

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

ACTION
01/03/04

RECOMMENDATION NO. A.01

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

July 11, 2001
August 5, 2001
August 16, 2001

December 4, 2003

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: SUPERINTENDENT

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.02

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

| Contractor/Contract Dates | Description | Site | Funding |
|---|--|-------------|--|
| Art Meets Technology Sept 1, 2003-June 1, 2004 Cost: Not to exceed \$6,000 | To provide an update and maintain Santa Monica High School website | SamoHi | PTSA Gift 01-90120-0-11100-27000-5802-015-4150 |
| Elizabeth Ann Newell Baker Jan 1, - April 30, 2004 Cost: Not to exceed \$1,500 | To teach choral music, movement, rhythm and hand instruments to all 1st grade classes at Franklin, culminating with a performance for parents | Franklin | PTA Gift 01-90150-0-11100-10000-2917-002-1501 |
| Marilyn Burns Education Associates, Inc. Jan 1,-June 30, 2004 Cost: Not to exceed \$7,100 | To provide a middle school teacher workshop, Teaching Algebraic Thinking | Ed Services | IASA Title II 01-40350-0-11100-10000-5802-035-1300 |
| Music Center Education Division Oct 17, 2003-June 11, 2004 Cost: Not to exceed \$3,900 | Amendment of previous contract approved by the Board 11/06/03 to provide six assemblies for first grade students including story telling, classical music, dance and drama | Franklin | Amended funding: PTA Gift 01-90150-0-11100-10000-5802-002-4020 |

| Contractor/Contract Dates | Description | Site | Funding |
|--|---|------|--|
| Easter Seals June 1, 2002-June 30, 2003 Cost: Not to exceed \$60,000 | Preschool collaborative to provide childcare & development services. Easter Seals will be the operational agent responsible for management oversight, licensing and contract compliance for the program involving John Adams, Lincoln & Santa Monica College Child Development Center | CDS | Child Development Fund, unrestricted 12-00000-85000- 10000-5802-070- 2700 |

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: SUPERINTENDENT

RE: OVERNIGHT FIELD TRIP (S) 2003-04

RECOMMENDATION NO. A.03

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

| <u>School Grade</u> | <u>Destination</u> | <u>Principal</u> | <u>Cost / Paid for</u> | <u>Subject</u> | <u>Purpose of Trip</u> |
|-------------------------|---|----------------------------------|--|-------------------|---|
| Samohi Grade 12 | Bombay, India 1/13/04 to 1/23/04 | Katherine Baxter Ilene Straus | \$3,000 per student paid for by parents and fund raising | Social Studies | To attend the World Social Forum |
| Roosevelt Grade 5 | Astro Camp 4/30/04 to 5/2/04 | Amy Fowler Jerold Harris | \$250 per student paid for by parents and fundraisers | Science | To culminate the 5th grade experience and initiate students into the science program at Roosevelt |
| John Muir Grade 5 | Camp Hess-Malibu 2/23/04 to 2/27/04 | Martha Duran-C Ruth Fiala | \$210 per student paid for by parents and fundraisers | Science | A four day science enrichment program offered to 5th graders will include an array of science classes, daily hikes, evening activities and environmental discussions. This camp is offered thru the Los Angeles County Office of Education. |

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: JOHN DEASY/LINDA KAMINSKI/STEVE CANNELL

RE: APPROVAL OF 2003-2004 CONSOLIDATED APPLICATION
FOR FUNDING CATEGORICAL AID PROGRAMS (PART II)

RECOMMENDATION NO. A.04

It is recommended that the Board of Education approve the 2003-2004 Consolidated Application for Funding Categorical Aid Programs (Part II).

COMMENT: The Consolidated Application Part II is a document that is submitted to the California State Department of Education each year by all school districts that receive funding for categorical programs. Based on the statistical information in Part I of the Consolidated Application, the state allocates categorical funding to school districts.

Part II of the Consolidated Application for Funding Categorical Aid Programs contains our district's information related to entitlements, allocations, and number of participants in special programs. Expenditures of most categorical aid are legally restricted to particular purposes. In part, the funding from the application is used to provide the resources necessary to implement the schools' work as outlined in the Single Plan for Student Achievement.

A copy of the Consolidated Application for Funding Categorical Aid Programs, Part II is on file in the Educational Services Department.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
01/08/04
FROM: SUPERINTENDENT/LINDA KAMINSKI/TOM WHALEY
RE: PERMIT TO USE CIVIC AUDITORIUM FACILITIES

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve Permit #5927, agreement with the City of Santa Monica for the use of the authorized premises of the Santa Monica Civic Auditorium for a total fee not to exceed \$9,000. This fee includes equipment, labor and services provided by the Civic Auditorium.

FUNDING INFORMATION

SOURCE: GENERAL FUND RESTRICTED
CURRENTLY BUDGETED: YES
ACCOUNT NUMBER: 01-90120-0-17300-10000-5630-030-1300
DESCRIPTION: LEASE-RENTAL/STAIRWAY/CURRICULUM

BACKGROUND INFORMATION

This agreement is made between the City of Santa Monica ("the City") and the Santa Monica-Malibu Unified School District ("Permittee")

Company: Santa Monica-Malibu Unified School District
Representative: Tom Whaley
Address: 1638-17th Street
City, State, Zip: Santa Monica, CA 90404
Business Phone: 310-450-8338, x287

To use and occupy the authorized premises described below, on the date(s) and time(s) described, for the activities and at the rental described as follows:

EVENT TITLE: **STAIRWAY OF THE STARS**
AUTHORIZED PREMISES: Main Hall and East Wing

| DAY | DATE | TIME | ACTIVITY | RENTAL |
|-----------|-----------|--------------------------|-----------------------|----------|
| Wednesday | 3/17/2004 | 12:00 p.m. - 8:00 p.m. | Move-in/ rehearsal | |
| Thursday | 3/18/2004 | 8:00 a.m. - 3:00 p.m. | Rehearsal | |
| Thursday | 3/18/2004 | 7:30 p.m. - 10:30 p.m. | Event | \$WAIVED |
| Friday | 3/19/2004 | 7:30 p.m. - 10:30 p.m. | Event | |
| Friday | 3/19/2004 | 10:30 p.m. - 12 Midnight | Move-out | |

Total Base Rental \$WAIVED
PER RESOLUTION CCS 3579

Event Time: Thursday and Friday, March 18 & 19, 2004 at 7:30 p.m.

A copy of contract is available in Fiscal Services, Insurance Office and Educational Services.

MOTION MADE BY:
 SECONDED BY:

STUDENT ADVISORY VOTE:
 AYES:
 NOES:
 ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
01/08/04
FROM: SUPERINTENDENT/LINDA KAMINSKI/CHRIS CORLISS
RE: EXPANSION OF MALIBU GIRLS AND BOYS CLUB PLAYGROUND
SPACE AT MALIBU HIGH SCHOOL

RECOMMENDATION NO. A.06

It is recommended that the Board of Education authorize the Superintendent and/or his designee to approve a proposed 1000 square foot expansion of the Malibu Girls and Boys Club playground space in order to accommodate equipment and activities necessary for adding high school students to the Club's after school membership program.

COMMENT: On May 4, 2000, the Malibu Foundation for Youth and Families entered into a five (5) year lease agreement with the District to construct and operate a 2000 square foot Malibu Girls and Boys Club facility on Malibu High School property.

The current facility is successfully serving many Malibu High School middle school students, providing after school homework assistance, tutoring and programs in youth leadership, arts, crafts, recreational sports.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: JOHN E. DEASY/KENNETH R. BAILEY

RE: ACCEPTANCE OF GIFTS - 2003-04

RECOMMENDATION NO. A.07

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$144,250.33 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 2003-2004 income and appropriations by \$144,250.33, as described on the attached listing.

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

Also attached for informational purposes is a report itemizing Cumulative Totals of Gifts and Donations for Fiscal Year 2003-2004.

NOTE: *In response to a Board Member request made at the November 20, 2003 Board Meeting, a new resource has been created for the "Malibu Shark Fund", which is listed on both the Current and Cumulative Gift Reports.*

AGENDA

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

- 1) go to www.smmusd.org
- 2) click on "Board Meetings"
- 3) scroll to the date for this meeting
- 4) click on 1-8gif.pdf

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: JOHN E. DEASY/KENNETH R. BAILEY

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.08

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>BAILEY, Kenneth</u> Fiscal/Business Services 01-00000-0-00000-72000-5220- 050-1500 General Fund - Function: Other Genl. Admin. | SSC's 2004 Governor's Budget Workshop Long Beach, CA January 14, 2004 | \$152.50 |
| <u>CADY, Linda</u> John Adams Middle 01-00000-0-13450-10000-5220- 011-4110 General Fund - Function: Instruction | School Field Trip Yosemite, CA January 18 - 23, 2004 | \$260.00 + SUB |
| <u>DiMERCURIO, Joe</u> Malibu High 01-72650-0-11100-10000-5220- 010-4100 General Fund - Resource: SIP 7 - 12 | American Library Assn. Conference San Diego, CA January 8 - 11, 2004 | \$300.00 + SUB |
| <u>NOVECK, Maryanna</u> McKinley Elementary 01-30100-11100-10000-5220- 004-4040 General Fund - Resource: IASA Title I | Empowered Discipline for the Troubled Student Los Angeles, CA January 15, 2004 | \$139.00 + SUB |

| NAME SITE Account Number Fund - Resource Number | CONFERENCE NAME LOCATION DATE (S) | COST ESTIMATE |
|---|---|--------------------------------------|
| <u>REILLY, Lise</u> John Adams Middle 01-72600-0-11100-10000-5220- 011-4110 General Fund - Resource: SIP K-6 | Vocabulary Preparation vs. Vocabulary Decoration across the Curriculum Alhambra, CA November 12, 2003 | \$160.00 |
| <u>SILHAVY, Dawn</u> Franklin Elementary 01-71400-0-11100-10000-5220- 002-4020 General Fund - Resource: GATE | Mathematics Field Day Strategies Paramount, CA December 11, 2003 | \$50.00 + SUB |
| Adjustments (Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance) | | |
| <u>SCOTT, Kathy</u> Human Resources 01-00000-0-11100-74000-5220- 025-1250 General Fund - Function: Personnel/Human Resources | Personnel Administrators Academy Azusa, CA October 17, 2003 - April 3, 2004 (Miscellaneous dates) | \$500.00 OVERAGE |
| Group Conference and Travel: In-State * a complete list of conference participants is on file in the Department of Fiscal Services | | |
| <u>ALEXANDER, Laura</u> + 11 Additional Staff Malibu High 01-72650-0-11100-10000-5220- 010-4100 General Fund - Resource: SIP 7 - 12 | College Board - AP Workshop Santa Barbara, CA January 24, 2004 | \$2,100.00 total |
| <u>BARNARD, Russell</u> <u>BRADY, Pam</u> <u>CARROLL, Celia</u> Personnel Commission 01-00000-0-00000-72000-5220- 027-2270 General Fund - Function: Other Genl. Admin. | California School Personnel Commissioners Assn. Sacramento, CA January 15 - 18, 2004 | \$1,800.00 total |
| <u>BUSH, Mary</u> + 9 Additional Staff Health Services 01-56400-0-00000-39000-5220- 041-1400 General Fund - Resource: Medi-Cal Grant | Overindulged Children - Dealing with At-Risk Youth Santa Monica, CA January 15, 2004 | \$1,290.00 |
| <u>BROWN, Anne</u> + 3 Additional Staff Franklin 01-72600-0-11100-10000-5220- 002-4020 General Fund - Resource: SIP K - 6 | The Troubled Student Los Angeles, CA January 15, 2004 | \$600.00 total + 4 SUBS |

| NAME SITE Account Number Fund - Resource Number | CONFERENCE NAME LOCATION DATE (S) | COST ESTIMATE |
|--|---|--|
| <u>CANNELL, Steve</u> <u>LEON, Ernesto</u> State & Federal Projects 01-30100-0-11100-10000-5220- 035-1300 General Fund - Resource: Title I | No Child Left Behind: Rising to the Challenge, Discovering the Opportunities Pacific Grove, CA February 19 - 20, 2004 | \$2,000.00 total |
| <u>GECHT, Marcia</u> <u>MILLER, Stephanie</u> Olympic High No Cost to District | The California Office of Traffic Safety Woodland Hills, CA December 2, 2003 | 1 SUB ONLY |
| <u>HIGUCHI-HERNANDEZ, J.</u> + 2 Additional Staff 01-72600-0-11100-10000-5220- 008-4080 General Fund - Resource: SIP K - 6 | California Kindergarten Conference Burbank, CA February 27 - 28, 2004 | \$480.00 + 2 SUBS |
| Out-of-State Conferences: Individual | | |
| <u>DEASY, John</u> Superintendent 01-00000-0-00000-72000-5220- 020-1200 General Fund - Function: Other Genl. Admin. | Assn. for Supervision & Curriculum Development New Orleans, LA March 19 - 22, 2004 | \$500.00 |
| <u>DEASY, John</u> Superintendent No cost to District | Education Partnership Advisory Board, Leadership in Rhode Island Providence, RI- Dec 18 - 21, 2003 | -0- |
| <u>WOO, Angela</u> John Adams Middle No Cost to District | Midwest International Clinic Chicago, IL December 16 - 19, 2003 | -0- |
| Out-of-State Conferences: Group | | |
| <u>ANDERSON, Judith</u> <u>O'BRIEN, Marianna</u> Lincoln Middle 01-72650-0-11100-10000-5220- 012-4120 General Fund - Resource: SIP - 7-12 | National Science Teachers Assn. Reno, NV December 4 - 6, 2003 | \$1,704.00 total + 2 SUBS |

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

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: KENNETH R. BAILEY/ VIRGINIA I. HYATT

RE: APPROVAL OF PURCHASE ORDERS

RECOMMENDATION NO. A.09

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from November 25, 2003 through December 16, 2003 for fiscal year 2003/04.

AGENDA

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

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY/VIRGINIA I. HYATT

RE: APPROVAL FOR DISPOSAL/SALE OF SURPLUS EQUIPMENT

RECOMMENDATION NO. A.10

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

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

| SCHOOL/DEPT | ITEM | QTY | MAKE/MODEL | SERIAL NUMBER | INVENTORY NUMBER |
|-------------|-----------------------|-----|-----------------------------|---|---------------------------------------|
| Adams | CPU | 2 | Mac LC 550 | MY4494R2427, LO4504QB46Q | 1893,1921 |
| | | 1 | Mac LC 575 | MY45026V427 | 1905 |
| | | 3 | Power Mac 5200 | XB6086DC6LC, XB6086CJCL6, TY7025LE8Z2 | 1214, 1849, 5408 |
| | | 5 | Power Mac 5260 | XA6381WY81Q,XA63381ZP81 Q, TY7025M58Z2, XA6381ZC81Q, XA6381X681Q | 5269, 5280, 5412, 5278, 10930 |
| | | 1 | Power Mac 5400 | TY71057J9DQ | 5586 |
| | | 1 | Power Mac 7200 | FC5482PWSQT | 10933 |
| | Printers | 1 | HP 870CXI | 5G77U1H11Z | 6173 |
| | | 7 | HP Deskwriter C | 3342S40701, SG3BQ1C11M, 3341S36450, SG3BN1C0VB, SG3BP1C16D, SG3BP1C157, 3340S30519 | 7173, 7202, 7195, 7198, 7178, 7197 |
| | | 1 | HP Deskwriter C 660 | SG57A131PD | 10935 |
| | | 1 | HP Personal Laser | CA504WBN019 | 2225 |
| | | 1 | Power Mac 6100 | Unknown | Unknown |
| Roosevelt | Keyboards | 13 | Unknown | Various | None |
| | Monitors | 8 | Ass't 12", 13", 14", 15" | Various | None |
| | | 1 | 14" | Unknown | 010307 |
| | | 1 | Gateway 15" | 17004A918779 | None |
| | Exterior CD Drives | 3 | Unknown | 317708210063, 332194, 491200 | None |

| SCHOOL/DEPT | ITEM | QTY | MAKE/MODEL | SERIAL NUMBER | INVENTORY NUMBER |
|--------------------|--------------------|-----|-----------------------|---|-----------------------------------|
| Roosevelt Con't | Ethernet Switch | 1 | Unknown | 5067400053 | None |
| | CPU | 2 | Unknown | DT428CTPDMVA, 6243HBL60747 | Unknown |
| | | 1 | Mac LC 575 | Unknown | 04215 |
| | | 1 | Mac LC 580 | Unknown | 10104 |
| | | 3 | Power Mac 6100 | XB408965175, XB4340GZ175, XB5211L34TZ | Unknown |
| | | 1 | Power Mac 1600 | Unknown | 100126 |
| | | 1 | Power Mac 5400 | XB6310SB75F | Unknown |
| | | 1 | Power Mac 5260 | TY6489TRBZ2 | Unknown |
| | | 1 | Quandra 630 | XB6221QK812 | Unknown |
| | Printers | 2 | HP Deskwriter 680C | Unknown | 10050, 10030 |
| | | 2 | HP Deskwriter 600 | US58G1G16C, US5CA1D0MC | Unknown |
| | | 1 | HP Deskjet 660C | U561J110VX | Unknown |
| | | 1 | HP Deskwriter 660 | SG6291COMR | Unknown |
| | | 2 | HP Deskwriter 520 | US42B1D0NB, Unknown | Unknown, 010376 |
| | | 1 | HP Deskwriter 550C | Unknown | 04615 |
| | | 3 | HP Deskwriter | 2921A17305, 3241S5461, unknown | Unknown, 10151 |
| | | 1 | Office Jet LX | SG5CBH20HC | Unknown |
| | | 1 | Epson Color | C25711001DM9X12505 | Unknown |
| | | 1 | Epson Stylus 800 | 3HR1045634 | Unknown |
| | | 1 | Epson Stylus 801 | 3HR15551575 | Unknown |
| | | 1 | Stylewriter | ACR89984 | Unknown |
| | | 4 | Stylewriter 2400 | CE527WF62C1, Unknown, Unknown, CC438R8B2C1 | Unknown, 04591, 04634, Unknown |
| | | 1 | Stylewriter 2500 | VC643DDQ65Q | Unknown |
| | | 2 | Stylewriter II | CE326C7Z%M8003G/A, CF339XGE%M8003G/A | Unknown |

| SCHOOL/DEPT | ITEM | QTY | MAKE/MODEL | SERIAL NUMBER | INVENTORY NUMBER |
|--------------------|---------|-----|---------------------|-------------------------|------------------|
| Roosevelt Con't | | 1 | Stylus Color 600 | AAA0085137 | Unknown |
| | | 2 | Laserwriter | BG3332PG120, BG3523K1A8 | Unknown |
| | | 1 | Imagewriter 2 | TF140372%C0090LLA | Unknown |
| Edison | Copier | 1 | Lanier 6360 | 115222 | 020156 |
| Fiscal Services | Copier | 1 | Xerox 5328 | 0DG063951 | 04967 |
| Fiscal con't | Printer | 1 | Citoh M1550+ | 351682 | Unknown |
| | | 1 | HP Deskjet 710C | Unknown | 07237 |
| Grant | TV | 1 | Sharp 25N118 | 372648 | 01383 |

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
01/08/04
FROM: SUPERINTENDENT/KENNETH R. BAILEY/VIRGINIA I. HYATT
RE: AMENDMENT TO CONTRACT WITH GENERAL USA DEVELOPMENT CO.
BID #4.03-BATHROOM REMODEL-WASHINGTON WEST PRE-SCHOOL,
CHANGE ORDER #1

RECOMMENDATION NO. A.11

It is recommended that the Board of Education authorize change order #1 as an amendment to the contract with General USA Development Company, in amount of \$2,200, for a total contract amount of \$25,200.

Funding Information

Budgeted: Yes
Fund: 12 - Child Development
Source: City of Santa Monica
Account number: 12-91230-0-85000-10000-6100-070-2700
Description: Building Improvement

COMMENT: Change Order #1 represents the work listed below:

| | |
|-----------------------|----------|
| ORIGINAL CONTRACT | \$23,000 |
| CHANGE ORDER #1 | \$ 2,200 |
| TOTAL CONTRACT AMOUNT | \$25,200 |

Change Order #1 includes the following change to the contract:

1. Install new "Type 2" copper water line. Line to be installed above ground, replacing old line underground from SW corner of building and reconnecting at bathroom location.
2. Add 3 days to contract for a total of 63 days.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
01/08/04
FROM: SUPERINTENDENT/KENNETH R. BAILEY/J.W. BERRIMAN
RE: RECOMMENDATION FOR AN INCREASE IN BUDGET LIMITATION
AGREEMENT (BLA) 18, AMENDMENT 22.1 FOR MALIBU HIGH
SCHOOL MODERNIZATION, AUDITORIUM AND GYMNASIUM

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve an increase in Budget Limitation Agreement (BLA)18, from \$8,887,147 to \$8,940,890 in the form of Contract Amendment 22.1 with a net amount equal to \$53,743 added to budget which reflects the net changes in scope of work for Malibu High School Modernization, Auditorium and Gymnasium.

Funding Information:

Source: Proposition X Funds and State Modernization Funds

COMMENT: Changes in scope related to additional facilities requirements such as new auditorium ceiling and painting work, new electrical to district-supplied equipment, mold abatement and reduction in hazardous materials monitoring requirements.

The Proposition X Oversight Committee has reviewed and concurs with the recommendation.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

CONTRACT AMENDMENT NO. 22.1

This document (hereinafter referred to as "Amendment") dated November 12, 2003, will serve as Contract Amendment Number 22.1 to the Program Management Agreement ("**PM Agreement**") dated August 12, 1999, and is between the Santa Monica-Malibu Unified School District ("**Owner**") and Jacobs Facilities, Inc. ("**Jacobs**"). This Amendment supplements Budget Limitation Agreement 18. All terms and conditions used herein shall reflect the original language as stated in the PM Agreement or any subsequent amendments as currently approved.

In consideration of the mutual covenants and agreements set forth below, and for other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged by the parties hereto, the Owner and Jacobs hereby amend and supplement the PM Agreement as follows:

SCOPE

This is a final amendment to BLA 18, Malibu High School Modernization and New Gym, incorporating scope adjustments for ATC Associates and ICE Builders.

COST

Costs as stated in the current contract as amended are modified to reflect (a) a net deduct for ATC Associates in the amount of \$12,482 and a net increase to ICE Builders in the amount of \$62,709; (b) a net increase in the Program Management Fee of \$3,516.

SCHEDULE

The work described herein has been performed and, therefore, impacts to schedule, if any, have been incurred. Jacobs agrees to waive any claim for extended performance and consequent impact damages and the Owner agrees that no liquidated damages will be assessed.

This Amendment applies only after it has been fully executed by both parties.

IN WITNESS THEREOF, the Owner and Jacobs have executed this Amendment as of the date written above.

**SANTA MONICA-MALIBU UNIFIED
SCHOOL DISTRICT**

JACOBS FACILITIES, INC.

By: _____

By: _____

Title: _____

Title: _____

Date: _____

Date: _____

SUMMARY OF DISTRICT-RELATED CHANGES FOR AMENDMENT 22.1

C.1: ATC Environmental (S96-0010)

| | | |
|------|-------------------------------------|-------------------|
| CO 7 | Final adjustment for air monitoring | (\$12,482) |
| | Total for ATC Associates | <u>(\$12,482)</u> |

C.2: ICE Builders (S96-0167)

| | | |
|-------|---|-----------------|
| CO 3 | Mold abatement in ticket booth | \$ 5,238 |
| CO 4 | Remove trash and debris | 1,800 |
| | Modify flooring | 36,732 |
| CO 8 | Abate Maintenance Building (District portion) | 4,000 |
| | Expose buried utilities (District portion) | 4,750 |
| CO 11 | Remove shoring | 1,955 |
| CO 17 | Paint Auditorium ceiling | 4,909 |
| CO 28 | Electrical for District-supplied equipment | 3,326 |
| | Total for ICE Builders | \$62,709 |

| | |
|----------------------|-----------------|
| Total changes | \$50,227 |
|----------------------|-----------------|

TO: BOARD OF EDUCATION

ACTION/CONSENT

1/08/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY/J.W. BERRIMAN

RE: TOLLING AGREEMENT/SCOTIA CONSTRUCTION SERVICES, INC.

RECOMMENDATION NO. A.13

It is recommended that the Board of Education approve a Tolling Agreement with Scotia Construction Services, Inc.

Funding Information:

Source: Proposition X Bond Funds

Currently Budgeted: N/A

Account Number: 21-00000-0-00000-85000-5820-098-2600

Description: Proposition X Administration-Legal Services

Comments: In June 2000, the District entered into an agreement with Scotia to provide DSA inspection services at various school construction projects. In July 2001, Scotia entered into an agreement with Jason James ("James") to provide inspection services at various school sites within the District. In November 2002, James filed a complaint (the "Complaint") against Scotia in Los Angeles Superior Court (the "Court") alleging that Scotia was required to pay prevailing wages to James and other inspectors who performed inspections within the District (the "Action"). In October 2003, the Court granted summary judgement in favor of Scotia, which Scotia believes will result in dismissal of the Complaint. Scotia informs us that the Court has not yet entered judgement in favor of Scotia in the Action and that it is uncertain whether James will appeal the Court's grant of Scotia's motion for summary judgement.

In addition, in March 2003, Scotia presented the District with a "Claim for Indemnity and Contribution, Fraud and Negligent Misrepresentation" relating to the allegations in the Complaint (the "Claim"), which the District rejected in April 2003. Under the California Tort Claims Act, Scotia has six months from the District's April 2003 rejection of the Claim to file a lawsuit against the District.

In light of the uncertainties associated with the Action and the six month time to sue limitation, Scotia has agreed to a Tolling Agreement, which would toll all time to sue limitations indefinitely from October 31, 2003 until the agreement is terminated. The Tolling Agreement does not revive the six-month time to sue limitation. If the District does not enter into a Tolling Agreement with Scotia, Scotia likely would file a lawsuit against the District to attempt to prevent the District from arguing that Scotia failed to

file a complaint in a timely manner. In light of the uncertainty of the final outcome of the Action between James and Scotia, the Tolling Agreement is drafted broadly to protect the District from the expense of unnecessary litigation at this time. The Tolling Agreement encompasses all demands, claims and suits relating to Action and the agreements between Scotia and the District and between Scotia and James. The Tolling Agreement may be terminated by either party at any time, but such termination is effective sixty days after giving notice to the other party of the termination. The Tolling Agreement further provides that it is not an admission by either party of any liability.

The Proposition X Oversight Committee has reviewed and concurs with the recommendation.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
1/08/04
FROM: SUPERINTENDENT/KENNETH R. BAILEY/J.W. BERRIMAN
RE: LEGAL SERVICES AGREEMENT/ISAACS, CLOUSE AND CROUSE

RECOMMENDATION NO. A.14

It is recommended that the Board of Education approve an Agreement with the firm of Isaacs, Clouse and Crouse, for legal services to be rendered to the District.

Funding Information:

Source: Proposition X Bond Funds
Currently Budgeted: Yes
Account Number: 21-00000-0-00000-85000-5820-098-2600
Description: Proposition X Administration-Legal Services

COMMENT: Terms of Agreement and fee structure are as follows:

1. Term of the Agreement shall continue until cancelled by either party, or until June 30, 2006. The Agreement may be amended at any time by mutual consent and rate revisions may be considered on an annual basis. Such revisions are to be confirmed in writing between Isaacs, Clouse and Crouse and the District.
2. Compensation:
Partners and Special Counsel: \$300 per hour
Not to Exceed: \$25,000.00

A copy of the Legal Services Agreement shall be kept on file in the Fiscal Services Department.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
1/08/04
FROM: SUPERINTENDENT/KENNETH R. BAILEY/J.W. BERRIMAN
RE: LEGAL SERVICES AGREEMENT/MAYER, BROWN, ROWE & MAW

RECOMMENDATION NO. A.15

It is recommended that the Board of Education approve an Agreement with the firm of Mayer, Brown, Rowe & Maw for legal services to be rendered to the District.

Funding Information:

Source: Proposition X Bond Funds
Currently Budgeted: Yes
Account Number: 21-00000-0-00000-85000-5820-098-2600
Description: Proposition X Administration-Legal Services

COMMENT: Term of Agreement and fee structure is as follows:

1. Term of the Agreement shall continue until cancelled by either party, or until June 30, 2006. The Agreement may be amended at any time by mutual consent and rate revisions may be considered on an annual basis. Such revisions are to be confirmed in writing between Mayer, Brown, Rowe & Maw and the District.
2. Compensation:
 - A. Partners and Special Counsel: \$400 per hour
 - B. Associates: \$300 per hourNot to exceed: \$50,000.00

A copy of the Legal Services Agreement shall be kept on file in the Fiscal Services Department.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.16

ELECTIONS

ADDITIONAL ASSIGNMENTS

JOHN ADAMS MIDDLE SCHOOL

| | | | |
|----------------|--------------------|-----------------|--------------------------------|
| Goldberg, Cori | 11.24 hrs @\$35.60 | 9/1/03-10/31/03 | <u>Est Hrly/\$400</u> |
| | | | TOTAL ESTABLISHED HOURLY \$400 |

Comment: BTSA Support Provider
01-Stf Dev: Begin Tchr Sup (BTSA)

| | | | |
|--------------|------------------|------------------|--------------------------|
| Torres, Lupe | 133 hrs @\$48.46 | 11/10/03-6/14/04 | <u>Own Hrly/\$6445</u> |
| | | | TOTAL OWN HOURLY \$6,445 |

Comment: Additional period
01-Unrestricted Resource (**approved by Board on 10/2/03**)

EDUCATIONAL SERVICES

| | | | |
|-----------------------|-------------------|----------------|-----------------------------------|
| Antonopoulos, Erin | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Hadlock-Piltz, Tassie | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Jones, Tristen | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Keller, Anne | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Louria, Meredith | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Roberts, LaSonja | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Serratore, Rosa | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$3000 |
| Solano-Beeman, Amy | 84.2 hrs @\$35.60 | 9/3/03-6/18/04 | <u>Est Hrly/\$3000</u> |
| | | | TOTAL ESTABLISHED HOURLY \$24,000 |

Comment: BTSA support providers
01-Stf Dev: Begin Tchr Sup (BTSA)

| | | | |
|-------------------------|-------------------|----------------|-----------------------------------|
| Abbott, Julie | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Allen, Samantha | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Compton-Sugars, Shirley | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Olsheim, Elizabeth | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Suffolk, Stefanie | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Teisl, Shannon | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Thatcher, Cindy | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | Est Hrly/\$1500 |
| Young, F.E. | 42.1 hrs @\$35.60 | 9/3/03-6/18/04 | <u>Est Hrly/\$1500</u> |
| | | | TOTAL ESTABLISHED HOURLY \$12,000 |

Comment: BTSA support providers
01-Stf Dev: Begin Tchr Sup (BTSA)

| | | | |
|--------------|------------------|----------------|----------------------------------|
| Mayoral, Eva | 126 hrs @\$35.60 | 9/3/03-6/18/04 | <u>Est Hrly/\$4500</u> |
| | | | TOTAL ESTABLISHED HOURLY \$4,500 |

Comment: BTSA support providers
01-Stf Dev: Begin Tchr Sup (BTSA)

FRANKLIN ELEMENTARY SCHOOL

| | | | |
|----------------|-------------------|-----------------|----------------------------------|
| Fowler, Gloria | 37.5 hrs @\$35.60 | 12/1/03-6/18/04 | Est Hrly/\$1335 |
| Silhavy, Dawn | 37.5 hrs @\$35.60 | 12/1/03-6/18/04 | <u>Est Hrly/\$1335</u> |
| | | | TOTAL ESTABLISHED HOURLY \$2,670 |

Comment: Math Enrichment
01-Gifted/Talented Educ (GATE)

GRANT ELEMENTARY SCHOOL

| | | | |
|--------------------------|-----------------|-----------------|------------------------|
| Donovan, Michael | 29 hrs @\$35.60 | 11/3/03-6/18/04 | Est Hrly/\$1032 |
| Hopkins, Miriam | 58 hrs @\$35.60 | 11/3/03-6/18/04 | Est Hrly/\$2065 |
| Miller, Sheri | 29 hrs @\$35.60 | 11/3/03-6/18/04 | Est Hrly/\$1032 |
| Miyoshi, Melina | 29 hrs @\$35.60 | 11/3/03-6/18/04 | <u>Est Hrly/\$1032</u> |
| TOTAL ESTABLISHED HOURLY | | | \$5,161 |

Comment: Homework Club
01-Reimbursed by PTA

SANTA MONICA HIGH SCHOOL

| | | | |
|--------------------------|------------------|---------|-----------------------|
| DiMercurio, Joe | 2 hrs @\$35.60 | 8/11/03 | Est Hrly/\$71 |
| Peterson, Suzanne | 5.5 hrs @\$35.60 | 8/11/03 | <u>Est Hrly/\$196</u> |
| TOTAL ESTABLISHED HOURLY | | | \$267 |

Comment: Dinex Training/Setup
01-Gifts

| | | | |
|--------------------------|-----------------|----------------|------------------------|
| Carlson, Michelle | 85 hrs @\$35.60 | 9/1/03-6/30/04 | <u>Est Hrly/\$3026</u> |
| TOTAL ESTABLISHED HOURLY | | | \$3,026 |

Comment: Racial Harmony Coordinator
01-Medi-Cal Billing Option

| | | | |
|--------------------------|------------------|-------------------|-----------------------|
| DeLaCruz, Gilda | 4.5 hrs @\$35.60 | 11/04/03-11/05/03 | Est Hrly/\$160 |
| Demorst, Wendi | 4.5 hrs @\$35.60 | 11/04/03-11/05/03 | Est Hrly/\$160 |
| Rupprecht, Steve | 4.5 hrs @\$35.60 | 11/04/03-11/05/03 | <u>Est Hrly/\$160</u> |
| TOTAL ESTABLISHED HOURLY | | | \$480 |

Comment: Racial Harmony Training
01-Medi-Cal Billing Option

EXTENDED DUTY UNITS

| <u>LOCATION</u> | <u>RATE</u> | <u>ACTIVITY</u> | <u>EFFECTIVE</u> | <u>TOTAL</u> |
|---------------------------|----------------|-------------------------|------------------|---------------|
| Bersch, Kirsten | 6 units @\$224 | Rehearsing and | 03/04 | \$1344 |
| Fedderson-France, Deanna | 6 units @\$224 | conducting Holiday | 03/04 | \$1344 |
| Lockrem, Bonnie | 6 units @\$224 | and Spring Concerts; | 03/04 | \$1344 |
| Loyda, Alan | 6 units @\$224 | Stairway; | 03/04 | \$1344 |
| McKeown, Kevin | 6 units @\$224 | Recruitment assemblies; | 03/04 | \$1344 |
| Ravaglioli, Steven | 6 units @\$224 | Vendor Nights; | 03/04 | \$1344 |
| Tellier, Bruce | 6 units @\$224 | Honor Orchestra | 03/04 | <u>\$1344</u> |
| TOTAL EXTENDED DUTY UNITS | | | | \$8,960 |

NOTE: \$6820 budgeted; \$2140 unbudgeted

TOTAL ESTABLISHED HOURLY, OWN HOURLY and EXTENDED DUTY UNITS = \$70,597
(\$68,457 approved budget; \$2,140 unbudgeted)

SUBSTITUTE TEACHERS

| | <u>Effective</u> |
|-----------------------------------|-------------------|
| <u>CHILD DEVELOPMENT SERVICES</u> | |
| (@\$14.25 Hourly Rate) | |
| Eisner, Tracy | 11/03/03-06/30/04 |
| <u>LONG TERM SUBSTITUTE</u> | |
| (@\$184 Daily Rate) | |
| Harris, John | 12/15/03 |
| <u>REGULAR DAY-TO DAY</u> | |
| (@\$120 Daily Rate) | |
| Basa, Kurt | 12/11/03 |

CHANGE IN ASSIGNMENT

| <u>Name/Assignment</u> <u>Location</u> | <u>Effective</u> |
|---|------------------|
| Higuchi-Hernandez, Jessica Webster/K | 11/17/03 |
| <u>From:</u> 100% | |
| <u>To:</u> 80% | |
| Griffin, Nancy SMASH/RSP | 12/12/03 |
| <u>From:</u> 50% | |
| <u>To:</u> 60% | |

PROBATIONARY CONTRACTS

| <u>Name/Assignment</u> <u>Location</u> | <u>Not to</u> <u>Exceed</u> | <u>Effective</u> |
|---|--------------------------------|---|
| Lipscomb, Barbara Santa Monica High School | 100% | 01/05/04-6/18/04 [replacing D. Alderson] |

TEMPORARY CONTRACTS

| <u>Name/Assignment</u> <u>Location</u> | <u>Not to</u> <u>Exceed</u> | <u>Effective</u> |
|---|--------------------------------|---|
| Rubin, Theresa Webster/K | 20% | 11/17/03-6/30/04 [job share with J. Higuchi-Hernandez] |

LEAVES OF ABSENCE (with pay)

| <u>Name/Assignment</u> <u>Location</u> | <u>Effective</u> |
|---|--|
| Ackrich, Deborah Webster Elementary | 1/5/04-2/13/04 [maternity] |
| Armfield, Gina Pt Dume Marine Science | 11/3/03-2/1/04 [medical-extension of leave] |
| Barba, Yesenia CDS/Will Rogers | 12/2/03-1/12/04 [medical] |
| Elgart, Candace Special Education | 10/16/03-1/2/04 [medical-extension of leave] |
| Hiss, Eileen Santa Monica High School | 12/1/03-1/1/04 [medical] |
| Mathewson, Stefanie Roosevelt Elementary | 12/18/03-3/3/04 [maternity] |
| Nico, Adalgisa John Muir Elementary | 10/16/03-1/02/04 [medical-extension of leave] |

LEAVES OF ABSENCE (without pay)

| <u>Name/Assignment</u> <u>Location</u> | <u>Effective</u> |
|---|--------------------------------|
| Ackrich, Deborah Webster Elementary | 1/5/04-2/13/04 [child care] |

RESIGNATIONS

| <u>Name/Assignment</u> | <u>Effective</u> |
|--------------------------|------------------|
| <u>Location</u> | |
| Acosta, Georgene | 1/23/04 |
| Santa Monica High School | |

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/08/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES

RE: SPECIAL SERVICES EMPLOYEES

RECOMMENDATION NO. A.17

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

ELECTIONS

| <u>Name/Location</u> | <u>Not to Exceed</u> | <u>Effective</u> | <u>Rate</u> |
|--|----------------------|------------------|-------------|
| Blake, Judith | \$2000 | 10/24/03-6/18/04 | \$50/hr |
| Grant Elementary, instruct GATE students in art | | | |
| FUNDING: 01-71400-0-11100-10000-2917-003-1501-100% | | | |
| CD: Gifted/Talented Educ (GATE) | | | |
| Braley, James | \$6500 | 9/03/03-6/18/04 | \$30/hr |
| Roosevelt Elementary, computer technician and staff instructor | | | |
| FUNDING: 01-90120-0-11100-10000-2917-007-1501-50% | | | |
| Gifts | | | |
| 01-72600-0-11100-10000-2917-001-1501-35% | | | |
| School Improvement Prog, K-6 | | | |
| Cunningham, Rebecca | \$2995 | 11/10/03-6/30/04 | \$45/hr + |
| 10.95% health benefit | | | |
| Educational Services, provide brass/wind musical instruction for students who do not have additional instruction outside of district music program at the Title I schools and middle schools in Santa Monica | | | |
| FUNDING: 01-90830-0-17100-10000-2917-030-1501-100% | | | |
| Santa Monica-Malibu Education Foundation | | | |
| Dress, Stephen | \$3200 | 10/21/03-6/30/04 | \$45/hr + |
| 10.95% health benefit | | | |
| Educational Services, provide string musical instruction for students who do not have additional instruction outside of district music program at Lincoln | | | |
| FUNDING: 01-90120-0-17100-10000-2917-030-1501-100% | | | |
| Gifts | | | |

Farokhzadeh, Mersedeh \$24,000 9/3/03-6/18/04 \$40/hr
Roosevelt Elementary, work with individuals and small groups
of students recommended by teachers; lead a parent
discussion group in Farsi

FUNDING: 01-90120-0-11100-10000-2917-007-1501-66%
Gifts
01-72600-0-11100-10000-2917-001-1501-35%
School Improvement Prog, K-6

Fiala, Ruth \$4,000 9/3/03-6/18/04 \$30/hr
John Muir Elementary, teach science to K-5 students

FUNDING: 01-90120-0-11100-10000-2917-005-1501-100%
Gifts

Glass, Ronald \$1500 11/10/03-6/30/04 \$45/hr +
10.95% health
benefit

Educational Services, provide brass/wind musical instruction
for students who do not have additional instruction outside
of district music program at the Title I schools and middle
schools in Santa Monica

FUNDING: 01-90830-0-17100-10000-2917-030-1501-100%
Santa Monica-Malibu Education Foundation

Gulino, Charla \$2995 11/10/03-6/30/04 \$45/hr +
10.95% health
benefit

Educational Services, provide brass/wind musical instruction
for students who do not have additional instruction outside
of district music program at the Title I schools and middle
schools in Santa Monica

FUNDING: 01-90830-0-17100-10000-2917-030-1501-100%
Santa Monica-Malibu Education Foundation

Haas, Jack \$10,000 9/29/03-6/30/04 \$34.90/hr
Webster Elementary, provide science enrichment to all K-5
classes

FUNDING: 01-90150-0-11100-10000-2917-008-1501-100%
Reimbursed by PTA

Hougesen, Kathleen \$4794 10/21/03-6/30/04 \$45/hr +
10.95% health
benefit

Educational Services, provide string musical instruction for
students who do not have additional instruction outside of
district music program at John Adams and Will Rogers

FUNDING: 01-90120-0-17100-10000-2917-030-1501-100%
Gifts

| | | | |
|--------------|--------|------------------|---------------------------------------|
| Reaves, Teag | \$2995 | 11/10/03-6/30/04 | \$45/hr + 10.95% health benefit |
|--------------|--------|------------------|---------------------------------------|

FUNDING: 01-90830-0-17100-10000-2917-030-1501-100%
Santa Monica-Malibu Education Foundation

MOTION MADE BY:
SECONDED BY:

Board of Education Meeting: January 8, 2004

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

ACTION/CONSENT
01-08-04

RECOMMENDATION NO. A.18

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

ELECTION

| | | |
|-----------------------|---|----------|
| BROOKS, HASAN | CAMPUS SECURITY OFFICER 4.0 HRS/10 MALIBU RANGE: 25 STEP: 01 | 11-19-03 |
| CORTEZ, MARLENE | ACCOUNTING ASSISTANT II 6.0 HRS/10 MALIBU RANGE: 26 STEP: 01 | 12-01-03 |
| COURSEY, WILLIAM | TEL SYS/COMPTR EQUIP SPEC 8.0 HRS/12 COMPUTER SERV RANGE: 42 STEP: 01 | 12-01-03 |
| HODGES, RAPHAELA | INST ASST - SPECIAL ED 5.0 HRS/SY MCKINLEY RANGE: 20 STEP: 01 | 11-20-03 |
| PENNINGTON, RONALD | TEL SYS/COMPTR EQUIP SPEC 8.0 HRS/12 COMPUTER SERV RANGE: 42 STEP: 01 | 12-01-03 |
| WILMOTT, MARK | INST ASST - SPECIAL ED 6.0 HRS/SY CABRILLO RANGE: 20 STEP: 04 | 12-01-03 |

REINSTATEMENT

| | | |
|-----------------|--|----------|
| MIZEL, JULIA | INST ASST - SPECIAL ED 6.0 HRS/SY ROOSEVELT RANGE: 20 STEP: 02 | 11-24-03 |
|-----------------|--|----------|

INCREASE IN HOURS

| | | |
|------------------|---|----------|
| SIMKE, ARLENE | INST ASST - SPECIAL ED 4.0 HRS/SY MCKINLEY FR: 3.5 HRS/SY | 09-08-03 |
|------------------|---|----------|

CATASTROPHIC LEAVE OF ABSENCE

| | | |
|-----------|------------------------|----------|
| WILLIAMS, | INST ASST - SPECIAL ED | 12-01-03 |
| ROBERT | SPECIAL ED | 12-08-03 |

MEDICAL LEAVE OF ABSENCE

| | | |
|-------|-------------------|----------|
| IMAN, | CUSTODIAN I - NSI | 12-02-03 |
| PAUL | ADAMS | 01-05-04 |

TEMP/ADDITIONAL

| | | |
|------------|-------------------------|----------|
| BATCHELOR, | CAMPUS SECURITY OFFICER | 08-01-03 |
| EUGENE | SAMOH | 08-31-03 |

| | | |
|----------|-------------------|----------|
| BEAVERS, | CUSTODIAN I - NSI | 11-01-03 |
| MARCUS | LINCOLN | 06-18-04 |

| | | |
|---------|-------------------------|----------|
| COOPER, | CAMPUS SECURITY OFFICER | 11-04-03 |
| RAYMOND | SAMOH | 11-05-03 |

| | | |
|-----------|-------------------|----------|
| DAVIDSON, | CUSTODIAN I - NSI | 11-01-03 |
| WOODROW | LINCOLN | 06-18-04 |

| | | |
|--------|-------------------|----------|
| GREEN, | CUSTODIAN I - NSI | 11-01-03 |
| JOSEPH | LINCOLN | 06-18-04 |

| | | |
|----------|-------------------|----------|
| HERRADA, | CUSTODIAN I - DAY | 11-01-03 |
| JOE | LINCOLN | 06-18-04 |

| | | |
|-----------|------------------------|----------|
| LOUISELL, | INST ASST - SPECIAL ED | 10-24-03 |
| ANNE | WEBSTER | 11-05-03 |

| | | |
|---------|-------------------------|----------|
| MANGUM, | CAMPUS SECURITY OFFICER | 10-01-03 |
| DON | SAMOH | 06-30-04 |

| | | |
|--------|-----------------------|----------|
| YOUNG, | INST ASST - CLASSROOM | 12-02-03 |
| BAMBI | MALIBU | 06-11-04 |

SUBSTITUTE

| | | |
|----------|--------------------------|----------|
| BURKE, | I/A SIGN LANGUAGE INTERP | 11-26-03 |
| CARLEASE | LINCOLN | 06-30-04 |

| | | |
|-----------|-------------------------|----------|
| FRAGNOLI, | INST ASST - PHYSICAL ED | 11-21-03 |
| SAM | ED SERVICES | 06-18-04 |

| | | |
|---------|------------------------|----------|
| JACOBS, | INST ASST - SPECIAL ED | 12-04-03 |
| ALICIA | SPECIAL ED | 06-18-04 |

| | | |
|---------|--------------------|----------|
| MORA, | OFFICE SPECIALIST | 12-01-03 |
| CLAUDIA | PERSONNEL SERVICES | 06-30-04 |

| | | |
|--------------------|--------------------------------------|----------------------|
| PYHEWSKI, GENEE | INST ASST - SPECIAL ED SPECIAL ED | 12-08-03 06-18-04 |
|--------------------|--------------------------------------|----------------------|

| | | |
|--------------------|---------------------------|----------------------|
| SMITH, REGINALD | CUSTODIAN I OPERATIONS | 11-25-03 06-30-04 |
|--------------------|---------------------------|----------------------|

| | | |
|-------------------|--|----------------------|
| TAYLOR, ANGELA | INST ASST - PHYSICAL ED ED SERVICES | 11-03-03 06-18-04 |
|-------------------|--|----------------------|

| | | |
|----------------------|---------------------------------------|----------------------|
| TRUNNELL, LUCILLE | OFFICE SPECIALIST STUDENT SERVICES | 11-01-03 06-30-04 |
|----------------------|---------------------------------------|----------------------|

RESIGNATION

| | | |
|-------------------|-----------------------------------|----------|
| LOUISELL, ANNE | INST ASST - SPECIAL ED WEBSTER | 12-16-03 |
|-------------------|-----------------------------------|----------|

| | | |
|----------------------|--------------------------------------|----------|
| WILLIAMS, ANTONIO | PHYSICAL ACTIVITIES SPEC MCKINLEY | 11-26-03 |
|----------------------|--------------------------------------|----------|

ABOLISH POSITION

| | | |
|--------|---|----------|
| VACANT | INST ASST - CLASSROOM 3.0 HRS/SY WEBSTER | 11-13-03 |
|--------|---|----------|

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01-08-04

FROM: JOHN E. DEASY/ROBERT SEEDS

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.19

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

STUDENT INTERN - ALLIANCE

| | | |
|-------------------|-------|---------------------|
| HERNANDEZ, STEVEN | SAMOH | 10-01-03 - 06-30-04 |
|-------------------|-------|---------------------|

STUDENT HELPER

| | | |
|-------------|-------------|---------------------|
| MORAN, LUIS | WORKABILITY | 11-07-03 - 06-30-04 |
|-------------|-------------|---------------------|

NOON AIDE

| | | |
|----------------------|--------|---------------------|
| FARJADI, NORA | ADAMS | 12-05-03 - 06-18-04 |
| FLORES, NATALIE | GRANT | 11-25-03 - 06-18-04 |
| MUNOZ, MARIA | MUIR | 12-02-03 - 06-18-04 |
| VALDEZ, OLIVIA | GRANT | 11-26-03 - 06-18-04 |
| VILLALOBOS, JOSEFINA | EDISON | 12-08-03 - 06-18-04 |

ASSISTANT COACH

| | | |
|---------------------|--------|---------------------|
| BENNAKIR, MOUSTAPHA | SAMOH | 12-04-03 - 06-30-04 |
| BOURQUIN, CYNTHIA | SAMOH | 11-26-03 - 06-30-04 |
| RODRIGUEZ, SERAFIN | SAMOH | 11-01-03 - 06-30-04 |
| ROQUES, RYAN | MALIBU | 11-18-03 - 12-31-03 |
| TABATA, BRADLEY | SAMOH | 11-01-03 - 06-30-04 |

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01-08-04

FROM: SUPERINTENDENT

RE: EXPULSION OF STUDENT (B/D 12-02-88)

RECOMMENDATION NO. A.20

It is recommended that the Board of Education expel student (B/D 12-02-88).

COMMENT: The Principal of Santa Monica High School recommended the expulsion based on the student's violations of Education Code Sections 48900(a)(1) and 48900(k):

"Caused, attempted to cause, or threatened to cause physical injury to another person."

Education Code 48900(a)(1)

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

This item will be discussed in Closed Session prior to taking action.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

01-08-04

FROM: SUPERINTENDENT

RE: EXPULSION OF STUDENT (B/D 12-22-88)

RECOMMENDATION NO. A.21

It is recommended that the Board of Education expel student (B/D 12-22-88).

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

"Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, alcoholic beverage or intoxicant of any kind. Education Code 48900(c)

This item will be discussed in Closed Session prior to taking action.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR

01/08/04

FROM: JOSE J. ESCARCE/EMILY BLOOMFIELD

RE: RENEWAL OF SUPERINTENDENT'S CONTRACT

RECOMMENDATION NO. A.22

It is recommended that the Board of Education renew the Employment Agreement negotiated between the Board of Education and John E. Deasy as Superintendent of the Santa Monica-Malibu Unified School District, effective July 1, 2004. The Superintendent's compensation under the renewed contract will be unchanged from his compensation in the current fiscal year. Copies of the negotiated agreement will be made available upon request.

COMMENT: The Board of Education is proud to renew Superintendent John Deasy's contract for another three years after the expiration of his current three-year contract next summer. As the Board has repeatedly stated, we are extremely pleased with Mr. Deasy's performance as Superintendent, with the goals we have set for our District under his leadership, and with the progress our District is making toward achieving those goals. We still have much work to do, however, and we can think of no one better to lead and guide our District in dealing with the challenges that lie ahead. We congratulate Mr. Deasy and look forward to continuing to work with him in improving the education our schools provide to all our students.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

**EMPLOYMENT AGREEMENT
BETWEEN THE GOVERNING BOARD OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
AND
SUPERINTENDENT**

The following Employment Agreement is entered into between the Governing Board of the Santa Monica-Malibu Unified School District (hereafter referred to as "District" or "Board") and John E. Deasy (hereafter referred to as "Superintendent").

Section 1. Term. **John E. Deasy** is hereby employed as the Superintendent. The term of employment shall be for a three-year period commencing July 1, 2004, and ending June 30, 2007, and shall be subject to the terms and conditions hereinafter set forth.

Section 2. Salary. The Superintendent shall receive a base annual salary of One Hundred Fifty Thousand Dollars (\$150,000.00).

This salary may be renegotiated with the Board of Education at the end of each contract year. Any salary increase for the Superintendent for each subsequent fiscal year shall be based upon performance and determined at the discretion of the Superintendent and Board of Education. Additionally, the Board may pay the Superintendent an annual performance bonus of up to 10% of his base salary, contingent on a satisfactory evaluation and the attainment of goals and objectives to be mutually determined by the Board and the Superintendent.

Section 3. Renewal. This Agreement shall be extended for a period of one (1) year on the then-current terms and conditions set forth herein unless the Board gives the Superintendent written notice of its decision not to so extend this agreement on or before May 1st of the third year of this Agreement, and thereafter on or before May 1st of any year of this Agreement.

Section 4. Fringe Benefits.

A. **Health and Welfare Benefits.** The Superintendent and his dependents shall be entitled to receive a choice of health insurance plans for the current school year to be selected from the plans available from the Public Employees' Retirement System (PERS) health benefits program. The District shall also provide full cost coverage of Delta Dental or PMI for the Superintendent and his dependents.

B. **Disability Insurance.** The Superintendent shall receive disability insurance at the rate indicated in the current SEIU contract.

C. **Retirement Contributions.** The District shall pay the employer contribution rate (currently 8.25%) to the State Teachers Retirement System (STRS) or Public Employees' Retirement System (PERS) on behalf of the Superintendent. The employee's contribution shall be payable only to STRS or PERS, and the Superintendent shall not be entitled to an equivalent amount with respect to severance pay, or any other compensation not specifically referred to in the Employment Agreement.

D. Life Insurance. The District shall provide a term life insurance policy for the Superintendent of Two Hundred Fifty Thousand Dollars (\$250,000) in benefits.

Section 5. Transportation Allowance. The Superintendent shall be provided with a District allowance of Five Hundred Dollars (\$500.00) per month for transportation in performance of his duties. The Superintendent shall pay fuel, maintenance, insurance and all other expenses for his own automobile. Trips beyond a one hundred mile radius will be reimbursed at the District mileage rate in addition to the monthly sum provided in this paragraph.

Section 6. Monthly Housing. The District shall provide the Superintendent with a One Thousand Five Hundred Dollar (\$1,500) monthly housing allowance.

Section 7. Evaluation of Performance. Pursuant to Board Policy, the Board shall evaluate the performance of the Superintendent twice annually on a schedule to be mutually determined by the Superintendent and the Board. In the event that the Board determines that the performance of the Superintendent is unsatisfactory in any respect, it shall describe in writing in reasonable detail, indicating specific instances, where appropriate, said unsatisfactory performance. The Superintendent shall inform the Board in writing by December 1st when his contract is due for renewal consideration.

Section 8. Duties and Responsibilities. The Superintendent is hereby employed as District Superintendent and shall perform the duties of the District Superintendent as prescribed by the laws of the State of California. In addition to the powers and duties set forth in Education Code Section 939, the Superintendent shall be the chief executive officer of the Board. As such, the Superintendent shall have the primary responsibility for execution of Board Policy, whereas the Board shall retain the primary responsibility of formulating and adopting said policy. The parties agree, individually and collectively, not to interfere with or to usurp the primary responsibility of the other party.

The Superintendent shall have the primary responsibility of organizing, reorganizing, and arranging the administrative and supervisory staff, including instruction and business affairs, which in his judgment best serves the District. The Superintendent shall have the primary responsibility in all personnel matters, including selection, assignment, and transfer of employees, subject to the approval of the Board. In all personnel matters, the Superintendent shall present his recommendation to the Board. In the event that the Board does not approve said recommendation, the Superintendent shall submit another recommendation to the Board within a reasonable time.

The Superintendent (or his designee) shall: (1) review all policies adopted by the Board and make appropriate recommendations to the Board; (2) periodically evaluate employees as provided for by California law and Board policy; (3) advise the Board of all possible sources of funds that might be available to implement present or contemplated District programs; (4) endeavor to maintain and improve his professional competence by all available means, including subscription to and reading of appropriate periodicals, and joining and participating in appropriate professional associations, and their activities; (5) establish and maintain an appropriate community relations program; (6) serve as liaison between the Board and Board's representative with respect to all employer-employee matters, and make recommendations to the Board concerning those matters; and (7) act as secretary to the Board.

Section 9. Professional Activities/Organizations. The District encourages the Superintendent to participate in professional organizations and activities, provided that such participation is consistent with his overall responsibilities to the District and, further provided that such participation does not interfere with the satisfactory performance of the Superintendent's duties and obligations to the District. Actual and necessary expenses incurred by the Superintendent in connection with attendance and/or membership in associations or organizations approved by the Board shall be paid by the District.

Section 10. Work Year. The Superintendent shall be required to render twelve (12) months of full and regular service to the District during each annual period covered by this Employment Agreement. The Superintendent shall be entitled to any and all paid holidays approved of by the Board of Education for twelve-month certificated employees at the time the annual calendar is adopted. The Superintendent shall also be entitled to twenty-four (24) days annual vacation with pay exclusive of holidays defined in sections 5201 and 5202 of the Education Code. A maximum of thirty (30) accrued and unused vacation days may be carried over from one year to the next. In the event of separation from the District, the Superintendent shall be entitled to compensation for unused vacation at the daily rate in effect as of the date of separation (annual salary divided by 222 days). In the event of John Deasy's death during the term of the contract, his beneficiary shall be entitled to compensation for unused vacation specified in this Agreement.

The Superintendent shall be entitled to thirteen (13) days of sick leave/personal necessity annually. Earned sick leave shall be cumulative, as provided by state law and Board Policy. In addition to the thirteen (13) days of sick leave/personal necessity, the Superintendent shall be entitled to up to five (5) days of bereavement leave without loss of pay. Consultant services may be engaged in by the employee during regular working days only upon the written approval of the Board of Education.

Section 11. Medical Examination. The Superintendent agrees to have an annual medical examination. Any expense beyond that paid by the District insurance will be borne by the District for an amount not to exceed One Thousand Dollars (\$1,000.00). A report from the Superintendent's physician on the physical condition of the Superintendent shall be filed with the President of the Board and treated as confidential information by the Board.

Section 12. Termination of Agreement. Notwithstanding the provisions of this Agreement, said Agreement may be terminated at any time by **mutual consent** of the Superintendent and the Board of Education, subject to Government Code Sections 53260 and 53261, or upon ninety (90) days' notice to the Board by the Superintendent. The Superintendent agrees to inform the Board should he become a finalist in any position for which he applies outside the District.

During the term of this Agreement, the Superintendent may be dismissed by the Board **for cause** as defined in Education Code Section 44932 or for a material breach of this Agreement. In the event such cause is for reasons other than unsatisfactory performance, an unsatisfactory evaluation shall not be a condition precedent for such dismissal. The Superintendent will be provided a statement of charges and an opportunity to meet with the Board prior to any action to terminate for cause.

During the term of this Agreement, the Superintendent may be dismissed by the Board **at will and/or without cause**, subject to Government Code Sections 53260 and 53261. Pursuant to Government Code Section 53260, the maximum cash settlement the Superintendent may receive shall be an amount equal to the monthly salary of the employee multiplied by the number of months left on the unexpired term of the Agreement. If the unexpired term of the Agreement is greater than eighteen (18) months, the maximum cash settlement shall be an amount equal to the monthly salary of the Superintendent multiplied by eighteen (18). Pursuant to Government Code Section 53261, the cash settlement shall not include any other non-cash benefits except health benefits as set forth in this Agreement, which may be continued for the same duration of time as the cash settlement or until the Superintendent finds other employment, whichever occurs first.

Notwithstanding any other provision of this Agreement or the policies and regulations of the Board, the Board may elect not to renew this Agreement, and/or not to reemploy the Superintendent upon expiration of this Agreement pursuant to Education Code Section 35031.

Section 13. Applicable Law. This Contract is subject to all applicable laws of the state of California, rules and regulations of the State Board of Education, and rules, regulations and policies of this Board.

Section 14. Savings Clause. If any provisions of this Agreement are held to be contrary to law by final legislative act or a court of competent jurisdiction, inclusive of appeals, if any, such provisions will not be deemed valid and subsisting except to the extent permitted by law, but all other provisions will continue in full force and effect.

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Section 15. Interpretation.

A. This Agreement shall be interpreted in accordance with its fair meaning; captions are for the purpose of organization convenience only and shall not be considered in interpreting or construing the meaning of the terms or provisions of this Agreement. This Agreement is subject to all applicable laws of the state of California, the rules and regulations of the California State Board of Education, and the District. Said laws, rules, and regulations are hereby made a part of the terms and conditions of this Agreement as though herein set forth. Said laws, rules, and regulations may be amended from time to time.

B. For the purpose of this Agreement, "days" shall be deemed to mean calendar days.

DATED this ____ day of ____, 2003.

ACCEPTED

John E. Deasy
Superintendent

**SANTA MONICA-MALIBU UNIFIED
SCHOOL DISTRICT**

By: _____
Jose Escarce, Board President,
for and on behalf of the Governing Board of the
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR
01/08/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: APPOINTMENT OF PERSONNEL COMMISSIONER

RECOMMENDATION NO. A.23

It is recommended that the Board of Education reappoint Ms. Celia Carroll to a three year term effective December 1, 2003 and that this recommendation be submitted to Mr. Jack O'Connell, State Superintendent of Public Instruction for formal appointment.

COMMENT: Ms. Carroll was originally appointed to the Personnel Commission in October 1998 to fill an unexpired term which extended through November 30, 2000. She was reappointed in 2000 and has faithfully served the district in this capacity since her initial appointment. Ms. Carroll has demonstrated that she is a known adherent to the principles of the Merit System which she has clearly demonstrated through meeting attendance and actions which support the Merit System and its operation.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR
01/08/04

FROM: JOHN E. DEASY/LINDA KAMINSKI/STEVE CANNELL

RE: APPROVAL OF THE SINGLE PLAN FOR STUDENT ACHIEVEMENT
(PREVIOUSLY KNOWN AS SCHOOL IMPROVEMENT PLAN) FOR JOHN
ADAMS PATHWAY SCHOOLS WHICH INCLUDE EDISON, JOHN ADAMS,
JOHN MUIR, SMASH, GRANT, WILL ROGERS, AND SAMOHI

RECOMMENDATION NO. A.24

It is recommended that the Board of Education approve the Single Plan for Student Achievement (aka School Improvement Plan) submitted by each school. The Single Plan for Student Achievement establishes a focus for raising the academic performance of students to meet or exceed state standards.

The development of the Single Plan for Student Achievement consists of twelve steps:

1. Obtain the input of the school community
2. Review the school characteristics
3. Analyze current educational practice and staffing
4. Analyze student performance data
5. Establish school goals
6. Review available resources
7. Select specific improvements
8. Consider centralized services
9. Recommend the plan to the local governing board
10. Monitor progress
11. Evaluate the effectiveness of planned activities
12. Modify the plan

The Board of Education will be presented with the Santa Monica High School, and John Adams Pathway Single Plan for Student Achievement at its January 8, 2004 meeting.

One public copy of each plan will be available at the Board meeting. Electronic copies of the plans will be posted on the district's website. Hard copies of the plans are available for viewing in the Office of State and Federal Programs in Educational Services.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR
01/08/04

FROM: JOHN E. DEASY/JUDY ABDO

RE: HEAD START COLLABORATION WITH THE LOS ANGELES COUNTY
OFFICE OF EDUCATION

RECOMMENDATION NO. A.25

It is recommended that the Board of Education approve the refunding application and budget for fiscal year 2004-2005 with (LACOE) Los Angeles County Office of Education for the purpose of providing Head Start services to eligible families effective July 1, 2004 through June 30, 2005. This agreement is to be executed between the Superintendent of Public Instruction, LACOE, and the Santa Monica-Malibu Unified School District, wherein LACOE agrees to pay the Santa Monica-Malibu Unified School District Child Development Fund an amount not to exceed \$1,045,099.

COMMENT: Head Start is a federal grant program with a long history of providing comprehensive child development and support services to young children and families with incomes at or below the poverty level. The contract, operates on a minimum of 200 days, provides for the operation of 10 Head Start classes - approximately 200 children.

Each year the district is required to submit a Head Start refunding application to LACOE. The application details the design of the Head Start program including the number of classrooms, the services offered to families, the staffing plan, the number children to be served, and the proposed budget.

The CDS Head Start program has been under enrolled each year. While the current program is designed to serve 294 Head Start children, there are approximately 200 children enrolled at this time. The reason for the low enrollment numbers is clear. The Head Start eligibility limits are based on the federal poverty level with no regional adjustment. For example, a family of 2 must have an income no higher than \$12,120 per year to qualify for Head Start. In addition, the parent must be in need of childcare because of work or school responsibilities. There are a limited number of families in Santa Monica and other local areas who qualify for Head Start under these guidelines. The district can enroll only 10% over-income children, and preschool children who have IEP's and are enrolled in inclusion classrooms typically fill these slots.

Congress is negotiating a Head Start reauthorization bill this year. One of the many changes proposed is to raise the income eligibility requirement from 100% of the poverty level to 130%. If this change is approved, the district can expect to enroll between 30 and 40 additional children using current enrollment policies.

The Head Start staff has worked very hard to find all eligible children in the area. Activities have included frequent visits and calls to local social service agencies, clinics, churches, grocery stores, grocery store picket lines, affordable housing buildings, and community events and gatherings. Staff members even distributed candy with Head Start information attached to trick-or-treaters on Halloween night.

Given the significant effort to enroll eligible children and the shortfall in numbers enrolled, CDS staff is proposing a lower target number for next year. In addition, CDS staff is in negotiations with LACOE staff about adding a Head Start component to the Easter Seal/SMC/district collaboration at John Adams Preschool, which would serve children already enrolled with Easter Seals who are eligible for the enhanced Head Start services.

This year's funding is secure through June 2004. The district will receive funds based on monthly enrollment numbers.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR
01/08/04

FROM: JOHN E. DEASY, SUPERINTENDENT

RE: SMASH CHARTER PETITION REVISIONS

RECOMMENDATION NO. A.26

It is recommended that the Board of Education accept the revised SMASH Charter petition and agree to hold a public hearing within thirty days.

COMMENT: The Santa Monica Alternative School House (SMASH) charter petitioners have revisions to the original charter to submit to the Board of Education. The original SMASH Charter was previously discussed at the November 20, 2003 Board meeting. With the submission of the revised petition, the process for Charter status begins anew.

TO: BOARD OF EDUCATION

ACTION/MAJOR
01/08/04

FROM: SUPERINTENDENT/LINDA KAMINSKI/CINDY ATLAS

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS 2003/2004

RECOMMENDATION NO. A.27

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

NPS/NPA

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

| Nonpublic School/Agency | Student DOB | Service Description | Contract Number | Cost Not to Exceed |
|---|------------------------|--------------------------------|----------------------------|-----------------------------------|
| Echo Horizon | 10-21-92 | NPS | #61 | \$ 15,815 |
| The Jeffrey Foundation | 11-01-00 | NPS | #62 | \$ 17,531 |
| The Devereux Foundation | 04-07-88 | NPS | #63 | \$ 17,807 |
| Baby & Baby, Inc. | 06-15-97 | NPA | #98 | \$ 1,760 |
| Baby & Baby, Inc. | 01-30-01 | NPA - PT Evaluation | #99 | \$ 320 |
| Baby & Baby, Inc. | 02-04-01 | NPA - PT Evaluation | #100 | \$ 320 |
| Baby & Baby, Inc. | 05-24-97 | NPA - PT | #101 | \$ 480 |
| Beautiful Minds Center for Autism, Inc. | 08-14-99 | NPA - Behavior Therapy | #102 | \$ 29,260 |
| Beautiful Minds Center for Autism, Inc. | 08-14-99 | NPA - Behavior Therapy | #103 | \$ 1,250 |
| Beautiful Minds Center for Autism, Inc. | 09-15-99 | NPA - Behavior Therapy | #104 | \$ 16,080 |
| Can Do Kids, Inc. | 10-27-99 | NPA - Speech | #105 | \$ 3,250 |
| Computer Access Center | 02-10-97 | NPA - Assistive Technology | #106 | \$ 552 |
| Computer Access Center | 01-20-91 | NPA - Assistive Technology | #107 | \$ 552 |
| Computer Access Center | 03-03-92 | NPA - Assistive Technology | #108 | \$ 552 |
| Therapy West | 07-04-99 | NPA - PT | #109 | \$ 4,250 |

| | | | | |
|--|----------|---------------------------|----------------|-----------|
| Wayne Tashjian | 08-14-93 | NPA - Behavior Therapy | #110 | \$ 32,436 |
| Village Glen Contract Increase | 09-16-90 | NPS | #56 UC04226 | \$ 31,760 |
| Augmentative Communication Therapies Contract Increase | 08-14-93 | NPA - Speech | #34 UC04129 | \$ 4,255 |
| Baby & Baby, Inc. Contract Increase | 07-12-98 | NPA - PT | #8 UC04095 | \$ 2,580 |
| Baby & Baby, Inc. Contract Increase | 08-14-00 | NPA - PT | #71 UC04198 | \$ 4,320 |
| Can Do Kids, Inc. Contract Increase | 01-20-00 | NPA - OT/PT | #46 UC04160 | \$ 3,200 |
| Institute for Applied Behavior Analysis Contract Increase | 01-20-00 | NPA - Behavior Therapy | #47 UC04161 | \$ 700 |
| Julia Hobbs Speech Pathology, Inc. Contract Increase | 01-20-00 | NPA - Speech | #48 UC04162 | \$ 2,210 |

| | |
|---|----------------------|
| Amount Budgeted NPS/NPA 03/04 | \$ 3,000,000 |
| Prior Board Authorization as of 12/04/03 | \$ 2,781,255* |
| Balance | \$ 218,745 |
| Positive Adjustment | \$ 62,967 |
| (See attachment) | \$ 281,712 |
| Total Amount for these Contracts | \$ 191,240 |
| Balance | \$ 90,472 |

***Prior Year Authorization (12-12-02) \$2,784,902**

| Adjustment | | | | | |
|--|---------------------|-----------------|--------------------------|-----------------|--------------------------------|
| NPS/NPA Budget 01-65000-0-57500-11800-5825-043-1400 | | | | | |
| There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2003-04 in the amount of \$ 62,967 as of January 8, 2004. | | | | | |
| Nonpublic School/ Agency | Service Description | Contract Number | Reduce (R) Eliminate (E) | Adjusted Amount | Comment |
| Islandview Academy | NPS | #3 UC04014 | E | \$ 10,717 | Student moved out of District. |
| Summitview | NPS | #17 UC04028 | R | \$ 19,840 | Student moved out of District. |
| Vista | NPS | #35 UC04046 | E | \$ 32,410 | Student at Different NPS. |

Non-Instructional Consultants

2003-2004 Budget 01-65000-0-57500-11800-5890-043-1400

| Instructional Consultant | Student DOB | Service Description | Contract Number | Cost Not to Exceed |
|--------------------------|-------------|---|-----------------|--------------------|
| Parent Reimbursement | 01-20-00 | Non-Instr.Consultant - Speech/Language for school year 2003-2004. | #27 | \$ 1,495 |
| Parent Reimbursement | 06-11-87 | Non-Instr.Consultant - Mileage for 2001-02, 2002-03 and 2003-2004 school years. | #28 | \$ 6,798 |
| Parent Reimbursement | 04-23-98 | Non-Instr.Consultant - Outside services for 2003-2004 school year. | #29 | \$31,565 |
| Parent Reimbursement | 11-16-99 | Non-Instr.Consultant - Mileage for 2003-2004 school year. | #8 UC04217 | \$ 600 |
| Contract Increase | | | | |

Amount Budgeted Non-Instructional Consultants 03/04 **\$ 315,000**

Prior Board Authorization as of 12/04/03 **\$ 187,655**

Balance **\$ 127,345**

Total Amount for these Contracts **\$ 40,458**

Balance **\$ 86,887**

Instructional Consultants

2003-2004 Budget 01-65000-0-57500-11800-5802-043-1400

| Instructional Consultant | Student DOB | Service Description | Contract Number | Cost Not to Exceed |
|---|-------------|---|-----------------|--------------------|
| Adrian Witchelo-Scott | Various | Instr. Consultant - Assistive Technology Training | #30 | \$ 700 |
| Deborah Bohn | 07-23-90 | Instr. Consultant - Physical Therapy | #31 | \$ 2,108 |
| Patricia Ortega Contract Increase | 02-12-98 | Instr. Consultant - Behavior Therapy | #15 UC04102 | \$ 1,080 |
| Patricia Ortega Contract Increase | 02-12-98 | Instr. Consultant - Behavior Therapy 2002-2003 | #21 UC03249 | \$ 270 |

Amount Budgeted Instructional Consultants 03/04 \$ 300,000

Prior Board Authorization as of 12/04/03 \$ 217,420

Balance 82,580

Total Amount for these Contracts \$ 4,158

Balance \$ 78,422

NPS - Legal

2003-2004 Budget 01-65000-0-50010-11800-5820-043-1400

| Legal Contractor | Service Description | Contract Number | Cost Not to Exceed |
|---|--|-----------------|--------------------|
| Lozano Smith, Atty. Contract Increase | Legal Services | #1 UC04114 | \$ 50,000 |
| Lozano Smith, Atty. | Legal Services - to cover expenses from 2002-2003 school year. | #1 UC03007 | \$ 8,000 |

Amount Budgeted Legal 03/04 \$ 100,000

Prior Board Authorization as of 07/31/03 \$ 50,000

Balance \$ 50,000

Total Amount for these Contracts \$ 58,000

Balance - \$ 8,000

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

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

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

| | | |
|-------|--|-------------------|
| TO: | BOARD OF EDUCATION | <u>DISCUSSION</u> |
| | | 01/08/04 |
| FROM: | JOHN E. DEASY/CINDY ATLAS | previously |
| | | 12/04/03 |
| RE: | ANALYSIS OF THE SPECIAL EDUCATION DEPARTMENT | 11/20/03 |

DISCUSSION ITEM NO. D.1

In 1975 school districts in the United States were required to comply with PL 94-142, the Education for the Education for the Handicapped Act. This federal mandate required states to comply with this act in order to receive federal funding for special education students. It also specified how students with disabilities would be identified and described the necessary services and supports that districts must have in place to meet the needs of these students. The special education laws specifically discussed the need to have a range of program options so that all identified students are provided services in the least restrictive environment (LRE). The range of services extend from general education with Designated Instruction Services (DIS), to general education with Resource Specialist (RSP) support, to Special Day Classes, to Nonpublic Schools to State Schools, the most restrictive placement. In addition, these laws and regulations addressed the need for a district to provide that continuum of services and supports in a Free and Appropriate Education (FAPE). The laws also addressed the need for a district to comply with both the federal and state laws and regulations.

In 1997 PL 94-142 was revised and is now known as the Individuals with Disabilities Act, IDEA. This Act expanded parent rights and gave more responsibilities to the general education teacher for the education of disabled students. A major focus of this re-authorization was the need for special education students to receive equitable access to the district core curriculum and receive progress reports at the same time as general education students. In addition, IDEA provided guidelines to address students with behavior difficulties, requiring positive supports.

Based on the requirements of the special education state and federal laws, the Director of the Santa Monica-Malibu Unified School District's Special Education Department analyzed components of the district's special education programs. The Director also took into account the recommendations by Investigator, Fred Weintraub, "Report of a Study of Special Education Policies, Procedures and Resources related to Compliance in the Santa Monica-Malibu Unified School District," August 2000. In addition, the Director used information from recommendations from the District Advisory Committee's 2002 report to the Board. The analysis comprises a summary of these findings.

This "Analysis of the Special Education Department" will show what is needed to bring the district into compliance and establish a foundation upon which to make informed budgetary decisions. A budget cannot be created without first knowing the needs of the department. Once the needs have been identified, the budget can be developed.

Others contributing to the compilation of the report include: Mary Bush, Heidi Kleis and Mary Ellen Toomey.

TO: BOARD OF EDUCATION

DISCUSSION

01/08/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: BOYS AND GIRLS CLUB ANNEX FACILITY AT JOHN ADAMS MIDDLE
SCHOOL

DISCUSSION ITEM NO. D.2

The District and the Boys and Girls Club of Santa Monica have been collaborating on a project to house an annex of the Club on the John Adams Middle School site. The original plan for a modular designed building was not approved by DSA (Department of State Architect).

Wade Killefer, Representing the Santa Monica Boys and Girls Club, will present a revised plan to build a more permanent buildings, one of which will be a full technology center and another which will be available for classroom use by JAMS during school hours.

TO: BOARD OF EDUCATION

DISCUSSION

01/08/04

FROM: JOHN E. DEASY, SUPERINTENDENT

RE: BIG PICTURE MEMORANDUM OF UNDERSTANDING

DISCUSSION ITEM NO. D.3

It is recommended that the Board of Education approve a Memorandum of Understanding between the District and Big Picture Company in regards to The Santa Monica School House (SMASH).

COMMENT: This Memorandum of Understanding between SMMUSD and Big Picture Company describes a partnership that would begin fall 2004 in order to provide professional development for the SMASH staff, and educational program ideas that enhance students' and families' experiences.

Big Picture provides staff training, guidance, curriculum, assessment, and recruitment materials, and a national network of philosophically aligned schools.

SMASH as an SMMUSD school in partnership with Big Picture would agree to follow the guiding philosophy of "One Student at a Time" by incorporating the following small school size, advisory structure, personalized education, real world learning, authentic assessment, focus on community, governance, and family engagement.

TO: BOARD OF EDUCATION

DISCUSSION

01/08/04

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: REVIEW OF CALIFORNIA STANDARDS TESTS DISAGGREGATED
RESULTS

DISCUSSION ITEM NO. D.4

The California Standards Tests measure student mastery of the state adopted content standards in English/Language Arts and Mathematics. Aggregate results of performance by all students have previously been presented to the Board of Education. This presentation will discuss data relative to the performance of identified subgroups of students based on socioeconomic, linguistic and special education indicators. Performance of both all students and identified subgroups of students is important for accomplishing the District's mission - "Extraordinary Achievement for All Students While Simultaneously Closing the Achievement Gap."

TO: BOARD OF EDUCATION

DISCUSSION

01-08-04

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

First
Reading

RE: BOARD POLICY 6171 - TITLE I PROGRAMS

DISCUSSION ITEM NO. D.5

It is recommended that the Board of Education adopt Board Policy 6171:

COMMENT: Title I of the Federal Elementary and Secondary Education Act is designed to improve the academic achievement of disadvantaged students.

The District does not currently have a Title I policy. Adopting this policy will meet the requirement of No Child Left Behind.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

Instruction
TITLE I PROGRAMS

BP 6171 (a)

In order to improve the academic achievement of disadvantaged students, the district shall use federal Title I funds to provide eligible students with supplementary services to reinforce the core curriculum and assist students in attaining proficiency on state academic standards and assessments.

(cf. 5149 - At-Risk Students)
(cf. 6011 - Academic Standards)
(cf. 6162.5 - Student Assessment)
(cf. 6162.51 - Standardized Testing and Reporting Program)

A school may operate a Title I schoolwide program in order to upgrade the entire educational program of the school when at least 40 percent of the students in the school attendance area, or at least 40 percent of the students enrolled in the school, are from low-income families. The Superintendent or designee shall inform any such eligible school and the school's parents/guardians of the school's eligibility and its ability to consolidate funds from federal, state and local sources for program purposes. (20 USC 6312, 6314)

In any school receiving Title I funds that does not operate a schoolwide program, the district shall use Title I funds only for targeted assistance programs for eligible students. (20 USC 6315)

The Superintendent or designee shall provide technical assistance and support to any school participating in the Title I program, including consultation in the development and implementation of school plans and activities.

The Superintendent or designee shall ensure the coordination of Title I activities with other programs as appropriate.

District Plan

The district shall submit to the California Department of Education a plan containing the components specified in 20 USC 6312, which describe the assessments, strategies and services the district will use to help low-achieving students meet challenging academic standards. (20 USC 6312)

(cf. 0420 - School Plans/Site Councils)

The district shall periodically review and, as necessary, revise the district plan. (20 USC 6312)

Instruction
TITLE I PROGRAMS

BP 6171 (b)

Parent Involvement

Title I programs, activities and procedures shall be developed and agreed upon with parents/guardians of participating students. (20 USC 6318)

(cf. 1220 - Citizen Advisory Committees)
(cf. 6020 - Parent Involvement)

The Superintendent or designee shall (20 USC 6318):

1. Involve parents/guardians in the joint development of the district's Title I plan pursuant to 20 USC 6312, and the process of school review and improvement pursuant to 20 USC 6316.
2. Provide the coordination, technical assistance and other support necessary to assist participating schools in planning and implementing effective parent involvement activities to improve student academic achievement and school performance.
3. Build the capacity of schools and parents/guardians for strong parent involvement.
4. Coordinate and integrate Title I parent involvement strategies with parent involvement strategies under other programs specified in 20 USC 6318.
5. Conduct, with parent/guardian involvement, an annual evaluation of the content and effectiveness of the parent involvement policy in improving the academic quality of the schools served by Title I, including
 - a. Identifying barriers to greater participation by parents/guardians in parent involvement activities, with particular attention to parents/guardians who are economically disadvantaged, are disabled, have limited English proficiency, have limited literacy, or are of any racial or ethnic minority background.
 - b. Using evaluation findings to design strategies for more effective parent involvement.
 - c. If necessary, revising the district and school parent involvement policies.
6. Involve parents/guardians in the activities of schools served by Title I.

This policy shall be distributed to parents/guardians of participating students and incorporated into the district's Title I plan. (20 USC 6318)

Instruction
TITLE I PROGRAMS

BP 6171 (c)

Comparability of Services

State and local funds used in schools receiving Title I funds shall provide services that, taken as a whole, are at least comparable to services in schools that are not receiving Title I funds or, if all district schools are receiving Title I funds, that are substantially comparable in each school. Comparability may be determined on a school-by-school basis or by grade span. (20 USC 6321)

The Governing Board shall adopt a districtwide salary schedule and the Superintendent or designee shall establish procedures which ensure that all district schools are provided with the same level of base funding, per student, for staff services, curriculum materials and instructional supplies. At the beginning of each school year, the ratio of students to teachers and other staff shall vary as little as possible from school to school. The Superintendent or designee shall maintain records of the quantity and quality of books and equipment at each school.

The Superintendent or designee shall develop procedures for ensuring comparability of services and shall biennially update records documenting the district's compliance. (20 USC 6321)

Program Evaluation

The Board shall use state assessment results and other available measures or indicators to annually review the progress of each participating school and determine whether the school is making adequate yearly progress toward ensuring that all students meet the state's proficient level of achievement on state assessments. (20 USC 6312)

(cf. 0520.2 - Title I Program Improvement Schools)
(cf. 6190 - Evaluation of the Instructional Program)
(cf. 9000 - Role of the Board)

Instruction
TITLE I PROGRAMS

BP 6171 (d)

Legal Reference

EDUCATION CODE

11500-11506 Programs to encourage parent involvement

UNITED STATES CODE, TITLE 20

6301 Program purpose

6312 Local educational agency plan

6313 Eligibility of schools and school attendance areas; funding allocation

6314 Title I schoolwide programs

6315 Targeted assistance schools

6316 School improvement

6318 Parent involvement

6320 Participation of private school students

6321 Comparability of services

6322 Coordination with early childhood education programs

7881 Participation of private school students

Management Resources

CSBA ADVISORIES

Supplemental Educational Services for NCLB School Districts and County
Offices as Providers, November 2002

The "No Child Left Behind" Act of 2001 Policy Implications for School
Districts, July 2002

USDOE GUIDANCE

Supplemental Educational Services, draft nonregulatory guidance, August 6,
2002

WEB SITES

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

U.S. Department of Education <http://www.ed.gov>

No Child Left Behind <http://www.nclb.gov>

(3/91 10/95) 11/02