

TO: BOARD OF EDUCATION

ACTION
06/03/04

FROM: JOHN E. DEASY

RE: APPROVAL OF MINUTES

RECOMMENDATION NO. A.01

It is recommended that the Board of Education approve the following Minutes:

None Available

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: SUPERINTENDENT

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.02

It is recommended that Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2003/2004 budget.

Contractor/Contract Dates	Description	Site	Funding
Dr. Michael Sherman May 20 - May 28, 2004 Cost: Not to exceed \$500	To provide a presentation titled "Why Do People Believe Weird Things?"	SamoHi	Ed Foundation 01-90820-0-11100- 10000-5802-015- 4150
California Weekly Explorer Dec 8 - Dec 10, 2004 Cost: Not to exceed \$1,368	To provide three social studies workshops (Walk Throughs) of 2 1/2 hours each for each 4th grade class. The programs will focus on the history of California	Franklin	Gate 01-71400-0-11100- 10000-5802-002- 4020
Michael E. Hill Oct 16, 2003- June 30, 2004 Amount of Increase: \$5,000 Total Contract Cost: \$11,500	Amendment of previous contract approved by the Board 10/16/03 to update the District Board Policies	Student Services	General Fund 01-00000-0-00000- 7200-5802-040- 1400
Nellie Alcalde-Wayne July 6 - July 20, 2004 Cost: Not to exceed \$12,000	To meet with teachers to develop curriculum for Special Education and Regular Education	Ed Services	IASA Title II 01-40350-0-11100- 10000-5802-035- 1300

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION
6/03/04

FROM: SUPERINTENDENT

RE: OVERNIGHT FIELD TRIP(S) 2003-2004

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2003-2004 school year. No child will be denied due to financial hardship.

School/Grade	Destination Dates	Principal Teacher	Cost/Budget	Subject	Purpose of Trip
Point Dume Grade 4	Catalina 10/25/04 to 10/27/04	Margo Dunn Chi Kim	\$240.00 paid for by fundraising and parents	Science	To explore the marine environment hands on, while keeping to the curriculum.
John Adams Grade 6	Catalina 11/19/04 to 11/21/04	Linda Cady Lise Reilly	\$240.00 paid for by fundraising and parents	Science	To explore the marine environment hands on, while keeping to the curriculum.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION
06/03/04

FROM: SUPERINTENDENT

RE: BASIC/SUPPLEMENTAL TEXTBOOKS TO BE ADOPTED

RECOMMENDATION NO. A.04

It is recommended that the following textbook(s) be adopted for use in the Santa Monica-Malibu Unified School District.

COMMENT: In accordance with the Board of Education policy, the textbook(s) listed below have been on public display for the past two weeks in the Educational Services Department at 1638 17th Street, Santa Monica, CA 90405.

UNDERSTANDING ECONOMICS, A CASE STUDY, by Rosann Bar and published by Globe Fearon, for 12th grade Economics. Adoption requested by Marcia Gecht at Olympic High School.

TALES OF A FOURTH GRADE NOTHING, by Judy Blume for 3rd grade Literature. Adoption requested by Joyce Keler at McKinley.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: SUPERINTENDENT/LINDA KAMINSKI/SUZANNE PETERSON

RE: SMMUSD LIBRARY PLAN 2003-2005

RECOMMENDATION NO. A.05

It is recommended that the Board of Education readopt the Santa Monica-Malibu Unified School District Library Plan for 2003-2004. This plan was written with input from a district-wide committee made up of librarians, library aides, teachers, administrators, and a member of the Board of Education. This plan also includes the 2003-2005 Kindergarten through Grade Four Classroom Library Plan.

COMMENT: Background and Rationale

AB862, the California Public School Library Act of 1998, (K-12) stipulates that a district must have a school library plan approved and certified by the governing board in order to receive allocated funds. The plan includes the following:

- A Vision and Mission Statement
- A Library and Information Literacy Student Outcomes
- A Teacher Outcomes
- A Purposes of School Libraries/ Status of SMMUSD
Libraries
- A Three-year Action Plan and Timeline
- A Budget recommendations
- A Evaluation process

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

Santa Monica-Malibu Unified School District

Library Plan 2003-2005

The legislature finds and declares that school libraries that are staffed by qualified librarians and have adequate numbers of up-to-date library books, resource materials, and media centers, are a valuable resource for teachers and pupils. School libraries provide pupils access to resources that help them meet the academic standards established for them to become independent and lifelong learners.®

Education Code 18180-California Public School Library Act of 1998

Santa Monica-Malibu Unified School District

Library Plan

2003-2005

The 1998-1999 California State Budget provided an historic library development opportunity for California public schools and the promise of ongoing funding for enriching school library collections. The result was a per pupil allocation of approximately \$28 for school library improvement. Due to budget cuts, the 2003-2005 allotment is \$1.41 per pupil. This revised Santa Monica-Malibu Library Plan 2003-2005 was written by the Santa Monica-Malibu Library Act Advisory Committee (LAAC). The research and policies below informed these revisions:

No Child Left Behind Act

California School Library Media Standards and Guidelines for Strong School Libraries in California November 2003 (Draft)

Information Power B American Library Association

Santa Monica-Malibu Strategic Plan

Librarians

Dana Bart-Bell, Joe DiMercurio, Marie-Claire Kelin, Ann McKechnie, Suzanne Peterson, Joan Goldsmith

Elementary Library Coordinators

Alice Altman, Vicki Chapman, Rosemarie Bock, Dee Dee Cooper, Heather Lowe, Peri Monte, Karen Johnson, Angela Arnold, Maura Romero Large, Christine Topham

Administrators

Linda Kaminski, Donna Muncey, Peter Zrinzo, Will Carey, Al Friedenberg

Board of Education member

Shane Mcloud

Teachers

Eddy Jacobs, Gene Bream, Jan La Duke, Rozita Moazzez, Veronica Garcia, Jaime Jimenez, Leslie Wells, Amy Teplin, Cindy Kratzer

Consultants

Kevin McKeown, Technology DAC, Chris Thornton, parent
Instructional Technology District Advisory Committee

The LAAC recommends that:

The per pupil allotment be allocated to Santa Monica-Malibu District school libraries according to each school's average daily attendance (ADA). The funds will be spent at each school in consultation with teachers, librarians, library coordinators, and administrators. Increases in paraprofessional support at elementary and secondary schools will also be allocated by ADA.

(See appendix A for list of appropriate expenditures)

Mission

The mission of the school library is to ensure that students develop an appreciation of literature, which fosters the joy of reading, and that students and staff become effective users and communicators of information and ideas.

Vision

Santa Monica-Malibu Unified School District libraries will promote and reinforce students' interests and abilities in reading, listening, and viewing. Libraries will foster the full range of information concepts, strategies, and abilities students must master in today's information rich environment.

Library and Information Literacy Student Outcomes

- Students will be avid and capable readers
- Students will be able to access, evaluate, and use information effectively.
- Students will be skilled users of information technology tools.
- Students will be responsible information users.

Teacher Outcomes Supporting Student Outcomes Based on California and National Standards

Classroom teachers and library media teachers will promote literacy through reading.
Classroom teachers and library media teachers will collaborate in the research process using *From Library Skills to Information Literacy: A Handbook for the 21st Century* as a guide.
Library media teachers will assist classroom teachers in the practical and ethical use of information technology.

Current Status of SMMUSD School Libraries

School libraries serve all shareholders in the learning community beginning with the school=students, teaching staff, and administration, and then extending to parents, families, and to other local community members. There are four secondary and ten elementary school libraries in the Santa Monica-Malibu Unified School District.

Curricular standards, the diverse needs of students, and the *SMMUSD Selection of Instructional Materials Policy* drive collection and program development. Libraries have Internet access, eLibrary (research database), Worldbook Online, and are connected through SMILENet, the SMMUSD automated library system.

Five full-time credentialed library media teachers and four paraprofessionals staff the secondary libraries. They maintain extended library hours and are open before and after the school day. Library media teachers are members of the *District Advisory Committee on Technology* and collaborate with librarians in the Santa Monica Public Library.

The ten elementary libraries are staffed seven hours a day by paraprofessionals and coordinated by one library media teacher. This staffing of one LMT for ten schools does not allow collaboration between the library media teacher and teachers during the school day or during extended hours.

Progress Made Since the Implementation of AB862

Library collections have increased in size, scope, and currency since 1999. The average age of the Lincoln Middle School collection is indicative of District averages.

	<u>Year</u>	<u>Year</u>	<u>Year</u>
	2004	2001	1999
	Copyright	Copyright	Copyright
500s (pure science)	1999	1992	1988
600s (technology)	1999	1993	1983

A wider variety of online resources are available, such as eLibrary, GaleNet, NewsBank (including Noticias en Espanol), ProQuest, and SIRS Research.

There are improved information technology tools such as computers, networked printers, LCD projectors, and scanners.

Challenges

- C **There is one library media teacher for ten elementary schools.**
- C **There is one seven hour a day library professional for each elementary library.**
Large schools (Franklin, Roosevelt, Will Rogers, Grant) have the same library staffing as small schools.
- C **Library media teachers are not employed for the week before and after the school year begins and ends, making distribution and retrieval of textbooks during the first and last week of school impossible.**
- C **Santa Monica High School and Lincoln Middle School have decreased paraprofessional staffing.**
Samohi - 30 hour a week decrease Lincoln - 10 hour a week decrease
- C **Extended library hours in secondary libraries are no longer District funded. PTA and gifts fund the following extended hours:**
Samohi 7:00 -5:00 Malibu High 7:30-4:30 Lincoln 7:30-4:30 (M-Th) John Adams 7:30-4:45 (M-Th)
- C **Elementary libraries are not staffed before or after school.**
Library space is used in some schools by after school programs such as Crest, but libraries resources and professional help are not available.
- C **Due to the decrease of California Public School Library Act funding from \$28.00 in 1999 to \$3.44 in 2002 to \$1.41 in 2003 libraries face serious challenges in maintaining book and technology resources.**
Secondary libraries have school budgets averaging \$3.25 ADA to purchase books, supplies and hardware.
Elementary libraries have \$0.00 from school or district budgets and have only Ed Foundation and gift funding.
- C **It will be necessary to migrate to a new library automated system when Dynix, the current library system phases out.**

Action Plan

In order to accomplish the Mission and Vision of school libraries and to meet the equity needs outlined in the SMMUSD Strategic Plan, the LAAC recommends the following Action Plan:

- C Additional paraprofessional support for elementary school libraries allotted by ADA. One hour of paraprofessional time allotted for every 100 students over 500.**

- C One additional full-time credentialed elementary library media teacher will increase staffing from one LMT for ten schools to one LMT for five schools.** At this time there is one LMT for all ten elementary schools. Even under the best of circumstances, that means the elementary LMT spends on average one day every other week at any school library. The addition of one LMT for five schools would allow each school to be visited once a week.

- C Library Media Teachers work an extended school year (five days after the school year ends and five days before the school year begins).** Current staffing means that school libraries remain closed during the first week of the school year so library staff can process text and library books and reconfigure networks. Libraries are also closed during the last week of the school year to collect textbooks and distribute overdue notices. Since LMTs are responsible for the distribution and inventories of textbooks, in order for textbooks to be in classrooms on the first week of school through the last week, libraries must be fully staffed.

- C Restore secondary paraprofessional support to 2001-2002 levels over a two-year period.**
 - C One six hour paraprofessional at Santa Monica High School
 - C Increase the Lincoln Middle School paraprofessional from six to eight hours
- C Restore district funded professionally staffed extended library hours to 2001-2002 levels**

Equity in access to technology and information resources is crucial. Currently secondary schools rely on gift funds to keep libraries open for extended hours. In order to ensure equity of access, we propose that the District fund extended library hours.
- C Establish professionally staffed extended library hours in elementary libraries.**

It is especially crucial for schools in low-income areas to have access to school libraries to ensure that all our students have access to the same quality of materials and resources.
- C Establish an ADA allotment for the purchase of library books in addition to California Public School Library funding.**

To ensure that our libraries maintain current book collections, establish a sliding scale allotment that is offset by state funding, so all libraries can purchase one book per child per semester.
- C Provide funding for the acquisition of library technology (computers, LCDs, printers, scanners, burners, cameras, etc.)**
 - C \$1500 for schools with a population of 300-700
 - C \$3000 for schools with a population of 700-1500
 - C \$4500 for schools with a population over 1500

- C **Maintain current district system support**
- C Information Services -Dynix automated library system and OCLC cataloging system
- C Instructional Technology - eLibrary, World Book Online
- C **Migrate to a web-based library system as our current system phases out.**
- C **When funds for construction become available, libraries will be considered for expansion and/or remodeling. When library space is designated for other than library purposes during school construction, that space will be returned to libraries as soon as construction is complete.**

Santa Monica High School B conference rooms

- C **Professional development for all library personnel, to include meeting time to promote collaboration with teachers, curriculum development, technology planning, and selection. Professional development will also include attending conferences from organizations such as:**

American Library Association, California School Library Association, Computer Using Educators, and National Council of the Teachers of English.

Estimated Expenditures to Implement Action Plan

Item	One Year Cost	Cost 2004-2005
One additional full-time credentialed elementary library media teacher to be implemented in 2005-2006	\$60,000	\$0
Additional clerical support for elementary school libraries-- one hour per day for every 100 students over 500.	\$20,000	\$20,000
Six LMTs--extended school year (five days after the school year ends and five days before the school year begins.)	\$18,000	\$18,000
One book per child per year based on \$30 per book in combination with State AB 862 funds. AB 862 funds and District funds would equal \$30 per child per year.	Undetermined (Dependent of State contribution)	Undetermined (Dependent of State contribution)
Hardware maintenance and upgrades based on ADA \$1,500 for schools with ADA from 300-700 \$3,000 for schools with ADA from 700-1500 \$4,500 for schools with ADA over 1500	\$34,500	\$34,500
Operating expense libraries (Dynix, OCLC) funding source Data Services	\$20,000*	\$20,000*
Operating database expense (eLibrary and World Book Online) funding source Educational Services	\$25,000*	\$25,000*
Library system: 5 year build up of funds to migrate to a web-based library system as our current system phases out. Pricing dependent upon system selected for purchase. (estimated cost based on current quotes)	\$150,000	\$30,000
When any funds for construction become available, libraries will be considered for expansion and/or remodeling. When library space is designated for other than library purposes during school construction, that space will be returned to libraries as soon as construction is completed.	TBD	TBD
Professional development for certificated and classified staff. Funding source school site	TBD	TBD

* indicates current resources

Appendix A

The California Public School Library Act of 1998 Grant Expenditures

<i>Type of Library Resource</i>	<i>Appropriate Expenditures</i>	<i>Unacceptable Expenditures</i>
Books	Library books include fiction, nonfiction, and reference books. Cataloging and processing may be ordered with this purchase.	Textbooks; classroom literature sets; county office of education contracts for library services.
Periodicals	Newspaper subscriptions and magazine subscriptions in print and/or electronic format.	Classroom sets of a single magazine title.
Microforms	Resources on microfiche or microfilm to assist in the research process.	
Audiovisual Materials	Audio and videotapes, laser disks, art prints.	Models; stuffed animals.
Software	CD-ROM reference materials, databases, simulations, and library automation programs for circulation and electronic catalogsCnetworked or single station. Retrospective conversion of the card catalog to electronic format as part of automation is acceptable.	Integrated learning systems; classroom and/or lab sets of CD-ROMs used outside the library; site licensing of software programs; district database support systems.
Online Resources	Web based reference materials, databases, simulations, and library automation programs for circulation and electronic catalogs--networked or single station.	Site license of Web browser; Web browser software for schoolwide use.

Evaluation

This plan will be evaluated using guidelines outlined in *Check It Out! Assessing School Library Media Programs: A Guide for School District Education Policy and Implementation Teams*, published by the California Department of Education.

Appendices

Appendix A Appropriate Expenditure of Library Grant Funds

Appendix B *Check It Out! Assessing School Library Media Programs: A Guide for School District Education Policy and Implementation Teams*

Appendix C *From Library Skills to Information Literacy: A Handbook for the 21st Century*

Bibliography

American Association of School Librarians. *Information Power: Building Partnerships For Learning/ prepared by the American Association of School Librarians and Association for Educational Communications and Technology*. Chicago: American Library Association, 1998.

California School Library Media Standards and Guidelines for Strong School Libraries in California.

Developed by the California School Library Association, November, 2003.

Check It Out! Assessing School Library Media Programs: A Guide for District Education Policy and Implementation Teams, California Department of Education, 1998.

Loertscher, David. *From Library Skills to Information Literacy: A Handbook for the 21st Century*, 2nd edition. San Jose California: Hi Willow Research and Publishing, 1997.

**Santa Monica-Malibu
Unified School District**

**K-4 Classroom Library
2003-2005**

Mission

The mission of the classroom library is to ensure that students become lifelong readers and develop an appreciation of literature, which fosters the joy of reading.

Vision

Santa Monica-Malibu Unified School District elementary classrooms will have an abundance of attractive up-to-date books and periodicals which are essential if students are to become avid and capable readers who read a wide variety of fiction and nonfiction. These books and periodicals will reflect the diversity of our student population.

Current Status of SMMUSD Elementary Classroom Libraries

Classroom libraries in the SMMUSD elementary school vary widely. Some experienced teachers have excellent collections of books. Other teachers, especially new teachers, have no classroom libraries. Classroom libraries have been purchased with money from:

- Teachers' investment of their own funds
- PTSA money allocated to classroom libraries in some schools
- Discards from school and public libraries
- Gifts

Classroom Library Plan

Accountability for materials

All SMMUSD libraries use Dynix Scholar automated library system. Library materials, textbooks, and equipment are cataloged and circulated using this system. The item type classroom library books (CL) was established for books purchased with funding from this grant. The books are stamped with the school stamp, cataloged, and checked out to teachers. Lists for each classroom library are generated, and teachers and elementary library coordinators will inventory classroom collections. As the classroom collections age, teachers and library coordinators will repair and discard books. If the state funding ceases, schools will be allocated money from the district to replace books that are lost or too badly damaged to repair.

Selection of materials

Books and periodicals for classroom libraries will be selected according the SMMUSD Selection of Instructional Materials. (See attached.)

The elementary library coordinator inn collaboration with the credentialed elementary library media teacher will select and order books. Teachers, administrators, students, and parents will make recommendations for purchases.

Elementary library coordinators and the credentialed elementary library media teacher will use the following collection development tools for book selection:

- Read to Me; Recommended Literature for Children Ages 2-7

- Recommended Reading in Literature

- K-8 Literature for the Visual and Performing Arts

- 700+ Great Sites for Children

- California Young Reader Medal Award Program

- Horn Book

- School Library Journal

- Booklist

The format of the books will depend upon the books being purchased. The majority of books, however, are purchased already cataloged and processed (plastic covers, pockets, spine labels).

Funding

Funds for classroom libraries will be per average daily attendance (ADA) to all Kindergarten through 4th grade elementary classrooms in the SMMUSD.

Access to Classroom Libraries

Individual schools will determine whether or not classroom libraries are to stay in one classroom or be rotated and shared. If they are to be shared, classroom collections will be checked in and out through the library.

If individual school decide that students can take classroom library books home, the teacher must create a check out system or have students check books out through he library.

TO: BOARD OF EDUCATION
FROM: KENNETH R. BAILEY/ VIRGINIA I.HYATT
RE: APPROVAL OF PURCHASE ORDERS

ACTION/CONSENT
06/03/04

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from May 13, 2004 through May 27, 2004 for fiscal year 2003/04.

AGENDA

NOTE: The Purchase Order list is not available in the electronic agenda. It is printed in the published agenda. It is available for public review in the Office of the Superintendent and as part of the public copies of the agenda, which are available at the meeting.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
06/03/04
FROM: SUPERINTENDENT/KENNETH R. BAILEY/VIRGINIA I. HYATT
RE: AMENDMENT TO CONTRACT WITH WHEATSTONE ENERGY FOR
LIGHTING RETROFIT PROJECT-RFP #3.05-CHANGE ORDER #4

RECOMMENDATION NO. A.07

It is recommended that the Board of Education authorize Change Order #4 as an amendment to the contract with Wheatstone Energy for the Districtwide lighting retrofit project. This change order will add \$16,904.00 To the contract for a total contract price of \$513,664.50.

Funding Information

Budgeted: Yes
Source: City of Santa Monica

COMMENT: Changes were made in the contract due to the following reasons: Change Order #4 represents the work listed below:

ORIGINAL CONTRACT	\$499,651.00
(Error in original contract award)	243.00
CHANGE ORDER #1,2,3	\$ (3,133.50)
CHANGE ORDER #4	\$ 16,904.00
TOTAL CONTRACT AMOUNT	\$513,664.50

1. SAMOHI - Add to scope of work:3 rooms in History Building:
H110, H111, H12, Textbook Room, Vault and restroom in Administration Bldg. These areas were not included in the original site survey.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.08

Unless otherwise noted, all items are included in the 2003/04 approved budget.

ADDITIONAL ASSIGNMENTS

JOHN ADAMS MIDDLE SCHOOL

Levin, Tracy	4 hrs @\$35.60	4/28/04-5/17/04	<u>Est Hrly/\$142</u>
			TOTAL ESTABLISHED HOURLY \$142

Comment: Presenting science program at elementary schools during prep period
01-Unrestricted Resource

Compton-Sugars, Shirley	4 hrs @\$35.60	4/28/04-5/17/04	<u>Est Hrly/\$142</u>
Jurewicz, Kristin	4 hrs @\$35.60	4/28/04-5/17/04	<u>Est Hrly/\$142</u>
LaDuke, Jan	4 hrs @\$35.60	4/28/04-5/17/04	<u>Est Hrly/\$142</u>
			TOTAL ESTABLISHED HOURLY \$426

Comment: Supervising Merit Makeup
01-Unrestricted Resource

CHILD DEVELOPMENT SERVICES

Martinez, Emelita	32 hrs @\$28.90	04/05/04-04/16/04	<u>Own Hrly/\$925</u>
			TOTAL OWN HOURLY \$925

Comment: Child Development Services Operating Spring Break
12-CD:St Genl Child Care (GCTR)

Hentschell, Denise	64 hrs @\$21.74	04/05/04-04/16/04	<u>Own Hrly/\$1391</u>
			TOTAL OWN HOURLY \$1,391

Comment: Child Development Services Operating Spring Break (SAPID)
12-Cal Safe Supportive Services

LINCOLN MIDDLE SCHOOL

McCracken, Lynn	21 hrs @\$35.60	4/21/04-5/1/04	<u>Est Hrly/\$750</u>
Shortt, Cindy	21 hrs @\$35.60	4/21/04-5/1/04	<u>Est Hrly/\$750</u>
			TOTAL ESTABLISHED HOURLY \$1,500

Comment: Peer Mentoring Program Planning & Implementation
01-Gifts

JOHN MUIR ELEMENTARY SCHOOL

Gusmao-Garcia, Renata	8 hrs @\$35.60	5/18/04-6/9/04	<u>Est Hrly/\$285</u>
Ramirez, Joe	8 hrs @\$35.60	5/18/04-6/9/04	<u>Est Hrly/\$285</u>
			TOTAL ESTABLISHED HOURLY \$570

Comment: ASAP "At-Risk" Classes
01-School Improvement Prog, K-6

SANTA MONICA HIGH SCHOOL

Farrell, Sally	7 hrs @\$35.60	5/1/04-6/30/04	<u>Est Hrly/\$249</u>
			TOTAL ESTABLISHED HOURLY \$249

Comment: After-school tutoring
01-Unrestricted Resource

Hedrick, Don	29 hrs @\$57.21	5/10/04-6/18/04	Own Hrly/\$1659
Jimenez, Jaime	48 hrs @\$72.67	5/10/04-6/18/04	Own Hrly/\$4215
Kurtz-Nicholl, Jesse	29 hrs @\$35.54	5/10/04-6/18/04	Own Hrly/\$1031
Salumbides, Roseann	29 hrs @\$51.60	5/10/04-6/18/04	<u>Own Hrly/\$1496</u>
		TOTAL OWN HOURLY	\$8,401

Comment: Additional Assignment
01-Unrestricted Resource

STUDENT AND FAMILY SUPPORT SERVICES

Irwin, Sanford	140 hrs @\$35.60	3/2/04-6/18/04	<u>Est Hrly/\$4984</u>
		TOTAL ESTABLISHED HOURLY	\$4,984

COMMENT: Provide services to student per stay put order
01-Special Education

EXTENDED DUTY UNITS

<u>LOCATION</u>	<u>RATE</u>	<u>ACTIVITY</u>	<u>EFFECTIVE</u>	<u>TOTAL</u>
<u>EDISON ELEMENTARY</u>				
Beasley, Linda	1 unit @\$224	New Teacher Support	03/04	\$224
Boxer, Lorissa	1 unit @\$224	Student Council	03/04	\$224
Boyd, Tom	2 units @\$224	5th Gr Catalina	03/04	\$448
Castillo, Alma	1 unit @\$224	Homework Club	03/04	\$224
Castillo, Alma	1 unit @\$224	Student Council	03/04	\$224
Meade, Mary	2 units @\$224	5th Gr Catalina	03/04	\$448
Orum, Lori	2 units @\$224	5th Gr Catalina	03/04	\$448
Ziff, Allison	1 unit @\$224	Ballet Folklorico	03/04	<u>\$224</u>
		TOTAL EXTENDED DUTY UNITS		\$2,464
		01-Unrestricted Resource		

JOHN MUIR ELEMENTARY

Lazare, Shernice	2 units @\$224	ASST Coord	03/04	\$672
Lewis, Anita	3 units @\$224	School Volunteer	03/04	\$672
Lovett, Tiffany	2 units @\$224	Student Tchr Coord	03/04	\$448
Ramirez, Joe	2 units @\$224	Playground Vol Coord	03/04	\$448
Suskin, Robyn	1 unit @\$224	Science Field Trip	03/04	\$224
Thomas, Carla	1 unit @\$224	Science Field Trip	03/04	<u>\$224</u>
		TOTAL EXTENDED DUTY UNITS		\$2,240
		01-Unrestricted Resource		

ROOSEVELT ELEMENTARY

Levy, Amy	2 units @\$224	Astrocamp	03/04	\$448
Levy, AmyJoe	2 units @\$224	Student Council	03/04	\$448
Olsheim, Glen	2 units @\$224	Astrocamp	03/04	\$448
Ostrom, Michael	2 units @\$224	Astrocamp	03/04	\$448
Snow, Angie	2 units @\$224	Astrocamp	03/04	\$448
Vega, Dolores	2 units @\$224	Astrocamp	03/04	\$448
Whitley, Ann	2 units @\$224	Astrocamp	03/04	<u>\$448</u>
		TOTAL EXTENDED DUTY UNITS		\$3,136
		01-Unrestricted Resource		

SANTA MONICA HIGH SCHOOL

Barraza, Pete	12 units @\$224	Boys VB, Asst	03/04	\$2688
Busse, Nathan	12 units @\$224	Track, Asst	03/04	\$2688
Cady, Pat	12 units @\$224	Trac, Asst	03/04	\$2688
Fischer, Tania	13 units @\$224	Track, Head Coach	03/04	\$2912
Flanders, Matt	13 units @\$224	Swimming	03/04	\$2912
Lacy, Norman	13 units @\$224	Boys, Golf	03/04	\$2912
Sato, Liane	13 units @\$224	Boys VB, Head	03/04	\$2912

Skaggs, Debbie	13 units @\$224	Softball, Head	03/04	<u>\$2912</u>
		TOTAL EXTENDED DUTY UNITS		\$22,624
		01-Unrestricted Resource		

TOTAL ESTABLISHED HOURLY, OWN HOURLY and EXTENDED DUTY UNITS = \$49,052

SUBSTITUTE TEACHERS

Effective

REGULAR DAY-TO-DAY SUBSTITUTES

Stabile, Michelle 5/13/04

LONG-TERM SUBSTITUTES

(@\$184 Daily Rate)

Posey, Stephen 5/3/04-6/18/04

Stabile, Michelle 5/13/04-6/18/04

CHANGE IN ASSIGNMENT

Name/Assignment

Location Effective

Close, Jacqueline 1/1/04-6/30/04

Special Education/Psychologist

From: 10%

To: 20%

Laufer, Lorraine 3/24/04-6/20/04

Franklin Elementary/RSP Teacher

From: 50%

To: 100%

LEAVES OF ABSENCE (with pay)

Name/Assignment

Location Effective

Samimi, Leili 5/03/04-5/14/04

CDs/Will Rogers [medical]

LEAVES OF ABSENCE (without pay)

Name/Assignment

Location Effective

Franke, Anoushka 9/3/04-6/24/05

SAMOHI [child care]

Szilagyi, Lisa 9/3/04-6/24/05

Malibu HS [personal - 20% leave]

RESIGNATIONS

Name/Assignment

Location Effective

Allen, Samantha 06/18/04

Lincoln MS

Armfield, Gina 06/18/04

Pt Dume

Avila-Salomon, Laura 06/18/04

SAMOHI

Bove, Catherine 06/18/04

SAMOHI

Flynn, Patty SAMOHI	06/30/04
Jones, Jenny SAMOHI	06/18/04
Massa, Darren Lincoln MS	06/18/04
Narang, Aketa Edison Elementary	06/18/04
Orlowski, Jami SAMOHI	06/18/04
Schaben, Ryan Lincoln MS	06/18/04
Shalash, Anuar SAMOHI	06/30/04
Wiedlin, Meg Cabrillo Elementary	06/18/04

RETIREMENTS

<u>Name/Assignment</u> <u>Location</u>	<u>Effective</u>
Miller, Linda Franklin Elementary	06/18/04
Payne, Margaret Pt Dume	06/18/04

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES

RE: SPECIAL SERVICES EMPLOYEES

RECOMMENDATION NO. A.09

It is recommended that the following Special Services Employee contracts be approved in accordance with District policies and salary schedules and be assigned pursuant to BP 4213.5. Funding for the positions listed are included in the 2003/04 budget.

ELECTIONS

<u>Name/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>	<u>Rate</u>
Gomez, Vincent	\$678	02/01/04-06/30/04	\$150/day +13% Non-health Benefits

Educational Services, orchestra coach at Santa Monica High School, John Adams Middle School, Lincoln Middle School and Malibu High School

FUNDING: 01-70180-0-17100-21000-1910-035-1501-50%

Arts Education Partnership Gnt

01-90120-0-17100-21000-1910-030-1501-50%

Gifts

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/ROBERT SEEDS
RE: CLASSIFIED PERSONNEL - MERIT

ACTION/CONSENT
06-03-04

RECOMMENDATION NO. A.10

It is recommended that the following appointments for Classified Personnel (merit system) be approved and/or ratified. All personnel will be properly elected in accordance with District policies and salary schedule.

ELECTION

CHEN, YI-CHUN	ACCOUNTANT 8.0 HRS/12 RANGE: 41	FISCAL STEP: 01	05-10-04
KELLER, EVELYN	INST ASST - SPECIAL ED 5.0 HRS/SY RANGE: 20	ROOSEVELT STEP: 01	05-10-04
MURPHY, DAPHNE	INST ASST - CLASSROOM 3.2 HRS/SY RANGE: 18	CABRILLO STEP: 01	05-10-04
VILLA, ALEJANDRO	CUSTODIAN I NSI 8.0 HRS/12 RANGE: 22	SAMOHI STEP: 01	05-03-04

PROMOTION

RUVALCAVA, NANCY	INST ASST - BILINGUAL 3.0 HRS/SY FR: I/A - CLASSROOM	SAMOHI	05-24-04
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INCREASE IN HOURS

LOPEZ, TRISHA	INST ASST - SPECIAL ED 6.0 HRS/SY FR: 3.0 HRS/SY	LINCOLN	04-01-04
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WORKING OUT OF CLASS

CARPENTER, EDDIE JEAN	CAFETERIA WORKER II 7.0 HRS/SY FR: CAFETERIA WORKER I	MCKINLEY	03-15-04 06-18-04
PEREZ, MARIA	CAFETERIA WORKER II 4.0 HRS/SY FR: CAFETERIA WORKER I (1ST EXTENSION CORRECTION OF DATES)	WEBSTER	05-01-04 06-18-04

PROFESSIONAL GROWTH

RAMIREZ, MARTHA	ADMINISTRATIVE ASSISTANT EDISON	05-01-04
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MEDICAL LEAVE OF ABSENCE

CHOUINARD, DEANNA	INST ASST - SPECIAL ED SAMOHI	05-03-04 05-23-04
SULLIVAN, BRIANNA	INST ASST - CLASSROOM GRANT	02-20-04 04-21-04

TEMP/ADDITIONAL

BATISTA, GLORIA	INST ASST - SPECIAL ED SPECIAL ED	03-31-04 03-31-04
GARDNER, RODNEY SR	CUSTODIAN I NSI SAMOHI	05-01-04 06-30-04
LOUISELL, SHANE	INST ASST - SPECIAL ED WEBSTER	05-12-04 05-14-04
OYENOKI, ELIZABETH	SR OFFICE SPECIALIST MCKINLEY	06-24-04 06-30-04
OYENOKI, ELIZABETH	SR OFFICE SPECIALIST MCKINLEY	05-01-04 05-30-04
WILSON, STANLEY	CAMPUS SECURITY OFFICER ADAMS	05-07-04 05-07-04

SUBSTITUTE

BASSEL, JACKIE	INST ASST - SPECIAL ED SPECIAL ED	05-04-04 06-18-04
BRYANT, LORETTA	INST ASST - CLASSROOM SAMOHI	05-10-04 06-30-04
MARTIN, EVELIA	OFFICE SPECIALIST NSI ADULT ED	05-03-04 06-11-04
MARTIN, EVELIA	OFFICE SPECIALIST ADULT ED	06-12-04 06-18-04
NUNEZ, SHERRY	OFFICE SPECIALIST SAMOHI	04-20-04 06-30-04

RESIGNED

COPLIN, KELLEY	I/A SIGN LANGUAGE INTERP LINCOLN	05-17-04
DUVALL, MICHAEL	INST ASST - SPECIAL ED CABRILLO	06-18-04

RUGGLES, MICHAEL	INST ASST - SPECIAL ED MCKINLEY	07-09-04
WILLIAMS, ROBERT	INST ASST - SPECIAL ED FRANKLIN	05-04-04

ESTABLISHED POSITION

DATA ENTRY SPECIALIST 8.0 HRS/10 SPECIAL ED	05-07-04
INST ASST - SPECIAL ED 3.0 HRS/SY PRESCHOOL	05-07-04
INST ASST - SPECIAL ED 6.0 HRS/SY EDISON	05-07-04

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06-03-04

FROM: JOHN E. DEASY/ROBERT SEEDS

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.11

It is recommended that the following be approved and/or ratified for Classified Personnel (Non-Merit). All personnel assigned will be properly elected on a temporary basis to be used as needed in accordance with District policies and salary scheduled.

ASSISTANT COACH

KEEP, WILLIAM SAMOHI 05-17-04 - 06-30-04

NOON AIDE

HIROTO, BETTY FRANKLIN 05-14-04 - 05-31-04

MILLER, SANDRA FRANKLIN 05-14-04 - 05-31-04

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY

RE: CLASSIFIED ADMINISTRATIVE CONTRACT RENEWAL:
DIRECTOR OF FACILITIES MANAGEMENT

RECOMMENDATION NO. A.12

It is recommended that the Board of Education renew the contract of the following classified administrator from July 1, 2004 through June 30, 2005:

J. Wallace Berriman

Director of Facilities Management

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: JOHN E. DEASY/KENNETH R. BAILEY

RE: APPROVAL OF INSTRUCTIONAL ASSISTANT - SPECIAL EDUCATION

RECOMMENDATION NO. A.13

It is recommended that the Board of Education authorize a budget increase in the amount of \$1,316.49 for involvement in the Special Education audit.

COMMENTS: This increase is needed for additional help needed with setting up and organizing files in the Special Education Department. The hours are not to exceed 2 hours per day to avoid overtime pay. This assignment is effective from April 27, 2004 through May 31, 2004.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: ADDITIONAL BOARD MEETINGS SCHEDULED FOR JUNE 2004

RECOMMENDATION NO. A.14

It is recommended that the Board of Education authorize additional board meetings on the following dates:

Monday, June 14, 2004 (6:30 Closed Session, 7:30 public meeting)

Friday, June 25, 2004 (Closed Session - 10 a.m. - 2 p.m.)

COMMENT: Due to the volume of issues coming before the Board of Education and to allow for meaningful and thorough discussion, staff is proposing that an additional meeting be held on Monday, June 14, 2004 with the closed session set for one hour beginning at 6:30 p.m. and the public meeting set to begin at 7:30 p.m.

The meeting of June 25 would be a closed session for the purpose of conducting the superintendent's annual evaluation and would be held at the district office from 10 a.m. to 2 p.m.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/03/04

FROM: SUPERINTENDENT/LINDA KAMINSKI/CINDY ATLAS

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS 2003/2004

RECOMMENDATION NO. A.15

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2003-2004 as follows:

NPS/NPA

2003-2004 Budget 01-65000-0-57500-11800-5825-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Augmentative Communication Therapies	10-22-98	NPA - Augmentative Communication Assessment	#158	\$ 500
Baby & Baby, Inc.	10-22-98	NPA - PT Evaluation	#159	\$ 400
Beautiful Minds Center for Autism, Inc.	05-01-01	NPA - Behavior Therapy	#160	\$ 7,390
Can Do Kids, Inc.	05-22-00	NPA - PT	#161	\$ 1,600
Community Speech & Language	10-16-00	NPA - Speech	#162	\$ 6,120
Smart Start Preschool	05-06-94	NPA - Behavior Therapy	#163	\$ 3,960
Therapy West, Inc.	01-27-91	NPA - PT	#164	\$ 3,570
Therapy West, Inc.	06-22-01	NPA - PT Evaluation	#165	\$ 425
Village Glen Westside	02-09-95	NPS	#75 UC04373	\$ 10,500
Contract Increase				
Therapy In Action	11-03-89	NPA - OT	#50 UCO4164	\$ 100
Contract Increase				

Amount Budgeted NPS/NPA 03/04 \$ 3,000,000
Prior Board Authorization as of 05/20/04 \$ 3,299,885*
Balance - \$ 299,885

Total Amount for these Contracts \$ 34,565
Balance - \$ 334,450

*Prior Year Authorization (05-15-03) \$3,009,737

COMMENT: According to the Education Code SEC.21 Section 56342, prior to recommending a new or continued placement in a non-public, non-sectarian school, the Individualized Education Program (IEP) Team must submit the proposed recommendation to the local governing board for its review and recommendation regarding the cost of such placement.

The recommendation for these severely handicapped students are made by the District IEP Teams in accordance with State and Federal laws. The mandates of IDEA require non-public school services be provided at no expense to parents if there is not an appropriate public school program available. Funding to come from a SELPA-wide non-public school/non-public agency reserve account.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR

06-03-04

FROM: JOHN DEASY / LAUREL SCHMIDT

RE: UPDATING BOARD POLICY 1312.3 - UNIFORM COMPLAINT
PROCEDURES

RECOMMENDATION NO.16

It is recommended that the Board of Education approve the adoption of Board Policy 1312.3, Uniform Complaint Procedures to replace the existing Board Policy 0411. This replacement was suggested by Bode Owoyele, Senior Policy Consultant at CSBA (California School Board Association). The administrative regulations accompanying this policy have also been revised. Upon adoption of BP 1312.3, BP 0411 will be deleted from the policy manual.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
1312.3	Community Relations	Uniform Complaint Procedures		
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>	
Community Relations	X			

DETAIL

The Governing Board recognizes that the district is responsible for complying with applicable state and federal laws and regulations governing educational programs.

The district shall follow uniform complaint procedures when addressing complaints alleging unlawful discrimination based on age, sex, sexual orientation, gender, ethnic group identification, race, ancestry, national origin, religion, color, or mental or physical disability in any program or activity that receives or benefits from state financial assistance. Uniform complaint procedures shall also be used when addressing complaints alleging failure to comply with state and/or federal laws in adult education, consolidated categorical aid programs, migrant education, vocational education, child care and development programs, child nutrition programs and special education programs.

The Board encourages the early, informal resolution of complaints at the site level whenever possible.

The Board acknowledges and respects student and employee rights to privacy. Discrimination complaints shall be investigated in a manner that protects the confidentiality of the parties and the facts. This includes keeping the identity of the complainant confidential except to the extent necessary to carry out the investigation or proceedings, as determined by the Superintendent or designee on a case-by-case basis.

The Board prohibits retaliation in any form for the participation in complaint procedures, including but not limited to the filing of a complaint or the reporting of instances of discrimination. Such participation shall not in any way affect the status, grades or work assignments of the complainant.

The Board recognizes that a neutral mediator can often suggest a compromise that is agreeable to all parties in a dispute. In accordance with uniform complaint procedures, whenever all parties to a complaint agree to try resolving their problem through mediation, the Superintendent or designee shall initiate a mediation. The Superintendent or designee shall ensure that mediation results are consistent with state and federal laws and regulations.

REFERENCE

Legal Reference:

EDUCATION CODE

200-262.3 Prohibition of discrimination

8200-8498 Child care and development programs

8500-8538 Adult basic education

18100-18179 School libraries

48431.6 Academic progress and counseling review program

48985 Notices in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

52000-52049.1 School improvement programs

52160-52178 Bilingual education programs

52300-52499.6 Vocational education

52500-52616.24 Adult schools

52800-52870 School-based coordinated programs

54000-54041 Economic impact aid programs

54100-54145 Miller-Unruh Basic Reading Act

54400-54425 Compensatory education programs

54440-54445 Migrant education

54460-54529 Compensatory education programs

56000-56885 Special education programs

59000-59300 Special schools and centers

62000-62008 Evaluation and sunseting of programs

64000-64001 Consolidated application process

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4671 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

PENAL CODE

422.6 Interference with constitutional right or privilege

MANAGEMENT RESOURCES

WEB SITES

U.S. Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR>

ADOPTED

May 20, 2004

REVISED

CSBA DATE

March 2003

DISTRICT GOAL Quality Education for All

New text in underline.
Deleted text in ~~strikeout~~.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
1312.3	Community Relations	Uniform Complaint Procedures

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Community Relations		x	

DETAIL

Uniform Complaint Procedures

A. Compliance Officers

The Governing Board designates the following compliance officers to receive and investigate complaints and ensure district compliance with law:

Director of Personnel and Student Services
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
1651 16th Street
Santa Monica, California 90404
310-450-8338

The Superintendent or designee shall ensure that employees designated to investigate complaints are knowledgeable about the laws and programs for which they are responsible. Such employees may have access to legal counsel as determined by the Superintendent or designee.

B. Notifications

The Superintendent or designee shall meet the notification requirements of the Code of Regulations, Title 5, Section 4622, including the annual dissemination of district complaint procedures and information about available appeals, civil law remedies and conditions under which a complaint may be taken directly to the California Department of Education. The Superintendent or designee shall ensure that complainants understand that they may pursue other remedies, including actions before civil courts or other public agencies.

The above notification shall state that complainants may seek help from agencies such as legal assistance agencies, local mediation centers or the county office of education.

C. Procedures

The following procedures shall be used to address all complaints which allege that the district has violated federal or state laws or regulations governing educational programs. Compliance officers shall maintain a record of each complaint and subsequent related actions, including all information required for compliance with the Code of Regulations, Title 5, Section 4632.

All parties involved in allegations shall be notified when a complaint is filed, when a complaint meeting or hearing is scheduled and when a decision or ruling is made.

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged noncompliance by the district.

Complaints alleging unlawful discrimination may be filed by a person who alleges that he/she personally suffered unlawful discrimination or by a person who believes that an individual or any specific class of individuals has been subjected to unlawful discrimination. The complaint must be initiated no later than six months from the date when the alleged discrimination occurred or when the complainant first obtained knowledge of the facts of the alleged discrimination. (Title 5, Section 4630)

The complaint shall be presented to the compliance officer who shall maintain a log of complaints received, providing each with a code number and a date stamp.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, district staff shall help him/her to file the complaint. (Title 5, Section 4600)

Step 2: Mediation

Within three days of receiving the complaint, the compliance officer may informally discuss with the complainant the possibility of using mediation. If the complainant agrees to mediation, the compliance officer shall make all arrangements for this process.

Before initiating the mediation of a discrimination complaint, the compliance officer shall ensure that all parties agree to make the mediator a party to related confidential information.

If the mediation process does not resolve the problem within the parameters of law, the compliance officer shall proceed with his/her investigation of the complaint.

The use of mediation shall not extend the district's timelines for investigating and resolving the complaint unless the complainant agrees in writing to such an extension of time. (Title 5, Section 4631)

Step 3: Investigation of Complaint

The compliance officer shall hold an investigative meeting within five days of receiving the complaint or an unsuccessful attempt to mediate the complaint. This meeting shall provide an opportunity for the complainant and/or his/her representative to repeat the complaint orally.

The complainant and/or his/her representative and the district's representatives shall also have an opportunity to present information relevant to the complaint. Parties to the dispute may discuss the complaint and question each other or each other's witnesses. (Title 5, Section 4631)

Step 4: Response

OPTION 1: Within 60 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. (Title 5, Section 4631)

OPTION 2: Within 30 days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the district's investigation and decision, as described in Step #5 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within five days, file his/her complaint in writing with the Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting convened in order to meet the 60 day time limit within which the complaint must be answered. The Board may decide not to hear the complaint, in which case the compliance officer's decision is final.

If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within 60 days of the district's initially receiving the complaint or within the time period that has been specified in a written agreement with the complainant. (Title 5, Section 4631)

Step 5: Final Written Decision

The report of the district's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the district shall arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

1. The findings and disposition of the complaint, including corrective actions, if any (Title 5, Section 4631)
2. The rationale for the above disposition (Title 5, Section 4631)
3. Notice of the complainant's right to appeal the decision to the California Department of Education, and procedures to be followed for initiating such an appeal (Title 5, Section 4631)
4. A detailed statement of all specific issues that were brought up during the investigation and the extent to which these issues were resolved
5. For discrimination complaints, notice that the complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies (5 CCR 4631; Education Code 262.3)

If an employee is disciplined as a result of the complaint, this report shall simply state that effective action was taken and that the employee was informed of district expectations. The report shall not give any further information as to the nature of the disciplinary action. D. Appeals to the California Department of Education

If dissatisfied with the district's decision, the complainant may appeal in writing to the California Department of Education within 15 days of receiving the district's decision. For good cause, the Superintendent of Public Instruction may grant an extension for filing appeals. (Title 5, Section 4652)

When appealing to the California Department of Education, the complainant must specify the reason(s) for appealing the district's decision and must include a copy of the locally filed complaint and the district's decision. (Title 5, Section 4652)

The California Department of Education may directly intervene in the complaint without waiting for action by the district when one of the conditions listed in 5 CCR 4650 exists. In addition, the California Department of Education may also intervene in those cases where the district has not taken action within 60 calendar days of the date the complaint was filed with the district.

Civil Law Remedies

A complainant may pursue available civil law remedies outside of the district's complaint procedures. Complainants may seek assistance from mediation centers or public/private interest attorneys. Civil law remedies that may be imposed by a court include, but are not limited to, injunctions and restraining orders. For discrimination complaints, however, a complainant must wait until 60 days have elapsed from the filing of an appeal with the California Department of Education before pursuing civil law remedies. The moratorium does not apply to injunctive relief and is applicable only if the district has appropriately, and in a timely manner, apprised the complainant of his/her right to file a complaint in accordance with 5 CCR 4622.

John Deasy, Superintendent

May 20, 2004

ADOPTED

REVISED

CSBA DATE

December 10, 1998

May 20, 2004

March 2002
October 1997

TO: BOARD OF EDUCATION

ACTION
06-03-04

FROM: JOHN DEASY/LAUREL SCHMIDT

RE: UPDATING BOARD POLICY 4030 - NONDISCRIMINATION IN
EMPLOYMENT

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve revisions to Board Policy 4030 - on nondiscrimination in employment to bring it into compliance with current regulations.

COMMENT: The required additions to the existing policy are underlined. Text to be deleted is indicated by a strikeout.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

New text in underscore

BP 4030

~~Deleted text in strikeout~~

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
4030	Personnel	Nondiscrimination in Employment	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Concepts and Roles			x

DETAIL

The Board of Education prohibits unlawful discrimination against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religious creed, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex or sexual orientation, at any district site and/or activity. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages in unlawful discrimination or harassment, or who aids, abets, incites, compels or coerces another to discriminate, is in violation of this policy shall be and is subject to disciplinary action up to and including dismissal.

~~Any district employee who permits unlawful discrimination or harassment may be subject to disciplinary action up to and including dismissal. A district employee shall be deemed to have permitted unlawful discrimination or harassment if he/she fails to report an observed incident of discrimination and/or harassment, whether or not the victim complains.~~

Any district employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the principal, district administrator or Superintendent as soon as practical after the incident. Failure of a district employee to report discrimination or harassment may result in disciplinary action:

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy and administrative regulation shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

The Board designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

Deputy Superintendent
Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, California 90404
310-450-8338

Other Remedies

An employee may, in addition to filing a discrimination complaint with the district, file a complaint with either the Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). The time limits for filing such complaints are as follows:

1. To file a valid complaint with EEOC, the employee must file his/her complaint within ~~300~~ 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)
2. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960. (Government Code 12960)

Employees wishing to file complaints with the DFEH and EEOC should contact the nondiscrimination coordinator for more information.

REFERENCE

Legal Reference:

CIVIL CODE

51.7 Freedom from violence or intimidation

GOVERNMENT CODE

11135 Unlawful discrimination

12900-12996 Fair Employment and Housing Act

PENAL CODE

422.76 Definitions, hate crimes

CODE OF REGULATIONS, TITLE 2

7287.6 Terms, conditions and privileges of employment

CODE OF REGULATIONS, TITLE 5

4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance

UNITED STATES CODE, TITLE 20

1681-1688 Discrimination based on sex or blindness, Title IX

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

2000d-2000d-7 Title VI, Civil Rights Act of 1964

2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended

2000h-2-2000h-6 Title IX, 1972 Education Act Amendments

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act
CODE OF FEDERAL REGULATIONS, TITLE 34

100.6 Compliance information

104.8 Notice

106.8 Designation of responsible employee and adoption of grievance procedures

106.9 Dissemination of policy

COURT DECISIONS

Carter v. California Department of Veterans Affairs (2003) 2003 Cal.LEXIS 5694 Shephard v.

Loyola Marymount (2002) 102 CalApp.4th 837 [MANAGEMENT RESOURCES](#)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999

Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, March, 1999

U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS

Notice of Non-Discrimination, January, 1999

WEB SITES

EEOC: <http://www.eeoc.gov>

OCR: <http://www.ed.gov/offices/OCR>

DFEH: <http://www.dfeh.ca.gov://www.dfeh.ca.gov>

<u>ADOPTED</u>	<u>REVISED</u>	<u>CSBA DATE</u>		
October 5, 1992	May 20, 2004		April 6, 2000	December 10, 1992
	November 2003	November 1999		

DISTRICT GOAL

Quality Education for All

TO: BOARD OF EDUCATION ACTION/MAJOR
06/03/04
FROM: SUPERINTENDENT/KENNETH R. BAILEY/VIRGINIA I. HYATT
RE: AWARD OF DISTRICTWIDE ASPHALT REPAIR/REFURBISH AND UNIT
PRICING, BID #4.05

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve _____
as the awarding contractor for asphalt repair at Malibu High
School in the amount of _____ and award unit pricing for
future projects in the amounts listed below.

Funding Information

Budgeted: Yes
Fund: 01
Source: Deferred Maintenance
Account number:14-00000-0-00000-81100-5640-060-1500
Description: Deferred Maintenance-Repair by Vendor

COMMENT: Bid #4.05 is scheduled for opening on June 1, 2004 at
2 p.m. at the District Office. Complete information will be
made available at the Board Meeting.

Malibu High School has three areas that need immediate
repair due to cracking and deterioration of the asphalt. The
work should begin in July and be completed by the start of
the fall semester. Additional work needed throughout the
school year will be awarded as necessary based on the unit
costs that will be listed below. This contract will be
renewed annually, up to five (5) years. Ten (10) contractors
were invited to bid, four (4) attended the job walk, _____
submitted bids. Bid results are as follows:

Ben's Asphalt	\$
Mission Paving	\$
Universal Asphalt	\$
S & S Paving	\$
Imperial Paving	\$

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/03/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY/WILL CAREY

RE: MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF SANTA MONICA AND THE DISTRICT FOR CITY FIBER SERVICES

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve the attached Memorandum of Understanding from the City of Santa Monica to provide fiber connectivity through-out Santa Monica.

COMMENT: The City of Santa Monica and the local cable provider, Adelphia, has connected all District facilities (schools, district office, transportation, CDS) within the city of Santa Monica with fiber optic cable as well as Santa Monica College and Santa Monica City facilities. The provision of this fiber connectivity is at no cost to the District and provides a tremendous opportunity to move our network forward in its reliability, use, and bandwidth. All facilities will be connected via gigabit ethernet. The equipment will be shared in a consortium with the College and City, with the City taking lead responsibility for maintenance and support. The three entities will share in the cost, relieving the District of having to hire expensive support staff at this level of network sophistication.

At the site level the District will continue to be responsible for its own equipment and internal network infrastructure. As we move to the new model for site tech support the use of site infrastructure will continue successfully. The use of this 'city' fiber will allow us to abandon the use of commercially provided T1 lines for data transmission. One additional benefit is that we can easily and affordably move to two gigabit ethernet to each site as the need arises. Under general conditions the District would be hard pressed to ever afford gigabit ethernet connectivity let alone dual gigabit at commercial rates. With this increased bandwidth and reliability we can begin to centralize network services such as internet filtering and security provisioning. This can increase purchase efficiencies and reduce site support.

The MOU document constitutes the financial agreement between the District and the City of Santa Monica.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION DISCUSSION
06-03-04
FROM: JOHN E. DEASY /LINDA KAMINSKI/LAUREL SCHMIDT First
Reading
RE: AUTHORIZATION - AUTOMATIC EXTERNAL DEFIBRILLATOR

DISCUSSION ITEM NO. D.1

It is recommended that the Board of Education authorize the installation of the Automatic External Defibrillator (AED) at each middle and high school campus in the district. The AED is used to treat victims who experience sudden cardiac arrest. The average survival rate for sudden cardiac arrest is only 7 percent. Research shows that immediate treatment with a defibrillator increases the survival rate to 45 percent or more.

All the nurses in our district have been trained to use the AED. They will train designated employees at each site, including athletic coaches, to follow the AED protocol while waiting for emergency medical assistance to arrive. Dr. Meyer, the consulting physician for the district, will monitor the implementation and effectiveness of the program.

The AED units will be purchased using MediCal funds earned by the nurses when they provide health services to MediCal eligible students.

TO: BOARD OF EDUCATION

INFORMATION

06/03/04

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: SUPPLEMENTAL TEXTBOOKS/SOFTWARE TO BE ADOPTED

INFORMATION ITEM NO. I.1

It is recommended that the Board of Education adopt the following textbooks for use in the Santa Monica-Malibu Unified School District. The Board will take action to adopt these materials at the board meeting scheduled to be held Thursday, June 24, 2004.

Comment: In accordance with Board of Education policy, the textbooks listed below will be on display for the next two (2) weeks at each summer school site that plans to use these materials and Educational Services.

PACIFIC METRICS CORPORATION - Practice to Achieve,
Grades 9-12

PACIFIC METRICS CORPORATION - MiddleMath On-line,
Grades 6-8

GREAT SOURCE - Summer Success Reading,
Grades 6-8

GREAT SOURCE - Summer Success Math,
Grades 2-7