

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

March 8, 2016

CALL TO ORDER

The meeting was called to order at 5:20 p.m. by Board President Palacio. Other members in attendance were Mr. Richardson and Mr. Hernández. Ms. Amezcua participated in the call to order and the closed session portion of meeting via teleconference from the location: The Cliffs Resort, 2757 Shell Beach Road, Pismo Beach, CA 93449. Ms. Iglesias was not in attendance.

CLOSED SESSION PRESENTATIONS

Mr. Palacio asked those wishing to address the Board in matters pertaining to Closed Session to step to the lectern.

There were no individuals wishing to address the Board.

RECESS TO CLOSED SESSION

The Regular Board meeting was immediately recessed at 5:20 p.m. to consider student matters, anticipated litigation, personnel matters, and negotiations.

RECONVENE OPEN MEETING

The Regular Board meeting reconvened at 6:07 p.m.

Cabinet members present were Dr. Miller, Dr. Phillips, Dr. Haglund, Mr. McKinney, Ms. Lohnes, Dr. Rodriguez, Ms. Pueblos, Ms. Douglas, and Mr. Williams.

PLEDGE OF ALLEGIANCE

The meeting was opened with the Pledge of Allegiance led by Angel Rios, 5th grade student at Greenville Fundamental Elementary School and Sofia Nevarez, 6th grade student at Washington Elementary School.

HIGH SCHOOL STUDENT AMBASSADORS

Century - Hector Guerrero; Godinez Fundamental - Melissa Ambario; Griset Academy - Nancy Resendiz; Santa Ana - Cesar Baranda

Melissa, Nancy, and Cesar provided highlights to the Board of current events, information, and activities at their respective high schools.

Ms. Iglesias arrived at 6:13 p.m.

RECOGNITION / ACKNOWLEDGMENT

Kiwanis Club of Santa Ana

The Kiwanis Club of Santa Ana was recognized for sponsoring the Speech and Debate Tournament.

SUPERINTENDENT'S REPORT

Dr. Miller opened his report by stating that the First Annual SAUSD/Kiwanis Speech & Debate Competition was fabulous. He mentioned the SAHS NJROTC Area-11 Field Meet State Championship and the SAHS NFL recognition of alumnus Isaac Curtis. He stated that KinderCaminata at Santa Ana College was great. Superintendent Miller said that Jackson Elementary School's mini soccer field ribbon cutting with the LA Galaxy was exciting along with the visit of the president of Southern New Hampshire University and the deliverance of a full scholarship to Ms. Veronica Rodriguez, office staff at Jackson Elementary. He congratulated both Santa Ana High School and Godinez Fundamental soccer teams. Dr. Miller provided an update on the lawsuit regarding the disclosure of student records and concluded his report by mentioning the upcoming Artspiration on March 10th and the Community Fair on March 19th.

PUBLIC PRESENTATIONS

Peter Alvino addressed the Board related the Citrus Springs Charter petition. Denise Dennis and Rebecca Viveros addressed the Board related to Remington Elementary School. Marla Bock, Darlene McGowan, and Selene Ramos addressed the Board related to Taft Elementary DHH Program. Ana Gonzalez, Maria Lopez, and Nohemi Martinez addressed the Board related to Edward B. Cole Sr. Academy.

1.0 APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action:

- 1.4 Approval of Expulsion of Students for Violation of California Education Code Sections 48900, 48900.2, 48900.3, 48900.4, 48900.7, and/or 48915(c) According to Board Policy 5144.1

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

- 1.1 Approval of Regular Board Meeting Minutes - February 23, 2016
- 1.2 Acceptance of Gifts in Accordance with Board Policy 3290 - Gifts, Grants, and Bequests
- 1.3 Approval of Extended Field Trip(s) in Accordance with Board Policy (BP) 6153 - School Sponsored Trips and Administrative Regulation (AR) 6153.1 - Extended School-Sponsored Trip
- 1.5 Approval of Master Contracts and/or Individual Service Agreements with Nonpublic Schools and Agencies for Students with Disabilities for 2015-16 School Year
- 1.6 Approval of Payment of Prior Year Reimbursement of Costs Incurred for Related Services for Students with Disabilities
- 1.7 Approval of Payment and Reimbursement of Costs Incurred for Related Services for Students with Disabilities for 2015-16 School Year
- 1.8 Approval of Agreement between Revolution K12 and Middle College High School for March 9 through June 30, 2016
- 1.9 Approval of Agreement with Kid Healthy - Padres en Acción Program and Greenville Fundamental Elementary School for Period of March 9 through June 30, 2016
- 1.10 Ratification of Purchase Order Summary and Listing of all Purchase Orders, for the Period of February 10, 2016 through February 23, 2016
- 1.11 Ratification of Expenditure Summary and Warrants Issued Over \$25,000 for the Period of February 10, 2016 through February 23, 2016
- 1.12 Approval of Rejection of Government Code §910 and §910.2 Claims Against Santa Ana Unified School District - File Numbers: LBI 1501836 RV and LBI 1501895 MH
- 1.13 Approval of Two Deductive Change Orders for Proposition 39 Energy Efficient Projects at: Sepulveda and Walker Elementary Schools
 - 1.13.1 Approval of Deductive Change Order No. 1 for Bid Package No. 1 - HVAC Replacement for a Proposition 39 Project at Sepulveda Elementary School
 - 1.13.2 Approval of Deductive Change Order No. 1 for Bid Package No. 1 - HVAC Replacement for a Proposition 39 Project at Walker Elementary School

- 1.14 Acceptance of Two Notices of Completion for Proposition 39 Energy Efficient Projects at: Sepulveda and Walker Elementary School
 - 1.14.1 Acceptance of Completion of Contract for Bid Package No. 1 - HVAC Replacement for a Proposition 39 Project at Sepulveda Elementary School
 - 1.14.2 Acceptance of Completion of Contract for Bid Package No. 1 - HVAC Replacement for a Proposition 39 Project at Walker Elementary School
- 1.15 Approval of Personnel Calendar Including the Transition of Specific Staff Members with such Topics as: Hiring, Promotions, Transfers, Resignations, Retirements, and Leaves

Items removed from Consent Calendar for discussion and separate action:

- 1.4 Approval of Expulsion of Students for Violation of California Education Code Sections 48900, 48900.2, 48900.3, 48900.4, 48900.7, and/or 48915(c) According to Board Policy 5144.1

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 4-0, to approve expulsion of students changing recommended placement to Community Day High School for two students: ID# 436321 and ID# 304211.

365798 - Mendez

For the violation of Education Code Section 48900, paragraph A-B that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after June 16, 2016.

401793 - Monte Vista

For the violation of Education Code Section 48900, paragraph N-R, 2.4 that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after March 8, 2017.

436321 - Segerstrom

For the violation of Education Code Section 48900, paragraph N, 2, .4 that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after March 8, 2017.

304211 - Segerstrom

For the violation of Education Code Section 48900, paragraph C that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after March 8, 2017.

349726 - Villa

For the violation of Education Code Section 48900, paragraph C that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after March 8, 2017.

350291 - Villa

For the violation of Education Code Section 48900, paragraph C-J that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after March 8, 2017.

313159 - Willard

For the violation of Education Code Section 48900, paragraph C that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after March 8, 2017.

REGULAR AGENDA - ACTION ITEMS

2.0 CERTIFICATION OF SECOND INTERIM FINANCIAL STATUS (POSITIVE)

It was moved by Mr. Richardson, seconded by Mr. Hernández, and carried 3-1, Ms. Iglesias dissenting, to certify the District financial status as positive.

3.0 APPROVE OR DENY CHARTER PETITION FOR CITRUS SPRINGS CHARTER SCHOOL AND IF APPROVED ADOPT RESOLUTION NO. 15/16-3091 IMPLEMENTING THAT ACTION

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 3-1, Ms. Iglesias dissenting, to adopt Resolution No. 15/16-3091 - Denying the Charter Petition for Citrus Springs Charter School.

4.0 APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN ANGELS REVIVING BASEBALL IN INNER- CITIES LEAGUE AND SANTA ANA UNIFIED SCHOOL DISTRICT FOR MARCH 9 THROUGH JUNE 30, 2016

It was moved by Mr. Richardson, seconded by Ms. Iglesias, and carried 4-0, to approve the Memorandum of Understanding between the Angels Reviving Baseball in Inner-Cities League and the Santa Ana Unified School District for March 9 through June 30, 2016.

5.0 APPROVAL OF RESOLUTION NO. 2015/16-3095 - NATIONAL DEAF HISTORY MONTH

It was moved by Ms. Iglesias, seconded by Mr. Richardson, and carried 4-0, to approve Resolution No. 2015/16-3095 - National Deaf History Month.

6.0 AUTHORIZATION TO AWARD A CONTRACT FOR BID PACKAGE 2 - CONCRETE RAMPS AND STAIRS FOR FRANKLIN ELEMENTARY SCHOOL UNDER STATE OVERCROWDING RELIEF GRANT PROGRAM

It was moved by Mr. Richardson, seconded by Mr. Hernández, and carried 4-0, to authorize staff to award a contract to Bravo Concrete Construction Services for Bid Package 2 - Concrete Ramps and Stairs for Franklin Elementary School through the use of State Overcrowding Relief Grant Program.

Change in Order of Agenda

8.0 AUTHORIZATION TO AWARD A CONTRACT TO RUHNAU RUHNAU CLARKE ARCHITECTS FOR ARCHITECTURAL AND PLANNING SERVICES FOR KITCHEN FACILITIES IMPROVEMENTS AND MASTER PLANNING

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 3-1, Ms. Iglesias dissenting, to authorize staff to award a contract to Ruhnau Ruhnau Clarke Architects for architectural and planning services for kitchen facilities improvements and master planning.

9.0 AUTHORIZATION TO AWARD CONTRACT FOR LOW VOLTAGE ELECTRICAL PROJECTS TO DIGITAL NETWORKS GROUP, INC.

It was moved by Mr. Hernández, seconded by Mr. Richardson, and carried 4-0, to authorize staff to award a contract to Digital Networks Group, Inc., pursuant to Bid No. 07-16 for low voltage electrical projects Districtwide.

NEW AND REVISION OF EXISTING BOARD POLICIES

- Board Policy (BP) 6152.1 - Placement in Mathematics Courses (New Adoption: First Reading)

No action required.

BOARD AND STAFF REPORTS/ACTIVITIES

Ms. Iglesias

- Attended the Jackson Elementary/LA Galaxy event, good turnout;
- Attended the Speech & Debate, awesome to see the collaboration;
- Thankful to the Taft DHH program for engaging the DHH community.

Mr. Richardson

- Complimented the Kiwanis Club for the Speech & Debate competition;
- Announced Artspiration at Bowers Museum on March 10, 2016;
- Enjoyed the LA Galaxy event at Jackson Elementary School;
- Congratulated the Santa Ana High School and Godinez Fundamental teams.

7.0 AUTHORIZATION TO AWARD A CONTRACT TO LEE & ASSOCIATES FOR EXCLUSIVE PROPERTY BROKER SERVICES

It was moved by Mr. Hernández, seconded by Richardson, and carried 3-1, Ms. Iglesias dissenting, to authorize staff to award a contract to Lee & Associates - Orange, Inc. for exclusive property broker services with an amended contract end date of March 8, 2017.

Mr. Palacio

- Congratulated Godinez Fundamental and Santa Ana High School;
- Participated in Read Across America at Heroes Elementary School;
- Attended the Kiwanis Speech & Debate event, well received.

Board of Education
Minutes
March 8, 2016

Minutes Book Page 467

ADJOURNMENT

There being no further business to come before the Board, the Board meeting was adjourned at 8:03 p.m. by Board President Palacio.

The next Regular Meeting will be held on Tuesday, March 22, 2016, at 6:00 p.m.

ATTEST:


Rick Miller, Ph.D.
Secretary
Santa Ana Board of Education

CERTIFICATED PERSONNEL CALENDAR

Personnel Calendar

Board Meeting - March 8, 2016

LAST NAME	POSITION	SITE	EFF. DATE	END DATE	COMMENTS
RETIREMENTS					
Ball, Rosita	Teacher	Lowell	June 17, 2016		Retirement - 23 years
Hulett, Ralph	Teacher	MacArthur	June 17, 2016		Retirement - 34 years
Hummel, Thomas	Assistant Principal	Santa Ana	June 30, 2016		Retirement - 25 years
Miller, Karen	Program Specialist	Special Education	June 30, 2016		Retirement - 7 years
Ramos, Barbro	Teacher	Muir	June 17, 2016		Retirement - 16 years
RESIGNATIONS					
Conlon, John	Teacher	Valley	June 17, 2016		Personal - 1 year
Cortez, Denise	Psychologist	Psychological Services	June 17, 2016		Personal - 1 year
Dugan, Heidi	Teacher	Lathrop	June 17, 2016		Other - 2 years
Espinosa, Miranda	Teacher	Special Education	June 17, 2016		Other - 2 years
Greer, William	Teacher	Valley	June 17, 2016		Personal - 2 years
Lucero, Jason	Teacher	Willard	June 17, 2016		Personal - 2 years
Martinez, Cynthia	Teacher	Willard	June 17, 2016		Other - 2 years
McCormick, Matthew	Teacher	Spurgeon	June 17, 2016		Personal - 1 year
McElearney, Timothy	Teacher	Esqueda	June 17, 2016		Moving, Family Responsibilities, other - 1 year

CERTIFICATED PERSONNEL CALENDAR

Personnel Calendar

Board Meeting - March 8, 2016

LAST NAME	POSITION	SITE	EFF. DATE	END DATE	COMMENTS
RESIGNATIONS (Continued)					
Mendoza, Melissa	Teacher	Muir	June 17, 2016		Personal - 1 year
Michel, Raquel	Counselor	Migrant Education	June 30, 2016		Personal - 1 year
Morin, Kelley	Teacher	Martin	June 17, 2016		Personal - 2 years
Newton, Neil	Teacher	Godinez	June 17, 2016		Personal - 1 year
Rafter, Kimberly	Teacher	Lathrop	June 17, 2016		Personal - 1 year
Reuter, Nicholas	Teacher	McFadden	June 17, 2016		Personal - 1 year
Richter, Carey	Teacher	Willard	June 17, 2016		Personal - 1 year
Salio, Elizabeth	Teacher	Esqueda	June 17, 2016		Personal - 1 year
Simpson, Joy	Teacher	Santiago	June 17, 2016		Personal - 2 years
NEW HIRES/RE-HIRES 2015-16					
Kriesel, Darlene	Teacher	Chavez	February 19, 2016		New Hire - Probationary I
Wegman, Kyla	Counselor	Saddleback	February 23, 2016		New Hire - Probationary I
White, Molly	Teacher	Chavez	February 23, 2016		New Hire - Probationary I
ROP HOURLY TEACHERS					
Archuleta, Jacob	ROP Hourly Teacher	ROP	January 28, 2016		
Birmingham, Jim Jr.	ROP Hourly Teacher	ROP	January 22, 2016		

CLASSIFIED PERSONNEL CALENDAR

**Personnel Calendar
Board Meeting - March 8, 2016**

NAME	POSITION	SITE	EFF. DATE	END DATE	SALARY	COMMENTS
RETIREMENT						
Marroquin, Juan	Instr. Asst. Sp. Ed.	Carr	June 16, 2016			22 years, 7 months
RESIGNATIONS						
Ramirez, Corina	Activity Supervisor	Lowell	February 22, 2016			Personal - 9 months
Rodriguez, Gustavo	After School IP	Jefferson	February 11, 2016			Personal - 1 year, 1 month
Velez, Wendy	After School IP	Monroe	February 18, 2016			Personal - 1 year, 10 months
TERMINATIONS						
ID# 29704	Activity Supervisor	Lincoln	February 24, 2016			
ID# 29565	Preschool Teacher	ECE	February 29, 2016			
ABSENCES (3 to 20 duty days) - Without Pay						
Magana, Corina	Instr. Asst. Sev. Dis.	Transition Program	February 22, 2016	March 18, 2016		Personal
Sosa, Maria	Preschool Teacher	Davis	March 7, 2016	March 18, 2016		Personal

Mark A. McKinney, Associate Superintendent, Human Resources

CLASSIFIED PERSONNEL CALENDAR

**Personnel Calendar
 Board Meeting - March 8, 2016**

NAME	POSITION	SITE	EFF. DATE	END DATE	SALARY	COMMENTS
NEW HIRES						
Aguilar Avellaneda, Julio	Site Coordinator	After School Program	March 4, 2016		\$25	Probation
Aguilera, Teresita	Activity Supervisor	Lathrop Valley	February 17, 2016		10/1	
Amezola, Jazmin	SSP Sp. Ed.		February 17, 2016		19/1	Probation
Arellano Arambula, Diana	SSP Sp. Ed.	Mitchell	February 16, 2016		19/1	Probation
Arzate-Calderon, Jenny	After School IP	After School Program	February 8, 2016		16/1	Probation
Azua, Stephanie	SSP Sp. Ed.	Special Ed.	February 24, 2016		19/1	Probation
Belsey, Franklyn	SSP Sp. Ed.	Adams	February 22, 2016		19/1	Probation
Camacho, Alicia	SSP Sp. Ed.	Lincoln	February 17, 2016		19/1	Probation
Castaneda-Ortega, Leonardo	Site Coordinator	After School Program	February 22, 2016		\$25	Probation
Castorena, Cassandra	SSP Sp. Ed.	Santa Ana High School	February 17, 2016		19/1	Probation
Cruz, Melida	SSP Sp. Ed.	McFdden	February 22, 2016		19/1	Probation
Curran, Alicia	Site Clerk	Edison	March 9, 2016		24/1	Probation
Cuevas, Cynthia	After School IP	After School Program	February 5, 2016		16/1	Probation
Estrella, Yesenia	Activity Supervisor	Carver	February 17, 2016		10/1	
Foerster, Aida	SSP Sp. Ed.	Valley	February 22, 2016		19/1	Probation
Garcia, David	Activity Supervisor	Santiago	February 23, 2016		10/1	
Gomez, Breanne	Activity Supervisor	Segerstrom High School	February 17, 2016		10/1	

CLASSIFIED PERSONNEL CALENDAR

**Personnel Calendar
Board Meeting - March 8, 2016**

NAME	POSITION	SITE	EFF. DATE	END DATE	SALARY	COMMENTS
NEW HIRES (Continuation)						
Jaimes, Alexis	After School IP	After School Program	February 22, 2016		16/1	Probation
Johnston, Jayde	Activity Supervisor	Century	February 23, 2016		10/1	
Lopez de Arias, Rosalinda	Activity Supervisor	Madison	February 23, 2016		10/1	
Paulos, Megan	Prepress Operator	Publications	March 7, 2016		36/1	Probation
Pineda, Peggy	Licensed Vocational Nurse	PSS	March 16, 2016		24/1	Probation
Ramirez, Edgar	Library Media Tech.	Mendez	February 17, 2016		25/1	Probation
Rodriguez, Gustavo	After School IP	Jefferson	February 11, 2016			Probation
Vargas, Isaac	Activity Supervisor	Century	February 17, 2016		10/1	
Vega, Ruth	Licensed Vocational Nurse	PSS	February 9, 2016		24/1	Probation
Zarate, Maribel	Activity Supervisor	Wilson	February 17, 2016		10/1	
PROMOTIONAL APPOINTMENT						
Vega, Christopher	Fd. Svc. Spvr. Int.	Mendez	March 9, 2016		From 15/1 to 27/1	From Fd. Svc. Spvr. Elem.
REASSIGNMENTS						
Barajas, Jenesa	Activity Supervisor	Santa Ana High School	February 25, 2016		10/1	From Valley

Mark A. McKinney, Associate Superintendent, Human Resources

CLASSIFIED PERSONNEL CALENDAR

**Personnel Calendar
Board Meeting - March 8, 2016**

NAME	POSITION	SITE	EFF. DATE	END DATE	SALARY	COMMENTS
REASSIGNMENTS (Continuation)						
Lara, Ingrid	Secretary	Advanced Learning Academy	February 3, 2016		25/6 + Bil.	From Bldg. Svcs.
TEMPORARY ASSIGNMENT - Out of Class Compensation						
Cortez, Jim	Rv. Ld. Custodian	Bldg. Svcs.	February 1, 2016	February 29, 2016	28/2	
Galeana, Wendy	Site Coordinator	After School Program	February 16, 2016	February 29, 2016	\$25	
Gonzalez, Maria	Sr. Fd. Svc. Wkr.	After School Program	October 5, 2015	November 5, 2015	13/6	
Gutierrez, Emmanuel	Site Coordinator	After School Program	February 16, 2016	February 19, 2016	\$25	
Harris, Brian	School Police Supervisor/Sergeant	School Police	January 30, 2016	June 30, 2016	46/6 + Graveyard	
Hernandez, Alvaro	Int. Ld. Custodian	Bldg. Svcs.	February 1, 2016	February 29, 2016	25/6 + Diff.	
Herrera, Angela	Site Coordinator	After School Program	February 8, 2016	February 12, 2016	\$25	
Lopez, Ana	Fd. Svc. Spvr. Int.	Nutrition Svcs.	February 4, 2016	March 31, 2016	27/1	
Martinez, Regina	Sr. Fd. Svc. Wkr.	Nutrition Svcs.	February 5, 2016	February 11, 2016	13/6	
Peinado, Maria	Sr. Fd. Svc. Wkr.	Nutrition Svcs.	November 6, 2015	March 30, 2016	13/6	
Santolalla, Ana	Pupil Hearing Tech.	PSS	February 9, 2016	March 7, 2016	34/5 + Bil.	

Mark A. McKinney, Associate Superintendent, Human Resources

CLASSIFIED PERSONNEL CALENDAR

Personnel Calendar
Board Meeting - March 8, 2016

NAME	POSITION	SITE	EFF. DATE	END DATE	SALARY	COMMENTS
TEMPORARY ASSIGNMENT - Out of Class Compensation (Continuation)						
Solares, Stella	Department Spec.	PSS	February 9, 2016	March 7, 2016	28/4 + Bil.	
Torres, Margarito	Lead Custodian	Bldg. Svcs.	January 16, 2016	January 19, 2016	28/5 + Diff.	
HOURLY APPOINTMENTS						
Chavez-Luis, Jennifer	Instructional Provider	McFadden	February 18, 2016		16/1	
Davoodian, Adrian	Instructional Provider	Villa	February 17, 2016		16/1	
Meza, Lorena	Instructional Provider	Villa	February 17, 2016		16/1	
SUBSTITUTES						
Alonso, Yazmina	Instructional Asst.		January 15, 2016		19/1	
Aparicio Hernandez, Rubidia	Fd. Svc. Wkr.		February 8, 2016		11/1	
Brush, Jeffrey	Maint. Worker I		January 22, 2016		23/1	
Bumbul, Christopher	Maint. Worker I		January 21, 2016		23/1	
Galeana, Joel	Maint. Worker I		January 22, 2016		23/1	
Gomez, AnnMarie	Speech Language Pathology Assistant		January 22, 2016		19/1	
Gutierrez, Valerie	Instructional Asst.		January 20, 2016		19/1	
Negrette, Brittany	Instructional Asst.		January 22, 2016		19/1	
Parga, Frances	SSP Sp. Ed.		February 5, 2016		19/1	
Perez, Marisol	Fd. Svc. Wkr.		February 8, 2016		11/1	
Ramos, Raul	Alarm Monitor/Dispatcher		February 5, 2016		22/1	

Mark A. McKinney, Associate Superintendent, Human Resources

1 Da Vinci Academy, and a full online program. Accordingly, the information provided
2 in the Charter related to currently operating schools, resource centers, and programs
3 is incomplete, thereby leading to uncertainty regarding what other locations and
4 information may have been omitted from the Charter; and
5

6 **WHEREAS**, CSCS is proposed to replace the Harbor Springs location that is
7 currently operating within the District's boundaries pursuant to a charter granted by
8 Julian Union School District. There are concerns about whether the Harbor Springs
9 location within the District meets the definition of a resource center exclusively
10 used for the support of students in nonclassroom-based independent study as provided
11 for in Education Code Section 47605.1(c) and complies with the geographic location
12 requirements of the Charter Schools Act; and
13

14 **WHEREAS**, at the time of petitioner's previous submittal of the CSCS Charter for
15 Governing Board consideration, petitioner also submitted a petition to El Centro
16 Elementary School District for the Imperial Springs Charter School, to be operated
17 using the same model as CSCS; and
18

19 **WHEREAS**, the El Centro Elementary School District denied the Imperial Springs
20 Charter School Petition based on serious concerns related to its ability to follow
21 state mandated enrollment practices and its ability to successfully implement its
22 proposed special education program; and
23

24 **WHEREAS**, the Charter states that River Springs Charter School (RSCS) is the
25 "flagship school" of the Springs Charter Schools network and CSCS intends to offer
26 the same "unique program" utilized by RSCS; and
27

28 **WHEREAS** the Charter states that CSCS will contract with River Springs Charter
29 School for "back office services" pursuant to a "draft MOU" attached to the Charter,
30 which MOU has not been executed; and
31

32 **WHEREAS**, as a condition of renewal of the RSCS Charter in April 2013, RSCS was
33 required to engage the Fiscal Crisis and Management Assistance Team ("FCMAT") "to
34 conduct a comprehensive review of the school with a focus on, at a minimum, Personnel,
35 Student Achievement, and Finance" and the school was to comply with the FCMAT audit
36 within two years; and
37

38 **WHEREAS**, the RSCS has been the subject of numerous written and oral complaints
39 from former employees and parents of current students. These complaints alleged,

1 among other concerns, that RSCS engages in intake practices designed to discourage
2 enrollment of students with Individualized Education Programs (IEP's) pursuant to the
3 Individuals with Disabilities Education Improvement Act ("IDEIA"), particularly those
4 students with "high profile" needs that are costly or cannot be readily addressed by
5 the school, and that the school fails to implement the services required by students'
6 IEP's upon enrollment and transfer from another school. These complaints were
7 initially investigated by Riverside County Office of Education staff, which resulted
8 in a formal investigation conducted by the law firm of Best, Best & Krieger, which
9 found substantial evidence to support the complaints. As a result the Riverside
10 County Special Education Local Plan Area ("SELPA") conducted a special education
11 audit, which confirmed findings of noncompliance by River Springs Charter School.
12 The Riverside County Board of Education issued a Notice of Violations on April 8,
13 2015. A Notice of Violations is the written notice that a charter authorizer must
14 send to a charter school specifying alleged violations based on the statutory grounds
15 for revocation of a charter, and is the first mandated step that a charter authorizer
16 must follow in order to revoke a charter (Ed. Code Section 47607 and Cal. Code Regs.,
17 Tit. 5, § 11965 et seq.); and

18
19 **WHEREAS**, in response to the findings noted above, RSCS was forced by the
20 Riverside County Office of Education to make material revisions to its Charter in
21 order to prevent revocation of RSCS. Although RSCS's proposed revisions were approved
22 by the Riverside County Office of Education, it was ordered that the RSCS practices
23 and procedures be closely monitored for the first three months of the 2015-2016 school
24 year by the County and its SELPA to ensure compliance and fidelity to the newly
25 adopted plan. Moreover, there were no proposed revisions related to RSCS's second
26 violation, which involved a failure to implement services required by students' IEP's
27 upon enrollment and transfer from another school. According to RSCS, it corrected
28 its past failures to implement IEP's; and

29
30 **WHEREAS**, in accordance with the Charter Schools Act of 1992, the Charter was
31 brought to the District Governing Board meeting of January 12, 2016, at which time it
32 was received by the District Governing Board, thereby commencing the timelines for
33 District Governing Board action thereon; and

34
35 **WHEREAS**, a public hearing on the provisions of the CSCS Charter was conducted
36 on February 9, 2016, pursuant to Education Code Section 47605, at which time the
37 District Board considered the level of support for this Charter by teachers employed
38 by the District, other employees of the District, and parents; and

1 **WHEREAS**, at the public hearing the lead petitioner and three current
2 administrators for the Springs Charter Schools network spoke in favor of the Charter,
3 including the Principal for the Harbor Springs location within SAUSD. No District
4 teachers, other District employees, or parents spoke in favor of the Charter; and
5

6 **WHEREAS**, no other evidence of parent/guardian or student interest in attending
7 the proposed charter school was presented by the petitioners; and
8

9 **WHEREAS**, the Charter proposes three separate school programs: (1) Quest
10 Academy, a K-8 seat-based program; (2) Homeschool, a K-12 homeschool program which
11 appears to be primarily online; and (3) Delta Academy, another K-8 program based on
12 a new model for the Springs Charter Schools network, which is essentially an online
13 and home study program with two days of resource center classroom learning per week,
14 that aims to serve large numbers of students with Autism Spectrum disorders; and
15

16 **WHEREAS**, in reviewing the Charter for the CSCS, the Governing Board has been
17 cognizant of the intent of the Legislature that charter schools are and should become
18 an integral part of the California educational system and that establishment of
19 charter schools should be encouraged; and
20

21 **WHEREAS**, the District staff, working with an independent evaluator and District
22 legal counsel, have reviewed and analyzed all of the information received with respect
23 to the Charter, including information related to the operation and potential effects
24 of CSCS, and made a recommendation to the District Governing Board that the CSCS
25 Charter be denied based on that review; and
26

27 **WHEREAS**, the District Governing Board has fully considered the Charter submitted
28 for the establishment of CSCS and the recommendation provided by District staff; and
29

30 **WHEREAS**, the SAUSD Governing Board specifically notes that this Resolution No.
31 15/16-3091 does not include findings relative to every defect in the Charter
32 submitted, but is limited to a few significant issues in the Charter. Not only are
33 the findings set forth herein legally sufficient to support the SAUSD Board's denial
34 of the Charter, but also it is imperative, should these petitioners ever decide to
35 propose another charter, either to SAUSD or elsewhere, that such petition establish
36 that the petitioners themselves have the knowledge, understanding, and expertise
37 necessary both to write an educationally, fiscally, and practically sound charter
38 petition and to open and operate a sound charter school, not just respond directly to
39 findings of this Board;

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NOW, THEREFORE, BE IT RESOLVED AND ORDERED AS FOLLOWS:

- I. That the Governing Board of SAUSD finds the above listed recitals to be true and correct and incorporates them herein by this reference.

- II. That the Governing Board, having fully considered and evaluated the Charter for the establishment of the proposed Citrus Springs Charter School, hereby finds that it is not consistent with sound educational practice, based upon grounds and factual findings including, but not limited to, the following, and hereby denies the Charter pursuant to Education Code Section 47605:
 - A. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition. [Education Code Section 47605(b)(2)]

 - B. The petition does not contain the number of signatures required by Education Code Section 47605(a). [Education Code Section 47605(b)(3)]

 - C. The Charter School presents an unsound educational program for the pupils to be enrolled in the Charter School. [Education Code Section 47605(b)(1)]

 - D. The petition does not contain reasonably comprehensive descriptions of all of the required elements. [Education Code Section 47605(b)(5)]

- III. That the Governing Board of the Santa Ana Unified School District hereby determines the foregoing findings are supported by specific facts, including but not limited to the following:
 - A. THE PETITIONERS ARE DEMONSTRABLY UNLIKELY TO SUCCESSFULLY IMPLEMENT THE PROGRAM SET FORTH IN THE PETITION. [EDUCATION CODE SECTION 47605(B)(2)]
 - 1. The petitioners are currently operating a charter school (RSCS) that is marketed as Springs Charter School network's "flagship" school and which appears to be the model for programs intended to be implemented by CSCS. However, RSCS was recently the subject of a Notice of Violations (based on an independent investigation and SELPA special education audit, as explained above) that required material revisions to the charter petition to avoid revocation on the basis of serious educational and operational issues, including

1 the failure to comply with the requirements of the IDEIA. Not only
2 do petitioners market RSCS as the model for CSCS, the Charter states
3 that CSCS will contract with RSCS for back office services, thereby
4 further entangling CSCS with a school that has a concerning history
5 of serious misconduct.
6

7 Initially, the District Governing Board is concerned about
8 petitioners' attempt to expand its network of schools after such a
9 recent and serious institutional problem related to a very complex
10 and heavily regulated area of education law. Even with the
11 understanding that the Riverside County Office of Education
12 recently accepted RSCS's proposed material revisions to its
13 charter, there has been very little time to implement the cures at
14 RSCS and to determine whether RSCS can and will operate an
15 educationally and fiscally sound and legally compliant program.
16 This concern is underscored by the fact that RSCS did not propose
17 any revisions to its charter reflecting safeguards to ensure that
18 future IEP's are fully implemented. Accordingly, the District
19 Governing Board believes that before RSCS should be permitted to
20 expand its network, far more evidence of successful implementation
21 of these revisions and an ability to fully implement all
22 current/future IEP's is required to establish that RSCS and the
23 Springs Charter Schools network fully understand the legal
24 obligations they face and ensure that they have remedied the
25 educational and operational violations that were sustained.
26

27 This issue is exacerbated by the proposed operational structure of
28 CSCS. The Charter proposes significant overlap between RSCS and
29 CSCS. Not only is RSCS marketed as the "flagship" school in the
30 Springs Charter Schools network, the Charter suggests that CSCS
31 will help expand the "movement" initiated by RSCS. Along these
32 same lines, petitioners openly admit they intend to contract with
33 RSCS for "back office services." However, RSCS's proposed role in
34 the operation of CSCS also extends to Special Education Services,
35 the very program that caused RSCS's Notice of Violations. The
36 District is surprised that CSCS and the Springs Charter Schools
37 network would laud RSCS as their "flagship" given the lengthy and
38 serious issues that have plagued its operations.
39

Separately, the overall description of CSCS's governance is unclear

1 and therefore leaves some ambiguity as to the full role of RSCS in
2 CSCS. This is especially true given the fact that "senior
3 leadership will be shared by RSCS and CSCS." Furthermore, the full
4 array of "back office services" to be provided by RSCS is left
5 undefined and therefore CSCS has granted itself the ability to use
6 RSCS for whatever services it wishes. The potential for an ever
7 expanding list of services is supported by the previous MOU between
8 CSCS and RSCS submitted with the March 24, 2015, charter petition.
9 Specifically, the previous MOU contained an extensive list of
10 operations CSCS proposed to assign to RSCS, which went well beyond
11 "back office services" by including important tasks such as:
12 assessment, English Learner support and compliance, High School
13 advisement, curriculum development, school counseling services, 504
14 Plan administration, and board services. Unfortunately, the
15 modified MOU in the current Charter does nothing to alleviate any
16 of the problems with delegating such services, which were expressly
17 identified by the District's June 9, 2015, Resolution denying
18 petitioner's Charter. To the contrary, the current MOU simply
19 removes any limitation whatsoever on the type of services that can
20 be delegated. While this appears to be an effort by CSCS to
21 nominally address one of the factual findings supporting denial of
22 the prior CSCS charter, it is evident that the change was non-
23 substantive and appears to have been merely an effort to circumvent
24 rather than resolve the concern.
25

26 The Charter also proposes that CSCS will be its own LEA for purposes
27 of special education, but "Until such time as SELPA membership is
28 approved for the Charter School, the Charter School's students will
29 be students of the River Springs Charter School for purposes of
30 special education." This is problematic for two reasons. First,
31 CSCS is admittedly contracting with RSCS - at least temporarily -
32 for special education services from the same entity that almost had
33 its charter revoked as a result of widespread failures related to
34 special education. Second, the overall structure of the Charter
35 and its proposed open-ended relationship with RSCS makes it likely
36 that special education services will be permanently contracted out
37 to RSCS, the very entity that could not comply with the IDEIA less
38 than one year ago.
39

1 2. Petitioners intend to offer a program called the Delta Academy,
2 which is focused on providing joint services to "neurotypical
3 students and students with autism." As indicated above, a major
4 area of concern in the recent Notice of Violations issued to RSCS
5 was failure to comply with the IDEIA - specifically including both
6 attempting to counsel students with IEP's, particularly those with
7 costly or complex "high profile" needs, not to attend RSCS and
8 failure to implement required services. Accordingly, petitioner's
9 proposal to commence a new program that is focused on students with
10 disabilities less than a year after being found noncompliant with
11 the IDEIA and nearly having its charter revoked, demonstrates a
12 lack of judgment and indicates that the petitioners' priority is
13 expanding its network of schools rather than focusing on improving
14 its current educational operations.

15
16 3. The Charter does not adequately address the provision of services
17 pursuant to the IDEIA. The recent Notice of Violations for RSCS
18 relating to IDEIA compliance alone causes significant concerns
19 about this issue. Additionally, the Charter does not provide
20 verifiable written assurances that CSCS will participate in a SELPA
21 and instead indicates that CSCS "is in the process of seeking
22 membership" to a SELPA and intends to become its own LEA.
23 Accordingly, the plan set forth in the Charter is a non-binding
24 proposal. Moreover, as noted above, based on the rest of the
25 Charter, it seems likely that practical responsibility for IDEIA
26 compliance will be contracted to RSCS, which is not addressed in
27 the special education compliance proposal. Furthermore, the
28 Charter specifies that until CSCS can become its own LEA it will
29 operate as a school of the District for purposes of special
30 education services, and that the manner in which special education
31 services will be funded and delivered during that period of time
32 will be "governed by a mutually agreed upon Memorandum of
33 Understanding ("MOU") between CSCS and the District." Simply
34 stating that the plan for compliance with the IDEIA will be
35 negotiated and agreed to at some unspecified future time is not an
36 adequate plan for serving students with special needs, particularly
37 given the poor track record of IDEIA compliance with the Springs
38 Charter network's "flagship" school and model for CSCS.
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4. There is no evidence of parent support for the Charter. No parents signed the Charter and no parents spoke in support of the Charter at the public hearing, despite the fact that there are currently students attending a Springs Charter School location within the District. Additionally, another indicator of potential lack of interest is the fact that not a single teacher, either from the District or from the Springs Charter Schools network, spoke on behalf of the school. This creates significant suspicion regarding the actual teacher interest in the school, which is important given the fact that petitioners chose to provide teacher signatures pursuant to *Education Code* Section 47605(a)(1)(B). This is the second public hearing held by the District Governing Board on a proposal for CSCS at which there has been absolutely no indication of parent or student interest in and support for the proposed school. There are currently only 117 students enrolled at Harbor Springs' location within the District, but the CSCS Charter budget is premised on first year ADA of 330.15 expanding to 451.05 in its third year, which is unrealistic based on its efforts to date and lack of apparent interest in the school.
5. The Charter contains an estimation that CSCS will employ a total of 16 teachers during the first year of operation. However, the anticipated number of students for the first year (which should form the basis for the number of faculty) is unclear. Initially, the Charter estimates 355 total students for the first year. However, during the public hearing, the petitioner stated, "We are hoping we are able to address at least 500 students the first year." Thus, it appears the actual proposed student population for the first year is 145 students more than what is estimated in the Charter. With this in mind, the first year financial statements, which are based on an estimated student population of 355, fail to adequately budget compensation for a faculty that is capable of servicing 500 students. This insufficiency is supported by CSCS's own Three Year Financial Projection. Specifically, CSCS has budgeted \$848,000.00 for teacher salaries during its first year (2016-17). By comparison, year 3 (2018-19), which projects 485 students, has a teacher salary budget of \$1,351,315.00; a difference of \$503,315.00. Therefore, not only does petitioner's year one financial projection fall well short of what is required to service

1 500 students, the year three projection is also inadequate for a
2 target population of 500 students. Naturally, all other student-
3 driven expenses are also understated and the entire budget is
4 incorrect based on this disparity.
5

6 6. CSCS's budget is also infeasible because it unreasonably
7 understates expenditures. At present, SAUSD spends over \$175 per
8 student on custodial services, not including custodial benefits.
9 Even with a conservative estimate, based on students who will be
10 attending the Quest program (3 days in class), petitioner's
11 projected custodial/janitorial costs are far too low. The Charter
12 projects \$12,500 in expenditures, when it should assume, at a
13 minimum, \$32,025 (not including benefits). A reasonable charter
14 budget would include these costs. Similarly, the classroom
15 technology, furniture, and equipment budget projection for year one
16 is \$65,000. According to the Charter, CSCS anticipates using 13
17 classrooms, thus CSCS's budget equates to \$5,000 per classroom.
18 This budget is not feasible for technology equipment alone. Santa
19 Ana Unified School District's current average cost per classroom
20 for technology, including installation, is \$7,000 per classroom.
21 Accordingly, petitioner's budget is well below that required to
22 adequately subsidize a classroom equipped with similar amenities to
23 those in the Santa Ana Unified School District.
24

25 7. The Charter proposes "operating resource centers to meet the needs
26 of our families in Orange County and contiguous counties" and to
27 operate resource centers as permitted by Education Code Section
28 47605.1(c). However, the Charter also identifies multiple possible
29 resource center locations within Orange County, the county in which
30 the District is located. Education Code Section 47605.1(c) only
31 permits the location of resource centers in adjacent counties, not
32 within the same county as the authorizing district, and then only
33 a single resource center per county. As such, CSCS is proposing
34 operations that the District believes would violate the Charter
35 Schools Act and potentially subject CSCS and the authorizing agency
36 to unnecessary and costly litigation. As such, the District would
37 not permit CSCS to open resource centers as proposed in the Charter.
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B. THE PETITION DOES NOT CONTAIN THE NUMBER OF SIGNATURES REQUIRED BY EDUCATION CODE SECTION 47605(a). [Education Code Section 47605(b)(3)]

1. The Charter Schools Act specifies that a charter may not be submitted to a school district unless and until the petition is signed by a specified number of teachers or parents/guardians. Further, the petition that is signed by such teachers or parents/guardians must include a prominent statement that a signature thereon "means that the parent or legal guardian is meaningfully interested in having his or her child or ward attend the charter school, or in the case of a teacher's signature, means that the teacher is meaningfully interested in teaching at the charter school. The proposed charter shall be attached to the petition." (Ed. Code Section 47605(a), emphasis added.) This signature requirement is a prerequisite to submission of a charter for school district consideration and action, evidently to establish that there is meaningful interest in the particular charter being proposed from either the parent or teacher community before a charter can be approved. A failure to comply with this signature requirement is also a basis for denial of the particular charter.

CSCS submitted teacher signatures and no parent signatures in order to meet this prerequisite to submittal of its Charter for District consideration. The submitted signature page includes eleven teacher signatures.

As noted above, the Charter states CSCS will employ sixteen teachers during its first year of operation. However, because of inconsistencies related to the total number of students anticipated for year one, it is unclear if the estimated number of teachers is accurate. In particular, the Charter estimates 355 total students for year one, but during the public hearing petitioner stated, "We are hoping we are able to address at least 500 students the first year." Based upon the Charter's teacher to student ratio, approximately 1:22, petitioner would require approximately twenty-three teachers to accommodate 500 students. Petitioner only provided eleven signatures of "interested" teachers, which is less than the amount required. Moreover, of the eleven signatures

1 provided, one appears to live in Arkansas and another is already
2 employed as an occupational therapist for the Springs Charter
3 Schools network with an office in Temecula. This calls into
4 question whether either of these two teachers is "meaningfully
5 interested in teaching at the charter school." Further, the
6 District was unable to verify that two of the signatories had valid
7 teaching credentials; one of the signers specified that she has an
8 Occupational Therapist, Registered, Licensed certification, which
9 is not a teaching credential that would permit her to be a teacher
10 at CSCS. By definition, in order for someone signing a charter
11 petition as a teacher who is "meaningfully interested" in teaching
12 at a proposed charter school, s/he would have to possess the minimum
13 qualifications (including a valid teaching credential) for that
14 position. As such the signatures of the two people without teaching
15 credentials cannot be counted by CSCS. Thus, petitioner has failed
16 to provide the requisite number of signatures for establishment of
17 a charter school.
18

19 C. THE CHARTER SCHOOL PRESENTS AN UNSOUND EDUCATIONAL PROGRAM FOR THE PUPILS
20 TO BE ENROLLED IN THE CHARTER SCHOOL. [Education Code Section
21 47605(b)(1)]

22 1. The various issues, concerns, and deficiencies discussed above
23 specifying that the petitioners are demonstrably unlikely to
24 successfully implement the program set forth in the Charter,
25 including but not limited to those related to the recent Notice of
26 Violations and issues related to the provision of services pursuant
27 to the IDEIA, are hereby incorporated herein by this reference. A
28 failure properly and fully to comply with these legal requirements
29 and successfully implement the proposed educational program
30 patently demonstrates that the educational program is unsound.
31

32 2. Overall, the description of the educational program lacks
33 specificity. Some instructional practices and delivery methods are
34 mentioned, but little or no detail is given about the assessments
35 that would be used. There are no examples of original teacher
36 products, such as sample lesson plans, portfolios, or teacher-
37 developed rubrics and measurements, teachers' adaptations for
38 English Learners, and modified assignments. It is surprising that
39 the Charter included no local examples of teacher or student

1 products, especially since the lack of actual examples was included
2 in the Board's findings supporting denial of the first petition.
3 While petitioners provided live links to outside proprietary
4 sources for lessons, there is no indication of the context, or how
5 and when these outside sources would be utilized as part of a whole
6 curriculum. Because there are no examples of any of the above-
7 mentioned measurements, it cannot be determined if the petitioner
8 has the capacity to implement and sustain consistent and accurate
9 formative and summative measurements as an essential component of
10 a sound educational program.
11

12 3. The petitioner names numerous curricula and online instruction
13 resources that will be used in all three proposed educational
14 programs and names many philosophical approaches, such as Co-
15 Teaching Model, Individualized, Interest-Driven, Organizational
16 Innovation School Model, Step Course, and Thematic Courses. The
17 Charter also names a number of instructional resources, such as
18 Khan Academy, Great Books, The Daily Five, and Singapore Math.
19 However, there are no samples or examples of how these various
20 approaches and resources would be coordinated with one another and
21 how that would actually be applied in the multiple settings of
22 classroom-based, online, and homeschool programs.
23

24 4. As a whole, the Charter narrative and the appendices do not present
25 any type of unified academic plan that a reader could follow to
26 obtain a clear idea of the instructional program or even what, if
27 any, services would be provided directly by CSCS staff (instead of
28 RSCS or Springs Charter Schools network). Because the Charter lacks
29 (1) original school product, (2) evidence of parent interest,
30 (3) cohesive curricula, and (4) specific qualified instructors for
31 9-12 subjects, the petitioner cannot demonstrate that it presents
32 a sound educational program.
33

34 D. THE PETITION DOES NOT CONTAIN REASONABLY COMPREHENSIVE DESCRIPTIONS OF
35 ALL OF THE REQUIRED ELEMENTS. [Education Code Section 47605(b)(5)]
36

37 1. DESCRIPTION OF THE EDUCATIONAL PROGRAM OF THE SCHOOL. [Ed. Code
38 Section 47605(b)(5)(A)(i)]
39

1 All of the above-described concerns regarding the unsoundness of
2 the educational program and the inadequacy of the Charter's
3 description thereof, including all issues related to the IDEIA, are
4 hereby incorporated herein by this reference.
5

6 2. THE GOVERNANCE STRUCTURE OF THE SCHOOL. [Ed. Code Section
7 47605(b)(5)(D)]
8

9 A. All of the above-described concerns regarding the proposed
10 governance structure, including, but not limited to, concerns
11 regarding the proposed relationship with RSCS and the lack of
12 clarity in the proposed governance of CSCS, are hereby
13 incorporated herein by this reference.
14

15 B. The description of the governance structure is unclear and
16 incomplete. The interplay between the various schools and
17 corporate entities as well as the staff is confusing,
18 internally inconsistent, and is vague and ambiguous.
19 Therefore, the description of the governance structure cannot
20 be fully assessed by the District and is not reasonably
21 comprehensive.
22

23 C. The August 30, 2013, FCMAT Report for River Springs Charter
24 School specifies that, "[b]ecause of the number of
25 individuals in positions of significant influence who are
26 related to one another, and to ensure best business
27 practices," that school should adopt board policies
28 regarding, among other things, Government Code Section 1090.
29 However, the Citrus Springs Charter School, Inc. Bylaws and
30 Conflict policy fail to contain any reference to Government
31 Code Section 1090 and the Bylaws contain conflict of interest
32 and interested persons provisions that are contrary to the
33 intent and requirements of Section 1090. The District is
34 concerned that FCMAT specifically recommended that such a
35 policy be adopted for RSCS based in part on the organizational
36 structure of the school, as well as best business practices,
37 yet CSCS, Inc. apparently decided to disregard that
38 recommendation. This action not only perpetuates the same
39 deficiencies found in petitioner's previous charter petition,

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it also raises questions regarding what other recommendations and requirements from FCMAT have not been implemented.

3. SUSPENSION AND EXPULSION PROCEDURES [Ed. Code Section 47605(b)(5)(J)]

A. Notwithstanding the fact that petitioner's "flagship school" was just required to make material revisions to its charter concerning its compliance with the IDEIA, the Charter as written does not fully comply with the IDEIA. In particular, it fails to clearly indicate that students with a disability may not be suspended or removed from their current placement for more than 10 school days unless and until a manifestation determination is conducted pursuant to 20 U.S.C. Section 1415(k)(1). The petitioner also fails to require proper notification of discipline pursuant to 20 U.S.C. Section 1415(k)(1)(H) and does not conform to the time restrictions identified in 20 U.S.C. Section 1415(k)(4). Charter schools are required to comply with all provisions of the IDEIA and its implementing regulations.

IV. That the terms of this Resolution are severable. Should it be determined that one or more of the findings and/or the factual determinations supporting the findings is invalid, the remaining findings and/or factual determinations and the denial of the Charter shall remain in full force and effect. In this regard, the District Board specifically finds that each factual determination, in and of itself, is a sufficient basis for the finding it supports, and each such finding, in and of itself, is a sufficient basis for denial.

[SIGNATURES ON NEXT PAGE]

1 The foregoing resolution was considered, passed, and adopted by this Board at its
2 regular meeting of March 8, 2016.

3
4 BOARD OF EDUCATION OF THE
5 SANTA ANA UNIFIED SCHOOL DISTRICT
6

7
8
9 By:



10 John Palacio
11 President of the Board of Education
12

13
14 STATE OF CALIFORNIA)
15) ss
16 ORANGE COUNTY)
17
18

19 I, Rob Richardson, do hereby certify that the foregoing is a true and correct copy of
20 Resolution No. 15/16-3091, which was duly adopted by the Board of Education of the
21 Santa Ana Unified School District at a meeting thereof held on the 8th day of March,
22 2016, and that it was so adopted by the following vote:
23

24 AYES: John Palacio, Rob Richardson, Jose A. Hernandez

25 NOES: Cecilia Iglesias

26 ABSENT: Valerie Amezcua

27 ABSTENTIONS:
28

29 By



30 Rob Richardson
31 Vice President of the Board of Education
32 Santa Ana Unified School District
33
34

RESOLUTION NO. 2015/16-3095

BOARD OF EDUCATION

SANTA ANA UNIFIED SCHOOL DISTRICT

ORANGE COUNTY, CALIFORNIA

National Deaf History Month

WHEREAS, Approximately one in ten Americans is either born deaf or has acquired some forms of hearing loss due to accident, illness, noise, heredity, or aging; and

WHEREAS, although the term "deaf community" implies uniformity, it actually consists of diverse individuals with varying communication modes and backgrounds, both deaf and hearing, who share common characteristics of hearing loss and/or deaf culture; and

WHEREAS, the deaf community has been long unrecognized and misunderstood by most Americans; and

WHEREAS, numerous pioneers should be honored for their roles in transforming American culture, history, and politics as educators, artists, writers, inventors, informed citizens, and many other roles, as for example:

- A. Thomas Brown, deaf orator and grassroots community leader who planted the seed for the National Association of the Deaf in the 1870s;
- B. Thomas Alva Edison, inventor and scientists who received 1,093 patents and who said his deafness helped him concentrate on his experiments and research;
- C. Andrew J. Foster, deaf American educator who founded thirty-one schools and many other programs for deaf people in thirteen African countries;
- D. Sophia Fowler Gallaudet, an influential deaf advocate to the US Congress and who was known as "Queen of the Deaf Community;"

E. Helen Keller, deaf-blind author and lecturer, who received many honors for her global advocacy on human rights; and

WHEREAS, for thirty years since the 1970s, the general public has been becoming more aware of the deaf community and sign language through television and theatre, ranging from:

A. Children of a Lesser God, a Tony-Award winning play about the deaf culture which starred a deaf actress; and

B. Sesame Street, a children's educational television program with an award-winning deaf actress as "Linda the Librarian" to the recent smash hit,

C. Big River, The Adventures of Huckleberry Finn, multi-award winning musical play, produced by deaf-run Deaf West Theatre; and

WHEREAS, the heritage of the deaf community in America has been recognized in Deaf Heritage, the first history of the deaf community in America, published in 1981 by the National Association of the Deaf, and written by Jack R. Gannon, and American Sign Language has been acknowledged as a true language, and is taught throughout the United States, and

WHEREAS, libraries have been instrumental in promoting public awareness of American Sign Language, deaf culture, and the history of the deaf community, as for example:

A. Since 1974, the District of Columbia Public Library in Washington, D.C. has celebrated deaf awareness in the first full week of December, now known as Clerc-Gallaudet Week. This Week commemorates the anniversaries of the births of Laurent Clerc and Thomas Hopkins Gallaudet, two pioneers of deaf education in America, both born in December and who made a great impact on the deaf community when they founded the first permanent American school for deaf students in Hartford, Connecticut on April 15, 1817;

B. Public schools and academic libraries are acquiring literature and media concerning the deaf community in varied formats such as books, captioned media, American Sign Language video titles, large print, and Braille;

WHEREAS, the month of March 13-April 15 contains these important dates in American History;

A. March 13: The victory of the Deaf President Now movement at Gallaudet University located in Washington, D.C. when the first deaf person was selected to become president of this 124-year-old institution in 1988;

B. April 8: Charter signed in 1864 by the President of the United States, Abraham Lincoln, authorizing the Board of Directors of the Columbia Institution (now Gallaudet University) to grant college degrees to deaf students;

C. April 15: Establishment in 1817 of the first permanent school for deaf students in the Western Hemisphere, now known as the American School for the Deaf, located in Hartford, Connecticut; and

WHEREAS, in the history of California, the Santa Ana Unified School District, as a prominent leader in deaf education, in 1948, founded a program for students who are deaf or hard of hearing that has served over 4000 Orange County students and has continued for over a half century to provide a high standard of education;

NOW, THEREFORE, BE IT RESOLVED, that the Santa Ana Unified School District joins in the celebration of National Deaf History Month, held annually March 13 - April 15 and calls upon public officials, schools, and others to celebrate with programs and activities to highlight and honor the many contributions of the deaf community to American society.

Upon motion of Member Iglesias and duly seconded, the foregoing Resolution was adopted by the following vote:

AYES: John Palacio, Rob Richardson, José A. Hernández, and Cecilia Iglesias

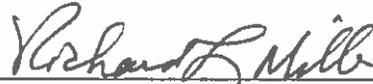
NOES:

ABSENT: Valerie Amezcua

STATE OF CALIFORNIA)
) SS:
COUNTY OF ORANGE)

I, Richard L. Miller, Secretary of the Board of Education of the Santa Ana Unified School District of Orange County, California, hereby certify that the above and foregoing Resolution was duly adopted by the said Board at a regular meeting thereof held on the 8th day of March, 2016, and passed by a vote of 4-0 of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of February, 2016.



Richard L. Miller, Ph.D., Secretary
Board of Education
Santa Ana Unified School District

