

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

ACTION  
04/21/05

RECOMMENDATION NO. A.01

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

April 7, 2005

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

TO: BOARD OF EDUCATIO  
 FROM: JOHN E. DEASY/LINDA KAMINSKI  
 RE: APPROVAL OF INDEPENDENT CONTRACTORS

ACTION/CONSENT  
 04/21/05

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.

<b>Contractor/Contract Dates</b>	<b>Description</b>	<b>Site</b>	<b>Funding</b>
Jewish Family Services  Oct 1, 2004 - June 30, 2005  Cost: not to exceed \$5,000	To provide counseling to individual students and families. Providing parent education and staff in-service training as needed	Webster	School Improvement  01-72600-0-11100-10000-2917-008-1501
Star Education  April 23, 2005  Cost: not to exceed \$2,500	To provide workshops for GATE students and parents on Super Saturday GATEways To Learning	Student and Family Support Services	GATE  01-71400-0-11100-21000-5802-032-2560
Dr. Jaana Juvonen  04/12/05  Total amount of contract not to exceed \$700	Provide district staff Training, Bullying & Peer Intimidation	Student Services	Student Services Medi-Cal reimbursement  01-56400-0-11100-39000-5802-041-1400

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

TO: BOARD OF EDUCATION

ACTION  
04/21/05

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>
Samohi 9-12 40	UCSC, UC Davis, SFSU, UCSB 4/7/05 to 4/9/05	Catherine Baxter  Ms. Estabrook	\$120 Fund raising ASB Account	Committee 41	The purpose of this trip it to provide students with knowledge that leads to a solid foundation to grow from and build upon. This trip will help to prepare students for the next step in their lives, and in many cases, this next step is attending a university.
Pt Dume 4 49	Sacramento 5/24/05 to 5/26/05	Margo Dunn	\$446.00 Parents and fundraising	Social Studies	Students will be exploring the state capital and gold rush areas to reinforce the 4th grade social studies curriculum
John Adams 6-8 6	Baja Mexico 5/9/05 to 5/15/05	Ms. Steinmetz	This trip is being totally paid for by Quick Silver Cosee-West Partnership	Science	The Quikscience Challenge Team won a competition and the 1st place prize is this trip to Baja Mexico for 6 days. All expenses are paid for.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/21/05

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: APPROVAL OF LICENSE AGREEMENT BETWEEN THE INSTITUTE FOR  
LEARNING AND THE SANTA MONICA-MALIBU UNIFIED SCHOOL  
DISTRICT

RECOMMENDATION NO. A.04

It is recommended that the Board of Education approve the license agreement between the Institute for Learning (IFL) and the Santa Monica-Malibu Unified School District to continue the implementation of IFL Principles of Learning during the third year of the district's participation in the program.

COMMENT: The Principles of Learning are integral to the district's work to ensure that all students have access to a rigorous, standards-based education and form the core of site-based Learning Walks.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

<b>INSTRUCTIONAL LEADERSHIP PROGRAM</b>	
<b>NetLearn &amp; Institute for Learning Tools License Agreement</b>	
LICENSEE:	Santa Monica-Malibu Unified School District
LICENSEE Address	1651 16 <sup>th</sup> Street Santa Monica, CA 90404
LICENSEE Contact Person	Linda Kaminski, Ed.D.
Phone/Fax:	(310) 405-8338 / (310) 581-1138
E-mail Address:	<a href="mailto:kaminski@smmusd.org">kaminski@smmusd.org</a>

1. LICENSE GRANT: Subject to payment of applicable license fees, UNIVERSITY grants to LICENSEE a non-exclusive license to use the NETLEARN & INSTITUTE FOR LEARNING TOOLS (including copyrighted printed materials, CD ROMs, videos, NetLearn tools, special IFL websites and electronic discussion boards) and accompanying documentation, if any, (“Documentation”) in the manner described in below under “Scope of Grant,” from July 1, 2004 until June 30, 2005.

2. LICENSE FEES: LICENSEE shall pay the LICENSE FEE in an amount of One Thousand Dollars (\$1,000) for each school in the school district of LICENSEE. Therefore the total LICENSEE FEE which is due from LICENSEE upon the execution of this Agreement is \$18,000.

Payment of this LICENSEE FEE shall be made by approved electronic bank transfer or check in United States currency, payable to the order of “University of Pittsburgh,” and sent with payment for the Institute Membership Fees to the Institute for Learning, LRDC, 3939 O’Hara Street, Pittsburgh, PA 15260, per the payment schedule in the Membership Agreement to which this License Agreement is appended.

3. SCOPE OF GRANT

LICENSEE may:

- (a) make copies of the NETLEARN & INSTITUTE FOR LEARNING TOOLS for each school in its school district, provided that you have paid a license fee consistent with the number of users as provided above.

LICENSEE may not:

- (a) redistribute, post, or otherwise enable or permit other individuals to access or use the NETLEARN & INSTITUTE FOR LEARNING TOOLS except under the terms listed herein;
- (b) modify, translate, or create derivative works based on the NETLEARN & INSTITUTE FOR LEARNING TOOLS;
- (c) copy the NETLEARN & INSTITUTE FOR LEARNING TOOLS other than as specified above;
- (d) rent, lease, grant a security interest in, or otherwise transfer rights to the NETLEARN & INSTITUTE FOR LEARNING TOOLS;
- (e) or remove any proprietary notices or labels on the NETLEARN & INSTITUTE FOR LEARNING TOOLS.

4. TITLE: Title, ownership rights, and intellectual property rights in the NETLEARN & INSTITUTE FOR LEARNING TOOLS shall remain in UNIVERSITY. The NETLEARN & INSTITUTE FOR LEARNING TOOLS is protected by copyright and other intellectual property laws and by international treaties.

5. DISCLAIMER OF WARRANTY: THE NETLEARN & INSTITUTE FOR LEARNING TOOLS ARE PROVIDED AS IS WITHOUT WARRANTY OF ANY KIND. UNIVERSITY MAKES NO REPRESENTATIONS AND EXTENDS NO WARRANTIES OF ANY KIND, EITHER EXPRESS OR IMPLIED, INCLUDING BUT NOT LIMITED TO WARRANTIES OF MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, AND NONINFRINGEMENT. THE ENTIRE RISK ARISING OUT OF THE USE OR PERFORMANCE OF NETLEARN & INSTITUTE FOR LEARNING TOOLS AND DOCUMENTATION REMAINS WITH LICENSEE. IN NO EVENT SHALL UNIVERSITY BE LIABLE FOR ANY CONSEQUENTIAL, INCIDENTAL, DIRECT, INDIRECT, SPECIAL, PUNITIVE, OR OTHER DAMAGES WHATSOEVER (INCLUDING, WITHOUT LIMITATION, DAMAGES FOR LOSS OF BUSINESS PROFITS, BUSINESS INTERRUPTION, LOSS OF BUSINESS INFORMATION OR OTHER PECUNIARY LOSS) ARISING OUT OF THIS AGREEMENT OR THE USE OF OR INABILITY TO USE THE NETLEARN & INSTITUTE FOR LEARNING TOOLS.

6. INDEMNIFICATION: The entire risk as to the use and performance of the NETLEARN & INSTITUTE FOR LEARNING TOOLS is assumed by LICENSEE. LICENSEE shall defend, indemnify and hold harmless UNIVERSITY, its trustees, officers, employees and agents, for and against any and all claims, demands, damages, losses, and expenses of any kind (including but not limited to attorneys' fees), relating to or arising from any use or disposition by LICENSEE of the NETLEARN & INSTITUTE FOR LEARNING TOOLS.

7. MAINTENANCE: UNIVERSITY is not obligated to provide maintenance or updates for the NETLEARN & INSTITUTE FOR LEARNING TOOLS. However, any maintenance or updates provided by UNIVERSITY shall be covered by this Agreement and may, at UNIVERSITY's discretion, require payment of an additional license fee.

8. TERMINATION: This license will terminate automatically if LICENSEE fails to comply with the limitations described herein. On termination, LICENSEE must destroy all copies of the NETLEARN & INSTITUTE FOR LEARNING TOOLS and Documentation.

By the signature below, of an individual authorized to execute contracts on behalf of the licensing school district, the terms above are hereby agreed to with the intent of being legally bound. Return an executed agreement and licensing fee to the University of Pittsburgh as indicated in section 2 above.

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

Print/Type Name: \_\_\_\_\_

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

TO: BOARD OF EDUCATION ACTION/CONSENT  
04/21/05  
FROM: JOHN E. DEASY/LINDA KAMINSKI/STEVE MARTINEZ  
RE: 2005/2006 COMMUNITY-BASED ENGLISH TUTORING PROGRAM

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve of State funds presently available for the Community-Based English Tutoring Program. The allocation is based on the number of Limited English Proficient students in the District and will provide funds for adult English language instruction programs for parents and other members of the community who make a commitment to tutoring K-12 children with Limited English Proficiency. The funds are available immediately upon Board approval.

The Board of Education must assure that five conditions of acceptance be certified, as follows:

1. The conditions established pursuant of Education Code Section 300-340, and California Code of Regulations, Title 5, Sections 11300-11305 will be met by the District in the administration of this program.
2. The District will use fiscal control and accounting procedures that will ensure proper disbursements of and accounting of state funds paid to that agency under the program. The District will make records available for audit when requested.
3. Funds may be used for direct program services, community notification processes, transportation services, and background checks related to the tutoring program.
4. The District will be responsible for expending these funds free or subsidized adult English language instruction for parents or community members who have pledged to provide personal English language tutoring K-12 English learners.
5. Pledge records will consist of the following information: name of school district, name of school, name and signature of parent or community member committed to tutor English learners. These records will be maintained for audit.

Signature of Presiding Officer of Governing Board is required. Original Notification of Intent to Participate, Fiscal Year 2005-2006, is attached for review and approval.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/21/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.06

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	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>BOEWE, Juliette</u> Health Services 01-56400-0-00000-39000-5220-041-1400 General Fund - Resource: Medi-Cal Reimbursement	Homicide Behavior Motives & Psychology San Diego, CA April 4 - 6, 2005	\$475
<u>DIAZ, Aida</u> Student & Family Support 01-42010-0-4760-10000-5220-032-2560 General Fund - <b>Resource:</b> Title III	School Readiness for Immigrant & English Learners Long Beach, CA April 25, 2005	\$107
<u>KAMINSKI, Linda</u> Ed Services No cost to District	Assn. of Calif. School Administrators Meeting Sacramento, CA April 14 - 15, 2005	0 (Expenses paid by ACSA)
<u>KINGSLEY-SCOTT, Janis</u> Adams Middle No cost to District	Calif. Assn. of School Psychologists Riverside, CA March 3 - 4, 2005	0

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>MILLARD, Molly</u> Cabrillo Elementary 01-72600-0-11100-10000-5220-017-4170 General Fund - <b>Resource:</b> SIP - K-6	Practical Effective Interactive Strategies Los Angeles, CA March 11, 2005	\$139 + SUB
<u>PERRY, Robert</u> Malibu High 01-71400-0-11100-10000-5220-010-4100 General Fund - <b>Resource:</b> Gifted & Talented Education	Southern Calif. Advanced Placement Institute Palos Verdes, CA August 8 - 12, 2005	\$750
<u>WALKER, Tim</u> Special Education 01-65000-0-50010-21000-5220-043-1400 General Fund - <b>Resource:</b> Special Education	LRP's Nat'l. Institute on Legal Issues of Educating Individuals w/Disabilities	\$2,145
<u>WARD, Makeva</u> Malibu High 01-72650-0-11100-10000-5220-010-4100 General Fund - <b>Resource:</b> SIP - 7-12	Assoc. Student Body Accounting Workshop Agoura Hills, CA April 19, 2005	\$50
<b>Adjustments</b> (Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)		
NONE		
<b>Group Conference and Travel: In-State</b> * a complete list of conference participants is on file in the Department of Fiscal Services		
<u>DIXON, Lupita</u> +2 Additional Staff Child Development Services 12-94190-0-85000-59000-5220-070-2700 Child Development Fund - <b>Resource:</b> St. John's Infant Family  <u>DIXON, Lupita</u> +2 Additional Staff Child Development Services 12-94190-0-85000-59000-5220-070-2700 Child Development Fund - <b>Resource:</b> St. John's Infant Family	First 5 Los Angeles Kit Training Conference Burbank, CA April 13, 2005  Infant Development Assn. Annual Meeting Los Angeles, CA April 21 - 22, 2005	\$247 Total  \$804 Total

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>GONZALEZ, Irene</u> <u>SAMARGE, Susan</u> State & Federal Projects  No cost to District	Statewide Transitional Peer Program Review Pomona, CA April 22, 2005	0
<u>BOEWE, Juliette</u> +4 Additional Staff Special Education 01-65000-0-50010-21000-5220- 043-1400 General Fund - <b>Resource:</b> Special Education	Writing Behavioral Plans for Aggressive Children in California Los Angeles, CA April 28, 2005	\$1,395 Total
<b>Out-of-State Conferences: Individual</b>		
<u>KAMINSKI, Linda</u> Ed Services No cost to District	Assn. for Supervision & Curriculum Development 2005 Annual Conference Orlando, FL March 17, 2005	0
<u>HIRT, Mary</u> Educational Services 01-91221-0-19480-10000-5220- 030-1300 General Fund - <b>Resource:</b> Local Parcel Tax- Meas. "S"	American Alliance for Health, P.E., Recreation & Dance Chicago, IL April 12 - 16, 2005	\$2,050 <b>+ SUB</b>
<b>Out-of-State Conferences: Group</b>		
NONE		

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  
04/21/05

RECOMMENDATION NO. A.07

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$30,566.54 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 \$30,066.54, 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](http://www.smmusd.org), as a pdf file; to view the gift report:

- 1) go to [www.smmusd.org](http://www.smmusd.org)
- 2) click on "Board Meetings"
- 3) scroll to the date for this meeting
- 4) click on CurrGift042105.pdf

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

TO: BOARD OF EDUCATION ACTION/CONSENT  
04/21/05  
FROM: JOHN E. DEASY/WINSTON BRAHAM/VIRGINIA I. HYATT  
RE: APPROVAL OF PURCHASE ORDERS

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Order from March 30, 2005 through April 13, 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  
04/21/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.09

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

ELECTIONS

ADDITIONAL ASSIGNMENTS

GRANT ELEMENTARY

Chen, Lillian	16 hrs @\$36.32	03/01/05-05/13/05	Est Hrly/\$581
Grafton, Kimberly	16 hrs @\$36.32	03/01/05-05/13/05	Est Hrly/\$581
Hopkins, Miriam	16 hrs @\$36.32	03/01/05-05/13/05	Est Hrly/\$581
Martinez, Lorena	11 hrs @\$36.32	03/01/05-05/13/05	Est Hrly/\$400
Petrilyak, David	16 hrs @\$36.32	03/01/05-05/13/05	<u>Est Hrly/\$581</u>
TOTAL ESTABLISHED HOURLY			\$2,724

Comment: Intensive Intervention Teacher  
01-School Improvement Prog, K-6

LINCOLN MIDDLE SCHOOL

Brown, J.C.	4 hrs @\$36.32	01/07/05-02/23/05	Est Hrly/\$145
Ehrke, Shelly	8 hrs @\$36.32	01/07/05-02/23/05	Est Hrly/\$291
Hirt, Mary	4 hrs @\$36.32	01/07/05-02/23/05	Est Hrly/\$145
Stauffer, Nathaniel	4 hrs @\$36.32	01/07/05-02/23/05	Est Hrly/\$145
Thomas, Sara	4 hrs @\$36.32	01/07/05-02/23/05	Est Hrly/\$145
Underwood, Brian	4 hrs @\$36.32	01/07/05-02/23/05	<u>Est Hrly/\$145</u>
TOTAL ESTABLISHED HOURLY			\$1,016

Comment: Silver Core - Student LED Conferences/Planning  
01-School Improvement Prog, 7-12

SANTA MONICA HIGH SCHOOL

Contreras, Luis	10 hrs @\$36.32	01/01/05-06/30/05	Est Hrly/\$363
Gleason, Beverly	10 hrs @\$36.32	01/01/05-06/30/05	Est Hrly/\$363
Manley, Geoffrey	16 hrs @\$36.32	01/01/05-06/30/05	Est Hrly/\$581
Okla, Kelly	10 hrs @\$36.32	01/01/05-06/30/05	Est Hrly/\$363
Rupprecht, Steve	16 hrs @\$36.32	01/01/05-06/30/05	Est Hrly/\$581
Sene, Fabrice	12 hrs @\$36.32	01/01/05-06/30/05	Est Hrly/\$436
Tipper, Geoffrey	18 hrs @\$36.32	01/01/05-06/30/05	<u>Est Hrly/\$654</u>
TOTAL ESTABLISHED HOURLY			\$3,341

Comment: Math Honors Leadership Committee Workshops  
01-Gifted/Talented Educ (Gate)

**TOTAL ESTABLISHED HOURLY \$7,081**

SUBSTITUTE TEACHERS

PREFERRED SUBSTITUTES

(@\$145 Daily Rate)

Dick, Joshua	3/8/05
Fischer, Kristen	3/4/05
Scott, Ayanna	3/14/05
Siehl, John	4/6/05

Zagor, Maura	2/10/05
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REGULAR DAY-TO-DAY SUBSTITUTES

(@\$123 Daily Rate)

Hirsh, Nili	4/7/05
Kirkland, Rana	3/31/05

CHANGE IN ASSIGNMENT

Name/Assignment

Location

Bixler, William

Malibu HS

From: 120%

To: 100% (discontinuance of 6th period)

Effective

3/21/05-6/24/05

TEMPORARY CONTRACTS

Name/Assignment

Location

Siegel, Julie

Cabrillo Elem/RSP

Not to

Exceed

60%

[M. Tymchuk]

Effective

9/3/04-6/24/05

LEAVES OF ABSENCE (without pay)

Name/Assignment

Location

Gonzalez, Sara

Santa Monica HS

Effective

09/02/05-06/23/06

[child care]

RESIGNATIONS

Name/Location

Atlas, Cindy

Special Education

Effective

06/30/05

Leon, Ernesto

Edison Elementary

06/30/05

Rosen, Nance

Santa Monica HS

06/24/05

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/21/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: SPECIAL SERVICES EMPLOYEES

RECOMMENDATION NO. A.10

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>
Hendricks, Julie Roosevelt Elementary School, teach after-school intervention classes	\$1,255.58	01/18/05-3/18/05	\$36.95/hr
FUNDING:	01-00000-0-12001-10000-1130-007-1501-67%		
	Unrestricted Resource		
	01-00040-0-11100-10000-1130-007-1501-33%		
	Govrn'r's Perf Awards-On Going		

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT  
 04/21/05  
 FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS/RICHARD R. IDE  
 RE: CLASSIFIED PERSONNEL - MERIT

RECOMMENDATION NO. A.11

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.

ELECTIONS

APONTE, NOELLE	INSTR ASST - SPECIAL ED 6.0 HRS/SY JOHN MUIR RANGE: 20 STEP: 01	03/01/05
BELITZ, KIMERLY	INSTR ASST - SPECIAL ED 3.2 HRS/SY MALIBU PRE-SCHOOL RANGE: 20 STEP: 04	03/08/05
KELLER, EVELYN	INSTR ASST - SPECIAL ED 5.0 HRS/SY JOHN ADAMS MS RANGE: 20 STEP: 02	04/04/05
MARTINEZ, MELINDA	INSTR ASST - SPECIAL ED 6.0 HRS/SY ROOSEVELT ELEMENTARY RANGE: 20 STEP: 06	04/04/05

TEMP/ADDITIONAL ASSIGNMENT

BROOKS, HASAN	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
CAMPOS, EMANUEL	INSTR ASST JOHN ADAMS MIDDLE SCHOOL	03/24/05 06/24/05
COOPER, RAYMOND	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
DUNN, JAMES	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
GONZALES, ERNESTO	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
GREENE, MILTON	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05

LOPEZ, VICTORIA	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
MANGUM, DON	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
MARTIN, CHARLES	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
MARTIN, KEVIN	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
NUNEZ, SHERI	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
SCOTT, BEN	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
SMITH, LUZ	BILINGUAL TRANSLATOR EDUCATIONAL SERVICES	02/22/05 06/30/05
TANGUM, CATHY	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
VASQUEZ, GRACIELA	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
WILSON, STANLEY	SECURITY STAIRWAY OF THE STARS	03/10/05 03/11/05
WILSON, STANLEY	SECURITY JOHN ADAMS MS	02/26/05 02/26/05
<u>SUBSTITUTES</u>		
BACHAR, MAYA	INSTR ASST - P.E. VARIOUS	03/15/05 06/24/05
CONRAD, WEI JIN	INSTR ASST SPECIAL EDUCATION	03/14/05 06/20/05
CURL, NORRIS	CHILDREN CENTER ASST CDS	03/17/05 06/30/05
DUNN, JAMES	SECURITY MALIBU HS	03/01/05 06/30/05
HERNANDEZ, PATTY	CHILDREN CENTER ASST CDS	03/18/05 06/30/05

JAUREGI, GEORGE	TECH SUPPORT ASSIST MCKINLEY ELEMENTARY	02/01/05 06/24/05
LUNE, DANIELLE	INST AIDE SPECIAL EDUCATION	09/27/04 06/20/05
PETERSON, AIMEE	INST AIDE SPECIAL EDUCATION	03/19/05 06/20/05
<u>WORKING OUT OF CLASS</u>		
BEHRENS, IRENE	HUMAN RESOURCE TECH 8.0 HRS/12 HUMAN RESOURCES FR: SR OFFICE SPECIALIST	03/02/05 03/31/05
MATA, ESTELLA	SR OFFICE SPECIALIST 8.0 HRS/12 PERSONNEL COMMISSION FR: OFFICE SPECIALIST	02/14/05
<u>INCREASE IN ASSIGNMENT</u>		
DAVIS, LENORA	BUS DRIVER 7.5 HRS/10 TRANSPORTATION FR: 7.0 HRS/10 TRANSPORTATION	03/15/05 06/29/05
<u>TEMP/ADDITIONAL ASSIGNMENT</u>		
SANCHEZ, YOLANDA	ADMINISTRATIVE ASST SPECIAL EDUCATION	03/16/05
<u>INVOLUNTARY TRANSFER</u>		
KELLER, EVELYN	INSTR ASST - SPEC ED 5.0 HRS/SY JOHN ADAMS MS FR: 5.0 HRS/SY ROOSEVELT ELEM	04/04/05
LIPOW, ILENE	INSTR ASST - SPEC ED 6.0 HRS/SY FRANKLIN ELEM FR: 6.0 HRS/SY LINCOLN MS	03/07/05
MARTINEZ, MELINDA	INSTR ASST - SPEC ED 6.0 HRS/SY ROOSEVELT ELEM FR: 6.0 HRS/SY MCKINLEY ELEM	04/04/05
OSTERDAY, DAVID	INSTR ASST - SPEC ED 6.0 HRS/SY LINCOLN MS FR: 6.0 HRS/SY FRANKLIN ELEM	03/07/05
YASHAR, AZITA	INSTR ASST - SPEC ED 6.0 HRS/SY LINCOLN MS FR: 6.0 HRS/SY MCKINLEY ELEM	09/07/04

PROFESSIONAL GROWTH

FORD, DIANNE	SR OFFICE SPECIALIST JOHN ADAMS MS	04/01/05
MENDONZA, DINA	SR OFFICE SPECIALIST SANTA MONICA HIGH SCHOOL	04/01/05
PARKER, STEPHEN	CUSTODIAN OPERATIONS	04/01/05
PERALTA, JR CARLOS	INST ASST - CLASSROOM SMASH	04/01/05
SKOWLUND, CAROL	ADMIN ASST EDUCATIONAL SERVICES	03/01/05
SWARTOUT, JANET	SR OFFICE SPECIALIST PT DUME ELEMENTARY	03/01/05

REAPPOINTMENT TO PERSONNEL COMMISSION

BARNARD, RUSSELL	PERSONNEL COMMISSION	01/01/05 12/01/07
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FAMILY CARE LEAVE

CAMAY, ZARINE	INST ASSIST - CLASSROOM FRANKLIN ELEMENTARY	11/15/04 12/16/04
KUWANO, SUE	SR ADMINISTRATIVE ASST SANTA MONICA HIGH SCHOOL	03/07/05 05/17/05

RESIGNATIONS

CRAWFORD, L'ORANGERIE	INSTRUCTIONAL ASST - SPECIAL ED MCKINLEY ELEMENTARY	04/05/05
HUTCHINSON, LIZ	INSTRUCTIONAL ASST - CLASSROOM STATE AND FEDERAL PROJECTS	03/27/05

RETIREMENT

BOCK, ROSEMARIE	ELEMENTARY LIBRARY COORDINATOR ROOSEVELT ELEMENTARY	06/29/05
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MOTION MADE BY:  
SECONDED BY:  
STUDENT ADVISORY VOTE:  
AYES:  
NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT  
04/21/05  
FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS/RICHARD R. IDE  
RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.12

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 INTERN - ALLIANCE GRANT

AKKI, SOPHIE	SANTA MONICA HIGH SCHOOL	03/01/05-06/30/05
PEREZ, ANGELYCA	SANTA MONICA HIGH SCHOOL	03/01/05-06/30/05

NOON AIDE

DE LOS SANTOS, GABRIELA	GRANT ELEMENTARY	02/28/05-06/24/05
NORWOOD, LAKEISHA	ROOSEVELT ELEMENTARY	04/04/05-06/24/05

NUTRITION SPECIALIST

TAFI, MARY L.	WEBSTER ELEMENTARY	10/1/04-06/30/05
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ASSISTANT TRACK COACH

BERNARD, GREG	SANTA MONICA HIGH SCHOOL	07/04-06/05
PRIETO, BRANDI	SANTA MONICA HIGH SCHOOL	02/05-06/05

ASSISTANT SOFTBALL COACH

SUGARMAN, AMARIAH	SANTA MONICA HIGH SCHOOL	02/05-06/05
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ASSISTANT GIRLS SWIM COACH

DE LA TORRE, JOSE	SANTA MONICA HIGH SCHOOL	02/05-06/05
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MOTION MADE BY:  
SECONDED BY:  
STUDENT ADVISORY VOTE:  
AYES:  
NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04-21-05

FROM: SUPERINTENDENT

RE: EXPULSION OF STUDENT (B/D 06-05-87)

RECOMMENDATION NO. A.13

It is recommended that the Board of Education expel student (B/D 06-05-87).

COMMENT: The Principal of Santa Monica High School recommended the expulsion based on the student's violations of Education Code Sections 48900(b), 48900(f), 48900(i) and 48900(k):

"Possessed, sold, or otherwise furnished any firearm, knife, or explosive, or dangerous object."  
Education Code 48900 (b),

"Caused or attempted to cause damage to school property or private property." Education Code 48900(f),

"Committed an obscene act or engaged in habitual profanity or vulgarity." Education Code 48900(i),

"Disrupted school activities or otherwise willfully defied the valid authority of school officials or other school personnel." Education Code 48900(k).

This matter will be discussed in Closed Session.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION  
FROM: SUPERINTENDENT  
RE: EXPULSION OF STUDENT (B/D 07-26-90)

ACTION  
04-21-05

RECOMMENDATION NO. A.14

It is recommended that the Board of Education expel student (B/D 07-26-90).

COMMENT: The Principal of Santa Monica High School recommended the expulsion based on the student's violations of Education Code Sections 48900(a)(2) and 48900(b):

"Willfully used force or violence upon the person of another, except in self defense." Education Code 48900(a)(1),

"Possessed, sold, or otherwise furnished any firearm, knife, or explosive, or dangerous object." Education Code 48900(b)

This matter will be discussed in Closed Session.

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

TO: BOARD OF EDUCATION ACTION/MAJOR  
04/21/05  
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 ORDERS #2,#3

RECOMMENDATION NO. A.15

It is recommended that the Board of Education authorize Additive Change Order #2 and #3 as an amendment to the contract with C.S. Legacy Construction, Inc., for the Washington West playground renovation project. This change order will add \$48,025 to the contract for a total contract price of \$301,823.

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 and #3 adds this scope of work back into the project.

ORIGINAL CONTRACT	\$350,628
CHANGE ORDER #1	(\$ 96,830)
CHANGE ORDER #2	\$ 34,000
CHANGE ORDER #3	\$ 14,025
TOTAL CONTRACT AMOUNT	\$301,823

Additive Change Orders #2 and #3 represents the work listed below:

Change Order #2: Add wrought iron fencing, two side gates and front entry gate. \$34,000.

Change Order #3: Add overlay of wave and sunburst pattern over wrought iron fence. \$14,025.

Based on the above change orders #2 & #3, the State Building Fund (21-00000-0-92000-85000-6200-070-026) contribution will be estimated at \$133,082 increased from \$55,043.

These change orders will bring the total estimated amount of the project to \$488,082.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR  
04/21/05

FROM: JOHN E. DEASY/MAROLYN FREEDMAN

RE: APPROVE COMPREHENSIVE SCHOOL SAFETY PLANS 2004-2005

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve the Comprehensive School Safety Plans (CSSP) for all district schools pursuant to Education Code 35294.

COMMENT: California legislation mandates that the governing board of the school district discuss each school's Comprehensive School Safety Plan prior to approval and adoption.

Board members must discuss how the school safety plan addresses the needs of the school and pupils within that school and how the school site council considered the three essential components.

These are :

1. Assure each pupil a safe physical environment
2. Assure each pupil a safe, respectful, accepting and emotionally nurturing environment
3. Provide each child resiliency skills

Board members have been provided with a written statement and an Action Plan from each school summarizing how their Comprehensive School Safety Plan addresses the needs of the school and its pupils. The Action Plan is based on the assessment of safety at their site, per Education Code 35294.2.

Board members have also received a checklist for each school which indicates the school compliance with the mandated Comprehensive School Safety Plan components. Each completed Comprehensive School Safety Plan was reviewed by Pupil Services Coordinator, Marolyn Freedman. The Comprehensive School Safety Plan for each school is on file in the Superintendent's Office for review.

This item will return to the Board annually.

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  
04/21/05

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve an **increase** to the General Fund - Unrestricted Budget in the amount of \$102,604.32 for the 2004-05 fiscal year, as detailed below:

COMMENTS: 1. **Increase** the budget for Special Education in a not-to-exceed amount of \$8,647.17, including benefits, to cover the cost of two Instructional Assistants, for the remainder of the 2004-05 fiscal year, as follows:

One 6-hour Instructional Assistant at Cabrillo  
One 3-hour Instructional Assistant at McKinley  
Preschool/Special Education

2. **Increase** the budget for Superintendent's Office in a not-to exceed amount of \$78,957.15 to cover the Election Supplier costs and Los Angeles County Registrar-Recorder fees associated with the November 4, 2004 General Municipal Election.

3. **Increase** the budget for Business Services in an amount not to exceed \$15,000 for a multi-consultant market/comparative analysis of District Employee Health and Medical benefit premium costs in order to establish, in advance of June 1, 2005, whether or not it will be worthwhile or cost-effective for us to exit Cal-PERS as a Third Party Administrator (TPA)/Servicer of our health and benefit plan.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

04/21/05

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

RE: REVISION OF POLICY 3310 - PURCHASING PROCEDURES

RECOMMENDATION NO. A.18

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 consul-tation 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.

Staff has identified the next steps required for implementation of the sweat-free provisions of the policy, including:

- 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 manufactures. 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.
- C Investigate methods for implementing monitoring, including independent monitoring.

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.

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

**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>
	Business Services				<u>EXHIBIT</u>
					x

**DETAIL**

**Sweat-Free Procurement**

It is the policy of the Santa Monica-Malibu Unified School District (SMMUSD) that all products and/or services purchased by the SMMUSD be manufactured and supplied in compliance with applicable labor laws governing the countries of their origin. For the purposes of establishing a non-poverty wage, the SMMUSD uses the definition of non-poverty wages as formulated by the Union of Needle trades, Industrial and Textile Employees (UNITE), utilizing the Department of Health and Human Services' guidelines to determine non-poverty wages domestically. Internationally, the SMMUSD recognizes the World Bank's Gross National Income Per Capita Purchasing Power Parity figures to determine comparable wages in other countries. Purchases by the SMMUSD 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 SMMUSD will require its bidders/contractors to certify adherence to the provisions of the SMMUSD'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, **including independent monitoring**
- C Compliance with applicable codes
- C Penalties for violations
- C Responsible bidder forms
- C Non-poverty wage standard (domestic and international)
- C **Workers rights to assemble and organize**

Contractors will denote compliance to these provisions by signing a Sweat-Free Procurement Policy certification, which will extend to their subcontractors.

The SMMUSD will monitor compliance with the policy through various means **including independent monitoring**. The SMMUSD will develop Memorandums of Understanding (MOU) with various governmental-based investigative agencies to exchange information. The SMMUSD will adopt the investigative agency's findings to take appropriate actions against the contractor/vendor. The SMMUSD will monitor non-governmental and other agencies' sweatshop databases to identify non-compliant vendors.

The consequence of any violation by the contractor to the aforementioned laws and provisions may result in action being taken by the SMMUSD 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 SMMUSD 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 SMMUSD 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 SMMUSD 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 SMMUSD administrator in charge of such programs, rather than the Purchasing Agent. However, all SMMUSD 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 SMMUSD'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 SMMUSD 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 SMMUSD'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

TO: BOARD OF EDUCATION

ACTION/MAJOR

04/21/05

5FROM: JOHN E. DEASY/PEGGY HARRIS/AIDA DIAZ

RE: BILINGUAL COMPETENCY RECOGNITION

RECOMMENDATION NO. A.19

It is requested that the Board of Education approve the implementation of a Bilingual Competency Awards Program effective as of the 2004-05 school year. This program honors language achievement of graduating high school seniors. The Bilingual Competency Awards Program grants recognition based on criteria that demonstrate competency in both academic English and a second language.

Comments: An increasing number of school districts currently implement programs to encourage and recognize bilingualism in students. SMMUSD has a longstanding commitment to producing multi-lingual students, as evidenced through the support of the K-12 Spanish Dual Language Program, as well as the wide variety of classical and modern languages offered in district secondary schools. This commitment is clearly enumerated in the district's Vision Statement that states:

*"As a community of learners the Santa Monica-Malibu Unified School District works together in a nurturing environment to help students be visionary, versatile thinkers; resourceful, life-long learners; effective, multi-lingual communicators and global citizens."*

Therefore, implementing a program that recognizes bilingual competency upon graduation from our high schools is very much in alignment with articulated district values. It is within this context that the SMMUSD Bilingual Competency Awards Program has been developed.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION  
 FROM: SUPERINTENDENT/TIMOTHY R. WALKER  
 RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS

ACTION/MAJOR  
 04/21/05

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**

<b>Nonpublic School/Agency</b>	<b>Student DOB</b>	<b>Service Description</b>	<b>Contract Number</b>	<b>Cost Not to Exceed</b>
Alison Freeman	10-31-90	NPA - Counseling	#160	\$ 375
Baby & Baby, Inc.	05-14-96	NPA - PT	#161	\$ 640
Baby & Baby, Inc.	02-19-00	NPA - PT	#162	\$ 1,280
Beautiful Minds Center for Autism, Inc.	05-01-01	NPA - Behavior Therapy	#163	\$ 4,390
Beautiful Minds Center for Autism, Inc.	11-26-01	NPA - Behavior Therapy/1:1	#164	\$ 3,900
Can Do Kids, Inc.	03-29-98	NPA - PT	#165	\$ 2,600
Los Angeles Speech & Language Therapy Center	05-01-01	NPA - Speech	#166	\$ 420
Smart Start	10-31-90	NPA - Behavior Therapy	#167	\$ 8,800
Smart Start	10-03-91	NPA - Behavior Therapy/1:1	#168	\$ 37,200
Therapy West, Inc.	05-01-01	NPA - PT	#169	\$ 2,210
Verdugo Hills Autism Project	10-11-93	NPA - Behavior Therapy	#170	\$ 13,668
Smart Start <b>Contract Increase</b>	10-31-90	NPA - Behavior Therapy	#36 UC05127	\$ 7,680
Smart Start <b>Contract Increase</b>	04-08-93	NPA - Behavior Therapy	#133 UC05388	\$ 6,400
Therapy West, Inc. <b>Contract Increase</b>	01-20-01	NPA - PT/OT	#102 UC05288	\$ 340

Amount Budgeted NPS/NPA 04/05 \$ 3,600,000  
 Prior Board Authorization as of 04/07/05 \$ 3,637,578  
 Balance - \$ 37,578

Total Amount of these Contracts \$ 89,903  
 Balance - \$ 127,481

\*Prior Year Authorization (05-20-04) \$3,299,885

**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
Adrian Whitchelo-Scott	03-23-97	Instr.Consultant - Assistive Technology Assesment & Training	#111	\$ 700
Adrian Whitchelo-Scott	04-11-90	Instr.Consultant - Educational Therapy	#112	\$ 3,000
Adrian Whitchelo-Scott	02-23-98	Instr.Consultant - Assistive Technolog services	#113	\$ 3,600
Deborah Bohn	02-19-00	Instr.Consultant - Physical Therapy Evaluation	#114	\$ 300
Deborah Bohn	10-22-98	Instr.Consultant - Physical Therapy services	#115	\$ 1,170
Kimberly Singer	02-03-97	Instr.Consultant - Speech/Language services	#116	\$ 9,125
The Speech Therapy Group	02-23-98	Instr.Consultant - Speech/Language services	#117	\$ 5,280
Kimberly Singer <b>Contract Increase</b>	02-03-97	Instr.Consultant - Speech/Language services (2002-2003)	#14 UC03160	\$ 2,625
Contract with Cynthia D. Ferber was board approved on 01-06-05 - need to correct the date of birth - it was previously incorrect.	09-03-94	Instr.Consultant - Recreation Therapy services	#57 UC05341	

Amount Budgeted Instructional Consultants 04/05	\$ 400,000
Prior Board Authorization as of 04/07/05	\$ <u>543,779</u>
Balance	- \$ 143,779
Total Amount of these Contracts	\$ <u>25,800</u>
Balance	- \$ 169,579

**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	09-03-94	Non-Instr.Consultant-Tutoring Services	#38	\$ 1,370
Parent Reimbursement	04-23-98	Non-Instr.Consultant-Reimbursement for outside services provided for school year 2004-2005.	#39	\$ 16,110

Amount Budgeted Instructional Consultants 04/05	\$ 200,000
Prior Board Authorization as of 04/07/05	\$ <u>206,832</u>
Balance	- \$ 6,832
Total Amount of these Contracts	\$ <u>17,480</u>
Balance	- \$ 24,312

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

04/21/05

FROM: JOHN E. DEASY/EMILY BLOOMFIELD

RE: ADOPT RESOLUTION NO. 04-18 HONORING NAT TRIVES,  
OUTGOING CHAIR OF THE SANTA MONICA CHAMBER OF COMMERCE

RECOMMENDATION NO. A.21

It is recommended that the Board of Education adopt Resolution No. 04-18 honoring Nat Trives for his year of service as the Chair of the Santa Monica Chamber of Commerce.

COMMENT: Given the outstanding leadership provided by Mr. Tives during this past year as the Chair of the Santa Monica Chamber of Commerce, it is appropriate that the Board of Education approve Resolution No. 18 in his honor. The resolution will be presented to Mr. Trives at the Chambers' annual meeting recognizing outgoing officers.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 04-18  
HONORING MR. NATHANIEL TRIVES  
2004-2005 Santa Monica Chamber of Commerce**

WHEREAS, Nathaniel Trives has demonstrated extraordinary leadership as 2004-2005 Chairman of the Board of the Santa Monica Chamber of Commerce, which will have a lasting impact on the Chamber's membership and community it serves; and

WHEREAS, Nathaniel Trives, together with the Santa Monica Chamber of Commerce Board of Directors, has led the Chamber with historic and unprecedented actions to protect and defend the needs of small and large Santa Monica businesses' ability to remain economically healthy and viable throughout a sometimes turbulent year; and

WHEREAS, Nathaniel Trives has provided strong leadership and support of the individual committee and task force chairs and members in the areas of nonprofit organizations, education, auto dealers, environmental and governmental affairs, parking and traffic, and economic development, and homeless issues; and

WHEREAS, Nathaniel Trives has continued to demonstrate his passionate commitment to those who reach out for help, assistance and just someone to listen and care through education programs and social service agencies, especially focusing on youth; and

WHEREAS, Nathaniel Trives has successfully strengthened the Santa Monica Chamber of Commerce's position in the community as a vital, sincerely caring participant through sensitivity to peoples' needs, whether from our business community or residents;

THEREFORE, BE IT RESOLVED that Nathaniel Trives is hereby honored and recognized for his leadership, invaluable time and contributions as Chairman of the Santa Monica Chamber of Commerce for 2004-2005. Passed and adopted this 21<sup>st</sup> day of April, 2005.

\_\_\_\_\_  
Emily Bloomfield, President

\_\_\_\_\_  
Julia Brownley, Vice-President

\_\_\_\_\_  
Oscar de la Torre, Member

\_\_\_\_\_  
José J. Escarce, Member

\_\_\_\_\_  
Maria Leon-Vazquez, Member

\_\_\_\_\_  
Shane McLoud, Member

\_\_\_\_\_  
Kathy Wisnicki, Member

\_\_\_\_\_  
John E. Deasy, Superintendent

TO: BOARD OF EDUCATION  
FROM: JOHN E. DEASY/WINSTON BRAHAM/ORLANDO GRIEGO  
RE: PARTIAL MEAL POLICY AT ELEMENTARY SCHOOL SITES

DISCUSSION  
4/21/05

DISCUSSION ITEM NO. D.1

Pursuant to the Board's direction on November 4, 2004, Food and Nutrition Services (FNS) stopped enforcing the Partial Meal Policy in our elementary schools. Shortly after FNS stopped enforcing this Policy, there was an increase in the number of students coming to the serving line without money. However, per the Board's direction, FNS provided each student with a complete meal. In addition, after FNS stopped enforcing the Policy there was an increase in the negative balances and a decrease in the number of payments received from parents for those negative balances.

On November 4, 2004, FNS reported a district wide negative balance total of approximately \$2,000. After FNS stopped enforcing the Partial Meal Policy, the district wide negative balance total increased as follows:

**November 30, 2004 - \$3,048.80**  
**December 17, 2004 - \$4,150.84**  
**January 31, 2005 - \$4,451.24**  
**February 28, 2005 - \$6,689.75**  
**March 18, 2005 - \$9,898.27**

In addition, FNS has seen an increase in the number of unpaid Non Sufficient Fund checks (total as of March 18, 2005-\$1,356.90). Clearly, the absence of a Partial Meal Policy has had a negative impact on FNS' ability to collect money for meals served.

As you are aware, Board Policy 3551 states that Food & Nutrition Services "shall be a self supporting, nonprofit program." Due to the growing negative balance problem, rising food, supply and fuel costs, as well as decreasing enrollment, it is likely that FNS will require assistance from the General Fund for the 2004/05 school year.

Finally, it is FNS' recommendation that a Partial Meal Policy be developed and enforced district-wide as soon as possible.

TO: BOARD OF EDUCATION

DISCUSSION

04/21/05

FROM: JOHN E. DEASY

RE: PROGRAM IMPLEMENTATION TO ENHANCE STUDENT ENGAGEMENT

DISCUSSION ITEM NO. D.2

This agenda item is designed to outline several new programs and policy proposals intended to improve and enhance student engagement. These have been in various stages of development over the last semester. Several have been refined as a result of the recent community forums held at John Adams Middle School (February 26 and April 9, 2005).

The primary purpose of each is to enhance student engagement. Student and family engagement in school have been directly linked in the research to improved academic achievement, attendance, persistence, and decreased disciplinary action (Ayers, W. 2000; Lear, 2001; Meier, 1988; Klonsky, 1999; and Fine, 1998). Furthermore, increased engagement is linked with a decrease in illicit activity by students outside of school and with an increase in persistence rates in college (Kacan, 2000; Gewertz, 2001; and Cocklin, 1999).

These programs are designed to build on programs and policies already in place. And they are informed by data collected in our schools (HiPlaces Community Profile Survey) over the past four years. It is my intent to have nearly all in place within one calendar year from this June.

The primary goals and outcomes for these proposals are:

- 1.) Increased engagement in school
- 2.) Opportunities to build self-esteem
- 3.) Improved school success
- 4.) Reduction in disciplinary referrals
- 5.) Increased school persistence

**High School Curricular Improvement**

This proposal is for a unified curricular experience for all 9<sup>th</sup> and 10<sup>th</sup> grade students. Simply stated, the goal will be to design and implement a Cultural Studies course that will span two years. The course will be developed by faculty and administration and be tailored to each school's particular freshman/sophomore structure. It will be designed to meet all state expectations and guidelines and be UC approved. The course will explore, among other things, the development of World History from a culturally composite perspective. Among the outcomes to be designed will be a mastery of research skills, writing skills, career planning and high school purposing events, and a culminating activity at the end of 10<sup>th</sup> grade centered on a public project of mastery presented in front of a juried panel of experts.

This project demonstrating mastery will center of a social policy issue of the student's choice, researched and explored, and offering a policy solution within the defense of the issue. A common set of readings and texts will be chosen to accompany relevant cultural group events and the curriculum.

### **Valued Youth Program (VYP)**

This proposed program has been part of a number of school districts around the country for the last 15 years. In fact, Santa Monica-Malibu had a programmatic component of VYP approximately 10 years ago. This program seeks students who are disengaged or who are identified as most likely going to become disengaged. I will identify John Adams Middle School as the pilot site for initiation of this program. The program identifies Middle level youth and then trains them to be academic tutors for young children. They engage in a rigorous training program similar to what a classroom assistant would experience. Then these youth tutors spend 1 hour a day, three times a week, in a neighboring elementary school working as a classroom based tutor in grades K-3. Adult mentors from the business community are matched to every youth. The tutors are paid for this work experience and there are a number of celebrations and learning opportunities that go with the program. RAND has researched the program in a number of states and has been a support in helping us launch this program here in Santa Monica-Malibu Unified. We would use the help of the IDRA foundation who sponsors the implementation of VYP around the country.

Preliminary conversations with both City officials and Chamber officials have yielded support for such a program. This program can be a direct support to the aims of the recent city forums held at JAMS. Initial conversations with potential elementary schools have also proved to be positive and exciting. More about this program can be found at the IDRA foundation website: [www.idra.org](http://www.idra.org).

### **High School Policy on Four-Year College/University Application**

I propose to bring to the Board a policy that stipulates that no student will graduate from our high schools without being counseled and assisted in applying to a four-year college or university. This is a critical issue. Even a cursory read of the research literature indicates that students of color and students of lower socio-economic means attend two-year post secondary schools in far greater numbers than their white/Asian or wealthier counterparts. The far troubling picture to this trend is in their completion and transfer rates to four-year schools. It is significantly below that of other non-minority students and dramatically below that of four-year attendees. Simply put, we must take all means and efforts to help students realize the potential of a four-year post graduate experience.

All students are free, of course, to attend any school they want. Our job is to improve access and opportunity for all, especially those students who are underrepresented in four-year programs. This policy would make it mandatory for the schools to counsel all students in the process of application to a four-year college/university. It would make it mandatory to assist all students in completing at least one application to a four-year college/university. And in doing so, help students undertake the process of examining all college/universities that the student might consider and potentially attend. And finally, as part of the separation/graduation process from our high schools, students and their families would affirm that such a process did, in deed, take place.

#### **Family and Student Support and Engagement Enhancement at SAMOHI**

After consideration of the initial evaluation of the community liaison program by Dr. Muncey, I propose to respond to portions of the recommendations by setting forth a new and improved direction for the community liaison program at SAMOHI. It is clear that the program was designed in a time prior to the current work at redesign. All of the literature on high school improvement and smaller learning communities point to the delivery of support services, especially those at engaging family support, be delivered in a model aligned with the small school structure (Wasley, 2000; King, 2001; Powell, 2000; Stiefel, 2001; Raywid, 21999; and Oxley, 1996). In addition a comprehensive set of services designed to engage students, their families, and to provide increased access to the culture, operations, and opportunities of schooling is essential in any student and family support work. Therefore, I will be working with staff to redesign both the Alliance program and the Liaison programs at SAMOHI in a way that provides a far more intensive set of services, delivered within the house structure, through a representational group of employees, to our students and families. This redesigned program can easily be in place for the 2005-2006 academic year and will be studied as part of the ongoing set of research at SAMOHI in redesign.

This will necessitate a new job description, qualifications, and a restructuring of the current budget(s) for these programs that might require some additional support from the general fund. These newly described family and student engagement specialists must represent the youth in gender, race, ethnicity, and language proficiency. They will be house-based, and part of a team working with a small learning community of youth. However, their working conditions should be fluid enough to cross over a house structure when specialization is required.

### **The Santa-Monica Malibu Unified Community Day School**

This proposal has been in front of the Board a number of times. It has obtained CDE approval and is ready for implementation. What is currently holding up the opening of this program is a site. I committed to the community at the recent forum at JAMS that I will take the point on opening this much called for and supported program, designed at enhancing and assuring successful re-entry into the community, for students who are currently not experiencing their education in our schools, or who are near the point of lack of success in our current programs.

Curriculum and job descriptions for this program are near completion and I will work with city officials and the business community in securing a site and support for the start-up of this much-needed program. There are also a host of community supports that can come to bear on the program. Many were discussed at the recent community forum. We will need to coordinate these services on behalf of the youth who will participate in this school program.

I would be glad to provide a detailed explanation of all these support items, if the Board so desires. This memo was developed in order to provide an executive summary of these items.

TO: BOARD OF EDUCATION

DISCUSSION

04/21/05

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: INDEPENDENT STUDY PROGRAM FOR HOME-SCHOOLED STUDENTS

DISCUSSION ITEM NO. D.3

It is requested that the Board of Education provide direction regarding the implementation of an Independent Study Program for Home-Schooled Students in the areas of participation requirements, location, staffing ratio, and eligibility for high school graduation.

The current Board policy is attached.

<b><u>NUMBER</u></b>	<b><u>ARTICLE</u></b>	<b><u>TITLE</u></b>
6158	Instruction	Independent Study

<b><u>SUBTOPIC</u></b>	<b><u>POLICY</u></b>	<b><u>REGULATION</u></b>	<b><u>EXHIBIT</u></b>
Instructional Arrangements	x		

**DETAIL**

The Governing Board authorizes independent study as an optional alternative instructional strategy by which students in grades K 12 and adult education may reach curriculum objectives and fulfill graduation requirements. Independent study shall offer a means of individualizing the educational plan for students whose needs may be met best through study outside of the regular classroom setting.

The district's independent study option shall be substantially equivalent in quality and quantity to classroom instruction, thus enabling students enrolled in independent study to complete the district's adopted course of study within the customary time frame. Students in independent study shall have access to the same services and resources as is available to other students in the school.

The Superintendent or designee shall determine that the prospective independent study student understands and is prepared to meet the district's requirements for independent study. Independent study entails a commitment by both the parent/guardian and the student. As the student gets older, he/she assumes a greater portion of the responsibility involved. Independent study may be offered only to students who can achieve in this program as well as or better than they would in the regular classroom.

The Superintendent or designee shall ensure that a written independent study agreement, as prescribed by law, exists for each participating student. (Education Code 51747)

The Board recognizes that independent study may be used as an option to encourage students to remain in school. Teachers should carefully set the duration of independent study assignments, within the limits specified by the Board in order to help identify students falling behind in their work or in danger of failing or dropping out of school.

To foster each student's success in independent study, the Board establishes the following maximum lengths of time which may elapse between the time an assignment is made and date by which the student must complete the assigned work shall be as follows:

1. For students in grades K 3: 1 week
2. For students in grades 4 8: 2 weeks
3. For students in grades 9 12, continuation and adult education: 3 weeks

When circumstances justify a longer time, the Superintendent or designee may extend the maximum length of an assignment to a period not to exceed eight weeks, pursuant to a written request with justification.

When any student fails to complete consecutive independent study assignments, the Superintendent or designee shall conduct an evaluation to determine whether it is in the student's best interest to remain in independent study. Evaluation findings shall be kept in the student's permanent record.

## **REFERENCE**

### **EDUCATION CODE**

17289 Exemption for building  
44865 Qualifications for home teachers and teachers in special classes and schools; consent to assignment  
46300-46300.6 Methods of computing ADA  
48220 Classes of children exempted  
48340 Improvement of pupil attendance  
48915 Expulsion; particular circumstances  
48917 Suspension of expulsion order  
51225.3 Requirements for high school graduation  
51745-51749.3 Independent study programs  
52000 Improvement of elementary and secondary education: legislative intent  
52015 School improvement plans: components of plan  
52017 Secondary schools: additional plan components  
56026 Individual with exceptional needs

### **FAMILY CODE**

6550 Authorization affidavits

### **CODE OF REGULATIONS, TITLE 5**

#### **MANAGEMENT RESOURCES**

#### **CDE PROGRAM ADVISORIES**

1113.09 Independent Study: New Legislation, SPB: 90/91-04

0904.86 Independent Study, SPB: 86/7-5

### **CDE PUBLICATIONS**

Independent Study Operations Manual, 1993 revised edition, updated 1994, 1996

### **WEB SITES**

CDE: <http://www.cde.ca.gov>

### **ADOPTED**

January 7, 1999

### **REVISED**

### **CSBA DATE**

June, 1998

### **DISTRICT GOAL**

Quality Education for All

TO: BOARD OF EDUCATION

DISCUSSION

04/21/05

FROM: JOHN E. DEASY/LINDA KAMINSKI

First Reading

RE: CALIFORNIA HIGH SCHOOL EXIT EXAM WAIVER POLICY

DISCUSSION ITEM NO. D.4

The State of California requires all students to pass the California High School Exit Exam (CAHSEE) in addition to meeting other state and district high school graduation requirements in order to receive a high school diploma. Students with a disability may take the CAHSEE with any accommodations and modifications specified in their Individualized Education Program or Section 504 Plan for use on the CAHSEE. Students who take one or both parts of the CAHSEE with a modification and have received the equivalent of a passing score are eligible for the local district waiver request process to waive the requirement to pass the part(s) of the CAHSEE on which a modification was used and the equivalent of a passing score was earned. The proposed board policy will provide for the establishment of the district waiver request process.

# Santa Monica-Malibu District Policy Detail

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
6162.52	Instruction	High School Exit Examination	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
High School Exit Examination	x		

## DETAIL

The Board of Education desires to ensure that District students who graduate from high school can demonstrate grade-level competency in reading, writing and mathematics and are given the opportunity to learn the subjects covered in the high school exit examination.

The Superintendent or designee shall ensure that district programs and services, including but not limited to instructional materials, staff development and remediation programs, are aligned with the exit exam.

The Superintendent or designee shall administer the high school exit exam in accordance with law. (Education Code 60850)

Students may be allowed to take the exam with variations, accommodations and modifications in accordance with law and administrative regulation.

Students who do not demonstrate sufficient progress toward passing the exit exam shall be provided supplemental instruction necessary to assist the students to succeed on the exam. (Education Code 60851)

The Superintendent or designee shall ensure that English language learners are evaluated to determine if they possess sufficient English language skills at the time of the exam to be assessed with the test. If the student does not possess sufficient English language skills to be assessed on the exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing, and comprehension in the English language.

### Waiver of California High School Exit Examination (CAHSEE) for Students with a Disability

At the request of a parent or guardian of a student with a disability - who has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or both subject matter parts of the examination - the school principal shall submit a request for a waiver of the requirement to successfully pass the high school exit examination to the Assistant Superintendent of Special Education. Upon review and concurrence, the Assistant Superintendent of Special shall recommend to the Board of Education that the waiver request be granted. The Board may waive the requirement to successfully pass one or both subject matter parts of the high school exit examination for a student with a disability if the principal certifies to the Board that the student has all of the following:

- (1) An Individualized Education Program (IEP) or Section 504 plan in place that requires the accommodations or modifications to be provided to the pupil when taking the high school exit examination.
- (2) Sufficient high school level coursework either satisfactorily completed or in progress in a high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the high school exit examination.
- (3) An individual score report for the student showing that the student has received the equivalent of a passing score on the high school exit examination while using a modification that fundamentally alters what the high school exit examination measures as determined by the State Board of Education.

A "modification" is defined as any variation in the assessment environment or process that fundamentally alters what the test measures or affects the comparability of scores.

### **REFERENCE**

Legal Reference:

#### **EDUCATION CODE**

35146 Closed sessions

37252 Summer school

51041 Evaluation of educational program

56101 Waiver of code or regulation

60810 Assessment of language development

60850-60859 Exit examination

#### **CODE OF REGULATIONS, TITLE 5**

1200-1225 High School Exit Examination

#### **UNITED STATES CODE, TITLE 20**

1400-1487 Individuals with Disabilities Education Act

#### **UNITED STATES CODE, TITLE 29**

794 Rehabilitation Act of 1973, Section 504

#### **COURT DECISIONS**

Smiley v. California Department of Education (2002, 9th Cir.) 45 Fed.Appx. 780

Chapman v. California Department of Education, (2002, Northern. Dist. of CA) 229 F.Supp.2d 981

### **MANAGEMENT RESOURCES**

#### **CDE PUBLICATIONS**

Independent Evaluation of the California High School Exit Examination (CAHSEE), Annual Report, Human Resources Research Organization

#### **U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS**

The Use of Tests as Part of High-Stakes Decision-Making for Students: A Resource Guide for Educators and Policy-Makers, December 2001

#### **WEB SITES**

California Department of Education, California High School Exit Examination: <http://www.cde.ca.gov/ta/tg/hs/index.asp>

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

Educational Testing Service: <http://www.ets.org/cahsee>

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

### **ADOPTED**

### **REVISED**

### **CSBA DATE**

July 2004

### **DISTRICT GOAL**

HIGH SCHOOL EXIT EXAMINATION

**Parent/Guardian Request for  
Waiver of the High School Exit Examination Requirement  
for a Student with Disabilities**

Please return the completed form to the principal of your child's high school.

My child, \_\_\_\_\_ is a student with disabilities attending \_\_\_\_\_. He/she has taken the high school exit examination with modifications that alter what the test measures and has received the equivalent of a passing score on one or more parts of the exam.

I hereby request that the principal submit a request to the Governing Board for a waiver of the requirement that my child successfully pass the exit examination in order to receive a high school diploma. I understand that, in order to receive such a waiver, state law requires that my child have all of the following:

1. An individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or a plan adopted pursuant to Section 504 of the Rehabilitation Act of 1973 that specifies the use of the modification(s) on the exit exam, standardized testing, or classroom instruction and assessments
2. Sufficient high school level coursework either satisfactorily completed or in progress in the district's high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam
3. An individual score report showing that my child has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education

I hereby certify that, to the best of my knowledge, my child satisfies the conditions listed above.

Parent/Guardian Signature: \_\_\_\_\_ Date: \_\_\_\_\_

CSBA: 7/04

## HIGH SCHOOL EXIT EXAMINATION

**Principal's Certification and Request for  
Governing Board to Waive the High School Exit Examination Requirement  
for a Student with Disabilities**

Student's Name: \_\_\_\_\_

Student's Number (for use on open session agenda): \_\_\_\_\_

Pursuant to Education Code 60851, the parent/guardian of \_\_\_\_\_, a child with disabilities, has requested that the Governing Board waive the requirement that his/her child successfully pass the high school exit examination in order to receive a diploma from \_\_\_\_\_ High School. His/her child has taken the high school exit exam with one or more modifications that fundamentally alter what the test measures as determined by the State Board of Education, and has achieved the equivalent of a passing score on one or both parts of the exam.

I certify that the student qualifies for a waiver because he/she satisfies all of the following conditions:

1. Has an individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or Section 504 plan that specifies the use of the modification(s) on the exit exam, standardized testing or classroom instruction and assessments. (Attach the IEP or Section 504 plan that indicates the modification needed to participate and access the high school exit exam.)
  - a. Describe the nature of the student's disability as identified on the IEP or Section 504 plan.
  - b. Describe any modification(s) used on the English/language arts section of the exam.
  - c. Describe any modification(s) used on the mathematics section of the exam.
  - d. List the rationale as to why the modification used was necessary to allow the student to access the test.
  - e. Describe the accommodations/modifications that the student regularly uses for English/language arts in the classroom and on other assessments.

- f. Describe the accommodations/modifications that the student regularly uses for mathematics in the classroom and on other assessments.
- 2. Has sufficient high school level coursework either satisfactorily completed or in progress in the high school curriculum sufficient to have attained the skill and knowledge otherwise needed to pass the high school exit examination. (Attach transcript showing coursework completed.)

Summarize the student's academic preparation and performance in the subject areas of English/language arts and/or mathematics (depending on the subject of the waiver request) that demonstrate high school level achievement.

- 3. Has an individual score report showing that he/she has achieved the equivalent of a passing score on the exit exam (350 or more points) using a modification that fundamentally alters what the exam measures. (Attach a copy of the exit exam Student and Parent Report showing "equivalent of a passing score" in either the English/language arts/and/or math portion of the exam.)

Principal Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Concurred and recommended to the Board for approval:

Assistant Superintendent,  
Special Education \_\_\_\_\_ Date: \_\_\_\_\_

Board Meeting date: \_\_\_\_\_ Item Number: \_\_\_\_\_

CSBA 7/04

# Santa Monica-Malibu District Policy Detail

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
6162.52	Instruction	High School Exit Examination

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
High School Exit Examination		x	

## DETAIL

### **District and Test Site Coordinators**

On or before July 1 of each school year, the Superintendent shall designate a high school exit examination coordinator from among district employees and shall notify the test publisher of the identity and contact information of the coordinator. The district coordinator or Superintendent or designee shall be available throughout the year, shall serve as the liaison between the district and the test publisher and the district and the California Department of Education for all matters related to the exit exam, and shall perform additional duties specified in 5 CCR 1209. (5 CCR 1209)

Annually, the district coordinator or Superintendent or designee shall designate a test site coordinator for each test site to fulfill the responsibilities specified in 5 CCR 1210. (5 CCR 1210)

All district and test site coordinators shall sign a test security affidavit pursuant to 5 CCR 1211.5.

Access to exam materials shall be limited to students taking the exam and employees of the district directly responsible for test administration who sign a test security affidavit. All district and test site coordinators shall be responsible for inventory control. (5 CCR 1211)

### **Administration**

The high school exit exam shall be administered as follows: (Education Code 60851; 5 CCR 1204, 1204.5)

1. Students shall take the exam once per school year while in grade 10.
2. Students in grades 11-12 who have not yet passed one or both sections of the exam shall have up to two opportunities per year to take the section(s) of the exam not yet passed, but shall not be tested in successive administrations within a school year. Students in grades 11-12 shall be offered appropriate remediation or supplemental instruction before being retested.

3. Students shall be provided one additional opportunity to pass the exit exam after completion of other grade 12 requirements prior to the end of the year for which the diploma would have been issued.

The Superintendent or designee shall administer the exit exam in each district high school on the dates designated by the Superintendent of Public Instruction as exam days or make-up days. (Education Code 60851)

If a student does not possess sufficient English language skills to be assessed on the exit exam, the Superintendent or designee may defer the exam requirement for a period of up to 24 calendar months of enrollment in the California public school system until the student has completed six months of instruction in reading, writing and comprehension in the English language. (Education Code 60852)

Test administrators at the test site shall be responsible for the accurate identification of eligible students to whom the exit exam is to be administered. This identification shall be made through the use of photo identification or positive recognition by an employee of the district. (5 CCR 1203)

Any student found to have cheated, assisted others in cheating, or compromised the security of the exam shall have the test marked as "invalid" and shall not receive a score from that test administration. (5 CCR 1220)

### **Testing Variations for All Students**

Variations are a change in the manner in which the exit exam is presented or administered to any student, or in how a student is allowed to respond, and include, but are not limited to, accommodations and modifications as defined in Education Code 60850. (5 CCR 1200)

The Superintendent or designee may provide any student with extra time within a testing day and/or simplified or clarified test directions. (5 CCR 1215)

A student may also be provided the following testing variations if they are regularly used in the classroom: (5 CCR 1215)

1. Special or adaptive furniture
2. Special lighting or acoustics
3. An individual carrel or study enclosure
4. Individual testing in a separate room provided the student is directly supervised by an employee who has signed the test security affidavit
5. Markers, masks or other means to maintain visual attention to the exam or test items

At least 30 working days before the proposed administration of the exam, the Superintendent or designee may submit a request to the California Department of Education for a case-by-case review of a proposed variation that is not specified in law. (5 CCR 1218)

### **Testing Variations for English Language Learners**

In addition to testing variations allowed for all students, English language learners may be allowed the following testing variations if regularly used for assessment in the classroom: (5 CCR 1217)

1. Testing in a separate room with other English language learners provided the students are directly supervised by an employee who has signed the test security affidavit and the students have been provided such a flexible setting as part of their regular instruction or assessment
2. Additional supervised breaks within a testing day
3. Extra time on the exam within a testing day
4. Translated directions and the opportunity to ask clarifying questions about the test directions in their primary language
5. Access to translation glossaries (English to primary language or primary language to English)

### **Accommodations/Modifications for Students with Disabilities**

A student with a disability shall be permitted to take the exit exam with accommodations or modifications when his/her individualized education program (IEP) adopted pursuant to the Individuals with Disabilities Education Act or Section 504 plan specifies their use on the exam, standardized testing or classroom instruction and assessments. (Education Code 60850; 5 CCR 1215.5, 1216)

Accommodations are variations in the assessment environment or process that do not fundamentally alter what the test measures or affect the comparability of scores. Modifications are variations that do fundamentally alter what the test measures or affect the comparability of scores. (Education Code 60850; 5 CCR 1200)

Accommodations may include: (5 CCR 1215.5)

1. Presentation accommodations, including large-print versions, test items enlarged through electronic means, Braille transcriptions provided by the test publisher or designee, use of Manually Coded English or American Sign Language to present test directions or to present test questions on the mathematics section of the exam, and audio or oral presentation of the mathematics section of the exam
2. Response accommodations, including responses marked in the test booklet and transferred by an employee who has signed the test security affidavit, or responses made using a scribe, audio recorder, speech-to-text converter, word processing software or assistive device, within the limitations described in 5 CCR 1215.5

3. Scheduling/timing accommodations, including testing over more than one day after consultation with the test publisher, supervised breaks within a section of the exam, and administration of the exam at the most beneficial time of day to the student after consultation with the test publisher
4. Setting accommodations, including tests administered by certificated teacher to a student at home or in the hospital

Modifications may include: (5 CCR 1216)

1. Calculators on the mathematics section of the exam.
2. Audio or oral presentation of the English/language arts section of the exam.
3. Use of Manually Coded or American Sign Language to present test questions on the English/language arts section of the exam.
4. Spellcheckers, grammar checkers or word processing software programs that check or correct spelling and/or grammar on the writing portion of the exam.
5. Mechanical or electronic devices or other assistive devices that are not used solely to record the student's responses, including but not limited to transcribers, scribes, voice recognition or voice-to-text software, and that identify a potential error in the student's response or that correct spelling, grammar or conventions on the writing portion of the exam.
6. Use of American Sign Language to provide a response to the written portion of the exam.
7. English dictionary on the English/language arts section of the exam.
8. Mathematics dictionary on the mathematics section of the exam.

The parent/guardian of a student who has taken any section of the exam with a modification and has received the equivalent of a passing score may request that his/her child receive a waiver of the requirement to successfully pass the exam. Upon receipt of such request (see Exhibit), the principal shall submit it to the Assistant Superintendent of Special Education. Upon review and concurrence, the Assistant Superintendent of Special shall recommend to the Board of Education that the waiver request be granted. The principal shall certify that the student has all of the following: (Education Code 60851; 5 CCR 1216)

1. An IEP or Section 504 plan in place that requires the accommodations or modifications to be provided to the student when taking the exit exam

2. Sufficient high school level coursework either satisfactorily completed or in progress in the high school level curriculum sufficient to have attained the skills and knowledge otherwise needed to pass the exit exam
3. An individual score report showing that the student has received the equivalent of a passing score on the exam while using a modification that fundamentally alters what the exit exam measures as determined by the State Board of Education

In order to protect the student's privacy rights, the waiver shall be considered in closed session. Final Board action on the waiver shall be taken in open session and shall be a matter of public record. The student's name shall not be disclosed in open session.

### **Records**

The Superintendent or designee shall maintain a summary data file of all students who participate in each test administration. This summary data file shall include the following information for the English/language arts section and the mathematics section for each test administration: (5 CCR 1205)

1. The date on which each section of the exam was taken.
2. The full name of each student who took each section of the exam.
3. The grade level of each student at the time each section of the exam was taken.
4. Whether each student has satisfied the requirement to successfully pass each section of the exam.

The above information, as well as demographic information for students enrolled in grade 10 at the time of the grade 10 administration, shall be provided to the test publisher. (5 CCR 1207)

Within 60 days of receiving electronic data files from the test publisher, the Superintendent or designee shall enter the following information in each student's permanent record: (5 CCR 1206)

1. The date on which the student took each section of the exam.
2. Whether the student has satisfied the requirement to successfully pass each section of the exam.

### **Notifications**

At the beginning of each school year, the Superintendent or designee shall provide written notification of the exit exam requirement to all students in grades 9-12 and to their parents/guardians. Such notification shall also be provided to any student who transfers into the district after the beginning of the school year at the time of the student's transfer. The notification

shall include, at a minimum, the date of the exam, the requirements for passing the exam, and the consequences of not passing the exam. The Superintendent or designee shall maintain documentation that the parent/guardian of each student has been sent this written notification. (Education Code 48980, 60850; 5 CCR 1208)

Prior to each administration of the exam, the Superintendent or designee shall notify students of the provisions of 5 CCR 1220 related to the consequences of cheating. (5 CCR 1220)

The principal or designee shall notify parents/guardians of students with disabilities about the criteria and process for applying for a waiver of the requirement to successfully pass the exit exam.

CSBA DATE:  
July 2004

TO: BOARD OF EDUCATION

DISCUSSION

04/21/05

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: PARAMETERS FOR DISTRICT ADVISORY COMMITTEE ANNUAL REPORTS

DISCUSSION ITEM NO. D.5

This is the time of year when many of the District Advisory Committees make an annual report to the Board of Education. Staff is providing a structure for each DAC to follow in order to ensure that reports are informative as well as succinct. Written reports from the DAC's should include the following:

- < Accomplishments of the previous year
- < Proposed direction for next year's projects
- < Budgetary implications

The written reports will be published as part of the Agenda to give the public adequate time to review the document prior to the meeting.

The reports at the Board meeting will be limited to 10 minutes in total. That time should be used to highlight specific information, not a reading of the full report. A template is attached that each DAC should use which will become part of the Minutes of the meeting.

With this process, at least two DAC's may report at each regular Board meeting in May and June. A schedule is shown below.

Board Meeting Date	District Advisory Committee	Electronic Report Due to Superintendent's Office
May 5, 2005	Fine Arts DAC	April 25, 2005
	(Open)	
May 19, 2005	Community Health/Safety	May 9, 2005
	(Open)	
June 2, 2005	Instructional Technology	May 23, 2005
	(Open)	
June 16, 2005	(Open)	May 13, 2005
	(Open)	

**District Advisory Committee  
Board of Education Annual Report  
2005**

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Name of District Advisory Committee

Chair:

Staff Liaison:

Charge:

Accomplishments this year:

Highlight(s) of Particular Note:

Suggested Direction for 2005/06:

Budgetary Implications:

TO: BOARD OF EDUCATION

INFORMATION

04/21/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: AVERAGE DAILY ATTENDANCE (ADA)/REVENUE LIMIT PROJECTIONS -  
\$64,597,155

INFORMATIONAL COMMUNICATION NO. I.1

This \$64,597,155 ADA Revenue amount [see detailed spreadsheet to follow] is offered to establish the Unrestricted portion of the General Fund Base Revenue Limit for the upcoming 2005-06 and the subsequent 2006-07 fiscal years, and is offered as the first significant piece of information that will be the cornerstone of the entire 2005-06 Budget.

At the time of our 2<sup>nd</sup> Interim Report, our projection for 2005-06 Revenue Limit was based on 11990 ADA. On April 13, 2005, we received State approval for our Material Decrease (see enclosed letter of approval from State Superintendent, Jack O'Connell for additional 110 ADA), bringing our 2004-05 P-2 ADA to 12100. Based on the updated information, the estimated Revenue Limit funding for the 2005-06 fiscal year will be increased by \$550,000. ***Note: Current ADA calculation rules also allow for us to use, if necessary, 12186 ADA from the 2003-04 fiscal year.***

Regarding our projections for 2006-07, we are at this time using 11990 ADA because, if indeed the increased ADA we anticipate from the increased enrollment that we expect as a result of additional permits does not materialize, then we will be expected to use the actual 2004-05 numbers when we finally adopt our 2006-07 Budget. Alternatively, depending on the LACOE rules at the time, the actual 2005-06 numbers might apply. Specifically, we believe, with a high degree of confidence, that our Revenue Limit projections are indeed, reasonably accurate and are backed by ADA numbers that will likely not drop below 11990.

TO: BOARD OF EDUCATION

INFORMATION

04/21/05

FROM: SUPERINTENDENT

RE: BASIC/SUPPLEMENTAL TEXTBOOKS FOR ADOPTION

INFORMATIONAL COMMUNICATION NO. I.2

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.

**THE PACT**, written by Drs. Sampson Davis, George Jenkins, and Rameck Hunt with Lilsa Frazier Page. Adoption requested by Carol Jago and Terry Anderson of Samohi for grade 12.

**OUR GUYS**, written by Bernard Lefkowitz. Adoption requested by Carol Jago and Terry Anderson of Samohi for grade 12.

**FRIDAY NIGHT LIGHTS**, written by H.G. Bissinger. Adoption requested by Carol Jago and Terry Anderson of Samohi for grade 12.

**A HOPE IN THE UNSEEN**, written by Ron Suskind. Adoption requested by Carol Jago and Terry Anderson of Samohi for grade 12.

**THE CULTURE OF FEAR**, written by Barry Glassner. Adoption requested by Carol Jago and Terry Anderson of Samohi for grade 12.

**SAVAGE INEQUALITIES**, written by Jonathan Kozof. Adoption requested by Carol Jago and Terry Anderson of Samohi for grade 12.

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