

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

April 25, 2006

CALL TO ORDER

The meeting was called to order at 5:37 p.m. by Board President Yamagata-Noji. Other members in attendance were Mr. Richardson and Mr. Palacio. Mr. Tinajero and Mrs. Avila arrived at 5:45 p.m.

Cabinet members present were Dr. Mijares, Ms. Russo, Mr. Trigg, Mr. Lopez, Dr. Stainer, and Dr. Bratcher.

MEETING RECESSED AND RECONVENED

At 5:37 p.m., the Regular meeting was recessed to Closed Session to consider legal matters, personnel matters, special education contracts, and student discipline issues.

The Regular meeting reconvened at 6:45 p.m.

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance led by student David Hernandez from Spurgeon Intermediate.

CHANGE IN ORDER OF AGENDA

Classified Employee of the Month for April - Christina "Tina" Gutierrez

A selection committee selected Christina "Tina" Gutierrez as Classified Employee of the Month for April. Mrs. Gutierrez is the School Office Manager at Santa Ana High School. Maria Cante, School Office Assistant Secondary, Santa Ana High School, provided the presentation. Mrs. Gutierrez was described by co-workers as enthusiastic, polite, helpful, friendly, and professional. She has a good sense of humor, gets along well with staff and students, and works beyond job expectations. Mrs. Gutierrez also claims to have bragging rights when it comes to her grandchildren. With Mrs. Gutierrez were her husband, son, daughter, grandchildren, and Santa Ana High School staff members and principal. Ms. Gutierrez was presented a plaque for which she was honored and a gift certificate.

SUPERINTENDENT'S REPORT

The Superintendent called to the attention of those present the beautiful artwork posted in the Board Room contributed by the students and teachers at Thorpe Fundamental and Romero-Cruz Elementary Schools.

Eighth-grade student David Hernandez, from Spurgeon Intermediate School, demonstrated his great typing skills before the Board. He is in the Southern Section Future Business Leaders of America program. He has been competing against high school students and GATE Magnet Oxford Academy students in a typing competition and Creed event. David took Second Place in the Creed event where students memorize the FBLA Creed and recite it before judges, without errors or omissions. Amazingly, David reached a typing speed of 108 words per minute. David's supporters included his parents, sister, brother, and Ms. Kline, Spurgeon Intermediate Business Technology Department Chair as well as Principal Laxton.

A video was shown highlighting an elegant celebration honoring Mr. Tinajero as *Teacher of the Year* sponsored by Hispanic Magazine and Nordstrom. The event was provided on behalf of Nordstrom. Mr. Tinajero's parents, family, friends, Board members, Dr. Mijares, and educators attended the exciting event.

On Tuesday, April 11th, McFadden Intermediate students were introduced to many diverse career opportunities at their annual Career Day event. Channel 31 staff captured the enthusiasm and excitement of that special day.

On Friday, April 28th, MacArthur Fundamental will hold its Annual History Faire, from 8:00 - 1:00 p.m. The event will feature a tournament, student performances, and a reenactment of a Medieval Battle.

On Thursday, May 11th, the District will offer a personal look inside the Santa Ana Unified School District called "Insight to the Santa Ana Schools." This event will take visitors on a tour of schools and classrooms, ending at Santa Ana High's visual and performing arts event, the admirable "Arts on the Lawn."

On Saturday, May 13th, Heninger Elementary will host a School Readiness Community Spring Fair from 10:00 - 2:00 p.m. They will offer free dental, vision, hearing, and health screenings for all children, as well as provide immunizations.

On Saturday, April 29th, the Hispanic Chamber of Commerce of Orange County will honor Dr. Mijares with an Estrella Award for being a positive role model, influencing and molding community leaders in Orange County through the field of Education. Bernedette Medrano, Executive Director of Santa Ana Education Foundation, will receive the Community Service Award.

PRESENTATIONS:

Update and Status of School Building Program

Mr. Hills, SAUSD Manager of Construction, presented an update and status report of the Santa Ana Unified School District's School Building Program. Various pictures and aerial views were also provided.

Mr. Richardson requested that District maintain close contact with the Valley Neighborhood Association as the modernization project continues. He also asked that when referring to Community Facilities Districts, that names or locations be included for clear identification. Mr. Richardson asked staff to investigate whether the Nexus developers chose to pursue property on MacArthur and Main Streets.

Dr. Noji asked staff to provide information regarding the accountability of developer fees in terms of capital projects.

Mr. Palacio asked that staff provide a breakdown of redevelopment fees by project.

Acceptance of Independent Financial and Performance Audit Report of Measure C Bond Funds for Fiscal Years 2003-04 and 2004-05

Ms. White of Nigro, Nigro & White, PC, stated that the 2004-05 audit report was reviewed with the Bond Oversight Committee at their most recent meeting. In the opinion of Nigro Nigro & White, PC, the financial statements are "above present fairly" in all material respects. The financial position of the Measure C Bond Building Fund of the SAUSD as of June 30, 2005, are in conformity with accounting principles generally accepted in the United States.

By Board consensus, the 2004-05 and 2003-04 independent financial and performance audit reports were removed from the Agenda and will be agendized at a future Board meeting in which a vote will take place.

Summarized Data of Williams Settlement

Mr. Trigg stated that in order to meet the Williams Settlement Uniform Complaint Reporting requirements, staff is required to report summarized data on the nature and resolution of all complaints on a quarterly basis. There were two accounts filed: At Carr Intermediate a portable restroom was located on the handball courts blacktop area creating an unpleasant odor. The restroom was relocated to the athletic field away from students. The other account, were lunch tables at Taft Elementary. Tables were power washed with hot water and disinfected. All concrete in the entire lunch area was also power washed.

Achievement Reinforcement Center (ARC)

Chief Miyashiro presented information on the Achievement Reinforcement Center (ARC). The ARC was established to address the high number of truancies indicated in recent city and county statistics. The ARC has been in operation for three months and has serviced 863 students to date. The funding is through the Safe Schools Healthy Students Grant. He identified the process which occurs once the student is referred to the ARC, which includes an individual conference with the student, communication with school site, needs assessment evaluation, and house visits when necessary. Chief Miyashiro stated students are taught academic and life skills lessons in class.

PUBLIC HEARING:

California School Employees' Association (CSEA) Reopening Bargaining Proposal 2005-07 School Years

Dr. Yamagata-Noji opened the Public Hearing to receive comments regarding the California School Employees' Association (CSEA) reopening bargaining proposal for the 2005-07 school years.

Hearing no comments, she declared the public hearing closed.

PUBLIC COMMENTS/PRESENTATIONS:

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

Lupe Moreno, Santa Ana resident, thanked the Santa Ana Police and staff who stood and protected the community on the day of walkouts. She spoke about protecting the American Flag and all that it represents.

Beatriz Salas, Santa Ana resident and Cecilia Aguinaga, Santa Ana resident, both spoke in regards to the Bristol Warner Neighborhood Association Street Faire. They thanked the Sepulveda Elementary choir, Santa Ana High's NJROTC, SAPD fingerprinting of students, and all others who helped to make the event successful.

Victoria Zaragoza, Santa Ana resident, spoke with regard to the Achievement Reinforcement Center. She thanked the SAUSD for taking responsibility to help truant students. She spoke about the need for a larger location and that it would take a joint effort to help keep children in school. She then offered her support.

APPROVAL OF MINUTES OF REGULAR BOARD MEETING - APRIL 11, 2006

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to approve the Minutes of the April 11, 2006, Regular Board meeting, as modified.

APPROVAL OF CONSENT CALENDAR

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

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

- 1.1 Approval of substitution of ATT Fire Protection Systems of Tujunga, CA to Salamander Fire Protection of Calabasas, CA as the listed fire sprinkler system subcontractor for the construction of Mountain View High School (Lorin Griset Academy).
- 1.2 Approval of Change Order No. 17 for bid package No. 1 for the construction of Godinez Fundamental High School project in the amount of \$87,514 for a revised total construction cost of \$64,864,719.
- 1.3 Adopt Resolution No. 05/06-2647 - ratifying an emergency condition at Spurgeon Intermediate due to a ruptured water line.
- 1.4 Approval of purchase order summary and detailed listing of orders \$25,000 and over for the period of March 29 through April 11, 2006.
- 1.5 Approval of expenditure summary and warrant listing of expenditures over \$10,000 for the period of March 29 through April 11, 2006.
- 1.6 Approval of listing of agreements/contracts between Santa Ana Unified School District and various consultants for the period of March 29 through April 6, 2006.

- 1.7 Approval to dispose obsolete un-repairable computer equipment, miscellaneous furniture, equipment, or textbooks, pursuant to Education Code Sections 17545 and 17546, Board Policy and Administrative Regulation 3270.
- 1.8 Authorization to award contracts for purchase of school paper supplies for warehouse stock, pursuant to Bid No. 8-06 and the provisions of Public Contract Code Section 20118, renewable annually for a period of up to three years.
- 1.9 Approval of payment for Advanced Placement test fees to the College Board.
- 1.10 Ratification of amendment to grant agreement SSR-1A-07 with Children and Families Commission of Orange County to amend, restate, and extend Exhibit AA-1 Work Plan for the period of 2005-06 school year.
- 1.11 Ratification to submit FEDCO Foundation Grant application to the FEDCO Charitable Foundation for Thorpe Fundamental Elementary School.
- 1.12 Approval of payment of costs incurred for designated instructional services for students with disabilities.
- 1.13 Acceptance of gifts in accordance with Board Policy (BP) 3290 - Gifts, Grants, and Bequests.
- 1.14 Approval/Ratification of extended field trips in accordance with Board Policy (BP) 6153 - School-Sponsored Trips and Administrative Regulation (AR) 6153.1 - Extended School-Sponsored Trips.
- 1.15 Approval of recommendations of administrative hearing panels to expel students for the recommended terms and conditions excluding student 151517:

142062 - Segerstrom High

For violation of Education Code Section 48900, paragraphs c and j, that the Board expel the student from the schools of the District for the remainder of the spring semester 2005-06 school year and that the expulsion order be suspended for only the fall semester of the 2006-07 school year and that the student be permitted to return to a District school/program on a probationary status during that time period.

116047 - Santa Ana High

For violation of Education Code Section 48900, paragraph b, that the Board expel the student from the schools of the District for the balance of the spring semester 2005-06 school year and that the expulsion order be suspended until June 15, 2006, and that the student be permitted to return to a District school/program on a probationary status.

165755 - Willard Intermediate

For violation of Education Code Sections 48915, paragraphs a, b, and e, that the Board expel the student from the schools of the District and that the student may apply for readmission on or after April 25, 2007.

184200 - Century High

For violation of Education Code Section 48900, paragraph b, that the Board expel the student from the schools of the District and that the student may apply for readmission on or after January 15, 2007.

142062 - Segerstrom High

For 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 January 15, 2007.

171347 - Willard Intermediate

For violation of Education Code Section 48900, paragraph 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 15, 2006.

129038 - Segerstrom High

For violation of Education Code Section 48900, paragraphs a and c, that the Board expel the student from the schools of the District and that the student may apply for readmission on or after January 15, 2007.

198425 - Century High

For violation of Education Code Section 48900, paragraph b, that the Board expel the student from the schools of the District and that the student may apply for readmission on or after January 15, 2007.

164235 - Willard Intermediate

For violation of Education Code Section 48900, paragraph b, that the Board expel the student from the schools of the District for the remainder of the spring semester 2005-06 school year and that the expulsion order be suspended for only the fall semester of the 2006-07 school year and that the student be permitted to return to a District school/program on a probationary status during that time period.

158828 - Carr Intermediate

For violation of Education Code Section 48900, paragraph c, that the Board expel the student from the schools of the District for the remainder of the spring semester 2005-06 school year and that the expulsion order be suspended for only the fall semester of the 2006-07 school year and that the student be permitted to return to a District school/program on a probationary status during that time period.

174137 - Willard Intermediate

For violation of Education Code Section 48900, paragraph 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 15, 2006.

2.0 AUTHORIZATION TO AWARD A CONTRACT FOR CONSTRUCTION OF HEROES ELEMENTARY SCHOOL PROJECT

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 4-1, Mr. Palacio dissenting, to authorize Administration to award a contract to P.H. Hagopian in the amount of \$14,120,000 for the construction of Heroes Elementary School project.

Mr. Palacio requested a staff memo to include Division of State Architect approval with project being 60-70% complete. Dr. Yamagata-Noji asked for an overall memo from District staff summarizing all pertinent information.

3.0 APPROVAL OF CHANGE ORDER NO. 15 FOR BID PACKAGES NO. 15, 18A, 18B, 18D, 19, AND 23 FOR CONSTRUCTION OF SEGERSTROM HIGH SCHOOL PROJECT

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mrs. Avila not present, to approve Change Order No. 15 for bid packages No. 15, 18a, 18b, 18d, 19, and 23 for the construction of Segerstrom High School project in the amount of \$371,886.85 for a revised total construction cost of \$56,342,782.78.

4.0 ACCEPTANCE OF COMPLETION OF CONTRACTS FOR BID PACKAGES NO. 8B, 15, 18A, 18B, 18C, 18D, 19, 21, AND 26 FOR CONSTRUCTION OF SEGERSTROM HIGH SCHOOL PROJECT

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to accept the April 25, 2006, completion of contract for bid packages No. 8b, 15, 18a, 18b, 18c, 18d, 19, 21, and 26 for the construction of Segerstrom High School project for a total amount of \$10,794,470.62.

5.0 AUTHORIZATION TO AWARD CONTRACT FOR PURCHASE OF INSTRUCTIONAL SUPPLIES FOR WAREHOUSE STOCK

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0, to authorize administration to award contracts for purchase of instructional supplies for warehouse stock, pursuant to Bid No. 7-06 and the provisions of Public Contract Code Section 20118, renewable annually for a period of up to three years.

6.0 ADMINISTRATIVE REGULATION (AR) 3541.1 - TRANSPORTATION FOR SCHOOL RELATED TRIPS (REVISED: FOR IMPLEMENTATION)

Presented for implementation; no action was required.

7.0 APPROVAL OF HIGH SCHOOL CERTIFICATE OF COMPLETION

Dr. Bratcher provided a PowerPoint presentation. He stated that High school graduation ceremonies are held to recognize those students who have successfully completed the graduation requirements and have earned the right to receive a diploma. As this is the first year required for passing the California High School Exit Exam (CAHSEE), consideration is required for students who will meet the graduation requirements, but who have not passed the CAHSEE. He stated that there have been revisions to the CAHSEE administrations, which include the addition of a summer test for grade twelve, and adult students only, a Saturday test for grades eleven and twelve, and the shift of the test previously scheduled in September to October. He provided a chart describing the number of high school students who have not passed either section of the test, both sections, or one section. He stated that in order for a special education student to be excused from the requirement of passing the CAHSEE and to receive a high school diploma they must have a valid IEP as of July 1, 2005, taken the CAHSEE two times after 10th grade, once in the senior year, with any modifications or accommodations, completed all other graduation requirements, and have been provided CAHSEE interventions. This request would be in effect for the Class of 2006 only. He then described interventions including Kaplan tutorials, Santa Ana College Bridge classes, and after-school tutoring.

Mr. Rankin was called to the podium with student Alma Zavala. Mr. Rankin described Alma's high school academic scenario from the time she came from Mexico as a freshman at Century High, speaking no English, to the present as a senior. She took all the right classes, CAHSEE intervention and preparation classes, earning 262.5 graduation credits of the required 240, having a 3.0 GPA, and worked diligently to excel in all her classes, unfortunately, as of yet, has not passed the CAHSEE. Mr. Rankin asked on behalf of students for Board's consideration to allow student participation in the graduation ceremony, as the outcome of the March CAHSEE is unknown until the end of May or early June and graduation is June 14. Student Zavala then stated that she is confident that she will pass the CAHSEE this time. She added that her future goal is to become a nurse.

Board discussion ensued and Dr. Bratcher addressed questions from the Board.

Mr. Richardson requested that on the PowerPoint chart to add a column that includes the number of seniors that have completed all graduation requirements.

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 4-1, Mr. Palacio dissenting, to approve the High School Certificate of Completion.

8.0 APPROVAL TO ALLOW STUDENTS TO PARTICIPATE IN HIGH SCHOOL GRADUATION COMMENCEMENT CEREMONIES (FOR CLASS OF 2006 ONLY)

Dr. Bratcher stated that senior students were allowed to retake the CAHSEE on March 21 and 22, 2006, if they had not passed the exam. The remaining dates for a makeup administration of the CAHSEE will be allowed on May 8 and 9, 2006. Educational Testing Services (ETS) cannot guarantee that results will be posted before the end of May 2006. Therefore, Administration is requesting that the Board consider allowing students to participate in the high school commencement ceremonies due to districts not knowing the results from these two administration dates in time for the commencement ceremonies. This allowance to participate in the commencement ceremonies would be for the Class of 2006 only.

It was moved by Mr. Tinajero, seconded by Dr. Yamagata-Noji, and carried 3-2, Mrs. Avila and Mr. Palacio dissenting, to allow students to participate in high school graduation commencement ceremonies for the Class of 2006 only.

9.0 ADMINISTRATIVE REGULATION (AR) AND BOARD POLICY (BP) 5127 - GRADUATION CEREMONIES AND ACTIVITIES (REVISED: FOR FIRST READING)

Presented for first reading only; no vote necessary.

10.0 APPROVAL OF NEW JOB DESCRIPTION: PLANT SUPERVISOR

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 3-1, Mr. Tinajero not present and Mr. Palacio dissenting to approve the new job description Plant Supervisor.

Dr. Noji requested that back up information include salary range on all new job descriptions and for those positions that are confidential that it be included in description.

11.0 APPROVAL OF REVISED JOB DESCRIPTION: ADMINISTRATIVE SECRETARY

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Tinajero not present to approve the revised job description Administrative Secretary.

12.0 APPROVAL OF REVISED JOB DESCRIPTION: ADMINISTRATIVE SECRETARY - HUMAN RESOURCES

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 4-0, Mr. Tinajero not present to approve the revised job description Administrative Secretary-Human Resources.

13.0 APPROVAL OF NEW JOB DESCRIPTION: PRE-SCHOOL FACILITATOR

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 3-1, Mr. Avila dissenting and Mr. Tinajero not present to approve the new job description Pre-School Facilitator.

14.0 PERSONNEL ACTION

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, Mr. Tinajero not present to approve the Personnel Calendar in its entirety.

15.0 BOARD REPORTS/ACTIVITIES

Mr. Palacio:

- ❖ Congratulated Dr. Bratcher and Mr. Lopez for receiving Administrators' of the Year and Friends in Education Awards from ACSA, Region XVII.
- ❖ Congratulated Dr. Mijares and Ms. Bernedette Medrano for being honored by the O.C. Hispanic Chamber of Commerce 2006 Estrella Awards.
- ❖ Congratulated Dr. Bratcher for receiving the UCI Laud and Laurels Alumnus of the Year Award.

Mr. Richardson:

- ❖ Echoed Mr. Palacio in congratulating Dr. Bratcher, Mr. Lopez, Dr. Mijares, and Ms. Medrano for all receiving awards.
- ❖ The conversation regarding the CAHSEE reflects the seriousness in which many districts will face. It was a positive discussion.

Mrs. Avila:

- ❖ Announced Carr Intermediate will be having their 50th Anniversary on May 20th.
- ❖ Enjoyed attending the Annual State of the District held at Segerstrom High School.
- ❖ She was made aware of an incident at Century High School concerning the flag. She echoed Ms. Moreno regarding American values and what the flag means to us.

Dr. Bratcher was asked to clarify the flag incident at Century High. He responded, that a student made an attempt to climb the flag pole and was unsuccessful.

Dr. Yamagata-Noji:

- ❖ Announced and invited all to support Valley High School on May 4, 5, & 6 at 7:30 p.m. Ms. Bluel and talented cast will present a musical called *Once Upon A Mattress*. The Macy Committee will be judging their performance. Macy is equivalent to the Tony Awards.
- ❖ Announced the "Insight to Santa Ana Schools" tour and asked that those who may not know enough about the SAUSD to attend the event.
- ❖ Announced the Asian and Pacific Islander Heritage Celebration on Thursday, May 11th at the Garden Beach Restaurant. Those interested in attending, she would sponsor you as her guest.
- ❖ The State of the District event, congratulations to Dr. Mijares for a great job. Asked that Board receive a DVD of that event.
- ❖ Reminder that the Regular meeting of the Board of Education scheduled for May 9, 2006, will begin at 5:00 p.m.

REPORT OF ACTION TAKEN IN CLOSED SESSION:

Approval to Deny Claim Against the District - Rebolledo vs. Children's Hospital of Orange County, St. Joseph Hospital, and the SAUSD

Moved: Yamagata-Noji _____ Richardson _____ Tinajero _____ Avila _____ Palacio X
Seconded: Yamagata-Noji _____ Richardson X Tinajero _____ Avila _____ Palacio _____
Vote: Ayes 5 Noes _____ Abstain _____ Absent _____

Approval to Deny Claim Against the District - Follinus v. Spencer

Moved: Yamagata-Noji _____ Richardson _____ Tinajero X Avila _____ Palacio _____
Seconded: Yamagata-Noji _____ Richardson _____ Tinajero _____ Avila _____ Palacio X
Vote: Ayes 5 Noes _____ Abstain _____ Absent _____

Approval to Deny Claim Against the District - Stephany Ceja

Moved: Yamagata-Noji _____ Richardson X Tinajero _____ Avila _____ Palacio _____
Seconded: Yamagata-Noji _____ Richardson _____ Tinajero _____ Avila _____ Palacio X
Vote: Ayes 5 Noes _____ Abstain _____ Absent _____

Approval to Appoint Managerial Staff - Summer School Principals

Moved: Yamagata-Noji _____ Richardson _____ Tinajero _____ Avila _____ Palacio X
Seconded: Yamagata-Noji _____ Richardson _____ Tinajero X Avila _____ Palacio _____
Vote: Ayes 5 Noes _____ Abstain _____ Absent _____

Approval of 2006 Secondary Summer School Principals:

Intermediate Schools
Martha Brambila
Carlos Camacho
Marvin Smulowitz
Renee Rowan
Crystal Jimenez
Mark Bello
Denise Bertrand
Felipe Zamudio
Roger Frazier
Jean Williams
Eleuteria M. Torres

High Schools
Danny Martinez
Bruce Carlisle
Robert Sanchez
Katrina Callaway
Tom Hummel
Ken Stokesberry
David Casper
Gamile Mherian

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 10:30 p.m.

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, May 9, 2006, at 5:00 p.m.

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