

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

MINUTES

REGULAR MEETING
SANTA ANA BOARD OF EDUCATION

July 26, 2005

CALL TO ORDER

The meeting was called to order at 5:15 p.m. by Board President Yamagata-Noji. Other members in attendance were Mr. Richardson, Mr. Tinajero, Mrs. Avila, and Mr. Palacio.

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

MEETING RECESSED AND RECONVENED

At 5:16 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 Mr. Richardson.

SUPERINTENDENT'S REPORT

Dr. Mijares called attention to the beautiful student artwork on display from Heninger, Pio Pico, and El Sol Charter Elementary Schools.

The Superintendent introduced Valley High School's Valedictorian Khang Nguyen. Khang read his valedictorian commencement speech that was presented at the graduation ceremony held at Eddie West Field on June 15, 2005. Trustees and Superintendent commended Khang for his outstanding accomplishments and his acceptance to Harvard University. Khang's father was in attendance and also commended.

Dr. Mijares introduced Doctor Robert Olvera and Mr. Kevin Nguyen. The Superintendent previously met with a group of doctors including Dr. Armstrong, who spearheaded and introduced a program which was presented to the Board that evening. Unfortunately, before the launching of the program could take place, Dr. Armstrong, high school football team doctor and former Santa Ana student, died, at the age of 39. Dr. Mijares said that Dr. Armstrong not only volunteered his time, but also

cared for students and wanted to see them progress as scholar-athletes. The Superintendent then called upon Mr. Nguyen who shared Dr. Armstrong's insights. He described Dr. Armstrong as being an incredible individual who had a dream for Santa Ana's youth. He then introduced Dr. Olvera, who is also a SAUSD football team doctor. Dr. Olvera said that Dr. Armstrong was a friend that wanted the best for students and that his legacy will live on as a group of doctors continue his dream. Dr. Olvera then introduced the Kevin Armstrong, M.D. Memorial Sports Foundation. He stated that this is a new undertaking and as the foundation evolves, it would return to the Board. He said that the foundation would run with the youth as beneficiaries. There would be policies and bylaws, and a legal firm who would offer counsel pro bono. The vision of the foundation would be to offer uniforms, bats, balls, shoes, health screenings, physicals, and pay fees. Dr. Armstrong's expectation was to get students off the streets and to stay involved with education and sports which ties into higher academics. He stated that this would not coincide with any other foundation and would be specifically sports related. Dr. Olvera stated that an echocardiogram which normally costs anywhere from \$400 - \$700 would be free to student athletes. A Governing Board would eventually be established and as the foundation expands, it would become connected to other organized sports in the community. The Board and Dr. Mijares thanked Dr. Olvera and Mr. Nguyen.

Marcela Valencia, a Saddleback High School senior, took first place in the 13th annual literature contest sponsored by the Spanish Embassy Office of Education. Marcela, who is enrolled in Advanced Placement Spanish Language, excelled with the writing topic "How Could I Improve The World?" She was honored at an awards ceremony and luncheon at the University of Southern California. In the last four years of the contest, three Saddleback Spanish students have won first place.

Madison Elementary fourth-grade student Victoria Garcia was selected as a MIND Institute Outstanding Student for the 2004-2005 school year. The MIND Institute program combines the teaching of math and music, which results in higher learning and test scores. Victoria will be recognized at a very special event at the Westin South Coast Plaza Hotel in September.

Century High School has been selected to receive an Edison International Energy Education Award. This is a teacher grant program created to recognize educators and students who promote energy efficiency and conservation in their schools and community. The school will receive a \$2,500 teacher grant, a token of appreciation for the students and staff for their conservation efforts, an Energy Education Award banner to display on the campus, and a recognition gift for the custodial and maintenance staff supporting the project.

Edgar Rodriguez, a student at Mountain View High School, is slated to attend a month-long Math and Science Camp at UC Santa Cruz. Edgar competed for his spot with students from various regions, ultimately submitting a winning essay. He is the only Santa Ana Unified student to be selected for this honor.

An Education First video interview described the brilliance of an exceptional young woman. Mayté Santacruz is a distinguished graduate of Santa Ana Unified schools. She attended Kennedy Elementary School, Sierra Intermediate School, and graduated from Century High School. Mayté was invited to attend tonight's meeting for recognition before she headed off to law school. However, scheduling conflicts prevented her

from being here in person this evening. Her dream is to become an attorney and attain a seat on the Santa Ana City Council.

SCHOOL BUILDING PROGRAM

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

New School Construction:

Manuel Esqueda Elementary

Construction start date: October 2003
Anticipated completion date: May 2005
Current completion status: 99%
Total Costs: \$31.688 million

Segerstrom High

Start date: March 2002
Anticipated completion date: September 2005
Current completion status: 86%
Total Costs: \$115.478 million

Hector G. Godinez Fundamental High School

Construction start date: October 2003
Anticipated completion date: May 2006
Current completion status: 70%
Total Costs: \$91.125 million

Mountain View High

Construction start date: October 2004
Anticipated completion date: December 2006
Current completion status: 10%
Total Costs: \$18.762 million

MODERNIZATION PROJECTS:

Jackson Elementary Modernization

Construction start date: September 2004
Current completion status is at 85%
Anticipated completion date: July 2005
Total costs \$3.6 million

Hoover Elementary Modernization

Construction start date: December 2004
Current completion status: 54%
Anticipated completion date: August 2005
Total Costs: \$3.8 million

Fremont Elementary Modernization

Construction start date: December 2004
Anticipated completion date: May 2005
Current completion status: 99%
Total Costs: \$4.2 million

McFadden Intermediate Modernization

Construction start date: December 2004
Anticipated completion date: August 2005
Current completion status: 60%
Total Costs: \$5.7 million

Sierra Intermediate Modernization

Construction start date: February 2005
Anticipated completion date: August 2005
Current completion status 57%
Total Costs: \$1.9 million

Roosevelt Elementary Modernization
Construction start date: March 2005
Anticipated completion date: September 2005
Current completion status 24%
Total Costs: \$4.2 million

Lowell Elementary Modernization
Construction start date: June 2005
Anticipated completion date: September 2005
Current completion status 15%
Total Costs: \$3.2 million

Jefferson Elementary Modernization
Construction start date: June 2005
Anticipated completion date: September 2005
Current completion status 15%
Total Costs: \$2.3 million

Lathrop Intermediate Modernization
Construction start date: June 2005
Anticipated completion date: September 2006
Current completion status 9%
Total Costs: \$6.8 million

Listing of Completed Projects to Date

Garfield Elementary Expansion	\$ 407,386.00
Sierra Intermediate Expansion	\$ 1,951,563.00
Taft Elementary Parking Lot Expansion	\$ 491,166.00
Hoover Elementary Air Conditioning	\$ 534,749.00
Jefferson Elementary Air Conditioning & ADA	\$ 1,102,026.00
MacArthur Intermediate Air Conditioning & ADA	\$ 1,171,979.00
Romero Cruz Elementary Multi-Purpose Building	\$ 709,447.00
MacArthur Intermediate Covered Walkway	\$ 123,918.00
New Portable Restrooms (Various Sites)	\$ 2,106,333.00
Exterior Painting of Portables	\$ 260,746.00
Santa Ana High School New Roof	\$ 931,000.00
Roofing and Flooring Repairs to Port	\$1,035,191.00
VCT Flooring (Various Sites)	\$ 192,813.00
Miscellaneous Roofing and Building S Projects	\$ 406,746.00
FA/PA Upgrades (Harvey, Wilson, Greenville, Jackson)	\$ 881,043.00
Modernizations: Taft, Monroe, Adams, Madison and Lincoln ES	\$10,821,138.00
Classroom Buildings: Jackson, Lincoln Roosevelt & Washington	\$32,548,419.00
Qualified Zone Academy Bond/Higher Education Centers: Century, Chavez, Saddleback, Santa Ana & Valley High	\$4,753,651.00
Middle School Portable Purchase and Installation	\$1,100,000.00
Carr Modernization (Phase I)	\$2,480,759.00
Heroes Soil Remediation	\$589,000.00

- Projects Under Construction Costs: \$293,290,542
- Projects Completed Costs: \$ 64,599,072
- Total Project Costs: \$357,889,614

Mr. Richardson asked Mr. Hills when reporting on the modernization of sites to include the number of classes added and or renovated which shows the volume of work completed.

Mrs. Avila inquired about the modernization costs and the work performed. Mr. Hills stated that the costs included new flooring, all new ADA upgrades, ramps, case work, cabinetry, painting of the interior and exterior of school, re-lamping, electrical upgrades, fire alarm upgrades, and more.

Mr. Hills informed the Board that the District is in the process of removing approximately 29 portables. Mr. Tinajero asked staff to take precaution when eliminating bungalows in that such a move does not cause the need for traveling teachers.

Dr. Yamagata-Noji asked Mr. Hills to set up a date when she and other interested Board members could tour Segerstrom High School.

Mr. Hills stated that up to date information is posted on the District's Website at www.sausd.k12.ca.us. He then informed the Board that District staff recently attended the Wilshire Square Neighborhood Association meeting and that representatives from the District attend all Neighborhood Association meetings.

The Board thanked Mr. Hills for his report.

UPDATED AND STATUS OF SEGERSTROM HIGH SCHOOL PROJECT

Dr. Bratcher introduced the item. He stated that an overview of the high school would be discussed in three parts construction, academics, financial aspect, and traffic plan. He called Mr. Jerry Hills, Construction Manager who provided the construction update as follows:

He stated that the architect for the project is Anastacio Martinez and Ralph Allen with TELACU/PCM3 as Construction Manager. The project began in March 2002 with an anticipated completion date of September, 2005, with a student capacity of 2,500. He discussed funding and costs, site specifics such as the school's five-parking lots and 697 parking stalls, containing a total of five buildings with 87 classrooms. In reference to athletics, there is a football field, a running track, two baseball fields, two softball fields, one soccer field, 12 outdoor basketball courts, three indoor basketball courts, three indoor volleyball courts, three outdoor volleyball courts, eight outdoor tennis courts, and 12 indoor badminton courts. The sports stadium is lighted and contains 1,430 seats, restrooms, with concession stands on the home side. The performing arts center will have 438 seats. Mr. Hills then provided before and after pictures of school sites. He then provided the following schedule:

Building Description	Completion	Anticipated Completion
Locker Rooms	85%	9/20/05
Gymnasium	80%	9/28/05

Kitchen	95%	8/26/05
Administration	98%	8/08/05
Library	98%	8/22/05
Classroom Wing	98%	7/18/05
Performing Arts	94%	8/11/05
Classroom Wing	94%	8/22/05
Science Building	88%	8/25/05
Classroom Wing	92%	8/16/05
Stadium & Grandstand	20%	10/10/05
Turf Fields	99%	7/15/05
Additional Home and visitor seating and additional restroom building on visitor side	0% Waiting for CEQA to be completed	

Dr. Yamagata-Noji inquired about a contingency plan. Mr. Hills stated that the school would be ready on opening day. The construction crews are working overtime to assure a smooth opening. He said that fencing would separate the construction from students and staff. And any classroom work would be completed after hours.

Ms. Lyn Maher, Principal, Segerstrom High, provided information on the school's vision and mission, components of a fundamental school, staff, students, and community. She stated that a fundamental school is an alternative school of choice with a rigorous curriculum, commitment of good citizenship, strong student responsibility, and there is a signed agreement of accountability by students, parents, and staff that binds everybody to a series of structured, high expectations, and accountability and responsibility for all. The mascot is a Jaguar. Staffing consists of a principal, two assistant principals, an activities director, an athletic director, three counselors, 42 teachers, and 33 classified staff members. Ms. Maher has held various meetings to update and inform staff and parents of all necessary information. Major academic programs consist of Small Learning Communities: Ninth-grade houses, AVID program, the Arts, mandatory tutoring program, schoolwide "Reading Counts", and "Read, Write, Learn." Enrollment consists of 800 ninth graders with 170 on wait list, and 396 enrolled in tenth grade with 40 on wait list. The school's coaching philosophy is that all students will be scholar athletes. She said that the school is well underway with the master schedule at 90% completion, furniture delivery anticipated to have received by August 22nd and Program Verification is scheduled for August 18-24 at MacArthur Fundamental school. Textbooks will be delivered on August 1, with computers coming in late August. Staff is ready and looking forward to the school's opening.

Dr. Noji requested that Ms. Maher provide her philosophy of what a Fundamental High School should be.

Mr. Trigg, Associate Superintendent Business Services, introduced Mr. Kelvin Tsunezumi, Director Business Services, who provided financials concerning Segerstrom High.

2005-06 Financial Impact

\$4.0 million in recurring costs

- For incremental costs such as: Salaries & benefits, utilities, insurance, annual athletic expenditure allocations, etc.
- Does **not** include positions transferred from other existing schools, i.e. teachers
- \$1.8 million in one-time costs
- Includes costs such as textbooks, library material, start-up costs to purchase athletics, band, technology and cafeteria equipment.
- Total Cost (Recurring and one-time) = \$5.8 million.

2006-07 Financial Impact

- \$5.5 million in recurring costs
- \$0.7 million in one-time costs
- Total Cost (Recurring & One-Time) = \$6.2 million

2007-08 Financial Impact

- \$5.5 million in recurring costs
- No one-time costs in this fiscal year
- Total Cost (Recurring & One-Time) = \$5.5 million

Mr. Tsunozumi addressed questions from the Board regarding staffing and costs.

Jim Miyashiro, SAUSD Chief of Police, reviewed Segerstrom High School's traffic plan. The Chief identified entrance and exit routes and parking for staff members and students. Segerstrom High is within the perimeters of Alton Ave., Greenville St., MacArthur Blvd., and Fairview St. The Chief stated that parents would turn into the school's premises and the student drop-off zone would be along Alton Ave. Additionally, an officer would be directing traffic at the Alton entrance as traffic would be turning in from the east and the west sides of the road. He then addressed questions from the Board.

Dr. Yamagata-Noji asked District staff to provide start and ending times for Segerstrom High and other surrounding schools. She also requested that staff return to the next meeting with all pertinent information for both Esqueda Elementary and Segerstrom High prior to their opening. She also asked staff to inform the Board as to the date of the Manuel Esqueda dedication.

Dr. Yamagata-Noji asked how figures balance out in comparison to additional recurring costs (salaries, etc.). She suggested waiting until the fall when school begins to make a more accurate determination of costs.

The Board thanked all involved in the comprehensive presentation.

PROGRESS REPORT OF ORANGE COUNTY HIGH SCHOOL OF THE ARTS (OCHSA) CHARTER SCHOOL

Mr. Trigg introduced Dr. Ralph Opacic, Director, Orange County High School of the Arts (OCHSA) Charter School. Dr. Opacic provided an

overview of the charter school. He reported that OCHSA has 1,250 students in grades 7-12. The school is academically ranked in the 90th percentile of high schools in the State of California and ranked No. 5 in Orange County. In reference to the California High School Exit Exam, 99% of its sophomores passed the English Language Arts portion and 98% passed the mathematics portion of the exam. This year, the school was recognized as a California Distinguished School and recently received a 6-year accreditation from the Western Association of Schools and Colleges.

Dr. Opacic then outlined 2004-05 student accomplishments:

- 61% of graduating seniors will attend a four-year university
- 38% of graduating seniors will attend a two-year college with plans to transfer to a four-year university
- School named Creative Ticket School of Excellence for the State of California 2004-05 by the Kennedy Center Alliance for Arts Education Network and the California Alliance for Arts Education
- School nominated for the Creative Ticket School of Excellence for the United States 2004-05 by the California Alliance for Arts Education
- Provided 26 Gluck Community Service Arts Fellowship Program Performances to surrounding Santa Ana community
- Served more than 750 4-6 grade Santa Ana students through the Camp OCHSA after-school program.

Review of Financial Stability

- Audit firm is Vicenti Lloyd and Stutzman LLP
- Review of organizational structure and related financial systems and controls by School Services of California
- Well-defined fiscal policies and procedures
- School and Foundation raised \$3,719,045

Dr. Opacic then described the Artist Sponsorship program created to provide additional financial support to the school's eleven arts conservatory programs. He stated that the foundation raised more than \$450,000 in the 2004-05 school year.

Dr. Opacic provided examples of local schools and their Booster club's contributions and that OCHSA has adopted those practices. Dr. Yamagata-Noji inquired about the Santa Ana Chamber Singer's Booster Club and their expectations to raise \$700 per student. She then asked for District staff to look into that matter.

Dr. Yamagata-Noji asked Dr. Opacic of his expectation for students with respect to collection of funds. He stated that parents are asked to either contribute or help fundraise \$2,500 that would go toward the conservatory arts program. Dr. Yamagata-Noji then inquired about the foundation and its contributions. Dr. Opacic stated that OCHSA builds their budget by committed fundraising dollars and as foundation monies become available, those funds are used throughout the school year.

Dr. Opacic stated that three years ago the foundation created the Artist Scholar Sponsorship program to help those families that needed support. He stated that 25% of the school's 1,250 students are in need of financial assistance and many qualify. Dr. Noji asked that the information be provided to students and parents before school beginning.

Dr. Opacic stated that if students do not participate or are unable to provide funds, this in no way compromises admission or activities at the school. He stated that OCHSA is a tuition-free school.

Dr. Opacic then reviewed the charter's Conflict of Interest Policy and stated that the school operates subject to the Brown Act.

Dr. Mijares commended Dr. Opacic on the school's six-year WASC accreditation, Top five in academics honor, and the Distinguished School Award. The Fiddler on the Roof production will be playing from July 28-30. Dr. Yamagata-Noji added that Santa Ana Unified School District students are in the production.

The Board thanked Dr. Opacic for the presentation.

PUBLIC HEARING

Orange County High School of the Arts (OCHSA) Charter School Renewal

The meeting was declared open to conduct a public hearing to receive comments regarding the Orange County High School of the Arts (OCHSA) Charter School Renewal. Anyone wishing to speak to this matter was asked to approach the podium for comment.

Hearing no comment regarding the Orange County High School of the Arts Charter School Renewal, Dr. Yamagata-Noji declared the hearing closed.

The Board concurred that it would be appropriate to take action concerning the OCHSA Charter School at this time.

Orange County High School of the Arts Charter School Renewal

Ms. Mavis Mitchell, Financial Coordinator Charter Schools, provided a binder for each Board member containing OCHSA charter school profile, MOU, policies and procedures, academic achievement data, WASC Exit Report and OCHSA Action Plan, financial information, debt payment schedule, and the OCHSA foundation.

Ms. Mitchell stated that effective January 1, 2004, The State of California enacted legislation that requires entities that authorize charter schools to comply with specific new oversight responsibilities. One specific legal requirement is that the Charter authorizer must identify at least one staff member as a contact person for charter schools, which is Ms. Mitchell.

In 2004, the Santa Ana Unified School District implemented a policy to allow all charter schools in its jurisdiction an opportunity to report on and update information in various areas relevant to successful operation. This is in keeping with provisions specified in the school's charter and in compliance with charter school law. Also, in accordance with Charter School law, this process of update and progress report helps to facilitate the charter renewal process.

Commencing January 1, 2005, or after a charter school has been in operation for four years, whichever is later; a charter school must meet at least one of five criteria prior to receiving a charter renewal. Among the performance standards that may be used to satisfy this requirement are:

- Attainment of the school's Academic Performance Index (API) growth target
- An API decile ranking of 4 or better
- An API Similar Schools decile ranking of 4 or better
- Documented evidence that the charter school students are performing at least equal to that of students in schools of the district that the students would otherwise be attending
- The school qualifies for participation in the Alternative Accountability System Model (ASAM).

The determination as to whether the school seeking renewal of their charter has met the requirements for renewal can be based upon all of the following:

- Documented and clear and convincing data
- Pupil achievement data from assessments, including but not limited to, the Standardized Testing and Reporting Program established by Article 4 (commencing with Section 60640) for demographically similar pupil populations in the comparison schools.
- Information submitted by the charter school.

Ms. Mitchell stated that the Orange County High School of the Arts was present to provide to the Board updated information regarding progress made by the school and changes implemented during the previous school year. Information submitted by the Orange County High School of the Arts in the areas that constitute documented, clear and convincing data that meets the requirements set forth for renewal has been reviewed and compiled to make up the binder that was distributed to the Board. Some information included in the binder are:

- A charter school Profile that provides information on school administration, school demographics, curriculum, accreditation and academic achievement.
- Policies and procedures concerning board governance, fiscal management, personnel and the student body
- A copy of the WASC Visiting Committee report and
- Student achievement data

Ms. Mitchell stated that the information compiled in the binder provided an accurate picture of this successful charter school.

Mr. Kelvin Tsunezumi was called upon. He stated that he reviewed the multi-year projection and debt schedules and did not find anything that was a significant concern to him. He stated that the audit firm of Vicente Lloyd and Stutzman showed zero audit findings. In speaking with the audit firm, they made comments such as, "OCHSA has good internal control" and a "strong management team." The audit team stated that they have no concerns about the on-going viability of OCHSA.

Mr. Trigg stepped to the podium. He stated that due to the comments made by District staff and audit firm the recommendation of Administration would be for the Board to consider approving the charter school for the next five years contingent upon the signed MOU at the Board meeting of August 23, 2005. The MOU would include any revisions by the Board of Education including those voiced today concerning the foundation and donating of funds.

Mr. Tinajero suggested that the MOU and the Charter be approved together at the next Board meeting. He stated that District may lose leverage due to the fact that the charter is approved today for a five-year period.

Mr. Palacio stated that the bigger issue is that historically, it took nearly a year trying to get an MOU approved previously with OCHSA.

Mr. Trigg stated that if the charter was approved with that stipulation, the MOU would be signed off.

Board discussion ensued to determine whether to approve or delay the renewal based on the MOU. Mr. Palacio stated that he would have a difficult time voting on something not knowing what changes would occur if the MOU were to be done at a later date.

Dr. Mijares stated that staff is not requesting any changes on the MOU at this time, aside from submitting the charter renewal 120 days prior to its expiration of the renewal term.

Dr. Yamagata-Noji referred to page 9g of the MOU. It states that a report on progress toward the goals would be presented to the Board of Education and to the Board of OCHSA by October of each school year and during the spring term, prior to the recruitment period for each school year. She stated that this does not occur. She questioned whether the Board wanted to make any revisions or changes to the language concerning information and reporting.

Dr. Yamagata-Noji then questioned page 15, School Assets. She stated that it indicates that if the charter should ever be revoked or not renewed, all goods and materials purchased with public monies shall be distributed to the SAUSD. And, all other assets and property shall be distributed to a nonprofit fund, foundation, or association in accordance with State Law. She then questioned status with Capital Facilities and School Facilities and asked for staff to provide clarification in Week In Review. She would also like clarification on the budget concerning debt service, the relationship between the charter and the foundation, and clarification about the ownership of building, rent/lease payment. She also requested that the MOU include that OCHSA is a charter of the SAUSD.

Mrs. Avila stated that she was under the impression that if Board wanted changes on the MOU, that it would be determined tonight.

Dr. Mijares reiterated that OCHSA is not changing anything on the MOU. He stated that the State law changed in January 2004 which states that the provision that was in this charter allowing them to have automatic renewal was no longer valid. Therefore, the new law is reflected in the MOU tonight.

Ms. Sukhi Sandhu, District's Legal Counsel, explained the purpose of the MOU in that it covers provisions and agreements that were not included in the charter. She stated that many policies and procedures have been implemented by OCHSA within the five years in operation. What is being requested tonight is to review the MOU and if there are any clauses the Board would like included, to identify them tonight. Ms. Sandhu said that the MOU would roll over when the renewal is approved with any provisions Board may wish to include. She stated that a charter agreement must be in place before school begins with everything that should be included, as they are a charter of the SAUSD.

Mr. Palacio inquired about page 5, item no. 3 that indicates that OCHSA reserves the right to become its own LEA and join a SELPA other than SAUSD's SELPA. He stated that he cannot support something that he has not had a chance to fully review.

Dr. Mijares stated hiring Ms. Mavis Mitchell was to assure that our charter schools are in compliance with the law.

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 4-0, Mr. Palacio abstaining to approve the Orange County High School of the Arts (OCHSA) Charter School Renewal with the stipulation that the MOU be revised and returned to the August 23, 2005, Board of Education Meeting for approval.

PUBLIC COMMENTS/PRESENTATIONS:

Individuals or groups may address the Board on matters that are on the Board Agenda within the Board's subject matter jurisdiction. The Board limits each individual's 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, individuals are asked to state their name and the item on the Agenda that they are referencing. Additionally, 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 during 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:

Tammy Sanchez, SAUSD staff member, addressed the Board with respect to students diagnosed with Leukemia, two students who lost their battle, and teacher's illnesses. She acknowledged support by community leaders, parents, and the District who have requested air, water, and soil testing. She invited interested parties to attend a meeting Thursday August 28th, hosted by the Southern California Air Quality Management District.

APPROVAL OF MINUTES

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 5-0, to approve Minute book page 970 of the Regular Board meeting of June 14. It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0, to approve Minutes of the Regular Board meeting of June 28, 2005.

APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Approval of Consultant Agreement Between Santa Ana Unified School District and Boys and Girls Club of Santa Ana for 2005-06 School Year, Approval of Submission of Local Education Agency (LEA) Plan Addendum to California Department of Education (CDE) as Required by No Child Left Behind (NCLB), and High School Health Course (Revised: For First Reading).

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve the remainder of the Consent Calendar.

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 June 14 through July 13, 2005.

Approval of expenditure summary and detailed listing of checks \$10,000 and over for period of June 15 through July 12, 2005.

<u>Awards</u>	<u>Vendor</u>	<u>Amount</u>
Installation of Air Conditioning Equipment at Santa Ana High	Comfort Air Conditioning	\$639,000.00
Conduct Asbestos Hazard Emergency Response Act (AHERA) Mandated Three-Year Reinspection	The Reynolds Group	\$32,100.00
Athletic Equipment and Supplies for Segerstrom High School	Lapes Athletic Team Sales	\$118,066.62
Transportation Services for NJROTC and Field Trips at various School Sites	JFK Transportation	\$2,200.00 (weekly)
	Certified Transportation Srvcs, Inc.	\$4,165.00 (weekly)
	Durham School Services	\$4,272.30 (weekly)
Copier Paper for Warehouse Stock	Unisource	\$335,881.40
Custodial Supplies for Warehouse Stock	Pioneer Chemical Company	\$344,376.98
Band Instruments for Segerstrom High School	Gard's Music	\$94,164.55
Rental, Purchase, Relocation, Dismantle, and Removal of Department of State Architect (DSA) Approved Portable	Mobile Modular Mgmt. Corp.	\$4,000,000.00 (annually)

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.

Approval of amendment of agreement with Empire Economics (Empire) for an additional \$3,275 for a revised contract amount of \$19,775 for additional professional services in connection with the issuance of special tax bonds of Community Facilities District (CFD) No. 2004-1 Central Park Project.

Approval of appointment of Haley & Aldrich to provide environmental monitoring support services at Villa Fundamental Intermediate in connection with the California Environmental Protection Agency Department of Toxic Substances Control (DTSC).

Approval of substitution for Landavazo Contracting, of Hayward, California, as the new concrete subcontractor for the construction of Mountain View High School project.

Approval of Change Order No. 2 for the construction of Mountain View High School project in the amount of \$61,231.00 for a revised total construction cost of \$12,937,271.00.

Approval a reduction in retention from 10% to 5% for Isec, Inc., for bid packages No. 13 and 22 for the construction of Segerstrom High School project.

Approval of Change Order No. 9 for bid packages No. 5 and 9 for the construction of Segerstrom High School project in the amount of \$185,463.81 for a revised total construction cost of \$55,018,408.38.

Acceptance of July 13, 2005, completion of contract with JRH Construction Company, Inc., in the amount of \$3,053.283 for the construction of Fremont Elementary modernization project.

Authorization the Administration to reject all bids for the replacement of roofing system at the District Distribution and Support Center.

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

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

Approval of Memorandum of Understanding (MOU) between the Arnold and Mabel Beckman Foundation and the Santa Ana Unified School District for the participation in the Supplemental Grant of the participant in the Supplemental Grant of the Beckman@Science Education Initiative for the 2005-06 school year.

Approval of consultant agreement between the Santa Ana Unified School District and YMCA of Orange County - Central Orange Coast Branch for the 2005-06 school year.

Approval of consultant agreement between the Santa Ana Unified School District and Orange County Council Boy Scouts of America for the 2005-06 school year.

Approval of subcontract agreement between the Santa Ana Unified School District and T.H.I.N.K. Together to continue and expand the implementation and operation of after school programs for the 2005-06 school year.

Approval to continue Special Education Interagency agreement with other school districts and government support services agencies for the 2005-06 school year.

Approval of Declaration of Need for Fully Qualified Educators for the 2005-06 school year as requested by the California Commission on Teacher Credentialing.

Approval of recommendation to adopt the World History for Advanced Placement textbook Traditions Encounters: A Global Perspective on the Past.

High School Health Course, presented for First Reading.

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 CONSULTANT AGREEMENT BETWEEN SANTA ANA UNIFIED SCHOOL DISTRICT AND BOYS AND GIRLS CLUB OF SANTA ANA FOR 2005-06 SCHOOL YEAR

Mr. Richardson removed this item to disclose that he is a Board Member of the Boys and Girls Club of Santa Ana and to inform the Board that he does not have a financial interest. Therefore, he will be voting on the item.

Mrs. Avila asked if through the 21 Century After School program the funding is available to the Boys and Girls Club to assist with the after school program. Dr. Bratcher responded affirmatively.

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 5-0, to approve the consultant agreement between the Boys and Girls Club of Santa Ana for the 2005-06 school year.

APPROVAL OF SUBMISSION OF LOCAL EDUCATION AGENCY (LEA) PLAN ADDENDUM TO CALIFORNIA DEPARTMENT OF EDUCATION (CDE) AS REQUIRED BY NO CHILD LEFT BEHIND (NCLB)

Mr. Palacio stated that it would be difficult for him to vote on this item without having the addendum before him. He stated that the requirements on the NCLB have a significant impact to this District. And, that 31 schools are not meeting the requirements of NCLB. Dr. Stainer stated that the Board previously approved the education plan. The addendum is necessary to comply with the NCLB District Program Improvement guidelines as mandated by law. Dr. Stainer stated that this item addressed common vision and communication structure, equity and access for all students (focus on Special Education), coherent implementation of Standards-based curriculum and assessment, and accountability structure that includes monitoring and evaluation. She stated that on July 25, 2005, DAC/DELAC approved the draft and that it would be submitted to the County Department of Education following Board's approval.

Mrs. Avila asked that the updated information to be incorporated in the LEA plan to be sent to the Board in Week In Review.

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 4-0, Mr. Palacio abstaining to approve the submission of the Local Education Agency Plan Addendum to the California Department of Education as a requirement of NCLB Program Improvement guidelines.

HIGH SCHOOL HEALTH COURSE (REVISED: FOR FIRST READING)

Mr. Tinajero asked staff to make certain that the SAUSD is providing a comprehensive health curriculum and that the District is in compliance with Senate Bill 71. Dr. Bratcher stated that he would take this back to the teacher committee to assure that the SAUSD is in compliance with the law.

For first reading; no action required.

APPROVAL OF FUTURE PROJECTS AND REVIEW OF MEASURE C FUNDING STATUS REPORT

Mr. White, Assistant Superintendent, Facilities and Governmental Relations, provided an update and review of Measure C funding; status reports of projects; and staff recommendations with respect to future projects. Mr. White then reviewed a narrative summary which identified the various funds as follows:

REVENUE (Received)

Fund 21 Measure C Bond Issuance	\$145,000,000
Fund 21 Interest (1999-2005)	7,402,594
Fund 21 Other deposits (Farmers sale)	379,769
Fund 30 Surplus from LPP & COP	3,174,446
Fund 35 State School Facilities Program	164,171,743
Fund 40 Tustin Settlement	45,089,195
Federal Renovation Funds (emergency repairs)	1,314,160
Fund 14 Deferred Maintenance	1,400,000
Fund State CSR Program	19,910,940
CSR COP Funds	19,491,179
Total Revenue Received from All Sources	\$407,334,025

Future

Central Park CFD	5,500,000
Farmers Site Sale	15,000,000
CHPS Grant Funds	590,000
Total Future Committed Revenue Sources	21,090,000
Total Revenue of all Funding Sources	\$428,424,025

Expenditures (Existing Commitments & Expenditures to Date)

Active Projects Current Budget	\$371,648,649
Postponed Projects Paid to Date	10,943,189
Pending Projects Paid to Date	16,804,905

Future Committed Expenditures

Otsuka Site Abatement	\$800,000
Projected State Reimbursement (Farmers & Otsuka)	8,000,000
QZAB Projects	2,500,000
Program Contingency	5,000,000
Sub Total	16,300,000
Total Commitments & Paid to Date	\$415,994,191
Balance Revenue Minus Expenditure	12,429,835

Mr. White's recommendation would be to move forward with the Heroes Elementary and Valley High projects. Timeline schedule would be to bid projects in November and open bids in January. This would be the best time of year to get the best rate from the contractor.

Mr. White then provided the following:

Projects Completed: \$21,781,043
Projects with Notice of Completion: \$43,423,877
Projects Under Construction: \$296,672,196
Pending Projects: \$530,177,136

Dr. Yamagata-Noji inquired about COS funds. Mr. White stated that the SAUSD does qualify for the COS program for \$263 million however, there are insufficient funds on this end for the match. This did allow the District to determine which the best projects were to move forward with.

Dr. Yamagata-Noji requested an updated report concerning repayment of liabilities concerning COPs, QZAB loans, redevelopment funds, developer fees, and future funding.

The Board thanked Mr. White for his report.

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 5-0, to approve future projects and review of Measure C Funding Status Report.

ADOPTION OF RESOLUTION NO. 05/06-2615 AUTHORIZING ISSUANCE OF SPECIAL TAX BONDS SERIES 2005 OF COMMUNITY FACILITIES DISTRICT (CFD) NO. 2004-1 CENTRAL PARK PROJECT

It was moved by Mr. Tinajero, seconded by Mr. Palacio and carried 5-0, to adopt Resolution No. 05/06-2615 - authorizing the issuance of Series 2005 Special Tax Bonds of Community Facilities District (CFD) No. 2004-1 Central Park Project in an aggregate principal amount not to exceed \$12,000,000 and approving certain documents and authorizing certain actions in connection therewith.

Attached to the Minutes is a copy of the resolution.

APPROVAL OF AMENDMENT TO FIRST CONDITIONAL PURCHASE AND SALE AGREEMENT AND JOINT ESCROW INSTRUCTIONS BETWEEN SANTA ANA UNIFIED SCHOOL DISTRICT AND SHEA HOMES LIMITED PARTNERSHIP

Dr. Yamagata-Noji asked Mr. White to contact the City and ask for cooperative support.

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 5-0, to approve the amendment to First Conditional Purchase and Sale Agreement and Joint Escrow Instructions between Santa Ana Unified School District and Shea Homes Limited Partnership with respect to the sale of the District's 2800 North Farmers Drive property.

CALL FOR A PUBLIC HEARING TO ADOPT THE FINAL 2005-06 BUDGET

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mrs. Avila not present, to approve the call for a Public Hearing to adopt the Final 2005-06 Budget.

CALL FOR PUBLIC HEARING TO REVIEW THE STATEMENT OF ASSURANCE FOR PUPIL TEXTBOOK AND INSTRUCTIONAL MATERIALS PURSUANT TO EDUCATION CODE 60119 REQUIREMENTS

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mrs. Avila not present, to approve the call for a Public Hearing to review the Statement of Assurance for Pupil Textbook and Instructional Materials pursuant to Education Code 60119 requirements.

APPROVAL OF AGREEMENT WITH ENVIRONMENTAL CONSULTANT TO IMPLEMENT REMOVAL ACTION WORKPLAN (RAW) FOR PROPOSED OTSUKA ELEMENTARY SCHOOL SITE LOCATED AT 720, 802, AND 804 FAIRVIEW STREET

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 4-0, Mrs. Avila not present, to approve the agreement with Petra Geotechnical, Inc., to implement the Removal Action Workplan (RAW) for the proposed Otsuka Elementary Schools site located at 720, 802, and 804 Fairview Street.

APPROVAL OF AMENDMENT TO AGREEMENT WITH ARCHITECT TO PROVIDE ADDITIONAL SERVICES FOR VALLEY HIGH SCHOOL MODERNIZATION PROJECT

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 4-0, Mrs. Avila not present, to approve the amendment to the agreement with Ghataode Bannon Architects in the amount of \$122,500 for a revised total contract of \$921,500 to provide additional services for the Valley High School modernization project.

APPROVAL OF MODIFICATION OF TRANSPORTATION CONTRACT FOR COST OF LIVING ADJUSTMENT (COLA)

It was moved by Mr. Palacio seconded by Mr. Tinajero, and carried 4-0, Mrs. Avila not present, to approve the modification of transportation contract with Durham School Services for Cost of Living Adjustment (COLA) pursuant to Bid No. 07-03, of 6.92% increase to the existing District contract for fiscal year beginning July 1, 2005.

Mr. Richardson stated that there is a contract in place at this time. What Administration is suggesting is a change to the existing contract amount. He then requested a copy of the existing contract. Mr. Richardson requested that Board receives copies of all contracts and agreements for all future items requesting approval.

Mr. Richardson asked Mr. Trigg what would occur in terms of the contract if the price of gasoline continues to rise or if it should reduce. Mr. Trigg stated that the cost would be adjusted. Mr. Richardson asked if this cost was built into the budget. Mr. Trigg responded affirmatively.

AUTHORIZATION TO ENTER INTO AN AGREEMENT WITH MICROSOFT CORPORATION FOR PURCHASE OF SOFTWARE TO BE USED DISTRICTWIDE

Mr. Brad Minami, Purchasing Manager, addressed questions from the Board concerning pricing and purchasing directly from vendors. Dr. Yamagata-Noji asked that Mr. Minami look at RSCC's agreement, which should be similar to the SAUSD's.

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0, to authorize the Administration to enter into an agreement with Microsoft Corporation for the purchase of software to be used Districtwide.

APPROVAL OF LETTER OF UNDERSTANDING (LOU) BETWEEN CHILDREN AND FAMILIES COMMISSION OF ORANGE COUNTY AND SANTA ANA UNIFIED SCHOOL TO SERVE AS PLACEMENT AGENCY FOR AMERICORPS VISTA MEMBER FOR 2005-06 SCHOOL YEAR

It was moved by Mr. Palacio, seconded by Mr. Tinajero, and carried 4-1, Mrs. Avila dissenting, to approve the Letter of Understanding (LOU) between the Children and Families Commission of Orange County and the Santa Ana Unified School District to serve as a Placement Agency for a VISTA member who will support and enhance the goals of the School Nurse Expansion Initiative grant for the 2005-06 school year.

HIGH SCHOOL HEALTH TEXTBOOK RECOMMENDED FOR 28-DAY REVIEW

Mrs. Avila requested a copy of the textbook for each Board member.

APPROVAL OF SUBMISSION OF COMPETITIVE GRANT TO OFFICE OF TRAFFIC SAFETY COMPETITIVE GRANT

It was moved by Mr. Tinajero, seconded by Mr. Palacio, and carried 5-0, to approve the submission of Competitive grant to the Office of Traffic Safety (OTS).

BOARD POLICY AND ADMINISTRATIVE REGULATION 1330 - USE OF SCHOOL FACILITIES (REVISED: FOR FIRST READING)

For first reading only, no action required.

ADMINISTRATIVE REGULATION 1330.1 - FACILITIES USE GUIDELINES AND RATE SCHEDULES (REVISED: FOR FIRST READING)

Chief Miyashiro addressed questions from the Board. He stated that the Administrative Regulation would bring the rate schedule of fees up to date to cover employees' salaries, energy costs, and any other direct costs associated with the use of facilities. He stated that comparisons were made with five similar districts and a community college. There are specific features that were also included for those particular needs.

Board members asked Chief Miyashiro to provide comparisons in terms of current and proposed costs. Dr. Yamagata-Noji asked if costs were recouped and returned to school sites. Chief Miyashiro responded affirmatively. He continued reviewing the Administrative Regulation (AR) and said that the item would return with hourly costs, direct costs, profit costs, and amendments as described by Board members.

For first reading only, no action required.

ADMINISTRATIVE REGULATION 1330.4 - USE OF SCHOOL FACILITIES PROCEDURES (NEW: FOR FIRST READING)

For first reading only, no action required.

BOARD POLICY (BP) 2220 - ADMINISTRATIVE STAFF ORGANIZATION (NEW: FOR ADOPTION)

It was moved by Mr. Tinajero, seconded by Mr. Richardson, and carried 5-0, to adopt Board Policy (BP) 2220 - Administrative Staff Organization.

A copy of the Board Policy is attached to the Minutes.

ADMINISTRATIVE REGULATION (AR) 4117.7 - EMPLOYMENT STATUS REPORTS (REVISED: FOR FIRST READING)

Mr. Lopez stated that revisions to the Administrative Regulation are necessary due to changes in legislation and in District operations. This item deals with reporting any type of departure from employment and allows the Commission on Teacher Credentials to conduct investigations.

Mr. Richardson asked staff to provide on a quarterly basis the number of people on administrative leave including employees with over 30, 60 days and beyond as well.

For first reading only, no action required.

BOARD BYLAW (BB) 9322 - AGENDA/MEETING MATERIALS (REVISED: FOR ADOPTION)

Mr. Trigg reviewed the shaded areas where revisions have been made. Mr. Richardson asked staff to include in the back-up information whether contracts or agreements are for one year as opposed to two or more years which makes a difference when factoring in expenditures in reference to the multi-year budget.

It was moved by Mr. Richardson, seconded by Mr. Tinajero, and carried 5-0, to adopt Board Bylaw (BB) 9322 - Agenda/Meeting Materials.

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

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

Mr. Tinajero:

- Requested class size numbers as it relates to high schools in Week In Review.

Mr. Richardson:

- Enjoyed Retirement reception last Friday. It was a fine event and keeps getting better each year. It was well organized. He asked that next year to schedule the reception earlier to enable all retirees to attend.
- Exciting to see space shuttle launch and anticipates its return in 12 days. He reminded the community that Gerald Carr Intermediate School was named after an astronaut in Sky Lab in the mid-seventies.
- Acknowledged Supervisor Correa who conducted a community meeting concerning the Franklin Elementary School issue. Supervisor Correa initiated efforts from the health care agencies in which he and many others are appreciative.

Mrs. Avila:

- She echoed Mr. Richardson in reference to the retirement reception. Enjoyed the good humor from Mr. Juan Lopez and Mr. Richardson which made it a more personal event.
- Is glad that soil and air testing will take place at Franklin Elementary School. It means so much to everyone. This is a community effort and the Franklin neighborhood would appreciate the public's support during their walk in September.
- Trip to Segerstrom today was great!

Dr. Yamagata-Noji:

- The retirement reception was very nice. Appreciated Mr. Lopez' humor. Testimonials from retirees were wonderful.
- Asked staff to inform the Board when Segerstrom High School and Manuel Esqueda Elementary opening dates are confirmed.
- Announced that the Charter School Hearing is scheduled for Monday, August 22nd and the next regularly scheduled Board meeting is scheduled for Tuesday, August 23rd.

REPORT OF ACTION TAKEN IN CLOSED SESSION

APPROVAL OF PERSONNEL CALENDAR

It was moved by Mrs. Avila, seconded by Mr. Richardson, and carried 4-1, Mr. Palacio not present, to approve the Personnel Calendar as presented.

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

By a vote of 4-0, the Board took action to approve the continuation of Master Contracts and Individual Service Agreements with nonpublic agencies for the education of disabled students between the SAUSD and Vista Behavior Consulting; Speech & Language Development Center; Mardan School; Coyne & Associates; Griffith Centers for Children; Prentice School; Sea Star Tustin Center; and Cinnamon Hills for the 2005-06 school year.

By a vote of 4-0, the Board took action to approve Master Contracts and Individual Service Agreements with a nonpublic school for the education of a disabled student between the SAUSD and Devereux Texas Treatment Network for the 2005-06 school year.

By a vote of 4-0, the Board took action to approve the Individual Service Agreement with nonpublic school for the education of disabled pupil between the SAUSD and Griffith Centers for Children; Therapeutic Education Center; Coyne & Associates; Rossier Park Jr./Sr.; and Sea Star Tustin Center for 2004-05.

By a vote of 4-0, the Board took action to appointment of Judith Barden, to the position of Coordinator-BTSA Induction Program, effective 2005-06 school year.

By a vote of 4-0, the Board took action to appointment of Leslie Votava, to the position of Student Activities at Santa Ana High School for the 2005-06 school year.

By a vote of 4-0, the Board took action to appointment of Freda Odum to the position of Director of Elementary Student Achievement/Charter Schools effective 2005-06 school year.

By a vote of 4-0, the Board took action to appointment of Felisa Gear to the position of Principal at Greenville Elementary School effective 2005-06 school year.

By a vote of 4-0, the Board took action to appointment of Teresa Stetler to Principal at Harvey Elementary School effective 2005-06 school year.

By a vote of 4-0, the Board took action to appointment of Nancy Diaz-Miller to the position of Garfield Elementary School effective 2005-06 school year.

By a vote of 4-0, the Board took action to approve a workers' compensation stipulated findings and award for a former Monte Vista Teacher employee, as named in closed session.

There being no further business to come before the Board, the Regular meeting was adjourned at 11:55 a.m.

FUTURE MEETING

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, August 23, 2005, at 6:00 p.m.

ATTEST:

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