

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

November 25, 2003

CALL TO ORDER

Board President Avila called the meeting to order at 5:00 p.m. 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, Dr. Stainer, Dr. Bratcher, Ms. Brown, Mr. Sharp, and Mrs. Araujo-Cook.

RECESS TO CLOSED SESSION

The meeting was immediately recessed to Closed Session to consider legal matters, real estate negotiations, personnel matters, and student discipline.

MEETING RECONVENED

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

There were approximately 70 members of the community and District staff in the audience.

PLEDGE OF ALLEGIANCE

The meeting was opened with the Pledge of Allegiance.

Mr. Avila announced that the Board of Education would hold its Annual Organizational Meeting on December 9, 2003, at 6:00 p.m., in the Board Room of the Administration Building. At that meeting, the Board will elect officers for the year 2004 and adopt a calendar of meeting dates for the year.

SUPERINTENDENT'S REPORT

The Superintendent acknowledged and welcomed Assemblymember Lou Correa who was in attendance at the Board meeting.

Dr. Mijares drew attention to those present the artwork posted in the Board Room contributed by students from McFadden Intermediate and Jackson elementary schools.

Three talented students who recently were named First Place Winners at the Annual Art Song Festival preformed for the Board and audience. Mr. Randy Coleman, Coordinator of Visual and Performing Arts, introduced Ms. Salazar from Santa Ana High, Mr. O'Campo from Valley High, and Ms. Puentez from Villa Fundamental Intermediate schools and their teachers and accompanists.

The Superintendent commended Lizbeth Aldana, who is a 12 year-old Carr Intermediate school student. She was born in Mexico and moved to the United States three years ago speaking only Spanish. She honed her English skills at

Diamond Elementary School. When Lizbeth's mother signed up for computer classes, Lizbeth attended with her and soon began to participate in the class. At the McFadden Learning and Technology Center's Open House, Lizbeth, on her own, created a PowerPoint presentation entitled "About Me" which was presented to the Board and Superintendent at the meeting. Accompanying Lizbeth were her parents Jose and Isabel Salas and her computer instructor Veronica Sanchez.

Recently, the Santa Ana Unified School District hosted the Partners in Education Recognition Breakfast. A video clip captured the event. President and CEO of the Santa Ana Chamber, Michael Metzler, was the keynote speaker. Special guests included Alicia Berhow, representing Congresswoman Loretta Sanchez; Cynthia Contreras representing Assemblymember Lou Correa; Santa Ana City Councilman Jose Solorio; members of the SAUSD Board of Education; Orange County Superintendent of Schools Bill Habermehl; Morgan Odell and Julie Green, member of the SAEF Board; Manuel Esqueda; and former Santa Ana Mayor Lorin Grisot. Mr. Armando de la Libertad was the recipient of the Corporate Partner of the Year award, Rueben Martinez owner of the Martinez Bookstore and Art Gallery was the recipient of the Small Business Partner of the Year award, and the Santa Ana Education Foundation, President Sal Mendoza was the recipient of the Non-Profit Business Partner award. Dr. Mijares, who was also in attendance, thanked the business community and all who made the recognition breakfast possible.

The Superintendent called upon Bernedette Medrano, Executive Director Santa Ana Education Foundation. Ms. Medrano introduced a new business partner Ms. Lorena May, Community Relations Officer from Citibank in Santa Ana. She presented a check in the amount of \$20,000 to be used for Teacher Mini grants. She said that funding will occur early next fall.

Saddleback High School is the recipient of the Isaac Curtis District Championship Bell for the 2003-04 school year after a football game played against Valley High School. Isaac Curtis, who played professional football for the Cincinnati Bengals and gained yardage for the Santa Ana Saints, expressed his sincere appreciation for naming the championship bell in his honor. He encouraged students to focus on education first.

RECOGNITIONS

Superintendent's BRAVO! Award - Jerry Witte

Dr. Mijares presented the BRAVO! Award, to Mr. Jerry Witte, Saddleback High School Coach, who has worked for the SAUSD for 33 years, 32 of those years with Saddleback High School. He has produced athletes who have gone on to play at the university level, his teams have been described as disciplined, structured, and over-achievers who commit few errors and display good sportsmanship on the field. He is described as well respected and whom others seek out for advice. On behalf of the District and Board, he was presented with a plaque as a token of appreciation for his dedication and commitment to the students and staff of Saddleback High School. Board member Tinajero also expressed his gratitude for Mr. Witte as he reminisced the years he played football under Mr. Witte's direction.

Classified Employee of the Month - Josefina Vazquez

Ms. Maria Alcalá, Bilingual Instructional Assistant at Kennedy Elementary School, presented Ms. Josefina Vazquez, as Classified Employee of the Month for November. Ms. Vazquez has worked for the SAUSD for 15 years and it is evident that she loves her job. She is one of the most respected and appreciated persons at Kennedy. Ms. Vazquez is an instructional assistant who also assists the Bilingual Resource Teacher with English Language Learner student testing, transition, and reclassification. Ms. Vazquez is one of the

most experienced instructional assistants at Kennedy and has returned to college to pursue her goal to become a classroom teacher and in doing so, has inspired several others to enroll in the Escalera Program at CSULB to seek the same goal. It is said that Ms. Vazquez is the unseen link who keeps staff focused and refreshed as a "fountain of encouragement." On behalf of the District and Board, she was presented with a plaque engraved with her name and the month for which she is honored. She was given a gift certificate for dinner at her favorite restaurant. Present with her were her husband Sergio and daughters Jasmine and Darlene. The Superintendent and Board thanked her for her hard work and commitment to Kennedy Elementary.

Update on the School Building Program

Ms. Brown called upon Mr. Jay Davison with Capital Program Management (CPM), who presented a re-cap of the November 17, 2003, special Board meeting. Provided for Board were updated preliminary budgets for all projects in planning and construction. The data revealed that the anticipated funding of \$1.9 million is not sufficient to complete all pending priority projects and the Board must decide on which projects to move forward with. Mr. Davison provided information on the \$138 million in expenditures spent through September 30, 2003. He said that CPM completed an additional analysis of the budget resulting in positive revisions. He said that on the pending modernizations, an air conditioning project was inadvertently counted as incomplete, therefore reducing the budget by \$1.5 million. Additionally, CPM also adjusted contingencies, testing, and inspection resulting in budget reductions of nearly \$2 million. He said that the preliminary budget numbers are now frozen as of September 30, 2003, and any changes from this point on are noted as budget modifications.

Mr. Davison stated that the District has \$245 million funding available with less funds committed for the current building projects which leaves a balance of approximately \$40 million.

Mr. Davison referred to the 10 pending modernizations and the Districts potential for return on their Measure C investment. At the last meeting he stated that based on local funds already expended on the modernization projects, the State would match \$4.95 to every new district dollar spent. Based on the revised master program budget, the State would match \$9.42 for every district dollar spent. He said that to complete the 10 modernization projects the District must spend another \$2.3 million to receive the \$22.1 million in State funding.

Mrs. Avila inquired about the conception of the bond and if modernizations were included. Ms. Brown stated that looking at past data; modernizations did exist and were listed totaling \$86 million. Lincoln Elementary was the only modernization that received 80/20. Due to projected State funding shortfalls, the State changed the funding to 60/40.

Mr. Davison provided information and costs on the modernization projects and Board's priority projects. He said that it is difficult to calculate costs until direction is provided on which projects to move forward with. He said that revenues are interest earnings generated by bond money and the Tustin settlement monies, which would be significant. He said that totals on District priorities total approximately \$39.7 million and modernizations total approximately \$2.3 million. Projects remain unfunded at this time are the Valley expansion, Carr expansion, and Kennedy addition. He stated that staff will provide recommendations at the next Board meeting or at the January 13, meeting and action to move forward with projects will take place on the January 27, 2004 Board meeting.

Mr. Palacio inquired about the contract commitment differences when comparing to information provided at the November 17 Study Session. Ms. Brown stated that District picked the date of September 30, 2003, as a base for Capital Program Management. A valid bid proposal from Mountain View was pending and was counted as a contract commitment. That bid has since expired and is no longer a contract commitment.

Mr. Palacio inquired about the \$11 million preliminary budget difference. Ms. Brown stated that one reason is that the Jefferson modernization HVAC project which was already completed. Mr. Davison stated that the last report showed 10 modernization projects that were already State funded. He said that when the District receives state funding the construction contract for the project must equal 60 percent of the State's version of the projects budget in order to receive all State funds. What was reflected was a preliminary budget instead as a modification.

Mr. Palacio inquired about Otsuka's funding. Mr. Davison provided formula. He said that if you take the current budget of \$29 million and subtract \$6.7 million (paid to date) and subtract State funding, it equals the balance of what the District is committed to pay.

Mr. Richardson recommended as changes occur, that District references the master program budget. He asked that separate sheets be utilized to display any changes to be completed. He asked that timelines be included from the conception, of the project and the amount District has spent to date.

PUBLIC COMMENTS

Martin D. Goldberg, 5973 Avenida Encinas, Carlsbad, provided some facts concerning State teacher requirements and urged the Board to reconsider ongoing services.

Cynthia Criollos, 1924 N. Ross, Santa Ana, thanked the Board for their consideration of an affiliated Charter and stated that they are in support of the affiliation.

Tammra Detviler, Santa Ana High teacher, spoke concerning the budget crisis and inquired about the number of personnel being eliminated while others are being hired. She also asked that teachers and staff be a part of the decision making relative to reductions.

Ricardo Vargas Ruiz, 2074 S. Pacific, Santa Ana, asked for donations for the soccer team for which he is a coach. He said that there are over 300 youths and no available fields in which to practice. He asked for District's support. He said that students range in age from 14 through 16 years of age.

Assemblyman Lou Correa, 2836 Augusta Way, Santa Ana, spoke in support of the El Sol Charter affiliation and thanked the Board for their support. He said that he is a father of children at Jefferson Elementary and El Sol Charter schools.

Ralph Allen, 1002 River Lane, Santa Ana, expressed concerns regarding school projects and construction bidding. He said that misinformation has been provided by some District staff members at previous meetings.

Yolanda Galdamez, community resident, expressed concerns regarding Lathrop Intermediate. She said that she requested a copy of a police report and to this day, has not received it. She questioned the number of counselors,

textbooks, and other concerns and asked the District to look into those matters.

Michael Murphy, Valley High teacher, stated that he has been attending several Board meetings with no change on the Algebra A and B course decision. He urged the Board to reconsider offering those courses for some students.

Victor Perez, 1001 W. Stevens, Santa Ana, referred to a newspaper article that was published in the local newspaper that was disturbing. He also referred to Valley High School's modernization and expansion and the cost that has been paid to the architect. He said that there is no air conditioning and two science classrooms have been shut down due to a plumbing problem. He said that since 1983, there has been no construction completed at Valley High.

APPROVAL OF MINUTES

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 5-0 to approve the Minutes of the Special Board meeting of October 9, 2003, and Regular Board meeting of October 28, 2003.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Approval of New/Renewal of Memberships in Organization for 2003-04 Fiscal Year, Approval of Submission of California Mathematics and Science Partnership Professional Development Program Grant, Approval of Consultant Contract to Provide Services in the Areas of Management and Oversight of the Implementation Support of the ORACLE ERP System.

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried a 5-0 to approve the remaining items on the Consent Calendar as presented.

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

Edison Elementary
2003 New Era Award for Excellence in K-12
\$5,000 for parent education classes
and supplies

Greenville Elementary
\$7,000 for fieldtrips

Jefferson Elementary
\$500 for instructional supplies

John Muir Elementary
\$392 for instructional supplies

Santiago Elementary
\$295 for instructional supplies

Wilson Elementary
2003 New Era Award for
Excellence in K-12
\$4,900 for the development of

Donors

Edison International
Mr. James Beasley
Rosemead

P.F.O.
Richard Montecino
Santa Ana

Au Zone Santa Ana, LLC
Tarzana

Target
Mr. Gregg Steinhuf
Minneapolis, MN

Mr. Alan Wood
Orange

Edison International
Mr. Theodore Cunningham
Rosemead

alternative power generation project

Carr Intermediate
\$135 for instructional supplies

Target
Mr. Greg Steinhuf
Minneapolis, MN

McFadden Intermediate
assorted fish and products
(Estimated Value: \$3,000)

Ms. Carol Hahn
Hollywood

Community Day Intermediate
\$100 for native plant garden
and other activities

California Native Plant Society
Ms. Sarah Jayne
Irvine

Century High School
\$300 for science materials

California Lutheran University
Dr. William Bilodau
Thousand Oaks

Century High School
Drama Department
(Estimated Value: \$250)

Orange County Crazies
Ms. Cherie Kerr
Santa Ana

Century High School
\$500 for Dollars for Scholars
\$1,500 for academic programs

RICOH Electronics, Inc.
Ms. Kim Kline
Tustin

Chavez High School
Teacher incentive bags
(Estimated Value: \$140)

Staples
Mr. Demetrio Sandoval
Santa Ana

Curriculum & Instruction
\$1,500 for PLUS Mathematics
Annual Math Field Day

The Allergan Foundation
Mr. Thomas J. Burnham
Irvine

Various Santa Ana Schools
school supplies
(Estimated value: \$565)

Martin Shubin
Santa Ana

District Administration
\$500 for parent registration fee
for PESA training

RFG Group, Inc.
Mr. Roberto Gallegos
Santa Ana

**Denotes business partner*

Review and approval of purchase orders issued October 15, 2003 through October 30, 2003, to purchase materials, supplies, etc., with funds previously approved.

Review and approval of warrant listings prepared October 23 through November 10, 2003, to pay budgeted District financial obligations.

<u>Award</u>	<u>Vendor</u>	<u>Amount</u>
Construction of Bid Package 2 for Godinez Fundamental High School Project	ValleyCrest Landscape Development, Inc.	\$2,514,500

Modification of contract for painting contractor with CT Georiou from \$183,459 to \$144,400 for the construction of Manuel Esqueda Elementary School project.

Approval of Change Order No.1 for bid packages 38, 39, 40, 42, 44, 45, and 46 for construction of Taft Elementary modernization project in the amount of \$65,708.76 for a revised total construction cost of \$2,502,845.76.

Approval of Change Order No.1 for bid packages 47, 48, 49, 50, 51, 52, and 53 for the construction of Monroe Elementary modernization project in the amount of \$91,441.08 for a revised total construction cost of \$1,726,259.08.

Approval to accept the November 14, 2003, completion of contracts with contractors USSCAL Builders, Roy E. Whitehead, Letner Roofing, ISEC, Inc., progressive Floor, C.T. Georgiou, HPL Mechanical, Graycon, Inc., and American Electric in the amount of \$2,502,845.76 for bid packages 38, 39, 40, 41, 42, 43, 44, 45, and 46 for the construction of Taft Elementary modernization project.

Approval to accept the November 14, 2003, completion of contract with contractors S & R Construction, Southern Ca. Roofing, All Area Plumbing, M.B. Herzog, Progressive Floor, Advantage Paining, ISEC, Inc. for a total amount of \$1,726,259.08 for bid packages 47, 48, 49, 50, 51, 52, and 53 for the construction of Monroe Elementary modernization project.

Approval of Change Order No.6 for the construction of buildings at Jackson, Lincoln, Roosevelt, and Washington Elementary Schools at a cost of \$60,788.94 for a revised total construction cost of \$24,792,164.30.

Approval of amendment to the architectural agreement with Fields Deveraux Architect for additional architectural fees for the Monroe elementary modernization project for supplemental services not to exceed \$16,300.

Authorization of disposal of surplus electronic equipment.

Ratification of agreements between the Orange County Department of Education and the Santa Ana Unified School District for Advancement via Individual Determination (AVID) Pacific Life Foundation grants for District schools.

Approve the Reapplication for Carl D. Perkins Vocational and Technical Education Funds.

Ratification of license agreement between the Santa Ana Unified School District and Educational Standards Certifications Inc. for Teachscape online services for Governor's Reading Initiative (GRI) for 2003-04 school year.

Ratification of subcontract agreement between the Rancho Santiago Community College District and the Santa Ana Unified School District.

Approval of single subject credential internship program between SAUSD and California State University, Long Beach.

Approval of revised job descriptions of After School Instructional Provider and Pre-Kindergarten (Pre-K) Instructional Provider.

Approval of new job description of Director of Budget.

Approval of new job description of Director of Accounting and Payroll.

Approval of recommendation of the expulsion readmission panel to readmit the former student to a District school for the fall semester of the 2003-04 school year.

Rescission of suspended expulsion of student (198231) and expel him 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 he may apply for readmission.

Approval of the recommendations of the Administrative Hearing Panel which found that the following pupils violated Section 48900.4, 48900.7, or 48915 of the California Education Code for the specific paragraphs enumerated in this motion and to expel the students for the recommended term and with recommended remediation conditions:

128976- Spurgeon

for violation of Section c, that the Board expel her from the schools of the District and that she may apply for readmission on or after June 15, 2004.

107463- Saddleback

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, 2004.

143417- Spurgeon

for violation of Section c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2004.

126432- Willard

for violation of Section c, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2004.

195895- Santa Ana

for violation of Section f, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2004.

093870- Community High

for violation of Section b, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2004.

094812- Santa Ana

for violation of Section b, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2004.

107451- Century

for violation of Section c, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2004.

107831- Valley

for violation of Sections c and j, that the Board expel him from the schools of the District.

Ratification/Approval of Extended Field Trips:

Diamond Elementary School (Ratification)
Sea World
San Diego, CA
September 23-24, 2003 (Tuesday-Wednesday)

Century High School
e-Business Academy
State Virtual Enterprise Conference
Bakersfield, CA
December 3-4, 2003 (Wednesday-Thursday)
Century High School (Ratification)
Model United Nations (MUN) Conference
Palo Alto, CA
October 31 - November 2, 2003 (Friday-Sunday)

Saddleback High School

Junior State of America
Fall Conference
Costa Mesa, CA
November 22-23, 2003 (Saturday-Sunday)

Santa Ana High School
Dance Team
Idyllwild Pines Camp
Idyllwild, CA
January 29-31, 2004 (Thursday-Saturday)

Santa Ana High School - Wrestling Team
Wrestling Tournament
Las Vegas, NV
December 11-14, 2003 (Thursday-Sunday)

Special Olympic Sports Program (Ratification)
Mitchell Child Development Center
San Diego, CA
September 6-7, 2003 (Saturday -Sunday)

Special Olympic Sports Program (Ratification)
Mitchell Child Development Center
California Special Olympics Fall Games, CSUF
Fullerton, CA
November 1-2, 2003 (Saturday-Sunday)

Special Olympic Sports Program
Mitchell Child Development Center
Floor Hockey Championships
San Diego, CA
January 16-18, 2004 (Friday-Sunday)

Special Olympic Sports Program
Mitchell Child Development Center
Special Olympic Winter Games
TBA, CA
March 1-3, 2004 (Monday-Wednesday)

Special Olympic Sports Program
Mitchell Child Development Center
Special Olympic Basketball Invitational
San Diego, CA
March 27-28, 2004 (Saturday-Sunday)

Special Olympic Sports Program
Mitchell Child Development Center
California State Games (CSULB)
Long Beach, CA
June 11-13, 2004 (Friday-Sunday)

APPROVAL OF NEW/RENEW MEMBERSHIPS IN ORGANIZATIONS FOR 2003-04 FISCAL YEAR,
AND AUTHORIZE THE ADMINISTRATION TO PRESENT PURCHASE ORDERS FOR NEW OR
RENEWALS OF MEMBERSHIPS.

Following Board discussion, it was decided that two items, Santa Ana
Rotary and CSBA memberships would be removed from the membership listing.

Mr. Tinajero requested that Administration send him additional
information on the NHTSA, CEDPA, and the TOC memberships.

Dr. Yamagata-Noji called for another motion following the removal of the
two items.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Tinajero, and carried 4-1, Mrs. Avila dissenting to approve new/renew memberships in organizations for the 2003-04 fiscal year and authorize the administration to present purchase orders for new or renewal of memberships with the exclusion of the Santa Ana Rotary and CSBA memberships.

APPROVAL OF SUBMISSION OF CALIFORNIA MATHEMATICS AND SCIENCE PARTNERSHIP PROFESSIONAL DEVELOPMENT PROGRAM GRANT.

Mrs. Avila reminded Administration that any grant over \$500,000 requires a Board presentation. Mrs. Avila inquired about the grant and the affects on textbooks. Dr. Bratcher stated that the grant focuses on teacher training and California Standards. Mrs. Avila asked to be invited to math meetings pertaining to the grant. Dr. Bratcher stated that he would provide her with a schedule of those meetings.

APPROVAL OF CONSULTANT CONTRACT WITH DANIEL B. LEADER DBA: NEW VISION CONSULTING, TO PROVIDE SERVICES IN THE AREAS OF MANAGEMENT AND OVERSIGHT FOR THE IMPLEMENTATION SUPPORT OF THE ORACLE ERP SYSTEM, EFFECTIVE NOVEMBER 26, 2003 THROUGH JUNE 30, 2004, IN THE AMOUNT NOT TO EXCEED \$60,000.

AND

APPROVAL OF CONSULTANT CONTRACT WITH OSWALDO GALARZA TO PROVIDE SERVICES IN THE AREA OF TECHNOLOGY INFRASTRUCTURE, INSTRUCTIONAL TECHNOLOGY, AND INFORMATION SYSTEMS PURSUANT TO THE IMPLEMENTATION OF FCMAT ITC AND TECHNOLOGY RECOMMENDATIONS RELATING TO SYSTEMS IMPLEMENTATION WITH AN EMPHASIS ON THE ORACLE ERP, EFFECTIVE NOVEMBER 26, 2003 THROUGH JUNE 30, 2004, IN AN AMOUNT NOT TO EXCEED \$60,000.

Mr. Richardson asked that the first item be removed for discussion. Dr. Stabler outlined process. Mr. Richardson requested the plan in writing and regular monthly reports to Board.

Mr. Palacio requested that the second item be removed for discussion as it seems as though the items are basically the same.

Dr. Yamagata-Noji stated that the funding source should have been referred as COPs excluding general fund.

Mr. Palacio stated that there are issues concerning integrating and training which can be remedied. He said that this is a powerful tool that can be useful to the District.

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0 to approve both items: approval of consultant contract with Daniel B. Leader, dba New Vision Consulting, to provide services in the areas of management and oversight for the implementation support of the ORACLE ERP System, effective November 26, 2003 through June 30, 2004, in the amount not to exceed \$60,000, and the approval of consultant contract with Oswaldo Galarza to provide services in the area of technology infrastructure, instructional technology, and information systems pursuant to the implementation of FCMAT, ITC, and technology recommendations relating to systems implementation with an emphasis on the ORACLE ERP, effective November 26, 2003, through June 30, 2004, in an amount not to exceed \$60,000.

ADOPTION OF RESOLUTION NO. 03/04-2543 - REAUTHORIZATION OF SIGNATURES FOR SANTA ANA UNIFIED SCHOOL DISTRICT AS APPROVED BY THE BOARD OF EDUCATION

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 4-0, Mr. Palacio not present, to adopt Resolution No. 03/04-2543 - Reauthorization of signatures for Santa Ana Unified School District as approved by the Board of Education.

A copy of the Resolution is attached to the Minutes.

ADOPTION OF RESOLUTION NO. 03/04-2544 -FINDING THE SALE OF SURPLUS PROPERTY EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) AND APPROVING THE FILING AND RECORDING OF THE NOTICE OF EXEMPTION FOR THE FARMERS PROPERTY

Ms. Brown provided information on the Farmers property sale and auction. She said that the non-profit organization Mercy Housing has asked for an extension to complete their proposal. Ms. Brown stated that legal counsel is working on that and if the extension is approved that District is looking at the date of December 28th for that proposal. She explained that the auction would then take place after January 13, 2004.

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 4-0, Mr. Palacio not present, to adopt Resolution No. 03/04-2544 - finding the sale of surplus property exempt from the California Environmental Quality Act (CEQA) and approving the filing and recording of notice of exemption for the Farmers property.

A copy of the Resolution is attached to the Minutes.

APPOINTMENT OF TWO COMMUNITY REPRESENTATIVES AND AN ALTERNATE TO SERVE ON THE ORANGE COUNTY HIGH SCHOOL OF THE ARTS (OCHSA) BOARD OF DIRECTORS

It was moved by Dr. Noji, seconded by Mr. Tinajero, and carried 4-0, Mr. Palacio not present, to appoint Mr. Glenn Mondo to serve as a representative to the OCHSA Board of Directors from December 1, 2003 - November 30, 2005; Ms. Wendy Tobiska to serve as a representative to the OCHSA Board of Directors from July 1, 2004 - June 30, 2006; and Mr. Gary Humphreys to serve as an alternate.

Dr. Yamagata-Noji requested the annual report from OCHSA to the SAUSD concerning finance and student numbers.

APPROVAL OR DENIAL OF CHARTER SCHOOL APPLICATION FOR THE PROPOSED THERAPEUTIC EDUCATION CENTER (TEC) CHARTER SCHOOL OF SANTA ANA

Dr. Stabler introduced the item and provided an overview of program. He stated that the Therapeutic Education Center (TEC) falls within the guidelines of a charter. He said that the California charter school law permits individuals and organizations to request a school district to authorize a new charter school within the District's boundaries. He said that the TEC of Santa Ana is a proposed charter school that will provide a rigorous academic environment for students in grades K-12.

Dr. Bratcher stated that he has been meeting with Dr. Veleur and Ms. Rocker who are present to answer questions from the Board. He said that the TEC would work with abused and homeless students in a K-12 setting. He said that before the Board tonight is the proposal, budget, and lease agreement.

Mrs. Avila said that she visited the current program at Olive Crest and with Dr. Veleur and Ms. Rocker to discuss the proposal. She said that Olive Crest has an excellent reputation in the community and houses foster care and

child abuse victims. She said that the school would offer therapy and support for the special and emotional needs student. She said that the school would reach a different scope of students than the SAUSD.

Mr. Palacio stated that he is supportive of TEC charter and believes the impact would be minimal to the District.

Mr. Richardson said that there are a series of requirements that must be dealt with before considering the approval. He asked Dr. Stabler for his financial analysis and if there was any financial risk to the SAUSD if the application was approved.

Dr. Stabler stated that he did review all aspects of the agreement to assure compliancy which included the following: ADA and the fluctuating number of students, cash flow and its impact on the District, TEC classified staff, lease payment, and direct and indirect costs. Dr. Stabler stated that TEC has applied for a \$250,000 loan from the State of California which is provided to charter schools. He said that charters do not begin receiving funds other than what the District would supply, until mid year. He added that new legislation requires that as of January 1, 2004, Districts are required to make regular visits to charter schools to review various facets of the program which includes budget. He said that he is looking into the 1% indirect ADA fee which will be collected from all charters. He said that direct fees are being collected.

Dr. Noji stated that she respects and supports Olive Crest and the magnificent works offered to the community and asked that her reasons for nonsupport of the TEC not be misconstrued. She said originally it was noted that the Orange County Department of Education was avoiding their responsibilities concerning the charter and that the District has yet to speak with the OCDE. Lack of information was expressed in the areas of student fluctuation/ADA; students' ages and grades; 50% teacher-petition signatures; employee return rights; support for external grants; and the terms of the charter. She said that merits are well intended for the charter, but she is unable to support it due to the serious concerns that remain.

Mr. Tinajero stated that the charter's desire to serve the population deserves a great deal of support, unfortunately he is concerned that the District is overextending in terms of finances.

Mr. Tinajero stated that although he believes the program itself is solid, in looking at the future with the current budget situation he finds it difficult to support another charter.

Dr. Stabler stated that the Charter law is very specific concerning the ability to approve or deny charters. The Board can deny only if the charter has valid educational or financial reason and Dr. Yamagata-Noji's issue is a viable financial question.

Mrs. Avila stated that her criteria for supporting charters schools consist of the past successes, good track record, not necessarily an established school or organization, but the experience in running a large organization. She said that this is a small school and student fluctuation should not be an issue.

It was moved by Mrs. Avila, seconded by Mr. Richardson, and carried 3-2, Dr. Yamagata-Noji and Mr. Tinajero dissenting, to approve the charter school application for Therapeutic Education Center Charter (TEC) School of Santa Ana.

ADMINISTRATIVE REGULATION 1330.1 - FACILITIES USE GUIDELINES AND RATE SCHEDULES (FOR: FIRST READING)

Dr. Yamagata-Noji requested that when the item returns for implementation, to include field charges.

Mr. Tinajero asked to include maintenance and re-seeding field costs.

Presented for first reading; no action required.

APPROVAL OF PERSONNEL CALENDAR

It was moved by Mr. Tinajero, and seconded by Dr. Yamagata-Noji, and carried 5-0 to approve the personnel calendar as presented.

A copy of the Personnel Calendar is attached to the minutes.

BOARD AND STAFF REPORTS/ACTIVITIES

Sal Tinajero

- ◆ Congratulated Valley and Saddleback High School's Water Polo teams for a terrific CIF year.
- ◆ Congratulated three of SAUSD football teams who qualified for CIF playoffs this year. Congratulated Coach Pola at Century H.S. on his first successful year.
- ◆ Asked for community to support basketball teams at the schools. Congratulated Santa Ana High School's debate team for progressing into the finals. Out of 120 teams Santa Ana High students were the only Orange County team to qualify to out-rounds. One student was offered a full-paid scholarship to Maryland.
- ◆ Wished everyone a Happy Thanksgiving

Dr. Yamagata Noji:

- ◆ Congratulated student athletes and Mr. Witte for their commitment.
- ◆ Attended McFadden Learning Center Open House, a joyous occasion and said that it is unfortunate that the funding will only be available for a matter of months. Concerned about THINK Together and hoped that the SAUSD might be able to partner with them.
- ◆ Attended BDAC/ELAC meeting and thanked staff for providing good information and a successful meeting.
- ◆ Thanked the District for the support at the National Pacific Islander Education Network Conference, which was outstanding.
- ◆ Requested an updated Gear-Up report.
- ◆ She wished a Happy New Year to the Hmong Community and Happy Thanksgiving to everyone.
- ◆ She stated that as the District looks at the budget, the Board will continue reviewing impacts.

Mr. Richardson:

- ◆ Requested follow-up information on the RTC and how the proposal is working, what steps are occurring at school sites, etc.
- ◆ Requested a discussion on inter-district transfers relative to the rights of parents and fiscal concerns. He said that some parents do not send their children to Santa Ana schools, which ends up costing District monies.
- ◆ Partnership breakfast event was wonderful. He thanked all involved and congratulated award recipients.
- ◆ Boys and Girls Club of Santa Ana is providing a Thanksgiving dinner for the neighborhood. He said that this holiday is a strong reminder of how thankful one should be and wished all a Happy Thanksgiving.

- ◆ He reiterated that the Isaac Curtis Championship Bell went to Santa Ana High School. He said that in a 1967 football game Santa Ana High beat Anaheim, but lost to Anaheim in the finals and Isaac Curtis played in that game.

Mr. Palacio:

- ◆ Echoed comments by Mr. Richardson and wished everyone a Happy Thanksgiving.
- ◆ Acknowledged the hard work the Santa Ana Education Foundation provides to the classroom.

Mrs. Avila:

- ◆ Mission Statement - including parents and the PTA to assist in the writing of it.
- ◆ Thanked parents, students, and staff for all their hard work, and for making the school system in Santa Ana run.

RECESS TO CLOSED SESSION

The Regular meeting was recessed to Closed Session at 10:55 p.m., to consider legal matters, real estate issues, personnel matters, education of Special Education students, reimbursements, administrative appointments, and student discipline.

REGULAR MEETING RECONVENED

The Regular Meeting was reconvened at 11:15 p.m.

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 of Education approved the rescission to suspend the expulsion of students as named in Closed Session for the balance of the fall semester 2003-04 school year.

By a vote of 5-0, the Board of Education approved the recommendations of the Expulsion Readmission Panel to readmit students for the fall semester of the 2003-04 school year as set forth in Closed Session.

By a vote of 5-0, the Board of Education approved the recommendations of the Expulsion Readmission Panel to readmit students for the fall semester of the 2003-04 school year as set forth in Closed Session.

By a vote of 5-0, the Board of Education approved the Nonpublic Agency Contract and Individual Service Agreement for special Education and related services for students named in Closed Session.

By a vote of 5-0, the Board of Education took action in Closed Session to approve the appointment of Ms. Evelyn Carrigg to the position of Coordinator of Activities at Saddleback High School.

ADJOURNMENT

There being no further business to come before the Board, the Regular Meeting was adjourned at 11:10 p.m.

FUTURE MEETING

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

ATTEST:

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