-Noji and Mr. Richardson dissenting to approve the rates, fees, and premiums for employee benefits insurance carriers and administrators, effective January 1, 2004.

ADOPTION OF RESOLUTION NO. 03/04-2540 - ADOPTING A MITIGATED NEGATIVE DECLARATION (MND) FOR HEROES ELEMENTARY SCHOOL

Ms. Brown presented a brief PowerPoint presentation. She provided information on the new site plan. She said that Board originally approved the site plan in March 2001, when it was a smaller plan and did not include the Partida property. She said that with the expansion and new scope of the project it was necessary to redo the CEQA, therefore requesting Board approval tonight. She said that several meetings have been held where traffic concerns were addressed. She said that only four written comments were received. The new site plan was reviewed and questions addressed. The new K-3 school will be built on a 3.6 acre site located at 1111 Civic Center Drive. Expectations following an approval by Board would be to file notice of determination, finalize the acquisition of the Partida property, architect to submit drawings to DSA, and out of DSA by second quarter of 2004, bid in spring and begin construction in the summer with the school opening in September 2005. Ms. Brown addressed additional questions by Board members.

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 3-1-0 Mr. Palacio dissenting and Mr. Tinajero not present to adopt resolution 03/04-2540 - Adopting a mitigated negative declaration (MND) for Heroes Elementary School.

A copy of the resolution is attached to the Minutes.

ADOPTION OF RESOLUTION NO. 03/04-2541 - DEDICATING EASEMENTS TO THE CITY OF SANTA ANA OVER A PORTION OF MANUEL ESQUEDA ELEMENTARY SCHOOL OWNED BY THE DISTRICT

It was moved by Mr. Richardson, seconded by Mr. Palacio and carried 4-0, Mr. Tinajero not present to adopt resolution No. 03/04-2541 - dedicating easements to the City of Santa Ana over a portion of Manuel Esqueda Elementary School owned by the District.

A copy of the resolution is attached to the Minutes.

ADOPTION OF RESOLUTION NO. 03/04-2542 - APPROVAL OF DELEGATION OF AUTHORITY TO THE DISTRICT'S CHIEF FACILITIES OFFICER TO ACT AS ARCHITECT OF RECORD FOR SMALL PROJECTS

It was moved by Mrs. Avila, seconded by Mr. Richardson, and carried 3-1-0, Mr. Palacio dissenting and Mr. Tinajero not present to adopt resolution No. 03/04-2542 - to approve the delegation of authority to the District's Chief Facilities Officer to act as architect of record for small projects.

A copy of the resolution is attached to the Minutes.

APPROVAL OF READING FIRST SOFTWARE LICENSE AGREEMENT FOR ON-LINE ASSESSMENT AND REPORT SYSTEM (OARS) AS REQUIRED THROUGH READING FIRST GRANT PROVISIONS FOR 2003-04 SCHOOL YEAR

It was moved by Mr. Palacio, seconded by Mrs. Avila and carried 3-1-0, Dr. Yamagata-Noji dissenting and Mr. Tinajero not present to approve the Reading First Software License Agreement for On-Line Assessment and Report System (OARS) as required through Reading First grant provisions for the 2003-04 school year.

APPROVAL OF PERSONNEL ACTION

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0 to approve the Personnel Calendar with the condition of removing three names from Page B-2, under the heading "adjustment of working assignments." Dr. Yamagata-Noji also requested back up information concerning item on Page Number 48.

A copy of the Personnel Calendar is attached to and becomes a part of the Official Minutes of this meeting.

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

Mr. Tinajero:

- Apologized to Dr. Stabler for indicating that a plan had not been submitted to repay the \$15.5 million Tustin settlement money, when he had.
- Congratulated Valley and Century H.S. who played an outstanding football game on October 17th. Next Santa Ana H.S. and Saddleback H.S. football game will be playing next week for the championship bell.
- Announced Red Ribbon Week and stated that he would be speaking at McFadden Intermediate's Red Ribbon Week assembly this week.
- Commended teachers and staff for outstanding API scores.

Dr. Yamagata-Noji:

- Announced that Dr. Mijares provided an excellent presentation at the ComLink meeting and would be a good idea to partner with the Neighborhood Association to coordinate and encourage partnerships.
- Asked Administration to look into parking issue at the Santa Ana Bowl.
- She was present at the Hispanic Association Colleges and Universities National convention and there were two presentations on the Santa Ana partnerships and nice to see that both were selected. We are a model district.

- Attended the student scholarship HEEF dinner where Heninger teachers were honored. Dr. Kathy Sabine received an award.

Mr. Richardson:

- Echoed compliments to staff in reference to API scores.
- Wished Felix Munoz well, football player injured while playing.

Mr. Palacio:

- Announced that he attended the HEEF dinner and commended all honorees. He requested the PowerPoint presentation provided at the HEEF event.
- Commended Dr. Kolls on Power Point presentations provided earlier in the meeting and also requested copies of those PowerPoint presentations.

Dr. Yamagata-Noji asked that the meeting be closed in memory of those who have been affected by the fires. A moment of silence was observed.

#### RECESS TO CLOSED SESSION

At 9:45 p.m., the Regular meeting was recessed to Closed Session to consider personnel matters and negotiations.

#### MEETING RECONVENED

The Regular meeting was reconvened at 10:48 p.m.

#### REPORT OF ACTION TAKEN IN CLOSED SESSION

By a vote of 5-0, the Board took action in Closed Session to authorize a nonpublic school contract for the education of a disabled pupil for the 2003-04 school year as named in closed session.

By a vote of 4-1, the Board approved to suspend a classified employee with no pay for three days, from November 3 through November 5, 2003, as named in closed session.

#### ADJOURNMENT

There being no further business to come before the Board, the Regular meeting was adjourned at 12:25 a.m.

#### FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, November 9, 2003, at 6:00 p.m.

ATTEST:

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