

**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**Board Meeting**

**TITLE:**                    **Acceptance of Gifts in Accordance With Board Policy 3290 – Gifts, Grants, and Bequests**

**ITEM:**                    **Action**                    *CO*

**SUBMITTED BY:**    **Cathie Olsky, Ed.D., Deputy Superintendent**

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is for Board acceptance of gifts, grants, and bequests on behalf of school sites and the District. For purposes of determining the estimated value of a gift, the District does not perform an appraisal or other such valuation, rather simply reports the value of the gift as provided by the donor.

**RATIONALE:**

The Board may accept any bequest or gift of money or property on behalf of the District. While greatly appreciating suitable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all District students. The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of District philosophy and operations. If the Board believes the District will be unable to fully satisfy the donor's conditions, the gift shall not be accepted. Gift books and instructional materials shall be accepted only if they meet District criteria. At the Superintendent or designee's discretion, a gift may be used at a particular school.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Accept gifts in accordance with Board Policy (BP) 3290 – Gifts, Grants, and Bequests.

SANTA ANA UNIFIED SCHOOL DISTRICT  
GIFTS RECOMMENDED FOR ACCEPTANCE - April 26, 2011

School:	Gift:	Amount:	Donor:	Used for:
Thorpe Fundamental Intermediate		\$ 4,000	Pacific Life Foundation Mr. Robert G. Haskell Newport Beach	Computers and technology for classroom enhancement
MacArthur Fundamental Intermediate		\$ 4,000	Pacific Life Foundation Mr. Robert G. Haskell Newport Beach	Memory for computers in Computer Lab
Public Information Office		\$ 5,000	SchoolsFirst Federal Credit Union Ms. Kristin Crellin Santa Ana	2011-12 Educators of the Year Dinner and Recognition Ceremony
<b>April 26, 2011 donations</b>		<b>\$ 13,000</b>		
<b>2011 Total donations</b>	<b>\$ 142,806</b>	<b>\$155,805</b>		

/eh

For purposes of determining the estimated value of a gift, the District does not perform an appraisal or other such valuation, rather simply reports the value of the gift as provided by the donor.

**AGENDA ITEM BACKUP SHEET**

April 26, 2011

**Board Meeting****TITLE:** Adoption of High School Advanced Placement Art History Course**ITEM:** Present for Adoption**SUBMITTED BY:** Dawn Miller, Assistant Superintendent, Secondary Education**PREPARED BY:** Edward Winchester, Director, Secondary Student Achievement/Charter Schools

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval to adopt the High School Advanced Placement Art History Course in accordance with Board Policy (BP) and Administrative Regulation (AR) 6145.5 – Advanced Placement.

**RATIONALE:**

This Advanced Placement course will introduce students to a full year of college coursework through the intense study of Art History. In the course, students examine major forms of artistic expression from the ancient world to the present and from a variety of cultures. They learn to look at and analyze works of art within their historical context, and to articulate what they see or experience in a meaningful way. A meaningful way to experience works of art is learning to frame an understanding that relates how and why works of art communicate visual meaning. The main objectives of AP curriculum in Art History are to develop in students:

1. the ability to apply fundamental art and art historical terminology
2. an appreciation for the process of making and displaying art
3. an understanding of purpose and function of art
4. the ability to analyze works of art in context of historical evidence and interpretation, examining such issues as politics, religion, patronage, gender, and ethnicity
5. an understanding of cross-cultural and global nature of art
6. the ability to perform higher order thinking skills and articulate visual and art historical concepts in verbal and written forms

This course will also prepare students for the Advanced Placement Art History exam. The course currently meets the “F” requirement for University of California admissions as well as the criteria for Honors/Advanced Placement designation. Students will be encouraged to take the Advanced Placement examination in this subject area.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adopt the High School Advanced Placement Art History Course.

**AGENDA ITEM BACKUP SHEET****April 26, 2011****Board Meeting**

**TITLE:** Approval of Submission of Carol M. White Physical Education Program Grant to United States Department of Education, Office of Safe and Drug-Free Schools for 2011-14 School Years

**ITEM:** Action

**SUBMITTED BY:** Herman Menéndez, Assistant Superintendent, Educational Services

**PREPARED BY:** Frances Byfield, Ed.D., Director of Curriculum/Special Projects

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval for the submission of the Carol M. Physical Education Program (PEP) grant to the Office of Safe and Drug-Free Schools, U.S. Department of Education' office.

The grant is to expand and enhance our current physical education program for students in grades kindergarten through 12. In 2005, the YMCA PEP grant funds trained selected grades 4 and 5 students at 12 elementary schools. In 2007, Kennedy School received the services of the OnTrack PEP grant for three years to implement and train teachers and students. SAUSD has never received this grant on its own.

**RATIONALE:**

This grant will provide resources for SAUSD's teachers and students to build upon and continue making progress toward meeting physical education state standards and federal guidelines to help our students continue to be physically active for life. Funds from this grant will allow:

- Consistent implementation of a Physical Education curriculum aligned to the State Standards and federal guidelines.
- Consistent implementation of a curriculum aligned to State Nutrition Standards.
- Electronic fitness assessment to help teachers monitor and report a student's progress.
- Professional development for teachers.
- Purchase and replace physical education equipment.
- Increase student's physical fitness and academic scores opportunities.
- Provide program lead to direct and monitor programs.
- Recruit and train parents regarding the benefits of physical education and nutrition.

This grant is for \$600,000 per year for three years for a total of \$1,800,000.

**FUNDING:**

Grant Award: \$600,000

**RECOMMENDATION:**

Approve submission of the Carol M. White Physical Education Program grant to the United States Department of Education Office of Safe and Drug-Free Schools for 2011-14 school years.

## GRANT SUMMARY

Title:	Carol M. White Physical Education Program (PEP)
Funding Source:	Office of Safe and Drug-Free Schools, U.S. Department of Education
Due Date:	May 13, 2011
Contact Person:	Frances Crear Byfield, Ed.D. Director of Curriculum/Special Projects
Amount/Duration:	\$600,000 x 3 years = \$1,800,000
Grade Level / Target Population:	K-12
Budget Impact:	None
Indirect Rate:	3.70 % (2011-2012)
Personnel Impact:	10% state match year 1 and 25% State match years 2 and 3
Survey Questions:	None
<b>Grant Program Description</b>	
<p>The PEP grant supports local educational agencies in their efforts to develop and implement research-based physical education programs. The grant will expand and enhance our current physical education program for students in grades kindergarten through 12<sup>th</sup> grade. This grant will provide resources for SAUSD's teachers and students to build upon and to continue making progress toward meeting physical education state standards and federal guidelines to help our students continue to be physical active for life.</p>	
Goals/Objectives	<ul style="list-style-type: none"> <li>• 1. To help students make progress toward meeting state standards and federal guidelines in physical education, nutrition and health.</li> <li>• 2. To help students increase their physical activity in order to fight childhood obesity.</li> </ul>
Activities	<ul style="list-style-type: none"> <li>• 1. Consistent implementation of a physical education, nutrition and health curriculum aligned to the state standards and federal guidelines.</li> <li>• 2. Professional development for teachers to stay abreast of the latest research.</li> <li>• 3. Purchase physical education equipment.</li> <li>• 4. Increase student's physical fitness and academic scores using FitnessGram software.</li> <li>• 5. Outreach and partner with parents and families regarding the benefits of physical education and eating healthy.</li> </ul>

**AGENDA ITEM BACKUP SHEET****April 26, 2011****Board Meeting**

**TITLE:** Approval of Submission of K-5 California Fresh Fruit and Vegetable Program Grant Reapplication for 2011-12 School Year

**ITEM:** Action

**SUBMITTED BY:** Herman Mendez, Assistant Superintendent, Educational Services

**PREPARED BY:** Frances Crear Byfield, Ed .D., Director of Curriculum/Special Projects

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval for the submission of the California Fresh Fruit and Vegetable Program Grant reapplication to the California Department of Education, Nutrition Services Division for Santa Ana Unified School District, K-5 schools for 2011-2012 school year.

This is the fifth year of the grant. Schools are chosen based on their Free and Reduced lunch count. Schools that have 95% or higher count are assured funding. Thirty elementary schools currently receive this funding (Adams, Carver, Davis, Diamond, Edison, Esqueda, Franklin, Fremont, Garfield, Harvey, Heninger, Heroes, Hoover, Jackson, Jefferson, Kennedy, King, Lincoln, Lowell, Madison, Martin, Monroe, Monte Vista, Pio Pico, Remington, Romero-Cruz, Roosevelt, Sepulveda, Walker, Washington and Wilson).

**RATIONALE:**

This grant, a California Department of Education project, if re funded, will be used to provide students with a variety of a fresh fruit and vegetable snacks during the school day as a supplement to (and not part of) the school's breakfast and school lunch program. Additionally, this grant will teach students about good nutrition, help to combat the high obesity epidemic in Preschool – 5 students and increase their awareness of the importance of nutrition and active lifestyles.

California Department of Education, Nutrition Services Division - \$55.00 per student, estimated to be the same level of funding as the 2010 – 11 school year - \$ 1,200,000.

**FUNDING:**

Grant Award: \$1,200,000

**RECOMMENDATION:**

Approve the submission of the K-5 California Fresh Fruit and Vegetable Program grant reapplication for the 2011-12 School Year.

### GRANT SUMMARY

Title:	California Fresh Fruit and Vegetable Program Grant
Funding Source:	California Department of Education, Nutrition Services
Due Date:	May 3, 2011
Contact Person:	Frances Byfield, Ed.D.
Amount/Duration:	\$1,200,000 July 1, 2011 – June 30, 2012
Target Population (e.g. Grade Level/s )	Preschool, Kindergarten, First, Second, Third, Fourth and Fifth
Budget Impact:	None
Indirect Rate:	3.7 % (2011-2012)
Personnel Impact:	None
Survey Questions:	<i>None without prior District approval and parent consent</i>
<b>Grant Program Description</b>	
<p>This grant, is a California Department of Education project, if funded, will be used to provide students with a free fresh fruit and vegetable snacks during the school day as a supplement to (and not part of) the school breakfast and school lunch programs.</p> <p>This grant will serve to teach students about good nutrition, help to combat the high obesity epidemic in Preschool – grade 5 students, while increasing the awareness of the importance of nutrition and an active lifestyles.</p>	
Goals /Objectives	<ul style="list-style-type: none"> <li>• To improve the nutrition knowledge and awareness of eating more servings of fruits and vegetables, and limit empty caloric intake thought sweets and fats.</li> <li>• To work with Network for a Healthy California program, community and District partners to develop the nutritional knowledge and awareness of healthy nutrition and active lifestyle habits utilizing regular and extended curricular projects.</li> </ul>
Activities:	<ul style="list-style-type: none"> <li>• By June 30, 2012, students in grades Preschool -5 will daily receive an extra serving of a fresh fruit or vegetable snack during the school day.</li> <li>• By June 30, 2012, enhance students in grades Preschool -5 in nutrition education lessons infused with academic instruction using Network for a Healthy California and ELD curriculum and strategies.</li> <li>• By June 30, 2012, students will be included in nutrition education and physical activity promotions through the After School Programs and with support of community partnerships.</li> <li>• Dissemination and public awareness of this program through exhibits of students and teachers work and newsletters.</li> </ul>

**AGENDA ITEM BACKUP SHEET****April 26, 2011****Board Meeting**

**TITLE:** **Board Policy (BP) 5118 – Open Enrollment Act Transfers**  
**(For Adoption)**

**ITEM:** **Action**

**SUBMITTED BY:** **Doreen Lohnes, Assistant Superintendent, Support Services**   
**Nancy Diaz-Miller, Senior Director, Pupil Support Services**

**BACKGROUND INFORMATION:**

In accordance with the No Child Left Behind Act of 2001, Santa Ana Unified School District has provided the option of Public School Choice to families of eligible students attending a Program Improvement School. As a DAIT (District Assistance and Intervention Team) District, SAUSD offers both intra and inter-district public school choice transfers.

The purpose of this agenda item is to seek Board approval of a new Board Policy 5118 - Open Enrollment Act Transfers, pursuant to January 2010 legislation in California, SB4 (Romero). This Board Policy provides an option similar to the transfer option available under the No Child Left Behind Act referenced above. Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may request to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

**RATIONALE:**

As developed by the California School Boards Association and recommended by staff of School Legal Services, Orange County Department of Education, Board Policy 5118 is in accordance with state law and regulations and certain federal guidelines. It includes the following procedures:

- School District of Residence shall provide the parents/guardians of all pupils enrolled in a school determined to be on the list of 1,000 lowest achieving schools created by the Superintendent of Public Instruction with notice of their option to transfer to another public school served by the school district of residence or another school district.
- Transfer applications shall be submitted until April 30<sup>th</sup> of the preceding school year.
- A parent/guardian may appeal a district's denial of transfer request within 10 days of the receipt of written notification of denial.

A summary of Board Policy 5118, listing all key points, is included. The recommended new policy will bring the District into compliance with state law and regulations and federal guidelines.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adopt Board Policy (BP) 5118 – Open Enrollment Act Transfers



# **SUMMARY OF NEW BOARD POLICY (BP) 5118 SANTA ANA UNIFIED SCHOOL DISTRICT**

## **BP 5118 Recommendations**

### **Page (a) Open Enrollment Act Transfers**

**New:**

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring with a higher Academic Performance Index. (Education Code 48354, 48356)

**New:**

The Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment list in another district. Transfer applications shall be submitted until April 30 of the preceding school year for which the transfer is requested.

**New:**

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court ordered or voluntary desegregation plan in accordance with Education Code 48355.

### **Page (a) Standards for Rejection of Transfer Applications**

**New:**

Designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:
  - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12
  - b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement
  - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document
  - d. The class or grade level exceeding capacity pursuant items in subsequent years as the student advances to other grade levels at the school
2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
  - a. The hiring of additional certificated or classified staff
  - b. The operation of additional classrooms or instructional facilities

**SUMMARY OF NEW BOARD POLICY (BP) 5118  
SANTA ANA UNIFIED SCHOOL DISTRICT**

- c. Expenses incurred by district would not be covered by apportionment of funds received from the state resulting in a reduction of the resources available to resident students

**Page (b) Appeal Process for Denials of Transfer Applications**

**New:**

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with Superintendent or designee within 10 days of the receipt of written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures.

Students

Open Enrollment Act Transfers

The Governing Board desires to offer enrollment options in order to provide children with opportunities for academic achievement that meet their diverse needs. Such options shall also be provided to children who reside within another district's boundaries in accordance with law, Board policy, and administrative regulation.

Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

A parent/guardian whose child is attending a district school on the Open Enrollment List and who wishes to have his/her child attend another school within the district shall apply for enrollment using BP/AR 5116.1 - Intradistrict Open Enrollment. (cf. 5116.1 - Intradistrict Open Enrollment) (cf. 5117 - Interdistrict Attendance)

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, the Board hereby waives the January 1 deadline in Education Code 48354 for all applications for transfer from nonresident parents/guardians of children attending a school on the Open Enrollment List in another district. Transfer applications shall be submitted until April 30 of the preceding school year for which the transfer is requested. (cf. 5111.1 - District Residency) (cf. 5111.12 - Residency Based on Parent/Guardian Employment)

The Board may deny a transfer out of or into the district upon a determination by the Board that the transfer would negatively impact a court-ordered or voluntary desegregation plan in accordance with Education Code 48355.

Standards for Rejection of Transfer Applications

Pursuant to Education Code 48356, the Board has adopted the following standards for acceptance and rejection of transfer applications submitted by a parent/guardian of a student attending a school in another district on the Open Enrollment List. The Superintendent or designee shall apply these standards in accordance with Board policy and administrative regulation and shall ensure that the standards are applied uniformly and consistently applied.

As applicable, the Superintendent or designee may deny a transfer application under any of the following circumstances:

1. Upon a determination that approval of the transfer application would negatively impact the capacity of a program, class, grade level, or school building, including:
  - a. The class or grade level exceeding the district's limits pursuant to the state Class Size Reduction Program or the Morgan/Hart Class Size Reduction Program for Grades 9-12.
  - b. The site, classroom, or program exceeding the maximum student-teacher ratio specified in the district's collective bargaining agreement.
  - c. The site or classroom exceeding the physical capacity of the facility pursuant to the district's facilities master plan or other facility planning document.
  - d. The class or grade level exceeding capacity pursuant items #a-#c above in subsequent years as the student advances to other grade levels at the school. (cf. 6151 - Class Size) (cf. 7110 - Facilities Master Plan).
2. Upon a determination that approval of the transfer application would have an adverse financial impact on the district, including:
  - a. The hiring of additional certificated or classified staff
  - b. The operation of additional classrooms or instructional facilities
  - c. Expenses incurred by the district that would not be covered by the apportionment of funds received from the state resulting in a reduction of the resources available to resident students.

#### Appeal Process for Denials of Transfer Applications

A parent/guardian may appeal the district's denial of a transfer application to the Board by filing a written request of appeal with the Superintendent or designee within 10 days of the receipt of the written notification of denial. In addition, a parent/guardian who believes he/she has been subject to discrimination may file an appeal using the district's Uniform Complaint Procedures. (cf. 1312.3 - Uniform Complaint Procedures)

The Board shall schedule an appeal hearing as soon as practicable at a regular or special meeting of the Board. At the hearing, the parent/guardian shall have the right to present oral or written evidence, rebut district evidence, and question any district witnesses. Unless the parent/guardian requests that the hearing be held in open session, the hearing shall be held in closed session in order to protect the privacy of students in accordance with law. (cf. 9321- Closed Session Purposes and Agendas)

The Board shall make its decision no later than its next regularly scheduled meeting and shall send its decision to all concerned parties. The Board's decision shall be final.

#### Program Evaluation

The Superintendent or designee shall collect data regarding the number of students who transfer out of the district pursuant to the Open Enrollment Act. He/she also shall collect data regarding the number of students who apply to transfer into the district, the number of requests granted, denied, or withdrawn, and the district schools and programs receiving applications.

When the Superintendent or designee anticipates that a particular school will receive a large number of transfer applications, he/she shall study the enrollment pattern at that school in order to anticipate future resident enrollment at the school and at the district schools into which those students would normally matriculate.

The Superintendent or designee shall regularly report to the Board regarding the implementation of this program.

#### Legal Reference:

##### EDUCATION CODE

200	Prohibition of discrimination
35160.5	District policies, rules, and regulations
46600-46611	Interdistrict attendance agreements
48200	Compulsory attendance
48204	Residency requirements for school attendance
48300-48316	Student attendance alternatives, school district of choice program
48350-48361	Open Enrollment Act
48915	Expulsion; particular circumstances
48915.1	Expelled individuals: enrollment in another district
52317	Regional Occupational Center/Program, enrollment of students, interdistrict attendance

##### FAMILY CODE

6500-6552	Caregivers
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##### UNITED STATES CODE, TITLE 20

6316	Transfers from program improvement schools
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##### CODE OF REGULATIONS, TITLE 5

4700-4703	Open Enrollment Act
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##### CODE OF FEDERAL REGULATIONS, TITLE 34

200.36	Dissemination of information
200.37	Notice of program improvement status, option to transfer
200.39	Program improvement, transfer option
200.42	Corrective action, transfer option
200.43	Restructuring, transfer option
200.44	Public school choice, program improvement schools

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

CSBA: <http://www.csba.org>

California Department of Education: <http://www.cde.ca.gov>

**AGENDA ITEM BACKUP SHEET**

April 26, 2011

**Board Meeting**

**TITLE:** Administrative Regulation (AR) 5118 - Open Enrollment Act Transfers  
(For Implementation)

**ITEM:** Action

**SUBMITTED BY:** Doreen Lohnes, Assistant Superintendent, Support Services   
Nancy Diaz-Miller, Senior Director, Pupil Support Services

**BACKGROUND INFORMATION:**

The purpose of this agenda item is to provide the Board with information on a new Administration Regulation 5118, aligned to Board Policy 5118 - Open Enrollment Act Transfers. Board Policy 5118 is pursuant to January 2010 legislation in California, SB 4 (Romero). Whenever a student is attending a district school on the Open Enrollment List as identified by the Superintendent of Public Instruction, he/she may request to transfer to another school within or outside of the district, as long as the school to which he/she is transferring has a higher Academic Performance Index. (Education Code 48354, 48356)

**RATIONALE:**

As developed by the California School Boards Association and recommended by the staff of School Legal Services, Orange County Department of Education, Administrative Regulation 5118 includes the following major provisions:

- No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring.
- The application deadline shall not apply to an application requesting a transfer if parent/guardian is enlisted in the military and was relocated by the military.
- Within 60 days of receiving the application, parent/guardian shall receive written notification informing them the transfer request has been approved or denied.
- Parent/guardians are responsible for transportation.

A summary of Administrative Regulation (AR) 5118, listing all key points, is included. This new Administrative Regulation policy will bring the District into compliance with state law and regulations and federal guidelines.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Implement Administrative Regulations (AR) 5118 – Open Enrollment Act Transfers

# **SUMMARY OF NEW ADMINISTRATIVE REGULATION (AR) 5118 SANTA ANA UNIFIED SCHOOL DISTRICT**

## **AR 5118 Recommendations**

### **Page (a) Open Enrollment Act Transfers**

#### **Definitions**

##### **New:**

Enrollment school means a “low-achieving” school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Transfer Applications into a District school)

Enrollment priority shall be available to students who reside within this district. No student who resides within a school’s attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)

However, the application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48354)

Superintendent or designee shall not consider the student’s previous academic achievement, athletic performance, physical condition, English language proficiency, family income, or any of the prohibited bases for discrimination listed in Education Code 200. (Education Code 48354, 48356)

### **Page (b) Students applying for open enrollment transfers shall be assigned priority for approval**

##### **New:**

1. First priority for the siblings of students who already attend the desired school
2. Second priority for students transferring from program improvement school ranked in decile 1 on the Academic Performance Index (API)

##### **New:**

If the number of students who request a particular school exceeds the number of spaces available at that school, conduct a lottery, in the group priority order

##### **New:**

Within 60 days of receiving the application, Superintendent or designee shall provide written notification to parent/guardian and the student’s district of residence as to whether the application has been accepted or rejected.



**SUMMARY OF NEW ADMINISTRATIVE REGULATION (AR) 5118  
SANTA ANA UNIFIED SCHOOL DISTRICT**

**Page (b) Terms of Approval**

**New:**

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (5 CCR 4703)

**New:**

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

**Page (c) Terms of Approval**

**New:**

A student admitted to a district school through this process shall be deemed to have fulfilled district residency requirements pursuant to Education Code 48204 and shall not be required to reapply for enrollment in that school, regardless of whether his/her school of residence remains on the Open Enrollment List

**New:**

Guardians are responsible for transporting their children and school

**SANTA ANA UNIFIED SCHOOL DISTRICT**

**AR 5118 (a)**

**Students**

**Open Enrollment Act Transfers**

**Definitions**

District of enrollment means the district, other than the district in which the student's parent/guardian resides, in which the parent/guardian intends to enroll his/her child. (Education Code 48352) District of residence means the district in which the parent/guardian of a student resides and in which the student would otherwise be required to enroll pursuant to Education Code 48200. (Education Code 48352) (cf. 5111.1 - District Residency) (Open Education Code 48352; 5 CCR 4701)

Enrollment school means a "low-achieving" school identified by the Superintendent of Public Instruction (SPI) pursuant to Education Code 48352 and 5 CCR 4701. (Transfer Applications into a District School)

Enrollment priority shall be available to students who reside within this district. No student who resides within a school's attendance area or who is currently enrolled in a school shall be displaced by a student who is transferring pursuant Education Code 48350-48361 or 5 CCR 4700-4703. (Education Code 48354, 48356)

Applications shall be submitted within the deadlines established by Board policy. However, the application deadline shall not apply to an application requesting a transfer if the parent/guardian with whom the student resides is enlisted in the military and was relocated by the military within 90 days prior to submitting the application. (Education Code 48354) (cf. 6173.2 - Education of Children of Military Families)

The parent/guardian's application may request enrollment of his/her child in a specific school or program. Requests for admission to a magnet school or program designed to serve gifted and talented students shall be subject to the usual admission requirements established by the district for district students. Except for such specialized admission requirements, the Superintendent or designee shall not consider the student's previous academic achievement, athletic performance, physical condition, English language proficiency, family income, or any of the prohibited bases for discrimination listed in Education Code 200. (Education Code 48354, 48356) (cf. 0410 - Nondiscrimination in District Programs and Activities) (cf. 6172 - Gifted and Talented Student Program)

Students applying for open enrollment transfers shall be assigned priority for approval as follows: (Education Code 48356):

1. First priority for the siblings of students who already attend the desired school.

2. Second priority for students transferring from a program improvement school ranked in decile 1 on the Academic Performance Index (API).

If the number of students who request a particular school exceeds the number of spaces available at that school, the Superintendent or designee shall conduct a lottery, in the group priority order identified in items #1 and #2 above, to select students at random until all of the available spaces are filled. (Education Code 48356)

Within 60 days of receiving the application, the Superintendent or designee shall provide written notification to the parent/guardian and the student's district of residence as to whether the application has been accepted or rejected. If the application has been rejected, the notice shall state the reasons for the rejection. If the application has been approved, the notification shall specify the particular school site and the school's address to which the student has been admitted. (Education Code 48357; 5 CCR 4702)

#### Terms of Approval

The Superintendent or designee shall ensure that the school to which the student is transferring has a higher API than the school in which the student was previously enrolled. (Education Code 48356)

The parent/guardian shall enroll his/her child on or before the first day of instruction or within 14 calendar days of receipt of the district's notice of approval of the application, whichever is later. If the parent/guardian fails to enroll his/her child within this timeframe, the district may decline to enroll the student. (5 CCR 4703)

Upon enrollment, the district shall grant the student any credits towards graduation that he/she received from his/her district of residence. The student shall be eligible for graduation from district schools upon completion of state and district of enrollment graduation requirements. (Education Code 48358) (cf. 6143 - Courses of Study) (cf. 6146.1 - High School Graduation Requirements) (cf. 6146.5 - Elementary/Middle School Graduation Requirements) (cf. 6162.52 - High School Exit Examination)

A student admitted to a district school through this process shall be deemed to have fulfilled district residency requirements pursuant to Education Code 48204 and shall not be required to reapply for enrollment in that school, regardless of whether his/her school of residence remains on the Open Enrollment List. (Education Code 48356; 5 CCR 4702)

Once admitted, a transfer student who wishes to matriculate into a district middle or high school or transfer to another district school shall reapply for admission to the new school pursuant to the requirements of Board policy and administrative regulation. Parents/guardians are responsible for transporting their children to school.

Transfers Out of District Schools on the Open Enrollment List

Upon identification by the California Department of Education (CDE) that a district school is on the Open Enrollment List, the Superintendent or designee shall notify the parents/guardians of each student enrolled in the school of the option to transfer. This notice shall be provided by the first day of instruction. However, if the CDE has not notified the district whether a school is on the list by the first day of instruction, the notification shall be provided no later than 14 calendar days after the Open Enrollment List is posted on the CDE's web site. (Education Code 48354; 5 CCR 4702) (cf. 0520.2 - Title I Program Improvement Schools) (cf. 5145.6 - Parental Notifications)

Approved:

Santa Ana, CA

**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**Board Meeting**

**TITLE:** Approval of Cancellation of 2011 High School Summer School Program

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services  
Dawn Miller, Assistant Superintendent, Secondary Education

---

**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval to cancel the credit recovery/intervention summer school at all six comprehensive high schools. This action item will rescind the Board's action item on the April 12, 2011 Board meeting that approved the High School Summer School Program for 2011.

**RATIONALE:**

In light of the budget climate, Administration recommends the cancellation of the High School Summer School Program for 2011 as the District will be able to create a budget savings of \$1 million to the General Fund.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Approve the cancellation of the 2011 High School Summer School Program.

**AGENDA ITEM BACKUP SHEET****April 26, 2011****Board Meeting**

**TITLE:** Adoption of Resolution No. 10/11-2874 – Supporting Passage of Senate Constitutional Amendment 5 Which Will Empower Local Voters to Invest in Their Schools Based on Needs of Their Communities by Requiring a 55 Percent Vote to Pass Local Parcel Taxes

**ITEM:** Action

**SUBMITTED BY:** Jane A. Russo, Superintendent

**PREPARED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board adoption of Resolution No. 10/11-2874, supporting passage of Senate Constitutional Amendment (SCA) 5 which will empower local voters to invest in their schools based on the needs of their communities by requiring a 55 percent vote to pass local parcel taxes.

**RATIONALE:**

Senator Joseph Simitian, has sent a request for support of SCA 5, which would allow school districts, community college districts, and county offices of education to approve a local parcel tax with a 55 percent majority vote rather than the currently required two-thirds. It is the Senator's intent that this legislation will alleviate the financial stress that schools are experiencing.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adoption of Resolution No. 10/11-2874, supporting passage of Senate Constitutional Amendment (SCA) 5 which will empower local voters to invest in their schools based on the needs of their communities by requiring a 55 percent vote to pass local parcel taxes.

1 RESOLUTION NO. 10/11-2874

2 BOARD OF EDUCATION

3 SANTA ANA UNIFIED SCHOOL DISTRICT

4 ORANGE COUNTY, CALIFORNIA

5  
6 **Supporting passage of Senate Constitutional Amendment (SCA) 5 which will empower**  
7 **local voters to invest in their schools based on their needs of their communities**  
8 **by requiring a 55 percent vote to pass local parcel taxes**  
9

10 WHEREAS, Senate Constitutional Amendment 5 (Simitian), which reduces the  
11 two-thirds vote requirement on parcel taxes, will be acted on by the California  
12 State Legislature; and

13 WHEREAS, reductions in the state General Fund revenue have led to reduced  
14 school funding; and

15 WHEREAS, state General Fund revenue is unstable and erratic, which results in  
16 unpredictable funding levels for school districts and county offices of education;  
17 and

18 WHEREAS, parcel tax revenue can provide a stable, predictable source of  
19 school revenue; and

20 WHEREAS, passage of SCA 5 will empower local voters to invest in their  
21 schools based on the needs of their communities by requiring a tough, but fair 55  
22 percent vote to pass local parcel taxes, while protecting taxpayers and homeowners  
23 with accountability provisions that will ensure that funds generated from parcel  
24 taxes are not wasted or mismanaged; and

25 WHEREAS, revenue from parcel taxes can be spent according to local priorities  
26 and are not subject to state control; and

27 WHEREAS, the two-thirds vote requirements results in minority rule by  
28 requiring two "yes" votes to cancel out one no vote; and

29 WHEREAS, passage of SCA 5 will allow local voters to decide to make  
30 investments in their neighborhood schools in addition to state funding; and

31 NOW, THEREFORE, BE IT RESOLVED: That the governing board of the Santa Ana  
32 Unified School District strongly urges the California State Legislature to support  
33 and adopt SCA 5.

34 Upon motion of Member \_\_\_\_\_ and duly seconded, the foregoing  
35 Resolution was adopted by the following vote:

36 AYES:

37 NOES:

38 ABSENT

39 STATE OF CALIFORNIA )  
40 ) SS:  
41 COUNTY OF ORANGE )  
42

43 I, Jane Russo, Secretary of the Board of Education of the Santa Ana Unified  
44 School District of Orange County, California, hereby certify that the above and  
45 foregoing Resolution was duly adopted by the said Board at a regular meeting  
46 thereof held on the \_\_\_\_ day of \_\_\_\_\_, 2011, and passed by a vote of  
47 \_\_\_\_\_ of said Board.

48 IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_ day of  
49 \_\_\_\_\_, 2011.  
50

51  
52 \_\_\_\_\_  
53 Jane Russo, Secretary  
54 Board of Education  
55 Santa Ana Unified School District  
56  
57  
58  
59  
60



**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**12.0**

**Board Meeting**

**TITLE:**                    **Approval to Name Pio Pico Library in Recognition of Former Volunteer Librarian - Temi Acone Doty**

**ITEM:**                    **Action**  
**SUBMITTED BY:** **Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations**

---

**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board to name the Pio Pico Library in recognition of former volunteer librarian – Temi Acone Doty.

**RATIONALE:**

In accordance with Board Policy (BP) and Administrative Regulation (AR) 7310 – Naming of a School/Facility, the Board of Education is requested to approve the naming of the Library at Pio Pico Elementary School in recognition of Temi Acone Doty.

Ms. Temi Acone Doty was Pio Pico's volunteer librarian from 1991 (when the school opened) until 2008. In addition to coordinating and managing the school library, she served as a mentor to students and staff, provided additional office support and supported student recognition programs with focus on literacy skills. During her time at Pio Pico, she was instrumental in developing the positive and nurturing school climate found at Pio Pico to this day.

**RECOMMENDATION:**

Approve the naming of Pio Pico Elementary School Library in recognition of former volunteer librarian - Temi Acone Doty.

**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**13.0**

**Board Meeting**

**TITLE:**                   **Approval of Disposal of Obsolete District Owned Portable Classrooms Districtwide**

**ITEM:**                   **Action**

**SUBMITTED BY:** **Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations**

**PREPARED BY:**   **Todd Butcher, Director of Construction**

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval for the disposal of District owned obsolete portable classrooms and the removal from the District Asset Inventory Districtwide.

**RATIONALE:**

The success of the District's Building Programs – Critically Overcrowded Schools, Overcrowding Relief Grant, and Modernization Programs is resulting in a surplus of obsolete portable classrooms that need to be removed from our school sites. The cost of rehabilitating and attempting to relocate these classrooms for further use far exceeds the value.

**FUNDING:**

State School Facility Program/Measure G: Not to exceed \$6,000 per classroom

**RECOMMENDATION:**

Approve the disposal of obsolete portables and the removal from the Asset Inventory.

SCHOOL	SERIAL NUMBER	ROOM NUMBER
DAVIS	2CB0406-07	42
	2AA7084	RR
TOTAL -2		
EDISON	1130	38
	1121	8
	1015	10
	1026	11
	1025	125
	1145	14
	1124	19
	2302-03	20
	2306-07	28
	2324-25	29
	2388-89	30
TOTAL-11		
HENNINGER	NO DISTRICT OWNED	
TOTAL-0		
MacARTHUR IS	9220-21	4C
	2282-83	4A
	C5740068-AB	4B
	2478-79	25
	2556-57	26
	2624-25	27
	2558-59	28
TOTAL-7		
SIERRA IS	130A-B	2-9
	131A-B	2-10
	197A-B	2-11
	1103	6-1
	1023	6-2
	1065	6-3
	1007	6-4
	1095	6-5
	2CB0676-77	7-0
	2C0660-61	7-1
TOTAL-10		
SPURGEON IS	PC357Y0062 A-B	P-17
	ES16620-21	P-A
	7814401-02	P-C
	5452-53	P-18
	1048	Shed
TOTAL-5		
WILLARD IS	19367-68	B-8
	5398-99	B-9
	1047	B-10

	1580	B-7
	29498	B-20
	5396-5397	B-3
	2BA1369-70	B-4
	2AA7562	RR
<b>TOTAL-8</b>		
<b>CENTURY HS</b>	12864-65	502
	12866-67	503
	12868-69	504
	12870-71	505
	12872-73	506
	12874-75	507
	12876-77	508
	2BA1200-01	911
<b>TOTAL-8</b>		
<b>SANTA ANA HS</b>	2222-23	B-38
	2244-45	B-37
	2296-97	B-36
	2472-73	B-35
	2454-55	B-34
	2392-93	B-33
	2456-57	B-31
	27455	B-99
	162A-B	ATP-23
	163A-B	ATP-24
	164A-B	ATP-25
	166A-B	ATP-26
	Cannot Verify	B-40
	Cannot Verify	B-41
	Cannot Verify	B-42
	Cannot Verify	B-32
	Cannot Verify	Training
<b>TOTAL-17</b>		

#### **SAUSD OWNED PORTABLE SUMMARY**

HENNIGER-0

SIERRA-10

SPURGEON-5

CENTURY HS-8

SANTA ANA HS-17


**TOTAL-40**

**AGENDA ITEM BACK-UP SHEET**  
**April 26, 2011**

**14.0**

**Board Meeting**

**TITLE:** Authorization to Award Contract to Williams Scotsman, Inc. for Lease of Portable Classrooms and Interim Housing Portables Districtwide

**ITEM:** Action 

**SUBMITTED BY:** Joe Dixon, Assistant Superintendent, Facilities & Governmental Relations

**PREPARED BY:** Todd Butcher, Director of Construction

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**BACKGROUND INFORMATION:**

The purpose of this agenda is to seek Board authorization to award a contract to Williams Scotsman, Inc for the lease of portable classrooms and interim housing portables Districtwide utilizing the Los Alamitos Unified School District contract with Williams Scotsman, Inc pursuant to piggyback Bid No. 2010-0002. Legal Counsel from the Orange County Department of Education approved the use of this piggyback bid.

**RATIONALE:**

The Los Alamitos Unified School District awarded a competitively bid contract, Bid No. 2010-0002, to Williams Scotsman, Inc for the lease of Department of State Architect (DSA) approved relocatable classroom buildings and California Department of Housing (DOH) relocatable buildings. By utilizing the Los Alamitos Unified School District contract awarded to Williams Scotsman, the District will save the cost of competitively bidding the lease of portables required during the District's Measure G and State School Facility Program projects. The District is authorized by Public Contract Code section 20118 to utilize contracts awarded by other school districts and the District staff has determined that it is in the District's best interest to lease these portables from Williams Scotsman since these portables meet the District's requirements at very competitive lease rates. The proposal dated December 12, 2010 submitted by Williams Scotsman, Inc. is attached hereto as Exhibit A.

**Currently, we have a contract with Mobile Modular that has been extended for 2 years. The cost of the Mobile Modular rentals is approximately \$5700 per year per portable – this piggy back will allow us to save significantly since the cost is in the \$2700 per unit per year range. It is the goal of facilities to return all the higher lease rate Mobile Modular classrooms within the next 3 years.**

**FUNDING:**

State School Facility Program/Measure G: See attached rate sheet.

**RECOMMENDATION:**

Authorize staff to award a contract to Williams Scotsman, Inc. for the lease of portable classrooms and interim housing portables utilizing the Los Alamitos Unified School District contract awarded to Williams Scotsman, Inc. pursuant to piggyback Bid No. 2010-0002, and to authorize the Assistant Superintendent, Facilities & Governmental Relations to execute any required documents.

**AGENDA ITEM BACKUP SHEET****April 26, 2011****Board Meeting**

**TITLE:** Approval of Service Agreement With Santa Ana Unified School District and Orange County High School of the Arts Charter School

**ITEM:** Action

**SUBMITTED BY:** Michael P. Bishop, Sr., CBO, Associate Superintendent, Business Services

**PREPARED BY:** Camille Boden, Executive Director of Risk Management  
David Valentin, Chief of Police

---

**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval of a Master Service Agreement with Santa Ana Unified School District and the Orange County High School of the Arts (OCHSA) Charter School for police services.

**RATIONALE:**

Santa Ana Unified School District Police Department will provide on campus police services to the Orange County High School of the Arts Charter School. The agreement will include a police officer on campus, traffic control as well as afterhours alarm coverage response seven (7) days a week. The District will purchase a fully equipped police vehicle and OCHSA will reimburse the District for the purchase price. The term of the agreement covers a period of four (4) years commencing on July 1, 2011, and ending on June 30, 2015, subject to renewals upon mutual written agreement. Year one (1) cost, including start up expenses, will be \$132,636; following Year one (1), the annual cost to OCHSA will be \$124,136. SAUSD Board approval is contingent on OCHSA Board approval.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Authorize Administration to approve the Service Agreement with Santa Ana Unified School District and the Orange County High School of the Arts Charter School for a period not to exceed four (4) years.

**SERVICE AGREEMENT  
BETWEEN  
SANTA ANA UNIFIED SCHOOL DISTRICT  
AND THE  
ORANGE COUNTY HIGH SCHOOL OF THE ARTS CHARTER SCHOOL**

This **SERVICE AGREEMENT** (the "Agreement") dated \_\_\_\_\_, is made and entered into between the Santa Ana Unified School District, hereinafter referred to as "SAUSD," and the Orange County High School of the Arts, hereinafter referred to as "OCHSA." All correspondence to SAUSD should be sent via U.S. Mail to: 1601 E. Chestnut Avenue, Santa Ana, CA 92701; correspondence to OCHSA should be sent via U.S. Mail to 1010 N. Main Street, Santa Ana, CA 92701.

This Agreement shall govern all provisions for services which are to be delivered by SAUSD to OCHSA. This Agreement is based upon the following Recitals and subject to the Terms and Conditions mutually agreed upon by the Parties, and each of them.

**Recitals**

***Whereas***, SAUSD agrees to provide law enforcement Services to OCHSA.

***Whereas***, SAUSD acknowledges that the execution of this Master Service Agreement (MSA) in no way constitutes a guarantee of any work;

***Now, therefore***, in consideration of the Recitals and mutual covenants provided in this Agreement, SAUSD and OCHSA agree:

**Terms and Conditions**

**1. SERVICES OF SAUSD**

SAUSD covenants and agrees with OCHSA to perform the following services:

Said services will be provided both on the campus of OCHSA and the neighboring areas to include traffic control. Said services will include after hours alarm coverage response 7 days a week. Overtime will be billed separately, at the appropriate Santa Ana Unified School District overtime rate.

Said services will include the salary of the Police Officer assigned and any associated capital expenditures as described in the chart below:



	Year One-Start Up	Annual Expense (Year 2-4)
<b>Compensation</b>		
Sworn police officer including benefits	\$106,261	\$106, 261
<b>Capital and Operating Expenditures</b>		
Weapons and Equipment: One (1) Glock handgun, one Bushmaster .223 carbine, spare magazines for both weapons; associated training, range and duty ammunition for the first year. All required safety gear; Portable police radio (pac-set) and computer, printer and miscellaneous office supplies	\$8,500	Not Applicable
Vehicle acquisition ( cost of \$43,500 to be pro-rated over four (4) years	\$10,875	\$10,875
Fuel, uniform, equipment replacement and maintenance; POST mandated training	\$7,000	\$7,000
<b>Total Cost:</b>	<b>\$132,636</b>	<b>\$124,136</b>

Work authorized by SAUSD is limited to those specific services listed above, and SAUSD agrees to undertake no other services for OCHSA, under the auspices of this Agreement, whether directly or indirectly, without the prior written consent of SAUSD.

## 2. TERM OF AGREEMENT

This Master Service Agreement between SAUSD and OCHSA executed on \_\_\_\_\_, and shall be effective for a twelve month period commencing July 1, 2011. This agreement may be automatically renewed or extended through June 30, 2015. The Agreement may be terminated by either party by sending notice via U. S. Mail to the business addresses cited above 30 days prior to the termination of services.

## 3. COMPENSATION

SAUSD agrees to limit charges for service to amounts not to exceed the quotations provided to OCHSA in Section 1 of the Terms and Conditions appearing on page one of this Agreement. All fee schedules and service charges submitted as a part of this Agreement.

All arrangements for the specific work to be performed pursuant to this Agreement and arrangements for payment for such services shall be made solely between SAUSD and OCHSA. Should SAUSD and OCHSA agree to enter into a contract exceeding the scope of or differing from the projects listed in Section 1 of this Agreement, such a contract--and any compensation due--shall and must be the subject of a further and separate writing executed between the OCHSA and SAUSD.

4. **EXPENSES**

All expenses for services of OCHSA under this Agreement, and SAUSD's obligations to compensate OCHSA for services, shall be governed by Section three of this Agreement. Should SAUSD incur additional or unanticipated expenses, SAUSD shall provide notice to OCHSA of such expenses and OCHSA shall be obligated to pay for, or reimburse, said expenses.

5. **ASSIGNMENT**

Services which are the subject of this Agreement shall not be assigned by SAUSD without the prior consent of OCHSA. Consent may be withheld by OCHSA at its sole and unrestricted discretion, and proof of authorization to perform work is the sole responsibility of OCHSA. Should an assignment be consented to by OCHSA, the terms and conditions of this Agreement shall be binding on OCHSA's successors and assigns.

6. **INDEMNIFICATION**

OCHSA shall indemnify and hold harmless SAUSD, its officers, agents, and employees, from and against any and all claims, demands, losses, or liabilities of any kind or nature which OCHSA, its officers, agents, and employees may sustain or incur or which may be imposed upon them for injury to or death of persons, or damage to property as a result of, or arising out of, negligence of OCHSA, its officers, agents, employees, subtenants, invitees, or licensees, in connection with the provided services by SAUSD.

Likewise SAUSD shall indemnify and hold harmless OCHSA, its officers, agents, and employees from and against any and all claims, demands, losses, or liabilities of any kind or nature which SAUSD, its officers, agents, and employees may sustain or incur or which may be imposed upon them for injury to or death of persons, or damage to property as a result of, or arising out of, the sole negligence of SAUSD, its officers, agents, or employees, in connection with the provided services.

7. **INSURANCE**

OCHSA shall procure and maintain for the duration of this agreement insurance against claims for injury to or death of persons, or damage to property, which may arise from or in connection with the provided services by SAUSD, its officers, agents, or employees, in an amount no less than:

- a. General Liability: \$1,000,000 per occurrence for bodily injury, personal injury and property damage. If Commercial General Liability Insurance or other form with a general aggregate limit is used, the general aggregate limit shall be no less than \$2,000,000.
- b. OCHSA shall furnish SAUSD with an original certificate of insurance and separate additional insured endorsements evidencing coverage as required by this clause. All endorsements are to be received and approved by SAUSD prior to commencement of services by SAUSD.

8. **APPLICABLE LAW**

This Agreement shall be construed, enforced and administered according to the laws of the State of California.

9. **ARBITRATION**

Should any dispute arise between OCHSA and SAUSD concerning the terms of this Agreement, or any matter arising directly or indirectly out of this Agreement, at the discretion of SAUSD and OCHSA, information relating to the dispute shall be provided to one or more of SAUSD's consulting firms/agents for the purpose of procuring their assistance in reaching a resolution. Should this procedure not result in a resolution, at the discretion of SAUSD and OCHSA, said dispute shall be resolved through binding arbitration before the American Arbitration Association ("AAA") at the location nearest to the SAUSD office. The binding arbitration shall be governed by the rules of AAA. OCHSA and SAUSD may agree to another third party for binding arbitration or may elect to waive this provision; but any such agreement must and shall be in a writing signed by authorized representatives of OCHSA and SAUSD and specifically reference an intention to waive this provision.

10. **ATTORNEYS FEES AND COSTS**

In the event of any breach, failure to perform or dispute arising directly or indirectly out of this Agreement, including the performance of the terms and conditions recited, the prevailing party shall be entitled to recover all reasonable legal fees, costs, experts' fees or other expenses incurred. This provision shall apply regardless of whether the breach, failure to perform or dispute reaches the point of binding arbitration or other formal proceedings between the OCHSA and SAUSD.

11. **INTEGRATION**

This Agreement and all warranties contained in OCHSA's response to SAUSD's cost for services as noted in Section one of this agreement reflect a fully integrated document, superseding any prior or concurrent oral or written understandings, agreements or representations.

This Agreement may only be revised, amended or otherwise changed by a subsequent writing, signed by the Parties, evidencing a specific intent to amend, change or modify this Agreement.

12. **ENTIRE AGREEMENT**

This Agreement shall constitute the entire agreement between the parties relating to the law enforcement services to be provided to by SAUSD to OCHSA as specified in section one. This Agreement may only be changed by the parties' written mutual agreement.

**13. TERMINATION**

Either party can terminate this Agreement during the term of this Agreement, with or without cause, upon thirty (30) days' written notice of termination.

**14. SEVERABILITY**

If any of the provisions of this Agreement are held by a court of law to be illegal, invalid, or unenforceable, the remaining provisions of this Agreement shall be legal, valid and enforceable.

**15. AUTHORITY**

The undersigned warrant that they are duly authorized representatives of the Parties and have been empowered to execute this Agreement on behalf of party indicated.

**SANTA ANA UNIFIED SCHOOL DISTRICT  
(SAUSD)**

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**ORANGE COUNTY HIGH SCHOOL OF ARTS  
(OCHSA)**

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**Board Meeting**

**TITLE:**                   **Adoption of Resolution No. 10/11-2875 - Proclaiming May 2-6, 2011, as National Teacher/Support Staff Appreciation Week and May 15-21, 2011, as Classified Employee Week**

**ITEM:**                   **Action**

**SUBMITTED BY:**   **Juan M. Lopez, Associate Superintendent, Human Resources**

**PREPARED BY:**   **Angela Burrell, Public Information Officer**

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to adopt a resolution declaring May 2-6, 2011, as National Teacher/Support Staff Appreciation Week and May 15-21, 2011, as Classified Employee Week. A letter of appreciation from the Superintendent will be issued to all employees. Additionally, a tribute to employees for their ongoing contribution to the educational process will be aired on SAUSD TV Channel 31 and the website.

**RATIONALE:**

The Santa Ana Unified School District hereby recognizes and wishes to honor the contributions of teachers, support staff and classified employees as partners in producing an environment that supports and encourages learning. SAUSD employees fill many roles as listeners, explorers, role models, motivators and mentors. The school district is aware of the valuable services they give to students and schools and the vital role in providing for the welfare and safety of our students.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adopt Resolution 10/11-2875 - Proclaiming May 2-6, 2011, as National Teacher/Support Staff Appreciation Week and May 15-21, 2011, as Classified Employee Week

**AGENDA ITEM BACKUP SHEET****April 26, 2011****Board Meeting**

**TITLE:** Adoption of Resolution No. 10/11-2876 - Proclaiming May 6-12, 2011, as National School Nurses' Week

**ITEM:** Action

**SUBMITTED BY:** Jane A. Russo, Superintendent

**PREPARED BY:** Angela Burrell, Public Information Officer

---

**BACKGROUND INFORMATION:**

The purpose of this agenda item is to adopt a resolution declaring May 6-12, 2011, as School Nurses' Week. A letter of appreciation from the Superintendent will be issued to all school nurses. Additionally, a tribute to nurses for their ongoing contribution to the educational process will be aired on SAUSD TV Channel 31 and the website.

**RATIONALE:**

In addition to providing services to students and health instruction, quality nurses provide invaluable inspiration, encouragement and support to students. The Santa Ana Unified School District commemorates the unique contribution of our school nurses to the total education program and urges all citizens to participate in observances that express their appreciation for our nurses and the services they provide.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adopt Resolution 10/11-2876 designating May 6-12, 2011, as National School Nurses' Week.

1 RESOLUTION NO. 10/11-2875

2 BOARD OF EDUCATION

3 SANTA ANA UNIFIED SCHOOL DISTRICT

4 ORANGE COUNTY, CALIFORNIA

5 Teacher/Support Staff Appreciation Week

6 AND

7 CLASSIFIED EMPLOYEE WEEK

8 WHEREAS, education is the basis for attaining individual success and for  
9 developing an informed, responsible society; and,

10 WHEREAS, the future of this school district, state and nation depends  
11 largely on the academic achievements and workplace contributions of Santa Ana's  
12 young people; and,

13 WHEREAS, teachers, support staff, and classified employees are partners  
14 along with parents in producing an environment that supports and encourages  
15 learning; and,

16 WHEREAS, the Board of Education of the Santa Ana Unified School District  
17 recognizes that each student needs an opportunity to understand the common  
18 humanity underlying all people; and,

19 WHEREAS, this school district is cognizant of the importance of this  
20 collaboration for the benefit of all students; and,

21 WHEREAS, it is appropriate for the Santa Ana Unified School District to  
22 acknowledge its teacher corps and support staff on Day of the Teacher and its  
23 classified staff during Classified Employee Week;

24 NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Unified School District's  
25 Board of Education proclaims May 2-6, 2011, as National Teacher/Support Staff  
26 Appreciation Week in addition to proclaiming May 15-21, 2011, as Classified  
27 Employee Week and urges all citizens to participate in observances that express  
28 their gratitude and appreciation for teachers and classified employees.

1                   Upon motion of Member \_\_\_\_\_ and duly seconded, the foregoing  
2 Resolution was adopted by the following vote:

3           AYES:

4           NOES:

5           ABSENT

6 STATE OF CALIFORNIA       )  
7                                       ) ss.  
8 COUNTY OF ORANGE       )

9  
10           I, Jane A. Russo, Secretary of the Board of Education of the Santa Ana  
11 Unified School District of Orange County, California, hereby certify that the  
12 above and foregoing Resolution was duly adopted by the said Board at a regular  
13 meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and passed by a  
14 vote of \_\_\_\_\_ of said Board.

15           IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of  
16 \_\_\_\_\_, 2011.

17  
18  
19                                       \_\_\_\_\_  
20 Jane A. Russo, Secretary  
21 Board of Education  
Santa Ana Unified School District



1 RESOLUTION NO. 10/11-2876

2 BOARD OF EDUCATION

3 SANTA ANA UNIFIED SCHOOL DISTRICT

4 ORANGE COUNTY, CALIFORNIA

5 Proclamation Declaring National School Nurses' Week - May 6-12, 2011

6 WHEREAS, our children are our most valuable resource, and educational  
7 achievement is directly affected by their health and well-being; and,

8 WHEREAS, our school District continues to enroll students and provide  
9 education to those with multiple-and-severe health conditions; and,

10 WHEREAS, the number of students with unmet health needs is increasing,  
11 thereby potentially interfering with normal developmental milestones and academic  
12 success; and,

13 WHEREAS, school nurses are charged with the responsibility of addressing  
14 these critical issues and providing diligent care for the health, development, and  
15 disease control of all students through implementation of our health services  
16 program; and,

17 WHEREAS, school nursing services include health assessments, interventions,  
18 education, referrals, development and supervision of specialized health care plans  
19 for medically involved students, and networking with community agencies.

20 NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Unified School District's  
21 Board of Education declares May 6-12, 2011, as "National School Nurses' Week" and  
22 commemorates the unique contribution of our school nurses to the total education  
23 program.

24 Upon motion of Member \_\_\_\_\_ and duly seconded, the foregoing  
25 Resolution was adopted by the following vote:

26 AYES:

27 NOES:

28 ABSENT

1 STATE OF CALIFORNIA )

2 COUNTY OF ORANGE )

3 I, Jane A. Russo, Secretary of the Board of Education of the Santa Ana  
4 Unified School District of Orange County, California, hereby certify that the  
5 above and foregoing Resolution was duly adopted by the said Board at a regular  
6 meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and passed by a  
7 vote of \_\_\_\_\_ of said Board.

8 IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of  
9 \_\_\_\_\_, 2011.

10  
11  
12 \_\_\_\_\_  
13 Jane A. Russo, Secretary  
14 Board of Education  
Santa Ana Unified School District

**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**Board Meeting**

**TITLE:** Adoption of Resolution No. 10/11-2877 - Proclaiming May 2011 as Asian Pacific American Heritage Month

**ITEM:** Action

**SUBMITTED BY:** Jane A. Russo, Superintendent

**PREPARED BY:** Angela Burrell, Public Information Officer

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to adopt a resolution declaring May 2011 as Asian Pacific American Heritage Month in the Santa Ana Unified School District. This year the school district plans to host an Asian Pacific American Conference during the month of May for parents.

**RATIONALE:**

The Santa Ana Unified School District is committed to honoring and respecting the cultural diversity and many contributions made by the local Asian Pacific American community, including the parents and students of the school district. SAUSD seeks to ensure that all students are educated as to the background, history, and contributions of Asian Pacific Americans in the United States.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Adopt Resolution 10/11-2877 designating May 2011 as SAUSD's Asian Pacific American Heritage Month.

**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**19.0**

**Board Meeting**

**TITLE:** Adoption of Resolution 10/11-2878 - Proclaiming May 12, 2011, as Parents' Day in the Santa Ana Unified School District

**ITEM:** Action

**SUBMITTED BY:** Jane A. Russo, Superintendent

**PREPARED BY:** Angela Burrell, Public Information Officer

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to adopt a resolution declaring Thursday, May 12, 2011, prior to the ending of the school year, as the Day of Commemoration of National Parents' Day in the Santa Ana Unified School District (SAUSD). National Parents' Day is Sunday, July 24, 2011. SAUSD will recognize parents at all three levels (Elementary, Intermediate and High School) at the Parent of the Year Event. The event will take place Thursday, May 12, 2011 at Godinez Fundamental High School.

**RATIONALE:**

In recognition of the important roles played by parents and in appreciation of their ongoing support to the programs of the District and to teachers and students in the schools, it is appropriate that Parents' Day be officially acknowledged in the Santa Ana Unified School District.

**FUNDING:**

Private donations and Title I: Not to exceed \$5,000

**RECOMMENDATION:**

Adopt Resolution 10/11-2878 designating Thursday, May 12, 2011, as SAUSD's Parents' Day.

1 RESOLUTION NO. 10/11-2877

2 BOARD OF EDUCATION

3 SANTA ANA UNIFIED SCHOOL DISTRICT

4 ORANGE COUNTY, CALIFORNIA

5 ASIAN PACIFIC AMERICAN HERITAGE MONTH

6 MAY 2011

7 WHEREAS, the State of California is home to more than 600,000 students of  
8 Asian and Pacific Islander descent, from kindergarten through grade 12; and,

9 WHEREAS, the Santa Ana Unified School District is home to over 1,500  
10 students of Asian Pacific Islander descent, representing 17 different languages ;  
11 and,

12 WHEREAS, these students reflect the great diversity of culture and heritage  
13 of the many countries of Asia and the Pacific Islands; and,

14 WHEREAS, the people of Asia and the Pacific Islands who came to this country  
15 and their descendants have made substantial contributions to California's growth  
16 and development and have woven clear, distinct threads into this nation's social  
17 fabric; and,

18 WHEREAS, Asian Pacific Islanders serve to enrich the quality of our society  
19 through their daily contributions; and,

20 WHEREAS, the Santa Ana Unified School District is committed to honoring and  
21 respecting the many contributions made by the local *Asian Pacific American*  
22 community, including the parents and students of the District; and,

23 NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Board of Education  
24 proclaims the month of May 2011 as *Asian Pacific American Heritage Month* and  
25 encourages all schools community organizations, businesses, and the City of Santa  
26 Ana to commemorate this occasion with appropriate instructional and celebration  
27 activities.

1        Upon motion of Member \_\_\_\_\_ and duly seconded, the foregoing  
2 Resolution was adopted by the following vote:

3        AYES:

4        NOES:

5        ABSENT

6        STATE OF CALIFORNIA        )  
7    ) ss.  
8        COUNTY OF ORANGE        )  
9

10        I, Jane A. Russo, Secretary of the Board of Education of the Santa Ana  
11 Unified School District of Orange County, California, hereby certify that the  
12 above and foregoing Resolution was duly adopted by the said Board at a regular  
13 meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and passed by a  
14 vote of \_\_\_\_\_ of said Board.

15        IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of  
16 \_\_\_\_\_, 2011.

17  
18  
19    \_\_\_\_\_  
20    Jane A. Russo, Secretary  
21    Board of Education  
    Santa Ana Unified School District

RESOLUTION NO. 10/11-2878

BOARD OF EDUCATION

SANTA ANA UNIFIED SCHOOL DISTRICT

ORANGE COUNTY, CALIFORNIA

Parents' Day Resolution

WHEREAS, parent participation and involvement increase student achievement;  
and,

WHEREAS, All families can, and do, contribute to their children's success;  
and,

WHEREAS, the home environment is a powerful influence, not only on how  
children perform, but also on how far they progress in their schooling; and,

WHEREAS, the Board of Education of the Santa Ana Unified School District  
recognizes that parents are critical contributors to student achievement; and,

WHEREAS: Sunday, July 24, 2011, has been designated as National Parents'  
Day.

NOW, THEREFORE, BE IT RESOLVED: That the Santa Ana Unified School District's  
Board of Education proclaims Thursday, May 12, 2011, prior to the ending of the  
school year, as Santa Ana Unified School District's Parents' Day and encourages  
the community to celebrate this occasion.

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

AYES:

NOES:

ABSENT

STATE OF CALIFORNIA )

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

1 meeting thereof held on the \_\_\_\_\_ day of \_\_\_\_\_, 2011, and passed by a  
2 vote of \_\_\_\_\_ of said Board.

3 IN WITNESS WHEREOF, I have hereunto set my hand this \_\_\_\_\_ day of  
4 \_\_\_\_\_, 2011.

5  
6  
7 \_\_\_\_\_  
8 Jane A. Russo, Secretary  
9 Board of Education  
10 Santa Ana Unified School District



**AGENDA ITEM BACKUP SHEET**  
**April 26, 2011**

**Board Meeting**

**TITLE:** Approval of Preschool and Head Start Staffing Reductions for 2011-12 School Year

**ITEM:** Action   
**SUBMITTED BY:** Juan M. López, Associate Superintendent, Human Resources  
**PREPARED BY:** Chad Hammitt, Executive Director, Human Resources

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**BACKGROUND INFORMATION:**

The purpose of this agenda item is to seek Board approval to reduce and/or discontinue Preschool and Head Start staffing for the 2011-12 school year based on reduced funding.

**RATIONALE:**

The District will decrease the number of Preschool and Head Start employees in the District. These reductions of staff are necessary due to the elimination of Prop 10, Even Start, State Preschool and the reduction of Head Start funding.

**FUNDING:**

Not Applicable

**RECOMMENDATION:**

Approve the Preschool and Head Start staffing reductions for the 2011-12 School Year.