

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

**MINUTES**

**REGULAR MEETING  
SANTA ANA BOARD OF EDUCATION  
DECEMBER 8, 2009**

**CALL TO ORDER**

The meeting was called to order at 4:55 p.m. by Mr. Hernández. Other members in attendance were Mr. Richardson, Dr. Yamagata-Noji, Mr. Palacio, and Mr. Reyna. Mr. Reyna left the meeting due to a personal emergency at 9:10 p.m.

Cabinet members present were Ms. Russo, Dr. Olsky, Mr. Lopez, Mr. Mendez, Mr. Ayala, Ms. Lohnes, and Mr. Dixon.

**PUBLIC PRESENTATIONS**

Board President Hernández asked those wishing to address the Board in matters pertaining to Closed Session to step to the podium.

There were no speakers to address the Board regarding Closed Session items.

**RECESS TO CLOSED SESSION**

The Regular meeting was immediately recessed to Closed Session to consider student discipline issues, negotiations, and personnel matters.

**RECONVENE OPEN MEETING**

The Regular meeting reconvened at 6:40 p.m.

**PLEDGE OF ALLEGIANCE**

The meeting was opened with the Pledge of Allegiance led by Jazmin Bautista, from Valley High School.

**ANNUAL ORGANIZATIONAL MEETING**

Ms. Russo then opened the annual organizational meeting and declared that nominations were in order for the office of President.

President

Mr. Hernández entered the nomination of Dr. Yamagata-Noji for President. Mr. Palacio seconded the nomination. Upon call for the question, 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 Dr. Yamagata-Noji. Mr. Palacio seconded the nomination and the motion passed by a vote of 5-0.

Clerk

Mr. Reyna nominated Mr. Palacio for the office of Clerk; hearing no second, the vote died.

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

County Committee on School District Organization

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0, to appoint Mr. Reyna to serve as District Representative for nominating members to the County Committee on School District Organization.

Establishment of Regular Meeting Dates, Time, and Location

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to retain the present schedule for regular Board meetings. Closed Session begins at 4:30 p.m.; meetings will take place on the second and fourth Tuesdays of the month, 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.

Board Meeting Dates for 2010:

January 12	March 9	May 11	July 27	October 12	December 14
January 26	March 23	May 25	August 24	October 26	
February 9	April 13	June 8	September 14	November 9	
February 23	April 27	June 22	September 28	November 23	

**RECESS TO A RECEPTION FOR NEW BOARD MEMBERS**

At 6:50 p.m., the Regular Meeting was recessed to a reception in honor of the Board Members and their changing of positions. The Santa Ana Educators' Association, California School Employees Association, and the Santa Ana School Administrators Association hosted the reception.

**REGULAR MEETING RECONVENED**

Superintendent Russo thanked the Santa Ana Educator's Association (SAEA), Classified School Employees Association (CSEA), and Santa Ana School Administrator's Association (SASAA) for their support of the reception.

The Regular Meeting was reconvened at 7:10 p.m.

**SUPERINTENDENT'S COMMENTS**

Superintendent Russo congratulated Board members in their new roles and paid tribute for a job well done to those changing roles.

Ms. Russo introduced Valley High School Chamber Singers, accompanist Carolyn Van Velzer, and Director Karen Bluel. Ms. Bluel introduced students who performed Christmas carols during the meet and greet reception for Board members earlier and one final selection for the Board and community. The song is called "Why We Sing" by Greg Gilpin. While listening to the performance, an accompanying PowerPoint slideshow was provided with some moving perspectives from students.

The Superintendent introduced Segerstrom High School's Associated Student Body president Kristine Tran and ASB Vice President Anum Ahmed, who provided an updates on activities at Segerstrom High School for the current year. A PowerPoint presentation was shown during the update.

At 7:00 p.m. this evening, the recently formed Saddleback High School NJROTC Color Guard will present the colors for the national anthem during the Anaheim Ducks Game at the Honda Center. The Ducks play the Dallas Stars and students from Saddleback High, as well as McFadden Intermediate, and Willard Intermediate will be enjoying the game live in support of the new partnership with the Samueli Foundation focusing on health and fitness.

Six SAUSD schools were named 2009, Honor Roll honorees from the California Business for Education Excellence Foundation and Just for the Kids-California. The schools include Heninger, Madison, Muir Fundamental, Thorpe Fundamental, and Santiago elementary schools and Segerstrom High.

Ms. Russo announced Santa Ana Unified School District finalists for the California League of High Schools, Region 11 Educator of the Year Award. Finalists include Megan Blash, social science teacher at Godinez Fundamental High School; Andy Tang, math teacher at Santa Ana High School; and Laurie Dugan, math teacher from Segerstrom High School. Teachers are being honored at the California League of High Schools awards ceremony taking place at the Long Beach Yacht Club. The Region 11 Educator of the Year winner, who will compete in the State-level competition, will be announced at the event.

Ms. Doreen Lohnes, Assistant Superintendent of Support Services, and Ms. Gayle McLean, RN, MSN, provided an update on the school district's H1N1 flu clinics planned for all SAUSD students. During the update, District nurses were recognized by the Board of Education for going over and above the call of duty. For a list of clinics, please call (714) 433-3427.

The Superintendent asked all in attendance to draw their attention to featured student artwork displayed in the Boardroom from Franklin Elementary and Godinez Fundamental High Schools.

Ms. Russo announced the annual CENA (Caring Educators Nourishing All) is on Christmas Eve, December 24, at Valley High School. This provides a holiday treat for families. Festivities include a warm meal, as well as a toy and book for children. Individuals wishing to lend support by volunteering or making a tax-deductible donation, please contact Eileen Maddox at (714) 558-5523.

Ms. Russo reminded the community that Winter Break begins on Monday, December 21 for students and educators. She wished all a safe, restful time off.

Ms. Russo and Trustees took a moment to bid a fond farewell to Mr. Ron Murrey, outgoing Associate Superintendent, Business Services, who has been with the school district since March of 2008. In his nearly two-year stint, Mr. Murrey has taken the reigns and guided the school district through some of the most fiscally challenging times in the history of our school district. Tonight represents his last Board meeting and I wanted to wish him well as he embarks upon his retirement. Board members paid tribute to Mr. Murrey for a job well done.

## **RECOGNITION**

### **CLASSIFIED EMPLOYEE OF THE MONTH - JANUARY 2010 - JUAN C. DELGADO**

Mr. Art Jimenez, Director of Classified Personnel, called Franklin Elementary Principal Rita Pereira, to recognize the Classified Employee for the Month January 2010. Ms. Pereira asked Mr. Juan Delgado to join her at the podium. Mr. Delgado is Franklin Elementary's Plant Custodian. She said that the school is very clean because of his quick attention to all maintenance matters. He is a hard worker who goes above and beyond the call of duty.

Teachers count on him when classroom electronics are not working properly such as Elmo's, computers, LCD projectors, etc., as he is technologically savvy.

On behalf of the District and the Board, Juan was presented a plaque engraved with his name and month for which he was honored and a gift certificate for dinner.

#### **PUBLIC PRESENTATIONS**

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

#### **PUBLIC HEARING**

##### **Charter Renewal Petition for Orange County High School of the Arts**

Dr. Yamagata-Noji declared the meeting open to conduct a Public Hearing to receive comments regarding the Charter Renewal Petition for Orange County High School of the Arts (OCHSA). She asked if there were any individuals wishing to speak.

Dr. Ralph Opacic presented a PowerPoint presentation detailing the many aspects of the school as well as awards and honors the school has achieved. He stated that OCHSA provides a creative, challenging and nurturing environment that offers bright and talented students preparation for higher education and a profession in the arts. The charter school currently serves more than 1,380 students in grades 7-12 from 92 cities throughout Southern California. Dr. Opacic introduced Sue Vaughn, Principal at OCHSA.

Mr. Murrey stated that a five-year renewal of the charter would be presented to the Board for action within 90 days. In addition, within that 90-day period staff would be communicating to the Board of its status.

There being no additional individuals wishing to comment on the Charter School Renewal Petition; the hearing was declared closed.

#### **CHANGE IN AGENDA ORDER**

Alex Padilla, Puente Counselor of Valley High School with student's Jazmin Bautista and Guadalupe Gomez, spoke about Puente Program and State funding. They shared the favorable experience while in the program.

Dr. Yamagata-Noji asked for a future Puente presentation.

Denise Byrd, SAUSD teacher, spoke about the Education Code regarding the 39-month employee absence.

#### **PRESENTATIONS**

##### **Review of Annual Audit Report for Fiscal year 2008-09**

Mr. Murrey, Associate Superintendent Business Services introduced Mr. Cook with Vavrinek, Trine, Day & Co., LLP. Mr. Cook conducted the District's annual audit for fiscal years 2007-08 and 2008-09, in accordance with auditing standards accepted in the U.S. and contained in Government Audit Standards. In their opinion, financial statements were granted an above *present fairly* opinion in all material respects. Following review, there were no significant deficiencies noted and no material weaknesses or findings in those materials. He then reviewed the minor findings that included notifications from Human Resources to Instructional Technology to make changes on Oracle when an employee is terminated or has changed positions. The another finding asks to

establish a policy and procedure to monitor hours worked and salary charged against an approved extra duty assignment to ensure the amounts do not exceed the approved limitations. He stated that these are not financial issues to date.

### **Budget Update**

Mr. Murrey, Associate Superintendent, Business Services, presented a budget update. He stated that at the end of this presentation the first interim report would be considered.

Mr. Murrey stated that California's budget will face a 2-year budget deficit of \$12.4-\$14.4 billion and that Mac Taylor, Legislative Analyst, reported in November, that a \$20.7 billion State budget deficit would occur over the next 18 months. The Governor's proposal should be released in late December or early January. He then highlighted Board's achievements and priorities for the 2009-10 school year and that Board priorities are considered when determining the budget. He reminded the Board that 90% of the budget is employee compensation.

Mr. Murrey reviewed the 2009-10 First Interim Financial Report that included changes to the budget as well as budget reductions. He said that the biggest assumption is that the recommended budget reductions would be authorized as part of the Board's adoption of the First Interim report. He stated that reductions do not include what might happen in January as stated by the legislative analyst's office.

Mr. Murrey stated that the district must make reductions in the amount of \$31 million going into the 2010-11 school year, a requirement to balance the budget. He said that the district have shifted funds to next year and continue to look at ongoing reductions and we are still are \$2.7 million short.

He stated, as directed by the Board to look again in all departments staff were able to capture \$800,000 in maintenance and operations and in deferred maintenance sweep another \$300,000. He said that the State has increased money for special education in the amount of \$1.6 million that will be budgeted this year to pay for staffs that were being paid from the general fund. Therefore, unidentified budget reductions needed as of December 8 are none.

Mr. Murrey stated that in looking at the first interim budget, the SAUSD current year's ending revenue is estimated at 5.1% (\$24.4 million) in unrestricted reserves. Projected for next year is 4.4% (\$20.8 million) and dropping to 3.0% (\$13.7 million) for the 2011-12 school year. Mr. Murrey stated that SAUSD recommends a qualified budget approval. It means that the District must report it may not meet the financial obligations through the remainder of the fiscal year and for the two subsequent fiscal years, without additional cuts.

Mr. Kelvin Tsunozumi, Executive Director, Business Services, detailed the budget and all its changes and adjustments. The Board adopted a budget on June 30 and the State did not adopt their budget until July after the Board adopted its budget; therefore, many things have happened in between the two adoptions. It was noted that the State adopted five budgets in 15 months. It has been difficult to make the many adjustments due to the uncertainty of the State budget. Mr. Tsunozumi discussed issues related to QAIDA (fix-it bill), COLA, Federal and State programs, carryovers, key changes and assumptions, class size reduction program, post employment health and welfare, furlough days, substitute cost preferential treatment, budget cuts totaling \$184.1 million from 2004-2012, revenues, expenditures in unrestricted and restricted funds, average daily attendance, Stimulus funds, Teachers on Special Assignments, benefits, books and supplies and operating expenditures, etc.

Mr. Tsunozumi and Mr. Murrey addressed questions from Trustees on the various issues. Mr. Tsunozumi stated that the Governor will unveil his preliminary State budget for the 2010-11 fiscal year in January and experts predict the governor will propose significant cuts in public education.

**RECESS**

At 9:05 p.m., the Board President called for a brief recess.

REGULAR MEETING RECONVENED

The meeting reconvened at 9:13 p.m.

**CHANGE IN AGENDA ORDER**

**ACTION ITEM 3.0**

**CERTIFICATION OF FIRST INTERIM FINANCIAL STATUS (QUALIFIED) - OCTOBER 31, 2009**

The District's first period interim report as of October 31, 2009, satisfies the financial reporting requirement of Education Code Section 42131. The report shows that given the magnitude of the recent State Budget reductions that the District may not be financially sound through June 30, 2012 and therefore a qualified certification will be submitted.

It was moved by Mr. Richardson, seconded by Mr. Hernández, and carried 4-0, to certify the District financial status as "qualified." A qualified status means that the District may not be able to meet its financial obligations through the remainder of the fiscal year and for the subsequent two fiscal years.

**APPROVAL OF MINUTES**

It was moved by Mr. Richardson, seconded by Mr. Hernández, and carried 4-0, to approve the Minutes of the Special Board Meeting of November 23, 2009 and Regular Board Meeting of November 24, 2009.

**1.0 APPROVAL OF CONSENT CALENDAR**

The following item was removed from the Consent Calendar for discussion and separate action: Approval of Expulsion of Students for Violation of California Education Code 48900, 48900.2, 48900.3, 48900.4, 48900.7, and/or 48915(c) According to Board Policy 5144.1.

It was moved by Mr. Richardson, seconded by Mr. Hernández, and carried 4-0, to approve the remainder of the Consent Calendar as follows:

- 1.1 Approval of extended field trips in accordance with Board Policy (BP) 6153 - School-Sponsored Trips and Administrative Regulation (AR) 6153.1 - Extended School-Sponsored Trips.
- 1.2 Ratification of Cooperative Agreement with The Regents of the University of California, Puente Project for the 2009-10 school year.
- 1.3 Approval of master contracts and/or individual service agreements with nonpublic schools and agencies for students with disabilities for 2009-10 school year.

- 1.4 Approval of recommendations by the Administrative hearing panels to expel students for the recommenced terms including the remediation conditions.  
This item was removed from the Consent Calendar for discussion and separate action.
- 1.5 Approval of purchase order summary of orders \$25,000 and over for the period of November 11, 2009, through November 24, 2009.
- 1.6 Ratification of expenditure summary and warrant listings of check for the period of November 21, 2009, through December 4, 2009.
- 1.7 Approval of disposal of obsolete unrepairable computer equipment, miscellaneous furniture, equipment, or textbooks.
- 1.8 Approve listing of agreements/contracts between the Santa Ana Unified School District and various consultants submitted for the period of November 11 through November 24, 2009.
- 1.9 Food Services Statement of Operations and Balance Sheet - July 1, 2008 through June 30, 2009.
- 1.10 Authorization to declare Harris Education Inc. as sole source provider for maintenance on SchoolMax Student Information System.

**ITEMS REMOVED FROM CONSENT CALENDAR FOR DISCUSSION AND SEPARATE ACTION:**

- 1.1 APPROVAL OF EXPULSION OF STUDENTS FOR VIOLATION OF CALIFORNIA EDUCATION CODE 48900, 48900.2, 48900.3, 48900.4, 48900.7, AND/OR 48915(C) ACCORDING TO BOARD POLICY 5144.1

Staff removed this item from the Consent calendar to make a change in the recommendation for student #304391 to option 2.

It was moved by Mr. Hernández, seconded by Dr. Yamagata-Noji, and carried 4-0, to approve the revision to student #304391 recommendations by the administrative hearing panels for recommended terms including remediation conditions are as identified:

367492 - McFadden  
171306 - Saddleback  
304391 - Spurgeon

**REGULAR AGENDA - ACTION ITEMS**

- 2.0 **ACCEPTANCE OF GIFTS IN ACCORDANCE WITH BOARD POLICY (BP) 3290 - GIFTS, GRANTS, AND BEQUESTS**

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 4-0, to accept gifts in accordance with Board Policy 3290 - Gifts, Grants, and Bequests. Attached is a list of gifts.

**3.0 CERTIFICATION OF FIRST INTERIM FINANCIAL STATUS "QUALIFIED" - OCTOBER 31, 2009**

This agenda item was presented previously in the meeting.

**4.0 AUTHORIZATION OF RENEWAL OF COMPETITIVELY BID CONTRACTS FOR 2009-10 FISCAL YEAR**

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

**5.0 ADOPTION OF RESOLUTION NO. 09/10-2819 - AUTHORIZING ISSUANCE OF 2009-10 TAX AND REVENUE ANTICIPATION NOTES FOR DISTRICT AND REQUESTING BOARD OF SUPERVISORS OF COUNTY OF ORANGE TO PROVIDE FOR ISSUANCE AND SALE OF NOTES**

Due to the financial crisis, the State has deferred approximately \$8.6 billion of apportionment payments to school districts from fiscal year 2009-10 into 2010-11. The District estimates that approximately \$43 million of its fiscal year 2009-10 State apportionment payments will be deferred to fiscal year 2010-11. As a result, the District anticipates that it will incur cash flow shortages in the General Fund late in fiscal year 2009-10. This agenda item requests the County of Orange to issue TRANS in an amount not to exceed \$50 million. The amount must be paid back within 18 months.

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, to adopt Resolution 09/10-2819 - authorizing issuance of 2009-10 tax and revenue anticipation notes for District and requesting Board of Supervisors of County of Orange to provide for Issuance and sale of notes.

**6.0 ADOPTION OF RESOLUTION NO. 09/10-2817 - FINDINGS OF 2008-09 DEVELOPER FEE REPORT**

The reportable fees received, expended, or to be expended are in connection with school facilities and are to accommodate additional students with new development if funded or partially funded.

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, to adopt Resolution No. 09/10-2817, authorizing the annual developer fee report pursuant to Government Code Section 66001 and 66006.

**7.0 AUTHORIZATION TO OBTAIN BIDS FOR SANTA ANA HIGH SCHOOL MODERNIZATION PROJECT**

Mr. Dixon provided a brief PowerPoint presentation. In preparation for construction to begin in April 2010, the District must request bids for the project. The bidding process is required to award contracts. He identified the various buildings affected and temporary housing within the school grounds. He reviewed the Emergency Repair Projects and Modernization Project Schedule in detail. The timeline is as follows:

- Phase I December 2009-June 2011
- Phase II June 2011 - December 2011
- Phase III June 2011 - September 2011
- Phase IV December 2011 - August 2012

Trustees made several requests and Mr. Dixon clarified the plan and addressed concerns regarding movement of staff, students, parking, performances, and summer school. Board members have asked that additional information be brought to a future Board meeting.



It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 4-0, to authorize administration to obtain bids for modernization project at Santa Ana High School.

#### 8.0 PERSONNEL ACTION

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, to approve the personnel calendar in its entirety. A copy of the Personnel Calendar is attached to the Minutes.

#### 9.0 BOARD AND STAFF REPORTS/ACTIVITIES

Mr. Palacio:

- Mr. Palacio wished all staff, parents, and students a safe and prosperous holiday season.

Mr. Richardson:

- Mr. Richardson wished everyone a Merry Christmas and Happy New 2010!
- He complimented Segerstrom High on their presentation this evening.
- He congratulated Segerstrom for a great football game last week!
- He announced that on December 19, the Santa Ana Boys and Girls Club will host an event and all are welcome. Donate a toy to a child and come and join in the festivities from 9:00 a.m. to 2:00 p.m.

Dr. Yamagata-Noji:

- Dr. Yamagata-Noji received a visual and performing arts schedule and stated that Karen Bluel is a great indication of the great work staff is doing. Karen is doing an exceptional job at Valley High School. She invited the public to future programs and asked that the schedule be made available on the internet and Channel 31.
- She announced that Century High School's football high school won the Sportsman of the Year Award for Orange League. Congratulation to Coach Crego at Century High School for a great job!
- She said that Coach Maceranka at Segerstrom High School is doing a great job as well.
- She and Mr. Richardson were in attendance at the Middle College Blue Ribbon Ceremony. An excellent program.
- Dr. Yamagata-Noji reminded all about the Cents for CENA. The event that will be held on December 24, 2009, at Valley High School. There will be hot food, dictionaries, and school supplies for students. She asked that staff take CENA cups be turned into Eileen Maddox in the Deputy Superintendent's Office.

#### CLOSED SESSION ACTION

By a vote of 5-0, the Board took action to suspend and terminate a certificated employee as named in Closed Session, effective November 10, 2009.

Moved: Yamagata-Noji \_\_\_ Richardson \_\_\_ Hernández X Palacio \_\_\_ Reina \_\_\_

Seconded: Yamagata-Noji \_\_\_ Richardson \_\_\_ Hernández \_\_\_ Palacio X Reyna \_\_\_

Vote: Ayes 5 Nose \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

By a vote of 5-0, the Board took action to suspend and terminate a certificated employee as named in Closed Session, effective November 10, 2009.

Moved: Yamagata-Noji \_\_\_ Richardson \_\_\_ Hernández X Palacio \_\_\_ Reina \_\_\_

Seconded: Yamagata-Noji \_\_\_ Richardson X Hernández \_\_\_ Palacio \_\_\_ Reyna \_\_\_

Vote: Ayes 5 Nose \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, January 12, 2010, at 6:00 p.m.

ATTEST:

\_\_\_\_\_  
Jane A. Russo  
Secretary  
Santa Ana Board of Education

DRAFT