

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

December 14, 2004

CALL TO ORDER

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

Cabinet members present were Dr. Mijares, Mr. Trigg, Mr. Lopez, Mr. Sharp, Dr. Stainer, Dr. Bratcher, and Mrs. Araujo-Cook.

MEETING RECESSED AND RECONVENED

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

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

There were approximately 50 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. Palacio.

OATH OF OFFICE

Dr. Mijares welcomed Members reelected to the Board of Trustees. The Oath of Office was administered to Mr. Richardson, Mr. Tinajero, and Mrs. Avila by Superintendent Al Mijares.

ANNUAL ORGANIZATIONAL MEETING

President

Dr. Mijares opened the annual organizational meeting and declared that nominations were in order for the office of President.

Mrs. Avila entered the nomination of Dr. Yamagata-Noji for President. Dr. Yamagata-Noji accepted the nomination. With no additional nominations for President, Dr. Mijares called for a vote. Upon call for the vote, the motion was carried 5-0.

The gavel was passed to President Yamagata-Noji who presided over the remainder of the meeting.

Vice President

Nominations were opened for the office of Vice President. Mr. Richardson's name was placed in nomination by Mr. Tinajero. Mr. Palacio seconded the nomination and the motion passed by a vote of 5-0.

Clerk

Mr. Richardson nominated Mr. Tinajero for the office of Clerk and Mr. Palacio seconded the motion. Upon call for the vote, Mr. Tinajero was elected to the office by a vote of 5-0.

County Committee on School District Organization

Mr. Palacio nominated Mrs. Avila to serve as the District Representative for nominating members to the County Committee on School District Organization. Upon call for vote, Mrs. Avila was elected to the office by a vote of 5-0.

District Political Action Representative

Mr. Richardson nominated Mr. Tinajero to serve as the District Political Action Representative, and Mr. Palacio seconded the motion. Upon call for the vote, Mr. Tinajero was elected as the representative by a vote of 5-0.

Establishment of Regular Meeting Dates, Time, and Location

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0 to approve the present schedule for regular meetings: second and fourth Tuesdays of the month, closed meeting beginning at 4:30 p.m. and open meeting beginning at 6:00 p.m., in the Board Room of the District Administration Building, 1601 East Chestnut Avenue, Santa Ana, unless a meeting is moved to another site for space or other reasons.

MEETING RECESSED AND RECONVENED

At 6:30 p.m., the Board President called for a brief recess. The Board reconvened at 6:50 p.m.

SUPERINTENDENT'S REPORT

Dr. Mijares expressed gratitude to students and staff from Pio Pico Elementary and Carr Intermediate schools for artwork displayed in the Board Room.

Mr. Roger Gordon, an artist as well as an art teacher at MacArthur Fundamental Intermediate School, has been selected as one of a few artists to participate in a "send-off" event for the California Butterfly Initiative. The purpose of the Butterfly Initiative is to create awareness of the American California Western Monarch Butterfly and to provide for an endowment for arts and sciences education. Only a select group of artists were selected to help launch the program that will have its send off in early January 2005, at Roger's Gardens in Newport Beach.

Carr Intermediate students reaped a windfall donation from the Knights of Columbus. Carr teacher and Knight CFO Paul Halewijn reported that the Fullerton Chapter would donate \$200 towards the annual educational trip the students make to Washington, D.C. Thanks to the Fullerton Knights of Columbus.

Congratulations to Taft PTA, which was recently recognized with Experian's *Heart of Experian* National Education Award for the 2004-05 school year. The award, including a \$2,000 donation, supports the work and specifically the computer systems of Taft School and the Deaf and Hard of Hearing School.

Thanks to the Mazda Foundation for their generous \$15,000 contribution. The funds will be used for the purchase of books for the Reading Is Fundamental or RIF program. Thousands of recreational reading books will be purchased and distributed to students over the next year.

Students studied and read about St. Nicholas, who was a special guest at Davis Elementary School. He visited classrooms, spreading holiday cheer. And with the help of the Volunteer Center of Orange County, dozens of backpacks filled with gifts and supplies magically appeared in classrooms. St. Nicholas, who claimed to be Santa's cousin, sounded mysteriously like Orange County Supervisor-elect Lou Correa.

Taft Elementary School has been selected as one of only six Orange County schools to participate in The Center's Arts Connect, a new arts-in-education initiative. The initiative is collaboration between the Orange County Performing Arts Center and the Orange County Department of Education, which will integrate the arts into the curriculum to enhance student achievement. The comprehensive grant covers a five-year period.

An eighth-grade algebra class from Taft Intermediate School was the winner of the Smith Barney & Junior Achievement Stock Portfolio Contest. Mike Corbin's class picked a stock portfolio in October and charted the stocks for a ten-week period. Winning students were recognized at the Anaheim Convention Center and each presented with one share of CITIGROUP stock, valued at about \$47 at today's market rate.

Tonight will be the District's last broadcast on Adelphia's Channel 24. The new Channel is 31 effective tomorrow. Nancy Stinson, General Manager for Orange County Adelphia Communications explained to the community the reason for the change. She said that this would be the last change for a very long time.

UPDATE ON SCHOOL BUILDING PROGRAM

Mr. Hills, Construction Manager of Building Services, provided an update and aerial views of Santa Ana Unified School District's construction projects as follows:

Manuel Esqueda Elementary
Start date: October 2003
Completion date: February 2005
Current completion status: 80%
Contract price: \$15,380,000

Segerstrom High
Start date: March 2002
Completion date: August 2005
Current completion status: 60%
Contract price: \$53,000,000

Hector G. Godinez Fundamental High
Start date: January 2006
Current completion status: 48%
Contract price: \$65,770,000

Mountain View High
 Start date: October 2004
 Completion date: July 2006
 Current completion: 3%
 Contract price \$11,387,000

Projects completed \$44,000,000
 Active projects \$176,000,000
 Combined completed and active projects \$220,000,000

Dr. Yamagata-Noji inquired about the signage at Segerstrom. Mr. Sharp explained that there would be signs with arrows leading to the Administration Building from each parking lot. She then inquired about the security measures concerning parking and asked that it be discussed in the near future.

RECOGNITION

Superintendent's BRAVO! Award - Dr. David Pagni

Dr. Mijares called upon Dr. David Pagni, Professor, California State University, Fullerton. Dr. Mijares expressed gratitude to Dr. Pagni for his outstanding service to the students and staff of the SAUSD. Dr. Pagni has provided comprehensive staff development in the area of mathematics, which began in 1986, with the highly successful *Santa Ana-Fullerton Elementary Mathematics Project* (SAFEMAP). The nine-year project was followed by the *Language and Mathematics Project* (LAMP) and the outstanding *Students Using Mathematics Successfully* (SUMS) that continued math support for teachers through the provision of staff development mentors. Dr. Pagni has won many awards such as Outstanding Professor for California State University, Outstanding Teacher by the Orange Chamber of Commerce, and Outstanding Professor for the twenty-two campus California State University System. Over the years, Dr. Pagni has received more than \$13.6 million in federal grants for mathematics, which has come to the SAUSD.

Dr. Mijares then presented Dr. Pagni with a commemorative plaque in appreciation for his many efforts and thanked him for his dedication to the District and Santa Ana students. Teachers present in support of Dr. Pagni were Juanita Fast, Pamela Kiwerski, and Dee Harmon, who commended Dr. Pagni for his leadership. Board members extended their congratulatory remarks to Dr. Pagni and his staff.

PRESENTATION

Overview of HIV/AIDS Curriculum Program

Dr. Stainer, Assistant Superintendent for Elementary Educational Services, presented an overview of the HIV/AIDS Curriculum Program, which includes the HIV/AIDS Prevention Education Supplementary books currently on 28-day review. She said that the Board must adopt the HIV/AIDS curriculum to be in full compliance with the CCR State report. She said that the Education Code Section 5193(d) states that "HIV/AIDS prevention education" means instruction on the nature of HIV/AIDS, methods of transmission, strategies to reduce the risk of Human Immunodeficiency Virus (HIV) infection, and social and public health issues related to HIV/AIDS. Dr. Stainer then reviewed the following:

Education Code 51934:

- A school district shall ensure that all pupils in grades 7 through 12, inclusive, receive HIV/AIDS prevention education from instructors

trained in the appropriate courses. Each pupil shall receive this instruction at least once in junior high or middle school and at least once in high school.

CCR Non-Compliance Items:

- II-HIV 1 - "There is no defined or consistent research-based curriculum used by all teachers in the district. Further, there is insufficient evidence to determine if all components of the HIV/AIDS Education Code 51934 (formerly 51201.5) are being taught."
- IV-HIV 2 - "There is insufficient evidence to determine if in-service training is being provided to all teachers and school employees responsible for delivering HIV/AIDS instruction to students."

CCR Compliance Timeline (revised)

- June 2004: Convene Advisory Committee
- July 2004: Committee begins to review HIV/AIDS curriculum
- November 20-04: Recommend textbook for 28-day review
- December 2004: Committee to develop monitoring plan
- January 2j005: Final recommendation to SAUSD Board for approval
- February 2005: Train teachers responsible for HIV/AIDS components
- February 2005: Submit report to State Department of Education to demonstrate compliance

SAUSD Health Advisory Committee

- High School Health Teachers
- Intermediate Science Department Chairs
- Principals
- District Administrators
- Parents

Act SMART

- 3 Units by level: ages 6-9; 10-13; 14-17
- 6 lessons
- Activity Described
- Role-Playing Activity
- Closing Discussion Described
- No Lesson Outline
- No Teacher Guides

Act SMART: Ages 10-13 lesson Topics

- Building a Foundation for Learning about HIV and AIDS
- More Information about HIV and AIDS
- Risk-Taking Behavior
- Skills to Resist Pressure
- Decision Making
- Communicating What We Have Learned About HIV/AIDS - A Group Project

Act SMART: Ages 14-17 Lesson Titles

- Learning About HIV/AIDS
- Making Decisions
- Personal Goals and Choices
- Practicing Skills to Resist Pressure
- Condoms and How To Use Them

- What We Want Others to Know About HIV and AIDS - A Group Project

Positive Prevention: HIV/AIDS Education for America's Youth

- Level A - Middle Schools
- Level B - High Schools
 - 6 lessons for each level
 - Activities for each age group
 - Role-playing activities
 - Planned lessons
 - Teacher lessons provided
 - Teacher guides included
 - Purchase of guide includes training by SBCOE

Positive Prevention: HIV/AIDS Education for America's Youth: (lesson titles)

- Myths and Stereotypes Regarding Persons Infected with HIV: Tips for Using Positively Speaking Presenters
- HIV Disease: Effects on the Human Body, Transmission Myths and Facts
- Sexually Transmitted Diseases
- Recognizing Risk Situations: Methods to Reduce Risk
- Peer and Media Pressures: Refusing Skills Practice
- Community Resources: Personal Contacts

Two Textbooks that were evaluated:

Act SMART -

- American Red Cross and Boys and Girls Clubs

Positive Prevention

- HIV/AIDS Education for America's Youth - American Red Cross and San Bernardino County Superintendent of Schools

Dr. Stainer stated that the Act SMART textbook was eliminated by teachers upon evaluation and textbook Positive Prevention is the committee's recommendation. She said that the recommendation would be agendized for adoption in January.

Charter School Application for the Proposal of Orange County Educational Arts Academy (OCEAA) Charter School of Santa Ana

Mr. Trigg introduced the item. He said that District Counsel Sukhi Sandhu would be presenting the legal responsibilities concerning the petition and District Consultant Steven Teele would discuss the oversight cost information concerning the application. Both parties have thoroughly reviewed the OCEAA petition. Mr. Trigg stated that the public hearing would be held January 11, and at the subsequent Board meeting, action would be taken to either approve or deny the charter application. He then called upon Ms. Sandhu.

Ms. Sandhu provided a brief overview. She said that originally an OCEAA Charter School petition was approved and recently had been revoked. Since the revocation, a similar petition from OCEAA has been submitted. Ms. Sandhu provided timelines for the submission of a charter petition and explained the due diligence according to those timelines. She said that within 30 days of receipt of a petition, the District must hold a public hearing to consider the level of support for the petition by teachers, employees of the district, and parents. Following the review of the petition and the public hearing, the governing board of the District will

either grant or deny the charter within 60 days of receipt of the petition. She reminded the Board that the charter is the controlling document once a school is approved and constitutes the agreement between the District and the charter school. All major terms governing the charter school's operation and its relationship with the district should be included within the charter. She then provided a brief summary of the 17 elements the Education Code lists as included in a petition, which consist of the educational program, government structure, and dispute resolution. She stated that other provisions that must be included is a description of the procedures to be used if the charter school should close. Ms. Sandhu said that all information would collectively be provided to the Board for a final determination to either approve or deny the charter petition on January 25, 2005. She noted that the facilities issue is yet to be addressed in this petition. She said that the SAUSD has requested an extension of 30-days for any unforeseen questions, changes, or concerns that might arise.

Ms. Sandhu added that the District is the oversight authority for charter schools. And that that OCEAA has submitted information stating that they would be a non-profit public benefit corporation. She said that the Educational Code states that a nonprofit public benefit corporation is not liable for the debts or obligations of charter schools. She added that other concerns include the actual party submitting the petition and the party operating the charter school.

She provided a list of one or more reasons for denying petitions in general:

- If the charter school presents an unsound educational program for the pupils to be involved in the charter school.
- If petitioners are demonstrably unlikely to successfully implement the program set forth in the petition.
- If petition does not contain the number of signatures required
- If Petition does not contain an affirmation of each of the conditions described in subdivision (d).
- If petition does not contain a reasonably comprehensive description of 17 specific items to be included in a charter petition.

Dr. Mijares introduced Mr. Steven Teele, Riverside County former Superintendent, who is now a consultant for the SAUSD. Dr. Mijares stated that Mr. Teele has been retained to help assure accountability of all charter schools in Santa Ana. He has been asked to examine the OCEAA charter petition and provide his findings. Mr. Teele stated that as a high school district superintendent he was involved in the implementation of one of first charter schools, which is still in operation. He stated that currently he is a Chairman of the Board of Directors of a charter school and is familiar with approving and revoking charter school petitions. He said in reviewing the OCEAA petition he found several issues that are not established or addressed:

- Board members serving on the Charter School's Board of Director
- Dispute resolution representative(s) for the District
- Charter revocation process not included
- Charter renewal not mentioned
- District liability if oversight responsibilities are not fulfilled

Mr. Teele provided recommendations for each item. He then moved on to the supervisory oversight and costs in accordance to Education Code 47613 law:

- Must identify at least one staff member as a contact person for the charter school
- Visit each charter school at least annually
- Ensure that each charter school under its authority complies with all reports required of charter schools by law
- Monitor the fiscal condition of each charter school under its authority
- Provide timely notification to the department of any of the following circumstances occur or will occur with regard to a charter school for which it is the chartering authority:
 - A renewal of the charter is granted or denied
 - The charter is revoked
 - The charter will cease for any reason
- The cost of performing the duties oversight comes from the revenue of the charter schools. (may not exceed 1%).

The Board thanked Ms. Sandhu and Mr. Teele for an informative presentation.

PUBLIC HEARINGS

Review the Statement of Assurance for Pupil Textbooks and Instructional Materials Pursuant to Education Code 60119 and 60422(b) Requirements as Mandated by the Williams Settlement

The President declared the meeting open to receive public comments on the review of Statement of Assurance for Pupil Textbooks and Instructional Materials Pursuant to Education Code 60119 and 60422(b) requirements as mandated by the Williams Settlement.

Mrs. Kim Gerda, SAUSD parent, voiced her support for the Statement of Assurance of textbooks and asked if books might be made available, perhaps in the libraries of the schools, for parents to view.

Hearing no additional comments, the Public Hearing was declared closed.

Board's Intention to Dedicate Two Easements to Southern California Edison (SCE) Over a Portion of Godinez Fundamental High School Property Owned by the District

The President declared the meeting open to receive public comments on the Board's intention to dedicate two easements to Southern California Edison (SCE) over a portion of Godinez Fundamental High School property owned by the District.

Hearing no comments, the Public Hearing was declared closed.

PUBLIC COMMENTS/PRESENTATIONS

President Yamagata-Noji asked those members of the community who wished to address the Board to step forward as she called their names:

The following SAUSD parents and PTA representative addressed the Board in support of Segerstrom High School being designated as a fundamental high school:

Jeanette Kerkhof-Martin, SAUSD parent
Leticia Osequera, SAUSD parent
Kathie Arceo, SAUSD parent
Soilo Mezer, SAUSD parent
Christine Vu, SAUSD parent
Therese Mims, PTA Leadership Vice President
Elizabeth Bausman, SAUSD parent
Richard Montecino, SAUSD parent

Linh Lopez, SAUSD parent, addressed the Board in reference to Class size reduction in kindergarten program and urged the Board to reinstate 20-1.

Tara Steiner, Irvine resident, addressed the Board in reference to a boundary change from the furthest southeast corner of the current SAUSD boundary. She said that her home is closer to Irvine schools and that each year she must provide her children's school with an inter-district transfer from Santa Ana.

Norman Rogers, SAUSD parent, addressed the Board in support of the Orange County Educational Arts Academy petition.

Kim Gerda, SAUSD parent, addressed the Board in reference to boundaries and NCLB; OCEAA and the property lease and what liability this could potentially bring to the District; and the hiring of an Assistant Superintendent for Facilities.

APPROVAL OF MINUTES

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to approve the Minutes of the Regular Board meeting of November 23, 2004.

APPROVAL OF CONSENT CALENDAR

The following item was removed from the Consent Calendar for discussion and separate action: Approval of Change Order No. 1 for Science Lab Modernizations for Qualified Zone Academy Bond (QZAB) Advanced Science Academies at Century, Chavez, Saddleback, and Santa Ana High Schools and Higher Education Centers at Valley High and Saddleback High Schools, Approval of Change Order No. 3 for Bid Package 1 for Construction of Godinez Fundamental High School Project, Approval of Change Order No. 4 for Bid Package 1 for Construction of Godinez Fundamental High School Project, Ratification of Contract With Consultant for Owner Controlled Insurance Program (OCIP) Broker or Administrator Consultant Services, Approval of Agreement with Timothy M. Cary & Associates as District Legal Consultant for Fiscal Year 2004-05, Approval of Reapplication for Carl D. Perkins Vocational and Technical Education Act Funds, Ratification of Submission of Renewal Application for State Preschool Funding for 2005-06 Program Year, and Approval of the Internship Program Between Santa Ana Unified School District and Chapman University.

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

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.

<u>Gifts</u>	<u>Donors</u>
Greenville Fundamental Desk copier (Estimated value: \$250)	Accountancy Corporation Mr. Robert Schaefer Laguna Hills
Heninger Elementary \$8,165 for computer equipment	Santa Ana North Rotary Club Mr. Mike Brunhofer Tustin
Jackson Elementary \$250 for field trips	Mrs. Susan Romero Santa Ana
Kennedy Elementary \$14,000 to be used for M.I.N.D. Institute Program for 2 nd grade	3M Foundation Ms. Dena Robertson 3 M Center St. Paul, MN 55144-1000
King Elementary and Edison Elementary \$5,000 for instructional supplies	Mr. James Beasley Rosemead
Muir Fundamental Elementary Gateway 42" Plasma Television for school inservices	Ms. Cindy Fox Costa Mesa
Muir Fundamental Elementary \$500 for Special Education instructional supplies	Angels Baseball L.P. Ms. Anne Blasius Anaheim
Muir Fundamental Elementary \$150 for first grade program	Mr. and Mrs. Raul Torres Santa Ana
Santiago Elementary \$730 for instructional supplies	Mr. Alan Wood Orange
Walker Elementary \$675 for instructional supplies	Walker Parent Group Mrs. Maria Arias Santa Ana
Washington Elementary 14 guitar strings	Mr. Bruce Gove Ontario
MacArthur Fundamental Intermediate \$500 for yearbook t-shirts	Glenn L. Silverii & Associates Santa Ana
Century High School \$1,900 for science teacher training and substitutes	Mrs. Ruth Abatzoglou Huntington Beach
Saddleback High School \$750 for scholarships	Washington Mutual Mr. Roy Kaplan Santa Ana
Various school sites school/office furniture	Mc Mahan Business Interiors* Mr. Martin Schlom Irvine
Various Elementary Schools \$5,000 for printing Read Aloud Booklets	Santa Ana Kiwanis Club Foundation Dr. Raymond Ross 17501 17 th Street Santa Ana

District Parent Program
\$5,000 for Parent Projects

Wells Fargo Foundation
Mr. Armando De La Libertad
Santa Ana

Approval of purchase orders issued October 27, through November 10, 2004, to purchase materials, supplies, etc., with funds previously approved.

Approval of warrant listings prepared November 16, through December 1, 2004, to pay budgeted District financial obligations.

<u>Awards</u>	<u>Vendor</u>	<u>Amount</u>
Purchase of Dairy Products, Fluid Milk, and Juice at Food 4 Thought	Driftwood Dairy	\$1,487,529.70
Removal of existing Playground equipment, site preparation, and installation Of new playground equipment At Lincoln and Edison Elementary schools	Ortco, Inc.	41,917.00

Authorization of disposal of obsolete textbooks, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

Authorization for the disposal of obsolete computer equipment, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

Approval of extension of agreement with Petra Geotechnical, Inc., through June 30, 2005 for proposed Otsuka Elementary School.

Acceptance of November 18, 2004, completion of contract with Doja, Inc., in the amount of \$582,924.80 for the Removal of Action Work (RAW) plan and the demolition of existing structures located at Heroes Elementary School.

Approval of amendment to the agreement with Petra Geotechnical, Inc., for an amount not to exceed \$6,900 for a total contract amount of \$26,385 for additional services and approve the extension of agreement through June 30, 2005, for Heroes Elementary School.

Approval of amendment of agreement with CS & Associates as Labor Compliance Program (LCP) consultant, for an amount not to exceed \$160,000 to modify the number of school construction/modernization projects.

Approval of Change Order No. 3 for bid packages No. 10 and 24 for construction of Segerstrom High School project for a credit of (\$187,098.66) for a revised total construction cost of \$54,224,556.45.

Approval of Change Order No. 3 for Bid Package 1 for Construction of Godinez Fundamental High School Project

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

Approval of Change Order No. 4 for Bid Package 1 for Construction of Godinez Fundamental High School Project.

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

Approval of Change Order No. 4 for bid packages No. 85, 86, 88, 92, and 95 for construction of Manuel Esqueda Elementary School project in the amount of \$46,619.07 for a revised total construction cost of \$15,617,752.59.

Approval of contract agreement between the Orange County Department of Education and the Santa Ana Unified School District for the Friday Night Live/Club Live Partnership services during the 2004-05 school year.

Approval of contract agreement between the Orange County On Track and the Santa Ana Unified School District for partnership services for the Tobacco-Free Communities Program during the 2004-05 school year.

Approval of subcontract agreement between SAUSD and THINK Together to continue the implementation and operation of after school programs for the 2004-05 school year in the amount not to exceed \$175,000.

Approval of consultant agreement between SRA/McGraw-Hill and the Santa Ana Unified School District for the 2004-05 school year.

Ratification of grant agreement between Orange County Children and Families Commission and Santa Ana Unified School District/Kinder Readiness Pre-Kindergarten Program for the 2004-05 and 2005-06 school years.

Ratification of renewal to grant agreement between the Orange County Children and Families Commission and the Santa Ana Unified School District/Kinder Readiness Pre-Kindergarten Program for the 2004-05 and 2005-06 school years.

Ratification of Student Teaching agreement with California State University, Long Beach.

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

126652 - Carr Intermediate
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, 2005.

086131 - Mt. View High
for violation of Section (c), that the Board expel him from the schools of the District for the remainder of the fall semester 2004-05 school year, that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

141636 - Lathrop Intermediate
for violation of Section (a), that the Board expel him from the schools of the District for the remainder of the fall semester 2004-05 school year, that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

127171 - Century High

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

197276 - Carr Intermediate

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

163742 - Thorpe Intermediate

for violation of Sections (a & b), that the Board expel her from the schools of the District for the fall semester, 2004-05 school year, the spring semester, 2004-05 school year; however, that the expulsion order be suspended until June 15, 2005, and that she be permitted to return to a District school/program on a probationary status.

146897 - Carr Intermediate

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

130800 - Lathrop Intermediate

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

143650 - Lathrop Intermediate

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

200705 - Spurgeon Intermediate

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

117316 - Century High

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

137816 - Spurgeon Intermediate

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

199399 - Carr Intermediate

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

124844 - Santa Ana High
for violation of Sections (b and c), that the Board expel her from the schools of the District and that he may apply for readmission on or after June 15, 2005.

109195 - Mt. View High
for violation of Section (c), that the Board expel her from the schools of the District for the remainder of the fall semester 2004-05 school year, that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that she be permitted to return to a District school/program on a probationary status during that time period.

137033 - Carr Intermediate
for violation of Section (f), that the Board expel her from the schools of the District for the remainder of the fall semester 2004-05 school year, that the expulsion order be suspended for only the spring semester of the 2004-05 school year, and that she be permitted to return to a District school/program on a probationary status during that time period.

APPROVAL OF EXTENDED FIELD TRIP:

Santa Ana High School
French Club
France, Paris
March 25 - April 3, 2005 (Friday-Sunday)

APPROVAL OF CHANGE ORDER NO. 1 FOR SCIENCE LAB MODERNIZATIONS FOR THE QUALIFIED ZONE ACADEMY BOND (QZAB) ADVANCED SCIENCE ACADEMIES AT CENTURY, CHAVEZ, SADDLEBACK, AND SANTA ANA HIGH SCHOOLS AND HIGHER EDUCATION CENTERS AT VALLEY AND SADDLEBACK HIGH SCHOOLS IN THE AMOUNT OF \$307,999.32 FOR A REVISED TOTAL CONSTRUCTION COST OF \$4,197,999.32

Dr. Yamagata-Noji removed the item for clarification. She inquired about the percentage change to the original contract which to date is 7.92% and asked if change orders to the QZAB are by project. Mr. Sharp responded that this change order is specifically for all high school campuses. It includes all science labs and all Higher Education Centers. She asked about the requesting of change orders. He said that a list was provided in Week In Review and would include it with the item in the future. He said it was indicated whether it was the request by the DSA, fire department, school, architect, or contractors.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 5-0, to approve Change Order No. 1 for science lab modernizations for the Qualified Zone Academy Bond (QZAB) Advanced Science Academies at Century, Chavez, Saddleback, and Santa Ana High Schools and Higher Education Centers at Valley and Saddleback High Schools in the amount of \$307,999.32 for a revised total construction cost of \$4,197,999.32

RATIFICATION OF CONTRACT WITH ARTHUR J. GALLAGHER & CO., FOR OWNER CONTROLLED INSURANCE PROGRAM (OCIP) BROKER OR ADMINISTRATOR CONSULTANT SERVICES

Mr. Richardson stated that on the back up information it states that Gallagher would receive its usual and customary brokerage commission for services provided, then it referred to Exhibit A. The exhibit does not include that information as stated. Dr. Yamagata-Noji stated that on the original contract it indicated that they would receive a 2.5% commission. She inquired about the requirement for the District to have coverage for the construction program. Dr. Bennett stated that premiums were paid through OCIP, which continued until September 2004. New payments must now

be made through Gallagher as the process through ASCIP has ended. Dr. Bennett then reviewed the OCIP/ASCIP process:

- Request for Qualification (RFQ) was in January 23, 2001
- June 2001 two qualified candidates interviewed (Gallagher and Marsch)
- Board approved appointment Gallagher in August 2001, by a vote of 5-0
- Board approved Gallagher to purchase insurance by ASCIP on December 10, 2002
- The extent of the purchase was opened to determination/interpretation therefore, the contract was not implemented, however, payments were paid by OSCIP
- Those payments have come to an end and are now necessary to approve the contract with Gallagher to complete the process
- Reason it is a ratification, it goes back from October 2003 through October 2004

Dr. Yamagata-Noji stated that if the contract does not reference the 2.5% with ASCIP and if the agreement is no longer with ASCIP, there is no clarification.

Mr. Richardson stated that the attachment is not clear. He inquired about a reasonable length of time before a contract can be re-bid. Dr. Bennett responded 36 months or before if so designated by the parties entered into an agreement. Mr. Richardson stated that this would be a new contract for 36 months if approved. He said that he supports a motion to ratify the item with clarification on the commission percentage and in the intervening year that a competitive process take place without the Board of Education being involved in the interview process, as in the past.

Mr. Clough, Risk Management Director provided history and information regarding the OCIP. He said that OCIP is an insurance program that ASCIP put together. He said that OCIP and ASCIP (group of school districts) came together to obtain the best insurance for school programs for the most competitive prices. He said that at that time Mr. Matamoras represented Gallagher as a project manager.

Mr. Palacio provided additional information and clarification. He said that ASCIP would no longer provide coverage to the District and if the District does not move forward with OCIP, the District would not have coverage on the modernization and high school projects currently in motion. Mr. Clough stated that he looked into other insurance programs that might have saved the District costs, but Gallagher was very competitive and would be able to provide coverage immediately.

Dr. Mijares stated that ASCIP requested additional funds and it made no economic sense to the District. Therefore, Gallagher continues to service the District and they are requesting payment. Mr. Clough stated that if the District were to continue with ASCIP, the District would have to pay a much greater amount.

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to ratify the contract with Arthur J. Gallagher & Co., for Owner Controlled Insurance Program (OCIP) Broker or Administrator Consultant Services with a stipulation that a consulting renewing process occur within 12 months; and that interviewing excludes Board members.

APPROVAL OF AGREEMENT WITH TIMOTHY M. CARY & ASSOCIATES AS A DISTRICT LEGAL CONSULTANT FOR FISCAL YEAR 2004-05

Mrs. Avila removed this item to inform the Board that she would be casting a dissenting vote and would not support the renewal agreement. She said that he was hired to guide the Board in the implementation of Proposition 227, which resulted in negative Grand Jury findings.

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 4-1, Mrs. Avila dissenting to approve the agreement with Timothy M. Cary & Associates as a District Legal Consultant for fiscal year 2004-05.

APPROVAL OF REAPPLICATION OF CARL D. PERKINS VOCATIONAL AND TECHNICAL EDUCATION FUNDS

Mrs. Avila removed the item for discussion. She requested a copy of the agreement to review guidelines. Mr. Jack Oakes, Director of ROP, addressed general questions concerning the agreement and said that a renewal would once again come to the Board in the fall for the subsequent school year.

It was moved by Mrs. Avila, seconded by Mr. Richardson, and carried 5-0, to approve the reapplication of Carl D. Perkins Vocational and Technical Education Funds for the 2004-05 school year.

RATIFICATION OF SUBMISSION OF RENEWAL APPLICATION FOR STATE PRESCHOOL FUNDING FOR THE 2005-06 PROGRAM YEAR

Mrs. Avila removed the item to inform the Board that she does not believe that the school district should be involved in the State preschool program. We are a K-12 school district and believes that preschool should be provided by other groups in the community where they can provide the preschool in home type and friendly atmosphere rather than in a classroom. Also, the program utilizes school space, where it is needed for K-12 students.

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 4-1, Mrs. Avila dissenting, to ratify the submission of renewal application for State Preschool funding for the 2005-06 program year.

APPROVAL OF INTERNSHIP PROGRAM BETWEEN SANTA ANA UNIFIED SCHOOL DISTRICT AND CHAPMAN UNIVERSITY

Mrs. Avila removed the item for further clarification. Mr. Juan Lopez, Assistant Superintendent explained the process and stated that this was a standard agreement.

It was moved by Mrs. Avila, seconded by Mr. Palacio, and carried 5-0, to approve the internship program between Santa Ana Unified School District and Chapman University.

CERTIFICATION OF FINANCIAL STATUS - OCTOBER 31, 2004

Mr. Don Trigg, Associate Superintendent Business Services presented the first period interim report. Education Code Section 42130 requires district superintendents to prepare and submit two interim financial reports to their governing boards for approval. A certification by the governing board concerning the financial stability of the District is required to be submitted to the County Superintendent of Schools. Mr.

Trigg stated that the report will be presented and discussed utilizing the Multi-Year Projection (MYP) and selected information on California's population trends. He stated that the MYP covers the years 2004-05 through 2007-08. The assumptions used for this timeframe are our best estimates and are based on the most current data at this time. However, our assumptions will undoubtedly change as conditions and California's economy changes. He then reviewed the possible changes:

- There could be more State COLA
- The State could fund deficit reduction
- The State could fund equalization Aid
- Loss of Enrollment Could decrease or increase
- The Governor could fund the \$1.4 billion that is owed under Proposition 98
- There may be additional funding for schools when the governor presents his budget in January

Revenues

- The revenue limit is the school district's major source of income, and is comprised of the following elements: Enrollment, ADA factor, and any cost of living of adjustment (COLA)

California's Population Growth Slowing

- Between 1960 and 1970 the State's population increased 26.3%; from 1980 to 1990, 25.4%; and from 2000 to 2010, projected to increase 15.3%

Many Californian's are Leaving the State

- Between 1995 and 2000, about 500,000 relocated to other States including Nevada (94,000)

Almost half of the School Districts are facing enrollment losses

- 469 districts - about half the state are now losing enrollment

Mr. Trigg then reviewed information concerning K-12 demographics; California's economy, and key assumptions such as enrollment actual & projected; average daily attendance (ADA); Cost of Living Adjustment (COLA); and revenue. He then reviewed the following:

Key Assumptions - Enrollment Actual & Projected (from 2003-04)

- Revenue Limit ADA = 58,989
- Without Charter & County Schools = 57,846
- Revenue Limit COLA = 2.41%
- Deficited Base Revenue Limit = \$4,881.64 per ADA
- Enrollment = 61,641 (includes Charter Schools)
- Revenue Limit = \$291 million

General Fund Revenue Distribution

2004/05	Adopted Budget	First Interim	Difference
Revenue Limit	\$292,395,000	\$291,570,000	\$ (826,000)
Federal Revenue	\$53,416,000	\$70,878,000	\$17,462,00000
Other State Revenue	\$93,695,000	\$111,238,000	\$17,544,000
Other Local Revenue	\$4,432,000	\$4,820,000	\$388,000
Total	\$443,938,000	\$478,506,000	\$34,568,000

2004-05 Revenue Major Changes (Adopted vs. First Interim)

- Budgeting of Categorical Carryover Restricted Funds

Major Changes to Revenues

- 2005-06 loss of enrollment/ADA (approx. \$4.8 million) - students leaving area and anticipated ADA loss of approximately (961)
- 2006-07 anticipated ADA loss of (585)
- 2007-08 anticipated ADA loss of (585)

Expenditures - Key Assumptions

- Advance Staffing in 2004-05 for two new schools with planned opening in 2005-06
- Consumer Price Index (CPI) assumptions are unchanged from dual adopted budget
- Health Benefit rates remain unchanged from the dual adopted budget

General Fund Expenditure Distribution

<u>2004-05</u>	<u>Adopted Budget</u>	<u>1st Interim Report</u>	<u>Difference</u>
Certificated Salaries	\$213,448,000	\$220,121,000	\$6,673,000
Classified Salaries	\$60,663,000	\$65,230,000	\$4,567,000
Employee Benefits	\$80,574,000	\$86,926,000	\$6,352,000
Non-Salary Expenses	\$80,413,000	\$103,578,000	\$23,165,000
Total	\$435,098,000	\$475,855,000	\$40,757,000

Major Changes to Expenditures - 2004/05

- Salary and benefit adjustments (primarily for 77 new teachers)
- Funding for Worker's Compensation
- IT Implementation Projects
 - Business Information System
 - Student Information System
- Return of leased portables
- Vacancy savings credit
- Funding change for music teachers

Major Changes to Expenditures - 2005-06

- New School Openings (Seegerstrom High and Manuel Esqueda Elementary)
- Unspecified budget reduction of \$4 million
- Return of leased portables

Major Changes to Expenditures 2006-07

- New School Openings (Godinez High and Mountain View High)
- Unspecified budget reduction of \$4 million
- Return of leased portables

Major Changes to Expenditures 2007-08

- Return of leased portables

MYP - What do Projections Mean?

- Combined Restricted/Unrestricted

<u>Year</u>	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>
Revenues	\$482,254,000	\$484,017,000	\$495,131,000	\$505,457,000
Expenditures	\$482,941,000	\$473,212,000	\$504,666,000	\$519,699,000
Net Increase Decrease	(\$687,000)	\$10,805,000	(9,935,000)	(\$14,242,000)

Without Budget Reductions

Year	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>
Reserves for	\$10,079,000 (\$7,295,000)	\$10,855,000	\$13,118,000	
Economic Uncertainty Reserve	2.1%	2.3%	2.6%	(1.4%)

Mandated Reserve Level

- The State of California mandates that school districts the size of the SAUSD maintain a 2% minimum reserve for economic uncertainties.

With Budget Reductions

Year	<u>2004-05</u>	<u>2005-06</u>	<u>2006-07</u>	<u>2007-08</u>
Reserve Prior To Reduction	2.1%	2.3%	2.6%	(1.4%)
Budget Reduction Amount		\$4 million	\$4 million	
Reserve After Budget Reduction	2.1%	3.1 %	5%	2.4%

Mr. Trigg stated that the SAUSD must develop a comprehensive plan to increase revenues and decrease expenditures in the future. He said that the next steps would be to increase revenue.

Explore ADA Enhancing Programs

- Review school traditional calendars to see if changing school attendance dates would increase student school attendance and therefore, ADA
- Analyze whether new educational programs in the future such as an International Baccalaureate program or a Districtwide Primary Academy/Two Year Kindergarten would keep, or attract, students not presently attending SAUSD schools

Legislative Platform

- The Superintendent and Cabinet utilizing Strategic Educational Services and the Declining Enrollment Coalition from School Services of California, will lobby:
- The Governor fully funding Proposition 98
- The Legislature on fully funding the Class Size Reduction Program

ADA Decline Impact Example:

<u>Income Loss</u>	<u>Less Corresponding Teachers</u>
*120 student decline at \$4,500 each - yields marginal revenue loss teacher)	*120 students requires four teachers at 30:1
	*Four teachers times cost per "new" teacher yields savings of \$199,108 (\$49,777 ea.
*Lost Revenue: \$540,000	*Miscellaneous Savings (\$400/ADA) \$48,000
Total proportional savings:	\$247,108

Less corresponding teachers leaves \$292,892 deficit. In this example, minus 11 teachers would be needed to cover the decline.

Next Steps - Reduce

- Convene the Budget Reallocation Committee in January 2005
 - Identify and recommend potential cuts to Superintendent
 - Superintendent will then present his recommendations to the Board of Education

Mr. Trigg stated that the District must reduce expenditures in future years in order to have a balanced budget that meets the State's budget standards and criteria and still meet the needs of the students.

Mr. Richardson stressed that the District Administration make a concerted effort to get the community and parents involved in the attendance factor as suggested by Mr. Trigg in the presentation.

Mr. Palacio asked that the District educate the negotiation teams concerning the budget cuts.

Dr. Yamagata-Noji asked that the District Administration communicate with parents, teachers, PTA, and staff.

The Board thanked Mr. Trigg for a comprehensive and well-delivered presentation.

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 5-0 to certify that the District can meet its financial obligations through the remainder of the this fiscal year and the subsequent two fiscal years.

ADOPTION OF RESOLUTION NO. 04/05-2592 - STATEMENT OF ASSURANCE FOR PUPIL TEXTBOOK AND INSTRUCTIONAL MATERIALS PURSUANT TO EDUCATION CODE 60119 AND 60422(B)

Mr. Trigg stated that Education Code Section 60119 and 60422(b) requires the governing board of any local agency receiving instructional material funds to make a determination by resolution as to whether each pupil has, or will have prior to the close of the fiscal year; sufficient textbooks or instructional materials in each subject consistent with curriculum frameworks by the State Board.

Mr. Palacio inquired about the inequity of textbooks listed on Attachment A. Dr. Bratcher described line items and stated that numbers on the attachment were received from school principals.

Mr. Tinajero stated that part of the problem may be the check in/out system utilized at some school sites. He suggested that SAUSD look into a process where check in/out is provided by library.

Mr. Trigg stated that the Williams Settlement Case would cover the cost of most textbooks. The exact amount of money to be received by the settlement is yet to be determined.

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 5-0, to adopt Resolution No. 04/05-2592 - Statement of Assurance for Pupil Textbook and Instructional Materials for 2004/05 pursuant to Education Code 60119 and 60433(b).

A resolution is attached to the Minutes of this meeting.

ADOPTION OF RESOLUTION NO. 04/05-2593 - AUTHORIZING AND DEDICATION OF TWO EASEMENTS TO SOUTHERN CALIFORNIA EDISON (SCE) IN CONNECTION WITH GODINEZ FUNDAMENTAL HIGH SCHOOL SITE

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 4-0, Mr. Palacio not present, to adopt Resolution no. 04/05-2593 - authorizing the dedication of two easements to Southern California Edison (SCE) in connection with the Godinez Fundamental High School site.

A resolution is attached to the Minutes of this meeting.

CALL FOR A PUBLIC HEARING FOR PROPOSAL OF ORANGE COUNTY EDUCATIONAL ARTS ACADEMY (OCEAA)

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 4-0, Mr. Palacio not present, to approve the call for a public hearing and to review the proposal of Orange County Educational Arts Academy Charter School of Santa Ana.

APPROVAL OF ADJUSTED BOUNDARIES FOR SADDLEBACK, SANTA ANA, AND VALLEY HIGH SCHOOLS AND ESTABLISH SEGERSTROM HIGH SCHOOL AS A LIMITED NEIGHBORHOOD BOUNDARY SCHOOL WITH LIMITED OPEN ENROLLMENT AND DESIGNATE AS A FUNDAMENTAL HIGH SCHOOL

Dr. Bratcher, Assistant Superintendent for Secondary Education Services, reviewed information concerning Segerstrom High School's opening; district map; Option A - Neighborhood School; Option B - Open enrollment; Option C - Limited Neighborhood Boundary/Limited Open Enrollment; Segerstrom High's curricular focus; and deciding factors. Board discussion ensued.

Dr. Bratcher then provided information on Segerstrom High School's location at Alton and Raitt Streets and MacArthur and Raitt Streets and schools that may feed into Segerstrom High. The anticipated capacity of Segerstrom is 2,500 students. He then stated the following:

- 2005-06 9th and 10th grades (600 & 500 respectively)
- 2006-07 9th, 10th, and 11th grades (600, 600, & 500 respectively)
- 2007-08 9th through 12th grades (600, 600, 600, & 500 respectively)

Option A - Neighborhood School

- Godinez, Saddleback, Santa Ana, and Valley High Schools are located in the same section of the school District.
- Boundaries would have to extend north and east to accomplish full enrollment of the school
- Would necessitate realignment of all high schools in the District
- Would cause disruption of programs at all schools
- Would have to adjust 9th and 10th grade enrollments at all high schools

Option B - Open Enrollment

- Would necessitate a school lottery for all students who wish to be considered for enrollment
- Families living in immediate proximity of school might not be able to attend the school (random probability)

- Would increase traffic congestion with Greenville, Thorpe, and McFadden in the immediate vicinity of the school
- Would lack neighborhood and/or community support

Option C - Limited Neighborhood Boundary/Limited Open Enrollment

- Students living within the proposed limited boundaries for Segerstrom H.S. would have first priority for enrollment
- Establishment of a limited neighborhood school would allow for equitable access and lead to community support
- Open enrollment process would fill the remaining slots (approx. 50 %.) Would necessitate a school lottery for all students who wish to be considered for enrollment. The 50% would not meet the demand of the number of fundamental students currently in 8th grade
- Santa Ana H.S. will restrict intra-district transfers to alleviate their overcrowding
- Boundary adjustments for Saddleback, Santa Ana, and Valley High Schools would be minimal
- Segerstrom High's effect on programs at other schools would be minimized
- Impact on traffic flow around Greenville, McFadden, Thorpe, and Segerstrom Schools would be reduced

Five Foundational Points for Fundamental Schools:

1. Alternative School of Choice
 - Schoolwide accountability plan for attendance
 - Clearly stated expectations of students, parents, and staff through signed agreements
2. Rigorous Curriculum and Instruction
 - Emphasis on reading, language arts, mathematics, and science in all content areas
 - Teachers utilize instructional strategies that give all students the tools to succeed
3. Commitment of Citizenship
 - Awareness of civic responsibility
 - strong emphasis on citizenship and schoolwide discipline
4. Strong Student Responsibility
 - Students develop an awareness that education is not only a right, but a privilege and a privilege that must be earned
5. Parent and Student Accountability
 - Students, parents, and staff participate in decision making
 - Teachers communicate with parents regarding students' progress in student achievement

Deciding Factors:

- Distinguishing characteristics for fundamental education is signed agreement among students, parents, and staff
- Signed agreement is the glue that holds the stakeholders accountable to the fundamental focus
- Contributes to the overall culture of the school
- Basic premise: in the Santa Ana Unified School District, fundamental education can only exist with signed agreements from all stakeholders

Mr. Tinajero asked if Segerstrom High was designated a fundamental school would students currently attending fundamental schools have priority enrollment. Dr. Bratcher stated that, that was the case in the past. Currently there are three intermediate schools with 400 eighth graders in each one. The normal projection of students requesting to enroll in fundamental schools is normally around the attendance area and that might create a problem. Dr. Bratcher stated that the Geographical Information System (GIS) showed that many students live in the Saddleback and projected Segerstrom boundaries.

Mr. Palacio inquired about legalities of enrollment. He then asked how the SAUSD would comply with parents who refuse to send their child to a low performing high school and one that does not fall into a fundamental high school boundary.

Dr. Bennett read a legal opinion from the Orange County's Legal Counsel regarding open enrollment by lottery. Dr. Bennett stated that one concern expressed by parents in Santa Ana was that their children should have first access before opening up enrollment outside of Santa Ana. The legal opinion states that the SAUSD may open enrollment to Santa Ana students first, then to the outside neighboring cities.

Dr. Bennett stated that if the Board chooses open enrollment, it would reduce the number of students at Santa Ana High School who currently has 4,200 students. If it becomes a fundamental, it will not reduce students at the overcrowded high schools.

Mr. Palacio suggested that we begin the fundamental process at Segerstrom High to include three grades vs. two grades to help relieve overcrowding and meet the parents' school of choice request. He then mentioned that perhaps increasing the number of student enrollment at Segerstrom High School.

Dr. Bratcher then reviewed boundaries, which included Segerstrom High School and reviewed the possibility of decreasing enrollment at the other high schools. Mr. Tinajero stated that he likes the idea of broadening the boundary north to help alleviate Santa Ana High's enrollment. Mr. Tinajero stated that the District may need to visit intra-district transfers.

Mrs. Avila inquired about Juniors and Seniors and if they would be moved. Dr. Bratcher stated that this would affect ninth grade students only. He said that there are issues with athletics and changing from school to school as well.

Mr. Richardson stated that we must be considerate of the 4,200 hundred students and 39 portables currently in place Santa Ana High School. He said that we must be realistic about the number of students beginning the new school. He reminded the community that there would be another high school opening the subsequent year. Board discussion ensued concerning boundaries. Board members voiced concerns about walking distances for students.

Mr. Palacio requested the number of students in each boundary utilizing the GIS.

Mr. Richardson stated that with the number of portables at all high schools we must avoid placing portables at the new high schools.

Dr. Yamagata-Noji asked that Dr. Bratcher communicate grandfathering rights to the community and parents.

Mr. Tinajero asked if the reason for going to the neighborhood format was due to the Environment Impact Report (EIR). Dr. Bratcher responded that, partially yes, because if it were open enrollment there would be 100 percent enrollment.

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 4-0, Mr. Palacio abstaining, to approve the adjusted boundaries for Saddleback, Santa Ana, and Valley high schools and establish Segerstrom High School as a limited neighborhood boundary school with a limited open enrollment and designate it as a fundamental high school.

APPROVAL OF SUBMISSION OF COMPREHENSIVE SCHOOL REFORM GRANTS FOR THE 2004-05, 2005-06, AND 2006-07 SCHOOL YEARS FOR ADAMS, DIAMOND, MARTIN, AND WALKER ELEMENTARY SCHOOLS AND SADDLEBACK HIGH SCHOOL

AND

APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN UCLA SCHOOL MANAGEMENT PROGRAM AND SANTA ANA UNIFIED SCHOOL DISTRICT FOR ADAMS, DIAMOND, MARTIN, AND WALKER ELEMENTARY SCHOOLS AND SADDLEBACK HIGH SCHOOL FOR COMPREHENSIVE REFORM PROVIDER SERVICES

AND

APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN INSTITUTE AT INDIAN HILL AND SANTA ANA UNIFIED SCHOOL DISTRICT FOR ADAMS, DIAMOND, MARTIN, WALKER AND SADDLEBACK SCHOOLS FOR COMPREHENSIVE SCHOOL REFORM EXTERNAL EVALUATION

Dr. Stainer addressed general questions by the Board concerning training.

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve items 7.0, 8.0, and 9.0. Approval of submission of the Comprehensive School Reform Grants for the 2004-05, 2005-06, and 2006-07 school years for Adams, Diamond, Martin, and Walker Elementary Schools and Saddleback high schools; Approval of the Memorandum of Understanding (MOU) between UCLA School Management Program and the Santa Ana Unified School District for Adams, Diamond, Martin, and Walker Elementary Schools and Saddleback High School Comprehensive School Reform provider services; and Approval of the Memorandum of Understanding (MOU) between Institute at Indian Hill, and Santa Ana Unified School District for Adams, Diamond, Martin, and Walker Elementary Schools and Saddleback High Schools for Comprehensive School Reform External Evaluation.

APPROVAL OF CONSULTANT SERVICES WITH STATE-APPROVED SUPPLEMENTAL EDUCATIONAL SERVICE PROVIDERS FOR SANTA ANA UNIFIED SCHOOL DISTRICT FOR THE 2004-05 SCHOOL YEAR

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve the consultant agreements between the Santa Ana Unified School District and the State approved supplemental educational service providers for the 2004-05 school year.

BOARD POLICY (BP), ADMINISTRATIVE REGULATION (AR), AND EXHIBITS 5116.1 - INTRADISTRICT OPEN ENROLLMENT (REVISED: FOR FIRST READING)

Presented for first reading; no action required.

BOARD POLICY (BP) AND ADMINISTRATIVE REGULATION (AR) 5116.2 - STUDENT SELECTION BY LOTTERY (NEW: FOR FIRST READING)

Presented for first reading; no action required.

APPROVAL OF SUBMISSION OF LET'S JUST PLAY - NICKELODEON PUBLIC AFFAIRS OFFICE GRANT

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to approve the submission of Let's Just Play - Nickelodeon Public Affairs Office Grant.

APPROVAL OF NEW JOB DESCRIPTION: CHARTER SCHOOLS' FINANCIAL COORDINATOR

This item was removed for additional information on the item and will be returned to the following Board meeting.

APPROVAL OF CANCELLATION OF REGULAR MEETING OF BOARD OF EDUCATION SCHEDULED FOR DECEMBER 28, 2004

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0, to approve the cancellation of the regular meeting of the Board of Education scheduled for December 28, 2004.

APPROVAL OF PERSONNEL ACTION

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve the Personnel Calendar.

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

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

John Palacio:

- Wished the Santa Ana community, parents, children, and staff a safe and prosperous Holiday season.
- Thanked Foods 4 Thought staff who cooked approximately 500 turkeys during the Thanksgiving holiday for the Casa Garcia restaurant who hosts a dinner event for the less fortunate.

Mr. Tinajero:

- Echoed Mr. Palacio.
- Continue moving in the same direction for a prosperous 2005.
- Thank you to all staff with all changes that have occurred.
- Thanked the people of Santa Ana for voting for him to continue working on their behalf for the next four year.

Mr. Richardson:

- Wished everyone a Merry Christmas and a Happy New Years.

- Thanked everyone for working together during the challenging year and 2005 will be a much better year.

Mrs. Avila:

- Wished everyone a Merry Christmas and a Happy New Year.
- Enjoy your family during the holidays and God Bless you.

Dr. Yamagata-Noji:

- Reminded everyone of the CENA, Annual Christmas dinner for the less fortunate, on December 24th. New books were purchased and the District is expecting toys for the children to be distributed that day. Thanked everyone for their labor of love. Serving begins at 9:00 a.m. Still accepting monetary donations.
- Congratulated re-elected colleagues on the Board.
- Wished everyone a wonderful Christmas and New Year. She said that staff, students, and parents are very much appreciated.
- Announced that on December 21, 2004, there will be a Closed Special Board meeting.

REPORT OF ACTION TAKEN IN CLOSED SESSION

By a vote of 5-0, the Board took action to approve payment to the Law Offices of Kamoroff & Associates, Client Trust Account, for costs incurred related to a student as named in closed session.

By a vote of 5-0, the Board took action to ratify the individual service agreements with nonpublic school for the 2004-05 school year between Santa Ana Unified School District and the Therapeutic Education Center for four students as named in closed session.

By a vote of 5-0, the Board took action to ratify payment to a parent for costs incurred related to the transportation of a student as named in closed session for the 2004-05 school year.

By a vote of 5-0, the Board took action to approve the master contracts with nonpublic agencies for the 2004-05 school year between Santa Ana Unified School District, Educational Based Services, Inc., and Cumberland Therapy Services.

By a vote of 5-0, the Board took action to ratify an individual service agreement a nonpublic agency for the 2004-05 school year between SAUSD and Sky Pediatrics for a student as named in closed session.

By a vote of 5-0, the Board took action to deny the formal claim for damages filed on behalf of a former employee and inform her attorney of the statutory provisions for filing a lawsuit.

By a vote of 5-0, the Board took action to approve the settlement agreement concerning an employee as named in closed session, effective December 17, 2004.

By a vote of 5-0, the Board took action in Closed Session to approve the appointment of Carmen Lara to the position of Manager of Benefits.

By a vote of 5-0, the Board took action in Closed Session to approve Ignacio Muniz to the position of Assistant Principal at Sierra Intermediate School.

By a vote of 5-0, the Board took action in Closed Session to approve Katrina Callaway to the position of Coordinator of Student Activities at Saddleback High School.

By a vote of 5-0, the Board took action in Closed Session to approve the position of Judith Frey to the position of Principal at Mitchell Child Development Center.

By a vote of 5-0, the Board took action in Closed Session to approve the position of Mark Bello to the position of Assistant Principal at Wilson Elementary School.

By a vote of 5-0, the Board took action in Closed Session to approve the appointment of David Casper to the position of Coordinator of Student Activities at Segerstrom High School.

By a vote of 5-0, the Board took action in Closed Session to approve the appointment of Marie McDonald-Turley to the position of Assistant Principal at Santa Ana High School.

ADJOURNMENT

There being no further business to come before the Board, the Regular meeting was adjourned at 11:45 p.m.

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, January 11, 2005, at 6:00 p.m.

ATTEST:

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