

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

MINUTES

REGULAR MEETING  
SANTA ANA BOARD OF EDUCATION

June 28, 2005

CALL TO ORDER

The meeting was called to order at 5:30 p.m. by Board President Yamagata-Noji. Other members in attendance were Mr. Richardson and Mr. Palacio. Mrs. Avila arrived at 5:55 p.m. and Mr. Tinajero was not in attendance.

Cabinet members present were Dr. Mijares, Dr. Bennett, Mr. Trigg, Mr. Lopez, Dr. Stainer, Dr. Bratcher, and Mr. White.

MEETING RECESSED AND RECONVENED

At 5:30 p.m., the Regular meeting was recessed to Closed Session to consider real estate negotiations, legal matters, personnel matters, special education contracts, and student discipline issues.

The Regular meeting was reconvened at 6:35 p.m.

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 called attention to the beautiful student artwork on display from Sierra Intermediate School. Students engaged in teamwork as they put into practice their math skills of measuring, fractions, and proportions to divide among themselves a replica of Pablo Picasso's The Old Guitarist, from the artist's Blue Period.

Special Acknowledgement to Dr. John Bennett, Deputy Superintendent, Operations by Orange County Supervisor Lou Correa and Director of Santa Ana Parks and Recreation Gerardo Mouet, on behalf of Santa Ana Mayor Miguel Pulido

Dr. Mijares called Orange County Supervisor, Lou Correa, to the podium. Mr. Correa graciously presented Dr. Bennett with a Proclamation on behalf of the Orange County Board of Supervisors, for his 42 years of service to the Santa Ana Unified School District. The proclamation

described Dr. Bennett's outstanding contributions to the community and students of the District.

The Superintendent then asked Mr. Gerardo Mouet, Director of the Santa Ana Parks & Recreation to the podium. Mr. Mouet called upon Dr. Bennett who will be retiring after 42 devoted years of service with the Santa Ana Unified School District. Dr. Bennett was commended for his unfaltering service. He said that Dr. Bennett was one of the most caring, warm, and giving persons dedicated to public service. He then presented him with a proclamation on behalf of Mayor Miguel Pulido. Dr. Mijares and each Board member then conveyed words of admiration and gratitude to Dr. Bennett for his years of service in the Santa Ana Unified School District.

Dr. Bennett stated, "Never has one man owed so much to so many." He thanked Orange County Supervisor Lou Correa; Santa Ana Mayor Miguel Pulido; Director Parks and Recreation, Gerardo Mouet; Board of Education; and Cabinet for their kind words.

Orange County Supervisor Correa noted that the County was contributing \$600.00 from the Community Social Account to keep handball courts open at Saddleback High School.

Two Valedictorians Deborah Ballesteros and Daniel Lopez were in attendance to read their speeches that were delivered during commencement exercises of their respective high schools. Deborah is the Valedictorian from Middle College High School, who graduated with her AA, and Daniel is the Top GPA earner from Santa Ana High. They shared their valedictories with the Board and audience. Dr. Mijares and the Board commended them for their outstanding speeches and accomplishments. Dr. Mijares commended their parents for their contributions as well.

Dr. Mijares introduced Mr. Bob Martinez from the Latino Youth Leadership Institute (LYLI). Mr. Martinez thanked the Board and District for their unwavering generosity and support to the LYLI. He then introduced Mr. Ernesto Medrano, Mr. Manuel Contreras, and Ms. Ruby Cardenas who are members of the institute. Mr. Medrano stated that the LYLI has awarded over \$40,000 in scholarships and has had over 3,500 students participate in the program. There were several students from the various high schools in the audience, who were introduced. He provided a video that highlighted the organization and its accomplishments within the community throughout the 2004-05 school year. Booklets highlighting opportunities, conferences, and accomplishments were also provided to each Board member as well. Mr. Martinez stated that the "Leadership in Action" program is designed to teach the techniques of good leadership with ongoing seminars. The program reaches beyond the classroom experience by providing a format for the students to apply theory to practical real life situations within the community of Santa Ana. The Board and Superintendent thanked Mr. Martinez for a wonderful presentation.

Dr. Mijares announced that on Thursday, June 23, the Santa Ana Education Foundation celebrated its Annual Awards Gala, where \$60,000 in scholarships were awarded to deserving students in amounts that ranged up to \$5,000, for the *Change a Life* Foundation Scholarship Program through the Santa Ana Education Foundation. He then introduced Mrs. Bernedette Medrano, Executive Director, Santa Ana Education Foundation. Mrs. Medrano apologized for the miscommunication in reference to the recent gala invitations. She then stated that last year, Saddleback High student Jonathan Morales donated paintings to the Foundation for the gala. This year, the Foundation commissioned a piece of art from

Jonathan entitled Courage II. Replicas were presented to each Board Member on behalf of the Santa Ana Education Foundation. She said that this year's gala provided keynoting by students Jose Angel Castro who will be attending Segerstrom High this year and Gloria Montiel, who graduated from Santa Ana High School will be attending Harvard University in the fall. Mrs. Medrano, on behalf of the Foundation presented Ms. Montiel with a laptop. At the gala, Ms. Montiel was presented a scholarship in the amount of \$500. The Board honored students for their determination and successes. The Board thanked their parents who were in attendance at the meeting.

Mr. Paul Riordon was called to the podium. Dr. Mijares said that Mr. Riordon has been a teacher for 35 years in Santa Ana. And at the tender age of 72 has been heading a non-profit organization, the Achievement Institute of Scientific Studies (AISS), which takes students out into industry and shows them the practical, real-life application of mathematics and science. Mr. Riordon then introduced a member and former Santa Ana High student Edgar Sanchez. Edgar now attends U.C. Davis with a major in Bio-Medical Engineering with a 3.91 GPA and is a member of the Engineering Honor Society *Tau Beta Pi*. Mr. Riordon and former student Sanchez presented the Superintendent with a personalized jacket and caps for each Board member displayed with the Achievement Institute of Scientific Studies logo. The Board and Superintendent thanked Mr. Riordon, Mr. Edgar Sanchez, and students in the audience involved with the program.

Mr. Richardson noted that in the late 1970's the Exploratory Learning Center was developed off Harvard Street in Santa Ana. That location eventually became the Discovery Museum, which led to the birth of the Discovery Science Center and today it is the Centennial Museum of which Mr. Riordon is a great legacy.

Mr. Tinajero stated that Edgar Sanchez was one of the top debaters from Santa Ana High School. While his involvement in debate, Edgar, on several occasions made it to State Tournaments. Board congratulated Edgar and wished him much success.

The Superintendent announced that the SAUSD has been awarded a competitive grant named Enhancing Education Through Technology for 2005-2007, and will receive the sum of \$4,215,938 to improve 8th graders' English Language Arts and History/Social Studies proficiency, by having students increase the quantity of their writing in their American History classes. The schools selected to participate in the program are Carr, Lathrop, MacArthur, McFadden, Mendez, Sierra, Spurgeon, Taft, Villa, and Willard Intermediate Schools.

#### RECOGNITIONS

##### Management Team Recognition - Antonio Espinosa

Ms. Marisela Longacre, SASAA President and Principal of Jackson Elementary, presented Mr. Antonio Espinosa with the prestigious *High School Administrator of the Year Award* from the Santa Ana School Administrators Association (SASAA). The purpose of the award is to publicly recognize and reward the efforts of outstanding individuals who have helped to effectively promote leadership, dedication, and commitment toward students, staff, and parents throughout the Santa Ana Unified School District.

Mr. Espinosa, Principal of Valley High School, exemplifies dedication and commitment to the profession by being a leading advocate in education. Mr. Espinosa has over 30 years of experience in leadership. He has a positive impact on the lives of students and staff. Mr. Espinosa provides academic excellence and endless vigor. Parents, staff, and students are grateful for his leadership.

Mr. Espinosa accepted a gift certificate. His name will be added to the commemorative plaque that hangs outside the Superintendent's office. With Mr. Espinosa were his wife Velina, daughter Erica, friends, and colleagues.

#### PUBLIC HEARINGS

##### Adoption of 2005-06 SAUSD Budget

The meeting was declared open to conduct a public hearing to receive comments regarding the adoption of the 2005-06 SAUSD Budget. Anyone wishing to speak to this matter was asked to approach the podium for comment.

Hearing no comment regarding the Budget, Dr. Yamagata-Noji declared the hearing closed.

##### Amendment of Community Facilities District No.2004-1

The meeting was declared open to conduct a public hearing to receive comments regarding the amendment of the Community Facilities District No. 2004-1. Anyone wishing to speak to this matter was asked to approach the podium for comment.

Ms. Denise Herring, District's Legal Counsel, provided clarification with respect to the amendment and three resolutions on the Agenda. She stated that the resolutions are the final steps to approve amendments to the Community Facilities District for the Central Park project. The resolutions consist of 1) approving joint community facilities in the district with the fire authority and calling for an election; 2) approving changes and declaring results of the election, and 3) intention to issue tax-exempt obligations with respect to the fire authorities facilities.

Dr. Yamagata-Noji asked Ms. Herring to clarify any timelines or concerns identified in the Resolutions in which the Board should be aware. Ms. Herring stated that the direction of the land owners who are the qualified voters in the CFD was called for today to be closed by 7:00 p.m. today, the clerk received the votes of all qualified electors prior to the open session tonight and under the Mello-Roos Act the Clerk is given the authority to close the election once it receives all its votes. Therefore, the District Board may proceed with the declaration of the election results at the time the resolutions are considered.

Hearing no additional comments regarding the amendments, Dr. Yamagata-Noji declared the hearing closed.

Dr. Yamagata called for a vote to amend the Agenda to take action on the three resolutions as described by Ms. Herring.

It was moved by Mr. Tinajero, seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Richardson not present, to change the order of the Agenda to take action on the three resolutions.

It was moved by Mr. Tinajero, seconded by Mrs. Avila, and carried 4-0, Mr. Richardson not present, to adopt Resolution No. 04/05-2612 - approving a joint Community Facilities Agreement and Call for an election.

It was moved by Mr. Tinajero, seconded by Mrs. Avila, and carried 4-0, Mr. Richardson not present, to adopt Resolution No. 04/05-2613 - approving changes and declaring results of the election.

It was moved by Mr. Tinajero, seconded by Mrs. Avila, and carried 4-0, Mr. Richardson not present, to adopt Resolution No. 04/05-2614 - intention to issue tax-exempt obligations.

The resolutions are attached to the Minutes.

PUBLIC COMMENTS/PRESENTATIONS:

Dr. Yamagata-Noji stated that she would be reiterating the following message at each Board meeting. Individuals or groups may address the Board on matters that are on the Board Agenda within Board's subject matter jurisdiction. The organization of Agenda items is that public presentation precedes the approval of Minutes, which precedes the Consent Calendar. The Board limits each individuals speaking time to three minutes and reserves the right to limit that time if there are substantial individuals requesting to speak. In order to conduct business of the Board, Board will either adjust the total amount of time or speaker time. Additionally, when addressing the Board, state your name and the item on the Agenda that you are referencing. Also, note that personnel items should not be discussed publicly nor items that are not listed on the Board's agenda. The Board cannot discuss nor can they act upon items at this time.

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

The following individuals spoke in support of Ms. Esther Jones, Principal at Saddleback High School:

Lisa Morgan, SAUSD employee  
Robert Morgan, SAUSD employee  
Susan Drake, SAUSD employee  
Katy Castillanos, SAUSD employee  
Kristan Hernandez, SAUSD employee  
Cheryl Whittington, SAUSD employee  
Chinh Vuong, SAUSD parent`  
Rogelio Lomeli, SAUSD parent

Debbie Fitzpatrick, parent, spoke in reference to the Individualized Education Program (IEP). She thanked the Special Education Department staff and Mr. Erhard for assisting her child and clarifying the IEP process. She encouraged other parents to contact the department for addressing and resolving issues.

APPROVAL OF MINUTES

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 5-0, to approve the minutes of the Board Retreat of June 10, 2005, and Regular Board meeting of June 14 2005, excluding page 970.

Mr. Richardson asked that his comments be added to page 970 and returned to the following meeting for approval and action.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Approval of Appointment and Issuance of Agreements with Legal, Facility Planning/State Program, Financial, Audit and Mandated Cost Consultants for Fiscal Year 2005-06 as Named in Attachments (Exhibits A & B), Approval of 2005-06 Consolidated Application, Part I for Funding Categorical Aid Programs, Approval of Consultant Agreement Between UCLA School Management Program and Jackson and Fremont Elementary Schools for 2005-06 School Year, Approval of Memorandum of Understanding for Payment of Special Education Mental Health Services, and Approval of Extended Field: Saddleback High School NCCEP - GEAR UP Conference, San Francisco, CA.

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 4-0, to approve the remainder of the Consent Calendar.

Mr. Richardson renewed his request for a District policy to return to a Board meeting that identifies dollar thresholds for the Consent Calendar and or Discussion placement on the Agenda. He suggested that items with a threshold of \$250,000 or more to be placed on the discussion calendar as it relates to the awarding of contracts and purchases. This would exclude grant applications.

Dr. Yamagata-Noji has requested a reorganization of the Agenda. A meeting with Cabinet, Superintendent, and Board Recording Secretary has been scheduled to begin the process.

Approval of Gifts in Accordance With Board Policy (BP) 3290 (a) - Gifts, Grants, and Bequests.

Attached is a list of gifts and donations.

Approval of purchase order summary and a detailed listing of orders \$25,000 and over for period of May 24 through June 13, 2005.

Approval of expenditure summary and detailed listing of checks \$10,000 and over for period of May 25 through June 14, 2005.

Awards	Vendor	Amount
Food Service Kitchen Equipment for Segerstrom High School	Duray J.F. Duncan, Inc.	\$352,000
Maintenance on Avaya Telecommunication Equipment Districtwide	Avaya, Inc.	\$490,000 (annually, four year)
School Food Service Management System for Food 4 Thought	ePOS Business Solutions	\$688,617.06

Ratification of Educational Consulting Services, Inc., Contract by \$60,000 for the 2004-05 fiscal year.

Authorize of Administration to obtain bids for purchase of auditory equipment for Taft Elementary School.

Authorization of disposal or donation of surplus District vehicles, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

Authorization of disposal of surplus unrepairable miscellaneous furniture and equipment, pursuant to Education Code Sections 39520 and 39521, Board Policy and Administrative Regulation 3270.

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

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

Acceptance of June 9, 2005, completion of contract with USS Cal Builders in the amount of \$2,438,437.68 for the construction of Lincoln Elementary modernization project.

Approval of Change Order No. 8 for bid packages No. 05, 09, 24, and 26 for construction of Segerstrom High School project in the amount of \$119,611.02 for a revised total construction cost of \$54,832,944.57.

Approval to reduce contract retention for bid package 9 from ten percent to five percent for Sage Electric for the construction of Segerstrom High School.

Approval of Change Order No. 9 for bid packages No. 83, 97, and 102 for construction of Manuel Esqueda elementary school project in the amount of \$134,953.54 for a revised total construction cost of \$16,006,192.20.

Approval of Change Order No. 10 for bid package 1 for construction of Godinez Fundamental High School project in the amount of \$89,141.00 for a revised total construction cost of \$63,806,226.80.

Approval of new/renewal of membership in organizations for the 2005-06 fiscal year, and the authorization of Administration to present purchase orders for new/renewals of memberships.

Authorization of Administration to obtain bids for removal and replacement of ice harvester at Carver Elementary.

Approval of renewal of contract with Western Power Systems to service and repair the District's computer controlled energy management and security system in the amount of \$133,300 for the 2005-06 fiscal year.

Approval of submission of the English Language Acquisition Program (ELAP) application for funding to the California department of Education for fiscal year 2005-06.

Ratification of submission of application to Orange County Head Start for additional funds for Cost of Living Adjustment (COLA) for the 2005-06 program year.

Approval of consultant agreement with The Center for Fulfilling Solutions to provide counseling services for Area IV schools for the 2005-06 school year.

Adoption of Resolution No. 04/05-2610 for a cooperative agreement between the SAUSD and the State of California Department of Rehabilitation.

Approval of consultant agreement between Tuscany Tech and SAUSD for the 2005-06 school year.

Approval of consultant agreement between Wertheimer-Gale, Associates, and SAUSD for the 2005-06 school year.

Ratification of submission of a California Nutrition Network for Healthy, Active Families grant reapplication to the California Department of Health Services for SAUSD schools.

Approval of California High School Exit Exam (CAHSEE) interventions provided by Kaplan K-12 Learning Services Proposal.

Approval of consultant agreement between Kat Soltanmorad and SAUSD for implementation of The California Endowment and Nutrition Network grants for the 2005-06 school year.

Approval of participation in the Improving Teacher Quality State Grant with San Jose State University for the 2005-06 school year.

Approval of submission of the AB466 application to the California Department of Education for the 2004-05 fiscal year.

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

132331 - Sierra Intermediate

For violation of Paragraph c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

151288 - Sierra Intermediate

For violation of Paragraph a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

139013 - Spurgeon Intermediate

For violation of Paragraph a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

129121 - Saddleback High

For violation of Paragraph a, that the Board expel her from the schools of the District and that she may apply for readmission on or after January 15, 2006.

159932 - Sierra Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after June 15, 2005.

185985 - Carr Intermediate

For violation of Paragraph c(3), that the Board expel him from the schools of the District and that he may apply for readmission on or after June 28, 2006.

137770 - Spurgeon Intermediate

For violation of Paragraph a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

148324 - Lathrop Intermediate

For violation of Paragraph a and b, that the Board expel him from the schools of the District for the balance of the spring semester, 2004-05 school year, and the fall semester, 2005-06 school year; however that the expulsion order be suspended until January 15, 2006, and he be permitted to return to a District school/program on a probationary status.



149151 - Willard Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

158980 - Sierra Intermediate

For violation of Paragraph a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

138767 - Spurgeon Intermediate

For violation of Paragraph a, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

149007 - Sierra Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

159449 - Willard Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

140398 - Lathrop Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District for the remainder of the spring semester 2004-05 school year and that the expulsion order be suspended for only the fall semester of the 2005-06 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

196566 - Santa Ana High

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

179696 - Fremont Elementary

For violation of Paragraph a, that the Board expel him from the schools of the District for the remainder of the spring semester 2004-05 school year and that the expulsion order be suspended for only the fall semester of the 2005-06 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

197129 - Santa Ana High

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

120822 - Saddleback High

For violation of Paragraph g, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

142067 - McFadden Intermediate

For violation of Paragraph a. that the Board expel him from the schools of the District for the balance of the spring semester, 2004-05 school year, and the fall semester, 2005-06 school year; however that the expulsion order be suspended until January 15, 2006, and he be permitted to return to a District school/program on a probationary status.

302202 - Spurgeon Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

119584 - Santa Ana High

For violation of Paragraph c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

186751 - Lathrop Intermediate

For violation of Paragraph c, that the Board expel him from the schools of the District for the remainder of the spring semester 2004-05 school year and that the expulsion order be suspended for only the fall semester of the 2005-06 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

151272 - Sierra Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

188378 - Carr Intermediate

For violation of Paragraph c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

140036 - Lathrop Intermediate

For violation of Paragraph c, that the Board expel him from the schools of the District for the remainder of the spring semester 2004-05 school year and that the expulsion order be suspended for only the fall semester of the 2005-06 school year, and that he be permitted to return to a District school/program on a probationary status during that time period.

138924 - Carr Intermediate

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

177429 - Sierra Intermediate

For violation of Paragraph c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

143114 - Saddleback High

For violation of Paragraph c and .7, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

116084 - Saddleback High

For violation of Paragraph c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

158533 - Sierra Intermediate

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

137297 - Lathrop Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

144272 - Willard Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District for the remainder of the spring semester 2004-05 school year and that the expulsion order be suspended for only the fall semester of the 2005-06 school year, and that he be permitted to return to a District school/program on a probationary status during that time period

147781 - Lathrop Intermediate

For violation of Paragraph b, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

173249 - Carr Intermediate

For violation of Paragraph c, that the Board expel him from the schools of the District and that he may apply for readmission on or after January 15, 2006.

Approval of Extended Field Trips in Accordance With Board Policy (BP) 6153(a) - School-Sponsored Trips and Administrative Regulation (AR) 6153.1(a) - Extended School-Sponsored Trips:

Attached is a list of field trips.

APPROVAL OF APPOINTMENT AND ISSUANCE OF AGREEMENTS WITH LEGAL, FACILITY PLANNING/STATE PROGRAM, FINANCIAL, AUDIT AND MANDATED COST CONSULTANTS FOR FISCAL YEAR 2005-06 AS NAMED IN ATTACHMENTS (EXHIBITS A & B)

Mr. Palacio removed the item for discussion. He stated that with the high cost of legal fees and not having compared costs recently, that this is an opportunity to do so. He said that he would be casting a dissenting vote.

Mr. Trigg clarified that the agreements vary. Some have specific terms and others are on an on as needed basis. He stated that budget reductions call for less legal costs this year.

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 4-1, Mr. Palacio dissenting, to approve the appointment and issuance of agreements with legal, facility planning/state program, financial audit, and Mandated Cost consultants for fiscal year 2005-06 as named in attachments.

APPROVAL OF 2005-06 CONSOLIDATED APPLICATION, PART I FOR FUNDING CATEGORICAL AID PROGRAMS

Mrs. Avila removed the item to voice her opposition. She stated that teachers should be reviewed by their principals and not by their peers. It stated that this is the un-American way. She will be casting a dissenting vote.

It was moved by Mr. Palacio, seconded by Dr. Yamagata-Noji and carried 4-1, Mrs. Avila dissenting, to approve the 2005-06 Consolidated Application, Part I, for funding Categorical Aid Programs.

APPROVAL OF CONSULTANT AGREEMENT BETWEEN UCLA SCHOOL MANAGEMENT PROGRAM AND JACKSON AND FREMONT ELEMENTARY SCHOOLS FOR THE 2005-06 SCHOOL YEAR

Mrs. Avila asked that when new consultants are on Agenda for approval (UCLA School Management Program) to provide successes they have had to improve schools or projects.

It was moved by Mr. Tinajero seconded by Mr. Richardson and carried 4-1, Mrs. Avila dissenting, to approve the consultant agreement between UCLA School Management Program and Jackson and Fremont Elementary Schools for Comprehensive School Reform Provider Services for the 2005-06 school year.

APPROVAL OF MEMORANDUM OF UNDERSTANDING (MOU) FOR PAYMENT OF SPECIAL EDUCATION MENTAL HEALTH SERVICES

Dr. Yamagata-Noji stated that this item is related to the District Budget and something of importance that has been in the news recently. Mr. Trigg stated that part of the Governor's Budget proposal was to shift mental health services to the District at a cost of \$469 million. He said that services would continue to be provided to students, but would be a new burden to the District.

Dr. Mijares stated that the budget proposal would affect students who receive special services under IEPs and costs that were previously provided by the County.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Tinajero and carried 5-0, to approve the Memorandum of Understanding to allow provision of special education mental health services by the Orange County Health Care Agency.

## APPROVAL OF EXTENDED FIELD TRIP

Saddleback High School National Council for Community & Education Partnership (NCCEP) - GEAR UP Conference, San Francisco, California

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve extended field trip for Saddleback High School students to attend NCCEP Gear Up Conference in San Francisco, California from July 17-20, 2005.

## ADOPTION OF THE DISTRICT'S 2005-06 BUDGET

Dr. Mijares introduced the item. He stated that the Education Code requires school districts to file a financial budget on or before the first day of July with the County Superintendent of Schools. The State law requires that school districts prepare an annual operating budget for review and adoption by the governing school board.

Mr. Trigg, Associate Superintendent, Business Services, and Mr. Tsunozumi, Director of Budget, presented the 2005-06 Budget. Mr. Tsunozumi began by stating that the District's total annual revenue is \$450 million. It is divided by unrestricted funds in the amount of \$315 million and restricted funds in the amount of \$135 million. The excess/shortfall is \$9 million. The ending fund balance is \$36 million with a 2.2% reserve and student enrollment of 57,562.

Mr. Tsunozumi indicated that in order for the District to maintain its positive certification, AB1200 requires a 2% reserve for the current year plus the subsequent two years. Mr. Tsunozumi stated that \$13 million would be set aside for salary restoration which will be restored effective July 1, 2006.

Dr. Noji asked staff for a comparison between the District's projected 2004 enrollment figure vs. actuals.

Dr. Noji requested an extensive review into demographics and how it relates to overcrowding at specific schools over the years.

Mrs. Avila asked staff to return with the study that projected the loss of 5,000 seats in elementary school. (Study completed ten years ago.)

Mr. Trigg stated that the District could not meet everyone's needs, due to limited funds. In 2004-05, the District made \$29 million in reductions and additional cuts are required in 2005-06. Key expenditure assumptions used in developing the budget were reviewed including 109 FTE reductions, step and column, COLA changes, Class Size Reduction, kindergarten options, health benefits, STRS, and Workers Compensation. Additional expenditure assumptions include incremental new school costs of \$7 million, indirect rate of 2.89% (+ \$5 million), shift of County Mental Health Services' costs in the amount of \$500,000, plus reallocation of Funds Committee (RFC) cuts of \$6.4 million. Mr. Trigg stated that with respect to the RFC cuts in lieu of Bell Schedule changes, \$600,000 in open positions would not be filled in 2005-06, and is reflected in the multiple-year projection (MYP) as ongoing savings. Mr. Trigg further noted that District Safety Officer work schedule would not change nor would Facilities Planner salaries be paid under Measure C, as was a

recommendation by the RFC, as per the direction of the Board. He stated that with respect to the Special Education transportation proposal, the Board asked that the reduction not violate the IEP process nor waive the rights of students and parents. He then referred to the list of 18 RFC reduction recommendations before the Board. He stated that Budget managers were invited to be on that committee. They were asked to look within their own departments and identify areas that could be reduced and continue to meet the vision of the District. Mr. Trigg will be meeting with the RFC to receive updates for the Board.

Mr. Palacio referred to the RFC recommended item that indicates the elimination of three police dispatchers and one police officer, saving \$190,000. He inquired about the police dispatchers and the cost the City would charge. Mr. Trigg responded that the City would pick up the dispatching and that the City had not yet responded in terms of costs. Mr. Palacio asked to possibly hold that reduction until the District has a cost analysis from the City.

Mr. Palacio stated that through the years, District Safety Officers were reduced and the use of sworn police officers were utilized to help offset the reduction of security at school sites. Chief Miyashiro stated that the police officer position being reduced was a resignation by a motor officer who had resigned. That position would not be filled. In terms of dispatching, if the City cannot provide services in the amount District can afford, the District will look elsewhere.

Mr. Palacio then inquired about revenue the District would lose with the elimination of a police motor position. He also stressed concern about the new Segerstrom High and the other two schools within that vicinity given the traffic issues. Chief Miyashiro stated that there would be a grant coming before the Board at the next Board meeting, which would pay for a motor officer. Mr. Palacio asked what a motor officer brings in, in terms of revenue. Chief Miyashiro stated that he would look into that and would inform the Board in Week In Review.

The issue of transportation and Special Education was brought to the attention of the Board. Mr. Erhard provided an update concerning placement of students. He stated that 345 IEP meetings were held regarding students with mild to moderate disabilities in terms of student placement and to assure that placements were at the least restrictive environments which is a State and Federal law. These meetings would also determine if student transportation was required and if the student's placement would be at their neighborhood school or otherwise. He stated that 75% agreed upon placement at their home school and transportation was recommended for 34 students. Based on those numbers, the District recovered \$1.3 million. He said that in reference to the IEP disputes, the department is in the process of meeting with these parents to address their concerns. He stated that the Special Education Department has followed the IEP policies and procedures as mandated by State and Federal law.

Mr. Palacio stated that he would not support the recommendation. He believes that the District is cutting the budget in violation of the IEP process. He stated that anytime one enters a meeting to eliminate a service such as transportation, a violation has occurred. He stated that when an IEP meeting occurs, one must go into that

meeting with an objective to support and do what is best for the student. Mr. Erhard assured Mr. Palacio that a violation did not occur.

Mr. Trigg stated that RFC reductions would be monitored on a monthly basis and will be reported to the Board. If there are any shortfalls, the District will expand the freeze to other open positions as needed and initiate layoffs in order to maintain a 2.0% reserve.

Mr. Trigg stated that for fiscal year 2006-07, staffing adjustments would occur totaling -\$3 million and unspecified Budget reductions of \$6 million. He stated that with the opening of two new schools there would be additional incremental costs of \$15 million. In fiscal year 2006-07, again the District projects a 1,000 enrollment loss with a commensurate staffing adjustment of \$3 million and unspecified Budget reduction of \$5.5 million, for a total savings of \$8.8 million. There are additional incremental costs of \$14 million related to new schools. He stated that District's projection does not include amortization of accrued retiree benefits.

Mr. Richardson stated that the reductions would be needed so long as ADA continues to decline. He stated that the community must understand that the SAUSD is in a long-term reduction mode. He said that enrollment reductions lends the perception that the SAUSD now has enough schools, but in reality, we are still overcrowded. He then requested a monthly report monitoring the RFC reductions and to identify those positions by a budget control number. Identification of the specific positions that are being frozen totals \$600,000. He also stated that any effort to fill those frozen positions would require Board action.

Mr. Palacio stated that the budget continues to reflect \$600,000 with respect to the frozen positions. Mr. Richardson stated that the monies will not be spent therefore, those dollars in turn are in the fund balance available for the following year.

Mr. Trigg stated that these frozen positions would be identified and have not been budgeted. They are no longer approved FTEs. When the Board approves the Budget, they actually approve two items, the dollar amount and the existing FTE positions, which would be removed.

Dr. Yamagata-Noji asked that staff return with a step and column chart for both classified and certificated for review and explanation.

Mrs. Avila stated that she has a problem supporting a budget with such a deficit. She stated that the budget includes a \$6.4 million cut. She reiterated that there is a shortfall of \$9 million and that the district should cut the \$9 million now so not to spend monies we do not have.

Mr. Trigg responded to the 2005-06 year budget question. He stated that the budget includes a total of \$14.2 million in cuts and \$6.4 falls into the category of non-teachers. He states that the \$14.2 million in cuts are in addition to the prior years \$29 million. These cuts allow a reserve at 2.0%, to be fiscally responsible and to keep the District safe.

Dr. Yamagata-Noji asked that when Mr. Trigg provides the monthly progress budget report, that he also includes the District's enrollment. She stated that the District was investigating truancy/expulsion ADA recovery to capture some ADA monies. She asked that this be reported in the proposal.

Dr. Yamagata-Noji referred to the Construction Manual regarding an Interfund transfer of \$4.9 million for a COP related to the Manuel Esqueda Elementary School. She asked for a review or presentation of all items to be paid-off and to have them consolidated for Board's review. Mr. Richardson asked Mr. Trigg to address budget questions from construction manual they discussed prior to the meeting.

Dr. Yamagata-Noji stated that the District received a letter from State Superintendent Habermehl a few months ago. He thanked the Board for their conscientious efforts. She said that they are closely monitoring the District's progress to assure that the District is where it should be in terms of the budget.

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 3-2, Mrs. Avila and Mr. Palacio dissenting, to adopt the District's 2005-06 Budget with the condition that Board is provided with monthly budget reductions and enrollment updates. Any efforts to replace those positions identified as frozen should remain vacant and any effort to fill those positions would require Board action. Budgetary control numbers for those positions are to be provided, and a long-term debt presentation to the Board at a future Board meeting.

BOARD POLICY 2220 - ADMINISTRATIVE STAFF ORGANIZATION (NEW: FOR FIRST READING)

Dr. Yamagata-Noji asked, due to budget constraints if there was a check and balance system in place to review available funds. Mr. Lopez responded affirmatively. The Oracle system is efficient whereas the system will not allow the addition of a position without that approval.

For first reading only, no action required.

BOARD POLICY AND ADMINISTRATIVE REGULATION 3515.32 - IMPOUNDING OF VEHICLES (NEW: FOR ADOPTION)

Mr. Tinajero inquired about the company's name in which automobiles are impounded. Chief Miyashiro responded that there is no set company. Under the Vehicle Code, all tow companies that meet the criteria may impound.

Dr. Yamagata-Noji stated that the Administrative Regulation (AR) does not include the guidelines or procedures for impounding vehicles. She asked if where it identifies fee charges, would this be in addition to towing charge. Chief Miyashiro stated that the tow company with truck is separate. The administrative costs (i.e. police officer, dispatcher, records technician, and administrator) are the only charges we may recuperate. She asked how much would the District recuperate. Chief Miyashiro stated that he would add the fee breakdown to the AR if that were the Board's desire. She stated that it does not necessarily have to be added to the AR, but it should be known. It was decided that the AR would include language stating, "for cost information refer to the Superintendent's office" on the Administrative Regulation.

It was moved by Mrs. Avila, and seconded by Mr. Tinajero, and carried 4-1, Dr. Yamagata-Noji dissenting, to adopt Board Policy and Administrative Regulation 3515.32 - Impounding of Vehicles.

A copy of the Administrative Regulation is attached to the Minutes.

BOARD AND STAFF REPORTS/ACTIVITIES - REPORTS ON VISITS TO SCHOOLS, CONFERENCES ATTENDED, OR MEETINGS SCHEDULED

Mr. Palacio:

- ❖ Referred to an article in the O.C. Register that described Santa Ana Education Foundation's (SAEF) impact on children. He said that the article described students that have gone through amazing trials and tribulations. One student received a substantial award scholarship and accepted only half of the funds. She insisted the remainder go to displaced families of the deceased following 911. She graduated with honors and continued her education to Harvard. The SAEF has provided contributions such as teacher stipends, student scholarships, equipment and supplies to students and schools.
- ❖ He attended various graduation ceremonies and is really proud of all SAUSD students.

Mr. Tinajero:

- ❖ He commended the valedictorians present at the Board meeting today, excellent speeches!
- ❖ He congratulated all high school graduates. Unfortunately, he was unable to attend the high school graduations this year and truly looks forward to them each year.
- ❖ Attended Spurgeon's promotion and was very well attended. It was fun, great choir, thanked the staff.
- ❖ Today he attended Sierra's promotion. The Jazz band was outstanding, thanked the staff.

Mrs. Avila:

- ❖ Enjoyed graduations and promotions, they are the highlights of the year. Went to Saddleback's graduation and really enjoyed the valedictorian's speech, who commended his favorite teacher Mr. Spurgeon, who is retiring. Students were able to award Mr. Spurgeon with a special honor at the graduation.
- ❖ Wished all staff and students well, in beginning a brand new school year at all year-round schools.

Mr. Richardson:

- ❖ He wished all members of District a Happy (Fiscal) New Year!
- ❖ Attended several graduations, they were great. At Santa Ana High School's graduation, students spoke about the image of Santa Ana, image of their school and how proud they were being a part of the Santa Ana community. Sometimes people accept what others may say about Santa Ana. More and more it is exciting to hear from people who live in the community, attend schools, and work here say they are proud of the community, school and what is going on here!
- ❖ Urging all who reside in Santa Ana, this weekend to be extremely careful with fireworks. He wished everyone a safe and happy Fourth of July Holiday Weekend.



Dr. Yamagata-Noji:

- ❖ Commencement ceremonies were outstanding. The pride in the parents and family members was evident. In the same article that Mr. Palacio referenced, a comment was made about the lack of the parent participation. Therese Mims may want to contact the writer of that article and inform them that our intentions are to invite all parents to our events.
- ❖ The other evening we recognized our parents at the Parent of the Year Recognition. Congratulations to all parents.
- ❖ Thanked Mr. Fujimoto and the *Change of Life Foundation* who donated \$40,000 towards scholarships.
- ❖ The District is currently working on Retirement event. We truly are appreciative of all of our retirees. We are in the process of confirming a date to recognize them appropriately.
- ❖ Also, are in the process of scheduling the Charter School's Hearing.
- ❖ Would like in the next construction update, Segerstrom High's enrollment, cost of opening new schools, number of classrooms, what will be open, and our contingency plan.

The Board concurred that action concerning the Personnel Calendar would be reported out following Closed Session.

REPORT OF ACTION TAKEN IN CLOSED SESSION

APPROVAL OF PERSONNEL CALENDAR

It was moved by Mr. Richardson, seconded by Mrs. Avila and carried 4-1, Mr. Palacio dissenting, to approve the Personnel Calendar.

A copy of the Personnel Calendar is attached to and becomes a part of the Official Minutes of this meeting.

By a vote of 5-0, the Board voted to appoint Janeatrie Gomez to Santa Ana High School as Coordinator of Student Activities.

ADJOURNMENT

There being no further business to come before the Board, the Regular meeting was adjourned at 12:25 a.m.

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, July 26, 2005, at 6:00 p.m.

ATTEST: \_\_\_\_\_

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