

**Santa Monica-Malibu Unified School District
Board of Education Meeting
ADDENDUM**

March 11, 2004

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on Thursday, March 11, 2004. The Board will call the meeting to order at 6 p.m. and move to the Board Conference Room to meet in Closed Session for the reason(s) listed in Section III, below. The Board will reconvene the public portion of the meeting at 7 p.m. in the Board Room.

The Public Portion of the Meeting Begins at 7 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 at the back of the room. Completed cards should be submitted to the Secretary.

I CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

II PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

III CLOSED SESSION: (bold notation added)

- Personnel Matters related to certificated employee discipline/dismissal/release pursuant to sections 54957(b) (1) of the Brown Act. Certificated Teacher Notice of Non-reelection pursuant to Education Code 44929.21 (b), **and 44954** and Certificated Administrative March 15th Notification, pursuant to Education Code 44951.
- Conference with Real Property Negotiator (Ken Bailey) - 1707 Fourth Street, Santa Monica, CA, pursuant to section 54956.8 of the Brown Act

XI MAJOR ITEMS

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 the Discussion Items section of the agenda.

- A.9 Resolution No. 03-14 - Non-reelection of Emergency Temporary
Certificated Employees 3-4
- A.10 Resolution No. 03-15 - Non-reelection of Temporary Certificated
Employees 5-7
- A.11 Resolution No. 03-16 -Release of Employees Serving in Certificated
Staffing Positions Pursuant to Emergency Permits 8-12

XVII ADJOURNMENT

This meeting will adjourn in memory of Dorothy Koutouratsas, former parent in the district who was actively involved in PTA at the local and State levels, was a founding member of the Education Foundation and was a longtime supporter of the district.

The next regular meeting is scheduled to be held on **Wednesday, March 17, 2004** at 7 p.m. in Board Room of the District Offices, 1651 16th Street, Santa Monica, CA.

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04
FROM: SUPERINTENDENT/JOSEPH N. QUARLES/KATHY SCOTT
RE: RESOLUTION NO. 03-14 - NON-REELECTION OF EMERGENCY
TEMPORARY CERTIFICATED EMPLOYEES

RESOLUTION NO.A.09

It is recommended that the Board of Education adopt Resolution No. 03-14 regarding the non-reelection of Emergency Temporary Certificated employees pursuant to Education Code 44929.21(b).

COMMENT: The Board of Education will discuss the employees listed in the attached resolution who are serving in Emergency Temporary assignments in closed session, as it relates to the overall reduction of services. Approval of this resolution may take place in closed session, if so, the action will be reported in open session.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE: N/A
AYES:
NOES:
ABSTENTIONS:

BEFORE THE BOARD OF EDUCATION OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA

RESOLUTION NO. 03-14

RESOLUTION NONREELECTING AN EMERGENCY
TEMPORARY CERTIFICATED EMPLOYEE

WHEREAS, pursuant to Education Code Section 44929.21(b), the Board is required to notify emergency temporary employees on or before March 15 of the employee's second complete consecutive school year of employment of its decision to not reelect the employee for the next succeeding school year; and

WHEREAS, the decision to non-reelect the employees for the next succeeding year is made on an individual basis; and

BE IT RESOLVED that the following certificated probationary employees not be reemployed for the 2004-2005 school year, and that the Superintendent or his designee be directed to give written notice thereof as required by law:

42-7477	25-8772
62-1963	97-0470
45-5796	70-0055

APPROVED and ADOPTED this 11th day of March, 2004 by the Board of Education of the Santa Monica-Malibu Unified School District.

Jose Escarce, President

Mike Jordan, Member

Emily Bloomfield, Vice President

Maria Leon-Vazquez, Member

Julia Brownley, Member

Shane McLoud, Member

Oscar de la Torre, Member

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES/KATHY SCOTT

RE: RESOLUTION NO. 03-15 - NON-REELECTION OF TEMPORARY
CERTIFICATED EMPLOYEES

RESOLUTION NO. A.10

It is recommended that the Board of Education adopt Resolution No.03-15 regarding the non-reelection of temporary certificated employees pursuant to Education Code 44954,

COMMENT: The Board of Education will discuss the employees listed in the attached resolution who are serving in certificated temporary assignments in closed session, as it relates to the overall reduction of services. Approval of this resolution may take place in closed session, if so, the action will be reported in open session.

**BEFORE THE BOARD OF EDUCATION OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA**

RESOLUTION NO. 03-15

RESOLUTION NON-REELECTING TEMPORARY CERTIFICATED EMPLOYEES

WHEREAS, pursuant to Education Code Section 44954, the Board may release a certificated temporary employee if the employee is notified before the end of the school year of the District's decision not to reelect the employee for the next succeeding school year;

WHEREAS, the employees listed below are serving only pursuant to temporary employment contracts; and

WHEREAS, it is this Board's intent to not reelect the employees listed below for the subsequent 2004-2005 school year, pursuant to Education Code Section 44954;

NOW, THEREFORE, BE IT RESOLVED, that the following employees serving only pursuant to temporary employment contracts be released from employment with this school district effective upon each employee's last working day of this current school year or upon the expiration of any applicable temporary employment contract (whichever occurs first) and are not reelected for the next succeeding school year:

09-3472	63-1550	70-4519
88-5257	57-6272	56-7579
87-8482	78-4582	88-0921
17-5772	99-2054	37-7711
64-2015	75-6979	67-2176
67-8153	75-2223	48-3472
56-1422	44-6842	78-1496
95-5038	05-7125	

BE IT FURTHER RESOLVED, that the Superintendent or his designee is directed to issue to the employees named in this Resolution the notice described in Section 44954 prior to March 15, 2004, informing them that they will not be reemployed for the 2004-2005 school year, and to take such further and additional actions as may be necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 11th day of March 2004, by the following vote:

AYES: _____
NOES: _____
ABSENT: _____

Jose Escarce, President
Board of Education
Santa Monica-Malibu Unified School District

I, John E. Deasy, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 11th, 2004 in Los Angeles County, California.

John E. Deasy, Secretary
Board of Education
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES/KATHY SCOTT

RE: RESOLUTION NO. 03-16 - RELEASE OF EMPLOYEES SERVING IN
CERTIFICATED STAFFING POSITIONS PURSUANT TO EMERGENCY
PERMITS

RESOLUTION NO.A.11

It is recommended that the Board of Education adopt Resolution No. 03-16 regarding the release of employees serving in certificated staffing positions pursuant to emergency permits.

COMMENT: The Board of Education will discuss the group of employees serving as Emergency Temporarys in closed session as it relates to the overall reduction of services. Approval of this resolution may take place in closed session, if so, the action will be reported in open session.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE: N/A

AYES:

NOES:

ABSTENTIONS:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

**RESOLUTION REGARDING RELEASE OF EMPLOYEES SERVING IN
CERTIFICATED STAFFING POSITIONS PURSUANT TO EMERGENCY PERMITS**

RESOLUTION NO. 03-15

WHEREAS, the District currently employs various persons in certificated staffing positions serving solely pursuant to and possessing only emergency permits (Education Code Section 44300 et. seq.);

WHEREAS, the time served by those employees possessing only emergency permits cannot be included in computing the service required as a prerequisite to attainment of or eligibility to classification as a permanent employee (Education Code Section 44911);

WHEREAS, as this Board of Education reviews the educational priorities of this District and the methods and means of providing educational services and determines the kinds of personnel required, this Board intends to decrease, where possible, reliance upon employees serving in certificated staffing positions pursuant to and possessing only emergency permits, and recognizes such effort to be consistent with state and federal laws (including especially the federal No Child Left Behind Act) and with elevating the training and/or experience levels of its certificated staff to provide the most highly qualified certificated staff available for this District's students;

WHEREAS, the California Commission on Teacher Credentialing has considered options ranging from discontinuing issuance of emergency permits through maintaining the status quo;

WHEREAS, in order to employ individuals holding emergency permits, public school districts are required to conduct a diligent search with a result that the District has been unable to recruit a sufficient number of certificated teachers, and must submit to the California Commission on Teacher Credentialing a Declaration of Need certifying that a diligent search was made and that there is an insufficient number of certificated persons who meet the District's specified employment criteria for the positions as to which emergency permits are requested;

WHEREAS, the Commission on Teacher Credentialing and its representatives have been discussing a higher level of due diligence as to local districts' diligent searches to recruit a sufficient number of certificated teachers;

WHEREAS, this Board understands representatives of this District will conduct appropriate diligent searches intended to successfully recruit a sufficient number of certificated staff to replace various current employees holding only emergency permits, including those individuals named below in this Resolution, so that:

- (A) the Board would not be able to approve the required Declaration of Need to the extent allowing the employees listed below to be reemployed;
- (B) it is appropriate to non-reelect, release and non-renew the employment of the employees listed below in order to ensure available staffing space for the qualified,

regularly credentialed employees who are intended to be hired instead of those individuals holding only emergency permits;

WHEREAS, for the above reasons whether considered individually or cumulatively, this Board wishes to terminate the services of the below listed employees effective upon the close of this current school year or upon the expiration of any applicable temporary employment contract (whichever occurs first);

WHEREAS, nothing within this Resolution is based upon financial reasons nor reduces the number of certificated staffing positions in this District, and this Resolution shall remain in effect and take precedence over any Resolution commencing a layoff of certificated employees, so that these listed individuals' employment will be terminated by this Resolution regardless of any certificated layoff and rights to reemployment following a certificated layoff;

WHEREAS, Education Code Section 44954 requires the Governing Board to notify certain temporary employees before the end of the school year of the District's decision to not reelect the employee for the next succeeding school year;

WHEREAS, Education Code Section 44929.21(b) requires that a governing board notify a probationary certificated employee, on or before March 15 of the employee's second complete consecutive year of employment by the District in a position requiring certification qualifications of the decision to not reelect the employee for the succeeding school year to such a position;

WHEREAS, whether or not this formal action and notice are required, this Board wishes to provide notice to these employees whose services will not be continued into next school year, of their non-reemployment and release from employment (effective upon the close of the current school year), so such individuals may commence considerations of employment alternatives elsewhere for next school year;

WHEREAS, this Board reserves the right to identify additional similarly situated employees as planning for educational services for the coming school year continues;

NOW, THEREFORE, BE IT RESOLVED AND ORDERED that the following employees serving in certificated staffing positions pursuant to and possessing only emergency permits, be released from employment with this school district effective upon each employee's last working day of this current school year or upon the expiration of any applicable temporary employment contract (whichever occurs first) and are not reemployed and not reelected for the next succeeding school year:

18-8858	64-7322	30-1622	82-5218
45-3164	11-8505	75-5718	
75-2904	05-4479	01-0272	
55-2031	73-2905	89-4903	
60-9172	51-4688	35-1512	

BE IT FURTHER RESOLVED AND ORDERED that the District Superintendent or the Superintendent's designee(s) provide notice to each of the above of his or her release and non-reelection effective upon each employee's last working day of this current school year or upon the expiration of any applicable temporary employment contract (whichever occurs first), and that his or her employment with this District is thereby ended accordingly.

BE IT FURTHER RESOLVED AND ORDERED that the District Superintendent or the Superintendent's designee(s) engage in due diligence searches to recruit a sufficient number of regularly credentialed certificated employees to replace those emergency permit holders listed above, in accordance with the requirements of law.

IN WITNESS OF the adoption of the foregoing Resolution, we, the members present and voting thereon, have hereunto set our hands this 11th day of March, 2004, at a regular meeting duly held at Santa Monica, Los Angeles County, California.

**BOARD OF EDUCATION OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**

Approval:

Dissenting:

Abstaining:

Absent:

I, John E. Deasy, Superintendent and Secretary to the Board of Education of the Santa Monica-Malibu Unified School District of Los Angeles County, California, do hereby certify that the foregoing is a full, true, and correct copy of a Resolution duly adopted by said Board at a duly scheduled meeting thereof.

Date: _____

John Deasy, Superintendent/Secretary
Board of Education
Santa Monica-Malibu Unified School District