

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY
RE: APPROVAL OF MINUTES

ACTION
04/07/05

RECOMMENDATION NO. A.01

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

March 17, 2005

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION
 FROM: SUPERINTENDENT
 RE: APPROVAL OF INDEPENDENT CONTRACTORS

ACTION/CONSENT
 04/07/05

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 2004/2005 budget.

Contractor/Contract Dates	Description	Site	Funding
Thomson L. Sun, DDS April 8 - June 30, 2005 Cost: not to Exceed \$5,000	To provide dental services (such as examinations, extractions, and all aspects of general dentistry) to the Head Start children as required by the Head Start Program	CDS	Head Start 12-52101-0-85000-10000-070-2700
Mad Science of Los Angeles Feb 1 - June 17, 2005 Cost: not to exceed \$5,460	To provide three workshops each Friday for 4/5 grades	Rogers	GATE 01-71400-0-11100-10000-5802-006-4060
Francisco Martinez Music Center/Artist in Residence Jan 1 - March 18, 2005 Cost: not to exceed \$10,070	To work with 3rd Grade students in two groups with 12 sessions for each group plus a planning meeting, an evaluation meeting and culmination program for both groups.	Roosevelt	PTA 01-90150-0-11100-10000-5802-4070
Ant Hill Productions Apr 7 - June 30, 2005 Cost: not to exceed \$10,000	To produce the 2003-2004 SMMUSD sites' School Accountability Report Cards (SARC).	Ed Services	Ed Services Adm. 01-00000-0-19600-21000-5802-030-1300

MOTION MADE BY:
 SECONDED BY:
 STUDENT ADVISORY VOTE:
 AYES:
 NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: SUPERINTENDENT

RE: OVERNIGHT FIELD TRIP(S) 2004-2005

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve/ratify the special field trip(s) listed below for students for the 2004-2005 school year. No child will be denied participation due to financial hardship.

<u>School Grade # students</u>	<u>Destination Dates</u>	<u>Principal Teacher</u>	<u>Cost Funding Source</u>	<u>Subject</u>	<u>Purpose of Trip</u>
Malibu 9-12 60	Universal City 4/15/05 to 4/16/05	Irene Messolores Mark Kelly	\$110 Paid for by the Arts Angels	Music	Choir retreat for our upcoming festival. Also to see the "King and I" at the Pantages in Hollywood.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/17/05

FROM: SUPERINTENDENT

RE: BASIC/SUPPLEMENTAL TEXTBOOK ADOPTION

RECOMMENDATION NO. A.04

It is recommended that the textbooks listed below be considered for adoption for the Santa Monica-Malibu Unified School District. The Board of Education will take action to adopt these books at the next Board of Education meeting.

LIFE OF PI, written by Yann Martel. Adoption requested by Carol Jago of Samohi for grades 9-10

COMMENT: In accordance with the Board of Education policy, the textbook listed above has been on public display since March 17, 2005 in the Educational Services Department at 1638 17th Street, Santa Monica, CA.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A. 05

It is recommended that the Board of Education approve/ratify the following Requests for Absence on District Business (Conference and Travel) forms.

COMMENTS: Entries are alphabetical, by employee last name. In addition to the employee's name and site/location, each entry contains the following information: name, location and date (s) of the conference, complete account code, fund and program names, and the total estimated cost as provided by the site administrator. The average cost for substitute teachers is \$130/day. This figure is furnished for informational purposes and does not reflect the actual amount paid for an individual substitute.)

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	<u>CONFERENCE NAME</u> <u>LOCATION</u> <u>DATE (S)</u>	<u>COST</u> <u>ESTIMATE</u>
<u>CANNELL, Steve</u> Franklin Elementary No Cost to District	California State Parent Teacher Assn. Sacramento, CA April 28 - May 1, 2005	SUB ONLY
<u>HAMMER, Chloe</u> Malibu High 01-90141-0-1110-10000-5220-010-4100 General Fund - <u>Resource:</u> Shark Fund	Practical Strategies for Working w/Students w/Asbergers Syndrome & High Functioning Autism Anaheim, CA May 6, 2005	\$200 + SUB
<u>HARRIS, Hank</u> State & Federal Projects 01-30100-0-11100-10000-5220-035-1300 General Fund - <u>Resource:</u> Title I, Part A	Categorical Program Directors' Meeting Downey, CA March 17, 2005	\$35
01-41100-0-11100-10000-5220-035-1300 General Fund - <u>Resource:</u> Title V	Assessment Directors' Meeting Downey, CA March 23, 2005	\$35

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>RAMIREZ, Luis</u> Adams Middle 01-72600-0-11100-10000-5220-011-4110 General Fund - Resource: SIP K - 6	Constitution Rights Foundation Youth for Justice West Coast Training Los Angeles, CA April 18 - 20, 2005	\$200
<u>SIMMER, Heather</u> Malibu High 01-90141-0-11100-10000-5220-010-4100 General Fund - Resource: Shark Fund	Non-Violent Crisis Prevention Camarillo, CA May 11, 2005	\$25 + SUB
Adjustments (Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)		
NONE		
Group Conference and Travel: In-State * a complete list of conference participants is on file in the Department of Fiscal Services		
<u>JONES, Julie</u> +5 Additional Staff Malibu High 01-90141-0-11100-10000-5220-010-4100 General Fund - Resource: Shark Fund (\$1,100 of costs) 01-00040-0-11100-10000-5220-011-4110 General Fund - Resource: Gov.'s Perf. (\$1,650 of costs)	Advancement Via Individual Determination Summer Institute Los Angeles, CA August 8 - 12, 2005	\$2,750 Total
<u>MOEN, Jodie</u> <u>ROSEN, Maureen</u> Malibu High 01-90141-0-11100-10000-5220-010-4100 General Fund - Resource: Shark Fund	Making Math Work for Underachieving Students Anaheim, CA May 5, 2005	\$400 Total + 2 SUBS
<u>SOUMAKIAN, Gabe</u> +1 Additional Staff Personnel Services 01-00000-0-00000-72000-5220-025-1250 General Fund - Function: Other Genl. Admin.	Teacher Job Fair - Education Expo 2005 Pomona, CA April 7, 2005	\$225 Total
<u>SOUMAKIAN, Gabe</u> +1 Additional Staff Personnel Services 01-00000-0-00000-72000-5220-025-1250 General Fund - Function: Other Genl. Admin.	Education Expo 2005 Northridge, CA April 13, 2005	\$225 Total

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
Out-of-State Conferences: Individual		
<u>JEFFRIES, Jane</u> Health Services 01-56400-0-00000-39000-5220- 041-1400 General Fund - Resource: Medi-Cal Reimbursement	National Assn. of School Nurses 37 th Annual Conference Washington, DC June 30 - July 3, 2005	\$1,015
Out-of-Continental U.S. Conferences: Group		
<u>KRATZER, Cindy</u> <u>TEPLIN, Amy</u> State & Federal Projects 01-41100-0-11100-10000-5220- 035-1300 General Fund - Resource: Title V	American Educational Research Assn. *Montreal, Canada April 11 - 15, 2005 <i>*Special one-time approval for out of country conference</i>	\$2,500 Total

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/WINSTON A. BRAHAM
RE: ACCEPTANCE OF GIFTS - 2004-05

ACTION/CONSENT
04/07/05

RECOMMENDATION NO. A.06

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$34,598.69 presented to the Santa Monica-Malibu Unified School District.

It is further recommended that the Fiscal/Business Services Office, in accordance with Educational Code §42602, be authorized to increase the 2004-2005 income and appropriations by \$34,398.69, as described on the attached listing.

COMMENT: The value of all non-cash gifts has been determined by the donors.

AGENDA

NOTE: The list of gifts is available on the District's website, www.smmusd.org, as a pdf file; to view the gift report:

- 1) go to www.smmusd.org
- 2) click on "Board Meetings"
- 3) scroll to the date for this meeting
- 4) click on CurrGift040705.pdf

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT
04/07/05
FROM: JOHN E. DEASY/WINSTON BRAHAM/VIRGINIA I. HYATT
RE: APPROVAL OF PURCHASE ORDERS

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Order from March 11, 2005 through March 29, 2005 for fiscal year 2004/05.

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:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: REQUEST FOR ALLOWANCE OF ATTENDANCE BECAUSE OF
EMERGENCY CONDITIONS

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve the submission of Request for Allowance of Attendance because of road closures due to mudslides caused by the rainstorms in January, 2005. Education Code §41422 states "when one or more district schools have been closed due to emergency conditions, districts may request a waiver to allow the lost day(s) to be disregarded in the computation of ADA and obtain credit for the instructional minutes that would have been offered." Education Code §46392 states "when one or more schools are kept open but experience a material decrease in ADA, districts may request a waiver to allow the ADA from either the month of October or May be used to determine the ADA as if the emergency hadn't occurred." It is also recommended that the Board of Education execute the Affidavit of Governing Board Members certifying the emergency listed.

COMMENTS: On February 23, 2005, all Malibu schools were closed due to the closure of Pacific Coast Highway between Topanga Canyon and Big Rock Drive. In addition, Malibu Canyon Road, Topanga Canyon and Decker Canyon were also closed due to mudslides resulting from the January, 2005 rainstorms. Additionally, Webster Elementary suffered a loss of ADA in excess of 10% of the "normal" daily attendance on February, 24, 2005. The October, 2004 average daily attendance was used to figure the amount of ADA each site lost as a result of the road closures.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

AFFIDAVIT OF GOVERNING BOARD MEMBERS

We, members constituting a majority of the governing board of the SANTA MONICA-MALIBU UNIFIED school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

Emily Bloomfield	
Julia Brownley	
Oscar de la Torre	
J.J. Escarce	
Maria Leon-Vazquez	
Shane McLoud	
Kathy Wisnicki	
Printed Names	Signatures

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this _____ day of APRIL, 2005.

Signature, Title : _____

of LOS ANGELES County, California

Contact/Individual responsible for preparing this form:

Name: KIM MELLY Title: ACCOUNTANT

Phone: 310-450-8338 ext 209 Fax : 310-450-1667 E-mail: melly@mail.smmusd.org

AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

Signature, County Superintendent of Schools _____

Date: _____

Subscribed and sworn (or affirmed) before me, this ____ day of April, 2005.

Signature, Title _____

of _____ County, California

Contact/Individual responsible for preparing this form:

Name: _____ Title: _____

Phone: _____ Fax : _____ E-mail: _____

TO: BOARD OF EDUCATION ACTION/CONSENT
04/07/05
FROM: JOHN E. DEASY/WINSTON A. BRAHAM/VIRGINIA I. HYATT
RE: AMENDMENT TO CONTRACT WITH AMERITEL INC FOR CLOSED
CIRCUIT SECURITY CAMERAS-RFP #5.02-CHANGE ORDER #1

RECOMMENDATION NO. A.09

It is recommended that the Board of Education authorize additive Change Order #1 as an amendment to the contract with Ameritel Inc., for the closed circuit security camera project at SAMOHI. This change order will add \$5,624.93 to the contract for a total contract price of \$25,698.43.

Funding Information

Budgeted: Yes
Fund: General Fund
Source: Permits
Account number: 01-90110-0-11100-10000-4400-015-4150
Description: Instruction

COMMENT: The Board of Education approved this contract during the Board meeting on 12/9/04. Staff did not include the cost for the head-in equipment that was shown under the interior camera cost in the bid documents, as the contract award was for exterior cameras only.

ORIGINAL CONTRACT	\$20,073.50
CHANGE ORDER #1	\$ 5,624.93
TOTAL CONTRACT AMOUNT	\$25,698.43

Change Order #1 includes the following:

1. Add labor and material costs for head-in equipment for the security cameras. \$5,624.93

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: SUPERINTENDENT/WINSTON A. BRAHAM/VIRGINIA I. HYATT

RE: APPROVAL FOR DISPOSAL/SALE OF SURPLUS EQUIPMENT

RECOMMENDATION NO. A.10

It is recommended that the Board of Education approve the disposal, sale, auction or donation of the surplus equipment and furniture listed below.

COMMENT: All items are obsolete, beyond economic repair, unusable or deemed as surplus. Items will be disposed of in accordance with Educational Code 17545-17555.

School/Dept	Item	Qty	Serial Number	Inventory Number
Transportation	Xerox Copier	1	1M2 463504	04410
Fiscal Svcs	Simplex Time Clock	1	H11383-GJ	06931
SAMOHI	Mita Copier DC 1435	1	46076702	00332
Webster	Misc. Printers	7	Unknown	None
	Misc. Printers	4	Unknown	05377, 03956, 06903, 12090
	Misc. Monitors	7	Unknown	None
	Monitor	1	Unknown	023111
	Misc. Keyboards and peripheral items		Unknown	None
	VCR	1	Unknown	07075
Malibu High	Beseler Printmaker 35 Enlarger	5	118133, 118136, 70516, 118134, 70487	03597, 03598, 03590, 03594, 03593
Adams	Xerox Copier 5065	1	OC4024604	05542
Health Office	IBM Selectric Model 670X	1	6705 4855880	021911 - 05090
	IBM Selectric Model 8X	1	26 3863650	021905 - 05004
Edison	IBM Selectric II	1	Unknown	020153 - 02770
Grant	Elmo HP L355 projector	1	993573	None
Adult Ed	Gateway Computer E3400	1	0023224554	09673

School/Dept	Item	Qty	Serial Number	Inventory Number
Adult Ed (con't)	Gateway Monitor E700	1	Unknown	None
	HP Deskjet C1000	1	SG7B313044	06385
	HP Laser Jet Series F Model AC 115V	1	874179	08006
	DFI Computer	1	MEIHA706504331	07804
	Various Speakers	14	Various	None
	Various Keyboards	3	Various	None
	External Drive	1	Unknown	None
	Optiquest 10000S- 2	1	4253314140	None
	Arcus CM-1402	1	Unknown	None
	AST CM1402	1	35267000U03525	None
	Printer A9M0320	1	1515007	02300 - 08014
	Epson Printer P18MA	1	0030045544	None
	Nexstar/LTXP54C CPU	1	12190	08007
	Compaq CPU	2	8062, 3063	08009, 08010
	IBM PS 28555 CPU	1	23-1062740	None
Muir/SMASH	Gateway CPU	1	0016420807	10625
	Mac PC 9500/200	1	XB6511	100337
	Power Mac LC475	1	XB81141RAD6K	06312
	Mac LC475	3	Unknown	01528, 02319, 01 547
	Quadra 605 CPU	1	Unknown	None
	Gateway Pentium E3200	1	Unknown	07719
	Keyboards, Apple, Gateway, AT&T	11	Unknown	None
	3M Overheads Model 213	2	Unknown	157388, 672504
	Zenithe SF2501W TV w/ Cart	1	09143130618	None

School/Dept	Item	Qty	Serial Number	Inventory Number
Muir/SMASH (con't)	Printer, Apple Stylewriter	1	Unknown	None
	Printer, Apple Laserwriter	1	Unknown	None
	Printer, Epson Stylus 740	1	A6R1598975	None
	Printer, HP Deskjet 895CX	1	Unknown	None
	Printer, HP Deskjet 660C	1	Unknown	10336
	Printer, HP Deskjet 840C	1	Unknown	None
Muir/SMASH con't	Misc. Monitors	7	Unknown	None
	Record Players, Califone	3	MD056830, MD056801, Unknown	None
	Infocus LCD Projector	1	IP340B	09795
	Proxima LCD Projector	1	Unknown	05676
	Kodak Slide Projector	1	Unknown	None
	Audiotronics Tape Recorder 153S	1	646971	None
	Sawyer Auto Focus Projector	1	Unknown	None
	RCA VCR	1	908370923	Unknown
	Pioneer Laser Disk Players	2	3932458, 3925782	Unknown

The following vehicles will be sold as surplus once the replacement vehicles are received. Vehicles are beyond economic repair and exceed the District standard of a 10 year replacement cycle.

Veh#	Make/Model	Year	SN	Shop	License
33	Dodge Ram 250 Utility Body	1985	1B6MD3418FS719590	Maintenenace	E482731
35	GMC 5000 Stakebed	1987	1GDE5D1AHV532421	Operations	E487488

Condition:

Veh#	Mileage	Interior Condition	Exterior Condition	Mechanical
33	86490	Poor	Damaged	Poor
35	81267	Poor	Poor	Poor

MOTION MADE BY:
 SECONDED BY:
 STUDENT ADVISORY VOTE:
 AYES:
 NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.11

Unless otherwise noted, all items are included in the 2004/2005 approved budget.

ELECTIONS

ADDITIONAL ASSIGNMENTS

CABRILLO ELEMENTARY

Siegel, Julie	66hrs @\$36.32	01/10/05-06/24/05	<u>Est Hrly/\$2,397</u>
			TOTAL ESTABLISHED HOURLY \$2,397

Comment: Homework Club
01-School Improvement Prog, K-6
01-Gifts

EDUCATIONAL SERVICES

Ernst, Anne	4 hrs @\$36.32	3/10/05-3/11/05	Est Hrly/\$145
Janulaitis, Donna	6 hrs @\$36.32	3/10/05-3/11/05	Est Hrly/\$218
Mahon, Meg	4 hrs @\$36.32	3/10/05-3/11/05	<u>Est Hrly/\$145</u>
			TOTAL ESTABLISHED HOURLY \$508

Comment: Nurse coverage during the Stairway Dress Rehearsal and Performance
01-Gifts

EDISON ELEMENTARY

Brumer, Sandra	36 hrs @\$36.32	02/05-06/05	Est Hrly/\$1,308
Boxer, Lorissa	36 hrs @\$36.32	02/05-06/05	Est Hrly/\$1,308
Dworin, Jeanne	72 hrs @\$36.32	02/05-06/05	Est Hrly/\$2,615
Jacob-Marai, Nora	72 hrs @\$36.32	02/05-06/05	Est Hrly/\$2,615
Naranjo, Rocio	36 hrs @\$36.32	02/05-06/05	Est Hrly/\$1,308
Ziff, Alison	36 hrs @\$36.32	02/05-06/05	<u>Est Hrly/\$1,308</u>
			TOTAL ESTABLISHED HOURLY \$10,462

Comment: After School Intervention Classes
01-Unrestricted Resource

FRANKLIN ELEMENTARY

Jorgensen, Monica	11 hrs @\$35.96	Spring 03/04	<u>Est Hrly/\$396</u>
			TOTAL ESTABLISHED HOURLY \$396

Comment: Hours worked Spring Break 03/04 on Special Education/IEP files to be redone as per state request
01-Special Education

LINCOLN MIDDLE SCHOOL

Gies, Gretchen	4 hrs @\$36.32	3/05/05-3/06/05	Est Hrly/\$145
Gross, Stephanie	4 hrs @\$36.32	3/05/05-3/06/05	Est Hrly/\$145
Lee, Chon	4 hrs @\$36.32	3/05/05-3/06/05	Est Hrly/\$145
Stivers, Susan	4 hrs @\$36.32	3/05/05-3/06/05	Est Hrly/\$145
Swartz, Jeffrey	4 hrs @\$36.32	3/05/05-3/06/05	<u>Est Hrly/\$145</u>
			TOTAL ESTABLISHED HOURLY \$725

Comment: Finish Scoring LMS District Writing Assessments
01-Unrestricted Resource

Baltruzak, Jennifer	3 hrs @\$36.32	2/23/05	Est Hrly/\$109
Hotz, Diane	3 hrs @\$36.32	2/23/05	Est Hrly/\$109
Marcos, Eric	3 hrs @\$36.32	2/23/05	Est Hrly/\$109
			<u>TOTAL ESTABLISHED HOURLY</u>
			\$327

Comment: 8th Grade Math Planning
01-School Improvement Prog, 7-12

MALIBU HIGH SCHOOL

Simmer, Heather	14 hrs @\$36.32	02/01/05-03/18/05	Est Hrly/\$508
			<u>TOTAL ESTABLISHED HOURLY</u>
			\$508

Comment: After School Retention Class
01-Unrestricted Resource

WILL ROGERS ELEMENTARY

Fliegel, Lois	15 hrs @\$36.32	03/02/05-06/24/05	Est Hrly/\$545
			<u>TOTAL ESTABLISHED HOURLY</u>
			\$545

Comment: Homework Club
01-IASA:Title I Basic

SANTA MONICA HIGH SCHOOL

Anderson, Terry	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Bart-Bell, Dana	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Gonzalez, Alicia	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Kim, Douglas	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Klevs, Charles	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Le-Cassidy, Linh	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Paez, Gabriel	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
Solomon, Daryl	4 hrs @\$36.32	2/01/05-6/30/05	Est Hrly/\$145
			<u>TOTAL ESTABLISHED HOURLY</u>
			\$870

Comment: "H" House Student Support Workshop
01-Other Federal

Danesi, Dana	6 hrs @\$35.96	1/29/05	Est Hrly/\$216
			<u>TOTAL ESTABLISHED HOURLY</u>
			\$216

Comment: Moved into a new classroom
01-Gifts

Gleason, Tania	15 hrs @\$36.32	02/01/05-06/30/05	Est Hrly/\$545
Pusey, Jon	4.5 hrs @\$36.32	02/01/05-06/30/05	Est Hrly/\$163
Rupprecht, Steve	6 hrs @\$36.32	02/01/05-06/30/05	Est Hrly/\$218
Sene, Fabrice	7.5 hrs @\$36.32	02/01/05-06/30/05	Est Hrly/\$272
Serratore, Rose	7.5 hrs @\$36.32	02/01/05-06/30/05	Est Hrly/\$272
			<u>TOTAL ESTABLISHED HOURLY</u>
			\$1,470

Comment: Intervention Program CaHSEE tutorial
01-Unrestricted Resource

TOTAL ESTABLISHED HOURLY = \$18,424

SUBSTITUTE TEACHERS

Effective

PREFERRED SUBSTITUTES

(@\$145 Daily Rate)

Dick, Joshua	3/4/05
Mora, Roxanne	9/7/04

TEMPORARY CONTRACTS

Name/Assignment	Not to	
<u>Location</u>	<u>Exceed</u>	<u>Effective</u>
Rodriguez-Torres, Jesus	100%	3/3/05-6/24/05
John Adams MS/ELD-ESL	[J. Moore]	

LEAVES OF ABSENCE (with pay)

Name/Assignment	
<u>Location</u>	<u>Effective</u>
Bannatyne, Elaine	02/25/05-3/19/05
McKinley Elementary	[medical]

RESCINDING NONREELECT OF PROBATIONARY EMPLOYEE

(Action of Nonreelect of Employee at March 3, 2005 Board Meeting)
ID #: 0711

RESIGNATIONS

<u>Name/Location</u>	<u>Effective</u>
Bristol, Jennifer	06/24/05
Malibu	
Franke, Anoushka	06/24/05
Santa Monica High School	
McCraw, Renee	06/24/05
McKinley Elementary	
Nordberg, Karrie	06/24/05
McKinley Elementary	
Omura De Galperin, Dawn	06/24/05
Santa Monica High School	
Rosen, Nance	06/24/05
Santa Monica High School	
Spriggs, Kelli	06/24/05
Santa Monica High School	

RETIREMENTS

<u>Name/Location</u>	<u>Effective</u>
Jacobs, Rochelle	06/24/05
Cabrillo Elementary	

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: SPECIAL SERVICES EMPLOYEES

RECOMMENDATION NO. A.12

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 2004/05 budget.

ELECTIONS

<u>Name/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>	<u>Rate</u>
Ide, Richard	\$14,100 + benefits	03/01/05-04/30/05	\$50/hr +expenses
Personnel Commission, Interim Department Manager; provide assistance to the Personnel Commission Department within the scope of the position description of Director, Classified Personnel			
FUNDING: 01-00000-0-00000-72000-2917-027-1501 Unrestricted Resource			
Seeds, Robert	\$6,500	02/16/05-04/30/05	\$35/hr
Personnel Commission, perform desk audits of the entire Human Resources staff; provide training to the Personnel Commission Staff in the area of recruitment/testing			
FUNDING: 01-00000-0-00000-72000-2917-027-1501 Unrestricted Resource			
Simon, Vida	\$3,000	03/13/05-06/24/05	\$40/hr
Franklin Elementary School, teach vocal music to all 5 th grade students culminating in a graduation performance for parents			
FUNDING: 01-90150-0-11100-10000-2917-002-1501 Reimbursed by PTA			
Vester, John	\$200	01/07/05-06/30/05	\$50/hr
Olympic High School, Guitar lessons to Olympic students			
FUNDING: 01-90120-0-11100-10000-4310-014-1501 Gifts			

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT
04/07/05
 FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS/RICHARD R. IDE
 RE: CLASSIFIED PERSONNEL - MERIT

RECOMMENDATION NO. A.13

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

ELECTION

STANLEY CLARE	INSTR ASST - CLASSROOM 3.5 HRS/SY JOHN MUIR RANGE: 18 STEP: 01	02/24/05
WILLIAMS, DARRICK	INSTR ASST - SPECIAL ED 5.0 HRS/SY MCKINLEY RANGE: 20 STEP: 01	03/01/05

PROFESSIONAL GROWTH

MOLLMAN, IRENE	INSTRUCTIONAL ASSISTANT SPECIAL EDUCATION	03/01/05
SAAD, CAROLIN	INSTRUCTIONAL ASSISTANT SPECIAL EDUCATION	03/01/05
WEEKS, CARLA	PRODUCTION KITCHEN COORDINATOR FOOD & NUTRITION SERVICES	03/01/05

TEMP/ADDITIONAL ASSIGNMENT

DIXON, CRYSTAL	INST ASST SPECIAL EDUCATION	03/15/05 03/15/05
GUTIERREZ, NANCY	COMMUNITY LIASON SPECIAL EDUCATION	02/23/05 02/23/05
IBARRA, CHASEN	INST ASST SPECIAL EDUCATION	03/15/05 03/15/05
LIBBY, CASEY	SR OFFICE SPECIALIST STUDENT & FAMILY SUPPORT SVCS	12/01/04 04/29/05
MARTIN, ELENA	SR OFFICE SPECIALIST SANTA MONICA HIGH SCHOOL	02/01/05 06/30/05

INCREASE IN ASSIGNMENT

YADEGARI, SHOLEH	INST ASST - CLASSROOM 3.0 HRS/SY FRANKLIN FR: 2.95 HRS/SY FRANKLIN	09/03/04 06/24/05
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SUBSTITUTES

COWANS, PAMELA	CHILD CARE ASST CHILD DEVELOPMENT SVCS	03/02/05 06/30/05
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GARCIA, NAOMI	OFFICE SPECIALIST EDISON ELEMENTARY	02/04/05 06/30/05
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GUERCIO, RONALD	CAMPUS SECUIRTY OFFICER SANTA MONICA HIGH SCHOOL	02/01/05 06/30/05
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GUYER, LARRY	TECHNOLOGY SUPPORT ASST GRANT ELEMENTARY	02/22/05 06/30/05
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HOFMAN, PHILIP	TECHNOLOGY SUPPORT ASST GRANT ELEMENTARY	02/22/05 02/22/05
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KLAUSNER, JOANNA	INST ASST - CLASSROOM WEBSTER ELEMENTARY	02/07/05 06/20/05
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ROGERS, RODNEY	INST ASST - SPECIAL EDUC SPECIAL EDUCATION	02/03/05 06/24/05
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SANTIAGO, LAUREN	INST ASST - SPECIAL EDUC SPECIAL EDUCATION	03/10/05 06/24/05
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SURGINER, KAY	OFFICE SPECIALIST ROP	03/09/05 06/09/05
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TAIT, WILLIS	INST ASST - P.E. VARIOUS SITES	01/11/05 06/24/05
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TORRES, CLAUDIA	CAFETERIA WORKER I FOOD & NUTRITION SVCS	03/11/05 06/24/05
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PAID MEDICAL LEAVE OF ABSENCE

HOLMES, BETH	PERSONNEL SERVICES DISTRICT OFFICE	03/02/05 03/16/05
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MCKENZIE, AMY	INST ASST SPECIAL EDUCATION	02/18/05 04/15/05
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SMITH, ZEKAIA	INST ASST - CDS WILL ROGERS ELEMENTARY	03/21/05 05/31/05
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UNPAID LEAVE OF ABSENCE

CASILLAS, SYLVIA	INST ASST - P.E. FRANKLIN ELEMENTARY	02/07/05 04/22/05
IMAN, PAUL 01/13/05; 01/27/05	CUSTODIAN JOHN ADAMS MS (1/2 DAY UNPAID LEAVE)	12/17/04; & &

FAMILY CARE LEAVE

RODRIGUEZ, SARA	INST ASST - CLASSROOM WILL ROGERS ELEMENTARY	01/18/05 04/04/05
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EXHAUSTION OF ALL PAID LEAVES-39 MONTH MEDICAL REEMPLOYMENT LIST

HARRIS, PATRICIA	SR ADMINISTRATIVE ASST SUPERINTENDENT'S OFFICE	04/24/05
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RESIGNATIONS

CONRAD, WEIJIN	INST ASST - SPEC EDUCATION WEBSTER ELEMENTARY	02/28/05
HARPER, SONJA	ELEM LIBRARY MEDIA COORDINATOR SMASH	03/10/05

RETIREMENT

KLIMANKO, HILDA	ASST - CDS PINE STREET CDS	03/07/05
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MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT
04/07/05
 FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS/RICHARD R. IDE
 RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.14

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 schedules.

STUDENT HELPER - WORKABILITY

FAITH, SARAH	SANTA MONICA HIGH SCHOOL	03/07/05-06/10/05
GAVIN, JORDAN	SANTA MONICA HIGH SCHOOL	02/01/05-06/30/05
GREESON, PERRY	SANTA MONICA HIGH SCHOOL	02/19/05-06/30/05
STEPHENS, BRANDI	SANTA MONICA HIGH SCHOOL	03/01/05-06/30/05

ASSISTANT TRACK COACH

AHN, CHRISTINE	SANTA MONICA HIGH SCHOOL	02/05-06/05
JAWORSKI, DAVID	SANTA MONICA HIGH SCHOOL	02/17/05-06/05

ASSISTANT JV SOFTBALL COACH

COWART, AL	MALIBU HIGH SCHOOL	03/01/05-06/24/05
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ASSISTANT SOFTBALL COACH

JENSON, BYRON	MALIBU HIGH SCHOOL	03/01/05-06/24/05
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ASSISTANT JV BASEBALL COACH

PAULSON, ADAM	MALIBU HIGH SCHOOL	03/01/05-06/24/05
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ASSISTANT TRACK COACH

SHAFER, TONY	MALIBU HIGH SCHOOL	03/01/05-06/24/05
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ASSISTANT BASEBALL COACH

HEAVENS, JOHN	SANTA MONICA HIGH SCHOOL	02/01/05-05/31/05
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NOON AIDE

SULLIVAN, BRIANNA	GRANT ELEMENTARY	02/16/05-06/24/05
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MOTION MADE BY:
 SECONDED BY:
 STUDENT ADVISORY VOTE:
 AYES:
 NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/07/05

FROM: JOHN E. DEASY/SUPERINTENDENT

PREVIOUSLY

03/03/05

RE: MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT AND THE SANTA MONICA-MALIBU EDUCATION FOUNDATION

RECOMMENDATION NO. A.15

It is recommended that the Board of Education approve the Memorandum of Understanding (MOU) between the District and the Education Foundation.

COMMENT: The MOU was presented for discussion at the meeting of March 3, 2005 with suggested modifications. It is now appropriate to approve the MOU.

As stated in the adopted (September 9, 2004) gift policy, the Education Foundation is named as the Equity Fund administrator. The duties of the organization include the collection and distribution of funds and public reporting through an annual audit. The organization will also be responsible for the collection of voluntary donations to the Equity Fund. A board of directors from the Education Foundation and community will be established to oversee the Equity Fund and its activities.

Additional responsibilities of the Equity Fund Board include:

- 1) Actively fundraise for the Fund
- 2) assist sites/schools in fundraising through a cadre of experts in this area. These volunteers will be at the disposal of various schools to help with this important work.
- 3) Support a sister site program for those who wish to participate
- 4) Post an annual audit of both the finances and activities of the Equity Fund.

This group of community volunteers should report to the School Board on a regular basis.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“Memorandum”), entered into this ____ day of _____, 2005 by and between the Santa Monica-Malibu Unified School District and the Santa Monica-Malibu Education Foundation, is made with reference to the following:

RECITALS

A. The Santa Monica-Malibu Unified School District (“District”) is a Local School District, duly organized and validly existing under California Education Code §§ 35010 et seq., with the power to carry out its business as it is now being conducted under the statutes of the State of California and the Bylaws of the District and for District-wide programs designed to achieve the mission of the Equity Fund.

B. The Santa Monica-Malibu Education Foundation (“Foundation”) is a California non-profit organization with tax-exempt status pursuant to I.R.C. § 501(c)(3). The Foundation is in good standing under the laws of the State of California and the United States, and has corporate power to carry out its business as specified in its Bylaws.

C. In September, 2004, the District approved a revised policy on the acceptance of gifts, designated BP 3290 (“Gift Policy”). The Gift Policy establishes an Equity Fund consisting of both voluntary and required contributions. Proceeds of the Equity Fund will be distributed to the District’s school sites in accordance with a formula adopted as part of the Gift Policy or as otherwise approved by the District.

D. Paragraph III.F. of the Gift Policy provides that the Board of Education will designate the Foundation to administer the Equity Fund. The purpose of this Memorandum of Understanding is to establish the rights and responsibilities of the District and the Foundation in the administration of the Equity Fund.

E. The Superintendent of Schools, or his/her designee, is authorized to negotiate this Memorandum with the Foundation.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. TERM OF MEMORANDUM.

The term of this Memorandum shall be from _____ to June 30, 2006 unless this Memorandum is sooner terminated as provided herein. The parties may renew the Memorandum for successive years.

2. RIGHTS AND RESPONSIBILITIES OF THE FOUNDATION.

A. In accordance with Paragraph III.F. of the Gift Policy, and in consultation with the District, the Foundation shall form an Equity Fund Steering Committee from among its Directors and other members of the community. The Equity Fund Steering Committee shall be responsible to carry out the Foundation's responsibilities pursuant to this Memorandum. The Equity Fund Steering Committee shall report regularly to the Foundation and to the Board.

B. The Foundation shall collect all required contributions to the Equity Fund. Collection shall occur in June, as set forth by Paragraph III.D. of the Gift Policy.

C. The Foundation shall collect all voluntary contributions to the Equity Fund whenever they are made. Voluntary contributions shall be kept in an interest-bearing bank account, separate from required contributions. In accordance with its general policy and in furtherance of its goals, the Foundation shall collect an administrative fee equal to five percent of all monies contributed to the voluntary part of the Equity Fund.

D. The Foundation shall distribute Equity Fund proceeds in accordance with Paragraph III.C.3. of the Gift Policy, in amounts designated by the District. The notification of distribution of funds shall occur in July and funds shall be distributed in September, in accordance with paragraph III.D. of the Gift Policy, or as otherwise directed by the District. The Foundation shall not be responsible for calculating of amounts due to the individual sites/schools, but shall accept as accurate the calculations of the District. Such calculations shall be made public by the District.

E. The Foundation shall conduct an annual audit of the Equity Fund, and shall make the audit available to the public through the District's website.

F. The Foundation shall advise sites/schools concerning ways to enhance their fundraising efforts.

G. The Foundation shall assist sites/schools that request assistance in fundraising by attempting to match those schools with persons from sites/schools that have had more successful fundraising efforts.

H. The Foundation shall partner with the District and others in encouraging the giving of voluntary contributions to the Equity Fund. The District understands, however, that the Foundation's human resources are extremely limited, and that it does not have the capacity to conduct extensive fundraising efforts for the Equity Fund. However, the Foundation shall make available its fundraising expertise to those who are actively engaged in raising voluntary donations to the Equity Fund. In the event the Foundation employs a fundraiser it shall include the Equity Fund in the portfolio of fundraising target areas.

3. RESPONSIBILITIES OF DISTRICT.

A. The District shall reimburse the Foundation for all expenses incurred in administrative of the Gift Policy, including the cost of the annual audit.

B. The District shall calculate the amount of the annual distribution to each school site in accordance with Paragraph III.C.3. of the Gift Policy, and shall convey that information to the Foundation.

C. If the composition of the District changes, the District shall notify the Foundation of any modifications to the distribution formula.

4. TERMINATION OF MEMORANDUM.

Either party may terminate this agreement at any time upon written notice. In the event either party exercises its right to terminate as provided in this paragraph, the Foundation shall remit all unallocated Equity Fund monies to the District within a reasonable period of time so as not to disrupt the ongoing viability of the Equity Fund or the administration of the Gift Policy as a whole.

5. COMPLIANCE WITH LAW.

The parties shall comply with all federal, state, and local laws, ordinances, regulations, and directives as they shall relate to the performance of this Memorandum or any modifications or amendments thereto.

6. INDEPENDENT CONTRACTOR.

The Foundation is an independent contractor and is not an agent, employee, or officer of the District.

7. INDEMNIFICATION AND HOLD HARMLESS.

A. The Foundation shall indemnify and hold harmless the District and its officers, agents, volunteers, and employees for and against all loss, damages, liability, claims, suits, costs, and expenses, whatsoever, including reasonable attorneys' fees, arising out of the negligence or other wrongdoing of the Foundation, its officers, employees, volunteers, or agents connected to the activities conducted pursuant to this Memorandum.

B. The District shall indemnify and hold harmless the Foundation and its officers, agents, volunteers, and employees for and against all loss, damages, liability, claims, suits, costs, and expenses, whatsoever, including reasonable attorneys' fees, arising out of the negligence or other wrongdoing of the District, its officers, employees, volunteers, or agents connected to the activities conducted pursuant to this Memorandum.

8. PROHIBITION AGAINST TRANSFERS.

Neither party to this Memorandum shall assign, subcontract, or transfer this Memorandum or any interest therein, directly or indirectly, by operation of law or otherwise, without the prior written consent of the other party. Any attempt to do so without written consent shall be null and

void, and any assignee, subcontractor, or transferee, shall acquire no right or interest by reason of the attempted assignment, transfer, or transfer. In the event that an assignment, subcontract, or transfer of this Memorandum, or any portion thereof, is approved by the other party, all appropriate provisions and requirements of this Memorandum shall to apply to any assignment, subcontract, or transfer.

9. NOTICES.

A. All notices, demands, requests, or approvals which are required by this Memorandum, or which either the District or the Foundation may desire to serve upon the other, shall be in writing and shall be conclusively deemed served when delivered personally or forty-eight hours after the deposit thereof in the United States mail, postage prepaid, registered or certified, and addressed as hereinafter provided.

B. All notices, demands, requests, or approvals from the District to the Foundation shall be addressed as follows:

**Executive Director
Santa Monica-Malibu Education Foundation
1649 16th Street
Santa Monica, CA 90404**

C. All notices, demands, requests, or approvals from the Foundation to the District shall be addressed as follows:

**Superintendent
Santa Monica-Malibu Unified School District
1651 16th St.
Santa Monica, CA 90404**

10. AUTHORITY TO BIND FOUNDATION.

Upon receipt of a fully executed copy of this Memorandum, the Foundation shall furnish to the District a written list of persons authorized to execute, on behalf of the Foundation, agreements, contracts, modifications to contracts, or other documents as they may be required by the District. In the event authority is delegated to a position (e.g., President, Vice-President, Treasurer) rather than to an individual, the list of positions and individuals filling those positions so authorized shall be furnished. If any changes should occur to this list during the term of this Memorandum, a revised copy shall be promptly furnished to the District.

11. WARRANTY OF SERVICES.

The Foundation warrants and guarantees that all services it performs hereunder for the District shall be performed in a manner commensurate with the highest professional standards.

12. INTEGRATED AGREEMENT.

Each party to this Memorandum acknowledges that no representations, inducements, promises, or agreements, oral or written, have been made by any party, or any one acting on behalf of any party, which are not embodied herein. Any amendment or modification to this Memorandum will be effective only if in writing and signed by both parties.

15. PARTIAL INVALIDITY.

If any provision of this Memorandum is held by any competent court to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force and effect.

16. WAIVER.

A waiver by the District or by the Foundation of any term, covenant, or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or other term, covenant, or condition contained herein, whether of the same or a different character.

17. GOVERNING LAW.

The validity of this Memorandum and any of its terms or provisions, as well as the rights and duties hereunder, shall be interpreted and construed pursuant to and in accordance with the laws of the State of California.

18. SECTION HEADINGS.

The section headings appearing herein shall not be deemed to govern, limit, modify, or in any way affect the scope, meaning, or intent of the provisions of this Memorandum.

19. COSTS OF LITIGATION.

If any legal action is necessary to enforce any provision hereof or for damages by reason of an alleged breach of any provisions of this Memorandum, the prevailing party shall be entitled to receive from the losing party all costs and expenses and such an amount as the court may adjudge to be reasonable attorneys' fees.

IN WITNESS WHEREOF, the parties have caused this Memorandum to be executed on the day and year first above written.

SANTA MONICA-MALIBU
UNIFIED SCHOOL DISTRICT

SANTA MONICA-MALIBU
EDUCATION FOUNDATION

BY: _____
John E. Deasy,
Superintendent

BY: _____
Ralph Mechur
President

TO: BOARD OF EDUCATION ACTION/MAJOR
04/07/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM/VIRGINIA I. HYATT

RE: AMENDMENT TO CONTRACT WITH C.S. LEGACY CONSTRUCTION INC.
FOR PLAYGROUND RENOVATION-CHILD DEVELOPMENT CENTER BID
#5.06 - ADDITIVE CHANGE ORDER #2

RECOMMENDATION NO. A.16

It is recommended that the Board of Education authorize Additive Change Order #2 as an amendment to the contract with C.S. Legacy Construction, Inc., for the playground renovation project. This change order will add \$_____ to the contract for a total contract price of \$_____.

COMMENT: During the Board meeting of 3/17/05, the Board directed staff to include fencing in the contract, which was deducted under Change Order #1. Change Order #2 adds this scope of work back into the project.

ORIGINAL CONTRACT	\$350,628
CHANGE ORDER #1	(\$ 96,830)
CHANGE ORDER #2	\$
TOTAL CONTRACT AMOUNT	\$

Additive Change Order #2 represents the work listed below:

1. Add fencing, two side gates and front entry gate
(Add \$_____)

Based on the above Change Order #2, the State Building Fund (21-00000-0-92000-85000-6200-070-026) contribution will be an estimated \$_____, increased from \$55,043 (Deductive Change Order #1, approved on 3/17/05).

This change order will bring the total estimated amount of the project to \$_____.

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

04/07/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM/VIRGINIA I. HYATT

RE: AWARD OF ENERGY CONSERVATION/LIGHTING RETROFIT
REPLACEMENT PROJECT-PHASE II-TO WHEATSTONE ENERGY

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve Wheatstone Energy as the awarding contractor for the Energy Efficiency, Lighting Retrofit Replacement Project, Phase II, under RFP #3.05, in an amount not to exceed \$50,634.

Funding Information

Budgeted: Yes

Fund: 40

14

Source: Special Reserve Fund

Deferred Maintenance Fund

Account number: 40-91230-0-00000-85000-6200-000-1500

\$27,413

14-62050-0-00000-81100-5890-060-1500

\$23,221

Description: Rebate-SCE, Building Improvement

Other Operating Expenses

COMMENT: The Board of Education approved the initial energy retrofit project during its meeting of 4/24/03, recommendation No.A.21. This project was identified by the City of Santa Monica as an energy conservation project funded by utility taxes. Not all sites could be completed under the initial proposal, as there was insufficient funding available until rebate dollars were confirmed and received through Southern California Edison for energy efficiency projects. It is estimated that of the \$23,221 spent from Deferred Maintenance, a rebate of \$8,925 will be received, bringing the Deferred Maintenance expense to \$14,296. Franklin, Grant, Muir and Roosevelt are the sites that will be upgraded in this phase and complete the total replacement of T12 lamps to the energy efficient T8 lamps throughout the Santa Monica schools (Malibu sites were not included, as the money is from a Santa Monica City grant). Areas of replacement are primarily custodial closets and relocatable classrooms.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/WINSTON A. BRAHAM
RE: BUDGET ADJUSTMENTS

ACTION/MAJOR
04/07/05

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve an **increase** to the General Fund - Unrestricted Budget in the amount of \$53,000 for the 2004-05 fiscal year, as detailed below:

- COMMENTS: 1. **Increase** the budget for Edison Elementary in a not-to-exceed amount of \$45,000, including benefits, to cover the cost of the Interim Principal for the remainder of this fiscal year. This is due to the reassignment of the previous Principal.
2. **Increase** the budget for Special Education Transportation in the amount of \$8,000 to rebuild an engine for one of our buses which blew out suddenly, rendering the bus inoperable.

MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR
04/07/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: AUTHORIZATION TO RESTORE REQUIRED RESERVES FOR
CERTIFICATES OF PARTICIPATION (COPs),
2001 SERIES B AND C

RECOMMENDATION NO. A.19

It is recommended that the Board of Education authorize District staff to pay \$415,000 to restore and bring current the legally-required Reserve levels for the Certificates of Participation (COPs) Issue, 2001 Series B and C, at the respective face values of \$4,755,000 and \$15,206,501.45.

COMMENTS: This 2001 Series B and C Certificates of Participation Cash Reserve Deposit dollar amount was not included in the current budget and was not presented as part of the Second Interim Report.

REASON: This delinquency was only recently discovered and the formal negotiated settlement and exact dollar amounts due were not completely known until the morning of March 24, 2005.

These COPs originally were issued specifically to support capital improvements associated with our joint occupancy structures located at 16th & Olympic, 9th & Colorado, and the 4th Street property adjacent to the site of the DoubleTree Hotel. Additionally, it should be noted that the debt support of these COPs are accomplished via direct draw from our leave revenue proceeds for the above-mentioned properties and their earned interest income.

The proposed restoration proceeds are now held in Fund 25 (the restricted Capital Facilities Fund), which is the Holding Account for Developer Fees, thus, this will not adversely impact our General Fund Reserves.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

04/07/05

FROM: SUPERINTENDENT/TIMOTHY R. WALKER

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2004-2005 as follows:

NPS/NPA

2004-2005 Budget 01-65000-0-57500-11800-5825-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Devereux - Texas	10-05-89	NPS 1/05 - 6/05	#79	\$ 13,450
Heritage Center	02-06-90	NPS 2/05 - 6/05	#80	\$ 8,573
Linden Center	05-08-89	NPS 2/05 - 3/05	#81	\$ 2,819
Poseidon	12-16-88	NPS 1/05 - 6/05	#82	\$ 16,102
Vista	02-22-91	NPS 2/05 - 6/05	#83	\$ 13,592
Vista	05-08-89	NPS 3/05 - 6/05	#84	\$ 9,872
Augmentative Communication Therapies, Inc.	02-23-98	NPA - Augmentative Communication	#155	\$ 8,550
PLAYWORKS/PDA	05-06-94	NPA - Behavior Therapy 1/05 - 3/05	#156	\$ 7,000
PLAYWORKS/PDA	05-06-94	NPA - Behavior Therapy 3/05 - 4/05	#157	\$ 5,500
PLAYWORKS/PDA	05-06-94	NPA - Behavior Therapy 4/05 - 6/05	#158	\$ 8,000
Therapy West, Inc.	07-04-99	NPA - PT 1/05 - 6/05	#159	\$ 3,910

Amount Budgeted NPS/NPA 04/05 \$ 3,600,000
 Prior Board Authorization as of 03/17/05 \$ 3,540,210
 Balance \$ 59,790

Total Amount of these Contracts \$ 97,368
 Balance - \$ 37,578

*Prior Year Authorization (04-01-04) \$3,316,570

Instructional Consultants

2004-2005 Budget 01-65000-0-57500-11800-5802-043-1400

Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Kim Karlson	02-23-98	Instr.Consultant - Speech Services 3/05 - 6/05	#107	\$ 6,600
Pyramid Educational Consultants, Inc.	04-18-94	Instr.Consultant - Staff Training 1/05 - 6/05	#108	\$36,900
Tom Metz	04-24-95	Instr.Consultant - Audiological Assessment 4/05 - 6/05	#109	\$ 500
Trang Nguyen	02-10-97	Instr.Consultant - Vision Assessment 3/05 - 6/05	#110	\$ 500
Adrian Whitchelo Scott	Various	Instr.Consultant - Staff Training	#49 UC05333	\$ 100
Contract Increase				
Adrian Whitchelo Scott	02-23-98	Instr.Consultant - Assistive Technology services	#53 UC05337	\$ 2,000
Contract Increase				
Devereux Institute of Clinical Training & Research	07-17-92	Instr.Consultant - Staff training on Functional Curriculum and skills needed to teach students. School year 2004-2005.	#11 UC05162	\$40,000
Contract Increase				

Amount Budgeted Instructional Consultants 04/05 \$ 400,000
 Prior Board Authorization as of 03/17/05 \$ 457,179
 Balance - \$ 57,179

Total Amount of these Contracts \$ 86,600
 Balance - \$ 143,779

Non-Instructional Consultants
2004-2005 Budget 01-65000-0-57500-11800-5890-043-1400

Non-Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Parent Reimbursement	04-08-88	Non-Instr.Consultant-Reimbursement to parent for NPS travel. School year 2004-2005.	#36	\$ 523
Parent Reimbursement	04-08-93	Non-Instr.Consultant-Reimbursement to parent for vision therapy services. School year 2002-2003, 2003-2004.	#37	\$ 6,525

Amount Budgeted Instructional Consultants 04/05	\$ 200,000
Prior Board Authorization as of 03/17/05	<u>\$ 199,784</u>
Balance	\$ 216
 Total Amount of these Contracts	 <u>\$ 7,048</u>
 Balance	 - \$ 6,832

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:

TO: BOARD OF EDUCATION

ACTION/MAJOR
04/07/05

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: 2005 CSBA DELEGATE ASSEMBLY RUN-OFF - REGION 24

RECOMMENDATION NO. A.21

It is recommended that the Board of Education cast a ballot in the run-off election for Delegate Assembly, Region 24.

COMMENT: A tie vote in Region 24 has necessitated a run-off election for Delegate Assembly. The two candidates are:

 Maria M. Calix (Centinela Valley Union HSD) - incumbent
 Ralph S. Pacheco (Whittier Union HSD)

The ballot must be postmarked by the Post Office no later than Wednesday, April 20, 2005. The ballots will be counted no later than Thursday, April 28.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

DISCUSSION
04/07/05

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: SPANISH/ESPAÑOL FOR ALL STUDENTS AT JOHN ADAMS MIDDLE
SCHOOL

DISCUSSION ITEM NO. D.1

It is recommended that the Board of Education direct the Superintendent to develop and implement a program for teaching Spanish/Español to all students at John Adams Middle School, beginning in the 2005-06 academic year. It is further recommended that the Board direct the superintendent and his staff to apply for a grant under the Department of Education's Foreign Language Assistance Program (FLAP) (or another similar program) to help support the development of the JAMS program.

COMMENT: "Spanish" refers to courses teaching Spanish as a second language for English-speaking students. "Español" refers to Spanish language arts for Spanish-speaking students. One possibility is to phase the program in over 3 years, starting with 6th graders in 2005-06 and adding 7th and 8th graders in 2006-07 and 2007-08, respectively.

Beginning to learn Spanish as a second language in middle school will provide English-speaking students who choose to continue Spanish in high school a tremendous head start toward mastering the language and taking advanced Spanish courses in high school. Those who switch to a different language in high school will have had the opportunity to study two languages.

Studying Spanish language arts in middle school will help Spanish-speaking students to become fluent bilinguals. Most children growing up in the U.S. with Spanish-speaking parents have only modest command of spoken Spanish and neither read nor write Spanish very well. Fluent bilingualism requires complete command of the language, including speaking, reading and writing. Our schools can promote fluent bilingualism among Latino students by beginning Spanish language arts and literature in middle school and continuing in high school. Full command of Spanish by Latino students is likely to further their mastery of English, enhance their ties to their parents and community, promote their academic success, and widen their career opportunities.

This recommendation is being made jointly by the Superintendent and the administrative team at JAMS who discussed this proposal following the Board conversation that took place surrounding the JAMS Improvement Plan. We wholeheartedly support this program modification.

TO: BOARD OF EDUCATION

DISCUSSION

04/07/05

FROM: JOHN E. DEASY/LINDA KAMINSKI/DONNA E. MUNCEY

RE: ADVANCED PLACEMENT COURSES -- POWERPOINT PRESENTATION

DISCUSSION ITEM NO. D.2

Students pursuing the most rigorous preparation for college enroll in Advanced Placement courses in English, mathematics, science, history/social studies, foreign languages, and art. Performance in these courses is measured through national examinations tied to the curriculum of each course. Scores range from 1 to 5, and students scoring a 3 or higher may receive college credit.

District performance and participation data for all participating students and relevant subgroups of students will be discussed.

TO: BOARD OF EDUCATION
FROM: AD HOC FACILITIES COMMITTEE/SUPERINTENDENT
RE: AUTHORIZATION TO HIRE CONSULTANT

DISCUSSION
04/07/05

DISCUSSION ITEM NO. D.3

The Ad Hoc Advisory Committee and Superintendent are requesting that the Board of Education authorize the hiring of a consultant to assist in the preparation of a Request for Proposals (RFP) to undertake a comprehensive facility assessment and to prepare a master facilities plan. The consultant's responsibility would include, but not be limited to:

- preparation of RFP(s)
- provide guidance to the Ad Hoc Facilities Committee in this process and selection process
- other responsibilities as deemed necessary by the Committee.

Funds for the consultant would come from Proposition X in an amount not to exceed \$12,000. The term of the contract is indeterminate until such time as all responsibilities are delineated.

This item will be returned to the agenda for action at the meeting of April 21, provided the Board of Education agrees moving forward with this process.

TO: BOARD OF EDUCATION

DISCUSSION
03-17-05

FROM: JOHN E. DEASY/LINDA KAMINSKI/LAUREL SCHMIDT

RE: REVISION OF POLICY 3310 - PURCHASING PROCEDURES

DISCUSSION ITEM NO. D.4

It is recommended that the Board of Education adopt revisions to Board Policy 3310 to include "No Sweat" provisions which insure that purchases by the Santa Monica Malibu Unified School District will be restricted to only those products and/or services that have been manufactured without the illegal use of "sweatshop labor", including exploitive "child," "forced," "convict," and "indentured" labor.

Comment: As part of the international effort to end child labor and sweat-shops, the Santa Monica Malibu Unified School District supports efforts to direct the purchasing power of the district towards responsible manufacturers of sports uniforms, sports equipment, logo-bearing items and other products and services purchased by the district. Board Policy 5123 has been revised to include No Sweat provisions, which insure that taxpayer dollars are not used to promote sweatshop abuses. The policy was developed in consultation with CSBA, using model No Sweat policies from Los Angeles Unified and New York City. CSBA does not currently have a sample "No Sweat" policy.

The policy is intended to produce positive results with a minimum amount of burden on the district for administration and enforcement. The onus is on the companies to provide evidence that they are complying with the policy.

Staff from Pupil Services and Purchasing Departments collaborated to draft this policy and identify next steps required for implementation. After this policy is adopted, staff will:

- C Revise contract and formal bid templates to include "No Sweat" provisions.
- C Develop a formal certification form requiring vendors' signatures to certify adherence to the District's policy.
- C Develop a disclosure form requiring vendors to identify the names and addresses of all workplaces where their products are manufactured. This includes information about subcontractors.
- C Develop a procedure for responding to complaints and taking corrective action.

- C Develop a process for notifying vendors of policy change.
- C Develop a timeline for implementation.
- C Review related policies that may require revisions to include No Sweat clause.

This policy represents a significant step in the fight for social justice. As such it presents an opportunity for teaching our students about exploitation of workers, global trade based on human suffering and the issue of child labor. The Pupil Services Department will prepare a No Sweat resource packet that can be used as a teaching tool in our schools.

Santa Monica-Malibu District Policy Detail

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
3310	Business and Operations	Purchasing Procedures

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Business Services	X		

DETAIL

Sweat-Free Procurement

It is the policy of the Santa Monica-Malibu Unified School District that all products and/or services purchased by the District be manufactured and supplied in compliance with applicable labor laws governing the countries of their origin.

Purchases by the Santa Monica-Malibu Unified School District will be restricted to only those products and/or services that have been manufactured without the illegal use of "sweatshop" (including exploitive "child," "forced," "convict," and "indentured") labor.

Prior to any award, the Santa Monica-Malibu Unified School District will require its bidders/contractors to certify adherence to the provisions of the District's Sweat-Free Procurement Policy. This Sweat-Free Procurement policy includes the following principles/requirements:

- C Safe and healthy working conditions
- C Prohibition of child labor
- C Disclosure of manufacturing plant locations
- C Verification and enforcement mechanisms
- C Compliance with applicable codes
- C Penalties for violations
- C Responsible bidder forms

Contractors will denote compliance to these provisions by signing a Sweat-Free Procurement Policy certification, which will extend to their subcontractors. The consequence of any violation by the contractor to the aforementioned laws and provisions may result in action being taken by the District against the contractor. The action may include, but is not limited to, agreed upon liquidated damages, contract cancellation, vendor default, and/or vendor debarment.

The Santa Monica-Malibu Unified School District will continuously educate the vendors to raise their level of awareness about the "sweat-free" procurement policy.

The Superintendent or designee shall develop and implement effective purchasing procedures, within the following parameters, to ensure the District receives maximum value for money spent.

Informal Bid - a bid received in the form of verbal or written quotation (\$2,000 - \$7,499) - supplies, equipment, maintenance repairs, public works

Informal Sealed Bid - a written bid submitted in a sealed envelope and subsequently opened at a designated time and place (\$7,500 - ~~\$62,399~~) - maintenance repairs, supplies, equipment; \$7,500 - \$14,999 public works

Formal Sealed Advertised Bid - a written bid submitted in a sealed envelope, received following the formal advertisement for the bid, and subsequently opened at a designated time and place (~~\$62,400 or yearly increased amount based on Implicit Price Deflector~~) - supplies, equipment, maintenance repairs) (\$15,000 - public works)

Capital Outlay Item - (For the purpose of permanent record storage) Public service type work in excess of \$62,400 or yearly increased amount based on Implicit Price Deflector and equipment with a useful life expectancy of more than 5 years and an individual item cost of \$5000 or more shall be considered a capital outlay purchase for purposes of Policy BP 3310.

MAINTENANCE REPAIR: Maintenance repair means routine, recurring and usual work needed to maintain the building in a safe, usable condition.

PUBLIC WORKS PROJECT: Non-reoccurring construction, re-construction, alteration, renovation or improvement of a building. Includes major exterior/interior painting contracts.

1. ORDERS FOR SUPPLY/MATERIAL AND/OR EQUIPMENT ITEMS

A. Orders for supplies, materials and services shall be awarded to local owned businesses; state owned businesses, in the aforementioned order, when factors such as price, timeliness of delivery and quality of product/services are comparable.

- B. ORDERS UNDER \$2,000
For the placement of a single order with one vendor or the purchase of multiple items from one vendor with a total cost of \$2,000 or less, bids may or may not be obtained depending on the judgment of the Purchasing Agent.
- C. ORDERS BETWEEN \$2,000 - \$7,499
For the placement of a single or open order with one vendor or the purchase of multiple items from one vendor, maintenance repairs from one vendor with an estimated annual cost of between \$2,000 and \$7,500 requests for informal bids shall be made by the Purchasing Agent. The bids may be informal or obtained from a State, County and/or local purchasing authority. A record of all bids obtained, including the manner of which they are obtained, shall be maintained in the purchasing office for a period of three years.
- D. BETWEEN \$7,500 and \$62,399
For the placement of a single order or multiple orders for the purchase maintenance repairs, supply material and/or equipment type items from one vendor, within a one year period of time, which have an estimated annual cost between \$7,500 and \$62,399, a request for informal sealed bids shall be sent to qualified bidders.
- E. Bids in excess of \$30,000 shall be recommended to the Board of Education for appropriate action.
- F. OVER \$62,400 or yearly increased amount based on Implicit Price Deflector
For the placement of a single order or multiple orders for the purchase of maintenance repairs, supply/material and/or equipment type items, from one vendor, within a one-year period of time, in excess of \$62,400, formal sealed advertised bids shall be initiated.
- G. Purchases in excess of \$62,400 obtained from a sole provider must have approval by the Board of Education before being awarded.
- H. All bids for capital outlay purchase shall be maintained by the District in permanent storage; all other bids shall be maintained in the Purchasing Office for a period of three (3) years.
- I. All purchase orders are to be approved by the governing board, within 60 days, for ratification purposes.

J. Purchase orders of \$50,000 or more are to be major items. Lesser amounts may be included as consent items. Appropriate documentation is to be available for inspection at the Board Meeting.

2. PUBLIC SERVICE TYPE WORK:

- A. BETWEEN \$7,500 and \$14,999
For the placement of a single order or multiple orders for public service type work from one vendor, within a one year period of time, which have an estimated annual cost between \$7,500 and \$14,999, a request for informal sealed bids shall be sent to qualified bidders.
- B. OVER \$15,000
For the placement of a single order or multiple orders for public service type work from one vendor, within a one-year period of time which is in excess of \$15,000, formal sealed advertised bids will be initiated.
- C. Bids in excess of \$15,000, obtained from a sole provider, must have approval by the Board of Education before being awarded.
- D. All public work contracts exceeding \$25,000 requires a payment bond for labor and materials.
- E. Painting or repainting facilities is considered a public service contract.
- F. Bids shall be maintained in the Purchasing Office for a period of three (3) years.

3. FACILITY CONSTRUCTION PROGRAMS

The purchasing of materials or services associated with facility construction program(s) may be expedited by the district administrator in charge of such programs, rather than the Purchasing Agent. However, all District policies related to purchasing shall be applicable.

4. AWARD TO OTHER THAN LOW BIDDER

In the event the Purchasing Agent deems it is in the District's best interest to award a purchase/bid in any amount to other than the low bidder, the Superintendent or designee must grant approval prior to the award.

5. EMERGENCY PURCHASES

A. UNDER \$5000

In the event of an emergency, the purchase of maintenance repairs supply/materials and/or services, not to exceed \$5,000, may be made by the Purchasing Agent. Such purchase(s) shall be reported to the Superintendent or designee and a record of such purchase(s) maintained in the Purchasing Office for a period of three years.

B. In the event of an emergency, the purchase of maintenance repair, material and/or services costing between \$5,000 and \$14,999 for public service type work and between \$5,000 and \$62,400 or yearly increased amount based on Implicit Price Deflector for supply/material and/or equipment type items, such purchase without bids must be approved by the Superintendent or designee and reported to the Board of Education at a regular Board Meeting.

C. In the event of an emergency, the purchase of material and/or service costing in excess of \$14,999 for public service type work, and \$62,400 or yearly increased amount based on Implicit Price Deflector for maintenance repairs, supply/material and/or equipment type items, without advertising for or inviting bids, unanimous approval by the Board of Education shall be required.

6. CHANGE ORDERS - GENERAL

A. Change orders will be initiated for all purchase orders where modifications exceed 10% of the original amount.

B. Change orders shall go to the Board of Education for approval before payment is made.

7. CHANGE ORDERS - PROPOSITION X AND STATE MODERNIZATION PROGRAMS

The Superintendent or his designee may authorize a contractor to proceed with performance of any change or alteration of a contract or alteration of a contract without the formality of securing bids under the following conditions:

A. The change or alteration is required in order to satisfactorily complete project as it was initially designed, is specified in writing and the cost agreed upon by the District and Contractor.

B. The cost so agreed upon does not exceed ten percent (%) of the original contract, or \$20,000 whichever is less.

- C. It has been determined that the time delay in securing formal Board of Education approval would unduly delay the orderly progress of the project.
- D. The change or alteration is reported in writing to the Board of Education at its next regular meeting taking into consideration delays to the established time frame needed for preparation of the Board Agenda items. (Educational Codes 39656, 39659)

The District's Purchasing Agent shall have the sole authority to execute the purchasing procedures and to issue purchase orders for the School District. The Purchasing Agent shall be responsible for coordinating the development of specifications with users and attempt to secure goods and services which will meet the user's needs at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs, and trade-in values shall be considered when determining the most economical purchase price.

The final decision as to which items will be purchased or recommended for purchase shall be the responsibility of the Purchasing Agent. This practice shall not be applied to the ordering of textbooks, educational software, consultants, architects and other special services, or adding to existing material that only one vendor is able to supply.

Competitive bidding is not required in cases where the Purchasing Agent determines that the service, materials or supplies can only be obtained from one vendor (sole source).

The Purchasing Agent shall submit, on a regular basis, a listing of all purchase orders to the Board of Education for its approval.

Legal Reference

EDUCATION CODE

- 17604 Delegation of powers to agents; approval or ratification of contracts by governing board
- 17605 Delegation of authority to purchase supplies and equipment
- 35250 Duty to keep certain records and reports

GOVERNMENT CODE

- 4331 Preference to supplies manufactured or produced in state

PUBLIC CONTRACT CODE

- 3410 U.S. produce and processed foods

District Goal Reference

- A. Quality Education for All

Policy Adopted: February 11, 1992
 Policy Revised: August 7, 1997
 Policy Revised: February 18, 1999
 CSBA Updated: February, 1997