

For a Listing of Upcoming Board Meetings See Page vi of this Table of Contents
Santa Monica-Malibu Unified School District
Board of Education Meeting
AGENDA

November 29, 2011

A **special meeting** of the Santa Monica-Malibu Unified School District Board of Education will be held on **Tuesday, November 29, 2011**, at **Lincoln Middle School** in the **auditorium**: 1501 California Avenue, Santa Monica, CA.

The public meeting will begin at 6:00 p.m.

Persons wishing to address the Board of Education regarding an item that is scheduled for this meeting must submit the "Request to Address" card prior to discussion of that item. Persons wishing to address the Board of Education regarding an item that is not scheduled on this meeting's agenda may speak during the Public Comments section by submitting the Request to Address card at the beginning of the meeting. The same card is used for either option and is printed in both Spanish and English. Cards are located with meeting materials just outside the meeting room. Completed cards should be submitted to the Recording Secretary.

Time Certain Items: Those items listed for a specified time (marked in the margin) are so noted to give the public an indication of when the Board will hear that item. However, if it is prudent to do so, the Board may adjust the time stamp to complete an item currently on the floor, but will not delay the time stamped item for more than 15 minutes.

I. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

II. APPROVAL OF THE AGENDA

III. CONSENT CALENDAR (30)

As agreed by the President, Vice President, and Superintendent during agenda planning, consent agenda items are considered routine, require no discussion, and are normally approved all at once by the Board of Education. However, members of the Board of Education, staff, or the public may request an item be moved from the consent agenda to Section XI (Major Items) for clarification and/or discussion.

Curriculum and Instruction

A.01	Approval of Independent Contractors.....	1
A.02	Overnight Field Trip(s) 2011-2012.....	2
A.03	Acceptance of Shaheen Foundation Grant	3

IV. PUBLIC COMMENTS

Public Comments is the time when members of the audience may address the Board of Education on items not scheduled on the meeting's agenda. All speakers are limited to three (3) minutes. When there is a large number of speakers, the Board may reduce the allotted time to two (2) minutes per speaker. The Brown Act (Government Code) states that Board members may not engage in discussion of issues raised during "VIII. Public Comments" except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff. This Public Comment section is limited to twenty (20) minutes. If the number of persons wishing to address the Board of Education exceeds the time limit, additional time will be provided in **Section XVI. CONTINUATION OF PUBLIC COMMENTS.**

MAJOR and DISCUSSION Items

As a general rule, items under MAJOR and DISCUSSION will be listed in an order determined by the President, Vice President, and Superintendent. Individual Board members may move to request a change in the order prior to consideration of any Major item. The Board may also move any of these items out of order to be heard immediately following PUBLIC COMMENTS if it appears that there is special interest by the public or as a courtesy to staff members making presentations to the Board.

V. MAJOR ITEMS (180)

These items are considered to be of major interest and/or importance and are presented for **ACTION (A)** or **INFORMATION (I)** at this time. Many have been reviewed by the Board at a previous meeting under Section XII (Discussion Items) of the agenda.

A.04 Revise BP 3290 – Acceptance of Gifts (180).....4-6

VI. INFORMATIONAL ITEMS (0)

I.01 Announcing Openings on the Financial Oversight Committee (FOC) 7

VII. ADJOURNMENT

This meeting will adjourn to a regular meeting scheduled for **Thursday, December 15, 2011**, at the **district office**: 1651 16th Street, Santa Monica, CA.

SMMUSD Board of Education Meeting Schedule 2011-2012

Closed Session begins at 4:30pm
Public Meetings begin at 6:00pm

July through December 2011					
Month	1 st Thursday	2 nd Thursday	3 rd Thursday	4 th Thursday	Special Note:
July			7/20* DO	7/23* DO 7/26* DO	*Wednesday, 7/20 *Saturday, 7/23: retreat *Wednesday, 7/26: special mtg
August		8/10* DO		8/24* DO	*Wednesday, 8/10 *Wednesday, 8/24 First day of school: 8/30
September	9/8 DO			9/22 DO	
October	10/6 M		10/20 DO	10/22* DO	*Saturday, 10/22: retreat
November	11/3 M		11/17 DO	11/29* DO	Thanksgiving: 11/24-25 *Tuesday, 11/29: special mtg
December			12/15 DO	winter break	
Winter Break: December 21 – January 3					
January through June 2012					
Winter Break: December 21 – January 3					
January			1/19 DO		
February	2/2 M		2/16 DO		
March	3/1 DO		3/15 DO	3/29* DO	*3/22 & 3/23: Stairway *3/29: 5 th Thursday
Spring Break: April 2 – April 13					
April	spring break	spring break	4/19 DO		
May	5/3 M		5/17 DO		
June	6/7 DO			6/27* DO	Last day of school: 6/15 *Wednesday: 6/27

District Office (DO): 1651 16th Street, Santa Monica.
 Malibu City Council Chambers (M): 23815 Stuart Ranch Road, Malibu, CA

**Santa Monica-Malibu Unified School District
Board of Education
November 29, 2011**

I. CALL TO ORDER

A. Roll Call

Jose Escarce – President
Ben Allen – Vice President
Oscar de la Torre
Maria Leon-Vazquez
Laurie Lieberman
Ralph Mechur
Nimish Patel

Student Board Members

B. Pledge of Allegiance

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

11/29/11

FROM: SANDRA LYON / CHIUNG-SALLY CHOU / JANECE L. MAEZ / PEGGY HARRIS / STUART SAM

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.01

It is recommended that the Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2011-2012 budget.

Contractor/ Contract Dates	Description	Site	Funding
Ed-Tech Support Kevin McKeown 7/1/11-6/30/12 Not To Exceed: \$70,000	To provide support for repairs to Macintosh computers as Directed by the Information Service Dept (Apple Certified)	Information Services	01-00001-0-19100-21000-5802-054-2540
CSM Consulting, Inc. Correction of dates (approved 11/3/11): 7/1/12 to 6/30/14 <u>7/1/11 to 6/30/13 or until complete</u> Not to exceed:\$32,000 (\$16,000 per year)	E-Rate Application Process for the filing year 2012-2013 AKA funding year fifteen (15) and filing year 2013-2014 AKA funding year sixteen (16). Application process consists of file all required FCC forms for services District has requested including but not limited to Form 470, 471, 486 & 500.	Purchasing	01-00000-0-00000-72000-5802-055-2550

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

11/29/11

FROM: SANDRA L. LYON / CHIUNG-SALLY CHOU / MAUREEN BRADFORD

RE: OVERNIGHT FIELD TRIP(S) 2011-2012

RECOMMENDATION NO. A.02

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2011-2012 school year. No child will be denied due to financial hardship.

School Grade # students	Destination Dates of Trip	Principal/Teacher	Cost Funding Source	Subject	Purpose Of Field Trip
Samohi 9 th -12 th 60	University of the Pacific, Stockton 12/1/11-12/3/11	L. Fretz/ J. Swenson/ J. Aiello	\$300 per student paid by parents	Music	Students who successfully auditioned for the CODA (California Orchestra Directors Associations) will be performing during this event.
Samohi 9 th – 12 th 16	Best West Volleyball Tournament, Poway High School in San Diego, CA 3/8/12-3/10/12	L. Fretz/ L. Boone/ L. Sato/ G. Sato	\$100 per student paid by parents	PE (Boys Volleyball)	Boys Volleyball Team will be participating in the volleyball tournament.
Samohi 9 th – 12 th 43	Jazz Festival, Reno, NV 4/27/12-4/29/12	L. Fretz/ T. Whaley	\$325 per student paid by parents	Music	Jazz students will participate in the largest Jazz Festival on the west coast. Students will have the opportunity to attend clinics, hear some of the best bands and jazz artists in the country.
Samohi 9 th – 12 th 15	Virtual Enterprise Trade Show and Business Competition, Bakersfield, CA 11/29/11-12/1/11	L. Fretz/ T. Jones/ Y. Strahn	\$220 per student paid by parents	ROP	Students will participate in the Virtual Enterprise Trade Show and Business Competition.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

11/17/11

FROM: SANDRA LYON / CHIUNG-SALLY CHOU

RE: ACCEPTANCE OF SHAHEEN FOUNDATION GRANT

RECOMMENDATION NO. A.03

It is recommended that the Board of Education accept the Shaheen Foundation Grant in the amount of \$8,000 for FY 2011-12 to support programs at Webster Elementary Schools.

COMMENT: Webster Elementary School has received a grant from the David and Linda Shaheen Foundation, Inc to provide Homework Club (\$4,000), Shane's Inspiration – a program that provides opportunities for Webster students to interact with special needs students at Brandon's Village (\$1,200), Websterville Simulation – a history culminating activity through the recreation of Colonial Williamsburg (\$1,500), and Ballroom Madness (\$1,300).

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

11/29/11

FROM: SANDRA LYON

RE: REVISE BP 3290 – ACCEPTANCE OF GIFTS

RECOMMENDATION NO. A.04

It is recommended that the Board of Education revise BP 3290 – Acceptance of Gifts.

COMMENTS: This item was discussed at the November 3, 2011, board meeting in Malibu and November 17, 2011, board meeting in Santa Monica.

At the August 10, 2011, Board meeting where Linda Gross, Director of the Santa Monica-Malibu Education Foundation, presented the Foundation's strategic plan, the Board directed Superintendent Lyon to investigate districts that had successful district-wide fundraising efforts, to examine their policies and practices, and to make a recommendation to the Board regarding changes that would need to be made in practice and/or policy to benefit all students in our district.

In examining this issue, it was clear that districts for which foundations raised the most funds have policies and practices that require that any money used for school personnel be raised through a centralized education foundation to ensure program parity. In the Santa Monica-Malibu Unified School District, individual school PTAs raise funds to pay for staff who provide instructional support and/or program during the school day, and this amount varies greatly from school to school. In order for the Santa Monica-Malibu Unified School District to create a structure for increased giving and to create program parity during the school day, the Board Policy regarding Acceptance of Gifts, must be amended. This change must reflect the redirection of large corporate gifts, as well as funds to be used for personnel and professional development, through the Santa Monica-Malibu Education Foundation.

Following the approval of this policy revision, the Superintendent will immediately begin the formation of a Superintendent's Advisory Group comprised of parents, community members, and district staff. This group will create opportunities for community members to hear from other districts that have successfully moved into this model as well as work with the Superintendent to create a process and timeline that allows for a successful transition from school-site based fundraising to a districtwide model that supports a premium learning environment at each of SMMUSD's schools.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ACCEPTANCE OF GIFTS

The Board of Education ~~acknowledges~~ believes that education is a fundamental right. Every child has a right to an education that will prepare him or her to be a skilled and productive member of our society. The goal of the Board is to provide equitable and high quality educational opportunities for all students in Santa Monica-Malibu Unified School District.

The Board recognizes that ~~the needs of~~ students require ~~various~~ a variety of learning opportunities, and it is the responsibility of the Board to identify and remove barriers that contribute to gaps in achievement for different groups of students. It is the intent of the Board that gifts accepted by the District provide equitable access to educational opportunities to meet the needs of all students.

The board recognizes the community's desire to participate in promoting excellence in our schools through fundraising and gifts. In that regard, the Board of Education acknowledges and appreciates financial contributions made by parents, PTAs, businesses, and community members for the benefit of students in the Santa Monica-Malibu unified School District. ~~While greatly appreciating acceptable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.~~

The Board recognizes that there are differences among various communities in their ability to contribute additional funds for programs and services at their local schools and that these differences may perpetuate inequalities in educational opportunities ~~from~~ between one district school ~~to~~ and another. Therefore, to ensure program parity and equity across all schools and students in the District, the Board is establishing a centralized and collaborative fundraising model that will enable the District to provide equity in program and personnel in all District schools while preserving flexibility at each school. This model will be implemented in phases. The Board designates the Santa Monica-Malibu Education Foundation as the central fundraising entity for the School District. Once this centralized model is implemented, the Education Foundation will be the only fundraising entity to raise funds for the district to use to pay for personnel and professional development. ~~Therefore, the Board may not accept gifts by individuals, groups or organizations to specific schools intended to replace personnel, programs or services cut by the Board in the process of budget reduction, unless sufficient funds are received to restore those programs, services or personnel at all sites from which they were cut.~~

This policy will be implemented in all elementary schools beginning July 1, 2013. However, effective July 1, 2012, all corporate gifts to District elementary schools in an amount over \$2,500 (and smaller gifts the cumulatively total \$2,500 or more in a year) shall be directed through the Education Foundation; however, corporate gifts already budgeted for, and committed to, projects prior to July 1, 2013, shall be exempt from this requirement.

Should the Board be required to make cuts to personnel, programs, or services as a result of budget reductions, only the Education Foundation, on behalf of the District, may accept gifts by individuals, groups, and gifts to fund replacement of those personnel, programs, or services; moreover, sufficient funds must be raised to reinstate such personnel, programs, or services at all schools from which they were cut.

The Board approve a Memorandum of Understanding between the Santa Monica-Malibu Unified School District and the Santa Monica-Malibu Education Foundation formalizing this centralized fundraising relationship and clearly specifying the role of each entity. The Memorandum shall address, at a minimum, the role and governance structure of the Education Foundation as it

relates to serving as the central fundraising entity for the school District, transparency regarding reporting revenues and expenditures, accountability for meeting fundraising goals, the process and frequency of District review regarding the effectiveness of the Education Foundation and actions that the Board may take based on that review, and the frequency with which the Memorandum will be renewed between the District and the Education Foundation. This memorandum of Understanding will be reviewed and approved annually.

The Equity Fund will remain intact, and shall be administered pursuant to Administrative Regulation 3290, until implementation of centralized fundraising begins on July 1, 2013.

~~To achieve a greater level of equalization, the Board will establish an Equity Fund, which will be administered by the Education Services Department in conjunction with the Education Foundation. Contributions to this fund and distributions from this fund will be made in accordance with Administrative Regulations 3290. The purpose of the Equity Fund grants will be to improve the achievement of ALL students while simultaneously closing the achievement gap by mitigating the effects of the unequalized enrichment of schools.~~

Before accepting a gift made to the District directly or to the Education Foundation the Board shall consider whether the gift:

1. Has a purpose consistent with the district's vision and philosophy.
2. Begins a program which the Board would be unable to continue when the donated funds are exhausted.
3. Entails undesirable or excessive costs.
4. Implies endorsement of any business or product.

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

All gifts, grants and bequests shall become district property. At the Superintendent or designee's discretion, a gift may be used at a particular school.

Legal Reference:

EDUCATION CODE

1834 Acquisition of materials and apparatus

35162 Power to sue, be sued, hold and convey property

41030 School district may invest surplus monies from bequest or gifts

41031 Special fund or account in county treasury

41032 Authority of school board to accept gift or bequest; investments; gift of land requirements

41035 Advisory committee

41036 Function of advisory committee

41037 Rules and regulations

Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

adopted: January 23, 1984

revised: September 9, 2004, May 15, 2008, May 7, 2009

INFORMATION ITEMS

TO: BOARD OF EDUCATION

INFORMATION

11/29/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: ANNOUNCING OPENINGS ON THE FINANCIAL OVERSIGHT COMMITTEE (FOC)

INFORMATION ITEM NO. I.01

This item is to inform the Board of Education that the terms for three Financial Oversight Committee members are set to expire in December 2011.

COMMENTS: The FOC roster is as follows:

Term Ends 12/31/11	Term Ends 12/31/12	Term Ends 12/31/13	Term Ends 12/31/14
Joan Chu Reese	Craig Hamilton	Patricia Hoffman	
Cynthia Torres	Gordon Lee	Paul Silvern	
David Vukadinovich	Carrie Wagner	Shelly Slaugh Nahass	
	Thomas Larmore	Craig Foster	

Staff will be sending out a press release announcing how members of the public can apply to serve on the FOC. Applications can be found online at www.smmusd.org/fiscal/financialDAC.html. Completed applications are due to the Superintendent's office by Tuesday, December 20, 2011.

At the November 15, 2011, Financial Oversight Committee meeting, the FOC voted to recommend the reappointment of Ms. Chu Reese, Ms. Torres, and Mr. Vukadinovich at the December 15, 2011, Board Meeting. As per the FOC's *Statement of Purpose, Section III. Application Process*, the Board of Education may consider the FOC's recommendation along with other applications to serve on the committee.