

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

ACTION
04/01/04

RECOMMENDATION NO. A.1

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

January 24, 2002

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/01/04

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
Dr. Jared Diamond Feb 26, 2004 one day only Cost: Not to Exceed \$2,000	To provide a presentation on how human history unfolded during the last 13,000 years	SamoHi	Santa Monica Malibu Education Foundation 01-90820-0-11100-10000-4210-015-4150
Santa Monica College/Latina Youth Conference Mar. 13, 2004- one day only Cost: Not to Exceed \$500	To provide services in connection with SMMUSD participation in the Latina Youth Conference	Student and Family Support Services	City of Santa Monica/Multicultural Programs 01-91230-0-19200-24950-5802-032-2560
Joseph Soto Sept. 8, 2003-June 10, 2004 Cost: Not to Exceed \$32,000	To facilitate Enlace Familiar Program to Latino families across the district	Student and Family Support Services	City of Santa Monica/Multicultural Programs 01-91230-0-19200-24950-5802-032-2560
Feet First Eventertainment April 2, 2004 only Cost: Not to Exceed \$150	To provide an assembly for 45 minutes with disc jockey	Rogers	Gift 01-90120-0-11100-10000-5802-006-1501

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION
04/01/04

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 participation 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 Grds. 12 30	Las Vegas 4/7/04 to 4/10/04	Mike Griswold Catherine Baxter	\$150.00 paid for by fundraising	Physical Ed.	Southern Nevada Baseball Tournament
Rogers Grd. 5 90	Camp Colby 6/1/04 to 6/4/04	Maureen Bradford	\$168.00 paid for by parents and fund raising	Science	Outdoor 5th Grade Science Program
Samohi Grds. 11-12 4	South Carolina 4/22/04 to 4/26/04	Ingo Gaida Ilene Straus	\$200.00 paid for by U.S. Dept. Of Energy	Science	Samohi is going to represent our country at the prestigious National Ocean Science Bowl Competition
Samohi Grds. 11-12 4	Washington D.C 4/28/04 to 5/3/04	Ingo Gaida Ilene Straus	\$200.00 paid for by U.S. Dept. Of Energy	Science	Samohi is going to represent our country at the prestigious National Ocean Science Bowl Competition
Point Dume Grd. 5 64	Catalina Island 11/10/04 to 11/12/04	Chi Kim Kelley Didion	\$225.00 paid for by parents	Science	To Study the Marine Environment and ecology
Point Dume Grd. 5 64	Wolf Camp Malibu 06/01/04 to 06/04/04	Chi Kim Kelley Didion	\$250.00 paid for by parents	Science	Yearly 5th grade trip to Malibu Mountains for hands on outdoor experience

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/01/04

FROM: JOHN E. DEASY/KENNETH R. BAILEY

RE: ACCEPTANCE OF GIFTS - 2003-04

RECOMMENDATION NO. A.04

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$64,342.49 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 \$64,342.49, 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.

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 4-1gif.pdf

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04/01/04

FROM: JOHN E. DEASY/KENNETH R. BAILEY

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.05

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

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

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>GONZALEZ, Jennifer</u> Malibu High 01-72650-0-11100-10000-5220- 010-4100 General Fund - Resource: SIP 7-12	Healthy Schools Office HIV Project Training Monrovia, CA March 17, 2004	\$75.00 + SUB
<u>HARRISON, Rebel</u> Regional Occupational Ctr. No Cost to District	Calif. Leaders in Career Preparation Downey, CA April 2, 2004	0
<u>JONES, Tristan</u> Will Rogers Elementary 01-72600-0-11100-10000-5220- 006-4060 General Fund - Resource: SIP K-6	Write Traits Anaheim, CA March 29 - 31, 2004	\$485 + SUB
<u>TALT, Leslie</u> State & Federal Projects 01-40350-0-11100-10000-5220- 035-1300 General Fund - Resource: Title II, Part A	No Child Left Behind Includes Science Symposium Ontario, CA March 16, 2004	\$200.00 + SUB
<u>ZAGROBELNY, Joan</u> Special Education No Cost to District	Thinking About You, Thinking About Me Lakewood, CA March 26, 2004	0

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
Adjustments (Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)		
<u>DEASY, John E.</u> Supt 01-00000-0-00000-71500-5220-020-1200 General Fund - Function: Supt.	ASCD Annual Conference 2004 New Orleans, LA March 19-22, 2004 *Original approval stated hotel and airfare covered personally. Only airfare was to be a personal expense.	\$680 overage* (Hotel)
Group Conference and Travel: In-State * a complete list of conference participants is on file in the Department of Fiscal Services		
<u>BAXTER, Nan</u> + 2 Additional Staff Special Education 01-65000-0-50010-21000-5220-043-1400 General Fund - Resource: Special Education	Workability Region 3 Spring Training Indian Wells, CA April 22 - 23, 2004	\$1,550.00 Total + 1 SUB
<u>BEARD, Clara</u> <u>HOLLIE, Ada</u> Santa Monica High No Cost to District	Marymount 30th Annual Counselor Workshop Palos Verdes, CA March 25, 2004	0
<u>CADY, Linda</u> <u>TASLIMI, Laila</u> State & Federal Projects 01-40350-0-11100-10000-5220-035-1300 General Fund - Resource: Title II, Part A	American Assn. For Advancement of Science, Project 2061 Los Angeles, CA March 11 - 13, 2004	\$1,250.00 Total + 2 SUBS
Out-of-State Conferences: Individual		
<u>DE LA TORRE, Oscar</u> Board of Education 01-00000-0-00000-71100-5220-020-1200 General Fund - Function: Other Genl. Admin.	Natl. Assn. of Latino Elected & Appointed Officials Washington, DC February 19 202004	\$94.00 (Airport transpor. only)
Out-of-State Conferences: Group		
NONE		

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT
04/01/04

FROM: KENNETH R. BAILEY/ VIRGINIA I.HYATT

RE: APPROVAL OF PURCHASE ORDERS

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from March 11, 2004 through March 24, 2004 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
04/01/04
 FROM: JOHN E. DEASY/KENNETH R. BAILEY/BETH CONNORS
 RE: APPROVAL OF AUDIT ADJUSTMENTS - CHILD DEVELOPMENT FUND
 RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following transfers for the Child Development Fund (Fund 12):

<u>Object Code</u>	<u>Description</u>	<u>Amount</u>
9793	Fund Balance, Audit Adjustments Decrease	<\$ 456,840>
9520	Accounts Payable, Increase	\$ 81,286
9650	Deferred Revenue, Increase	\$ 3,863
9269	Accounts Receivable, Decrease	\$ 371,691

COMMENTS: The Board of Education, at its meeting of March 11, 2004, accepted the 2002/03 Annual Financial Report (Item A.05). Included in the report was an audit adjustment in Fund 12, the Child Development Fund. The County requires the District to adjust the financial records to reflect the Annual Financial Statement adjustments as proposed in the Audit Report. It is recommended that the Board of Education approve the transfers in the Child Development Fund as proposed.

Meeting

Note: The adjustments were included in the Second Interim Report, and were approved at the March 11, 2004 Board Meeting (Item A.06). The approval of the Board of Education is required to complete transfers on the County System and incorporate the adjustments in the year-end financial statements.

MOTION MADE BY;
 SECONDED BY

STUDENT ADVISORY VOTE:
 AYES:
 NOES:
 ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
04/01/04
FROM: JOHN E. DEASY/KENNETH R. BAILEY/VIRGINIA I. HYATT
RE: EXTENSION OF CONTRACT WITH LORD, BISSELL & BROOK

RECOMMENDATION NO. A.08

It is recommended that the Board of Education extend the contract of Lord, Bissell & Brook for legal services, on an as-needed basis, in an amount not to exceed \$5,000.

Funding Information

Funding Source: General Fund
Currently Budgeted: Yes
Account Number: 01-00000-0-00000-72000-5820-050-1500
Description: Other Genl. Admin./Legal Costs/Business Serv.

COMMENTS: The District has used the services of Lord, Bissell & Brook for miscellaneous legal matters. The amount from the previous contract has been exhausted and it is estimated that an additional \$5,000 is needed for future legal services.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION ACTION/CONSENT
04/01/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.09

Unless otherwise noted, all items are included in the 2003/04 approved budget.

ADDITIONAL ASSIGNMENTS

****JOHN ADAMS MIDDLE SCHOOL**

Daws, Tracy	84 hrs @\$35.60	09/02/03-1/31/04	<u>Est Hrly/\$3000</u>
			TOTAL ESTABLISHED HOURLY \$3,000

Comment: AVID Program Coordinator
01-Unrestricted Resource
****This is an unbudgeted item that will be added to the current budget upon approval of this Consent/Action Item**

EDISON ELEMENTARY SCHOOL

Cerrato, Wendy	55 hrs @\$16.46	09/02/03-01/31/04	<u>Est Hrly/\$899</u>
			TOTAL ESTABLISHED HOURLY \$899

Comment: Pay 15% x .50 FTE Lead Teacher
12-CD:St Genl Child Care (GCTR)

EDUCATIONAL SERVICES

Bixler, Bill	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Blanchard, Cecile	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
DeGroff, Betsey	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Hammer, Carl	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Hardisty, Apryl	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Hunt, Mark	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Messoloras, Irene	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Park, Peter	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Rhodes, Chris	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Sakow, Terry	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Swenson, Joni	10 hrs @\$35.60	03/17-19/04	Est Hrly/\$356
Woo, Angela	40 hrs @\$35.60	02/05/04-3/31/04	<u>Est Hrly/\$1424</u>
			TOTAL ESTABLISHED HOURLY \$5,340

Comment: Rehearse and conduct Stairway Rehearsal and Evening Concerts
01-Gifts

Ernst, Anne	4 hrs @\$35.60	03/18/04	Est Hrly/\$142
Hannan, Ellen	6 hrs @\$35.60	03/18/04	Est Hrly/\$214
Waldorf, Sherry	4 hrs @\$35.60	03/18/04	<u>Est Hrly/\$142</u>
			TOTAL ESTABLISHED HOURLY \$498

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

GRANT ELEMENTARY SCHOOL

Johnson, Rebecca	21 hrs @\$35.60	02/01/04/01/01/04	<u>Est Hrly/\$750</u>
			TOTAL ESTABLISHED HOURLY \$750

Comment: Coordinator of Intensive Intervention Program
01-School Improvement Prog, K-6

MALIBU HIGH SCHOOL

Segesman, Timothy	60 hrs @\$35.60	03/15/04-06/18/04	<u>Est Hrly/\$2136</u>
			TOTAL ESTABLISHED HOURLY \$2,136

Comment: Assist teachers in transition to Pinnacle Grading Program
01-Unrestricted Resource

Boewe, Juliet	16 hrs @\$35.60	12/30/03-2/17/04	<u>Est Hrly/\$833</u>
			TOTAL ESTABLISHED HOURLY \$833

Comment: Assess student
01-Special Education

MCKINLEY ELEMENTARY

Bishop, Shannon	27 hrs @\$35.60	02/17/04-5/01/04	Est Hrly/\$961
Duran, Concepcion	27 hrs @\$35.60	02/17/04-5/01/04	Est Hrly/\$961
Gonzalez, Gabriella	27 hrs @\$35.60	02/17/04-5/01/04	Est Hrly/\$961
Light, Lindsay	27 hrs @\$35.60	02/17/04-5/01/04	Est Hrly/\$961
Montali, Jaime	27 hrs @\$35.60	02/17/04-5/01/04	Est Hrly/\$961
TOTAL ESTABLISHED HOURLY			\$4,805

Comment: After School Intervention
IASA: Title I Basic-LW Inc/Neg

WILL ROGERS ELEMENTARY

Contreras, Sitara	19 hrs @\$35.60	01/26/04-06/18/04	Est Hrly/\$676
Dresher, Pam	19 hrs @\$35.60	01/26/04-06/18/04	Est Hrly/\$676
Kinsinger, Julie	19 hrs @\$35.60	01/26/04-06/18/04	Est Hrly/\$676
Thatcher, Cindy	19 hrs @\$35.60	01/26/04-06/18/04	Est Hrly/\$676
Urias, Rebecca	19 hrs @\$35.60	01/26/04-06/18/04	Est Hrly/\$676
TOTAL ESTABLISHED HOURLY			\$3,380

Comment: After school reading
01-IASA: Title I Basic-LW Inc/Neg

SANTA MONICA HIGH SCHOOL

Danesi, Dana	64 hrs @\$35.60	03/01/04-06/30/04	Est Hrly/\$2278
TOTAL ESTABLISHED HOURLY			\$2,278

Comment: Saturday School Teacher
01-Unrestricted Resource

Sanders, Bryan	6 hrs @\$35.60	02/01/04-06/30/04	Est Hrly/\$214
TOTAL ESTABLISHED HOURLY			\$214

Comment: Moved to a different classroom-redesign
01-Unrestricted Resource

LINCOLN MIDDLE SCHOOL

Ehrke, Shelly	7 hrs @\$35.60	02/13/04-6/18/04	Est Hrly/\$249
O'Brien, Marianna	7 hrs @\$35.60	02/13/04-6/18/04	Est Hrly/\$249
TOTAL ESTABLISHED HOURLY			\$498

Comment: Dance Supervision
01-Reimbursed by ASB

HOURLY TEACHERS

ROP

Becker, Noreen	20 hrs @\$39.90	8/22/03-6/30/04	Est Hrly/\$798
Office Occupations/Inservice			
Becker, Noreen	180 hrs @\$39.90	9/01/03-6/30/04	Est Hrly/\$7182
Office Occupations			
TOTAL ESTABLISHED HOURLY			\$7,980

STUDENT AND FAMILY SUPPORT SERVICES

Landry, Katherine	As needed @\$35.60/hr	3/03/03-6/30/04	Est Hrly/\$- - -
TOTAL ESTABLISHED HOURLY			\$ - - -

Comment: Home Instruction
01-Unrestricted Resource (as needed)
01-Special Education (as needed)

EXTENDED DUTY UNITS

<u>LOCATION</u>	<u>RATE</u>	<u>ACTIVITY</u>	<u>EFFECTIVE</u>	<u>TOTAL</u>
<u>JOHN ADAMS MIDDLE SCHOOL</u>				
Blanchard, Cecile	5 units @\$224	Music	9/3/03-1/23/04	\$1120
Bon, Nancy	.5 unit @\$224	Knitting Club	9/3/03-1/23/04	\$112
Brown, Dan	1 unit @\$224	Natl Jr Honor Soc	9/3/03-1/23/04	\$224
Compton-Sugars, Shirley	.66 unit @224	BLUS	9/3/03-1/23/04	\$148
Daws, Tracy	1 unit @\$224	AVID Program	9/3/03-1/23/04	\$224
Dipley, Jeri	2 units @\$224	Spirit Activ	9/3/03-1/23/04	\$448
Dollosso, Tess	.5 unit @\$224	PE Activities/ Character Counts	9/3/03-1/23/04	\$112

Frumovitz, Alex	1 unit @\$224	Core Leader	9/3/03-1/23/04	\$224
Frumovitz, Alex	.5 unit @\$224	Surf Club	9/3/03-1/23/04	\$112
Goldberg, Cori	4 units @\$224	Leadership	9/3/03-1/23/04	\$896
Gonzalez, Maricela	.66 unit @224	BLUS	9/3/03-1/23/04	\$148
Hardisty, Apryl	5 units @\$224	Music	9/3/03-1/23/04	\$1120
Hart, Matt	McCarthy, Marcia	1 unit @\$224	Core Leader	\$224
9/3/03-1/23/04				
Iwasa, Chris	1 unit @\$224	Core Leader	9/3/03-1/23/04	\$224
Lang, Justine	1 unit @\$224	AVID Program	9/3/03-1/23/04	\$224
Levin, Tracy	1 unit @\$224	Core Leader	9/3/03-1/23/04	\$224
Mancini, Carmen	.66 unit @224	BLUS	9/3/03-1/23/04	\$148
McCarthy, Marcia	1 unit @\$224	Core Leader	9/3/03-1/23/04	\$224
McCarthy, Marcia	1 unit @\$224	Drama	9/3/03-1/23/04	\$224
Moore, Jon	1 unit @\$224	Chess Club	9/3/03-1/23/04	\$224
Nonhof, Sandy	5 units @\$224	Yearbook	9/3/03-1/23/04	\$1120
O'Brien, Lourdes	1 unit @\$224	AVID Program	9/3/03-1/23/04	\$224
Pastrana, Victor	.5 unit @\$224	PE Activities/ Character Counts	9/3/03-1/23/04	\$112
Shockley, Walter	1 unit @\$224	Blue & Gold Gmes	9/3/03-1/23/04	\$224
Silvers, Larry	1 unit @\$224	Natl Jr Honor Soc	9/3/03-1/23/04	\$224
Steinmetz, Brigitte	.5 unit @\$224	Surf Club	9/3/03-1/23/04	\$112
Torres, Lupe	1 unit @\$224	Core Leader	9/3/03-1/23/04	\$224
Whitaker, Cathie	1 unit @\$224	Core Leader	9/3/03-1/23/04	\$224
Woo, Angela	5 units @\$224	Music	9/3/03-1/23/04	\$1120
		TOTAL EXTENDED DUTY UNITS		\$10,080
		01-Unrestricted Resource		

LINCOLN MIDDLE SCHOOL

Ash, Kathy	.5 unit @\$224	8th gr family Writing night	Fall 03/04	\$112
Brown, J.C.	2.5 units @\$224	Student Store	Fall 03/04	\$560
Degroff, Betsy	6 units @\$224	Choral Music	Fall 03/04	\$1344
Finsten, Beth	1 unit @\$224	Debate Club	Fall 03/04	\$224
Gies, Gretchen	.5 unit @\$224	8th gr family Writing night	Fall 03/04	\$112
Gies, Gretchen	1 unit @\$224	Cultural Fest	Fall 03/04	\$224
Haenschke, Kris	2 units @\$224	Book Club	Fall 03/04	\$448
Hirt, Mary	2 units @\$224	Juggling Club	Fall 03/04	\$448
Hunt, Mark	6 units @\$224	Instr Music	Fall 03/04	\$1344
Johnston, Roe	1 unit @\$224	Recycling	Fall 03/04	\$224
Lee, Chon	.5 unit @\$224	8th gr family Writing night	Fall 03/04	\$112
McNulty, Mary Beth	.5 unit @\$224	8th gr family Writing night	Fall 03/04	\$112
Park, Peter	6 units @\$224	Instr Music	Fall 03/04	\$1344
Pomatti, Kate	1 unit @\$224	Yearbook	Fall 03/04	\$224
Rogers, Alan	3 units @\$224	ASB	Fall 03/04	\$672
Rogers, Alan	6 units @\$224	ASB Financial	Fall 03/04	\$1344
Santomieri, Amy	2 units @\$224	Heart 2 Heart	Fall 03/04	\$448
Stivers, Susan	1 unit @\$224	Literacy Counc	Fall 03/04	\$224
Stivers, Susan	.5 unit @\$224	8th gr family Writing night	Fall 03/04	\$112
Underwood, Brian	2 units @\$224	Juggling Club	Fall 03/04	\$448
Vanderveen, Ken	3 units @\$224	Video Yearbook	Fall 03/04	\$672
		TOTAL EXTENDED DUTY UNITS		\$10,976
		01-Unrestricted Resource		

TOTAL ESTABLISHED HOURLY and EXTENDED DUTY UNITS = \$50,667

TOTAL UNBUDGETED ESTABLISHED HOURLY = \$ 3,000

TOTAL AFTER APPROVAL OF RECOMMENDATION ITEM \$53,667

CHANGE IN ASSIGNMENT

<u>Name/Assignment</u>	<u>Effective</u>
<u>Location</u> Daws, Tracy John Adams MS	2/23/04-6/18/04
<u>From:</u> 100%	
<u>To:</u> 110%	
Sachs, Teri Health Services/Lincoln School Nurse	02/11/04-06/18/04
<u>From:</u> 20%	
<u>To:</u> 80%	
Torres, Lupe John Adams MS	02/23/04-06/18/04
<u>From:</u> 130%	
<u>To:</u> 120%	
Walser, Eric SAMOHI/Science	01/26/04-6/30/04
<u>From:</u> 80%	
<u>To:</u> 100%	

SUBSTITUTE TEACHERS

	<u>Effective</u>
<u>CHILD DEVELOPMENT SERVICES</u> (\$@14.24 hourly rate)	
Nordstrom, Kearsten	2/11/04-6/30/04
<u>LONG-TERM SUBSTITUTES</u> (@\$184 Daily Rate)	
Cramer, Dorothy	2/23/04-3/19/04
Janulaitis, Donna	2/19/04-6/18/04
McNiel, Susan	3/1/04-3/19/04
Minder, Melissa	3/13/04-4/2/04
Ortega, Sergio	3/4/04-4/2/04
Sarvian, Afsaneh	3/1/04-3/19/04
Ziv, Danna	2/23/04-3/5/04
<u>PREFERRED SUBSTITUTES</u> (@\$142 Daily Rate)	
Dardick, Tracy	2/18/04
Lemmon, Cheyenne	2/18/04
Martin, Jennifer	3/05/04
Pearl, Branden	3/4/04
Sarvian, Afsaneh	3/9/04
Whaley, William	2/19/04
<u>REGULAR DAY-TO-DAY SUBSTITUTES</u>	
Cupp, Stephanie	3/10/04

LEAVES OF ABSENCE (with pay)

<u>Name/Assignment</u>	<u>Effective</u>
<u>Location</u> Wetmore, Elayne McKinley Elementary	2/9/04-5/19/04 [maternity]

LEAVES OF ABSENCE (without pay)

<u>Name/Assignment</u>	<u>Effective</u>
<u>Location</u> Wetmore, Elayne McKinley Elementary	2/9/04-5/19/04 [family care]

RESIGNATIONS

<u>Name/Assignment</u> <u>Location</u>	<u>Effective</u>
Castro, Aaronn John Adams MS	6/18/04
Kurtz-Nicholl, Jesse SAMOHI	6/18/04
Snyder, Julia Cabrillo Elementary	6/18/04

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

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

ACTION/CONSENT
04-01-04

RECOMMENDATION NO. A.10

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

DIXON, CRYSTAL	INST ASST - SPECIAL ED 3.5 HRS/SY PINE STREET RANGE: 20 STEP: 01	03-17-04
FLORES, ANA	INST ASST - SPECIAL ED 6.0 HRS/SY MCKINLEY RANGE: 20 STEP: 01	03-08-04
GUZMAN, JENNIE	INST ASST - SPECIAL ED 6.0 HRS/SY CABRILLO RANGE: 20 STEP: 04	03-15-04
MOLLIN, DORIS	INST ASST - CLASSROOM 1.2 HRS/SY FRANKLIN RANGE: 18 STEP: 01	03-16-04
SMITH, BRIAN	BUS DRIVER 7.0 HRS/10 TRANSPORTATION RANGE: 28 STEP: 01	03-10-04

PROMOTION

HO, WANG PIN JU	ASST DIRECTOR - FISCAL 8.0 HRS/12 FISCAL FR: ACCOUNTANT	03-02-04
SOLIMAN, THORAIA	INST ASST - SPECIAL ED 5.0 HRS/SY STEP: 06 FR: INST ASST - CLASSROOM	03-22-04

INCREASE IN ASSIGNMENT

ADAMS, MELISSA	INST ASST - SPECIAL ED 6.0 HRS/SY WEBSTER FR: 5.0 HRS/SY	03-12-04
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PROFESSIONAL GROWTH

DURST, PEGGY	INST ASST - SPECIAL ED MCKINLEY	03-01-04
ESCOBAR, VICTORIA	CAFETERIA WORKER II ROGERS	02-01-04

GRAY, NEDRA	ADMINISTRATIVE ASSISTANT PERSONNEL COMMISSION	03-01-04
HO, WANG PIN-JU	ACCOUNTANT FISCAL	03-01-04
LOPEZ, LOREN	SR ADMT ASST SAMOHI	03-01-04
OSTERDAY, DAVID	INST ASST - SPECIAL ED FRANKLIN	03-01-04
SKOWLUND, CAROL	ADMINISTRATIVE ASSISTANT ED SERVICES	03-01-04
SWARTOUT, JANET	SR OFFICE SPEC/INST ASST CR PT.DUME	03-01-04
<u>UNPAID LEAVE OF ABSENCE</u>		
GAUR, SMRITI	INST ASST - CLASSROOM MUIR	03-08-04 03-12-04
<u>MEDICAL LEAVE OF ABSENCE</u>		
RODRIGUEZ, SARA	INST ASST - CLASSROOM ROGERS	03-01-04 04-26-04
SERNA, MARIA	SR ADMINISTRATIVE ASST FISCAL SERVICES	03-16-04 04-01-04
SEYMOUR, GEORGIA	ASST BUYER PURCHASING	03-02-04 04-05-04
<u>TEMP/ADDITIONAL</u>		
BOYD, KATHERINE	CUSTODIAN I NSI SAMOHI	02-01-04 06-30-04
CUEVA, FELIPE	CUSTODIAN I NSI SAMOHI	02-01-04 06-30-04
CUEVAS, JOSE	CUSTODIAN I NSI SAMOHI	02-01-04 06-30-04
GLEASON, TIM	CUSTODIAN I NSI SAMOHI	02-01-04 06-30-04
MARINEZ, VICTORIA	SR OFFICE SPECIALIST LINCOLN	03-11-04 06-18-04
MEDILLIN, DIANA	SR OFFICE SPECIALIST LINCOLN	03-11-04 06-18-04
OSTERDAY, DAVID	INST ASST - CLASSROOM FRANKLIN	03-15-04 06-18-04
RICHARDSON MELVIN	INST ASST - SPECIAL ED ROOSEVELT	01-29-04 01-30-04

RODRIGUEZ, DIANA	INST ASST - CLASSROOM SAMOHI	03-01-04 06-30-04
SYMONS, ALYSON	INST ASST - SPECIAL ED MUIR	01-29-04 01-30-04
TORRES, KENNIA	INST ASST - SPECIAL ED MCKINLEY	01-29-04 01-30-04
WARNER, DAVID	INST ASST - SPECIAL ED MALIBU	03-08-04 03-10-04
YASHAR, AZITA	INST ASST - SPECIAL ED MCKINLEY	01-29-04 01-30-04
YBARRA, GAIL	INST ASST - SPECIAL ED CABRILLO	01-29-04 01-30-04
<u>SUBSTITUTE</u>		
DIAZ, EVELYN	CHILDREN CENTER ASST CDS	02-02-04 06-30-04
GERGIS, PETER	INST ASST - SPECIAL ED SPECIAL ED	03-13-04 06-18-04
SHAMSIAN, DALIA	CHILDREN CENTER ASST CDS	02-11-04 06-30-04
SMITH, ZEKAIA	INST ASST - SPECIAL ED SPECIAL ED	03-17-04 06-18-04
<u>RESIGNED</u>		
ALAS, JUANA	CAFETERIA WORKER I FOOD SERVICES	03-31-04
CARTER, AGNES	ACCOUNTING ASSISTANT II SAMOHI (CORRECTION TO BOE 03/17/04 FROM TERMINATION TO RESIGNATION)	03-01-04
GILKISON, JESSICA	INST ASST - CLASSROOM MCKINLEY	03-19-04
PROANO, CHRYSTA	INST ASST - CLASSROOM PT.DUME	02-27-04
<u>ESTABLISHED POSITION</u>		
	INST ASST - SPECIAL ED 6.0 HRS/SY CABRILLO FR: 3.0 HRS/SY	03-11-04
	INST ASST - SPECIAL ED 5.0 HRS/SY ROOSEVELT	02-18-04

REDUCTION IN HOURS (VACANT POSITIONS)

VACANT	CAFETERIA WORKER II	02-23-04
	4.0 HRS/SY WEBSTER	
	FR: 7.0 HRS/SY	
VACANT	INST ASST - CLASSROOM	03-04-04
	3.0 HRS/SY MCKINLEY	
	FR: 6.0 HRS/SY	

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/CONSENT

04-01-04

FROM: JOHN E. DEASY/ROBERT SEEDS

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.11

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 HELPER

BARBER, TYJUAN	WORKABILITY	02-02-04 - 06-30-05
CLAIR, THERIOT	WORKABILITY	02-02-04 - 06-30-05
GONZALEZ, JESSICA	WORKABILITY	03-15-04 - 06-30-05
LOPEZ, DAVID	WORKABILITY	03-01-04 - 06-30-05

ASSISTANT COACH

ROQUES, RYAN	MALIBU	03-15-04 - 06-18-04
SHAFER, ANTHONY	MALIBU	03-15-04 - 06-18-04

CHILD CARE ASST

FLORES, CARMEN	ADULT ED	03-01-04 - 06-30-04
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NOON AIDE

BOLDEN, DEVYN	ROGERS	02-23-04 - 06-18-04
GUTIERREZ, ISAURA	MUIR	03-02-04 - 06-18-04
LEWIS, IRMA	SMASH	03-09-04 - 06-18-04
MOLLIN, DORIS	FRANKLIN	03-16-04 - 06-18-04

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION
04-01-04

FROM: JOHN E. DEASY/LINDA KAMINSKI/PEGGY HARRIS

RE: EXPULSION OF STUDENT (B/D 06-15-88)

RECOMMENDATION NO. A.12

It is recommended that the Board of Education expel student (B/D 06-15-88).

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."

This item will be discussed in Closed Session.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR
04/01/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: THE MET-SANTA MONICA CHARTER PETITION

RECOMMENDATION NO. A.13

It is recommended that the Board of Education take action to approve or deny The MET-Santa Monica Charter Petition and the attached Memorandum or Understanding and contingencies.

COMMENT: Staff has reviewed, edited and worked on developing the MOU and finds that this MOU provides for all the basic provisions of the Charter law to be met.

Options A and B are provided for the Board's discussion following the meeting of March 25, 2004.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

MEMORANDUM OF UNDERSTANDING

Financial and Operational Memorandum of Understanding
Between the Santa Monica-Malibu Unified School District and
The MET – Santa Monica School
OPTION “A”

Recitals

CHARTER GRANTED TO THE MET – SANTA MONICA SCHOOL

The Board of Education for the Santa Monica-Malibu Unified School District (hereinafter “District”) granted a charter to the MET – Santa Monica Public School (hereinafter “The Charter”) on [date] pursuant to the terms of the Charter Schools Act of 1992, as amended and SB 544 as amended (hereinafter the “Charter Schools Act”). The Board of Education for the District granted a charter to the MET – Santa Monica in full agreement and in partial contingency therein based upon the terms and contingencies set forth in the attached Memorandum of Understanding. This charter call for the District and The MET – Santa Monica Public School to enter into a mutually agreeable memorandum of understanding regarding funding entitlements of The MET – Santa Monica pursuant to Education Code Section 47612 and 47613.5, to define the oversight and operational arrangements between The MET – Santa Monica and the District, and to define and resolve other matters of mutual interest. **This agreement, in full, is contingent upon those declarations set forth in (hereinafter “contingencies”) and attached to this Memorandum of Understanding.**

PURPOSE OF THIS MEMORANDUM

This memorandum of understanding outlines the specific funding sources estimated to be available to The Charter, the specific terms under which The Charter will receive its funding entitlements, the administrative services that the District will provide The Charter, and the fees that The Charter will pay the District. It also outlines and defines the operational relationship between The Charter and the District and resolves other matters of mutual interest. It further sets for a number of expectations upon which the District made the granting of the charter contingent.

TERM

This agreement is effective [insert starting date, through insert ending date] and becomes active upon submission and completion of all contingencies herein noted. The Charter has [insert # of months] to satisfy and clear any and all contingencies herein noted. This agreement is intended to be the basis for developing similar memorandums of understanding in future fiscal years and both parties agree to meet and discuss the terms of this and future agreements in good faith and in a timely fashion.

Definitions

AVERAGE DAILY ATTENDANCE

Average Daily Attendance shall mean the attendance of charter school pupils while engaged in educational activities required of them by the Charter, as defined in Education Code Section 47612, and in Section 11960, Article 1, Subchapter 19, Title V, of the California Administrative Code of Regulations.

PROGRAM ENROLLMENT

The Charter and the District agree that the combined student enrollment of all grades composing the Met – Santa Monica will not exceed [insert number] students. The Charter further agrees to the recruiting and enrollment methodologies described within the petitioner’s amended submittal.

The Charter agrees to provide the District with home addresses of all students. This data will be provided by grade level. This demographic data will be used to study growth trends throughout the District.

FUNDING SOURCES

Direct Funding

The Charter elects to receive its funding directly from the State, as provided by Education Code Section 47651. Listed below are the specific funding sources anticipated to be available to The Charter based on the best available estimates at the time this memorandum of understanding was prepared. These funding sources include those sources specified in the Charter Schools Act. In addition, the Charter anticipates that it will receive funding from sources not specifically addressed in the Charter Schools Act.

Average daily attendance (“ADA”) shall be based on the number of students enrolled in the school multiplied by the school’s prior year ADA as a percentage of enrollment as reported on the California Basic Education System (CBEDS). If prior year figures do not exist, the District’s prior year percentage figures shall be used as a proxy and shall be multiplied by the number of students who have officially enrolled in the school. The school shall provide documentation of enrollment, including names, parent/guardian, address, and telephone numbers

The District agrees that it will work in good faith with The Charter to help it receive any and all available funding sources in a timely manner.

GENERAL PURPOSE, REVENUE LIMIT, AND BLOCK GRANT FUNDING

Funding from the revenue limit, categorical block grant and other categorical sources will be funded at the level established by the State Department of Education as defined in the Charter Block Grant Funding Model. These funds will be remitted directly by the State .

OTHER FUNDING SOURCES

CALIFORNIA STATE LOTTERY FUNDING

The Charter will receive funding from the California State Lottery with the understanding that the per-ADA amounts may vary based on the receipts of the California State Lottery and other factors.

The School may be eligible to generate funding in lieu of the Economic Impact Aid program pursuant to Education Code Section 47634(e) if the school serves English language learners and/or economically disadvantaged students. In the event that the school serves such students, it shall report counts of English language learners and students qualifying for free/reduced price meals along with its attendance reports to the District and the school shall maintain documentation of such eligibility. The Charter will ensure that this data is reported to the California Department of Education.

The same processes and procedures, along with all standard accounting and reporting mechanisms found in the District, shall apply to the Charter if the school is found in eligibility for: Supplemental Hourly Instructional Funding, Library Materials, Instructional Materials, Staff Development “Buy Back Days”, Class Size Reduction, and Federal Programs (Titles I, II, IV, and VI). Application for the latter funding shall be made through the Consolidated Applications

process and shall be separately negotiated with the Office of Compliance and Monitoring to ensure responsibility for complying with the application process and compliance matters associated with these programs.

If any of these funding sources generates funding that is received by the District, the District shall transfer it to the school upon receipt.

TIMELINE FOR TRANSFER OF FUNDS FROM THE DISTRICT TO THE CHARTER Adjustments And Reconciliation

Either The Charter or the District may call at any time for a meeting to discuss funding levels whenever there is reason to believe that they are not reflective of actual amounts owing from the State or other sources. Such a meeting shall in any case occur at least once before March 30 of each fiscal year, at which time the District or The Charter shall present its best estimate of funds owing from the State or other sources through the remainder of the fiscal year. In the event that it is found that the actual amounts owing from the State or other sources are in excess of or lower than the amounts, any difference shall be prorated across the amounts due during the remaining months of the fiscal year.

Other funding sources may be identified during the course of this agreement pursuant to California Education Code or enacted legislation. Such funding will be estimated to flow from the District to The Charter as defined by current statute.

DATA REPORTING

The school will develop a statistical calendar and maintain a system to record and account for ADA and will report ADA figures to the District on a monthly basis. The statistical calendar shall document days designated as instructional days and shall include a bell schedule or similar documentation that the school provides at least the minimum annual instructional minutes required pursuant to Education Code Section 47612.5(a)(1). The Charter will report ADA data to the Los Angeles County Office of Education and/or the California Department of Education as necessary to enable the school to receive the funding specified in this MOU. The school will notify the Chief Financial Officer of the SMMUSD, if during any month, actual ADA falls more than 10% below estimated ADA.

Once the school obtains a CDS code number from the California Department of Education it must submit to completed enrollment and other necessary demographic information to the CBEDS annually or as required by legislation.

The school shall also obtain and supply to the District in a timely fashion any other information necessary to enable the District to calculate the school's entitlement to the State and Federal funding sources including:

- R-30 Language Census
- STAR/Testing Data
- Free/Reduced Lunch Counts
- or as otherwise agreed upon in the Charter submittal.

DISTRICT FEES

Pursuant to Education Code Section 47613(a), the District will exact and charge The Charter for the actual costs of supervisory oversight not to exceed 1 percent of the revenue of these charter schools.

Financial Contingencies

- 1.) The Charter will submit to the Chief Financial Officer an operational budget establishing, to his satisfaction, that the school operates without a negative balance**

or cash flow. This must include all notification of grant awards required to establish said fact. This contingency, while required for the establishment of the Charter, will remain an ongoing annual contingency for Charter renewal consideration.

- 2.) The Charter disposes and waives the exercise of its right to have the District provide physical space for the school at the time of the signing and duration of this MOU. Therefore, the school must provide the district with any and all documentation deemed necessary, by the CFO, to establish a location and physical plant for the operation of the school and all considerations therein contained in an approved operational budget.
- 3.) The Charter will file for and submit evidence that it has legitimate standing as a 501c organization. This contingency, while required for the establishment of the Charter, will remain an ongoing annual contingency for Charter renewal consideration.

Supervisory Oversight Defined

The Charter and the District agree that supervisory oversight, as used in Education Code 47613.7 shall include the following:

1. All activities related to the charter revocation and renewal process, as described in Section 47607.
2. Activities relating to monitoring the performance of the charter school with respect to the terms of its Charter, related agreements, and all applicable laws.
3. Review of and timely response to the annual reports and related processes as outlined in the Charter or MOU.
4. Participating in the dispute resolution process as described in the Charter.

District Administrative and Other Services Defined

In addition to the supervisory oversight services listed above, The Charter agrees to pay the District the full cost of all costs related to the following services as provided for in Section 46713 (d):

1. Budget Development and Fiscal Planning – Includes consulting assistance of District staff to assist The Charter in accurately identifying its revenues. The District shall provide The Charter with a monthly invoice for any budget development and fiscal planning services provided by the District.
2. STAR Testing-The Charter plans to administer its own STAR tests.
3. Additional District Services - The District may provide additional District services upon written request or authorization from the Charter. The District shall provide The Charter with a monthly invoice for any additional services that are not reimbursed as mandated costs.

STUDENT TRANSPORTATION

No provisions are herewith agreed to.

FOOD SERVICES

No provisions are herewith agreed to.

SPECIAL EDUCATION

No provisions are herewith agreed to.

TECHNOLOGY AND INFRASTRUCTURE

All services for technology or infrastructure provided by the District will be billed back to The Charter on a time-and-material basis.

BUDGET AND FINANCE

The Charter will provide to the District, Los Angeles County Office of Education, and State a proposed budget for the operation of the school for each and any fiscal year covered by this agreement, showing estimated revenues and expenditures based upon identified and reasonable assumptions by May 1 of a given year. This information will be provided in the School Account Code Structure (SACS) format.

The Charter will provide quarterly financial printouts to the District and other financial records related to the operation of the school as requested by the District.

AUDIT

The Charter shall engage the services of an external auditor (or as otherwise agreed to) to prepare an annual audit of the financial transactions of the school each year pursuant to the terms specified in the charter. The Charter shall immediately forward a copy of the audit to the State, Los Angeles County Office of Education and Chief Financial Officer of the District no later than December 1 of each fiscal year. Any negative findings or deficiencies shall be resolved and reported to the State, Los Angeles County Office of Education and the District pursuant to the terms of the Charter.

OTHER FINANCIAL DATA

The school shall prepare and submit to the District the following information:

- 1.) Monthly financial reports displaying the financial status of the school. Such reports shall display anticipated revenues and expenditures as compared with actuals to date and projected year-end figures, by major category of revenues and expenditures.
- 2.) A planning budget by April 1 of each year
- 3.) Monthly bank reconciliation schedule
- 4.) Annual (and updated) list of staff, positions, administrators, credentials, and names of members of the governing board
- 5.) Certificates of liability and property insurance

Contingencies Continued:

- 4.) **The Charter will demonstrate how the teaching staff meets the compliance requirements for Highly Qualified Teachers under the provisions of the NCLB act and for those schools receiving Title I funds (if applicable) in the established recital at a level of compliance no less than that of the District (unless otherwise provided for by law).**

CURRICULUM COMPLIANCE AND MISCELLANEOUS

- 1.) The school shall offer, at a minimum, the same number of instructional minutes set forth in Education Code 46201 for the appropriate grade levels.
- 2.) The school, if it provides independent study, shall be subject to Education Code sections 51745 – 51749.3.
- 3.) All teachers in the school shall hold a Commission on Teacher Credentialing Certificate, permit or other equivalent document as to those of the District who would be required to hold same except where lack of such is permitted by law. Copies of these are to be maintained in a file at the school and must be made readily available for periodic inspection by the District.
- 4.) The school shall maintain written contemporaneous records that document all student attendance and shall make such records available to inspection and audit.

- 5.) The school shall be subject to Education Code section 41365 regarding the revolving loan fund for charter schools.
- 6.) The School must meet all statewide standards and conduct assessment(s) required by Education Code 60605 and any other statewide standards or student assessments applicable to non charter public schools.
- 7.) The school must certify that their students have participated in the State Testing Programs specified in Education Code 60600 – 60652 in the same manner as other students attending public schools.
- 8.) The school hereby agrees to be evaluated annually in accordance to the instructional and academic goals set forth in the charter petition (as amended) and as required by the charter school elements under 47605(a).

Contingencies Continued:

- 5.) A governance structure and plan will be constructed to the satisfaction of the Chief Academic Officer of the District prior to the opening of school and will contain no seat on the governing board for any member of the Board of Education.**

Construction and Severability

INDEMNIFICATION HOLD HARMLESS

To the fullest extent permitted by law, the school shall indemnify and save harmless the District and its officers, officials, employees, agents and representatives from and against any and all claims, demands, judgments, loss, cost, damage, injury, expense and liability of every kind, nature and description (including, without limitation, incidental and consequential damages, court cases, attorney's fees, litigation expenses) to the extent they arise directly or indirectly, in whole or in part out of performance or non-performance of the terms of the charter, MOU, contingencies, or charter legislation, to the extent that such claims, demands, judgments, loss, cost, damage, injury expense are the result of any error, omission or negligent act of the school or any person employed or agent, director, or officer of the school.

TERMINATION

Either party may terminate this agreement at any time as a reasonable result of a breach of the material provision of the agreement after giving 30 days written notice and opportunity to cure the violation. The 30 days written notice shall include a description of the alleged breach and steps required to cure the violation. The notice of termination should include and explanation of the reason for termination. Termination may be immediate if a violation of a material provision of the charter or this MOU (including any and all contingencies herein) constitutes a severe and imminent threat to the health and safety of the pupils or legal and legitimate operational ability of the school and or District.

MONITORING AND OVERSIGHT

The school shall promptly respond to all reasonable inquiries from the District and shall consult with the District regarding any inquiries. This District has the right to inspect or observe any part of the school at any time.

AMENDMENTS

This agreement may be amended or modified, in whole or in part, only by an agreement in writing developed in the same manner as this agreement.

SEVERABILITY

If any provision or any part of this agreement is, for any reason, held to be invalid or unenforceable or contrary to public policy, law, or statute and/or ordinance, the remainder of this agreement shall not be affected thereby and shall remain valid and fully enforceable.

NOTIFICATIONS

All notices, requests, and other communications under this agreement shall be in writing and mailed to the proper addresses as follows:

To the District at: 1651 16th Street, Santa Monica, CA

To The Charter at:

IN WITNESS WHEREOF, the parties to this agreement have duly executed it on the day and year set forth below:

Dated: _____ BY _____
Santa Monica-Malibu Unified School District

Dated: _____ BY _____
The MET-Santa Monica Public School

OPTION "A"

MEMORANDUM OF UNDERSTANDING

Financial and Operational Memorandum of Understanding Between the Santa Monica-Malibu Unified School District and The MET – Santa Monica School OPTION “B”

Recitals

CHARTER GRANTED TO THE MET – SANTA MONICA SCHOOL

The Board of Education for the Santa Monica-Malibu Unified School District (hereinafter “District”) granted a charter to the MET – Santa Monica Public School (hereinafter “The Charter”) on [date] pursuant to the terms of the Charter Schools Act of 1992, as amended and SB 544 as amended (hereinafter the “Charter Schools Act”). The Board of Education for the District granted a charter to the MET – Santa Monica in full agreement and in partial contingency therein based upon the terms and contingencies set forth in the attached Memorandum of Understanding. This charter call for the District and The MET – Santa Monica Public School to enter into a mutually agreeable memorandum of understanding regarding funding entitlements of The MET – Santa Monica pursuant to Education Code Section 47612 and 47613.5, to define the oversight and operational arrangements between The MET – Santa Monica and the District, and to define and resolve other matters of mutual interest. **This agreement, in full, is contingent upon those declarations set forth in (hereinafter “contingencies”) and attached to this Memorandum of Understanding.**

PURPOSE OF THIS MEMORANDUM

This memorandum of understanding outlines the specific funding sources estimated to be available to The Charter, the specific terms under which The Charter will receive its funding entitlements, the administrative services that the District will provide The Charter, and the fees that The Charter will pay the District. It also outlines and defines the operational relationship between The Charter and the District and resolves other matters of mutual interest. It further sets for a number of expectations upon which the District made the granting of the charter contingent.

TERM

This agreement is effective [insert starting date, through insert ending date] and becomes active upon submission and completion of all contingencies herein noted. The Charter has [insert # of months] to satisfy and clear any and all contingencies herein noted. This agreement is intended to be the basis for developing similar memorandums of understanding in future fiscal years and both parties agree to meet and discuss the terms of this and future agreements in good faith and in a timely fashion.

Definitions

AVERAGE DAILY ATTENDANCE

Average Daily Attendance shall mean the attendance of charter school pupils while engaged in educational activities required of them by the Charter, as defined in Education Code Section 47612, and in Section 11960, Article 1, Subchapter 19, Title V, of the California Administrative Code of Regulations.

PROGRAM ENROLLMENT

The Charter and the District agree that the combined student enrollment of all grades composing the Met – Santa Monica will not exceed [insert number] students. The Charter further agrees to the recruiting and enrollment methodologies described within the petitioner’s amended submittal.

The Charter agrees to provide the District with home addresses of all students. This data will be provided by grade level. This demographic data will be used to study growth trends throughout the District.

FUNDING SOURCES

Direct Funding

The Charter elects to receive its funding directly from the State, as provided by Education Code Section 47651. Listed below are the specific funding sources anticipated to be available to The Charter based on the best available estimates at the time this memorandum of understanding was prepared. These funding sources include those sources specified in the Charter Schools Act. In addition, the Charter anticipates that it will receive funding from sources not specifically addressed in the Charter Schools Act.

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The District agrees that it will work in good faith with The Charter to help it receive any and all available funding sources in a timely manner.

GENERAL PURPOSE, REVENUE LIMIT, AND BLOCK GRANT FUNDING

Funding from the revenue limit, categorical block grant and other categorical sources will be funded at the level established by the State Department of Education as defined in the Charter Block Grant Funding Model. These funds will be remitted less a one percent (1%) administrative fee.

OTHER FUNDING SOURCES

CALIFORNIA STATE LOTTERY FUNDING

The Charter will receive funding from the California State Lottery with the understanding that the per-ADA amounts may vary based on the receipts of the California State Lottery and other factors.

The School may be eligible to generate funding in lieu of the Economic Impact Aid program pursuant to Education Code Section 47634(e) if the school serves English language learners and/or economically disadvantaged students. In the event that the school serves such students, it shall report counts of English language learners and students qualifying for free/reduced price meals along with its attendance reports to the District and the school shall maintain documentation of such eligibility. The District shall ensure that this data is reported to the California Department of Education. The District will remit to The Charter the “in lieu of property tax” dollar component of the general-purpose block grant as provided in Education Code Section 47635 (if applicable).

The same processes and procedures, along with all standard accounting and reporting mechanisms found in the District, shall apply to the Charter if the school is found in eligibility for: Supplemental Hourly Instructional Funding, Library Materials, Instructional Materials, Staff

Development “Buy Back Days”, Class Size Reduction, and Federal Programs (Titles I, II, IV, and VI). Application for the latter funding shall be made through the Consolidated Applications process and shall be separately negotiated with the Office of Compliance and Monitoring to ensure responsibility for complying with the application process and compliance matters associated with these programs.

If any of these funding sources generates funding that is received by the District, the District shall transfer it to the school upon receipt.

TIMELINE FOR TRANSFER OF FUNDS FROM THE DISTRICT TO THE CHARTER Adjustments And Reconciliation

Either The Charter or the District may call at any time for a meeting to discuss funding levels whenever there is reason to believe that they are not reflective of actual amounts owing from the State or other sources. Such a meeting shall in any case occur at least once before March 30 of each fiscal year, at which time the District or The Charter shall present its best estimate of funds owing from the State or other sources through the remainder of the fiscal year. In the event that it is found that the actual amounts owing from the State or other sources are in excess of or lower than the amounts, any difference shall be prorated across the amounts due during the remaining months of the fiscal year.

Other funding sources may be identified during the course of this agreement pursuant to California Education Code or enacted legislation. Such funding will be estimated to flow from the District to The Charter as defined by current statute.

The District will assist The Charter in identifying all revenue to ensure that The Charter receives all applicable resources available.

DATA REPORTING

The school will develop a statistical calendar and maintain a system to record and account for ADA and will report ADA figures to the District on a monthly basis. The statistical calendar shall document days designated as instructional days and shall include a bell schedule or similar documentation that the school provides at least the minimum annual instructional minutes required pursuant to Education Code Section 47612.5(a)(1). The District will report ADA data to the Los Angeles County Office of Education and/or the California Department of Education as necessary to enable the school to receive the funding specified in this MOU. The school will notify the Chief Financial Officer of the SMMUSD, if during any month, actual ADA falls more than 10% below estimated ADA.

Once the school obtains a CDS code number from the California Department of Education it must submit to completed enrollment and other necessary demographic information to the CBEDS annually or as required by legislation.

The school shall also obtain and supply to the District in a timely fashion any other information necessary to enable the District to calculate the school’s entitlement to the State and Federal funding sources including:

- R-30 Language Census
- STAR/Testing Data
- Free/Reduced Lunch Counts

or as otherwise agreed upon in the Charter submittal.

DISTRICT FEES

Pursuant to Education Code Section 47613(a), the District will exact and charge The Charter for the actual costs of supervisory oversight not to exceed 1 percent of the revenue of these charter schools.

Financial Contingencies

- 1.) **The Charter will submit to the Chief Financial Officer an operational budget establishing, to his satisfaction, that the school operates without a negative balance or cash flow. This must include all notification of grant awards required to establish said fact. This contingency, while required for the establishment of the Charter, will remain an ongoing annual contingency for Charter renewal consideration.**
- 2.) **The Charter disposes and waives the exercise of its right to have the District provide physical space for the school at the time of the signing and duration of this MOU. Therefore, the school must provide the district with any and all documentation deemed necessary, by the CFO, to establish a location and physical plant for the operation of the school and all considerations therein contained in an approved operational budget.**
- 3.) **The Charter will file for and submit evidence that it has legitimate standing as a 501c organization. This contingency, while required for the establishment of the Charter, will remain an ongoing annual contingency for Charter renewal consideration.**

Supervisory Oversight Defined

The Charter and the District agree that supervisory oversight, as used in Education Code 47613.7 shall include the following:

1. All activities related to the charter revocation and renewal process, as described in Section 47607.
2. Activities relating to monitoring the performance of the charter school with respect to the terms of its Charter, related agreements, and all applicable laws.
3. Review of and timely response to the annual reports and related processes as outlined in the Charter or MOU.
4. Participating in the dispute resolution process as described in the Charter.

District Administrative and Other Services Defined

In addition to the supervisory oversight services listed above, The Charter agrees to pay the District the full cost of all costs related to the following services as provided for in Section 46713 (d):

1. Budget Development and Fiscal Planning – Includes consulting assistance of District staff to assist The Charter in accurately identifying its revenues. The District shall provide The Charter with a monthly invoice for any budget development and fiscal planning services provided by the District.
2. STAR Testing-The Charter plans to administer its own STAR tests. However, upon request from The Charter, the District shall assist in the ordering, storing, and delivery of annual test materials in coordination with staff. All charges for scoring will be billed to The Charter, unless otherwise agreed to.
3. Additional District Services - The District may provide additional District services upon written request or authorization from the Charter. The District shall provide The Charter with a monthly invoice for any additional services that are not reimbursed as mandated costs.

STUDENT TRANSPORTATION

No provisions are herewith agreed to.

FOOD SERVICES

No provisions are herewith agreed to.

SPECIAL EDUCATION

The District shall assume the responsibility for the provision of all special education services mandated by the IDEA, the California Education Code, and all other applicable laws and regulations on behalf of eligible students enrolled in The Charter, including eligibility screening, assessment, placement and implementation, special education instruction and related services and supports. The Charter agrees to make its staff available to the District as required to comply with IEP team membership mandates. The Charter further agrees to promptly refer to the District for screening and assessment any students reasonably suspected of having educational disabilities or otherwise being eligible for special education.

TECHNOLOGY AND INFRASTRUCTURE

All services for technology or infrastructure provided by the District will be billed back to The Charter on a time-and-material basis.

BUDGET AND FINANCE

The Charter will provide to the District, Los Angeles County Office of Education, and State a proposed budget for the operation of the school for each and any fiscal year covered by this agreement, showing estimated revenues and expenditures based upon identified and reasonable assumptions by May 1 of a given year. This information will be provided in the School Account Code Structure (SACS) format.

The Charter will provide quarterly financial printouts to the District and other financial records related to the operation of the school as requested by the District.

AUDIT

The Charter shall engage the services of an external auditor (or as otherwise agreed to) to prepare an annual audit of the financial transactions of the school each year pursuant to the terms specified in the charter. The Charter shall immediately forward a copy of the audit to the State, Los Angeles County Office of Education and Chief Financial Officer of the District no later than December 1 of each fiscal year. Any negative findings or deficiencies shall be resolved and reported to the State, Los Angeles County Office of Education and the District pursuant to the terms of the Charter.

OTHER FINANCIAL DATA

The school shall prepare and submit to the District the following information:

- 1.) Monthly financial reports displaying the financial status of the school. Such reports shall display anticipated revenues and expenditures as compared with actuals to date and projected year-end figures, by major category of revenues and expenditures.
- 2.) A planning budget by April 1 of each year
- 3.) Monthly bank reconciliation schedule
- 4.) Annual (and updated) list of staff, positions, administrators, credentials, and names of members of the governing board
- 5.) Certificates of liability and property insurance

Contingencies Continued:

- 4.) **The Charter will demonstrate how the teaching staff meets the compliance requirements for Highly Qualified Teachers under the provisions of the NCLB act and for those schools receiving Title I funds (if applicable) in the established recital at a level of compliance no less than that of the District (unless otherwise provided for by law).**

CURRICULUM COMPLIANCE AND MISCELLANEOUS

- 1.) The school shall offer, at a minimum, the same number of instructional minutes set forth in Education Code 46201 for the appropriate grade levels.
- 2.) The school, if it provides independent study, shall be subject to Education Code sections 51745 – 51749.3.
- 3.) All teachers in the school shall hold a Commission on Teacher Credentialing Certificate, permit or other equivalent document as to those of the District who would be required to hold same except where lack of such is permitted by law. Copies of these are to be maintained in a file at the school and must be made readily available for periodic inspection by the District.
- 4.) The school shall maintain written contemporaneous records that document all student attendance and shall make such records available to inspection and audit.
- 5.) The school shall be subject to Education Code section 41365 regarding the revolving loan fund for charter schools.
- 6.) The School must meet all statewide standards and conduct assessment(s) required by Education Code 60605 and any other statewide standards or student assessments applicable to non charter public schools.
- 7.) The school must certify that their students have participated in the State Testing Programs specified in Education Code 60600 – 60652 in the same manner as other students attending public schools.
- 8.) The school hereby agrees to be evaluated annually in accordance to the instructional and academic goals set forth in the charter petition (as amended) and as required by the charter school elements under 47605(a).

Contingencies Continued:

- 5.) A governance structure and plan will be constructed to the satisfaction of the Chief Academic Officer of the District prior to the opening of school and will contain no seat on the governing board for any member of the Board of Education.**

Construction and Severability

INDEMNIFICATION HOLD HARMLESS

To the fullest extent permitted by law, the school shall indemnify and save harmless the District and its officers, officials, employees, agents and representatives from and against any and all claims, demands, judgments, loss, cost, damage, injury, expense and liability of every kind, nature and description (including, without limitation, incidental and consequential damages, court cases, attorney's fees, litigation expenses) to the extent they arise directly or indirectly, in whole or in part out of performance or non-performance of the terms of the charter, MOU, contingencies, or charter legislation, to the extent that such claims, demands, judgments, loss, cost, damage, injury expense are the result of any error, omission or negligent act of the school or any person employed or agent, director, or officer of the school.

TERMINATION

Either party may terminate this agreement at any time as a reasonable result of a breach of the material provision of the agreement after giving 30 days written notice and opportunity to cure the violation. The 30 days written notice shall include a description of the alleged breach and steps required to cure the violation. The notice of termination should include and explanation of the reason for termination. Termination may be immediate if a violation of a material provision of the charter or this MOU (including any and all contingencies herein) constitutes a severe and imminent threat to the health and safety of the pupils or legal and legitimate operational ability of the school and or District.

MONITORING AND OVERSIGHT

The school shall promptly respond to all reasonable inquiries from the District and shall consult with the District regarding any inquiries. This District has the right to inspect or observe any part of the school at any time.

AMENDMENTS

This agreement may be amended or modified, in whole or in part, only by an agreement in writing developed in the same manner as this agreement.

SEVERABILITY

If any provision or any part of this agreement is, for any reason, held to be invalid or unenforceable or contrary to public policy, law, or statute and/or ordinance, the remainder of this agreement shall not be affected thereby and shall remain valid and fully enforceable.

NOTIFICATIONS

All notices, requests, and other communications under this agreement shall be in writing and mailed to the proper addresses as follows:

To the District at: 1651 16th Street, Santa Monica, CA

To The Charter at:

IN WITNESS WHEREOF, the parties to this agreement have duly executed it on the day and year set forth below:

Dated: _____ BY _____
Santa Monica-Malibu Unified School District

Dated: _____ BY _____
The MET-Santa Monica Public School

Option "B"

TO: BOARD OF EDUCATION

ACTION/MAJOR
04/01/04

FROM: SUPERINTENDENT/LINDA KAMINSKI/CINDY ATLAS

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS 2003/2004

RECOMMENDATION NO. A.14

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
Village Glen Westide	02-09-95	NPS	#75	\$ 27,480
Augmentative Communication Therapies	04-18-94	NPA	#143	\$ 500
Century City Optometric Center	02-09-95	NPA - Vision Therapy	#144	\$ 1,725
Computer Access Center	11-01-90	NPA - Assistive Technology Assessment	#145	\$ 552
Therapy West	07-19-99	NPA - PT	#146	\$ 1,190
Therapy West	02-09-95	NPA - OT	#147	\$ 1,020
Linden Center	02-02-87	NPS	#68 UC04330	\$ 4,031
Contract Increase				
Computer Access Center	01-20-91	NPA	#107 UC04273	\$ 276
Contract Increase				

Amount Budgeted NPS/NPA 03/04	\$ 3,000,000
Prior Board Authorization as of 03/17/04	\$ 3,291,196*
Balance	- \$ 291,196
Positive Adjustment (See attachment)	\$ 11,400
	- \$ 279,796
Total Amount for these Contracts	\$ 36,774
Balance	- \$ 316,570

*Prior Year Authorization (04-24-03) \$3,001,437

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 \$ **11,400** as of April 1, 2004.

Nonpublic School/ Agency	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Excelsior	NPS	#44 UC04124	R	\$ 11,400	Student no longer at 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	07-27-91	Non-Instr.Consultant - Assistive Technology	#41	\$ 1,140
Parent Reimbursement	12-01-88	Non-Instr.Consultant - For Travel to NPS. School year 2003-2004.	#42	\$ 626
Parent Reimbursement	04-07-88	Non-Instr.Consultant - For Travel to NPS. School year 2003-2004.	#43	\$ 824

Amount Budgeted Non-Instructional Consultants 03/04	\$ 315,000
Prior Board Authorization as of 03/17/04	\$ <u>312,609</u>
Balance	\$ 2,391
 Total Amount for these Contracts	 \$ <u>2,590</u>
Balance -	\$ 199

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	\$ 200,000

Amount Budgeted Legal 03/04	\$ 100,000
Prior Board Authorization as of 01/08/04	\$ 108,000
Balance	- \$ 8,000
Total Amount for this Contract	\$ 200,000
Balance	- \$ 208,000

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

ACTION/MAJOR
04/01/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY

RE: CLOSE FUND 73 - FOUNDATION PRIVATE PURPOSE TRUST FUND
AND ESTABLISH FUND 19 AS THE FOUNDATION SPECIAL REVENUE
FUND, WHICH INCLUDES THE EQUITY FUND

RECOMMENDATION NO. A.15

It is recommended that the Board of Education authorize the Fiscal Services Department to: 1) Close Fund 73 - the Foundation Private Purpose Trust Fund; 2) Create Fund 19 - the Foundation Special Revenue Fund; and, 3) establish, within the Foundation Special Revenue Fund, the Equity Fund in order to account for funds received from the adoption of the new gift policy.

COMMENTS: At the Board Meeting of May 16, 2002, the Board approved establishing the Foundation Private Purpose Trust Fund as Fund 73 (Item A.28). District staff have since discovered from the California Department of Education (CDE) that the Foundation Private Purpose Trust Fund does not conform to specifications required by Standardized Account Code Structure (SACS).*

The purpose for establishing the Foundation Special Revenue Fund is to separate taxpayer-generated revenue from revenue received locally in the form of donations, gifts and grants. This Fund removes revenues from the General Fund which are specifically designated per a grant, gift or bequest agreement, and accounts for those funds in accordance with the agreement. It will be easier to distinguish and track the funds available for direct control by the Board of Education.

The purpose of establishing the Equity Fund as a sub-fund of the Foundation Special Revenue Fund is to account for and distribute the funds received by the District in accordance with the Gift Policy.

Upon approval by the Board of Education, CDE and the Los Angeles County Office of Education (LACOE), all gifts to the Equity Fund will be included in future "Acceptance of Gifts" Board Agenda items.

**The Foundation Private Purpose Trust Fund is an optional fund used to account separately for gifts or bequests per Education Code Section 41031 that benefit individuals, private organizations, or other governments, and under which neither principal nor income may be used for purposes that support the LEA's own programs.*

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION
04/01/04

FROM: SUPERINTENDENT

RE: UPDATING BOARD POLICY 5131.7 - WEAPONS AND DANGEROUS
INSTRUMENTS

RECOMMENDATION NO.

It is recommended that the Board of Education approve the addition of the following language to Policy 5131.7 [renumbered from 5137.7 to conform with CSBA] to mandate expulsion for no less than one year in all instances involving possession of a firearm on school grounds or buses, or at a school related or school-sponsored activity away from school, in accordance with both Penal Code 626.9 of the Gun Free School Zone Act (1995) and United States Code, Title 20, 8921-8922, Gun-Free Schools Act (1994.)

"For Instances involving a firearm, expulsion shall be for no less than one year"

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

New text in underline

Deleted text in ~~strikeout~~

BP 5131.7

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
5137.7 <u>5131.7</u>	Students	Weapons And Dangerous Instruments		
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>	

Activities

x

DETAIL

The Board of Education desires students and staff to be free from the fear and danger presented by firearms and other weapons. The Board therefore prohibits students from possessing weapons, imitation firearms, or dangerous instruments of any kind in school buildings, on school grounds or buses, or at a school-related or school-sponsored activity away from school.

Under the power granted to the Board to maintain order and discipline in the schools and to protect the safety of students, staff and the public, any school employee is authorized to confiscate a weapon, dangerous instrument or imitation firearm from any person on school grounds.

Students possessing or threatening others with a weapon, dangerous instrument or imitation firearm are subject to suspension and/or expulsion in accordance with law, Board policy and administrative regulations.

For instances involving a firearm, expulsion shall be for no less than one year.

The principal or designee shall notify law enforcement authorities when any student possesses a weapon or commits any act of assault with a firearm or other weapon. (20 USC 8922, 20 USC 7151, Education Code 48902, Penal Code 245, 626.9, 626.10)

A. Possession of Pepper Spray

The Board recognizes that students age 16 or older may legally possess tear gas or tear gas weapons such as pepper spray for the purpose of self-defense. However, to prevent potential misuse that may harm students or staff, students are prohibited from carrying such items on campus or at school activities.

REFERENCE

EDUCATION CODE

35291 Governing board to prescribe rules for discipline of the schools

48900 Grounds for suspension/expulsion

48902 Notification of law enforcement authorities

48915 Required recommendation for expulsions

48916 Readmission

49330-49335 Injurious objects

PENAL CODE

245 Assault with deadly weapon

417.2 Imitation firearms

417.4 Imitation firearm; drawing or exhibiting

626.9 Gun-Free School Zone Act of 1995

626.10 Dirks, daggers, knives, razor or stun gun; bringing or possessing in school or on school grounds; exception

653k Soliciting a minor to commit certain felonies

12001 Control of deadly weapons

12020-12028.5 Unlawful carrying and possession of concealed weapons

12403.7 Weapons approved for self defense
12220 Unauthorized possession of a machinegun
12401 Tear gas
12402 Tear gas weapon
12403.7 Weapons approved for self defense
12403.8 Minors 16 or over; tear gas and tear gas weapons
UNITED STATES CODE, TITLE 20
6301-7941 No Child Left Behind Act; especially:
7151 Gun-Free Schools Act

MANAGEMENT RESOURCES

CDE, Safe Schools and Violence Prevention Office: <http://www.cde.ca.gov/spbranch/safety/safetyhome>
CSBA: <http://www.csba.org>

ADOPTED October 29, 1998 **REVISED** April 1, 2004 **CSBA DATE** February 1996, July 2001

DISTRICT GOAL

Quality Education for All

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
5131.7	Students	Weapons and Dangerous Instruments		
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>	
Activities				X
<u>DETAIL</u>				

SUBJECT: Weapons and Dangerous Instruments

ISSUED BY: Board of Education

I. EFFECTIVE DATE: April 1, 2004

II. AUTHORITY:

Policy 5142 School Safety and Security

Policy 5144.1 Suspension and Expulsion/Due Process

Policy 5131.1 Weapons and Dangerous Instruments

III. DEFINITIONS

Weapons and dangerous instruments include, but are not limited to:

1. Firearms: pistols, revolvers, shotguns, rifles, "zip guns," "stun guns," tasers, and any other device capable of propelling a projectile by the force of an explosion or other form of combustion
2. Knives: any dirks, daggers or other weapons with a fixed, sharpened blade fitted primarily for stabbing, weapons with a blade fitted primarily for stabbing, weapons with a blade longer than 3-1/2 inches, folding knives with a blade that locks into place, and razors with an unguarded blade (Education Code 48915)
3. Explosive and/or incendiary devices: pipe bombs, time bombs, cap guns, containers of inflammable fluids, and other hazardous devices
4. Any instrument that expels a metallic projectile, such as a BB or a pellet, through the force of air pressure, carbon dioxide pressure or spring action, or any spot marker gun (Penal Code 626.10)
5. Any other dangerous device, instrument or weapon, especially those defined in Penal Code 12020, including a blackjack, slingshot, billy, nunchaku, sandclub, sandbag, metal knuckles, or any metal plate with three or more radiating points with one or more sharp edges designed for use as a weapon
6. Any imitation firearm, defined as a replica of a firearm that is so substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm (Education Code 48900)

If an employee knows that a student possesses any of the above devices, he/she shall use his/her own judgment as to the dangerousness of the situation and, based upon this analysis, shall do one of the following:

1. Confiscate the object and deliver it to the principal immediately
2. Immediately notify the principal, who shall take appropriate action
3. Immediately notify the local law enforcement agency and the principal

When informing the principal about the possession or seizure of a weapon or dangerous device,

the employee shall report the name(s) of persons involved, witnesses, location, and the circumstances of any seizure.

The principal shall report any possession of a weapon or dangerous instrument, including imitation firearm, to the student's parents/guardians by telephone or in person, and shall follow this notification with a letter.

IV. APPROVAL

SUPERINTENDENT John Deasy

DATE 4/1/2004

ADOPTED April 1, 2004

REVISED

CSBA DATE July 2001

DISTRICT GOAL Quality Education for All

TO: BOARD OF EDUCATION ACTION
04/01/04
FROM: SUPERINTENDENT / PEGGY HARRIS / AIDA DIAZ / LAUREL
SCHMIDT
RE: BOARD POLICY 6174 / ADMINISTRATIVE REGULATION / EXHIBIT
EDUCATION FOR ENGLISH LANGUAGE LEARNERS -

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve the following policy, administrative regulation and accompanying exhibit 6174 for Education for English Language Learners. During Coordinated Compliance Reviews, CDE staff will expect to see the district's procedure to conduct follow-up monitoring of redesignated students, as specified in the accompanying administrative regulation. In order to help provide oversight for such monitoring, it is recommended that the Board, at least annually, receive data from the Superintendent as to the progress of the district's redesignated students.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

This is a new policy.

BP 6174

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
6174	Instruction	Education for English Language Learners			
<u>SUBTOPIC</u>					

Curriculum Extensions

x

DETAIL

The Governing Board intends to provide English language learners with challenging curriculum and instruction that develop proficiency in English as rapidly and effectively as possible in order to assist students in accessing the full educational program and achieving the district's academic standards. The district's program shall be based on sound instructional theory and shall be adequately supported so that English language learners can achieve results at the same academic level as their English-proficient peers in the regular course of study.

The Board encourages staff to exchange information with staff in other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their redesignation based on criteria adopted by the Board and specified in administrative regulations.

To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

Type of Instruction

Students who are English language learners shall be educated through "sheltered English immersion" or "structured English immersion" during a temporary transition period not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's sheltered English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)

The district has defined the term "nearly all" as follows: Instruction will occur in English with primary language support provided only as needed.

When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (Education Code 305; 5 CCR 11301)

An English language learner has acquired a "reasonable level of English proficiency" when he/she has achieved the following: Early Advanced or Advanced Proficiency levels on the CELDT.

Upon the request of his/her parent/guardian, a student shall be placed in an English language mainstream classroom. (5 CCR 11301)

Parental Exception Waivers

At any time during the school year, the parent/guardian of an English language learner may have his/her child moved into an English language mainstream program.

Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted in accordance with law and administrative regulation.

REFERENCE

Legal Reference:

EDUCATION CODE

300-340 English language education for immigrant children
430-446 English Learner and Immigrant Pupil Federal Conformity Act
33308.5 CDE guidelines not binding
44253.5-44253.10 Certification for bilingual-cross-cultural competence
48985 Notices to parents in language other than English
51101 Rights of parents to information
51101.1 Rights for parents of English learners
52015 Components of school improvement plan
52130-52135 Impacted languages act of 1984
52160-52178 Bilingual Bicultural Act
52180-52186 Bilingual teacher training assistance program
54000-54041 Programs for disadvantaged children
60810-60812 Assessment of language development
62001-62005.5 Evaluation and sunseting of programs

CODE OF REGULATIONS, TITLE 5

4320 Determination of funding to support program to overcome the linguistic difficulties of English learners

11300-11316 English Language Learner Education

11510-11516 California English Language Development Test

UNITED STATES CODE, TITLE 20

1701-1705 Equal Educational Opportunities Act

6312 Local education agency plans

6801-6871 Title III, Language instruction for limited English proficient and immigrant students

COURT DECISIONS

Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956

California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141

McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196

Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698

Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

ATTORNEY GENERAL OPINIONS

83 Ops.Cal.Atty.Gen. 40 (2000)

MANAGEMENT RESOURCES

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Guidelines for Reclassification of English Learners, September 2002

Accommodations for the California English Language Development Test, Revised 8/13/01

WEB SITES

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

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

ADOPTED April 1, 2004 REVISED CSBA DATE November 2002

DISTRICT GOAL Quality Education for All

This is a new Administrative Regulation

AR 6174

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
6174	Instruction	Education for English Language Learners		
<u>SUBTOPIC</u>		<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Curriculum Extensions			x	

DETAIL

SUBJECT: Education for English Language Learners

ISSUED BY: Board of Education

I. EFFECTIVE DATE: April 1, 2004

II. AUTHORITY:

Policy 6174 Education for English Language Learners

III. DEFINITIONS

English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP child. (Education Code 306)

English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)

English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)

Sheltered English immersion or structured English immersion means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)

Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)

Identification and Assessment

Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

The district shall notify parents/guardians of their child's results on the CELDT within 30 calendar days. (5 CCR 11511.5)

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments. (former Education Code 52164.1, 62002)

Before students are enrolled in a program for English language learners, parents/guardians shall receive information about the program and their opportunities for parental involvement. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (Education Code 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; 20 USC 6312)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
 - a. The manner in which the program will meet the educational strengths and needs of the student
 - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
 - c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English language learner students, and the expected rate of graduation from secondary school if Title I funds are used for students in secondary schools
 - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

Parent/guardians also shall be notified of the results of any reassessments. (Education Code 52164.3)

Parental Exception Waivers

At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11309)

A parent/guardian may request that the district waive the requirements of Education Code 305,

pertaining to the placement of a student in a structured English immersion program if the one of the following circumstances exists:

1. Students who already know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower. (Education Code 311(a))
2. Older students: The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. (Education Code 311(b))
3. Students with special needs: The student already has been placed, for a period of not less than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311(c))

The parent/guardian shall personally visit the school to apply for the waiver. (Education Code 310)

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: (Education Code 310, 311; 5 CCR 11309)

1. A full written description, and a spoken description upon request, of the intent and content of the structured English immersion program, any alternative courses of study and all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices
2. For a request for waiver pursuant to Education Code 311(c) for students with special needs, notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Governing Board guidelines

Pursuant to Education Code 311(b) and 311(c), the principal and educational staff may recommend a waiver to a parent/guardian for a student 10 years or older and a student with special needs. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (5 CCR 11309)

When evaluating waiver requests pursuant to Education Code 311(a) for students who already know English and other waiver requests for those students for whom standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include local assessments, local standards and teacher evaluations.

Parental exception waivers pursuant to Education Code 311(b) for students 10 years or older shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English

language skills. (Education Code 311)

Parental exception waivers pursuant to Education Code 311(c) for students with special needs shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

Each waiver shall be considered on its individual merits with great deference given to parental preference for student placement.

The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) for students with special needs shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)

All parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11309)

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise they must allow the students to transfer to a public school in which such a class is offered. (Education Code 310)

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

In cases where a parental exception waiver pursuant to Education Code 311(b) or (c) is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal, or to the court. (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

Reclassification/Redesignation

The district shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until the English language learners have: (5 CCR 11302)

1. Demonstrated English language proficiency comparable to that of the district's average native English language speakers
2. Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers

English language learners shall be redesignated as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the

same age or grade whose primary language is English and who are in the regular course of study. (Education Code 52164.6)

The following measures shall be used to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)

1. Assessment of English language proficiency utilizing the CELDT as the primary criterion, and objective assessment of the student's English reading and writing skills
2. Participation of the student's classroom teacher and any other certificated staff with direct responsibility for teaching or placement decisions
3. Parent/guardian opinion and consultation during a redesignation interview

Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. Parent/guardian participation in the process shall be encouraged.

4. Comparison of performance in basic skills, including performance on the English-Language Arts section of the California Standards Test
5. Objective data on the student's academic performance in English

The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to monitoring the performance of redesignated students in the core curriculum in comparison with their native-English speaking peers, monitoring the rate of redesignation, and ensuring correct classification and placement.

The Superintendent or designee shall develop a process to monitor the effectiveness of the district's program for English language learners. The district's program shall be modified as needed to help ensure language and academic success for each English language learner.

Advisory Committees

At the district level when there are more than 50 English language learners in the district and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law. (5 CCR 11308)

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

The district's English language advisory committee shall advise the Board on at least the following tasks: (5 CCR 11308)

1. The development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment on a school-by-school basis
3. Establishment of a district program, goals and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements

5. Administration of the annual language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comments on the written notification required to be sent to parents/guardians pursuant to 5 CCR 11300-11316

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

IV. APPROVAL

SUPERINTENDENT John Deasy

DATE 4/1/2004

ADOPTED April 1, 2004

REVISED

CSBA DATE March 2003

DISTRICT GOAL Quality Education for All

This is a new Exhibit (1)

Education For English Language Learners

E 6174(1)

PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(a): Children who know English

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

My child possesses good English language skills and for that reason I request a waiver of the school's Structured/Sheltered English language program. I understand that the objective for my child is to be taught English as rapidly and effectively as possible.

I have personally visited the school to apply for this waiver.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Child's English standardized test scores: Scores must be at or above the state average for the child's grade level or above the 5th grade average:

Waiver Granted/Denied: _____ Date: _____

Signature: _____

This is a new Exhibit (2)

Education For English Language Learners

E 6174(2)

PARENTAL EXCEPTION WAIVER
EDUCATION CODE 311(b): Children age 10 or older

Name: _____ Grade: _____

School: _____ Date of Birth: _____

Language Designation: _____

My child is 10 years of age or older and I believe that an alternate course of study is better suited to my child's rapid acquisition of English. For that reason, I request a waiver of the school's Structured/Sheltered English language program. I understand that the objective for my child is to be taught English as rapidly and effectively as possible.

I have personally visited the school to apply for this waiver.

I have been provided a full written description of: the intent and content of the structured English immersion program; any alternative courses of study offered by the district and made available to my child; all educational opportunities offered by the district and made available to my child; and the educational materials to be used in the different educational program choices.

I understand that I must request that this waiver be reconsidered annually, each school year.

Parent/Guardian Signature: _____ Date: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone Number: _____

For School Use Only:

Waiver Granted/Denied: _____ Date: _____

TO: BOARD OF EDUCATION

ACTION/MAJOR
04/01/04

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

RE: UPDATING POLICY 6146.1 - HIGH SCHOOL GRADUATION
REQUIREMENTS

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve the addition of the following language to Policy 6146.1 to include Algebra 1 as a requirement for high school graduation, in accordance with Section 51224.5 (b) of the Education Code.

"At least one course, or a combination of two courses in mathematics required to be completed by pupils while in grades 9 to 12, inclusive, prior to receiving a diploma of graduation from high school, shall meet or exceed the rigor of the content standards for Algebra I, as adopted by the State Board of Education pursuant to Section 60605."

The entire text of BP 6146.1 is included with the amended section underlined.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

New text in underscore
Deleted text in ~~strikeout~~

NUMBER
ARTICLE
TITLE

6146.1
Instruction
High School Graduation Requirements

SUBTOPIC

POLICY
REGULATION
EXHIBIT

Curriculum

x

DETAIL

The Governing Board desires to prepare each student to obtain a diploma of high school graduation in order to provide students with opportunities for postsecondary education and/or employment.

In order to be graduated from high school, a student must meet the following requirements:

1. Earn 220 semester credits in Grades 9-12; each course is valued at five credits, a year equals two courses (10 credits).
2. Pass four (4) years of English in Grades 9-12 in an integrated reading and writing curriculum. This requirement is equal to 40 semester credits.
3. Pass two (2) years of mathematics in Grades 9-12 with 10 ~~two (2) semester credits~~ to be taken in Grades 10-12. This requirement is equal to 20 semester credits. Beginning in the 2003-04 school year, at least one mathematics course, or a combination of two mathematics courses, shall meet or exceed state academic content standards for Algebra I. If any student completes coursework in grades 7 through 12 that meets or exceeds state academic content standards for algebra, those courses shall apply toward satisfying this mathematics requirement. (Education Code 51224.5)
4. Pass two (2) years of science in Grades 9-12; one (1) year must be a life science; one (1) year must be a physical science. This requirement is equal to 20 semester credits.
5. Pass three (3) years of social studies in Grades 9-12 including two (2) ~~semester credits courses~~ of World History, two (2) ~~semester credits courses~~ of U.S. History or its equivalent; one (1) ~~semester credit course~~ of Economics; one (1) ~~semester credit course~~ of U.S. Government; (Graduation Class of 2000) This requirement is equal to 30 semester credits.
6. Pass one year of visual or performing arts, speech, debate, foreign language or American Sign

Language. This requirement is equal to 10 semester credits.

7. Pass the District's Test of Essential Skills (TES) or established equivalent as determined by the Board of Education. Attend a mandatory summer school after Grade 10 if TES proficiency requirements have not been met. (Graduation Class of 2002)

8 7. Demonstrate Board approved technology proficiency by integrating word processing, electronic researching and other computer skills in at least one student/classroom project. (Graduation Class of 2002)

9 8. Pass one (1) semester course of Health, to be taken in the 9th Grade, preferably. This requirement is equal to 5 semester credits.

~~10~~ 9. Pass four (4) semesters courses of Physical Education, two (2) of which are to be taken in Grade 9. This requirement is equal to 20 semester credits.

~~11~~10. All courses used to satisfy graduation requirements shall be approved by the Board, and reviewed and re-adopted at least every four years. Additional graduation requirements must be approved by the Board of Education.

Unless otherwise noted, these requirements are effective with the graduation class of 2000.

Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.

* Graduation requirements listed above equal 145 semester credits. 75 semester credits are available for elective courses.

Standards of Proficiency for Classes Prior to 2004

To receive a high school diploma, district students also must achieve at least minimum proficiency in reading comprehension, writing and mathematics. The Board shall adopt proficiency standards in these areas and any others it deems appropriate. All adopted proficiency standards shall correspond with the goals of the course of study required for graduation.

Student progress toward proficiency in basic skills shall be assessed in English once during grades 7 through 9 and twice during grades 10 and 11. A separate assessment shall be made of the student's proficiency in each skill area.

Remedial instruction shall be provided to any student who does not show adequate progress toward mastery of basic skills. This instruction may be provided in summer school and shall offer the student numerous opportunities to achieve mastery.

When a student does not show adequate progress, the Superintendent or designee shall inform a student's parent/guardian in writing that the student shall not receive a high school diploma unless the prescribed standards are met.

Exit Exam for the Classes of 2004 and Later

Beginning in the 2003-04 school year, each student completing grade 12 shall have successfully passed the state exit examination in language arts and mathematics as a condition of high school graduation. (Education Code 60851)

Supplemental instruction shall be offered to any student who does not demonstrate "sufficient progress," as defined in Board policy, toward passing the exit examination. (Education Code

37252, 60851)

REFERENCE

Legal Reference:

EDUCATION CODE

- 37252 Supplemental instructional programs
 - 48430 Continuation education schools and classes
 - 48980 Notification of parent/guardian
 - 51224 Skills and knowledge required for adult life
 - 51224.5 Algebra instruction
 - 51225.3 Requirements for graduation
 - 51225.5 Honorary diplomas; foreign exchange students
 - 51228 Graduation requirements
 - 51230 American government and civics
 - 51240-51246 Exemptions from requirements
 - 51410-51411 Diplomas
 - 51420-51421 High school equivalency certificates
 - 51450-51455 Golden State Seal Merit Diploma
 - 60850-60859 High school exit exam
- CODE OF REGULATIONS, TITLE 5**
- 1600-1651 Graduation of pupils from grade 12 and credit toward graduation

MANAGEMENT RESOURCES

Management Resources:

WEB SITES

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

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

ADOPTED

February 13, 1983

REVISED

April 1, 2004
December 10, 1998
May 14, 1984

CSBA DATE

March 2002
November 2000
March 2000
October 1993

DISTRICT GOAL Quality Education for All

TO: BOARD OF EDUCATION

ACTION/MAJOR

04/01/04

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: PUBLIC HEARING - ALGEBRA I WAIVER REQUEST

RECOMMENDATION NO. A.19

It is recommended that the Board of Education hold a public hearing with regard to the Algebra I Waiver Request as required by Education Code.

COMMENT: Legislation enacted in 2000 requires all students graduating in 2004 and beyond to have completed an Algebra 1 course. The waiver request will permit 12 grade students currently enrolled in Algebra 1 to graduate.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/LINDA KAMINSKI
RE: ALGEBRA I WAIVER REQUEST

ACTION/MAJOR
04/01/04

RECOMMENDATION NO. A.20

The State of California enacted legislation in 2000 that requires students - as a condition of receiving a high school diploma - to complete Algebra I. The Algebra I requirement applies beginning with students graduating in 2003-2004. For this first year of implementation, the state is allowing limited numbers of waivers to allow 12th grade students who have not yet completed Algebra I to receive a high school diploma on the condition of their current enrollment in Algebra. It is recommended that the District submit a waiver to the State Board of Education for current 12th grade students who plan to graduate with a diploma in June 2004 but who have not yet completed Algebra I.

MOTION MADE BY:
SECONDED BY:

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

TO: BOARD OF EDUCATION

ACTION/MAJOR

04/01/04

FROM JOHN E. DEASY/LINDA KAMINSKI/KATHY MCTAGGART

RE: SUPPLEMENTAL CURRICULUM TO BE ADOPTED

RECOMMENDATION NO. A.21

It is recommended that the following supplemental curriculum be adopted for use in the Santa Monica Malibu Unified School District. The Board will take action to adopt this curriculum at the Board of Education meeting scheduled for April 22, .

COMMENT: In accordance with the Board of Education Policy, the curriculum listed below will be on display for two weeks in the Educational Services Department at 1638 17th Street, Santa Monica, CA, 90404

PROJECT ALERT: A DRUG PREVENTION PROGRAM FOR MIDDLE GRADES, a research based, model program of the BEST Foundation for a Drug-Free Tomorrow, by Phillis L. Ellickson, Ph.D., eleven lessons to be presented in the 6th or 7th grade with three booster lessons to be taught the following year, requested to be adopted by Kathy McTaggart.

TOO GOOD FOR DRUGS, a research-based, model substance and violence prevention program of the Mendez Foundation written by prevention specialists for use in the elementary grades, ten lessons per grade, with implementation beginning in the 4th and 5th grades, requested to be adopted by Kathy McTaggart.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

ABSTENTIONS:

TO: BOARD OF EDUCATION

DISCUSSION

04/01/04

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: 2003-2004 COORDINATED COMPLIANCE REVIEW (CCR) FINDINGS

DISCUSSION NO. D.1

The California Department of Education conducted the 2003-2004 Coordinated Compliance Review site verification review during March 15-19, 2004. The review encompassed both site and District observations and review of documentation regarding implementation of the following programs: Integrated Programs, Uniform Complaint Procedures, Adult Education, Consolidated Programs Title I - Private Schools, English Learners, Safe and Drug-Free Schools and Communities and Tobacco-Use Prevention Education, Title II - Improving Teacher Quality, and Child Development Services. Commendations received, identification of areas of non-compliance, and required follow-up will be presented to the Board.

**2003 - 2004 Coordinated Compliance Review (CCR)
Summary of Findings**

Program	Commendations	Non-Compliance Areas
Integrated Programs		none
Uniform Complaint Procedures		none
Adult Ed	<ul style="list-style-type: none"> • Comprehensive ELS • CBET • Computer Lab • High School Diploma Program 	none
Consolidated Programs Title I - Private Schools	<ul style="list-style-type: none"> • Consultation with private schools • Instructionally appropriate program for private school students 	
English Learners	<ul style="list-style-type: none"> • District staff and staff development program • Edison Dual Immersion program • Adams Immersion Program 	<ul style="list-style-type: none"> • Articulated ELD program no implemented in all schools • Assignment of authorized teachers for ELD • Assignment of authorized teachers for core curriculum • ELAC has not met all legal requirements • DELAC has not met all legal requirements • EIA-LEP funds not used to supplement existing resources
SDATE	<ul style="list-style-type: none"> • Pregnant minors and minor parents program • Edison emergency response procedures and peer buddy and mediation/conflict resolution programs • Adams collaboration with community agencies, Project Alert and Character Counts 	<ul style="list-style-type: none"> • Healthy Kids survey not public • Parent notification of Tobacco-Free policy needs to be included in parent handbook and annual notification • Recommend prevention lessons at high school and staff development • Recommend statement of mandatory one-year expulsion be included in firearm policy.
Title II	<ul style="list-style-type: none"> • Career Development Program • Documentation and Needs Assessment 	none
Child Development Services	<ul style="list-style-type: none"> • Full inclusion at Pine St., McKinley • Edison Dual Immersion • Implementation of Desired Results Developmental Profile (DRDP) assessments program 	<ul style="list-style-type: none"> • Eligibility documentation • Supporting documentation • Non-discrimination policy/ADA statement • Social and health referrals/follow-ups for all • Notice of Action documentation • Hours of care discrepancies/complete parent signatures on sign-in/out sheets • Recommend that shared Pre-School/After-School classrooms equally meet the needs of the two age groups.

TO: BOARD OF EDUCATION

DISCUSSION

04/01/04

FROM JOHN E. DEASY/LINDA KAMINSKI/KATHY MCTAGGART

RE: REPORT ON CALIFORNIA HEALTHY KIDS SURVEY

DISCUSSION ITEM NO. D.2

As a condition for receiving Safe and Drug Free Schools and Communities (Title IV) Federal funding and Tobacco Use Prevention Education (TUPE) State funding, the district is required, every two years, to do the California Healthy Kids Survey. Most recently implemented in all district schools in Spring in grades 5,7,9 and 11 for all students who returned positive written consent from their parents, this survey assesses student behaviors and attitudes related to substance abuse and violence. Analysis of the data, compared to that from previous years, enables site and district staff to evaluate current prevention programs and practices and to make appropriate decisions about resource allocation, curriculum, parent support and other aspects of an effective prevention program, all of which are mandates of "No Child Left Behind." The district Coordinator of School and Community Partnerships will briefly present this data and its implications.

TO: BOARD OF EDUCATION

INFORMATION

04/01/04

FROM: SUPERINTENDENT

RE: BASIC/SUPPLEMENTAL TEXTBOOKS TO BE ADOPTED

INFORMATION ITEM NO. I.1

It is recommended that the following textbook(s) be adopted for use in the Santa Monica-Malibu Unified School District. The Board will take action to adopt these books at the next Board of Education meeting.

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

LA COIDAD DE LAS BESTIAS, by Isabel Allende for 8th grade Spanish Literature. Adoption requested by M.A. Kusion at John Adams Middle School.