

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

MINUTES

REGULAR MEETING  
SANTA ANA BOARD OF EDUCATION

March 23, 2004

CALL TO ORDER

Board President Richardson called the meeting to order at 4:50 p.m. Dr. Yamagata-Noji, Mrs. Avila, and Mr. Palacio were also present. Mr. Tinajero arrived at 5:30 p.m.

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

CHANGE IN AGENDA ORDER

REPORT OF ACTION TAKEN IN CLOSED SESSION

The President reported the following actions taken in Closed Session:

By a vote of 4-0, the Board took action to approve the following Elementary Summer School principal appointments:

Edison/Kennedy/Monroe	Robert Silva and Chad Hammit
Garfield/Grant/Remington	Betty Tamara-Rios and Edna Velado
Greenville/Taft/Thorpe	Melanie Champion and Mariana Garate
Harvey/Jefferson	Pamela Mayle and Teresa Stetler
Pio Pico/Lowell/Monte Vista	Anita Ford and Felisa Gear
Santiago/Muir	Rebecca Churnside

By a vote of 4-0, the Board took action to approve the following Secondary Summer School principal appointments:

Carr/McFadden	Lisa Hinshaw and Felipe Zamudio
MacArthur/Taft	Lynne Marine
Villa/Mendez	Steve Mullin and Cheryl Weaver
Willard	Jeff Bishop and Joel Avina
Century	Bruce Carlisle and Danny Martinez
Saddleback	Phyllis Perez and another TBA
Santa Ana	Tom Hummel and Ken Stokesberry
Valley	Sylvia Molina and Roger Frazier
Chavez/Middle College/Mountain View	Jean Williams

By a vote of 4-0, the Board took action to ratify the appointment of Kelvin K. Tsunezumi to the position of Director of Budget.

By a vote of 4-0, the Board took action to authorize nonpublic school contracts for the 2003-04 school year between Santa Ana Unified School District and Tustin Center, Rossier Park Schools, The Alex Center, T.E.C., for students named in Closed Session.

By a vote of 4-0, the Board took action to ratify a school contract with nonpublic school for education of a disabled pupil for the 2003-04 school year as named in Closed Session.

By a vote of 4-0, the Board took action to approve the readmission of expelled former student for the spring semester for the 2003-04 school year as named in Closed Session.

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

197167 - Century High  
for violation of Section c, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2004, and that he be permitted to return to a District school/program on a probationary status.

109614 - Santa Ana High  
for violation of Section c, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2004.

123813 - Valley High  
for violation of Section c and j, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2004.

186571 - Spurgeon Intermediate  
for violation of Section .2, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2004.

119300 - Community Day 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, 2004.

106474 - Valley High  
for violation of Section c, 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.

104253 - Saddleback High  
for violation of Section c, that the Board expel him from the schools of the District for the balance of the spring semester 2003-04 school year, that the expulsion order be suspended until June 15, 2004, and that he be permitted to return to a District school/program on a probationary status.

195277 - Century High  
for violation of Section c, that the Board expel him from the schools of the District, and that he may apply for readmission on or after June 15, 2004.

144873 - Century High  
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.

128355 - Community Day Intermediate  
for violation of Section c, that the Board expel her from the schools of the District and that she may apply for readmission on or after March 23, 2005.

107772 - Valley High  
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.

118849 - Saddleback High

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

131771 - Spurgeon Intermediate

for violation of Section .2, that the Board expel him from the schools of the District, and that he may apply for readmission on or after January 15, 2005.

126964 - Lathrop Intermediate

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

128419 - Villa Fundamental 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 March 23, 2005.

123621 - Century High

for violation of Section b, 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.

120726 - Century High

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

The Regular meeting was reconvened at 6:25 p.m.

There were approximately 300 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 from Grant and Taft Elementary Schools and Mendez Fundamental Intermediate School.

Dr. Lewis Bratcher, Assistant Superintendent, Secondary Education, introduced Santa Ana High School's Head Wrestling Coach, Scott Glabb. Mr. Glabb then acknowledged three Santa Ana High students who competed in the State Finals: Jose Serrato, CIF Champion, Jose Hernandez who finished Second in CIF, Second in the Masters, and was a point away from placing in the State Championship, and Rudy Justo, who finished Second in CIF, Seventh in Masters, and a few points from placing in the State. Board and Superintendent commended students for their accomplishments.

Dr. Bratcher then called upon Mr. Frank Pinto, Valley High School Head Wrestling Coach, who introduced student Luis Pallanes. He said that Luis Pallanes also competed at the State Finals with Santa Ana High students. Mr. Pinto attested to the remarkable determination of Luis. The student had open heart surgery a few years ago and he came back to finish fourth in the Masters and a few points from State Finals. Board and Superintendent commended Luis for his determination and a job well done.

Mr. Jose Sanchez, Head Soccer Coach, Valley High School, announced that the Valley High School Varsity Soccer Team won the Division IV CIF

Soccer Championship for the 2004 School year. Players received commendations for their diligence and hard work. The Board, Dr. Mijares, and Cabinet congratulated the team and said that Valley High School last won a Championship in 1974. Students receiving recognition were Luis Abrajan, David Aguilar, Alonso Vicente, Luis Alvarez, Federico Barajas, Eduardo Blanco, Christian Borquez, Gabriel Buenrostro, Felix Cruz, Santiago Cruz, Cristian Fonseca, Gilberto Gonzales, Christopher Hernandez, Joe Hernandez, Jose Jacobo, Jonathan Maldonado, Marcos Meza, Richard Morfin, Jorge Munoz, Cesar Sanchez, Juan Tolento, Elmer Vega, and manager Alejandro Barbosa.

Dr. Bratcher then introduced Santa Ana High School Principal Mr. Salcedo, who called upon student Gloria Montiel who was in attendance to represent the Santa Ana High School Speech and Debate Team. She said that the finals proved Santa Ana High School's force in the State competition which qualified them for the State. Students Joanna Garcia and Luis Marion came in first in the league, Jarred Allen and Omar Chavez, came in fourth, and Gloria Montiel and Hong Len came in fifth, which qualified them for State competition. There are only five teams that qualified from Orange County and Santa Ana has three of the five teams. Dr. Mijares and Board congratulated them for an exemplary job.

Dr. Mijares then introduced Ms. Stacy Kline, a Spurgeon Elementary teacher, who introduced three students David Hernandez, 6<sup>th</sup> grade; Linda Ly, 8<sup>th</sup> grade; and David Rodriguez, 8<sup>th</sup> grade. A brief presentation summarized the award-winning technology program at Spurgeon Intermediate and noted that students are technology trainers for other students. She then provided information on the Southern Section Leadership Conference where Spurgeon's FBLA was recognized as 3<sup>rd</sup> Place winners for the Charles Dee Cox Nametag Award. Student David Rodriguez stated that he and Linda Ly were crew leaders of the Studio Team and were selected by the O.C.D.E. to represent the SAUSD in the Student Technology Showcase in which they had to produce a documentary. Students then presented to Board their technical attributes to the program.

A groundbreaking ceremony helps the Santa Ana Unified commemorate the legacy of Hector G. Godinez. Board members, dignitaries, SAUSD staff, and Godinez family members attended the groundbreaking ceremony in honor of Mr. Hector Godinez in which the future school was named after. Hector G. Godinez Fundamental High School High School Project is composed of land that has been acquired from the City of Santa Ana and the Centennial Heritage Museum through the use of joint use agreements. The Project is being constructed on 5.89 acres. The school is expected to be completed in January 2006.

The Superintendent was honored to celebrate the academic achievements of four Santa Ana Unified students at a breakfast celebration held by the Association of California School Administrators or ACSA. Each of these students received the 2004 "Every Student Succeeding" award. The recipients were as follows: Carlos Tejada from Martin Elementary and Ivette Giles, Juan Oliveros, and Nancy Ramirez from Mountain View High School. Students received a certificate and a cash award and were accompanied to the breakfast by their parents.

#### RECOGNITION:

##### Classified Employee of the Month for March - Donna Killingbeck

A selection committee, consisting of classified employees elected by their peers, has reviewed nominees and selected the Classified Employee of the Month for March. Ms. Killingbeck, was selected as the honorary

employee. Ms. Stevie Johnsonbaugh, School Office Manager, made the presentation.

Donna Killingbeck is unselfish, kind, and courteous even under pressure. She is an extraordinary individual that is admired by all staff members because she possesses a gracious and calming spirit that makes all those around her work more efficiently and comfortably. Donna also has the ability to identify areas of need and she never hesitates to volunteer to help with those needs. Donna has served in the community as the Director of Bethany Bible Fellowship's children's choir; Treasurer for Santa Ana Valley Little League; PFO Treasurer, Co-president, President and as treasurer for the Century High School Cheerleaders. She has performed in Community Theater musical productions, and sings in her church choir and as a soloist. With Donna tonight is her husband Don.

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

PRESENTATIONS:

SAUSD Information Technology System Progress Report

This item was removed due to the hour and will be returned to a future Board meeting.

Update and Status on Lathrop Intermediate School as a "Neighborhood Magnet"

This item was removed due to the hour and will be returned to a future Board meeting.

Update on Safe Schools Healthy Students Grant

School Police Chief Jim Miyashiro presented information concerning the Safe Schools Healthy Students grant. He said that the program has many components, resources, and services available for students and families within the Santa Ana Unified School District. Barbara Cummings, Coordinator of Special Education Services; Maria Mojarro, Administrator; and Gayle McLean, Director Nurse Services presented key grant elements. Chief Miyashiro began by reading the Mission Statement. He then summarized the grant background. He said that in September 2002, the SAUSD was one of 46 school districts in the nation to receive approximately \$9 million through the Safe Schools Healthy Students grant, with an additional \$750,000 to fund sworn School Resource Officers through the U.S. Department of Justice. The three-year grant targets area IV and funds specific wide-ranging services that would otherwise not be funded through the District's General Fund. The initiative is a comprehensive community-wide collaboration dedicated to fostering the healthy development of children in partnership with law enforcement, mental health, community agencies, the City, parents, and students. A long-term, strategic plan will be developed to provide the resources and tools needed to reduce school crime, drug use, violence, and mental health. The partnership is funded by the Federal Department of Education, Health and Human Services, and Justice Department to focus on three primary goals which are community-wide safe and drug free schools; the support of healthy childhood development, and reduce drug use and violence.

The following information concerning the six elements of the grant was presented by Ms. Cummings, Ms. Mojarro, and Ms. McLean are as follows:

Element One:

- Purchased wireless phone system for Middle College High School
- Purchase and implementation of P.A.C.E. program
- Anonymous safety/Concern Hotline - (714) 259-SAFE
- First Aid training and first responder training
- School Resource officers hired and trained
- Alcohol and other drug and violence prevention

Element Two:

- School and community mental health prevention and treatment intervention
- Additional family services and programs, including parenting skills
- New counseling center for Safe Schools Healthy Students
- Safe Schools Healthy Students psychologist and counselors
- Support programs, including referrals to individual and group counseling services, parent education groups, and strengthening families program

Element Three: Anticipated Results:

- Students will be able to concentrate on learning if they have a forum for talking about their problems
- Parents will be able to improve parenting skills resulting in an increased ability to assist students in learning activities
- Test scores will increase
- Students will be more successful as adults

Element Four: Early Childhood Psychosocial & Emotional Development

- Connection with community resources/new services for students and families
- Three additional health clerks hired/health clerks link families together for a variety of health related services
- Two additional school nurses hired/outreach for early intervention services
- Secured additional funding for health insurance outreach
- Seeking additional funding for two additional school nurses for children ages 0-5
- Asthma van/health insurance assistance

Element Five - Education Reform

- Safe Schools Healthy website - [www.schoolsmovingup.net/cs/hs/login](http://www.schoolsmovingup.net/cs/hs/login)
- Following guidelines ENLACE PROGRAM - "Blue Print for Change" Creating partnerships through resources of language, education, culture and funding, to ensure that all students in our community are academically prepared to enter and succeed in college
- After School Programs (safety, physical fitness and equipment, health and wellness and obesity)

Element Six - Safe School Policy:

- Above the Mean and Beyond (special issue - newspaper)
- Training videos available; ongoing participation in PTA meetings

- School police representation at SARB hearings
- Health programs
- Student Success Team

The Board thanked District staff for an informative presentation. Mr. Richardson requested copies of the PowerPoint presentation to be sent to Board members in Week-in Review.

#### PUBLIC COMMENTS

Dr. Mijares provided an explanation concerning the reduction of staff and letters of notice required by law. He said that, in the past two years significant budget adjustments have occurred in the District due to the severe decline in revenue from the State of California and a drop in student enrollment. He explained that Assembly Bill 1200 is a financial accountability law which requires school districts to maintain positive fund balances for the current year and two subsequent years. He stated that unrestricted money received from the State falls under the discretion of the Board and that the law mandates certain types of expenditures such as class size and number of teachers. It is common to have 85-90% of funds committed to staffing. Therefore the District has no other recourse but to look at reducing employment services in order to maintain the revenue limits required by law. Furthermore, he stated that in October, the SAUSD approved a multi-year financial plan which demonstrated to the County and the State that the SAUSD would make the necessary reductions in order to be in compliance with AB1200. He said that the passage of Proposition 57 and 58, guarantees a 1.84% COLA, which will bring in new revenue. Also, the SAUSD reached a tentative agreement with the SAEA, which received an affirmative vote of approximately 80% of certificated staff voting. The tentative agreement is on the Agenda tonight which if passed, would generate ultimately approximately \$10 million. This would allow the District to restore critical services which includes over 100 certificated positions. He said that in Closed Session the Board authorized the restoration of 95 certificated positions. These positions will be in the areas, but not limited to music and art, counseling, nurses, and ROP programs.

Mr. Richardson asked those members of the community wishing to address the Board to step to the podium as their names were called. He stated that due to the number of speakers, that one minute would be provided to each person.

The following individuals addressed Members of the Board in support of music and/or fine arts programs currently being offered by the SAUSD:

Barbara Herndndez, 213 Persimmon, Santa Ana  
Rachel Hernandez, 213 Persimmon, Santa Ana  
Barry Jensen, 932 French St., Santa Ana  
Rosie Flores, 3413 Plaza, Santa Ana  
Denise Fear, 2144 Alona, Santa Ana  
Jill Citron, 515 E. 20<sup>th</sup> St., Santa Ana  
Jerome Erb, 1500 Warren, Santa Ana  
Charleen Conlogue, 1017 Lowell, Santa Ana  
Yolanda Galvez, SAUSD student  
Evelina Galvan, SAUSD student  
Christopher Torres, 2007 Van Ness, Santa Ana  
Maria Torres, 2007 Van Ness, Santa Ana  
Rosa Guzman, SAUSD student  
Natalie Tapia, SAUSD student  
Mariela Rosas, SAUSD student  
Alex Gomez, SAUSD student

Eileen Mahmond, 1500 Warren, Santa Ana  
Samrah Mahmond, SAUSD student  
Elaine Hoffmann, 2045 Martha, Santa Ana  
Courtney Conlogue, SAUSD student  
Lori Courdy, 3122 Rita Way, Santa Ana  
Jackie Kuzinski, 2010 Hickory, Santa Ana  
Maria Gutierrez, 2022 Merida, Santa Ana  
Tracey Conlogue, 1017 Lowell, Santa Ana  
Sherry Erb, 1500 Warren  
Jeromy Erb, SAUSD student  
Andrew Erb, 1500 Warren, Santa Ana  
Jesus Luna, SAUSD student  
Jessica Luna, SAUSD student  
Antonia Luna, 705 Hickory, Santa Ana  
Ernesto Luna, 705 Hickory, Santa Ana  
Gail Lehman, SAUSD teacher  
Derrien Synonas, SAUSD teacher  
Karia Salazar, 2015 Evergreen, Santa Ana  
Ana Rosa Sanchez, SAUSD student  
Richard Lee, 405 Edgewood, Santa Ana  
Samuel Nunez, 1036 Chestnut, Santa Ana  
Janet Kleinschmidt, SAUSD teacher  
Carlos Arqueta, SAUSD student  
Janet Schenmer, SAUSD teacher  
Andrea Lopez, SAUSD student  
Jennifer Avila, 1513 Van Ness, Santa Ana  
Caroline Davies, SAUSD teacher  
Greg Ellis, SAUSD teacher  
Matt Sanchez, SAUSD student  
Andrew Perew, SAUSD student  
Donna Eiler, 9702 Bolsa, Westminster  
Kim Gerda, 2215 Ross, Santa Ana  
Prudy Lewis, 2356 Fordham, Costa Mesa  
Ali Memarian, 1822 Central, Santa Ana  
Noel Heaton, 1316 Shasta Way, Santa Ana  
Maria Bradley, 1219 English, Santa Ana  
Diana Fassnacht, SAUSD teacher  
Priska Schaer, resident, Huntington Beach  
Carol Hoan, resident, Huntington Beach  
Frank Lewis 7035 Bay Drive, Huntington Beach  
Abie Garcia, 1401 Mariday, Santa Ana  
Lourdes Rodriguez, 1500 Warren, Santa Ana  
Sarah Perew, 2333 Santa Clara, Santa Ana  
Susana Munoz, 1419 Rita Way, Santa Ana  
John Bandel, 12271 Jessica, Garden Grove  
Sergio Escobar, 1535 French, Santa Ana  
Joy Chilton, 1601 MacArthur, Santa Ana  
Vanessa Smith, 3800 Fairview, Santa Ana  
Mr. Sixtos, 431 Susan, Santa Ana  
Maria Morales, 435 Susan, Santa Ana  
Robert Branch, 121 Coronado, Tustin

The following individuals addressed Members of the Board concerning the negotiated settlement agreement for the 2003-04 and 2004-07 school years:

Robert DelaFuente, 213 Persimmon, Santa Ana  
Jennifer Charles, SAUSD teacher  
Meg Robinson, SAUSD teacher  
Susie Mamola, 1009 Beechwood, Santa Ana  
Denise Esparza, SAUSD teacher  
Kristine Lance, SAUSD teacher  
Ernesto Salgado, SAUSD teacher  
Pilar Mata, 601 Jasmine, Placentia  
Bertha Paquette, 1229 Birch, Santa Ana  
Jeff Tourneau, 1700 E. Gary, Santa Ana



Kim Gerda, 2215 Ross, Santa Ana  
Emil Barham, SAUSD teacher  
Patricia O'Neil, SAUSD teacher  
Cindyann Wood, 915 Baker, Santa Ana  
Claudio Gallegos, 1056 Cabrillo, Santa Ana  
Florence Freeman, SAUSD teacher  
Angelita Wright, 3626 Main, Santa Ana  
Matt Kiurizis, 2229 Rowland, Santa Ana  
Victoria Zaragoza, 1009 Minnie, Santa Ana

The following individuals addressed Members of the Board in opposition of the domestic partnership benefits included in the negotiated settlement for the 2003-04 and 2004-07 school years:

Herb Wollerman, 2468 Fairway, Costa Mesa  
Yolanda Arreola, 801 Paularino, Costa Mesa  
Micaiah White, 2751 Martha, Santa Ana  
Marsha Tohill, 3800 Fairview, Santa Ana  
George Garcia 1521 San Lorenzo, Santa Ana  
Bradley Lincoln, 3630 Westminster, Santa Ana  
Luis Galdamez, 2545 E. Chapman, Fullerton  
Bill Terry, community resident  
Lawrence Tait, 5343 Lincoln, Buena Park  
Roger Lovell, 3107 Cassia, Costa Mesa  
Luis Mejia, 1423 Towner, Santa Ana  
David Loraloff, 1602 Nissan, Tustin  
Gwen Dyrud, 1300 Clinton, Santa Ana  
Christina Melgoza, 1345 Cabrillo Park, Santa Ana  
Brandy Lee, 27795 Roja, Mission Viejo  
Bertha Paquette, 1229 Birch, Santa Ana  
Art Paquette, 1229 Birch, Santa Ana  
Marc Goldstone, 1001 Westwood, Santa Ana  
Paul Neuvirth, 4 Saddlentage, Aliso Viejo  
Margarita Moreno, 1500 Warren, Santa Ana  
Ali Memarian, 1822 Central, Santa Ana  
Sandra Hernandez, 17072 Carlann Cir., Tustin  
Laura Acosta, 402 Garnsey, Santa Ana  
Ali Memarian, 1822 Central, Santa Ana  
Lee Jones, 15914 Las Flores, Fountain Valley  
Carol Hoan, resident, Huntington Beach  
Elizabeth Hunt, 537 Newport, Newport Beach  
Frank Lewis 7035 Bay Drive, Huntington Beach  
Jaymi Monsoor, 617 4<sup>th</sup> St., Long Beach  
Jim Monsoor, 617 4<sup>th</sup> St., Long Beach  
Lourdes Rodriguez, 1500 Warren, Santa Ana  
Clorinda Greek, 806 Cedar, Santa Ana  
Susana Munoz, 1419 Rita Way, Santa Ana  
John Bandel, 12271 Jessica, Garden Grove  
Sergio Escobar, 1535 French, Santa Ana  
Joy Chilton, 1601 MacArthur, Santa Ana  
Ken Herbert, 3269 Nebraska, Costa Mesa  
Mr. Sixtos, 431 Susan, Santa Ana  
Magdalena Sixtos, 431 Susan, Santa Ana  
Robert Branch, 121 Coronado, Tustin  
Diane Reissmueller, 10775 Morada, Orange

Linda Hernandez, SAUSD student, addressed Members of the Board with the need for wrestling uniforms at Century High School.

RATIFICATION OF NEGOTIATED SETTLEMENT FOR THE 2003-04 AND 2004-07 SCHOOL YEARS WITH SANTA ANA EDUCATORS' ASSOCIATION (SAEA)

Mr. Best was called upon to speak about the negotiated contract. He introduced Mr. Ron Wenkart, OCDE General Counsel Legal Services, and Mr.

Ron Bennett, with California School Services, who serves as a financial expert. Mr. Best provided a brief summary concerning the item. He said that tentative agreements have been reached with SAEA for the 2003-04 and 2004-07 contracts. A settlement agreement was ratified by a combined vote for 2003-04 which received 1,804 yes votes at 80.6% and 433 no votes at 19.4%. For the 2004-07 received were 1,740 yes votes at 77.8% and 495 no votes at 22.2%. Mr. Best stated that there were 22 items on the table being negotiated. The focus was on the instructional day, evaluations, and waivers.

Mr. Ron Bennett explained the impasse process which was declared by the District and stated that tonight was a result of the negotiations. Mr. Bennett stated that the significant concessions by the employee organization were a tremendous help toward solving the financial problem and that the ratification of the contract on the Agenda tonight is appropriate.

Mr. Richardson asked what to expect if the ratification took place tonight. Mr. Bennett responded that the District would have achieved the \$9 million in savings and the District would be able to restore particular kinds of services eliminated previously and that the District would be on track financially. If the Board does not ratify the contract, positions would not be restored; fact finding would be required, and negotiations would continue. The likelihood of receiving an agreement as the current one is almost impossible. Mr. Bennett would have to advise the county to change the certification to a negative.

Mr. Tinajero inquired about the timeframe in terms of fact finding. Mr. Bennett responded that the fastest tract would be within a week or two. There would be two or three sessions before determining the release to fact finding, which would be the end of April. PERB would appoint a neutral chairperson which would be the first of May, the hearing would be held within 10 days and a report would be ready by mid-June, then finalized within a month or two following.

Mr. Richardson asked how the fact finding process affects the May 15 deadlines to rescind notices. Mr. Bennett responded that the elimination of positions would take effect and the certification would result in a negative.

Dr. Mijares referenced the matter of domestic partner benefits and explained that this was a condition of State law and a proposal in the new contract. He then called upon Mr. Ron Wenkart to explain the laws enacted by legislature that employers must follow.

Mr. Wenkart stated that there have been changes in the State law concerning the status of domestic partners. It is requested by the State that employers provide benefits for family leave and sick leave for domestic partners. He provided information on Assembly Bill 205 as follows:

- Bill amends various provisions of the Family Code and Government Code relating to domestic partners. Key portions of the legislation take effect on January 1, 2005
- It is known as the California Domestic Partner Rights and Responsibilities Act of 2003
- It modifies existing procedures for the establishment and termination of domestic partnerships and requires additional duties of the Secretary of State

- It would extend the rights and duties of marriage to a persons registered as domestic partners on or after January 1, 2005
- States that the purpose of the legislation is to provide all caring and committed couples the opportunity to obtain essential rights protections and benefits, to assume corresponding responsibilities, obligations, and duties and further the state's interest in promoting stable and lasting family relationships.

Mr. Wenkart then provided two provisions in Family Code section 297.5:

- Registered domestic partners shall have the same rights, protections and benefits and shall be subject to the same responsibilities, obligations and duties under law as are granted to and imposed upon spouses.
- Former registered domestic partners shall have the same rights, protections and benefits and shall be subject to the same responsibilities, obligations and duties under law as are granted to and imposed upon former spouses.

Mr. Richardson asked what the expense or impact would be to the District. Mr. Best read a section of a letter from Mercer, the District's employee benefits program, which indicated that health rates would not be increased.

Mrs. Avila thanked the teachers for working diligently to settle the contract and for the She also expressed her belief on the issues presented tonight concerning the item. She encouraged the Board to move forward with education with the right values. Mrs. Avila recommended approving the contract with the elimination of the domestic partnership benefits.

Dr. Yamagata-Noji stated that she appreciated the parents, teachers, and community members' thoughts, passion, and opinions. She was moved by parents and students speaking about the music program. She said that the Board is working diligently to restore positions and urged that staff work expeditiously in sending out the rescission letters. She stated that Board is sensitive to every request and must make certain that the District is always in compliance. She concluded in saying that one should not cast judgment to another, but be respectful to all.

Mr. Tinajero stated that he believes that one should not pass judgment and we should reevaluate ourselves. He explained that each school has one or more SAEA representatives then described the voting process. He said that when he was sworn in as a Board member he swore to uphold the law. As a believer he will not judge, but strive to achieve what one should be.

Mr. Palacio thanked teachers for their share of responsibility regarding the fiscal crisis. He said that he believes that this is about accountability. He stated that the SAUSD is the only district that FCMAT is assisting. He questioned the fiscal problems the District continues to face and believes that information provided to the Board and community has not been accurate. He also questioned the dissemination of the proposed agreement and why Board hadn't received information sooner. He further stated that the District previously received knowledge of declining student enrollment. He asked that District take responsibility and end what he believes is a spin game. He stated that SAUSD is the only District that is cutting beyond the impact of the State and management must take a share in that responsibility.

Mr. Richardson commented on the accountability and action of the Board. He stated that the responsibility is shared by the current Board, previous Board, and staff. He stated that many aspects caused the economy to suffer. Rising health benefits costs, workers' compensation costs, and step and column costs, declining student enrollment (forecast showed two years from now), and 911. He said that he cannot imagine a more irresponsible action than to fail to ratify the agreement presented tonight. He stated that there is too much at stake to play politics. He said that by reading the newspaper, there are many communities that have not recovered and said that he would not allow that to happen in the SAUSD.

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 3-2, Mrs. Avila and Mr. Palacio dissenting, to ratify the negotiated settlement for the 2003-04 and 2004-07 school years with Santa Ana Educators' Association.

APPROVAL OF MINUTES

It was moved by Mr. Tinajero, seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Tinajero not present, to approve the Minutes of the Special Meeting of March 3, 2004.

It was moved by Mr. Tinajero, seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Tinajero not present, to approve the Minutes of the Regular Meeting of March 9, 2004.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Approval of Increase of Consultant Contract to Provide Services in the Areas of Technology Infrastructure, Instructional Technology, and Information Systems.

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

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>
Carver Elementary \$100 for student field trips	Mr. & Mrs. Donald Woodcock Santa Ana
Carver Elementary \$100 for student field trips	Santa Fe Auto Repair, Inc. Santa Ana
Carver Elementary \$100 for student field trips	Costa Mesa Pontiac GMC Buick Inc. Costa Mesa
Carver Elementary \$100 for student field trips	B.C.I.S. Insurance Services, Inc. Orange
Edison Elementary \$500 for student activities	WalMart Foundation Bentonville, AR
Garfield Elementary \$2500 for books and instructional supplies	Parent/Teacher Organization Santa Ana
Greenville Fundamental Elementary \$180 for student field trips	Wells Fargo Foundation Ms. Luz Adriana Robledo Princeton, JN

Jefferson Elementary Fourth and fifth Grade Awards for the Writing Contest	Mr. James Spernak Lake Forest, CA
Jefferson Elementary <i>Pride Weed Patch Camp</i> Play Performance	Mr. & Mrs. Wianecki Santa Ana
Kennedy Elementary \$679 for instructional supplies	Orange County Teachers Federal Credit Union Mr. Rudy Hanley Santa Ana
Madison Elementary \$2000 for teacher, parent, student, and classified incentives	RICOH Electronics, Mrs. Kim Kline Tustin
Madison Elementary \$1195 for student incentives	Mr. Bob Acosta Palm Desert, CA
Monte Vista Elementary Glass bulletin board	Monte Vista Elementary, PTO Santa Ana
Muir Fundamental Elementary \$248 for first grade classes	Muir Fundamental PTA, Mrs. Anabel Jimenez Santa Ana
Muir Fundamental Elementary \$272 for Kindergarten classes	Muir Fundamental PTA, Mrs. Anabel Jimenez Santa Ana
Pio Pico Elementary \$2500 for technology project	Best Buy Children's Foundation Ms. Susan Hoff Minneapolis, MN
Pio Pico Elementary \$5000 to provide mentoring support to English Learners	Kellogg Foundation Gregg Miller Dana Point
Santiago Elementary \$215 for instructional supplies	Mr. Alan Wood Orange
Santiago Elementary \$494 for instructional supplies	Mr. Alan Wood Orange
Thorpe Fundamental Elementary \$3000 for computer software	Pacific Life Foundation, Inc. Mr. Robert G. Haskell Newport Beach
MacArthur Fundamental Intermediate Gift Certificate	Borders Books Music and Café Mr. Will Boyer Costa Mesa
Mendez Fundamental Intermediate Computer	Mr. David Greenwald Santa Ana
Mendez Fundamental Intermediate Saxophone	Mrs. Shannon Boyd Thousand Oaks, CA
Sierra Intermediate Musical instruments	Sierra Intermediate/P.A.S.O. Mr. Raul Vargas Santa Ana
Sierra Intermediate \$760 for instructional supplies	Orange County Teachers Federal Credit Union Mr. Rudy Hanley Santa Ana
Willard Intermediate \$500 for Special Ed. field trips and special activities	Mr. & Mrs. Hansen Santa Ana
Saddleback High School \$200 Dollars for Scholars	Santa Ana Unified School District Employee Co-Ed Softball League Mr. Sergio Verino Santa Ana

Saddleback High School \$1032 for staff development	Washington Mutual Mr. Jake Aguas Santa Ana
Saddleback High School Computer equipment	McLarland, Vasquez, Emsiek, and Partners Ms. Monica Vasquez Irvine, CA
Saddleback High School \$100 for reading incentives	F.R.A., LP Ms. Maria Noel Santa Ana
Saddleback High School \$218 for Ballet Folklorico expenses	Santa Ana Council of PTA Ms. Gloria Alvarado Santa Ana
Valley High School \$200 for Dollars for Scholars	Santa Ana Unified School District Employee Co-Ed Softball League Mr. Sergio Verino Santa Ana
Partners in Education Program \$2000 for Teacher of the Year Awards ceremony	Atkinson, Andelson, Loya, Ruud & Romo, Attorneys at Law Cerritos

\*Denotes Business Partners

Review and approval of purchase orders issued February 25 through March 17, 2004, to purchase materials, supplies, etc., with funds previously approved.

Review and approval of warrant listings prepared February 12 through March 3, 2004, to pay budgeted District financial obligations.

<u>Awards</u>	<u>Vendors</u>	<u>Amount</u>
Computer Equipment at Lincoln Elementary	Apple Computers, Inc.	\$100,000
Computer Equipment for The Title I Supplemental Services Program	Arey Jones Educational Solutions	\$550,000

Food Services - Statement of Operations - January 31, 2004

Acceptance of Treasury Report - December 31, 2003

Authorization to Obtain Bids for the construction of Hoover, Jackson, Lowell elementary schools modernization projects and McFadden Intermediate modernization projects.

Approval of Change Order No. 11 for the construction of buildings at Jackson, Lincoln, Roosevelt, and Washington Elementary Schools at a cost of \$182,194.15 for a revised total construction cost of \$25,290,976.07.

Authorization to obtain bids for library reconfiguration at Century High School.

Authorization to obtain bids for roofing replacement Districtwide with an option to renew annually for up to five years.

Authorization to obtain bids for the site preparation and installation of playground equipment at Lincoln Elementary.

Authorization for the disposal and sale of portable restrooms pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

Ratification of submission of the Physical Education Program grant application to the U.S. Department of Education by the YMCA of Orange County for Santa Ana Unified School District schools at various sites.

Approval of submission of California Technology Assistance Project (CTAP) Teacher grants to the Orange County Department of Education.

Approval of submission of the grant proposal to the Southern Bell Company (SBC) foundation.

Approval of Extended Field Trips:

Jefferson Elementary  
Pioneer Covered Wagon Simulation  
Jefferson Elementary  
March 26-27, 2004 (Friday-Saturday)

Walker Elementary  
Cedar Crest Outdoor Science Camp  
Running Springs, California  
March 29 - April 2, 2004 (Monday-Friday)

Saddleback High - Foreign Language  
Weekend Foreign Language Camp  
Big Bear, California  
March 26-28, 2004 (Friday-Sunday)

Santa Ana High School - PUENTE  
UC Santa Barbara, Westmont College,  
University San Luis Obispo,  
UC Santa Cruz, and UC Berkeley  
Northern California  
April 1-3, 2004 (Tuesday-Saturday)

APPROVAL OF PERSONNEL CALENDAR

It was moved by Mr. Tinajero, seconded by Mr. Palacio, 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 ITEM

DISCUSSION OF DISTRICT'S 2006-07 AND 2007-08 MULTI-YEAR FINANCIAL PLAN

Due to the hour, it was requested that this item be returned to the next Board meeting.

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

Due to the hour, it was requested that this item be returned to the next Board meeting.

BOARD AND STAFF REPORTS/ACTIVITIES:

Dr. Yamagata Noji:

- The *Wizard of Oz* will be playing at Valley High School on April 1 through 3, 2004.
- Approved tonight was the Jefferson Elementary Pioneer Covered Wagon Simulation classroom overnight event this weekend.
- Board will remain focused on the fact that there are excellent teachers and support staff doing so much educationally for the schools and District.

Mrs. Avila:

- Invited staff to attend the *Race for the Cure* in June, details forthcoming.

RECESS TO CLOSED SESSION

The Regular meeting was recessed to Closed Session at 2:00 a.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 2:30 a.m.

ADJOURNMENT

There being no further business to come before the Board, the Regular Meeting was adjourned at 2:30 p.m.

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, April 13, 2004, at 6:00 p.m.

ATTEST:

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