

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

February 24, 2004

CALL TO ORDER

Board President Richardson called the meeting to order at 5:15 p.m. Dr. Yamagata-Noji and Mr. Tinajero were also present. Mr. Palacio arrived at 5:20 p.m. Mrs. Avila arrived at 6:20 p.m.

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

RECESS TO CLOSED SESSION

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

MEETING RECONVENED

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

There were approximately 150 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. Tinajero.

SUPERINTENDENT'S REPORT

Dr. Mijares drew to the attention of those present the artwork posted. In the Board Room from Monte Vista Elementary School artists combining art and math through what appears to be a fun quilt, but is really the answer sheet to math problems. He also commended students, teachers, and the principal of Villa Fundamental Intermediate School for the exhibit entitled "There is Culture in the Sculpture."

The Superintendent reported that Remington's Elliot Leventhal's Kindergarten class celebrated the 100th day of classes. Parents were invited to spend the day with their children in the classroom and were thanked for their support both in the classroom and at home.

A video clip was shown of the awards reception which was provided by the Ron Simon Foundation. Ten Santa Ana Unified juniors were honored as the

first Simon Scholars. It was a wonderful celebration with recipients, their parents, staff, and community.

Stephanie Chau, a senior at Saddleback High, was commended for her selection as a National Merit Scholar Finalist. This recognition and scholarship program, begun in 1955, uses the PSAT as the initial screen of the approximate 1.3 million entrants each year. Stephanie is one of only 15,000 finalists chosen nationwide.

Dr. Mijares announced that this Board meeting will be the last broadcast on Channel 55. Effective with the March 9 Board meeting, Santa Ana Unified School District will be moving to Channel 24.

More than 850 Santa Ana High School students received recognition at the 17th annual Noche de las Estrellas or Night of the Stars ceremony. They were commended for their success in one or more of the following categories: outstanding achievement, outstanding attitude, outstanding citizenship, and leadership. The Superintendent congratulated them on this achievement.

Dr. Mijares announced that Pio Pico Elementary School's Literacy Fair will be held on Saturday, March 6th, from 10 a.m. to 1 p.m.

PRESENTATION

REPORT CONCERNING THE FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM'S (FCMAT) ROLE IN SUPPORTING THE DISTRICT

Dr. Mijares introduced Mrs. Michele McClowry of FCMAT.

Mrs. McClowry gave a review of FCMAT's involvement with the District, stating that in July 2003 the District and the Orange County Department of Education had requested their assistance concerning the 2003-04 budget. The preliminary 2002-03 year-end figures indicated that SAUSD needed to transfer \$15.5 million from a Special Reserve Fund to the General Fund in order to end the year with a positive fund balance. The multi-year projections indicated that the District's deficit spending needed to be addressed. At that time, the Orange County Department of Education required that the District prepare a detailed multi-year financial plan by October 31, 2003, identifying \$30 million in specific budget cuts in the current and subsequent years.

Mrs. McClowry reported that the District's Board and Administration have worked diligently to identify and approve potential budget reductions. The Board approved the first draft of the Multi-year Financial Plan to reduce current year expenditures by more than \$3 million and to reduce expenditures by \$20+ million in 2004-05.

Mrs. McClowry indicated that the reasons for the financial problems were identified as: the State budget crises; the District's declining enrollment; and increased costs. She said that these problems were complicated by the implementation of the school accounting code system (SACS), by the implementation of a new District-wide computer system; and by the turnover of Business office staff.

The recently-approved 2003-04 First Interim Report and multi-year projections showed an ending balance of \$5.9 million or 1.2%. Multi-year financial projections indicate that an additional \$10 million of further cuts will be required to meet the intent of AB 1200.

Mrs. McClowry informed the Board that the 2003-04 Second Interim report will be presented to the governing body at the next Regular Meeting March 9, along with a revised multi-year projection. The Administration will present a revised multi-year financial plan at that time to address the budget reductions that will be necessary in 2004-05.

She listed the following areas in which FCMAT had assisted the district from August 2003 through January 2004:

- worked with staff to make significant revisions to the 2003-04 budget
- revised the 2003-04 budget in the approximate amount of \$12.8 million resulting in a balanced budget with a reserve for economic uncertainty of 1.48%
- verified the use of categorical flexibility transfers
- recommended that the Board approve retaining the services of Dean West, CPA, to assist with budget analysis and preparation of the Interim Reports and multi-year financial projections
- prepared the first draft of the multi-year financial plan with the goal to restore the reserves to 2% in future years
- reviewed and revised major expenditure categories, including salaries, benefits, and special education
- recommended the separation of controller position into two director positions: Director of Budget and Director of Accounting verified special Education billings and payments due to other agencies
- identified budget adjustments and assisted staff with the preparation of the First Interim Report
- prepared multi-year projections indicating budget shortfall would be approximately \$30 million in 2004-05

Mrs. McClowry briefly outlined items to be completed by the District as follows:

- fully develop and implement the multi-year financial plan to eliminate the projected \$30 million structural deficit in 2004-05 by reducing ongoing expenditures or increasing revenues
- finalize staffing ratios for 2004-05
- seek Board approval of resolution to reduce certificated workforce and issue required legal notices to employees by March 15 deadline
- establish list of non-certificated management and classified positions to be eliminated, including dates for Board action and issuance of notices
- identify facility requirements/changes after reductions and program changes are determined
- hire Director of Budget
- prepare Second Interim Report and Third Interim Report for 2003-04 to ensure that the current year-ending balance is projected as accurately as possible
- validate the \$4.3 million flexibility transfer from the Cafeteria Fund to the General Fund
- address and correct problems with the MIS system and fully implement all aspects of the system including the human resources, payroll, and position control modules
- strengthen internal controls and implement budget monitoring

- continue to provide training for business office staff

Following her report, Board members asked question and discussion ensued.

In response to Mrs. Avila's inquiry regarding the rising costs which she had mentioned, Mrs. McClowry stated that those costs mainly are for benefits (health and welfare) , step increases, and the normal increases for utilities, insurance, special education, i.e. those items which increase every year. She indicated that some districts are taking measures to contain costs by increasing employee co-payments, by placing a capitation (cap) on benefits paid, or by eliminating coverage for family members. Since 80 to 90% of school district's budgets are spent on salaries and benefits, districts throughout the State are investigating methods to better serve employees while containing costs.

Following her presentation, Mrs. McClowry stated that Mr. Henry of FCMAT would be giving a full report to the Board of Education in March.

Mr. Richardson thanked her for the update and stated that the members look forward to the full report.

CHANGE OF AGENDA

Mr. Richardson requested that the Board change the order of the Agenda in consideration of the large number of people present who are interested in the discussion regarding reducing or discontinuing certain certificated services. Other members of the Board agreed with the change in the order of the agenda.

DISCUSSION

CONSIDER REDUCING OR DISCONTINUING CERTIFICATED PARTICULAR KINDS OF SERVICES (PKS) FOR THE 2004-05 SCHOOL YEAR

Dr. Mijares stated that this item addressed the need to eliminate certain kinds of services in the Santa Ana Unified School District. He reported that intense, successful negotiation efforts have taken place during the last 72 hours and the teams are close to reaching a settlement. He further indicated that the Board would be holding a Special Board Meeting on March 3, the day after local elections, when the fate of the propositions dealing with school construction is known. He asked that Dr. Stabler present the most recent information related to budget cuts.

Dr. Stabler presented the Multi-Year Financial Plan, outlining the budget reductions taken during 2003-04 school year which totaled \$19.2 at - the First Interim Financial reporting on December 15, 2003. He stated that the District must cut another \$10.6 in order to comply with AB 1200. Current negotiations with the employee associations include furlough days and capitation of health benefits. If these areas are favorably negotiated, the \$10.6 will be reached.

Dr. Stabler reviewed with the Board a back-up plan in lieu of negotiations, which would consider the following additions to the Multi-Year Financial Plan:

- reduction of District administrative positions, i.e. Curriculum and Instruction, Human Resources, and Operations
- K-5 Music/Classified Support Staff
- K-8 School Nurses funded by unrestricted funds
- elimination of 7th period at the intermediate level
- reduction of Counselors in grades 7-12
- increase class size by 3 in grades 7-12

He indicated that the above-listed cuts would total \$12,990,000.

Following the presentation, Mr. Richardson expressed his regret at being in the position of having to make cuts to the budget, which means making cuts to people and programs affecting students. He stated that there is no joy in this discussion. However, the Board must make decisions to balance the budget.

Members of the Board spoke to the issue and stated that they look forward to receiving input from staff and community over the next days until decisions will have to be made.

Following discussion, Mr. Polanco, Senior Director, Certificated Personnel, reviewed timelines pertinent to this item. He stated that the Education Code requires written notification of elimination of positions performed by certificated personnel to be posted by March 15. To meet this deadline, the Board will be asked to take action at a Special Board Meeting on March 3. A seniority list will be developed after that time in order for letters to be posted as mandated.

In response to Board questions, Mr. Polanco confirmed that any classification of services can be rescinded after the March 15 deadline should there be favorable budget factors.

Dr. Mijares reiterated that the Board must take action; however should there be favorable final settlement of employee contract(s), the District would immediately rescind the elimination of services affected by those negotiations.

PUBLIC COMMENTS

Mr. Richardson asked those members of the community wishing to address the Board to step to the podium as their names were called.

The following individuals spoke in opposition to the proposed increase in class size:

Joe Romero, 2033 N. Laird Circle, Santa Ana
Cristina Romero, 2033 N. Laird Circle, Santa Ana
Rosario Castro, 2138 S. Oak Street, Santa Ana
Susana Sanchez, 421 S. Flower Street, Santa Ana
Martha Moreno, 317 E. Wisteria, Santa Ana
Marcelino Cruz, 715 S. Hickory, Santa Ana
Maria Arias, 901 S. Hickory, Santa Ana
Tracey conlogue, 1017 N. Lowell, Santa Ana
Victoria Zaragoza, 1109 S. Minnie Street, Santa Ana

The following persons spoke to the Board regarding the District's budget crisis as it relates to negotiations with employee associations:

Meg Robinson, on behalf of the Santa Ana Educator's Association
Pilar Sanchez, on behalf of the California School Employees Association

The following individuals addressed Members of the Board with respect to budget matters:

Kim Gerda, 2215 N. Ross Street, Santa Ana
Cyndee strozewski, 1021 N. Lowell Street, Santa Ana
Linda Hernandez, Century High School student
Sherry Garcia, Sierra Intermediate teacher

The following parents asked that the Board give approval to the designation of Century High School as a fundamental high school.

Gloria Madrigal 1402 E. 21st Street, Santa Ana Association
Victor Madrigal, 1402 E. 21st Street, Santa Ana
Therese Mimms, community resident

Mrs. Irma Maciel spoke to the Board requesting a new playground at Martin Elementary School. She also expressed concerns regarding the need for the Carr modernization and the Mt. View High School projects to move forward.

RECESS

President Richardson recessed the meeting at 8:50 p.m. to allow members of the audience to leave the meeting.

REGULAR MEETING RECONVENED

The Regular Meeting was reconvened at 9:20 p.m.

APPROVAL OF MINUTES

It was moved by Mrs. Avila, seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Tinajero not present, to approve the Minutes of the Regular Meeting of February 10, 2004.

APPROVAL OF CONSENT CALENDAR

The following item was removed from the Consent Calendar for discussion and separate action: Approval of Amendment of Cooperative Agreement No. 03-PUENTE HS-09 Between the Regents of University of California PUENTE Project and the Santa Ana Unified School District.

It was moved by Mr. Palacio, seconded by Dr. Yamagata-Noji, and carried a 4-0, Mr. Tinajero not present, to approve the remaining items on the Consent Calendar as follows:

Review and approval of purchase orders issued January 28 through February 10, 2004, to purchase materials, supplies, etc., with funds previously approved.

Review and approval of warrant listings prepared February 3 and 6, 2004, to pay budgeted District financial obligations.

Authorization for the Administration to utilize the Los Angeles Unified School District Bid #C-565 to purchase IBM computers, pursuant to Public Contract Code Section 20118, following determination that it is in the best interest of the District to purchase items utilizing the Los Angeles Unified School District bid.

Authorization for the Administration to utilize the Glendale Unified School District Bid #P13-03/04 to purchase Apple computers, pursuant to Public Contract Code Section 20118, following determination that it is in the best interest of the District to purchase items utilizing the Los Angeles Unified School District bid.

Ratification of agreement between Orange County On Track and the Santa Ana Unified School District for participation in the Tobacco-Free Communities Program at Valley High School for the 2003-04 school year.

Approval of Submission of 21st Century Community Learning Center Grant Revision Request for 2004-07 to the California Department of Education.

Approval/Ratification of Extended Field Trips:

Mendez Fundamental Intermediate Eighth Grade Students
Washington, D.C., and New York
April 11-16, 2004 (Sunday-Friday)

Saddleback High School
UC Berkeley, San Jose State and Cal State Monterey Bay,
Northern California
April 13-17, 2004 (Tuesday-Saturday)

Saddleback High School (ratification) Bear Paw Preserve Leadership
Retreat Forest Falls, California
February 13-14, 2004 (Tuesday-Saturday)

Valley High School
California Music Educator's Association State Conference Sacramento,
California
March 18-20, 2004 (Thursday-Saturday)

APPROVAL OF AMENDMENT TO COOPERATIVE AGREEMENT NO. 03-PUENTE-HS-09 BETWEEN THE REGENTS OF THE UNIVERSITY OF CALIFORNIA, PUENTE PROJECT, AND THE SANTA ANA UNIFIED SCHOOL DISTRICT

Dr. Yamagata-Noji removed this item from the Consent Calendar to ask for an update on the program. She indicated that one speaker during public presentations had referred to cuts in the program and asked for clarification on that point. .

Dr. Bratcher stated that the initial program provided that PUENTE pay half of the salary of a counselor at each site. PUENTE has notified the District that such funding is no longer available. The District has paid for that position for the remainder of this school year.

Dr. Bratcher stated that the agreement for consideration at this meeting is an increase to add Valley High School and Saddleback High School to the contract.

Dr. Yamagata-Noji asked that a presentation to the Board be made at a future meeting.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Palacio, and carried 5-0, to approve the amendment to the Cooperative Agreement No. 03-

PUENTE-HS-09 between the Regents of the University of California, PUENTE Project, and the Santa Ana Unified School District.

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

192120 - Sierra Intermediate

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

106580 - Century High

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

095886 - Saddleback High

for violation of Section a, that the Board expel him from the schools of the District for the remainder of the spring semester 2003-04 school year; that the expulsion order be suspended for only the fall 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.

127127 - 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 January 15, 2005.

120699 - Valley High

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

121981 - Valley High

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

120859 - 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 January 15, 2005.

ADOPTION OF RESOLUTION NO. 03/04-2556- AMENDMENT TO TIE-BREAKING CRITERIA FOR DETERMINING ORDER OF SENIORITY FOR THOSE EMPLOYEES WITH THE SAME DATE OF FIRST DAY OF PAID SERVICE

Mr. Polanco, Director, Certificated Personnel, stated that the Board had adopted a Resolution at the previous meeting to assist the District in determining seniority for those employees with same day of service. It was found necessary to add one further stipulation to the criterion, as follows: total years of teacher experience K-12.

It was moved by Mr. Palacio, seconded by Mrs. Avila, and carried 5-0, to adopt Resolution No. 03/04-2556 amending Tie Breaking Criteria for Determining Order of Seniority for those Employees with the Same Date of First Day of Paid Service.

A copy of the Resolution, as adopted, is attached to and becomes a part of the Official Minutes of this meeting.

ENVIRONMENTAL SCIENCE COURSE FOR ADVANCED PLACEMENT (NEW: FIRST READING)

Dr. Bratcher stated that the proposed course will provide students with the scientific principles, concepts, and methodologies required to understand the interrelationships of the natural world and the added effects of human interaction.

In response to questions from Dr. Yamagata-Noji, Dr. Bratcher stated that a complete presentation will be made to the Board at the next meeting when this item is considered for adoption.

Presented for first reading, no formal action was required. Adoption of this course will be placed on the Agenda of the next Regular Meeting. ..

GRADES 9-12 ENVIRONMENTAL SCIENCE TEXTBOOK FOR ADVANCED PLACEMENT RECOMMENDED FOR 28-DAY REVIEW

Recommended for 28-day review, adoption of this textbook will be considered at the Regular Meeting of March 23, 2004.

ELECTION OF REPRESENTATIVES TO THE CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA) 2004 DELEGATE ASSEMBLY

The Board was requested to vote for eight candidates as representatives to the California School Boards Association (CSBA) 2004 Delegate Assembly.

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 3-2, Dr. Yamagata-Noji and Mrs. Avila dissenting, to vote for the following eight candidates as representatives to the California School Boards Association 2004 Delegate Assembly: Shirley Carey, Martha G. Fluor, Judith A. Franco, Mary C. Fuhrman, Donna McDougall, Gayle K. Rogers, Esther H. Wallace, and Sharon Wallin.

APPOINTMENT OF REPRESENTATIVE TO THE DELEGATE ASSEMBLY OF CALIFORNIA SCHOOL BOARDS ASSOCIATION (CSBA), REGION 15

Districts with 35,000 to 99,999 average daily attendance are provided two appointed delegate seats. Mr. Richardson is currently serving a term that will expire on April 30, 2004. Mr. Tinajero is serving a term as an appointed delegate through April 30, 2005. CSBA has requested that the Board appoint a representative to fill the upcoming vacancy or reappoint Mr. Richardson to another two-year term.

Mrs. Avila suggested that the benefits of membership in this organization be reviewed in terms of budget considerations.

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0 to appoint Mr. Richardson to continue as a Santa Ana representative to the Region 15 Delegate Assembly of the California School Boards Association for a two-year term (2004-2006) .

APPROVAL OF PERSONNEL CALENDAR

It was moved by Mrs. Avila, seconded by Mr. Tinajero, and carried 5-0 to approve the Personnel Calendar as presented. A copy of the Personnel Calendar is attached to the Minutes of this meeting.

DISCUSSION OF DESIGNATION OF CENTURY HIGH SCHOOL AS A FUNDAMENTAL HIGH SCHOOL

Dr. Bratcher stated that in 2001-02, Century High School began a fundamental strand opened to all students coming from the fundamental intermediate schools. If the Board approves the designation of Century as a fundamental high school, the program would progress on a yearly basis, with grade 9 in school year 2004-05, adding a grade level each succeeding year, until full implementation in school year 2007-08.

Mr. Rankin, Principal, Century High School, reviewed with the Board the proposal and the implementation process. He indicated that the Board's approval would be followed by informational meetings outlining the philosophy and expectations for students, parents, and staff at a fundamental school. Notification would be sent immediately to each of the ten District schools that house eighth grade students. Parents of students who do not want a fundamental program for their child would have their child attend another high school.

Mr. Rankin stated that a meeting had been held on February 11, 2004, at which time more than enough teachers expressed a desire to commit to the program.

Dr. Mijares stated that the District would be pioneering in this field, as there is only one fundamental high school in the State of California. He highlighted the major areas of distinction: parental involvement; focus on Language Arts; and dress code.

Following discussion, it was the request of the members of the Board that a full report be brought to the next Regular Meeting, including statistical information regarding boundary changes, curricular issues, and master calendar issues. Mr. Palacio particularly asked for information on the impact of those students wishing a neighborhood school on the other campuses. Mrs. Avila pointed out the importance of addressing the matter in a timely manner.

BOARD AND STAFF REPORTS/ACTIVITIES

Dr. Yamagata Noji:

- Thanks and appreciation to all staff working late evenings and over weekends to bring about a negotiated settlement.
- Thanked staff working diligently to bring statistical information to the Board to assist with the difficult task of making budget cuts.
- Asked for information on Carr Modernization and Mountain view construction budgetary status.
- Looking forward to Chamber of Commerce scholarship dinner this Thursday honoring SAUSD students.
- Thanks to Mr. Ron Simon and all involved in the very inspirational Simon Foundation scholarship awards ceremony.

Mr. Tinajero:

- Congratulations to all athletic teams, particularly to Valley's soccer team for its advancement to CIF.
- Great to see the pride of the parents at the Ron Simon Foundation Awards Scholarship reception.

- Spoke with students returning from Sacramento for the Youth in Government Program and was extremely impressed with the event and those attending Mrs. Avila
- Extended appreciation to the community for both the Simon Foundation Scholarship event and the Chamber of Commerce recognition of SAUSD students
- Was pleased with the great welcome extended at Lathrop to new principal Lucinda Clear

Mr. Richardson:

- Also would like information on the Carr and Mountain View projects as referenced in a public presentation; asked that Board receive information on Friday
- Announced that the *Noche de la Estrellas* event was terrific
- Invited all present to attend the next review of Santa Ana High School's NJROTC unit, on May 28, at 6:00 p.m. at Santa Ana High School
- Asked for and received clarification on several speaker's comments:

The District is not hiring two new sergeants in School Police Services, rather two existing sergeants are being redeployed to oversee activities at the school sites; due to budget constraints, color printing of calendars has been halted; the newsletter referred to by the same speaker was printed by grant funding through the Safe Schools/Healthy Students program and was not printed at District expense.

RECESS TO CLOSED SESSION

The Regular meeting was recessed to Closed Session at 10:20 p.m. to consider negotiations, legal matters, real estate issues, personnel matters, and education of Special Education students.

REGULAR MEETING RECONVENED

The Regular meeting was reconvened at 10:59 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The president reported the following actions taken in Closed Session:

By a vote of 5-0, the Board authorized school contracts with nonpublic schools for the education of disabled pupils for the 2003-04 school year as identified in Closed session.

ADJOURNMENT

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

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, March 9, 2004 at 6:00 p.m.

ATTEST:

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