

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

May 25, 2004

CALL TO ORDER

Board President Richardson called the meeting to order at 4:35 p.m. Dr. Yamagata-Noji, Mrs. Avila, were also present. Mr. Palacio arrived at 5:00 p.m. and Mr. Tinajero arrived at 5:25 p.m.

Cabinet members present were Dr. Mijares, Dr. Bennett, Dr. Stabler, Mr. Best, Dr. Bratcher, Ms. Brown, Mr. Sharp and Mrs. Araujo-Cook. Dr. Stainer was not in attendance.

RECESS TO CLOSED SESSION

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

MEETING RECONVENED

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

REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board President reported the following action taken in Closed Session:

By a vote of 5-0, the Board took action to ratify an individual service agreement for the education of a disabled pupil for the 2003-04 school year.

By a vote of 5-0 the Board took action to ratify a nonpublic agency contract and individual service agreement for the education of a disabled pupil for the 203-04 school year.

By a vote of 5-0 the Board took action to approve an individual service agreement with nonpublic schools for the education of disabled pupils for the 2003-04 school year.

By a vote of 4-0, the Board approved to reinstate 30 particular kinds of services which include 15 music positions, 13 assistant principal positions, and two nurse positions.

There were approximately 100 members of the community and District staff in the audience.

PLEDGE OF ALLEGIANCE

The meeting was opened with the Pledge of Allegiance led by Mrs. Avila.

SUPERINTENDENT'S REPORT

Dr. Mijares drew to the attention of those present the artwork posted from Lathrop Intermediate and Carver Elementary schools.

Ms. Sally Arellanes, with the Orange County Department of Education, was in attendance to present the top Eighth Grade AVID student award in Orange County. In Santa Ana, there are eight schools participating in the program with 750 students. At the May 6th Annual Recognition Ceremony, 36 Orange County middle schools were invited to nominate who exemplified the best of AVID by achievement, dedication, and community involvement. 28 students were nominated and were asked to submit an application which required an essay, a teacher recommendation, a transcript, and evidence of extra-curriculum community involvement. The top Orange County AVID student selected for the 2003-04 school year was Jonathan Navarro from Willard Intermediate. He was selected out of 28 eighth graders from Orange County. He was presented with a computer and a printer at the ceremony.

On Saturday, May 8th, the Heninger Elementary School Math Team composed of 4th and 5th graders and coached by Tim Weyland and Teacher of the Year Silvia Ruiz, earned 6th place in the Algebra and Functions portion of the Orange County Math Field Day. 61 schools from across Orange County competed in this event. The teams competed in the following areas: Number Sense, Algebra and Functions, Statistics and Probability, Mathematical Reasoning and Geometry and Measurement. The students put in many extra hours preparing for the competition. A special thanks to the coaches for the hard work put in during their off-cycle time.

At the eleventh annual Festival of Women Authors, the Literary Guild of Orange County presented four promising young writers from the Santa Ana Unified School District with scholarship awards. Fatima Vasquez and Cassandra Wiley from Century High School and Margarita Vela and Marcela Lopez from Santa Ana High School were selected from dozens of entries by prominent authors for their skills and potential.

Rubi Ortiz, a fourth-grade student at Monte Vista Elementary School, is the winner of a \$5,000 college scholarship from BrainstormUSA, an Atlanta-based marketer of educational software, videos, workbooks and computers. The award is presented as part of the company's 2003 "Dare to Dream...Expect to Succeed" program. Rubi wants to be an architect. For her entry, Rubi built a replica of her school. Rubi's project was chosen from among hundreds of nationwide entries. In addition to Rubi winning the \$5,000 college scholarship, Rubi's school and teacher, Luis Maso, will both enjoy the gifts of new computers and educational software.

The fifth-grade classes of Ms. Linda Miller and Ms. Kim Baker from King Elementary School, were selected by the City of Santa Ana to receive the 8th Annual Community Development Resource Network Community Building Award. After carefully collecting data, students were startled with their findings and presented the information to the community via neighborhood community group presentations. The City's award is a prestigious one, with the King student's project being chosen over seven other university research projects for recognition.

Dr. Mijares announced that Valley High School has been granted a six-year term of accreditation, which expires on June 30, 2010. Congratulations to Valley High School staff and Valley school Principal Antonio Espinosa.

Kim Murgolo, a teacher at Willard Intermediate School, has been named *Teacher of the Year* by the California Association for Health, Physical Education, Recreation and Dance. Kim, a former Santa Ana Unified Teacher of the Year, will go on to represent the Southern District in the California Middle School competition next year.

Santa Ana Unified Teachers of the Year were recognized recently the Teacher of the Year Recognition Ceremony on May 6, 2004. An Education First clip briefly aired the impressive event where 54 Santa Ana teachers were recognized for their contributions to SAUSD children and overall excellence. Districtwide teachers were Maria Cristina Vicente, Elementary; David Greenwald, Intermediate, and Lisa Steele-Hasen, High School. Dr. Mijares commended the teachers and everyone involved in the planning of the event. He also thanked the Drama students from Valley High School for a job well done.

Talented students at Sepulveda Elementary School always put on excellent musical shows. This year's musical is called *The Return of the Glass Slipper - A Cinderella Story*. Parents and community members are invited to attend a special performance on Tuesday, June 1st, at 6:30 p.m. Students will attend performances from June 1st through June 4th. Directed by teacher Herschel Hill, these musicals are always a special treat for students and parents alike.

OC Family Magazine has named its 20th Annual Shining Students list for 2004. Representing Santa Ana Unified are Viet Nguyen of Saddleback High School and Juliana Garcia of Santa Ana High School. Viet, who will be attending New York University in the fall, is profiled in the magazine, as is Juliana, who will be attending USC. Free copies of the magazine are available throughout Orange County.

The Superintendent announced that Diamond Elementary School will be awarded 20 Gateway computers have been donated from Ralphs Supermarket and Proctor and Gamble. He stated that there would be a Press Release on Thursday at 5:00 p.m. where the computers will be awarded. Ralphs Supermarket will also sponsor the school's PTA fundraiser.

RECOGNITION

Superintendent's BRAVO! Award - Dominique Gomez

This special award from the Superintendent of schools was presented to Dominique Gomez, a fourth-grade student at Muir Fundamental Elementary School. Dominique is described as mature, kind-hearted, and loving. She was honored for her heroic act at a neighbor's home. She assisted in helping a 5 year-old disabled child in a life-threatening situation. Because she demonstrated every quality that exemplifies what the Bravo! Award was created she was selected for the recognition on behalf of the disabled child. Ms. Taylor, the disabled child's mother spoke and said that if it were not for the quick reaction and calm demeanor that Dominique displayed during the life-threatening situation, the outcome would not have been favorable for her daughter. A plaque was presented to Dominique for her heroic act. The Superintendent and Board commended her.

PRESENTATION

Ms. Brown, Assistant Superintendent, Facilities Planning/Governmental Relations, introduced Mr. Paul Taylor, Program Manager, OCTA, Mr. Jose Martinez, Senior Engineer, OCTA, and Mr. Bob Rusby, Project Manager, Planning Center for the CenterLine Project. The representatives from the OCTA provided an overview of the CenterLine project and described where the project lies in the process. Mr. Taylor stated that the OCTA is responsible for all forms of transportation in Orange County. He said that there are 14 schools in the vicinity of the CenterLine project that will be affected. He assured the Board that safety, noise, vibration abatement for any ongoing projects. His experience extends from Los Angeles railway project. He said that he will be working with the SAUSD to outreach and inform the community through the schools as to safety and behavior around projects. He said that an animal mascot was used in Los Angeles to promote safety and taken well with the students. Mr. Taylor and Mr. Martinez then presented the following information in reference to Orange County:

- 5th most populous U.S. county with one million people
- Demographically diverse
- Economically diverse with 1.4 million jobs
- 560 more residents and 540,000 more jobs by 2025

In 1990, voters approved Measure M - a 1/2cent sales tax, generating \$3.1 billion over 20 years:

- Freeway projects, 43% and \$1.3 billion
- Regional Streets and Roads, 11%, and \$341 million
- Local Streets and Roads, 21%, and \$651 million

Measure M Accomplishments:

- Met all promises to widen the I-5, SR-55, SR-57, and SR-91
- Improved local and regional streets and roads
- Added more freeway miles in ten years than were built in prior 50 years
- Expanded three Orange County Metrolink lines
- Reduced bus fares for seniors and disabled
- Earmarked \$350 million for advanced rail transit
- 87-mile rail master plan

The CenterLine Starter System:

- Part of region-wide transportation system
- 9.3 mile light rail starter system
- FTA recommended
- Linked with Park and Ride, OCTA buses, Metrolink and Amtrak commuter rail, aviation
- Developed in partnership with Santa Ana, Costa Mesa, and Irvine

Route Highlights:

- Santa Ana has large Metrolink/Amtrak commuter rail and bus service hub
- Santa Ana College current enrollment of 29,000 expected to increase 35% by 2010
- Costa Mesa is the largest retail shopping area in Orange County
- Costa Mesa Performing Arts Center expanding to 2,000-seat hall in 2006

- Irvine Business Complex has 78,500 employees
- Irvine is home to John Wayne Airport

Santa Ana Benefits:

- Mobility
- Traffic calming
- Bristol Street improvements
- Reinvestment

Good Neighbor Planning:

- Pedestrian Safety
- Safety Awareness Program
- Community Partners
- Santa Ana Safe Routes to School Program
- Upcoming Parking Workshops

Next Steps:

- Review FEIS/mitigations - June 2004
- Parking workshop - June 2004
- Begin Final Design - Fall 2004
- Community Consultation - Ongoing
- Project will begin - 2006
- Project to be completed - end of 2009

Mr. Martinez stated that the design stage is developed utilizing the input from the Santa Ana Unified School District and other stakeholders. At this time they are working on the designing of the preliminary engineering phase.

Ms. Brown stated that in October 2003 the SAUSD provided a response to the EIR which included outreach to the community, training of students and parents, schools involved, student's path of travel. She said that the SAUSD is expecting the OCTA to address the many impacts addressed in the initial letter of October 2003, in the final mitigation document. Ms. Brown stated that there is a consultant assisting the SAUSD on this matter.

Discussion ensued in reference to the travel of the CenterLine. A map describing the route was discussed.

Mr. Bob Rusby retained by the SAUSD as a consultant to present information with regards to the steps the District has taken in response to the OCTA's supplemental draft Environmental Impact Statement and Revised Draft Environmental Impact Report for the CenterLine project. He said that 30 schools are within half-a-mile from the project. He said that King and Sepulveda will be the most impacted schools. The Rail Base where storage and maintenance of cars will be located will affect Remington and Garfield Elementary schools. He said that there are some potential impacts. Students will be crossing the CenterLine, drivers, pedestrians, air quality, hazardous materials at the rail base, potential Title V violations, noise impact, aesthetic impact, property loss, parking loss, and construction and operations. He said that safety is the most important aspect of the project at this time.

Mr. Rusby stated that in June OCTA will release final EIR/EIS plan which will respond to all comments. The District will then have 30 days to review and if there are comments there will be an additional 30 days to

respond. At that point, OCTA will make a determination and certify the EIR/EIS.

PUBLIC COMMENTS

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

The following individuals addressed the Board to ask the Board of Education to reconsider 20-1 in Kindergarten:

Lorna Karagiozov, SAUSD teacher
Susana Martinez, SAUSD teacher,
Blanca Flores, 1236 2nd St., Santa Ana
Fabiola Flores, 1658 Walnut, Santa Ana
Claudia Perez, 619 N. Bristol, Santa Ana
Barbara Pearson, SAUSD teacher
Tom Harrison, President, SAEA
Miguel Partida, 606 Townsend, Santa Ana
Emil Barham, SAUSD teacher

Rafael Oleman, 1242 3rd St., Santa Ana, addressed the Board in support of the No Child Left Behind Act and offered assistance in anyway on behalf of the parents of Santa Ana.

David Benavides, 637 Daisy, Santa Ana, addressed the Board in opposition of the relocation of Mountain View High School at the proposed corner of Raitt and McFadden. He represents the Bella Vista Neighborhood Association. He would like to remind the Board that the school's location has been a safety concern. He is requesting that the District move forward to bid, but consider holding off in making a final decision before the construction. He asked if the Board would consider the safety issues mentioned in a letter by meeting the community half way.

Jerry Martinez, SAUSD staff, addressed the Board in reference to the RIF layoff notices. He said that for him and other schools must be inviting, safe, and a good learning environment. He asked that Board reconsider withdrawing the layoff notices and he is optimistic that it can be done.

Kim Gerda, 2215 Ross, Santa Ana, addressed the Board with safety concerns of the EIR regarding the CenterLine project and 37-story building adjacent to charter schools and expressed concern that the District submitted a two-page response regarding the 37-story building and 50 pages to the CenterLine. She urged the Board to write a letter concerning the high rise. She said that she received a flyer from OCEAA charter and never did the flyer indicate that it is a proposed school.

Victoria Zaragoza, 1109 Minnie St., Santa Ana, addressed the Board representing the District Advisory Committee (DAC) and with her is the President of the District English Learners Advisory Committee (DELAC). She said that she was interviewed by the State Consolidated Program Review Team and Comite Review Team she realized that it is essential that the committees communicate with the Board. She talked about kinder readiness program, presentation from the Santa Ana Public Library and their services, student discipline process, independent studies, findings from the State's Review regarding the consolidated programs for ELL, options to attend Independent Studies, Grand Jury's report, re implementation of bilingual education in the SAUSD, a decision to write a letter to the Grand Jury concerning their report, waivers, and NCLB.

Florence Ball-Freeman, SAUSD teacher, addressed the Board to thank them for reinstating the teaching positions and encouraged them to also reinstate classified positions. She spoke about moving forward with the proposed Mountain View High School at the site in which it was intended.

The following individuals addressed the Board and asked that security measures be taken into consideration regarding the proposed Mountain View High School at Raitt and McFadden:

Miguel Partida, 606 Townsend, Santa Ana
Nicolas Partida, 630 Daisy, Santa Ana
Christina Torres, 721 Goldenwest, Santa Ana

Pilar Sanchez, President, CSEA, addressed the Board asking them to come up with accurate numbers whether the layoffs consist of 79 or 131 and as negotiations continue she urged favorable outcomes for classified employees.

CHANGE IN AGENDA ORDER

CERTIFICATION OF FINANCIAL STATUS - APRIL 30, 2004

Mr. Richardson stated that in relation to the budget, many concessions have been made throughout the year such as restoration of particular kinds of service, obligations, pending issues, and the 20-1 kindergarten issue. He said that there are certain limitations due to the available funds.

Dr. Mijares stated that the District will be submitting the Third Period Interim Report with a positive certification. The report confirms that the District can meet its annual and two subsequent years obligation which is required by the State.

Dr. Stabler stated that the Education Code Section 42130 requires districts that have been certified as qualified to prepare and submit three interim financial reports to its governing boards. A certification by the governing board concerning the financial stability of the District is required to be submitted to the County Superintendent of Schools. The District's third period interim report as of April 30, 2004, satisfies the financial reporting requirement. The purpose of the report is two-fold. First to report the District's revenues and multi-year financial projection based on actions of the Board to date. The report shows that the District will be financially sound through June 30, 2004, and two subsequent years. The report is positive at this time due to the fact that the District has implemented the multi-year financial plan. He said that the detailed General Fund schedules for attendance, revenues, expenditures, cash flow, and criteria, and standards summary review will also be forwarded to support the positive certification of the District's financial status.

Dr. Stabler introduced Mr. Dean West, Senior Manager, Vicenti, Lloyd, and Stutzman, LLP. Mr. West provided information in reference to adjustments that were made from the second to the third interim. Some changes occurred due to changes in Sacramento.

Mr. Ron Bennett reported on the Multi-Year Projection. He said that improvements have occurred. He provided accomplishments stating that the District had a \$29.8 million deficit and has come from a qualified certification to a positive certification. He then provided statistics across the State and stated that the Board has done a remarkable job. He then provided information about contributions to the coming year to meet

all responsibilities and continue the required revenue percentage required by the State.

Dr. Richardson asked Dr. Stabler to elaborate on Option I Kindergarten. Dr. Stabler stated that when the District began looking at Option I it was a positive to the budget. Originally, he saw that the program could save approximately \$2.8 million. He said that that number was based on 5,100 students in the District at a 20:1 ratio. He said that if there is a change to 31:1 ratio, 255 teachers are needed. This would require 165 teachers or a reduction of 90 teachers. Option I is funded at \$907 per child and next year funded at approximately \$930 per child. He said that if you look at \$54,000 savings for 90 teachers that is a savings of \$4.86 million. If we bring back CSR, it would cost approximately \$2.5 million and the costs would have to come from the existing reserve. He said that at the 2005-06 assumptions, that would put the SAUSD below the required reserve.

Mr. Bennett stated that the \$2.5 could not come from the Reserves and that the Third Interim Report would have to be changed, from positive to qualified and additional cuts would have to occur that would affect the 2004-05 and 2005-06 school years. He then shared some insights from Sacramento. He clarified that the 2% reserve requirement is from the State.

Mr. Bennett stated in reference to the Classified negotiations, things are moving in a positive way. Meetings are taking place often, and both sides are acting in a responsive and professional way and an agreement will be reached soon.

APPROVAL OF MINUTES

It was moved by, Mr. Tinajero, seconded by Dr. Yamagata-Noji, carried 3-0, Mrs. Avila and Mr. Palacio not present, to approve the Minutes of the Regular meeting of May 5, 2004, and Minutes of the Special meeting of May 5, 2004.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Recommended Awards and Authorization to Re-Bid for the Construction of Mountain View Highs a Single General Contractor Project.

It was moved by Mrs. Avila, seconded by Mr. Tinajero, and carried 4-0, Mr. Palacio not present, to approve the balance of 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.

Gifts

Hoover Elementary
\$150 for ACEE activities and projects

Jackson Elementary
\$1000 for field trips
Jackson Elementary
\$163 for instructional supplies

Donors

Mr. Steve Jones*
Newport Beach

Dr. Federico C. Sayre
Santa Ana
Target
Mr. Gregg Steinhuf
Minneapolis, MN

Jackson Elementary \$375 for instructional supplies	MAN-CAL Inc., McDonald's* Mrs. Virginia Mangione Costa Mesa
Jackson Elementary \$100 for instructional supplies	Wal-Mart Foundation Mr. Gregg Whitehead Santa Ana
King Elementary \$350 for school equipment and materials	Ms. Judy Timmerman Long Beach
Mitchell Child Development Center \$200 for student supplies	Rand Corporation Mrs. Randy Zakwin Santa Monica
Santiago Elementary \$215 for instructional supplies	Mr. Alan Wood Orange
Taft Elementary \$500 for 2 nd grade field trips	Taft School PTA Mrs. Victoria Hanson Santa Ana
Taft Elementary \$2440 for 4 th grade field trips	Taft School PTA Mrs. Victoria Hanson Santa Ana
Taft Elementary \$2,320 for 5 th grade field trips	Taft School PTA Mrs. Victoria Hanson Santa Ana
Jim Thorpe Fundamental Elementary \$150 for field trips	Old Courthouse Museum Society Ms. Doreen Gray Santa Ana
Walker Elementary \$500 for field trips	Downey Savings Mr. Dan Martin Costa Mesa
Walker Elementary \$108 for instructional supplies	Target Mr. Gregg Steinhuf Minneapolis, MN
Washington Elementary \$263 for instructional supplies	Target Mr. Gregg Steinhuf Minneapolis, MN
Wilson Elementary \$1,000 for student field trips and incentives	Wilderness Training Committee Angeles Chapter - Sierra Club Mr. George Denny Los Angeles
Lathrop Intermediate \$103 student body activities	Target* Mr. Gregg Steinhuf Minneapolis, MN
Willard Intermediate \$190 for student incentives, and awards	Target Mr. Gregg Steinhuf Minneapolis, MN
Valley High Instructional supplies (Estimated value: \$4975)	Mr. David Seesemann Irvine
Visual and Performing Arts Clarinet for instructional music (Estimated value: \$150)	Mr. & Mrs. Jay Wexler Costa Mesa
Business Services \$4,071 for Valley High - Global Business Academy	Greater Kansas City Community Foundation/H&R Block Foundation Ms. Allyson Weber Kansas, MO

Grades 3 - 8 Schools - Districtwide
Miscellaneous instructional supplies
(Estimated value: \$30,000)

School Specialties
Mr. Kevin Mack
Fullerton

Districtwide
Miscellaneous telecommunications
Supplies

Mr. Andrew Polano
Tustin

*Denotes District Partners

Approval of purchase orders issued April 14 through May 24, 2004, to purchase materials, supplies, etc., with funds previously approved.

Approval of warrant listings prepared April 29 through May 13, 2004, to pay budgeted District financial obligations.

Authorization of Food Services - Statement of Operations - March 31, 2004

Authorization to reject all bids and re-bid for the construction of Hoover and Lowell Elementary Schools modernization projects.

Authorization for disposal of surplus miscellaneous equipment, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270 (a).

Authorization for disposal of obsolete textbooks, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

Approval the modification of transportation contract with Certified Transportation Services, Inc., for Cost of Living Adjustment (COLA), pursuant to Bid No. 17-02, of 3.5% increase to the existing District contract for fiscal year beginning July 1, 2004.

Approval to renew a contract between the District and the Orange County Teachers Federal Credit Union (OCTFCU) for an automated teller machine (ATM) at the District office.

Acceptance of May 25, 2004, for the completion of contract in the amount of \$16,581.70 with JJJ Floor Covering, Inc., for the replacement of flooring at Valley High.

Approval of submission of the reapplication for the Community Based English Tutoring (CBET) Program for the 2004-05 school year.

Ratification of submission of the Improving Literacy through School Libraries (LSL) Program grant application to the Office of Elementary and Secondary Education, United States Department of Education.

Approval of athletic insurance coverage for the 2004-05 school year, to be made available through Student Insurance at participant's expense with the provision that the District will pay the cost of any member of an athletic team who is financially unable to pay; and purchase of elementary competitors coverage at District expense for approximately \$3,300.

Approval of student accident insurance for the 2004-05 school year, to be made available through student insurance at participant's expense.

Adoption of High School Planning supplementary book.

Approval of Extended Field Trip:

Kennedy Elementary - 5th Grade
Outdoor Science School - Cedar Crest Camp
Running Springs, California
June 7-11, 2004 (Monday-Friday)

Saddleback High School - Dance
United Spirit Association (USA) Camp
California State University Long Beach
Long Beach, California
July 23-25, 2004 (Friday-Sunday)

Santa Ana High School - NJROTC
Leadership Academy 2004
Camp Pendleton
Oceanside, California
June 20-26, 2004 (Sunday-Saturday)

Santa Ana High School
Out Doors Adventure Program
Mt. Whitney, Sequoia National Park
Lone Pine, California
June 3-6, 2004 (Thursday-Sunday)

Valley High School - NJROTC
Leadership Academy 2004
Camp Pendleton
Oceanside, California
June 20-26, 2004 (Sunday-Saturday)

Board took action to approve the recommendations of the administrative hearing panels to expel the following students for the recommended terms and with the recommended remediation conditions:

114561 - Middle College
for violation of Section b, that the Board expel her from the schools of the District and that she may apply for readmission on or after January 15, 2005.

151967 - Lathrop
for violation of Section b, that the Board expel him from the schools of the District for the balance of the spring semester, 2003-04 school year, and 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.

104172 - Santa Ana
for violation of Section a, that the Board expel him from the schools of the District for the remainder of the spring semester 2003-04 school year, that the expulsion order be suspended for only the fall semester of the 2004-05 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

119402 - Santa Ana
for violation of Section a, that the Board expel him from the schools of the District for the remainder of the spring semester 2003-04 school year and 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.

187860 - Lathrop
for violation of Section a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2005.

106335 - Lathrop
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.

139534 - Willard
 for violation of Section b, 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..

140578 - Spurgeon
 for violation of Section m, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2005.

147090 - Carr
 for violation of Section d, 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.

099047 - Santa Ana
 for violation of Section c, that the Board expel her from the schools of the District for the balance of the spring semester, 2003-04 school year, the fall semester, 2004-05 school year, however, that the expulsion order be suspended until January 15, 2005, and that she be permitted to return to a District school/program on a probationary status.

118738 - Lathrop
 for violation of Section a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2005.

RECOMMENDED AWARDS

<u>Awards</u>	<u>Vendors</u>	<u>Amount</u>
Science Lab Modernizations For Qualified Zone Academy Bond (QZAB) Advanced academies At Century, Chavez, Saddleback and Santa Ana High Schools, and Higher Education Centers at Valley and Saddleback High Schools	USS Cal Builders	\$3,890,000
Construction of Lincoln and Jefferson elementary Schools Modernization Projects	USS Cal Builders	\$3,974,000

Dr. Yamagata-Noji inquired about the number of bids for QZAB projects. She also asked about the original budget amount and how close the award came in.

Mr. Hills responded that originally the budget was for \$3 million, which is 29% over budget. He said that currently we should expect construction escalation 29-30% over budget.

Dr. Yamagata-Noji then inquired about the amount of the original QZAB loan. Dr. Stabler responded that the original loan was \$6 million from the Federal Government for Higher Education Cents and Science Labs.

Dr. Yamagata-Noji then asked if the trend shows 29% increase, what should the District expect.

Ms. Brown stated that when the QZAB project budget was established 30% was built in as estimated construction costs and 30% in soft costs. Therefore, \$3 million was estimated in hard construction totaling \$900,000, in case construct costs escalated. She said that also included was 10% construct contingencies, 5% program contingencies, and an additional \$500,000 science equipment and furniture.

Dr. Yamagata-Noji stated that \$500,000 may not be an appropriate cost for equipment and furniture and requested more detailed information concerning the equipment and furniture relative to science labs.

It was moved by Mr. Tinajero, seconded by Dr. Yamagata-Noji and carried 4-0, Mr. Palacio not present, to approve the recommended awards.

ADOPTION OF RESOLUTION NO. 03/04-2560 - APPROVING A STATEMENT OF LOCAL GOALS AND POLICIES FOR COMMUNITY FACILITIES DISTRICTS (CFD) WITHIN THE SCHOOL DISTRICT

Ms. Brown introduced Ms. Denise Hering, with Stradling, Yocca, Carlson, & Rauth, who reviewed the goals and policies as the next step in forming a Community Facilities District. She said that they must return to the Board with four separate actions between now and January. She stated that the District is expected to receive \$5.5 million upon becoming a CFD within the School District. She said that the requirements under the statute of the proposed goals and policies address the following:

- A statement of the priority of the various kinds of public facilities shall have for financing through the use of this chapter, including public facilities to be owned and operated by the other public to be owned and operated by the other public agencies
- A statement concerning the credit quality to be required of bond issues, including criteria to be used in evaluating the credit quality
- A statement concerning steps to be taken to ensure that prospective property purchasers are fully informed about their taxpaying obligations imposed under this chapter
- A statement concerning criteria for evaluating the equity of tax allocation formulas, and concerning desirable and maximum amounts of special tax to be levied against any parcel pursuant to this chapter
- A statement of definitions, standards, and assumptions to be used in appraisals
- A priority access policy which provides priority attendance access to students residing in a CFD whose residents have paid special taxes which have, in whole or in part, financed the construction of school district facilities. The act provides that the degree of priority shall reflect the proportion of each school's financing provided through the CFD. In developing a priority access policy for residents of a CFD, a school district may incorporate a school district assignment such as goals to achieve ethnic, racial, or socioeconomic diversity, federal, state, or court mandates; transportation needs, safe pedestrian routes; grade levels for which facilities were designed; and ensuring student continuity of schooling within any single school year

Ms. Hering then described additional provisions for the protection of the SAUSD which include: continuing disclosure from the developer, capitalized interest, and deposits from the developers to form the CFD. She said that these would be discussed in detail at a future Board meeting. The expectation would be that the CFD would be formed by October and the Bonds would be issued in January.

Mr. Richardson inquired about timelines that would specifically involve SAUSD.

Ms. Brown stated that she would return to the Board on June 22 with information requested by the Board and an update.

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 4-0, Dr. Yamagata-Noji was not present, to adopt Resolution No. 03/04 - approving a Statement of Local Goals and Policies for Community Facilities Districts (CFD) within the School District.

ADOPTION OF RESOLUTION NO. 03/04-2561 - PARENT'S DAY RESOLUTION

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 4-0, Dr. Yamagata was not present, to adopt Resolution No. 03/04-2561 in support of Parents' Day.

A copy of the Resolution is attached to the Minutes.

PUBLIC HEARING:

Intention to Lease Portion of Monte Vista Elementary and Invitation to Prospective Tenants to Bid on Same

Mr. Richardson asked those members of the community who wished to address the Board regarding the intention to lease a portion of Monte Vista Elementary and invitation to prospective tenants to bid on same to step forward.

No comments from the public were received and the public hearing was closed.

ADOPTION OF RESOLUTION NO. 03/04-2562 - INTENTION TO LEASE PORTION OF MONTE VISTA ELEMENTARY AND INVITATION TO PROSPECTIVE TENANTS TO BID ON SAME

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0, to adopt Resolution No. 03/04-2562 - Intention to lease portion of Monte Vista Elementary and invitation to prospective tenants to bid on same.

A copy of the Resolution is attached Minutes.

ACCEPTANCE OF TREASURY REPORT - MARCH 31, 2004

Dr. Yamagata-Noji inquired about the utilization of Bank of the West. Dr. Stabler stated that the District has been utilizing Bank of the West for a number of years and is aware of their support to the District by providing student scholarships.

Dr. Noji requested clarification concerning an item on the document concerning Bank Institutions within the Treasury Report: SAUSD Unincorporated Association. She asked that Dr. Stabler respond in Week In Review.

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0 to accept the Treasure Report for the period ended March 31, 2004.

PUBLIC HEARING:

Approval of Five-Year Deferred Maintenance Plan for 2003-07

Mr. Richardson asked those members of the community who wished to address the Board regarding the proposals for the five-year Deferred Maintenance Plan for 2003-07.

No comments from the public were received and the public hearing was closed.

APPROVAL OF FIVE-YEAR DEFERRED MAINTENANCE PLAN FOR 2003-07

Dr. Yamagata-Noji requested a report on the process and plan of accomplishment.

It was approved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0 to approve the five-year deferred maintenance plan for 2003-07.

AUTHORIZATION TO APPOINT A CONSULTANT TO COMPLETE A CALIFORNIA ENVIRONMENTAL QUALITY ACT (CEQA) ANALYSIS FOR STADIUM IMPROVEMENTS AT SEGERSTROM HIGH SCHOOL

A discussion occurred concerning synthetic turf. It was agreed that Ms. Brown return with information regarding the overall budget concerning Segerstrom stadium improvements; all costs from changing natural grass to synthetic turf; and overall building program with costs to make determination whether turf is an option. The Board concurred that the plans would include 1,700 seats and visitors restrooms.

It was moved by Mrs. Avila, seconded by Mr. Tinajero, and carried 5-0, to authorize and appoint a consultant to complete a California Environmental Quality Act (CEQA) analysis for stadium improvements at Segerstrom High School to include a fundamental school analysis.

APPROVAL OF PERSONNEL CALENDAR

It was moved by Mrs. Avila, seconded by Mr. Tinajero, and carried 5-0, to approve the Personnel Calendar.

A copy of the Personnel Calendar is attached to the Minutes of this meeting.

DISCUSSION ITEMS:

MASTER PROGRAM BUDGET (MPB) FOR THE SCHOOL BUILDING PROGRAM

Dr. Stabler stated that at a previous Board meeting the Tustin Settlement Restoration plan had been presented and at the time expenses that were incurred by the General Fund were included in the repayment plan, in the amount of \$2.7 million. The plan was short and staff is now proposing the use of a Certificates of Participation (COP). He said that debt service would be repaid by excess developer fees and return of portables. And the length of the COP could be five to six years in the amount of approximately \$4 million.

Dr. Stabler recommended that CPM continue working with the District to provide the necessary services.

Mrs. Brown then provided a brief update in regard to the Farmers site. She said that Cal Jems Trust was required to close escrow last week or deposit an additional check in the amount of \$100,000 and neither occurred. She stated that it was confirmed that a \$100,000 check had been cut, but made payable to SAUSD rather than the Escrow Company. She said that as of 4:30 p.m. today, the check had not arrived.

Mr. Richardson requested an update on the status of the sale of the Farmers property.

Dr. Noji requested a timeframe concerning the COP and asked that various options be provided.

BOARD PRIORITIES FOR NEW CONSTRUCTION AND MODERNIZATION PROJECTS

Ms. Brown introduced the item. She said that on January 27, 2004, the Board approved to prioritize Fremont, Hoover, Jackson, Jefferson, Lincoln, Lowell, and Roosevelt Elementary Schools and Lathrop, McFadden, and Sierra Intermediate Schools as modernization project priorities. On May 5, 2004, the Board conducted a special study session that examined demographics, enrollment trends, and the need for new schools. The Board requested expanded data with classroom counts by grade for new schools and additional information on portable ownership by site. At this time it is appropriate to review priorities for upcoming new construction and modernization projects.

Ms. Brown stated that the new format is more clear and concise. She said that the District is ready to move forward with the next four schools which were put in order by "notice to proceed date." She noted that the Lincoln modernization was approved today therefore, the notice to proceed was provided to secure \$2.6 million from the State, which is funded 80% with State funds and 20% District funds.

Ms. Brown reviewed each column and stated that the Mountain View project requires an authorization from the Board this evening in order to proceed. There is a deadline to bid of May 2004, which provides four months to receive bids. She then referred to the Otsuka site which was apportioned funds in the amount of \$13,528,615 in January 2004 and must receive a notice to proceed by July 28, 2004. She said that in reference to the Heroes project that an inadequate amount was allocated by the State under Proposition 1A and she is currently working to receive additional funding.

Mr. Palacio inquired about the original cost of Heroes when approved. Ms. Brown stated that she would inform the Board in WIR.

Ms. Brown stated that the desire of the staff tonight would be to receive authorization from the Board to go out for bid concerning the Mountain View project. She said that there is \$6.3 million at the State that will expire in September, if a notice to proceed is not issued. She said that in addition to this, there are four elementary schools that the staff would like Board direction on. She said that there is still time if it is the Board's desire to return to a future Board meeting.

She proceeded to explain the Manuel Esqueda Elementary School enrollment and capacity table before the Board. The table depicted a breakdown of the number of students in a traditional vs. year-round setting in K-3, year 2005; K-4, year 2006; and K-5, year 2007. Also included were nine elementary schools whose attendance boundaries may change as a result of the opening of Esqueda Elementary School. Data on the nine schools include: year built; acreage; portable counts, portables state leased, lease/rent vs. District owned; and concerning the excess classrooms before new school: CBEDs; current capacity; excess classroom per school, traditional capacity. Ms. Brown stated that an attendance boundary committee would be created to look at the surrounding schools' grade

configurations to relieve overcrowding in reference to the high schools being built as well.

Ms. Brown stated as schools go back to traditional schedules once modified, enrollment grows and one must be mindful that portables may be necessary.

It was moved by Mr. Palacio and seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Tinajero not present, to authorize the re-bidding for construction of Mountain View High as a single general contractor project.

BOARD AND STAFF REPORTS/ACTIVITIES:

Mr. Palacio:

- Announced that at the recent HEEF Ceremony, approximately 35 scholarships were presented to Santa Ana High School students. He said that Mr. Tom Hummel, Assistant Principal from Santa Ana High and Mr. Greg Rankin, Principal from Century High were also in attendance.

REPORT OF ACTION TAKEN IN CLOSED SESSION

The Board President reported the following action taken in Closed Session:

By a vote of 4-0, the Board took action to approve a Workers' Compensation Compromise and Release as authorized in Closed Session.

ADJOURNMENT

There being no further business to come before the Board, the Regular Meeting was adjourned at 1:45 a.m.

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, June 8, 2004, at 6:00 p.m.

ATTEST:

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