

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

**MINUTES**

**REGULAR MEETING  
SANTA ANA BOARD OF EDUCATION  
November 10, 2009**

**CALL TO ORDER**

The meeting was called to order at 4:35 p.m. by Mr. Hernández. Other members in attendance were Dr. Yamagata-Noji, Mr. Palacio, and Mr. Reyna.

Cabinet members present were Ms. Russo, Dr. Olsky, Mr. Lopez, Mr. Mendez, Mr. Ayala, Ms. Lohnes, and Mr. Dixon.

**PUBLIC PRESENTATIONS**

Board President Hernández asked those wishing to address the Board in matters pertaining to Closed Session to step to the podium.

There were no speakers to address the Board regarding Closed Session items.

**RECESS TO CLOSED SESSION**

The Regular meeting was immediately recessed to Closed Session to consider student discipline issues, negotiations, and personnel matters.

**RECONVENE OPEN MEETING**

The Regular meeting reconvened at 6:03 p.m.

**PLEDGE OF ALLEGIANCE**

The meeting was opened with the Pledge of Allegiance led by Erika Fuentes, Saddleback High School student.

**SUPERINTENDENT'S COMMENTS**

The Superintendent called upon Saddleback High School Associated Student Body vice president Kimberly Vieyra and ASB secretary Erica Fuentes who provided an update on activities at Saddleback High School. Associate Student Body President Crystal Gutierrez was unable to present due to a volleyball playoff game.

Mr. Lopez introduced Mr. Michael Bishop, Associate Superintendent of Business Services. Mr. Bishop will begin his tenure on December 14, 2009. Mr. Murrey, Associate Superintendent of Business Services, retired in April 2009, and has graciously continued his service with the SAUSD until the start of Mr. Bishop. Superintendent Russo noted that Mr. Murrey has been a great employee and valiant contributor to the SAUSD.

Ms. Russo recognized Wendy Ortiz, Coordinator for the THINK Together after-school program at Hoover Elementary School, who saved the life of 5<sup>th</sup> grade student Robert McSpadden. On October 7, Wendy responded to an emergency call. Robert had just ripped open a new box of flash cards with his teeth, inhaling a small bit of plastic in the process. Wendy quickly administered abdominal thrusts (or the Heimlich maneuver) and dislodged the blockage. Paramedics later assessed the student, stated he was breathing normally. Hoover Elementary principal Richard Valle, and staff are very proud of Wendy's quick thinking and

actions, and have awarded her a Life Saver certificate and acknowledged her accomplishment with Hoover students. Robert's mother Violet Valencia and stepfather Matthew Cruz, who also happens to be the assistant principal at Sierra Intermediate School, expressed gratitude to Wendy. Ms. Russo also presented her with a certificate for saving Robert's life.

Ms. Russo announced that Carl Harvey Elementary School just received information that the school is eligible to apply for the National Blue Ribbon School Award for 2010. The school recently qualified for status as a California Distinguished School, and is now in the running for national recognition for its outstanding academic growth over the last five years. Harvey would join Middle College High School as the second in two years to achieve Blue Ribbon status. Another notable for SAUSD is the eligibility of five schools vying for California Distinguished School Awards for 2010! These contenders along with Harvey are Heninger, King, Madison and Thorpe Fundamental elementary schools.

Doreen Lohnes, Assistant Superintendent of Support Services and Gayle McLean, District Nurse, provided a brief update on the school district's H1N1 flu preparation efforts and vaccine clinics that are planned in the community. Ms. Lohnes stated that vaccinations have been delayed, as the District was made aware just yesterday. The injectable vaccine will be available to 10% of enrollment for those students with health concerns that totals approximately 5,000 vaccinations. Clinics should be available within 10-days as a plan is being developed in which the community will be informed. A video produced by Segerstrom High School students was shown demonstrating the importance of washing hands and covering coughs. This video was entered into the California Department of Public Health H1N1 film contest, which is being judged this week.

Mr. Juan Lopez, Associate Superintendent of Human Resources, introduced SAUSD's newest administrators:

- Diana Clearwater - Assistant Principal at Martin and Kennedy Elementary Schools
- Armando Gutierrez - Assistant Principal at Heninger and King Elementary Schools
- Jessica Mears - District Facilities Planner

Godinez Fundamental High School served as the host site of this year's California League of High Schools' one-day conference. The day of networking by neighboring school districts throughout the county focused on data analysis for directing student instruction.

As part of Measure G, SAUSD asked Standard and Poor's, an independent credit rating analyst, to provide Santa Ana Unified's bond rating. While three school districts in Orange County received lower bond ratings in the past month, Santa Ana Unified School District has received an A+ rating. SAUSD received this same rating in the past. This is a tribute to the Board's prudent fiscal responsibility and proactive response to the State's fiscal crisis.

As evidenced by her absence, Deputy Superintendent Dr. Cathie Olsky is presenting at a Promise Neighborhoods Conference called "Changing the Odds: Learning from the Harlem Children's Zone Model" in New York. Dr. Olsky is a guest of the California Endowment and McConnell Clark foundation. She will bring back insights and strategies on how best to compete for funds and shape the Santa Ana Building Healthy Communities strategy for maximum effectiveness in our community.

The Superintendent asked all in attendance to draw their attention to featured student artwork displayed in the Board room from Edison and Esqueda Elementary Schools.

In honor of Veterans Holiday and all the women and men who serve in the armed forces, the district will be closed on Wednesday, November 11, 2009. Also on this day, in 1775, the U.S. Marine Corps was formed as a Continental Marines of the American Revolutionary War by a resolution of the Second Continental Congress. Additionally, our hearts and prayers go out to the families and loved ones of the fallen victims in the Fort Hood, Texas tragedy.

Mr. Hernández announced that Superintendent Russo has been invited to join a distinguished panel of educators at the 2009 University Council for Educational Administrators Conference being held on Saturday, November 21. Ms. Russo will join Deans of the schools of education and leadership from the University of Southern California; California State University, Long Beach; and the University of San Diego on the panel entitled "California Education Leadership Summit: Ensuring Strong Leadership for Our Public Schools." Also participating are Bill Habermehl, Orange County Superintendent of Schools, Dr. Darline Robles, Los Angeles County Superintendent, and Chris Steinhauser, Superintendent of Long Beach Schools. The educators will share perspectives on creating alliances across institutions to sustain strong public schools in extraordinarily difficult times.

#### **PRESENTATIONS**

##### **#1 Presentation: Joint Use with City of Santa Ana Update**

Mr. Dixon, Assistant Superintendent Facilities and Governmental Relations, introduced the item. He stated that there would be two presentations. First would be the joint-use project at Godinez Fundamental High School with the City of Santa Ana, which proposes a safety fence for the baseball and softball fields.

Mr. Rankin Godinez, Principal of Godinez Fundamental High School, began by stating that in the Godinez Joint-use agreement notes restrictions on fencing. It states that athletic fields and hard courts shall not be fenced off from the remainder of Centennial Park to maximize the joint use potential of the facilities. He stated that balls are hit into the parking lot or road, causing danger to athletes. There is no fence to stop students from running into the street while playing on the fields. To address this concern a safety fence is being proposed.

Mr. Dixon and Mr. Hills, Director of Construction, addressed a few questions from the Board. Association meetings have been held and additional meetings are scheduled. With Board consensus, SAUSD will bring the amended agreement to the Board for approval, followed by City Council's approval.

##### **Proposition 84 Application**

Mr. Dixon called upon Mr. Gerardo Mouet, Executive Director for the City of Santa Ana's Parks, Recreation, and Community Services Agency, to the podium. Mr. Mouet briefly described Proposition 84 and its application due March 1, 2010. He stated that the SAUSD has eight joint-use agreements with the City. The seventh is with Godinez Fundamental High, and the most recent is with Willard Intermediate. This agreement would be to help improve recreational amenities at Willard Intermediate. He then called upon Mr. Ron Ono, Administrative Service Manager, Parks and Recreation Division.

Mr. Ono stated that the City is required to hold meetings to inform the community of a grant opportunity and obtain input for recreational improvements at Willard Intermediate School. He stated that this is the most competitive location and it would have a new park if chosen. The grant called "Statewide Park Development and Community Revitalization grant" allows as much as \$5

million for the project. He said that several people are applying for the grant and funds would be allocated in two cycles. He stated the process of introducing the concept to SAUSD for approval, City Council approval, preparation of grant application, award notice (late 2010 to early 2011), prepare CEQA document, contract period is three year. He described the grant point system for being selected which includes: critical lack of park space, household income level, type of project, community input meetings (5 minimum), use of sustainable techniques, fees and hours of operation, youth outdoor employment or volunteer opportunities, and community challenges and project benefits.

Mr. Ono addressed questions from the Board and received positive comments from SAUSD Trustees.

## **#2 Presentation: Independent Studies Ultimate Success (ISUS) Update**

The following information was a collaborative effort between Mr. Ayala, Assistant Superintendent, Secondary Education; Michelle Le Patner, Director of Research and Evaluation; and Dr. DeVera Heard, Community Day Administrator.

Information shared during the presentation includes graduation rates and dropout rates. Mr. Ayala stated that the Independent Studies Ultimate Success (ISUS) was developed to maintain consistency in and access to the student's educational program, to help build the community's educated workforce, and through Assembly Bill 347 (Valenzuela v California) districts have a responsibility to offer and prepare for the CAHSEE.

Dr. Heard reviewed the SAUSD's graduation rate of 84.8% that is above California's graduation rate of 80.2%. She then reviewed the eligibility for ISUS:

- students who are non-grads and
- who are past the traditional grade 12 status
- who have completed graduation credit requirements, but need to pass the California High School Exit Exam (CAHSEE)
- students who did not complete all graduation credit requirements, but did pass the CAHSEE

Dr. Heard explained the numbers in term of SAUSD non-grads, post seniors in recovery program/ISUS, students who have rejected services, and graduating post seniors for years 2005-2008. She stated that current enrollment in ISUS is 216, 190 are pending placement, and there are 20 students not accounted for at this time. She then explained the placement of students, programs and services for students through the various SAUSD programs and various community programs that includes Santa Ana College. She stated that the SAUSD is exploring additional programs and services to offer ISUS students to increase program participation.

Ms. Le Patner then reviewed a chart containing data that tracked a cohort of 9<sup>th</sup> grade students from 2008 back to 2005. The chart included numbers of student that have transfers city, out of country, dropouts, illness/deceased, military, etc. In 2005 it showed projected enrollment in 2006 (grade 9) as 4,058; in 2007 (grade 10) projected enrollment as 3,400; and in 2008 (grade 11) projected enrollment as 2,893. Ms. Le Patner clarified that a graduation rate is the actual *number of students* and dropout rates are the *actual students*. The State qualifies a dropout as a student who drops out and never enters the educational program again. In the case of a SAUSD student dropout, the student may leave Santa Ana and go to another city/State, military, another program, etc.; SAUSD tracks the student to help them find their way back to education and for statistical purposes.

Dr. Heard continued by stating that SAUSD is ahead of the curve by providing an opportunity for non-grad to return. The State states that we can work with students from other counties and we can continue to work with students indefinitely. She said that she and staff make every effort to find non-grad students and offer the various programs in which to acquire their diploma. Trustees made a few suggestions and recommendations to the ISUS program.

### #3 presentation - Budget Update

Mr. Murrey, Associate Superintendent Business Services in collaboration with Mr. Tsunozumi and Dr. Wold, provided a budget update.

The presentation includes information regarding the State budget, timeline and rationale for budget reductions, responses to Board member questions from the November 3, 2009 Board Study Session, an update on QEIA, Board Priorities, and the \$17.1 million in required budget reductions.

Mr. Murrey said that Governor Swarzenegger stated the State of California budget would fall short by an additional \$5-\$7 billion this fiscal year (2009-10) on top of a \$7.4 billion gap already projected for 2010-11, a total two-year budget deficit of \$12.4 to \$14.4 billion.

Mr. Murrey stated that this could mean cuts this year of \$31.5 million to SAUSD for the 2009-10 school year. Additionally, it could also mean adding an additional \$33.3 million in cuts for 2010-11 to SAUSD, totaling two-year cuts of \$64.8 million. Mr. Murrey stated that it is important that the District adhere to fiscal experts such as School Services of California, Financial Crisis Management & Assistant Team, the Orange County Department of Education and others that have stated to hold on to our reserves.

Mr. Murrey then stated that by December 15, 2009, SAUSD must identify \$31 million in needed budget reductions to maintain District fiscal solvency. He reviewed a timeline of meetings held concerning the reductions. On November 3, a Special Study Session was held; November 10, a regular meeting with budget updates and discussions of reductions was held; and again on November 23, a Special Study Session that included reductions occurred. He said, due to additional information by the State, a special meeting with the most recent changes and/or reductions to be identified would most likely be scheduled. Mr. Murrey stated that the First Interim Budget including \$31 million in specified budget reductions for 2010-11, would be presented on December 8, 2009.

Mr. Tsunozumi addressed questions from the Board:

1. What was the Result of OCDE's Review of SAUSD's \$93 million Ending Fund Balance?

The Orange County Department of Education (OCDE) has reviewed SAUSD financials and in a letter, dated November 3, 2009, it stated, the 2008-09 ending-fund balance and designations appear to be appropriate, SAUSD's budget actions are proactive and fiscally prudent, etc.

2. Why is there an increase in the Budget for Professional/Consulting Services & Operating Expenditures?

Budgets are not static, they change everyday. What was reflected in the Unaudited Actuals document was what was in the budget on June 30, 2009 and contains both restricted and unrestricted funds. The increase in restricted professional/consulting services and operating expenditures is due to including \$16 million in EIA dollars as a reserve until direction on how the dollars should be spent.

In addition, on October 13, Board released categorical funds to school sites.

3. Why is there a \$3.1 million increase in the Budget for Materials and Supplies?

For the 2009-10 school year site funding for non-salary expenses were allocated and initially budgeted in that line item. The \$1.4 million site unrestricted budgets had not yet been allocated to other site, non-salary accounts and the \$1.7 million were for restricted budgets not yet allocated to other accounts. In addition, on October 13, the Board released categorical funds to school sites.

4. What are "General Administration" function costs and why are they increasing?

Functions are operational activities. The "General Administration" function includes the cost of administrators; it also includes classified staff, and their benefits, and non-salary expenditures. Classified non-management staff is the largest component of General Administration costs. Costs include property/liability insurance, legal costs, School Max license costs, cost of Aeries (DAIT funded), and Oracle license and technology support.

Mr. Tsunozumi then reviewed the structure of an account. He stated that all public school districts use Standardized Account Code Structure (SACS) codes to track expenditures and positions, which is a statewide uniform financial reporting format.

Mr. Lopez then reviewed an administrator and certificated out of classroom support matrix that showed the number of administrators, out of classroom support, and teachers at schools and central support services. He stated that that the District has eight more administrative full time employees (FTE), but four fewer administrators in comparison to 2008-09. He stated that one FTE could be two persons. The categorical funding from 57.17 FTE of out of classroom teachers in 2008-09 is being utilized at sites and District level to support counseling and Class Size Reduction.

5. What is the District doing to communicate the budget in a clear, transparent manner:

The District works hard to keep the public and staff updated on the ever-changing State budget crisis and its impact on the SAUSD. Clear communication has come by way of:

- 41 Board Budget Presentations
- 2-3 presentation per month
- Presentations at parents, teachers, staff meetings
- Click onto to [www.sausd.us](http://www.sausd.us): State Budget Crisis logo

Mr. Tsunozumi stated that a review of websites for two neighboring, comparably sized districts reveals seven presentations/reports posted over a 7-month period. District #2 - No presentations were posted.

Mr. Murrey stated that AB3X56 was signed by the Governor on November 5, 2009, the bills intent is to remove the QEIA revenue limit reduction of \$11 million to SAUSD. The state has identified remaining one-time Federal ARRA Stabilization and Title 1 funds at the State level to backfill the Revenue Limit funds with these categorical funds. Next, Mr. Murrey reviewed Board priorities, achievements and the funding sources and cost of Board priorities for 2009-10. He then briefly highlighted the 2010-11 staff budget assumptions and provided considerations for a balanced approach to budget reductions for \$17.1 million. He stated that program reductions, reorganization, funding changes and revenue enhancers with a goal of identifying \$5-7 million in ongoing savings include:

- Focus on high school and categorical funding changes for staffing
- Evaluating cost saving enhancements and adjustments to the intermediate school program
- Evaluating delivery model of Districtwide music program to both maintain the and achieve operational savings
- Identifying possible energy and facility savings
- Analyzing current year department budgets for reorganization and operational savings
- Investigate revenue enhancers
- Implement as many current year reductions or savings as possible to lower cuts needed in the future.

#### **PUBLIC PRESENTATIONS**

President Hernández asked those members of the community who wished to address the Board to step forward as he called their names.

There were no individuals wishing to address the Board.

#### **APPROVAL OF MINUTES**

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 5-0, Mr. Reyna not present, to approve the Minutes of the Special Board Meeting of November 3, 2009 and Regular Board Meeting of October 27, 2009.

#### **1.0 APPROVAL OF CONSENT CALENDAR**

The following items were removed from the Consent Calendar for discussion and separate action: Approval of extended field trips in accordance with Board Policy 6153 - School-Sponsored Trips and Administrative Regulation 6153.1 - Extended School-Sponsored Trips and Authorization to Obtain Bids for Purchase of LCD Projectors Districtwide.

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

- 1.1 Approval of master contracts and/or individual service agreements with nonpublic schools and agencies for students with disabilities for 2009-10 school year.
- 1.2 Approval of recommendations by the Administrative hearing panels to expel students for the recommended terms including the remediation conditions.

##### 348190- Carr Intermediate

For the violation of Education Code Section 48900, paragraph c, that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after June 18, 2010.

##### 159255 - Century High School

For the violation of Education Code Section 48900, paragraph a, that the Board expel the student from the schools of the District, for the balance of the fall semester, 2009-10 school year, and that the expulsion order be suspended until February 2, 2010, and that the student be permitted to return to a District school/program on a probationary status.

##### 182673- Community Day Intermediate

For the violation of Education Code Section 48900, paragraph a, that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after February 2, 2010.

##### 311165 - Santa Ana High School

For the violation of Education Code Section 48900, paragraph b, that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after June 18, 2010.

309195 - Sierra Intermediate

For the violation of Education Code Section 48900, paragraph a, that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after June 18, 2010.

147314- Valley High School

For the violation of Education Code Section 48900, paragraph b & c, that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after November 10, 2010.

173244 - Valley High School

For the violation of Education Code Section 48900, paragraph c, that the Board expel the student from the schools of the District, and that the student may apply for readmission on or after November 10, 2010.

- 1.3 Approval of extended field trips in accordance with Board Policy 6153 - School-Sponsored Trips and Administrative Regulation 6153.1 - Extended School-Sponsored Trips. This item was removed from the Consent Calendar for discussion and separate action below.
- 1.4 Approval of purchase order summary of orders \$25,000 and over for the period of October 14, 2009, through October 27, 2009.
- 1.5 Ratification of expenditure summary and warrant listings of check for the period of October 24, 2009, through November 6, 2009.
- 1.6 Approval of disposal of obsolete unrepairable computer equipment, miscellaneous furniture, equipment, or textbooks.
- 1.7 Approve listing of agreements/contracts between the Santa Ana Unified School District and various consultants submitted for the period of October 14 through October 27, 2009. Attached is a listing.
- 1.8 Authorization to amend contract award to the Follett Software Company for Destiny Textbook Management Services and Software to include SAUSD for textbook tracking.
- 1.9 Authorization to obtain bids for purchase LCD projectors Districtwide. This item was removed from the Consent Calendar for discussion and separate action below.
- 1.10 Approval of Change Order No. 1 for Bid Package COS-2 Phase I for Lowell Elementary School New Classroom Building in the amount of \$207,573 for a revised total of \$4,536,573.
- 1.11 Approval of Change Order No. 1 for Bid Package COS-1 Phase I for Kennedy Elementary School New Classroom Building in the amount of \$231,155 for a revised total of \$6,986,155.
- 1.12 Approval of Change Order No. 1 for Bid Package COS-2 Phase II for Lowell Elementary School Site Improvements in the amount of \$78,393 for a revised total of \$1,323,723.
- 1.13 Approval of Change Order No. 1 for Bid Package COS-1 Phase II for Diamond Elementary School Site Improvements in the amount of \$137,756 for a revised total of \$1,579,556.
- 1.14 Approval of Change Order No. 1 for Bid Package COS-2 Phase II for Greenville Elementary School Site Improvements in the amount of \$108,813 for a revised total of \$1,216,571.
- 1.15 Approval of Change Order No. 1 for Bid Package COS-3 Phase II at Martin Elementary School New Classroom Building in the amount of \$110,346.39 for a revised total of \$1,300,976.39.



- 1.16 Accept the November 10, 2009, completion of contract with DRI Commercial, under unit price bid for roofing at Garfield and Madison Elementary Schools in the amount of \$8,766.90.
- 1.17 Authorization to obtain bids for replacement of the fencing at Lincoln Elementary.

**CHANGE IN ORDER OF AGENDA**

By consensus of the Board, action was taken on the Personnel Calendar:

**16.0 PERSONNEL ACTION**

Mr. Lopez noted that Ms. Russo's contract was on the Personnel calendar for renewal through 2013. Trustees commended Ms. Russo for her inspiring leadership and many contributions she has made during her tenure.

It was moved by Mr. Hernández, seconded by Mr. Reyna, and carried 4-1, Mr. Palacio dissenting, to approve the personnel calendar in its entirety. A copy of the calendar is attached to the Minutes.

**REGULAR AGENDA - ACTION ITEMS**

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

- 1.3 Approval of extended field trips in accordance with Policy 6153 - School-Sponsored Trips and Administrative Regulation 6153.1 - Extended School-Sponsored Trips

Mr. Reyna removed this item to note a conflict of interest in regard to the item and stated that he would be abstaining due to that conflict.

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, to approve the extended field trips in accordance with Board Policy 6153 - School-Sponsored Trips and Administrative Regulation 6153.1 - Extended School-Sponsored Trips. A list is attached to the Minutes.

- 1.9 Authorization to Obtain Bids for Purchase of LCD Projectors Districtwide.

Mr. Palacio removed this item from the Consent calendar for clarification.

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to authorize administration to obtain bids for purchase LCD projectors Districtwide.

- 2.0 **ACCEPTANCE OF GIFTS IN ACCORDANCE WITH BOARD POLICY (BP) 3290 - GIFTS, GRANTS, AND BEQUESTS**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mr. Reyna not present, to accept gifts in accordance with Board Policy 3290 - Gifts, Grants, and Bequests. Attached is a list of gifts.

- 3.0 **RATIFICATION OF AGREEMENT BETWEEN RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT/SANTA ANA COLLEGE FOR GEAR UP IV FOR 2009-10 SCHOOL YEAR**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mr. Reyna not present, to ratify agreement between Rancho Santiago Community College District/Santa Ana College for GEAR UP IV for the 2009-10 school year.

**4.0 RATIFICATION OF AGREEMENT BETWEEN RANCHO SANTIAGO COMMUNITY COLLEGE FOR GEAR UP 111 FUNDS FOR 2009-10 SCHOOL YEAR**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to ratify agreement between Rancho Santiago Community College District/Santa Ana College GEAR UP III funds for the 2009-10 school year.

**5.0 RATIFICATION OF SERVICE AGREEMENT BETWEEN THE REGENTS OF THE UNIVERSITY OF CALIFORNIA AND SANTA ANA UNIFIED SCHOOL DISTRICT FOR 2009-10 SCHOOL YEAR**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to ratify service agreement between The Regents of the University of California and Santa Ana Unified School District for the 2009-10 school year.

**6.0 RATIFICATION OF FOURTH AMENDMENT TO CONTINUE PARTICIPATION IN SMALL LEARNING COMMUNITIES PROGRAM WITH ORANGE COUNTY DEPARTMENT OF EDUCATION THROUGH JUNE 30, 2010**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to ratify fourth amendment to continue participation in the Small Learning Communities program with the Orange County Department of Education through June 30, 2010.

**7.0 ADOPTION OF RESOLUTION NO. 09/10-2816 - ESTABLISHING COUNTY TREASURER FUNDS FOR GENERAL OBLIGATION BOND SERIES B AND C AND QUALIFIED SCHOOL CONSTRUCTION BOND SERIES D ISSUANCES**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mr. Reyna not present, to adopt Resolution No. 09/10-2816 establishing County Treasurer Funds for the General Obligation Bond Series B and C and Qualified School Construction Bond Series D issuances.

**8.0 ADOPTION OF RESOLUTION NO. 09/10-2815 - DENYING PROPOSED CHARTER PETITION FOR GLOBAL TIDES ON-LINE CHARTER SCHOOL**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-0, Mr. Reyna not present, to deny the petition for the establishment of Global Tides On-Line Charter School under the California Charter Schools Act. The factual findings illustrated in the Staff Report demonstrate that the petition and proposal fail in three of five legally required areas of Education Code Section 47605(b):

1. The charter school presents an unsound educational program for the students to be enrolled in the charter school;
2. The petitioners are demonstrably unlikely to successfully implement the program set forth in the petition; and
3. The petition does not contain reasonably comprehensive descriptions of the required charter elements.

**9.0 IMPLEMENTATION OF ADMINISTRATION REGULATION (AR) 1330.4 USE OF SCHOOL FACILITIES PROCEDURES:**

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 5-0 to implement Administration Regulation 1330.4 Use of School Facilities Procedures.

**10.0 IMPLEMENTATION OF ADMINISTRATIVE REGULATION (AR) 1330.1 FACILITIES USE GUIDELINES AND RATE SCHEDULES:**

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 5-0 to implement Administration Regulation 1330.4 Facilities Use Guidelines and Rate Schedules.

**11.0 ACCEPTANCE OF WITHDRAWAL LETTER FROM AVI-CON, INC. DBA CA CONSTRUCTION FOR CAREER TECHNOLOGY CLASSROOM AT VALLEY HIGH SCHOOL UNDER CAREER TECHNOLOGY EDUCATION GRANT**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 4-1, to accept withdrawal letter from Avi-Con, Inc., dba CA Construction for Career Technology Classroom at Valley High School under Career Technology Education grant.

**12.0 AUTHORIZATION TO AWARD CONTRACT FOR CAREER TECHNOLOGY CLASSROOMS AT VALLEY HIGH SCHOOL UNDER CAREER TECHNOLOGY EDUCATION GRANT**

Mr. Palacio stated that he would be casting a dissenting vote due to the number of bid withdrawals occurring in the SAUSD in the past year-and-a-half. Mr. Richardson has asked for a statistical analysis of the bidding process for the past couple of years and asked that staff provide information from other school districts as to the number of withdrawals they have experienced in the last couple of years.

It was moved by Dr. Yamagata-Noji, seconded by Richardson, and carried 3-2, Mr. Palacio and Mr. Reyna dissenting, to authorize administration to award a contract to USS Cal Builders, Inc., for Career Technology Classrooms at Valley High School under the Career Technology Education grant.

**13.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE 402.2 PHASE 2 ELECTRICAL DISTRIBUTION YARD AT SANTA ANA HIGH SCHOOL UNDER EMERGENCY REPAIR PROGRAM**

It was moved by Mr. Richardson, seconded by Mr. Hernandez, and carried 3-2, Mr. Palacio and Mr. Reyna dissenting, to authorize administration to award the contract to Al Shankle Construction Co. for Santa Ana Unified School District Ana High School for 402.2 Phase 2 Electrical Distribution yard under the Emergency Repair Program in the amount of \$487,769.

**14.0 APPROVAL OF CHANGE ORDER NO. 2 FOR BID PACKAGE COS-3 PHASE I FOR MARTIN ELEMENTARY SCHOOL NEW CLASSROOM BUILDING**

It was moved by Mr. Hernandez, seconded by Mr. Richardson, and carried 5-0, to approve change order number 2 for Bid Package COS-3 Phase 1 at Martin Elementary School in the amount of \$323,611 for a revised total of \$4,893,365.

**15.0 CALL FOR PUBLIC HEARING ON CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION (CSEA) INITIAL BARGAINING PROPOSAL TO SANTA ANA UNIFIED SCHOOL DISTRICT FOR 2009-10 SCHOOL YEAR**

It was moved by Mr. Richardson, seconded by Mr. Hernandez, and carried 5-0, to approve the call for a Public Hearing on the initial bargaining proposal to Santa Ana Unified School District for 2009-10 school year.

**16.0 PERSONNEL ACTION**

This item was presented earlier in the meeting.

**REPORT OF CLOSED SESSION ACTION**

By a vote of 5-0, the Board took action to suspend and terminate a certificated employee as named in Closed Session, effective November 10, 2009.

Moved: Hernández X Richardson\_\_\_ Yamagata-Noji\_\_\_ Palacio\_\_\_ Reyna\_\_\_

Seconded: Hernández\_\_\_ Richardson\_\_\_ Yamagata-Noji\_\_\_ Palacio X Reyna\_\_\_

Vote: Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

By a vote of 5-0, the Board took action to suspend and terminate a certificated employee as named in Closed Session, effective November 10, 2009.

Moved: Hernández X Richardson\_\_\_ Yamagata-Noji\_\_\_ Palacio\_\_\_ Reyna\_\_\_

Seconded: Hernández\_\_\_ Richardson\_\_\_ Yamagata-Noji\_\_\_ Palacio X Reyna\_\_\_

Vote: Ayes \_\_\_\_\_ Noes \_\_\_\_\_ Abstain \_\_\_\_\_ Absent \_\_\_\_\_

**17.0 BOARD AND STAFF REPORTS/ACTIVITIES**Dr. Yamagata-Noji:

- Dr. Yamagata-Noji echoed comments from Board members, excellent presentations this evening. Although complex, they were well-delivered and contained helpful information.

Mr. Palacio:

- Mr. Palacio recognized Britney Torres, Senior at CSUF and a graduate of Saddleback High School was selected as the United Latin American Woman of the Year for the County.

Mr. Richardson:

- Mr. Richardson congratulated and thanked all veterans; tomorrow being Veteran's Day. He convey for all to enjoy the holiday and to take a few moments to honor men and woman who are serving our Country; many who have graduated from our schools.
- We still have a campaign to raise funds to replace plaques that were stolen from Santa Ana High School that honored veterans from WWI, WWII, Korean War, and Vietnam wars.
- Reminder of Monday, which was the 20-year anniversary of the collapse of the Berlin Wall which began a story of a tour he recently took at the USS John C. Stennis in San Diego. He urged all to thank military personnel when we come across them.

Mr. Reyna

- Mr. Reyna echoed Mr. Richardson's sentiments regarding Veteran's Day.
- He congratulated to Segerstrom for Co-League Champs for football
- Saddleback ROTC will be performing for the Mighty Ducks, December 8, kudos to them.
- He shared information on free events to Santa Ana residents:
  - Bowers Museum - first Sunday and third Tuesday of each month
  - Discovery Science Museum - first Monday of each month
  - Santa Ana Zoo - second Tuesday of each month

Mr. Hernández:

- He noted that the vote on Ms. Russo's contract reflects the Board's belief on her leadership. He stated that Board member's hear nothing, but respect and support for Ms. Russo. He thanked Ms. Russo on behalf of the Board of Education for her exemplary leadership.
- His brother who graduated from Saddleback High School served in the Iraq war; that taught him to really appreciate and respect all men and women who serve in the armed forces.

The meeting was closed in honor of all Veterans and all men and women who currently serve in the armed forces, as well as the fallen victims in the Fort Hood, Texas tragedy.

He reminded the community that the SAUSD will be closed tomorrow in observance of Veteran's Day.

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, December 8, 2009, at 6:00 p.m.

ATTEST:

\_\_\_\_\_  
Jane A. Russo  
Secretary  
Santa Ana Board of Education



SANTA ANA UNIFIED SCHOOL DISTRICT - EXTENDED FIELD TRIPS  
RECOMMENDED FOR APPROVAL - November 10, 2009

Date:	Schools/Location:	Funding and Cost:	Students:	Staff and Chaperone:
November 14-16, 2009 (Saturday-Monday)	Godinez Fundamental, Santa Ana, Saddleback, Valley and Middle College High School YMCA Youth & Government Training Camp Roberts Paso Robles	No Cost (Sponsored by YMCA funds)	27	4
November 20-21, 2009 (Friday-Saturday)	Godinez Fundamental High School Honor Choir Santa Monica High School Santa Monica	No Cost (Sponsored by ASB funds)	4	1
December 2-3, 2009 (Wednesday-Thursday)	Century High School e-Business Academy Bakersfield	\$97.50 per student	48	4
December 3-6, 2009 (Thursday-Sunday)	Century High School 2009-10 Model United Nations Conference Salt Lake City, Utah	\$450 per student	30	4
December 27-31, 2009 (Sunday-Thursday)	Santa Ana High School Wrestling Team Tournament Northwest Dual Meet Beaverton, Oregon	\$353 per student	28	9
February 11-15, 2010 (Thursday-Monday)	Godinez Fundamental, Santa Ana, Saddleback, Valley and Middle College High School YMCA Youth & Government Model Legislature and Court Sacramento, CA	No Cost (Sponsored by YMCA funds)	27	4
March 20-26, 2010 (Saturday-Friday)	Century High School e-Business Academy New York, New York	\$1000 per student	30	3

SANTA ANA UNIFIED SCHOOL DISTRICT  
GIFTS RECOMMENDED FOR ACCEPTANCE - November 10, 2009

School:	Gift:	Amount:	Donor:	Used for:
Fremont Elementary	68 backpacks with miscellaneous school supplies	\$ 2,436	AT&T Pioneers Ms. Dottie Mulkey Santa Ana	Support for students' learning
Jefferson Elementary		\$ 505	Mrs. Esther Reynoso Santa Ana	Student recorders
ROP		\$ 1,098	George P. Heidler, Jr. Villa Park	Bus transportation to NHRA AutoClub Raceway
SAUSD	1,200 assorted binders	\$ 4,848	Bluebird Office Supplies Mr. Farmaz Sadeghi Century City	District offices and schools
<b>October 13, 2009 donations</b>		<b>\$ 8,987</b>		
<b>2009 Total donations</b>	<b>\$674,372</b>	<b>\$683,359</b>		

/em



**2009-10 LISTING OF CONSULTANTS/CONTRACTED SERVICES**  
**Submitting Division: Educational Services**  
**November 10, 2009**

NO.	NAME	IMPLICATIONS FOR THE DISTRICT/TYPE OF SERVICE	ANNUAL RENEWAL	FUNDING SOURCE	MAXIMUM NOT TO EXCEED	REQ. NO.
1.	Dennis R. Parker  King Elementary School	Provide Year 3 professional development on Strategic Schooling and implementation coaching for the administration and faculty.		ELL.	\$5,700	95295
2.	Pivot Learning Partners (formerly Springboard Schools)	Provide professional development services, facilitation, coaching for principals and staff with emphasis on the Secondary Improvement Plan and the DAIT (District Assistance and Intervention Team) Plan.		Title I indirect	\$40,000	96906

**2009-10 LISTING OF CONSULTANTS/CONTRACTED SERVICES**  
**Submitting Division: Special Education Department**  
**November 10, 2009**

NO.	NAME	IMPLICATIONS FOR THE DISTRICT/TYPE OF SERVICE	ANNUAL RENEWAL	FUNDING SOURCE	MAXIMUM NOT TO EXCEED	REQ. NO.
1.	PHS Staffing	Provide physical therapy, occupational therapy, and certified occupational therapy assistant services for special education students for 2009-2010 school year.		Special Ed.	\$864	

## SANTA ANA UNIFIED SCHOOL DISTRICT

AR 1330.1(a)

Community RelationsFacilities Use Guidelines and Rate Schedules**Guidelines for the Use of Facilities**

Four categories of use of facilities exist:

1. School Use - Any school-sponsored activity.
2. Free Use - Where a non-profit organization not charging admission applies to use a facility and such use directly benefits the educational or recreational needs of the school's pupils. Free use shall apply to those organizations that qualify under the Civic Center Act, and which are organized for general character building and welfare purposes.
3. Cost Use - Where a non-profit, community-based organization charging or not charging admission, for the purpose of conducting public, literary, scientific, recreational, educational, or public agency meetings; the discussion of matters of general or public interest; the conduct of religious services for temporary periods, on a one-time or renewable basis, by any church or religious organization that has no suitable meeting place to conduct their services; child care or day care programs to provide supervision and activities for children of preschool and elementary school age; the administration of examinations for the selection of personnel or the instruction of precinct board members by public agencies; Supervised recreational activities including, but not limited to, sports league activities for youths or adults that are arranged for and supervised by entities, including religious organizations or churches, and in which persons may participate regardless of religious belief or denomination; a community youth center; a ceremony, patriotic celebration, or related educational assembly conducted by a veterans' organization; or other purposes deemed appropriate by the Governing Board.
  - a. Non-profit organizations are authorized to conduct bingo games utilizing school district facilities so long as such games are conducted for charitable purposes only, with proceeds donated to support student activities at the school.
  - b. Cost use shall apply to those organizations that qualify under the provisions of the Civic Center Act but who charge admission fees or solicit contributions.
  - c. A "non-profit" organization shall provide documents verifying non-profit status (501(c)3) with the federal and state government.
  - d. A "community-based" organization is a group open to participation by all members of the community and in which at least seventy-five percent (75%) of the participants reside within the boundaries of the Santa Ana Unified School District.
4. Commercial Use - Commercial use shall apply to those organizations that do not qualify under the provisions of the Civic Center Act for "Free Use" or "Cost Use" and/or who charge admissions or fees to the activity.

AR 1330.1 (b)

**Calendar and Priority of Usage**

1. The calendar for use of school facilities will commence the first day of school each year. Priorities for use shall be:
  - a. School - Schools will submit their activity dates to the Events Scheduling Department no later than the end of the third week of school. Any other reservations for use made prior to the establishment of school usage dates are subject to change.
  - b. Free Use Organizations - Free use organizations may reserve available dates any time after the end of the third full week of school.
  - c. Cost Use (Non-Commercial) - Cost use (non-commercial) may reserve available dates any time after the end of the fourth full week of school.
  - d. Commercial Use Organizations - Commercial use organizations may reserve dates any time after the end of the fifth full week of school.
2. All reservations will be tentative pending the establishment of school use dates.
3. The Superintendent or designee will develop procedures and regulations to fairly distribute the public use of sports fields for cost-use and commercial use. Such procedures shall ensure that sports fields are adequately maintained and available for school uses.

**Restrictions: Facilities and/or Equipment**

1. A Civic Center permit shall specify equipment authorized for use.
2. No structures may be erected or assembled on school premises, nor may any electrical, mechanical, or other equipment be brought thereon unless special approval has been obtained from the Events Scheduling office issuing the permit.
3. Any use of school facilities shall comply with all State and local fire, health and safety laws.
4. The District reserves the right to increase rental rates of school premises to any organization not covered by the Civic Center Act.

AR 1330.1(c)

**Rental Rate Schedule**

All use fees shall be paid prior to the beginning date of use. Rates established for cost use activities are based on the actual direct cost to the District. Rates for commercial use activities are based on the actual full cost (direct and indirect) to the District. These fees and charges are subject to change as a result of increases in salaries, energy or other direct costs.

All holiday and holiday week-end rates shall be triple time.

Those organizations that qualify under Cost Use or Commercial are to be charged for all extra hours and rehearsals at a rate which is to cover actual expenses to the District.

CITY OF SANTA ANA

Any facility used by the City of Santa Ana will be charged at the Cost Use rate.

CHILD CARE PROGRAMS (public, private/non-profit)

Rates charged to agencies conducting child care programs on District sites serving District students will be determined after negotiations between the District and the organization(s). These rates will be assessed in order to defer, at least in part, actual direct costs to the District. Use of this rate will apply only in instances where District students are the primary beneficiary of the child care services.

**NOTE:**

1. The above fees include a custodian opening and closing the facility if the activity occurs during normal working hours. If the activity use occurs outside the site custodian's normal workday, a custodian will be required at a fee based upon the current salary schedule. There will be a two-hour minimum with overtime charged after an eight-hour day. Facility use will be billed for cleanup at 1-1/2 times the custodial rate. Fee schedules for hours of cleanup for each facility use is available upon request.
2. Kitchen equipment will be used only under the supervision of cafeteria personnel at a fee based upon the current salary schedule. There will be a two-hour minimum with time and a half charged after an eight-hour day. Cafeteria permit applications must be completed prior to approval and returned to the Events Scheduling Department.
3. All fees include use of restroom facilities with the exception of organizations falling under item #7.
4. The applicant will be responsible for any extraordinary cleanup caused by the organization's activity (i.e. furniture not replaced in its original configuration, debris and material strewn about, shower and locker rooms left in an untidy condition).
5. Organizations will be billed for actual clean-up time.
6. If an organization does not use a facility that has been reserved, for more than a month, that organization's permit will be revoked.
7. Organizations using sports fields will be required to provide adequate portable restroom facilities for their participants. District will provide portable restrooms.

8. Staffing levels are subject to change based on the type of event, the amount of participants and the requirements of the District's liability insurance policy
9. Hours of Use for Fields - No field can be set up or utilized prior to 8:00 a.m. All field use must end by dusk (with the exception of lighted fields.
10. If allowed, user's equipment (ie: goal posts, batting cages, etc.) shall be stored in a safe area or be removed after each game.
11. Add \$30.00 for custodial supplies, 0-999 people; add \$40.00 for custodial supplies, 1000 or more people. Such supply fees shall be reimbursed to the entity in control of the facility being used.
12. When an electrician or Field Grounds person is required, District prevailing rates will be charged.
13. The District may rent out a wing of classrooms at a reduced price.
14. Fields used for practice may be billed at the hourly rate with no minimum hourly requirement.
15. The District reserves the right to close fields for maintenance, reseeding and/or rehabilitation.
16. Rates shall be reviewed and adjusted as needed.

**USE OF SCHOOL FACILITIES FEE SCHEDULE - Effective November 11, 2009**

APPLICATION FEE	MONDAY-FRIDAY		SATURDAY & SUNDAY	
	COST USE	COMMERCIAL USE	COST USE	COMMERCIAL USE
<b>APPLICATION FEE</b>	\$25	\$25	\$25	\$25
<b>FEE PER HOUR</b>	COST USE	COMMERCIAL USE	COST USE	COMMERCIAL USE
<b>FACILITIES</b>				
AUDITORIUM - Santa Ana & Valley- <b>No Fee or Admission Charged-Includes Staff</b>	\$150		\$235	
AUDITORIUM - Segerstrom & Carr- <b>No Fee or Admission Charged-Includes Staff</b>	\$110		\$235	
AUDITORIUM - Century & Saddleback <b>No Fee or Admission Charged-Includes Staff</b>	\$100		\$235	
AUDITORIUM - Santa Ana & Valley- <b>If Fee or Admission Charged</b>		\$450		\$450
AUDITORIUM - Segerstrom, & Carr- <b>If Fee or Admission Charged</b>		\$350		\$350
AUDITORIUM - Century & Saddleback- <b>If Fee or Admission Charged</b>		\$250		\$250
FORUM-Saddleback	\$75	\$120	\$75	\$120
Theater-Little-Santa Ana	\$40	\$120	\$40	\$120
COMMON AREA-Lathrop, Spurgeon & Willard	\$25	\$40	\$50	\$90
ARTS ROOM-Segerstrom (Sat & Sun)	\$50	\$90	\$80	\$120
CAFETERIA-Valley	\$40	\$65	\$50	\$85
THEATRON-McFadden	\$25	\$40	\$55	\$95
Small Stage-Franklin, Hoover, Walker	\$15	\$40	\$30	\$60

AR 1330.1(e)

Multipurpose Room-Sierra & Esqueda	\$30	\$60	\$55	\$95
District Executive Conference Room & Training Room	\$15	\$20	\$60	\$90
CLASSROOMS	\$15	\$20	\$60	\$90
GYMNASIUMS	\$60	\$90	\$60	\$90
GYMNASIUMS	\$85	\$150	\$85	\$150
SWIMMING POOLS	\$60	\$90	\$60	\$150
LOCKER ROOMS	\$60	\$90	\$90	\$185
PARKING AREAS	\$15	\$20	\$15	\$20
FIELDS-Football, Baseball & Softball Use	\$15	\$30	\$15	\$20
FIELDS-Soccer Use-YOUTH	\$15	\$50	\$15	\$30
FIELDS-Soccer Use-ADULT	\$204/day	\$228/day	\$204/day	\$228/day
FIELD LIGHTING	\$20	\$25	\$20	\$25
<b>PERSONNEL</b>				
CUSTODIAN	\$45	\$45	\$45	\$45
DISTRICT SECURITY OFFICER	\$45	\$45	\$45	\$45
<b>STAGE MANAGER</b>	\$45	\$45	\$45	\$45
POLICE OFFICER	\$60	\$60	\$60	\$60

Approved: (4-76 7-78 3-83 6-88 7-90 8-90 7-00 8-01 10-05 04-07 11-09)

Santa Ana, CA

SANTA ANA UNIFIED SCHOOL DISTRICT

AR 1330.4 (a)

Community Relations

Use of School Facilities Procedures

**Application Procedure**

1. Application to use school facilities shall be made through the Events Scheduling Department. Applications shall be filed at least seven (7) weeks in advance of use date and signed by a responsible adult who is authorized to represent the applicant. There is a \$25.00 application fee for all facility applications due at the time the application is approved by the Events Scheduling Department. Additional charges may be made for any changes or additions requested on the original application.
2. In the event that a loss or damage does occur, the person or group signing the request for use of premises shall be fully responsible and liable and shall assume liability before being granted the use of school facilities in the future.
3. Non-profit groups must be registered with the California Secretary of State as a non-profit organization. They must also provide a copy of the state tax exemption number or their 501(c)3 status.
4. A non-profit group must be a community-based group within the boundaries of the Santa Ana Unified School District.
5. Insurance showing coverage in the amount of \$1,000,000 general liability must be provided two (2) weeks prior to the scheduled date of use. If not received, the application will be cancelled. The insurance policy must name the Santa Ana Unified School District, its officers, employees and agents as additional insured and must contain a written notice of cancellation to the district. The evidence of insurance coverage must be approved by the district Risk Management Department. The insurance coverage must remain in effect during the entire contract period. Cancellation of insurance will result in automatic cancellation of facility permit.
6. The application must list equipment, furniture arrangement or District personnel that will be needed.
7. The requesting organization has the responsibility of making all facts known to the District to settle any questions regarding qualification for use and program content. This must be completed prior to a permit being issued.
8. The Superintendent/designee will request advance payment of the estimated rental fee at the time the facility assignment is issued. If cancelled, the payment will be refunded less a \$50.00 cancellation fee or any expenses incurred by the District, whichever is greater.

AR 1330.4(b)

**Cancellation Procedure**

1. A minimum of fourteen (14) working days advance notice of cancellation is required from the reserving organization, except for sports field reservations. If the notice is not received in advance, the organization will be responsible for reimbursement of any expenses incurred by the District. A cancellation fee of \$50.00 will be charged if notification is not received prior to fourteen (14) days in advance of the scheduled activity.

NOTE: "Working day" is defined as a day when the District Office is open for business.

2. A minimum of seven (7) working days advance notice of cancellation is required from the reserving organization of a sports field (football, baseball, or softball). If the notice is not received in advance, the organization shall be responsible for the entire rental amount and for reimbursement of any expenses incurred by the district.
3. Schools may, in special circumstances, request the Superintendent/designee to cancel a community event in favor of a school-sponsored event. Such requests shall be in writing and set forth the circumstances that make the request necessary.
4. Applications submitted through the Events Scheduling Department shall be processed in a timely manner. Once an application has been submitted to the school site representative where the event is to be held, the school site representative shall approve or deny the application within five (5) working days. If the school site representative fails to respond within the five-day period, the Event Scheduling Administrator will make the determination to either approve or deny the application.

**Restrictions**

1. Facilities will not be available for dances unless organized, sponsored and conducted by District student body organizations, classes or recognized campus clubs.
2. School facilities will not be available for outside use during scheduled class hours or at other times where school functions have been scheduled.
3. The use of tobacco products is prohibited at all times in all District buildings and on all District grounds, including indoor and outdoor athletic facilities.
4. Open flame devices are not permitted without prior written approval from the Santa Ana City Fire Chief. The non-profit organization sponsoring the event must have written approval from the Fire Chief on file with the Events Scheduling Specialist prior to use of facilities.
5. Organizations using facilities must conform to all city and county ordinances and fire regulations.
6. To possess, use or be under the influence of any controlled substance as defined in Section 11053 of the Health and Safety Code, an alcoholic beverage or an intoxicant of any kind is prohibited on school district property.
7. No food or drink shall be consumed in any auditorium, gymnasium, or classroom.



AR 1330.4(c)

8. Animals, motorized vehicles or cycles, skateboards, roller blades, go-carts, rockets, powered airplane models and golf practice are prohibited on school grounds.
9. A school custodian or other District employee approved by the Events Scheduling Department shall be on duty when school facilities are being used. It shall be his/her duty to see that rules and regulations are observed. This requirement may be waived at the discretion of the Events Scheduling Department.
10. Violation of District rules by any organization during occupancy shall be sufficient cause for denying further use of school premises to the organization.
11. Concessions are the exclusive right of the Santa Ana Unified School District unless special written permission has been granted to the requesting party by the school Principal and the Events Scheduling Department. The District may require evidence of any health permits required by the County of Orange.
12. The use of District-owned equipment is not permitted (i.e. video camera recorders, televisions, monitors, computers, projectors, musical instruments).
13. Outside organizations shall obtain prior approval from the Principal and the Events Scheduling Department for the use of school facilities for the sale of food. The District may require evidence of any health permits required by the County of Orange.
14. Non-school-sponsored garage or rummage sales are not permitted on District property.
15. Groups requesting use of school facilities operated by the District in joint use with the City of Santa Ana shall obtain approval from the City. Requests for use of schools after hours shall be directed to the City Recreation & Parks Department.
16. Playground use may be permitted to other groups when not previously committed or limited by another agreement.
17. Field use requires a facility use permit if an organization wants to reserve a particular field at a designated time. Permits will be issued on an annual basis for the entire year. The District reserves the right to deny use of certain fields which are designated for specific sports and play activities. Athletic fields shall not be used during inclement weather. In inclement weather, permitted users should contact the "mud line" for instructions on usage.
18. Kitchen Use - A school kitchen may be used only when a member of the District Food Services staff is on duty. Charges for Food Service staff will be billed to the user.
19. Auditoriums - Organizations are prohibited from removing or using stage scenery, properties, lights, curtains, ceiling pieces and/or the counterweight system, unless the Stage Manager/designee grants permission and supervises the activity. In cases where the stage is used, no dressing shall be permitted except in dressing rooms connected with the auditorium and stage. Access to other buildings or rooms shall not be permitted unless specifically designated on the building facility use assignment form.

## AR 1330.4 (d)

20. Carnivals - Carnivals with amusement park rides are prohibited. Only extra curricular and fundraising activities, such as school fairs, sponsored and conducted by schools, District student body organizations and recognized campus clubs are allowed. Proceeds from fund-raising activities must benefit the District.
21. Subletting, transferring or reselling of any facility reservation without the permission of the district Events Scheduling Department is prohibited. Violations of this section shall result in the immediate revocation of privileges to use District facilities.
22. Events must end at or before the scheduled time of rental. Any time of facility use beyond the scheduled end time shall be at double-time cost for rental and/or employee costs.
23. Any violations of the California Penal Code, Business and Professions Code, Education Code or Health and Safety Code by any person present at the facility being rented shall result in the immediate cancellation of the event and there shall be no refund provided to the renter. Violations of this section could result in the immediate revocation of privileges to use District facilities.
24. Any violations of these restrictions by any person present at the facility being rented shall result in the immediate cancellation of the event, revocation of the permit and there shall be no refund provided to the renter. Minor violations of District facilities policies will result in the assessment of one strike. Organizations with three strikes will lose their privilege to use any District facility.

RESOLUTION NO. 09/10-2815  
BOARD OF EDUCATION  
SANTA ANA UNIFIED SCHOOL DISTRICT  
ORANGE COUNTY, CALIFORNIA

Denying the proposed charter petition for  
Global Tides On-Line Charter School

1  
2  
3  
4  
5  
6  
7  
8  
9  
10           **WHEREAS**, the Legislature has charged local school boards and their  
11 staff with the responsibility of reviewing and acting on petitions and proposed  
12 charters for the establishment of charter schools; and  
13

14           **WHEREAS**, the Santa Ana Unified School District ("District") received a  
15 petition and charter school proposal for the establishment of the Global Tides On-  
16 Line Charter School (the "Charter School") dated September 3, 2009; and  
17

18           **WHEREAS**, the District's Board of Education ("Board") held a public  
19 hearing regarding the proposed Global Tides On-Line Charter School, at which time  
20 the Board was presented a power point presentation by Mr. Blaise Suddiondo of e-  
21 Teaching Assistance Program ("e-TAP") on behalf of Charter School Development  
22 Systems; and  
23

24           **WHEREAS**, the Board and District staff have reviewed and considered the  
25 charter petition for the Global Tides On-Line Charter School; and  
26

27           **WHEREAS**, the Board and District staff have reviewed a "Letter of  
28 Intent" from Charter School Development Systems regarding the fact that Charter  
29 School Development Systems has filed 91 similar petitions throughout the State of  
30 California; and  
31

32           **WHEREAS**, the District currently offers a successful voluntary academic  
33 alternative independent study program known as "Independent Study for Ultimate  
34 Success," for students who reside within the District, where they may achieve  
35 their curriculum objectives and fulfill graduation requirements in a setting other  
36 than the regular classroom; and  
37

38           **WHEREAS**, the Board has received and considered the Staff Report  
39 ("Staff Report") prepared by District staff and approved by Ms. Jane A. Russo,  
40 District Superintendent, regarding the charter petition submitted by Charter  
41 School Development Systems on behalf of Global Tides On-Line Charter School.  
42

1.           NOW, THEREFORE, BE IT RESOLVED that the Santa Ana Board of Education,  
2 after due consideration, does hereby deny the charter petition for the  
3 establishment of the Global Tides On-Line Charter School and makes the following  
4 findings in support of its decision to deny the charter petition for the Global  
5 Tides On-Line Charter School:  
6

7           A.     The District Staff Report is hereby approved and incorporated as  
8 though set forth fully herein.  
9

10           B.    Although the charter petition contains signatures by a number of  
11 teachers that is equivalent to at least one-half of the number of  
12 teachers that the charter school estimates will be employed at the  
13 school during its first year of operation, the signatures do not meet  
14 the spirit or intent of Education Code section 47605(a)(1)(B).  
15

16           C.    None of the six teachers who signed the petition are employed by the  
17 District. A review of other petitions filed by "Charter Schools  
18 Development Systems" in other Orange County school districts provides  
19 the signatures of the same six teachers. None of these teachers are  
20 employed by other districts in Orange County. Therefore, it cannot be  
21 concluded that any of the six teachers are meaningfully interested in  
22 teaching District students.  
23

24           D.    The proposed charter school presents an unsound educational program  
25 for the students to be enrolled in the charter school for the reasons  
26 set forth in the Staff Report, including:  
27

28           1.    The petition states that students in Orange County "need" an  
29 online charter school. There is no evidence or justification of  
30 this need presented in the petition. There is no mention of a  
31 specific need for an online charter school in the Orange Unified  
32 School District. Instead, the statement of "need" as well as  
33 the "Letter of Intent" indicate that the charter school is  
34 intended to be a "Countywide Program" that should have been  
35 submitted to the Orange County Board of Education as a  
36 "countywide charter school" per Education Code section 47605.6,  
37 and not to the District.  
38

39           2.    Page nine of the petition states that Ed Futures, Inc. is a  
40 "general partner of Charter Schools Development Systems and/or  
41 the Board of Directors of Global Tides, a California non-profit  
42 corporation." Ed Futures, Inc. is listed on the California  
43 Secretary of State's website as a California corporation.

1.  
2 Ed Futures' website, under the heading "Schools," lists three  
3 charter schools, one in Georgia, one in Florida, and one in  
4 Hesperia. A check with the Hesperia Unified School District  
5 indicates that the charter for the Laverne Elementary  
6 Preparatory Academy, grades K-6, is not with Ed Futures, Charter  
7 Schools Development Systems, or Global Tides. The Laverne  
8 Elementary Preparatory Academy is a small K-6 charter with  
9 approximately 100 students, in its second year of operation.  
10 The Laverne Elementary Preparatory Academy is not an online  
11 independent study charter school.  
12

13 In 2008, Ed Futures, Inc. was proposed to be the manager of a  
14 charter school ("Peacemaker Leadership Academy") in the Oakland  
15 Unified School District ("Oakland Unified"). Oakland Unified  
16 School District made findings critical of Ed Futures, Inc. and  
17 denied the proposed charter school. (See, for example, the  
18 Oakland Unified Report at pages 13-14 regarding 16 critical  
19 findings specific to Ed Futures, Inc.; Attachment "A.")  
20

21 The charter petition is transmitted by Mr. Marco Salazar on the  
22 letterhead of Charter School Development Systems. Mr. Salazar  
23 states that he helped found a public charter high school in Long  
24 Beach that serves underrepresented at-risk youth. A contact  
25 with the Long Beach Unified School District cannot confirm Mr.  
26 Salazar's claims with respect to the Long Beach charter school.  
27

28 Long Beach Unified advises that there were three high school  
29 charters, none of which listed Mr. Salazar as the petitioner.  
30 All three had a limited history. "Premier Education," grades 6-  
31 12, had their charter revoked in 2000. "Pacific Learning Center  
32 High School," grades 9-12, forfeited their charter in 2006.  
33 "Promise Academy High School," grades 9-12, had their charter  
34 revoked in 2005.  
35

36 3. The Global Tides program is a K-12 online charter school with no  
37 classroom time, and the vast majority of supervision will be  
38 completed by the parents. The parents and teacher may  
39 communicate daily, but online or face-to-face meetings between  
40 teachers and students may occur as infrequently as every 50  
41 school days.  
42

- 1. 4. Parents act in the primary role of teacher. There is mention, but no description, of parent training. Parent education classes or a schedule are not identified. Parents will need to be trained in each new subject at the beginning of each new school year. The petition fails to address how best teaching practices can be monitored or measured when relying on parents to help facilitate student learning. Nor does the petition describe how parents will be supported, monitored, or supervised to ensure that students receive individual attention and focus to meet specific needs.
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- 12. 5. There is no indication of the amount of time parents will be expected to assist their children in accessing the curriculum, completing assignments, etc. In order to assist the child in mastering the concepts delivered online each day, it will more than likely be necessary for the parent to have viewed the online lesson as it was presented to his/her child.
- 13.
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- 18.
- 19. 6. The number of teachers required to implement the educational program is inconsistent. In the budget portion of the petition, Global Tides indicates they will hire 2 full-time teachers with 82 students each in the first year of operation, increasing each year to a total of 5 full-time teachers with 90 students each by year five. In another part of the petition, Global Tides states they will hire 9 part-time equivalent teachers in the first year, increasing to a total of 27 part-time equivalent teachers by year five. It is not stated how Global Tides will satisfy the requirements for fully credentialed and highly-qualified teachers at all grade levels and in each secondary subject offered.
- 20.
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- 32. 7. Teachers are relegated to a secondary role. The teachers will engage in record-keeping and monitoring activities, including reviewing completed work, accessing records, communicating with parents, grading papers, administering state-mandated tests as required, and answering questions. Direct teacher instruction is not mentioned as a specific role for the supervising credentialed teacher.
- 33.
- 34.
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- 39.
- 40. 8. There are no pacing guides, diagnostic assessments, specific curriculum, or textbooks specified in the petition. The Ed Futures curriculum is not described in any detail in the
- 41.
- 42.

- 1 petition and staff is unable to determine whether courses are  
2 aligned to California content standards.  
3
- 4 9. The requirements outlined in the charter petition do not meet  
5 Education Code requirements or District graduation requirements.  
6
- 7 10. The grading scale for courses is not described in the charter  
8 petition and staff is unable to determine the rigor of courses  
9 compared to courses offered by the District.  
10
- 11 11. The petition is contrary to the requirements of California  
12 Education Code section 51747.3, which prohibits the provision of  
13 funds or things of value to a pupil, parent, or guardian which  
14 the school district could not legally provide to similarly  
15 situated pupils. Global Tides indicates that it will give  
16 \$1,000 to parents for equipment including a laptop, printer,  
17 Internet use, textbooks, etc., and \$300 per year for Internet  
18 access. Such provision would constitute "sign-up bonuses"  
19 because the laptop, printer, and Internet use are not provided  
20 to students by the District for their own personal/home use and  
21 because there is no assurance that the \$1,000 is reasonably  
22 related to the purchase of the equipment. The question arises  
23 what if the parent/guardian already owns a computer and printer,  
24 will the petitioners provide \$1,000 to each parent or guardian,  
25 and will there be a payment of \$2,000 if two students are  
26 enrolled?  
27
- 28 12. The statement above is in direct contrast with the following  
29 paragraph of the petition, which states that each family will  
30 receive a laptop computer, software, and printer. The cost of  
31 Internet access will be reimbursed on a semiannual basis with a  
32 limit of \$300 per year per family.  
33
- 34 13. The petition does not adequately describe how the school will  
35 address the needs of low-achieving students. Global Tides  
36 indicates that each child will take a placement test prior to  
37 enrollment, and students who place below grade level in any  
38 subject will receive access to curriculum that is below grade  
39 level. The petition also states that the assigned teachers will  
40 work with the students to provide the skills the student needs  
41 to "catch up to their age-appropriate grade level in  
42 curriculum." No further information as to how this will be  
43 accomplished is provided in the petition.

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14. For academically low-achieving students, Global Tides indicates that the teachers will provide the parents with information on additional resources that are available. Teachers may also be available for one-to-one support or tutoring via the Internet or over the phone. There is no discussion as to how and when this additional tutoring will be delivered to the students. There is no indication that any direct teacher instruction will be provided at any time to students.
  15. The petition does not adequately address the needs of academically high-achieving and gifted and talented students. These students may move more quickly through the curriculum and complete a more in-depth study. Appropriate instruction for high-achieving and gifted students should be purposeful and well planned and presented by highly qualified teachers. There should be depth and complexity tied to each carefully planned lesson. It should not be left to chance.
  16. The plan for English language learners is inadequate. English Learner Development Standards are not referenced in the petition. ELL students need to communicate orally 50% of every lesson in order for language instruction to be effective. The Petition does not describe how teachers will provide daily support for oral language development.
  17. The plan for English language learners is inadequate. The plan presumes that the EL parents are bilingual and bi-literate, and that the students will be literate in their primary language. None of these assumptions may be accurate. The English language plan does not address second language acquisition.
  18. The required 30 minutes of instruction in English Language Development is not addressed for EL students. There is no explanation how instruction will be differentiated to meet individualized student achievement.
  19. The petition indicates that "bilingual teachers" will be available to offer homework help. There is no mention of how this is to be accomplished with the number of teachers listed in the Global Tides plan. There were 42 different primary languages in the District for the 2008-2009 school year



1. according to District Language Group Data provided to the  
2 California Department of Education ("CDE").  
3

4 There is an inconsistency relating to supplemental materials for  
5 ELL students in the Global Tides plan as compared to the  
6 District. The petition states that supplemental materials will  
7 be available for students whose primary language is Spanish,  
8 Chinese, Filipino, and Vietnamese. The petition states,  
9 "According to our demographic data, the majority of our ELL  
10 population designated these as their primary languages." This is  
11 not the case in the District. The District's four most-  
12 represented languages other than English are Spanish,  
13 Vietnamese, Khmer (Cambodian), and Filipino.  
14

15 20. Since there is no identified plan for integrating students into  
16 group activities or discussions, there is also no indication of  
17 how the ELL student will have access to an educational setting  
18 with non-ELL students to practice English communication skills.  
19

20 21. The petition does not describe how it will provide special  
21 education instruction and related services to students in an  
22 online program. Without such information, the District cannot  
23 conclude the school will provide a sound educational program.  
24

25 22. The petition does not identify or describe a site where special  
26 education and related services will be provided by fully  
27 credentialed and qualified special education teachers.  
28

29 23. There is no indication that the school will have any staff for  
30 special education services. Additionally, the petition does not  
31 describe a site where special education and related services  
32 will be provided by qualified special education teachers.  
33

34 24. Statements in the petition related to special education services  
35 are not consistent. The petition initially states that the  
36 intent of Global Tides is to offer special education services  
37 "independent" of the school district. The items specifically  
38 identified as the services to be provided by Global Tides  
39 include the sole responsibility for providing all special  
40 education services identified on student IEPs, special education  
41 transportation, and the costs of due process, compliance  
42 proceedings, and attorneys' fees for the authorizing district  
43 and SELPA.

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25. Later in the petition is the statement that Global Tides may purchase, if mutually agreed to, some services from the school district such as special education programs through an annual agreement or memorandum of understanding. A proposed memorandum of understanding is not included in the petition for the District to consider. Later still is a statement that the provision of transportation services and/or funding of special education students shall be considered as part of a special education agreement between the District and the charter school.
26. Details of the responsibilities for the provision of special education services through a special education agreement which may be developed with the District are lacking. It would be speculative to predict when, or if, such an agreement might be finalized. In the meantime, students with disabilities will not be served and will not receive a free appropriate public education as required under IDEA. This will expose the District and the charter school to liabilities - including additional financial costs.
27. Education Code section 51745(c) states that no individual with exceptional needs may participate in an independent study program unless his or her IEP specifically provides for that participation. When a student enrolls at Global Tides and indicates that he or she has an active IEP from a previous school district, the petition states that an IEP team meeting must be held with the parents, staff from the previous school district, and staff from Global Tides. The purpose of this IEP team meeting will be to determine if that child's needs can be provided through a "virtual independent study program." This appears to institute an additional process for special education students, prior to enrollment at Global Tides, which is not required of general education students. This would be discriminatory and a violation of numerous civil rights and non-discrimination laws, including the Individuals with Disabilities Education Act, Section 504 of the Rehabilitation Act of 1973, etc.
28. This procedure also contradicts Education Code section 56325(a)(1) and (2), which indicates that after a student moves into a new school district, the new school district must offer and provide services comparable to those described in the

1 previously approved IEP for a period not to exceed 30 days. At  
2 that time, the new local educational agency, i.e. Global Tides,  
3 will either adopt the previously approved IEP or develop, adopt,  
4 and implement a new IEP. The previous school district in which  
5 the child attended classes is not normally involved in either of  
6 these IEP team meetings, as the previous district has no  
7 continuing responsibility for the child. If the  
8 online/independent study program is deemed inappropriate to meet  
9 that child's unique needs, would his enrollment be refused or  
10 denied? The charter school cannot deny enrollment to any  
11 student based on his/her disability. Conversely, the charter  
12 school may not disenroll any student because of his/her  
13 disability.

14  
15 29. Please see the Staff Report for additional reasons for  
16 finding that the proposed charter school does not present  
17 a sound educational program.  
18

19 E. The petitioners are demonstrably unlikely to successfully implement  
20 the program for the reasons set forth in the Staff Report, including:  
21

22 1. It is unlikely that all parents will be adequately trained  
23 to teach the core curriculum and other subjects to their  
24 children to the degree that is expected by the District.  
25 District teachers are highly trained and prepared to  
26 instruct their students; they are certified by the State.  
27

28 2. There is no satisfactory plan in place to provide  
29 tutorials to the students who do not progress. There are  
30 no indications that direct instruction by qualified  
31 teachers will be provided to students at any time.  
32

33 3. In the area of special education, the petition does not  
34 make adequate provisions. There is no discussion of  
35 special education staffing, and the terms and conditions  
36 of an agreement with the District are speculative. It is  
37 not evident the charter school will be able to provide a  
38 free appropriate public education to its online e-charter  
39 students.  
40

41 4. Please see the Staff Report for additional reasons finding  
42 that the petitioners have not demonstrated that it is  
43 likely they will successfully implement the program.

1 F. The petition does not contain reasonably comprehensive descriptions of  
2 the required items set forth in California Education Code section  
3 47605(b)(5) for the reasons set forth in this Resolution and in the  
4 Staff Report, including:

- 5
- 6 1. The Board adopts and incorporates each of its findings  
7 from section D, paragraphs 1-28, and E, paragraphs 1-4.  
8
- 9 2. No specifics are provided regarding the academic  
10 curriculum to be used by Global Tides. The petition  
11 merely states that the curriculum is directly aligned with  
12 the state standards and framework. The petition  
13 identifies the provider of the curriculum as Ed Futures,  
14 but staff was unable to locate the actual curriculum  
15 through an online search. There is no indication that the  
16 curriculum used is state adopted or research based. No  
17 textbooks are identified.  
18
- 19 3. There is no indication of the instructional time, in  
20 minutes, to be devoted to the school day by the students  
21 in kindergarten, grades 1-3, grades 4-8, or grades 9-12.  
22 The petition generally states that student lessons require  
23 both online and offline work. Student time spent online  
24 is approximately 50%, while the rest is offline.  
25
- 26 4. While a significant amount of off-line work will be  
27 required by each student, there is no description of what  
28 this entails or any indication of how many minutes  
29 students will be engaged in this activity.  
30
- 31 5. There is no description of the school's retention policy  
32 if the student fails to keep pace with his/her peers.  
33 There is no description as to how the school will address  
34 a situation where the parent is not qualified or able to  
35 instruct his/her child effectively, even though the parent  
36 wants the child to be enrolled in an online program.  
37
- 38 6. The petition does not describe with specificity the school  
39 calendar, academic school year and the number of school  
40 days and instructional minutes.  
41
- 42 7. There is no description of how the teachers will assess  
43 and record the time value of their student's work for

1 apportionment purposes. The petition contains no reference  
2 to maintaining contemporaneous records for each student  
3 ensuring that they are engaged in required educational  
4 activities to an extent sufficient to constitute a day of  
5 time value on school days. Charter schools must offer  
6 36,000 minutes of instruction per year to kindergarten  
7 students; 50,400 minutes per year to students in grades 1-  
8 3; 54,000 minutes per year to students in grades 4-8; and  
9 64,800 minutes per year to students in grades 9-12.

10  
11 8. The petition does not describe any attendance standards or  
12 any method for verifying the student is receiving online  
13 instruction for average daily attendance ("ADA") purposes.  
14 There is no evidence the charter school will establish and  
15 maintain an appropriate attendance accounting system. No  
16 person is identified who is assigned to monitor attendance  
17 accounting.

18  
19 9. The description of the elementary, middle school, and high  
20 school curriculum is lacking information as summarized in  
21 the Staff Report, pages 18-19.

22  
23 10. The high school curriculum is not as rigorous as that of  
24 the District. The District requires three years of  
25 history, including Principles of American Democracy and  
26 Principles of Economics. District graduation requirements  
27 also include a minimum of 30 credits or 3 years in  
28 mathematics, which must include Algebra I and Geometry.  
29 The petition requires only completion of Algebra I for  
30 graduation.

31  
32 11. It will not be possible to determine if the charter school  
33 will meet the requirements for a non-classroom-based  
34 instruction program without having online instruction  
35 attendance data.

36  
37 12. Nonacademic goals for the school include the student's  
38 ability to work in teams, learning to collaborate  
39 effectively with other students, respecting parents,  
40 teachers, and fellow students, interacting maturely with  
41 peers and adults, and engaging in social activities in  
42 school evidence. There is no explanation of how these  
43 goals will be implemented on an online program. Nor is

1 there any discussion regarding the frequency, duration, or  
2 type of social activities and school events.  
3

4 13. Global Tides teachers will conduct virtual meetings via  
5 the Internet, and/or face-to-face meetings with all  
6 students at least once per learning period. These  
7 learning periods are defined as not exceeding 50 days of  
8 instruction. This means that the teachers will meet with  
9 their students in some manner, approximately every 2-1/2  
10 months, or quarterly. This frequency of teacher/student  
11 meetings is not conducive to an effective learning  
12 environment.  
13

14 14. There appears to be a conflict of interest between Global  
15 Tides, a California Non-Profit Organization, Ed Futures,  
16 Inc., and Charter Schools Development Systems, Inc. The  
17 petition states that the school's founding group is  
18 considered the initial Board of Directors. It also states  
19 that Board members are not employees of any service  
20 provider or other educational vendor providing services to  
21 the nonprofit public benefit corporation. A review of the  
22 school organization structure and the key personnel or  
23 administrative staff identified for Global Tides, Ed  
24 Futures, Inc. and Charter Schools Development Systems,  
25 Inc. indicates that the same names appear as key personnel  
26 on two or more of the companies. Ed Futures, Inc. is also  
27 a general partner in Charter Schools Development Systems,  
28 Inc.  
29

30 15. There is conflict as to who will manage the school. The  
31 petition indicates that Charter Schools Development  
32 Systems, Inc. will manage all education and operational  
33 components of Global Tides, including curriculum,  
34 administration, and all general operations. A review of  
35 the qualifications of the key personnel of Charter Schools  
36 Development Systems Inc. indicates that the neither the  
37 Vice President; West Coast Region Market Development  
38 Director nor the Chief Financial Officer have any  
39 educational background or teaching experience.  
40

41 16. No corporate bylaws are attached to the petition for the  
42 District's review. It is unknown what the requirements  
43 are for the qualifications for members of the board of

1 directors of the charter school. Thus, there is no  
2 assurance that future board members will have sufficient  
3 knowledge to operate and manage the charter school.  
4

5 17. In the area of contracting, there is no description of the  
6 criteria the board will use before approving any  
7 contracts. There is no discussion of whether the board  
8 will use the lowest responsible bidder, or if another  
9 criterion will be used.  
10

11 18. Parent involvement in any educational endeavor is to be  
12 commended. Nevertheless, it appears that Global Tides is  
13 surrendering much of its educational responsibilities and  
14 placing it on the parents. In addition to supervising  
15 their child's online lessons, assisting in the completion  
16 of homework, online, and offline work, parents will be  
17 expected to communicate daily with the teachers and  
18 administration of the school.  
19

20 19. The petition fails to describe a salary schedule, how an  
21 individual obtains a raise or moves up the salary  
22 schedule, the level of health benefits, or how one can get  
23 released from employment. There is no mention of a  
24 bargaining unit, hiring, evaluation or termination of  
25 employees. There is no mention of staff evaluations or  
26 performance measurements.  
27

28 20. The means by which Global Tides will achieve a racial and  
29 ethnic balance among its pupils that reflects the general  
30 population residing within the District is not stated.  
31

32 21. The charter school's order of preference for the random  
33 public lottery to determine admissions does not conform to  
34 the law. The petition's current priority list does not  
35 give the statutorily required preference to students who  
36 reside within the District. The petition's order of  
37 preference is (1) siblings of currently enrolled students;  
38 (2) District residents and (3) all other applicants. This  
39 relegation of District students to second place in the  
40 order does not comply with the requirements of the  
41 Education Code.  
42

- 1                   22.    The discipline section is not sufficiently comprehensive.  
2                   Suspension and expulsion procedures are not consistent  
3                   with the Education Code.  The grounds for suspension or  
4                   expulsion are not identified.  The petition does not  
5                   discuss the expulsion of students for the commission of  
6                   certain serious violations; and this omission is not  
7                   acceptable.  
8  
9                   23.    No timeline for the resolution of disputes is included in  
10                   the petition.  
11  
12                   24.    No additional steps are identified in the event that the  
13                   school district and Global Tides do not agree with the  
14                   findings or recommendations of the mediator, which are  
15                   nonbinding.  
16  
17                   25.    Please see the Staff Report for additional reasons finding  
18                   that the petition does not contain reasonably  
19                   comprehensive descriptions of the items required by  
20                   Education Code section 47605(b) (5).  
21

22           G.    The petition does not present a financially and operationally sound  
23           program and therefore petitioners are demonstrably unlikely to  
24           successfully implement the charter school for the reasons set forth in  
25           the Staff Report, including:

- 26  
27                   1.    The petition does not include a detailed description of  
28                   the calculations involved in the largest expenditure in  
29                   the School Budget.  On page 53 is an entry for  
30                   Administration/Education Services expense in an amount of  
31                   \$373,062 for FY 2010-2011, and increasing each subsequent  
32                   year to \$494,990; \$642,604; \$713,038; and \$903,065 in FY  
33                   2014-2015.  This is more than a 240% increase in this one  
34                   unexplained expenditure over a 5-year period.  
35  
36                   2.    An average class size of 20-25 students with a staffing  
37                   level of nine part time equivalent teachers is indicated  
38                   in Budget Assumptions on page 50, yet the Budget Model on  
39                   page 56 indicates 82 students per teacher with a staffing  
40                   of only 2 teachers, plus one special education teacher.  
41                   The budget is inconsistent with the text of the petition  
42                   as well as with Education Code section 51745.6(e) which  
43                   states that charter school independent study program



1 ratios shall use a fixed pupil-to-teacher ratio of 25 to  
2 one, or by being a ratio of less than 25 pupils per  
3 certificated employee. One hundred sixty four students  
4 divided by 25 equals 6.56 full-time equivalent teachers.

- 5  
6 3. The general purpose entitlement figures for 2010-2011 on  
7 page 56 show an increase over 2009-2010 actual numbers  
8 which is in excess of the anticipated COLA for 2010-2011  
9 and 2011-2012:

10  
11

	<u>FY 10/11</u>	<u>Actual FY 09-10*</u>	<u>Increase</u>
12	K-3 \$5,154	\$4,778	7.87%
13	4-6 \$5,233	\$4,855	7.79%
14	7-8 \$5,387	\$5,003	7.68%
15	9-12 \$6,251	\$5,845	6.95%

16

17 \* Source—2009 School Services of California District and  
18 County Office Financial Projection Dartboard (Updated  
19 August 10, 2009).

- 20  
21 4. The ratio of ADA to enrollment is projected by Global  
22 Tides at 100%. This assumption is highly unlikely to  
23 occur. The District has historically experienced a 95%  
24 ratio.
- 25  
26 5. The debt service payment on revolving loan listed on page  
27 53 in the 7000's shows no interest payments for FY 2010-  
28 2011, nor in future years.
- 29  
30 6. The ending balance for 2010-2011 is overstated on page 53.  
31 This is because a revolving loan of \$250,000 is shown as  
32 "revenue" on page 52 when it should be shown as a  
33 "payable" with the \$250,000 deducted from the revenue.  
34 The ending balance for 2010-2011 then becomes a negative  
35 \$21,433, the difference between \$250,000 and \$228,567.
- 36  
37 7. The ending balance for 2010-2011 is further overstated on  
38 page 53 in that the startup costs from page 51 are not  
39 included in the budget on page 52-53. As a result the  
40 deficit in 2010-2011 grows by either the low (\$129,113)  
41 medium (\$189,525), or the high (\$261,438) estimated start  
42 up costs. By adding the medium start up costs, the 2010-  
43 2011 ending deficit increases up to \$210,958.

1  
2 8. Teacher salaries appear to decrease each year. Using the  
3 information about staffing levels on page 50 and the  
4 certificated teacher salaries on page 52:

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9

Year	Staffing Level	Teacher Salaries	Per Teacher Salary Per Year
2010-11	9 part-time equivalent teachers ("PTET")	\$195,000	\$21,666
2011-12	18 PTET	\$262,650	\$14,591
2012-13	27 PTET	\$334,184	\$12,377

10 9. Based upon California requirements for calculating  
11 nonclassroom-based funding, Global Tides will not be  
12 eligible for State funding. (5 CAC 11963.3, 11963.4, CDE  
13 memorandum, "Required Funding Determinations for  
14 Nonclassroom-Based Charter Schools," July 7, 2008, and CDE  
15 worksheet.)

16  
17 10. There is no mention of the financial reports due to the  
18 authorizing district on March 15, July 1, September 15,  
19 and December 15 of each school year.

20  
21 11. Global Tides states that it intends to provide or procure  
22 most of its own administrative services. Alternatively,  
23 Global Tides states it may enter into an annual agreement  
24 or memorandum of understanding with the school district  
25 for special education programs, payroll, nursing, health  
26 education services, etc.

27  
28 12. There is no provision for the charging of the actual costs  
29 of supervisory oversight by the District, not to exceed  
30 1 percent of the revenue of the charter school.

31  
32 13. The authorizing school district is expected to make a  
33 meeting place available to Global Tides, but no specifics  
34 as to size, location, availability, frequency of use,  
35 custodial services, or equipment needed are included.

36  
37 14. Please see the Staff Report for additional reasons finding  
38 that the petition does not present a financially and  
39 operationally sound program and therefore petitioners are  
40 demonstrably unlikely to successfully implement the  
41 charter school.  
42

H. The terms of this Resolution are severable. Should it be determined that one or more of the findings is invalid, the remaining findings and the denial of the Petition shall remain in full force and effect. In this regard, each finding, in and of itself, is a sufficient basis for the denial.

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

AYES: Jose A. Hernandez, Rob Richardson, Audrey Yamagata-Noji, John Palacio


NOES: \_\_\_\_\_

ABSENT: Roman Reyna

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF ORANGE )

I, Jane A. Russo, Secretary of the Board of Education of the Santa Ana Unified School District of Orange County, California, hereby certify that the above and foregoing Resolution was duly adopted by the said Board at a regular meeting thereof held on the 10<sup>th</sup> day of November, 2009, and passed by a vote of 4-0 of said Board.

IN WITNESS WHEREOF, I have hereunto set my hand this 11 day of November, 2009.

  
\_\_\_\_\_  
Jane A. Russo, Secretary  
Board of Education  
Santa Ana Unified School District

**CERTIFICATED PERSONNEL CALENDAR**

**Personnel Calendar  
Board Meeting - November 10, 2009**

<b>NAME</b>	<b>POSITION</b>	<b>SITE</b>	<b>EFF. DATE</b>	<b>END DATE</b>	<b>COMMENTS</b>
<b>NEW HIRE/RE-HIRES</b>					
Swan, Bradley	Teacher/SS	Century	August 31, 2009		New Hire - Intern
Yeager, Vanessa	Teacher/SS	Lorin Grisnet	October 26, 2009		New Hire - 44920
<b>ABSENCE (3 to 20 duty days) - CORRECTION</b>					
Reyes, Jessica	Teacher	Heroes	September 30, 2009	October 9, 2009	Child Care
<b>FAMILY CARE AND MEDICAL LEAVE</b>					
Hagmann, Jennifer	Teacher	Remington	October 15, 2009	February 26, 2010	Child Care
<b>CHANGE IN STATUS</b>					
Alvarado, Joaquin	Teacher	Century	August 28, 2009		From 44920 to Probationary I
Baca, Jennifer	Teacher	Valley	August 28, 2009		From 44920 to Probationary I
Hernandez, Genaro	Teacher	McFadden	August 28, 2009		From 44920 to Probationary I
Krieger, John	Teacher	Valley	August 28, 2009		From 44920 to Probationary I
Litwin, Katherine	Teacher	Century	August 28, 2009		From 44920 to Probationary I
Love, Heather	Teacher	Century	August 28, 2009		From 44920 to Probationary I

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NAME	POSITION	SITE	EFF. DATE	END DATE	COMMENTS
<b>CHANGE IN STATUS (Continued)</b>					
McDonald-Van Dyke, Jennifer	Teacher	McFadden	August 28, 2009		From 44920 to Probationary I
<b>ADDITIONAL ASSIGNMENTS 2009/2010</b>					
	School Readiness Coordinator	Educational Services	December 21, 2009	December 30, 2009	5 Days
Witherspoon, Danny	Band Director	Valley	July 13, 2009	July 17, 2009	5 Days
<b>EXTRA DUTY 2009-2010</b>					
Benavides, Bertha	Teacher	Segerstrom	August 31, 2009	June 18, 2010	Extra Period
Bender, Hermine	Psychologist	Psychological Services	July 22, 2009	August 20, 2009	Regular Hourly Rate
Brito, Lucio	Teacher	Special Education	August 28, 2009	June 18, 2010	Extra Period
Collins, Michael	Teacher	Valley	September 9, 2009	June 18, 2010	Extra Period
Contreras, Miriam	Teacher	Godinez	August 31, 2009	June 18, 2010	Extra Period
Cutruzzula, Cara	Teacher	Century	August 31, 2009	June 18, 2010	Extra Period
Diaz, Jose	Teacher	Mendez	August 28, 2009	June 18, 2010	Extra Period
Escutia, Rosalia	Teacher	Segerstrom	August 31, 2009	June 18, 2010	Extra Period
Gerard, Lorraine	Teacher	Segerstrom	August 31, 2009	June 18, 2010	Extra Period
Gomeztrejo, Fred	Teacher	Godinez	August 31, 2009	February 1, 2010	Extra Period
Hazlett, James	Teacher	Century	August 31, 2009	October 5, 2009	Extra Period
Henderson, Sara	Teacher	Godinez	August 31, 2009	October 30, 2009	Extra Period
Hightower, Sandra	Teacher	Century	August 31, 2009	September 21, 2009	Extra Period
Holliman, Rebecca	Teacher	Century	August 31, 2009	September 21, 2009	Extra Period

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<b>EXTRA DUTY 2009-2010 (Continued)</b>					
Hudson, Carol	Retired Substitute	Special Education	September 1, 2009	June 20, 2010	\$120 Daily
Hunter, Mark	Teacher	Adams	August 21, 2009	September 2, 2009	Regular Hourly Rate
Jordan, Sara	Teacher	Segerstrom	August 31, 2009	June 18, 2010	Extra Period
Killion, Darryl	Teacher	Santa Ana	September 28, 2009	February 1, 2010	Extra Period
Kincaid, Laroyce	Teacher	Santa Ana	September 28, 2009	February 1, 2010	Extra Period
Leonard, Sean	Teacher	Special Education	August 28, 2009	June 18, 2010	Extra Period
McCluskey, Kameron	Teacher	Godinez	November 2, 2009	June 18, 2010	Extra Period
Musngi, Noemi	Teacher	Godinez	August 31, 2009	June 18, 2010	Extra Period
O'Meara, Martha	Retired Substitute	Special Education	September 1, 2009	June 20, 2010	\$120 Daily
Orduna, Joseph	Teacher	Godinez	August 31, 2009	June 18, 2010	Extra Period
Powe, Michael	Teacher	Century	August 31, 2009	September 21, 2009	Extra Period
Presnell, Victoria	Teacher	Century	August 31, 2009	February 1, 2010	Extra Period
Proctor, Michael	Teacher	Godinez	August 31, 2009	June 18, 2010	Extra Period
Rajpurkar, Anagha	Teacher	Century	August 31, 2009	September 21, 2009	Extra Period
Ramirez, Robert	Teacher	Santa Ana	September 28, 2009	February 1, 2010	Extra Period
Rezvani, Niloufar	Psychologist	Psychological Services	July 6, 2009	July 9, 2009	Regular Hourly Rate
Robinson, Margaret	Teacher	Saddleback	September 24, 2009	June 18, 2010	Extra Period
Sechrest, Eric	Teacher	Santa Ana	September 28, 2009	February 1, 2010	Extra Period
Shanks, Saldetor	Teacher	Special Education	August 28, 2009	June 18, 2010	Extra Period
Stern, Laura	Teacher	Century	August 31, 2009	September 21, 2009	Extra Period
Stoewsand, Shelby	Teacher	Segerstrom	August 31, 2009	June 18, 2010	Extra Period
Ta, My	Teacher	Santa Ana	September 28, 2009	February 1, 2010	Extra Period
Turner, Rosalind	Teacher	Saddleback	September 28, 2009	June 18, 2010	Extra Period
Wood, Cindynn	Teacher	Santa Ana	September 28, 2009	February 1, 2010	Extra Period

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<b>EXTRA DUTY 2008-2009</b>					
Hunter, Mark	Teacher	Adams	June 22, 2009		2 Hours - Hourly Rate
<b>CO-CURRICULAR</b>					
Estrada, Rebecca		Carr	2009-10		Lead Counselor, Yearbook
Nobel, Shannon		Carr	2009-10		Journalism
Shelton, Arlyn		Carr	2009-10		Student Government Advisor
Akamine, Brian		Century	2009-10		Vocal Music
Armstrong, Alan		Century	2009-10		Model U.N.
Bojorquez, Linsey		Century	2009-10		Yearbook/Video Yearbook
Bush, Mark		Century	2009-10		Yearbook/Video Yearbook
Crocker, Randy		Century	2009-10		Senior Class Advisor
Cutruzzola, Cara		Century	2009-10		Journalism/Broadcast Journalism
Hazlett, James		Century	2009-10		Orange County Academic Decathlon
Holliman, Rebecca		Century	2009-10		Math
Manntai, Jessica		Century	2009-10		Pep Squad
Mihu, Sandra		Century	2009-10		Drill Team, Instrumental Music, Orchestra, Tall Flags
Oveson, James		Century	2009-10		Peer Court

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<b>CO-CURRICULAR (Continued)</b>					
Silverman, Lynn		Century	2009-10		Dance Team
Vazquez, Mireya		Century	2009-10		Lead Counselor
Maldonado, Gloria		Chavez	2009-10		Student Government Advisor, Senior Class Advisor
Petrut, Tudor		Chavez	2009-10		Intramural Coaches
Reta, George		Chavez	2009-10		Head Counselor
Brenneman, Robert		Godinez	2009-10		Video Yearbook
Evans, Victoria		Godinez	2009-10		Pep Squad
Feuerborn, Joyce		Godinez	2009-10		Journalism/Broadcast Journalism
Hess, Thomas		Godinez	2009-10		Yearbook
Marting, Richard		Godinez	2009-10		Drama
Mc Mahon, Jeanette		Godinez	2009-10		Vocal Music
Moreno, Gabriel		Godinez	2009-10		Lead Counselor
Sotelo, Laura		Godinez	2009-10		Dance Team
Vismantas, Eric		Godinez	2009-10		Instrumental Music, Orchestra
Boyce, Haley		Lathrop	2009-10		Student Government Advisor
Raya, Paul		Lathrop	2009-10		Lead Counselor
Balma, Violette		MacArthur	2009-10		Vocal Music



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<b>CO-CURRICULAR (Continued)</b>					
Davis, Lenard		MacArthur	2009-10		Journalism, Yearbook
Holdcroft, Althea		MacArthur	2009-10		Instrumental Music
Kotler, Holly		MacArthur	2009-10		Drama, Student
Silva, Christine		MacArthur	2009-10		Government Advisor
					Lead Counselor
Boyer, Gregory		McFadden	2009-10		Instrumental Music
					Student Government
Ellis, Gregory		McFadden	2009-10		Advisor, Vocal Music
Jenkins, Tisha		McFadden	2009-10		Drill Team, Pep Squad
Kroener, Tara		McFadden	2009-10		Yearbook
Olzak, Karen		McFadden	2009-10		Instrumental Music
Tristan, Laurie		McFadden	2009-10		Lead Counselor
Chavez, Veronica		Mendez	2009-10		Lead Counselor
Cisneros, Ernesto		Mendez	2009-10		Journalism
					Student Government
Davis, Bryan		Mendez	2009-10		Advisor
Green, Sabrina		Mendez	2009-10		Instrumental Music
					Student Government
Kempe, Patricia		Mendez	2009-10		Advisor
Storms, Tamara		Mendez	2009-10		Yearbook
Espinosa, Velina		Middle College	2009-10		Senior Class Advisor
Klingler, Lynn		Middle College	2009-10		Drama

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<b>CO-CURRICULAR (Continued)</b>					
Ramos, Rafael		Middle College	2009-10		Student Government Advisor, Senior Class Advisor
Valenzuela, Edward N.		Middle College	2009-10		Yearbook
Abend, Sandra		Saddleback	2009-10		Auditorium Supervisor
Axtell, Aaron		Saddleback	2009-10		Instrumental Music
Christensen, Matthew		Saddleback	2009-10		Drill Team
Dallazen, Marcia-Deloi		Saddleback	2009-10		Drama
Sachs, Stephanie		Saddleback	2009-10		Lead Counselor
Shloss, Miriam		Saddleback	2009-10		Vocal Music
Titus, Timothy		Saddleback	2009-10		Journalism/Broadcast
Turner, Rosalind		Saddleback	2009-10		Journalism
Turner, Sean		Saddleback	2009-10		Senior Class Advisor
Velez, Jef		Saddleback	2009-10		Orange County Academic Decathlon
Whittington, Cheryl		Saddleback	2009-10		Dance Team Pep Squad
Witte, Laura		Saddleback	2009-10		Yearbook/Video Yearbook
Cobb-Woll, Kathryn		Santa Ana	2009-10		Vocal Music, Auditorium Supervisor
De Los Santos, Victor		Santa Ana	2009-10		Drill Team, Instrumental Music, Tall Flags
Dukus, Robert		Santa Ana	2009-10		Kiwanis Bowl