

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

MINUTES

**REGULAR MEETING
SANTA ANA BOARD OF EDUCATION**

November 25, 2008

CALL TO ORDER

The meeting was called to order at 4:55 p.m. by Board President Hernández. Other members in attendance were Mr. Richardson, Dr. Yamagata-Noji, and Mr. Palacio. Mrs. Avila arrived at 5:20 P.M. Mr. Hernández left the meeting at 10:10 p.m.

Cabinet members present were Ms. Russo, Dr. Olsky, Mr. Murrey, 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, legal matters, and personnel matters.

RECONVENE OPEN MEETING

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

PLEDGE OF ALLEGIANCE

The meeting opened with the Pledge of Allegiance led by Lydia Boone, Segerstrom High School Student and Board Member Avila's granddaughter.

TRIBUTE TO FALLEN SOLDIER, FORMER VALLEY HIGH SCHOOL STUDENT

President Hernández opened the Board meeting in memory of fallen U.S. Marine Lance Corporal San Sim. Corporal Sim, a 2003 graduate of Valley High School died on October 22, 2008, while supporting combat operations in Helmand province, Afghanistan. A Moment of Silence was observed in his honor. A Photo of Lance Corporal Sim was shown during the tribute.

RECOGNITION OF SUPERINTENDENT

Mr. Hernández announced that Superintendent Russo was recently the spotlight at the Rancho Santiago Community College District's 11th Annual Chancellor's Ball. She was honored for her contributions and dedication to education. Santa Ana College selected Ms. Russo as the 2008 recipient of the *Partners in Education Award*. A video profiling accomplishments that led to the accolade for our amazing leader Superintendent Russo was shown.

SUPERINTENDENT'S REPORT

The Superintendent began her comments by introducing Jackson Elementary School principal Sela Longacre and Officer Tom Serafín, Santa Ana PAAL's Director. Ms. Longacre began the PAAL program at Jackson Elementary and turned to Officer Serafín who offered information of the operational aspects of the program.

Ms. Russo made a special mention regarding the recent achievement of Middle College High School Senior Kelly Mendoza. Kelly was selected as the delegate for the 2008 Student Advisory Board on Education (SABE) California Association of Student Councils, which enables students to travel to Sacramento to play an integral role in developing and improving our educational system.

Ms. Russo asked that Mr. Lopez introduce to all those present the following newly-appointed administrators:

Erica Graves Assistant Principal, Villa Fundamental Intermediate School
Adrian J. Ayala Assistant Principal, Lathrop Intermediate School
Bianca R. Barquin Assistant Principal, MacArthur Fundamental Intermediate

The following individuals were instructional assistants who recently received their teaching credentials:

Lo Keopaseut
Oscar Delgado

On Sunday, November 30 at 5 p.m., the Santa Ana High Marching Saints and the 200-member Naval Junior ROTC unit will join forces during an appearance at the Hollywood Christmas Parade for the second consecutive year. The Marching Saints, under the direction of Victor de los Santos, takes pride in being the oldest high school band in Orange County, having entertained Southern California since 1916. NJROTC, under the leadership of Commander Tom Osseck, is considered the premier unit in the Southwest region of the United States, having won numerous first place citations. On the screen were photos of the Band marching.

The Superintendent called to the attention of the Board and attendees the beautiful artwork posted in the Board Room contributed by the students and teachers at Esqueda Elementary, Madison Elementary, Mitchell Child Development Center, Greenville Elementary, and Heninger elementary schools.

RECOGNITIONS:*Above & Beyond the Call of Duty "A-B-C-D" Award! - Mr. Paul Riordan*

Superintendent Russo called upon Mr. Paul Riordan, who was present at the meeting. She presented Mr. Riordan with the *Above & Beyond the Call of Duty "A-B-C-D" Award!* This special award from the Superintendent of Schools was presented for his dedication to the youth of the Santa Ana Unified School District.

Mr. Paul Riordan, now retired, served Santa Ana Unified School District as a teacher and administrator for 35 years. He taught at Santa Ana High School from 1957 to 1992 and in 1970 became one of the founders and first directors of the Regional Occupational Program (ROP) in Santa Ana.

When ROP classes began in 1972, there were two classes and 45 students, by the time Mr. Riordan retired in 1992, ROP classes were offered at every high school in Santa Ana. Since then, SAUSD's ROP program has grown to serve

over 10,000 high school and adult students annually. Furthering his reach into the community, Mr. Riordan founded the Achievement Institute of Scientific Studies (AISS) program in 2001. The program prepares high achieving, low-income Santa Ana high school students for college through a two-year mentorship geared toward motivating students to learn math and science.

Students are required to have a minimum 3.5 grade-point average and attend seminars during their holiday breaks. They are given \$800 a year to help with college and school related fees and other tools to help them achieve. Since its inception, students have been accepted to such prestigious universities as UCLA, USC and Yale.

For his dedication and service to the Santa Ana community and students of this District, Santa Ana Unified proudly presents the Above and Beyond the Call of Duty Award to Mr. Paul Riordan.

Classified Employee of the Month for October 2008 - Osbaldo(Ozzy)Avina

Mr. Osbaldo Avina, Plant Custodian at Chavez High School, was presented as the Santa Ana Unified School District's Classified Employee of the Month for November. Ozzy is a hard worker who sincerely cares about his school and works hard to maintain the campus. Every summer, Ozzy takes the initiative to paint buildings, tables, and classrooms. He also shampoos the carpets, waxes the floors, and does many of the repairs himself. Visitors to Chavez High School comment on the freshness, cleanliness, and newness of our school, even after 14 years.

Mr. Avina was thanked by members of the Board and congratulated by all those present for his service to the students of the Santa Ana Unified School District. He was presented with a commemorative plaque and a gift certificate to his favorite restaurant.

With Ozzy were his friends and co-workers. He waived to his daughters Marilyn and Marissa as they watched from home.

Tribute to Rosemarie Avila, Member SAUSD Board of Education

The Board recognized outgoing Board Member Rosemarie Avila for her 17 years of service as a Board member for the SAUSD. Ms. Avila completed her fourth term in office this year, having served as President, Vice President, and Clerk of the Board. Mrs. Russo stated that this was Mrs. Avila's last Board meeting as she has stepped down from the Board. Mrs. Avila has decided to pursue other interests, many of which will continue to support and enrich the lives of Santa Ana students. On the screen, a slide show depicts the various events and occasions attended by Mrs. Avila.

Superintendent Russo stated that Mrs. Avila's commitment to improving education goes beyond her services to the SAUSD. She asked Mrs. Avila to the podium as she read her biography. Mrs. Avila serves as a trustee at Biola University, where she graduated Cum Laude with a major in Social Science and a minor in Latin American History. She is a Board member of the Santa Ana Assistance League and she holds an Elementary Teaching Credential and has taught in both public and private schools. She is also a certified Stanford Testing Administrator and holds a master's degree in Organizational Leadership. Ms. Avila is the President and Founder of the O.C. Youth Commission, founded in 1997, which is a non-profit organization that provides tutoring, structured sports and character education at 19 after-school programs, one of which is the Santa Ana Boxing Club. She also serves on the City of Santa Ana Early Prevention and Intervention Commission.

In 2001, Mrs. Avila was appointed by the President of the United States to the President's Commission on White House Fellows. She was also appointed to be a Renew Woman Advisor to Congress. In terms of accolades, she has received the Excellence in Education Award from the California School Board Leadership Council, the Friend of Family Award from Capital Resources, and the Community Recognition Award from the Santa Ana Parks and Recreation Commission.

Ms. Russo presented Mrs. Avila with a bouquet of flowers and a plaque as a token of appreciation for her 17th years of duty to the students, staff, parents, and community of Santa Ana. With Mrs. Avila were her husband, daughters, son, granddaughter, son-in-law, friends, and members of the community.

Mrs. Avila thanked the Superintendent and Board members for their kind words. She stated that as a child she always wanted to become a teacher and never imagined that she would be involved in politics. She recalled her childhood memories. Being born in a remote Indian village in Guatemala, Central America. She came to the United States in the 1950s. She said while 17 years of service on the school board is a long time, it has gone by quickly. She has worked with three superintendents all with very different leadership styles. The District had 38,000 students and now has grown to 58,000. She was not only a mother, but also an elementary school teacher. Her gift to the Board was to highlight the important work of reading, writing, and arithmetic, not to forget music and art. She is satisfied with her input on the District's Mission Statement that includes that the SAUSD "is dedicated to high academic achievement" which she believes she was a part of as she insists that children master the English language so they can succeed in high school, college, and in the workforce. She thanked the wonderful teachers that she has had the privilege to work with as is pleased with the level of instruction. She thanked the 'pit bull' moms and dads for their involvement in the schools. And she has met some of the most wonderfully dedicated people, administrators, staff, principals, and teachers who work faithfully against great odds, and who are totally committed to the community and children's success. She wished everyone the best. She said that she will be on the sidelines and still be cheering the SAUSD on!

Each Board member expressed sentiments to Mrs. Avila and wished her well in her endeavors.

MEETING RECESSED AND RECONVENED

At 8:10 p.m., President Hernández recessed the Regular Meeting for a farewell reception in honor of Board member Rosemarie Avila.

The Regular meeting reconvened at 8:40 p.m.

PRESENTATIONS

#1 Budget Update

Mr. Ron Murrey stated that his presentation was in two parts. The first was an overview of the district's First Interim report that provided highlights of the recently adopted State Budget and other changes to revenues and expenditures up to October 31, 2008. The second part of the presentation explained the impact of possible mid-year State proposed cuts for 2008-09 that were unknown prior to the first interim report time line. The budget information presented to the Board was formatted in the multi-year projection (MYP) format for the years 2008-09 through 2010-11. The assumptions used in budgeting included the District to maintain its positive certification the State which requires a 2% Reserve for the current year, and two years out. Additionally the MYP does not include COLA salary increases for this school

year or for any future years. The budget projection does include salary increases related to step & column and longevity and it includes revenues for all future years, increased by any projected COLA. The General Fund has a projected revenue of \$506 million and expenditures at \$529 million, indicating a shortfall of \$23 million for the current school year as of October 31, 2008.

Mr. Murrey then reviewed major elements and key assumptions in reference to the Governor's newly announced State revenue crisis caused by both national and state economic trends resulting in the prospect of significant mid-year cuts. The Governor had announced two weeks ago that school budgets needed to be reduced in the current year to help balance the State's Budget. Last week he announced that the magnitude of cuts caused by the State's projected revenue shortfall are now estimated at \$11+ billion. The Governor stated that the schools share of cuts would be between \$2-4 billion.

Mr. Murrey stated that the reserve on October 31, 2008, at the first interim for 2008-09 was at 4.0%. By assuming a \$19 million unrestricted revenue reduction, (as a result of the \$2 billion state wide school cuts becoming actual), the reserve would become 0.4%, which is below the required reserve. Since the State's financial crisis is projected to be, at the minimum, a two year situation it is imperative that the legislature and Governor meet and find a solution quickly. Since there was no legislative action taken by November 25th, it appears that the new legislature will need to take action in January. The Board directed the administration to take steps to communicate budget recommendations to legislatures and the Governor as well as keep SAUSD parents; staff and other stakeholders informed of the possible State's financial crisis has on our district.

It was by consensus of the Board to take action on Agenda Items 2.0 and 3.0 as follows:

2.0 ADOPTION OF REVISED 2008-09 BUDGET AND FIRST INTERIM CERTIFICATION OF FINANCIAL STATUS - OCTOBER 31, 2008

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 5-0, to adopt the revised 2008-09 budget and certify the District's financial status as "positive" and that the District can meet its financial obligations through the remainder of this fiscal year and for the subsequent two fiscal years based on final information as of October 31, 2008.

3.0 APPROVAL OF 2008-09 FIRST INTERIM REPORT - POSITIVE CERTIFICATION ADDENDUM DOCUMENT

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 5-0, to approve attachment A, which will require reductions to be made in the areas of staffing, services and programs.

#2 Williams Settlement Legislation Annual Report for Fiscal year 2007-08

Dr. Olsky stated that the 2007-08 Williams Settlement Legislation Annual Report for fiscal year 2007-08 conducted by the Orange County Department of Education is being presented for information as required per Education Code 1240(c)2(G) and must be agendized on a regularly scheduled Board of Education meeting. Dr. Olsky reported that all reviews were conducted in all four areas Instructional Materials, Facilities, Teacher Monitoring, and Valenzuela/CAHSEE and any deficiencies were reported and corrected.

PUBLIC HEARING

Lease of Real Property for Wireless Communication Towers at Spurgeon Intermediate School

President Hernández opened the meeting for a Public Hearing regarding the Lease of Real Property for Wireless Communication Towers at Spurgeon Intermediate School and asked if any member of the audience wished to address this item.

Mr. Hernández received a consensus from the Board vote for item 12.0 on the Board agenda which was relevant to the item.

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 3-2, Mr. Hernandez and Mrs. Avila dissenting, to adopt Resolution No. 08/09-2755 - authorizing the lease of surplus real property at Spurgeon Intermediate School.

Ms. Aeppli approached the podium and read a statement before opening up to receive any oral/written bids and before opening a sealed bid. She stated that the property would be used exclusively for the construction, maintenance, and operation of a mobile/wireless communications facility. The lease property is approximately 1,200 square feet and located adjacent to the Santa Ana River and northwest of the baseball diamond of Spurgeon Intermediate school, located at 2701 West 5th Street in Santa Ana. She stated that all bids considered must be accompanied by a certified or cashier's check in the amount of \$5,000. She opened the bid from Verizon in the amount of \$24,000, an annual amount. There being no oral bidders the bid was closed.

Members of the Board questioned the lack of information on the Resolution. There was no mention about the prior approval of a 5-year lease, the opening up to receive bids at the current meeting, or the 20-year request for the lease. Mr. Hernandez reminded the Board that at the previous meeting, the Board approved to open up bids to receive Requests for Proposals.

PUBLIC COMMENTS

Board President Hernández asked that those wishing to address the Board on other matters under its jurisdiction step to the podium.

There were no speakers to address the Board.

APPROVAL OF MINUTES

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 5-0 to approve the Minutes of the Regular Meeting of October 28, 2008.

1.0 APPROVAL OF CONSENT CALENDAR

The following items were removed from the Consent Calendar for discussion and separate action: Ratification of Sub Agreement with University of California, Irvine for GEAR UP II Grant for 2008-09 School year and Authorization to Award a Contract for Exterior Painting at Garfield Elementary.

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

- 1.1 Approval of extended field trips in accordance with Board Policy (BP) 6153 - School-Sponsored Trips and Administrative Regulation (AR) 6153.1 - Extended School-Sponsored Trips.
- 1.2 Ratification of Sub Agreement with University of California, Irvine for GEAR UP II Grant for 2008-09 School year

This item was removed for discussion and separate action.

- 1.3 Ratification of participation agreement with Westminster School District for California Math and Science Project Grant for the 2008-09 school year.
- 1.4 Approval of payment and reimbursement of costs incurred for designated instructional services for students with disabilities.
- 1.5 Approval of master contracts and/or individual service agreements with nonpublic schools/agencies for students with disabilities for the 2008-09 school year.
- 1.6 Approval of recommendations by administrative hearing panels to expel the following students for the recommended terms and with the recommended remediation conditions:
177310 - Lathrop
For violation of Education Code Section 48900, paragraphs f and g, that the Board expel the student from the schools of the District, and that the date eligible to reapply be on or after June 19, 20089.
- 1.7 Approval of Expenditure Summary listing all checks created and Warrant Listing of expenditures over \$25,000 for the period of October 15 through October 28, 2008.
- 1.8 Approval of Purchase Order Summary of orders \$25,000 and over for the period of October 15 through November 5, 2008.
- 1.9 Approval of listing agreements/contracts between the Santa Ana Unified School District and various consultants submitted for the period of October 15 through November 5, 2008.
- 1.10 Approval to dispose of obsolete unrepairable computer equipment, miscellaneous furniture, equipment, or textbooks.
- 1.11 Authorization to amend a contract with Follett Software Company for the Destiny Textbook Management program to include the Santa Ana Unified School District.
- 1.12 Authorization to obtain Request for Proposals for auditing services districtwide.
- 1.13 Authorization to award contract for exterior painting at Garfield Elementary School to Color Concepts, in the amount of \$36,400 pursuant to Bid No. 12-089.

This item was removed for discussion and separate action.

ITEMS REMOVED FROM THE CONSENT CALENDAR FOR DISCUSSION AND SEPARATE ACTION

- 1.2 Ratification of Sub Agreement with University of California, Irvine for GEAR UP II Grant for 2008-09 School year.

The Board received clarification that this item was for approval of the carryover amount for GEAR UP II at Santa Ana High, Lathrop, and Willard Intermediate Schools to continue with the programs.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Hernandez, and carried 5-0, to ratify the sub agreement with the University of California, Irvine for GEAR UP II Grant for the 2008-09 school year.

- 1.13 Authorization to award contract for exterior painting at Garfield Elementary School to Color Concepts, in the amount of \$36,400, pursuant to Bid No. 12-089.

Mr. Dixon presented three slides showing Public Contract Code "Lowest Responsible Bidder criteria and Board authority.

Mr. Palacio questioned the construction bids in reference to amounts. He stated that he has no problem approving the bid, but has demanded that there be no change orders.

Mr. Dixon stated that he cannot guarantee that there would be no change orders.

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0 to authorize the award contract for exterior painting at Garfield Elementary School to Color Concepts, in the amount of \$36,400, pursuant to Bid No. 12-09.

REGULAR AGENDA - ACTION ITEMS

- 2.0 **ADOPTION OF REVISED 2008-09 BUDGET AND FIRST INTERIM CERTIFICATION OF FINANCIAL STATUS - OCTOBER 31, 2008**

This item was presented earlier in the meeting.

- 3.0 **APPROVAL OF 2008-09 FIRST INTERIM REPORT - POSITIVE CERTIFICATION ADDENDUM DOCUMENT**

This item was presented earlier in the meeting.

- 4.0 **ACCEPTANCE OF GIFTS IN ACCORDANCE WITH BOARD POLICY 3290 - GIFTS, GRANTS AND BEQUESTS**

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0, to accept the gifts in accordance with Board Policy (BP) 3290 - Gifts, Grants, And Bequests.

- 5.0 **APPROVAL OF APPLICATION CERTIFICATION FOR CONTINUED PARTICIPATION IN CLASS SIZE REDUCTION OPERATIONS FUNDING PROGRAM FOR GRADES K-3 FOR 2008-09 SCHOOL YEAR**

It was moved by Mr. Richardson, seconded by Mr. Palacio, and carried 5-0, to approve the application certifying continued participation in Class Size Reduction Operations Funding Program for grades K-3 for 2008-09 school year.

- 6.0 **APPROVAL OF MEMORANDUM OF UNDERSTANDING WITH CALIFORNIA PARTNERSHIP FOR ACHIEVING STUDENT SUCCESS**

Mr. Horowitz addressed questions from the Board regarding confidentiality of student information and what specific data will be shared.

It was moved by Dr. Yamagata-Noji, seconded by Mr. Palacio, and carried 4-1, Mr. Hernandez dissenting, to approve the Memorandum of Understanding with California partnership for Achieving Student Success.

MEETING RECESSED AND RECONVENED

At 10:05 p.m. President Hernández recessed the Regular Meeting for a brief intermission.

The Regular meeting reconvened at 10:10 p.m.

Board President Hernández left the meeting at this time.

7.0 RATIFICATION OF SUBMISSION OF GEAR UP GRANT APPLICATION FOR WILLARD INTERMEDIATE SCHOOL FOR 2009-11 SCHOOL YEARS

Dr. Yamagata-Noji asked that a GEAR UP presentation be agendized at a future Board meeting to receive a better understanding how the programs work at the various schools.

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, to ratify submission of GEAR UP Grant application for Willard Intermediate School for 2009-11 school years.

8.0 RATIFICATION OF AGREEMENT WITH RANCHO SANTIAGO COMMUNITY COLLEGE DISTRICT FOR GEAR UP III GRANT FOR 2008-09 SCHOOL YEAR

It was moved by Mr. Palacio, seconded by Dr. Yamagata-Noji, and carried 4-0, Mr. Hernández not present, to ratify the agreement with Rancho Santiago Community College District for GEAR UP III Grant for the 2008-09 school year.

9.0 HIGH SCHOOL ADVANCED PLACEMENT MUSIC THEORY COURSE FOR ADOPTION (NEW: FOR FIRST READING)

This was presented for first reading; no action required.

10.0 HIGH SCHOOL GUITAR COURSE FOR ADOPTION (NEW: FOR FIRST READING)

This was presented for first reading; no action required.

11.0 ADOPTION OF RESOLUTION NO. 08/09-2754 - ESTABLISHING AN ASSOCIATED STUDENT BODY FUND (FUND 95) AND A DEBT SERVICE FUND (FUND 56)

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, to adopt Resolution No. 08/09-2754 for the establishment of an Associated Student Body Fund and a Debt Service Fund.

Attached is a copy of the Resolution.

12.0 ADOPTION OF RESOLUTION NO. 08/09-2755 - AUTHORIZING LEASE OF SURPLUS REAL PROPERTY AT SPURGEON INTERMEDIATE SCHOOL

This item was presented earlier in the meeting.

Attached is a copy of the Resolution.

13.0 APPROVAL TO CLOSE AND OPEN ACCOUNTS AT VARIOUS FINANCIAL INSTITUTIONS

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 3-1, Dr. Yamagata-Noji dissenting, to approve the closing and opening of new

bank accounts as per the attached listing of "Bank Accounts to be closed and opened.

14.0 ADOPTION OF RESOLUTION NO. 08/09-2757 - ELITE CHOICE GOVERNMENTAL 457 (B) DEFERRED COMPENSATION PLAN CHANGE OF TRUSTEE/CUSTODIAN

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 4-0, to adopt Resolution No. 08/09-2754 authorizing Elite Choice Governmental 457(b) Deferred Compensation Plan change of trustee/custodian to Benefit Trust Company.

Attached is a copy of the Resolution.

15.0 APPROVAL OF SUBMISSION OF TECHNOLOGY PLAN TO CALIFORNIA DEPARTMENT OF EDUCATION FOR 2009-12 SCHOOL YEARS

Ms. Alexander Ito, Assistant Director, Instructional Technology reviewed a PowerPoint presentation. The current technology plan ends June 2009. The California State Department of Education requires submission of the 2009-12 plan for State approval with a deadline of December 5, 2008. The plan serves to meet the requirements and guidelines for technology planning outlined by the California State Department of Education, e-Rate, the Education Technology K12 Voucher Settlement, and Title II, Part D of No Child Left Behind.

It was moved by Mr. Palacio, seconded by Dr. Yamagata-Noji, and carried 4-0, to approve the submission of the Technology Plan to the California Department of Education for the 20089-12 years.

16.0 ADOPTION OF RESOLUTION NO. 08/09-2758 - FOR CONDITIONAL APPROVAL OF NOVA ACADEMY CHARTER RENEWAL PETITION

Mr. Murrey stated that NOVA Academy submitted a charter renewal petition on September 11, 2008. The original operating charter was approved on November 3, 2003, for a five year operating term that expires November 25, 2008. He stated that there are revisions to the charter petition that the District staff believes are necessary in order to more accurately reflect NOVA's program, clarify matters, and address particular concerns. Therefore, requesting that it be brought back for final consideration by March 24, 2009.

It was moved by Mr. Palacio, seconded by Mrs. Avila, and carried 4-0, to adopt Resolution No. 08/09-2758 conditionally renewing the NOVA Academy Charter contingent upon necessary changes being made to the charter and bringing it back to the Board for final consideration by March 24, 2009, for a term from July 1, 2008 through and including June 30, 2013.

Attached is a copy of the resolution.

17.0 AUTHORIZATION TO AMEND CONTRACT FOR ASPHALT, PAVING AND SEAL COATING DISTRICTWIDE

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 3-1, Mr. Palacio dissenting, to authorize amending Ben's Asphalt, Inc. contract for asphalt, paving, and seal coating repairs districtwide in the amount of \$500,000 for a total of \$1,000,000.

18.0 AUTHORIZATION TO AMEND CONTRACT FOR FLOORING SERVICES TO INCLUDE SUB FLOOR TESTING DISTRICTWIDE

It was moved by Mr. Richardson, seconded by Mrs. Avila, and carried 3-1, Mr. Palacio dissenting, to authorize amending JJJ Floor Covering, Inc. contract for flooring services to include sub floor testing districtwide in the amount of \$250,000 for a total of \$700,000.

19.0 ACCEPTANCE OF COMPLETION OF CONTRACT FOR REMOVAL AND REPLACEMENT OF AIR CONDITIONING EQUIPMENT AT FREMONT AND GARFIELD ELEMENTARY SCHOOLS

It was moved by Dr. Yamagata-Noji, seconded by Mr. Palacio, and carried 4-0, to accept the November 25, 2008, completion of contract with Comfort Conditioning Company, Inc. in the amount of \$948,000 for the removal and replacement of air conditioning equipment at Fremont and Garfield Elementary schools.

20.0 ACCEPTANCE OF BID WITHDRAWAL LETTER FROM USS CAL BUILDERS COS1 PHASE I FOR DIAMOND AND KENNEDY ELEMENTARY SCHOOLS NEW CLASSROOM BUILDINGS

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 3-1, Mr. Palacio dissenting, to accept the withdrawal letter from USS Cal Builders for COS1 Phase I for Diamond and Kennedy Elementary Schools New Classroom Buildings.

21.0 AUTHORIZATION TO AWARD CONTRACT TO LOWEST RESPONSIBLE BIDDER FOR COS1 PHASE I FOR DIAMOND AND KENNEDY ELEMENTARY SCHOOL NEW CLASSROOM BUILDINGS

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 3-1, Mr. Palacio dissenting, to authorize the awarding of contract to P.H. Hagopian, the lowest responsible bidder for a total amount of \$11,979,000, for COS1 Phase 1 for Diamond and Kennedy Elementary Schools New Classroom Buildings.

22.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE COS2 PHASE I FOR LOWELL AND GREENVILLE ELEMENTARY SCHOOLS NEW CLASSROOM BUILDINGS

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 4-0, to authorize the awarding of contract to Silver Creek Industries, lowest responsible bidder for a total amount of \$9,437,000 for Bid Package COS2 Phase 1 for Lowell and Greenville Fundamental Elementary Schools New Classroom Buildings.

23.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE COS3 PHASE I FOR SANTIAGO AND MARTIN ELEMENTARY SCHOOLS NEW CLASSROOM BUILDINGS

It was moved by Dr. Yamagata-Noji, seconded by Mr. Richardson, and carried 4-0, to authorize the awarding of a contract to P.H. Hagopian Contractor, Inc., lowest responsible bidder for a total amount of \$8,895,000 for Bid Package COS3 Phase I for Santiago and Martin Elementary Schools New Classroom Buildings.

24.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE COS4 PHASE I FOR CARR INTERMEDIATE SCHOOL NEW CLASSROOM BUILDINGS

It was moved by Dr. Yamagata-Noji, seconded by Mrs. Avila, and carried 4-0, to authorize the awarding of a contract to Al Shankle Construction Company, the lowest responsible bidder for a total amount of \$4,199,000 for Bid Package COS4 Phase I for Carr Intermediate School New Classroom Building.

25.0 ACCEPTANCE OF WITHDRAWAL LETTER FROM PUB CONSTRUCTION FOR BID PACKAGE NO. 201 FOR ROOFING AT CARR INTERMEDIATE SCHOOL UNDER EMERGENCY REPAIR PROGRAM

It was moved by Dr. Yamagata-Noji, seconded by Mrs. Avila, and carried 3-1, Mr. Palacio dissenting to accept withdrawal letter from Pub Construction for Bid Package No. 201 for Roofing at Carr Intermediate School

26.0 AUTHORIZATION TO AWARD CONTRACT TO LOWEST RESPONSIBLE BIDDER FOR BID PACKAGE NO. 201 FOR ROOFING AT CARR INTERMEDIATE SCHOOL UNDER EMERGENCY REPAIR PROGRAM

It was moved by Dr. Yamagata-Noji, seconded by Mrs. Avila, and carried 3-1, Mr. Palacio dissenting, to authorize the awarding of a contract to Best Construction, lowest responsible bidder for a total amount of \$298,450 for Bid Package No. 201 for Roofing at Carr Intermediate School under Emergency Repair Program.

27.0 AUTHORIZATION TO AWARD CONTRACT FOR BID PACKAGE NO. 203 STORM DRAINS AND 204 FENCING AT CARR INTERMEDIATE UNDER SCHOOL EMERGENCY REPAIR PROGRAM

It was moved by Mr. Richardson, seconded by Dr. Yamagata-Noji, and carried 3-1, Mr. Palacio dissenting, to authorize the awarding of a contract to Atlas Allied, Bid Package No. 203 and Lightning Fence, Inc., Bid Package No. 204, lowest responsible bidders for a total amount of \$208,600 for storm drains and \$166,000 for fencing at Carr Intermediate School under Emergency Repair Program.

28.0 APPROVAL OF REVISED JOB DESCRIPTION: SCHOOL OFFICE ASSISTANT - ELEMENTARY

AND

29.0 APPROVAL OF REVISED JOB DESCRIPTION: SCHOOL OFFICE ASSISTANT - SECONDARY

AND

30.0 APPROVAL OF REVISED JOB DESCRIPTION: LIBRARY MEDIA TECHNICIAN

Collectively, items 28.0, 29.0, 30.0, and 31.0 were moved by Dr. Yamagata-Noji, seconded by Mrs. Avila, and carried 4-0, to approve the following revised job descriptions:

School Office Assistant - Elementary
School Office Assistant - Secondary
Library Media Technician
Instructional Assistant - Special Education

31.0 APPROVAL OF PERSONNEL CALENDAR

It was moved by Mr. Palacio, seconded by Mr. Richardson, and carried 5-0 to approve the Personnel Calendar in its entirety.

A copy is attached to the Minutes.

32.0 BOARD AND STAFF REPORTS/ACTIVITIES

Mr. Palacio:

- He wished the community a happy and safe Thanksgiving Holiday.
- He announced that Santa Ana Pop Warner (Santa Ana Monarchs) team made to the Championship games in Florida.

Dr. Yamagata-Noji:

- Announced that a meeting took place regarding the District's Music programs. She thanked Superintendent Russo, Alex Ito, and other participants who met to discuss funding.
- She attended the CIF football game at Segerstrom. It is Segerstrom's second year in Varsity and they made CIF. Congratulations to students and coaches. She noted that Mike Maceranca is an outstanding coach. Valley High and Santa Ana High Schools also went to the first round in CIF. Congratulations to all teams. She suggested honoring the coaches for all their efforts.
- The Simon Foundation Scholarship event was great. It is a wonderful program that supports students through mentoring and monetary support.
- Reminder of the *Caring Educators Nurturing All* (CENA) on Christmas Eve at the Southwest Senior Center. This year due to the economy, the need is great. She asked the public to donate monetarily or to help at the great event.
- The Rueben Martinez LEAP Foundation, is hosting a "La Posada Majica" The Magical Journey at the South Coast Repertory, a benefit for the organization that provides literacy and enrichment opportunities.

Mr. Richardson:

- He echoed Mr. Palacio's comments, wishing all a Happy Thanksgiving. He said that we have many things to be thankful for this year and every year. And, that we continue receiving God's blessings. We will have difficult challenges and the community, schools, and staff will need to rely on one another to successfully get through them.
- He said that he is wearing some evidence of his recent visit to Mendez Fundamental Intermediate School, where he and three members of the faculty had their head shaved at an assembly to celebrate the success of nearly reaching 800 on their API scores.

Mr. Richardson stated that Board member Avila would have an opportunity to state her final words this evening as this would be her last Board meeting before moving on to greater things that are yet to come.

REPORT OF ACTION TAKEN IN CLOSED SESSION

Mr. Hernández reported that the Board had taken the following actions in Closed Session:

By a vote of 5-0, the Board took action to approve the suspension of a certificated employee as named in closed session.

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

By a vote of 5-0, the Board took action to approve the suspension of a certificated employee as named in closed session.

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

By a vote of 5-0, the Board took action to appoint Robert Vicario to the position of Assistant Principal at Willard Intermediate School.

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

By a vote of 4-0, the Board took action to appoint Samuel Perla to the position of Assistant Principal/Resource Teacher at Willard Intermediate School.

Moved: Hernández ___ Richardson X Yamagata-Noji ___ Avila ___ Palacio ___
 Seconded: Hernández X Richardson ___ Yamagata-Noji ___ Avila ___ Palacio ___
 Vote: Ayes 4 Noes _____ Abstain 1 Absent _____

By a vote of 5-0, the Board took action to appoint Michele Cunha to the position of Coordinator of Student Achievement/Research and Evaluation.

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

By a vote of 3-2, the Board took action to approve the reclassification of Assistant Superintendent Human Resources to Associate Superintendent of Human Resources.

Moved: Hernández X Richardson __ Yamagata-Noji ___ Avila ___ Palacio ___
 Seconded: Hernández ___ Richardson X Yamagata-Noji ___ Avila ___ Palacio ___
 Vote: Ayes 3 Noes 2 Abstain _____ Absent _____

Mrs. Avila:

- She reported on the Early Prevention Intervention Commission (EPIC), which is preparing a report to provide to the City Council with recommendations. They met in the Greater Santa Ana Business Alliance Office and Mr. Metzler provided a report on initiatives that they are involved in, including the High School Inc. at Valley High School. Mr. Kim Brown, a retired SAPD officer has a program to help people understand the gang culture. It includes a 16-hour classroom session and 16-hours of service in the community. She thanked the Board for appointing her to that commission as she has truly has enjoyed it.
- She said that the Teacher of the Year Celebration was a great way to end her Board career. The event was held at the Disneyland Hotel. This is a great way to remind us of the incredible job our teachers do. Three teachers were recognized. She is very happy that Santa Ana Unified School District teacher Mr. Armando Gutierrez made it as a finalist. And will miss all those wonderful event.
- She said that she is thankful to all the Board members and wished them well.
- She wished the community a warm Thanksgiving.

ADJOURNMENT

There being no further business to come before the Board, the meeting was adjourned at 11:30 p.m.

FUTURE MEETINGS

The next regularly scheduled meeting of the Board of Education will be held on Tuesday, December 9, 2008, at 6:00 p.m.

ATTEST:

Jane A. Russo
Secretary
Santa Ana Board of Education