

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

**UNADOPTED
March 11, 2004**

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education was held on Thursday, March 11, 2004. The Board called the meeting to order at 6 p.m. and moved to the Board Conference Room and met in Closed Session for the reason(s) listed in Section III, below. The Board reconvened the public portion of the meeting at 7:36 p.m. in the Board Room.

I CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

II PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

No speakers

III CLOSED SESSION:

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

V APPROVAL OF THE AGENDA

It was moved by Ms. Brownley, seconded by Mr. de la Torre and voted 7/0 to approve the Agenda. Student voted Aye.

VI APPROVAL OF MINUTES

- A.1 Approval of Minutes: December 6, 2001 and February 1, 2003 1

VIII PUBLIC COMMENTS

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

If you will require accommodation to participate in the Board meeting, please notify the Superintendent's Office at least one day prior to the meeting.

MAJOR and DISCUSSION Items

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

XI MAJOR ITEMS

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

A.02	Adopt Board Policy 0000 - Vision	2-4
A.03	Adopt Board Policy 0200 - Goals	5-7
A.04	Approve Job Description and New Position: Technology Support Assistant .	8-10
A.05	Accept the 2002-03 Financial Audit	11
A.06	Approve the 2003-04 Second Interim Report	12
A.07	Adopt Amended Resolution No. 03-10: Reduction or Discontinuance of Particular Kinds of Services With Direction to Notify Affected Employees of Recommendation of Layoff; Establishing Order of Seniority ("Tie -Breaking Criteria") and Related Actions	13-15
A.08	Adopt Resolution No. 03-13: Release and Reassignment of Certificated Administrators	16-17
A.9	Resolution No. 03-14 - Non-Reelection of Emergency Temporary Certificated Employees (Addendum)	18-19
A.10	Resolution No. 03-15 - Non-Reelection of Temporary Certificated Employees (Addendum)	20-21
A.11	Resolution No. 03-16 -Release of Employees Serving in Certificated Staffing Positions Pursuant to Emergency Permits (Addendum)	22-24

XII DISCUSSION ITEMS

These items are submitted for information (FIRST READING) and discussion. Action will generally be considered at the next regularly scheduled meeting of the Board.

D.1	Food and Nutrition Services Report	25
D.2	Proposed Policy BP3290 - Acceptance of Gifts - Revised (R2)	26-31

XIII REQUESTS BY MEMBERS OF THE PUBLIC OR DISTRICT ADVISORY COMMITTEES TO ADDRESS THE BOARD OF EDUCATION

These items are submitted by members of the public to address the Board of Education on a matter within the jurisdiction of the Board, as per Board Policy 8320(c). Requests must be submitted to the Superintendent in writing ten days before the Board meeting or prior to agenda planning, in accordance with the established agenda planning schedule, whichever is less. The written request will not exceed 500 words and will include, as an attachment, brief background information and the reason for the request.

XIV CONTINUATION OF PUBLIC COMMENTS

A continuation of Section VIII, as needed.

XV FUTURE AGENDA ITEMS

Items for future consideration will be listed with the projected date of consideration. The Board of Education will be given any backup information available at this time.

- The MET-Santa Monica Charter Petition (March 17, 2004)
- Policy Consideration - Expunge Expulsion Records (March 25, 2004)
- Special Education - Strategic Plan (June 3, 2004)
- Brown Act - Review (date to be determined)

XVI CLOSED SESSION

The Board of Education will adjourn to CLOSED SESSION to complete discussion on items listed for CLOSED SESSION following the regular business meeting.

XVII ADJOURNMENT

Moved by Ms. Leon-Vazquez, seconded by Mr. de la Torre and voted unanimously to adjourn the meeting at 11:50 p.m. in memory of Dorothy Koutouratsas, former parent in the district who was actively involved in PTA at the local and State levels, was a founding member of the Education Foundation and a longtime supporter of the district.

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

*** * * * PLEASE NOTE * * * ***

**DUE TO BUDGETARY CONSTRAINTS
THIS ADDITIONAL MEETING WAS
NOT TAPED FOR REBROADCAST**

**Regularly scheduled meetings held in Santa Monica are taped for rebroadcast
and played on Cable Channel 16 (City TV) at 11:00 AM
on the Sunday following the Board meeting.
Meetings are rebroadcast in Malibu on Government Access
Channel 3 every Saturday at 8 PM**

Approved: _____

President

Superintendent

Due to the fact that the majority of current board members in 2008 (when these minutes came forward for approval) were not on the board in 2004, these minutes have been submitted as notes.

If you will require accommodation to participate in the Board meeting, please notify the Superintendent's Office at least one day prior to the meeting.

Board of Education Meeting Schedule					
July through December, 2003					
Month	1st Thurs.	2nd Thurs.	3rd Thursday Discussion Mtg.	4th Thursday	Special Note:
July				31 DO	One regular meeting in July
August			21 DO		One regular meeting in Aug.
September	4 MHS		18 SM		9/18 Charter Schools
October	2 DO		16 SM		
November	6 MHS		20 SM		11/20 - school plans; achievement data
December	4 DO				12/4 - school plans
January through June, 2004					
January	1 Holiday no meeting	8 DO		22 DO	1/8 - school plans
February	5 MHS		19 SM	26 DO	
March	4 DO	11 DO	17 DO (Wednesday)	25 DO	18-19: Stairway of the Stars (Civic Auditorium)
April	1 MHS			22DO 29DO	4/5-16: Spring Break
May	6 DO	13 DO	20 SM		
June	3 DO			24 DO	6/3 - Recognition of Retirees 6/14-18: Graduation Week Activities

Meeting Dates Approved 6/26/03 : Updated 2/6/04

District Office (DO) 7/31, 8/21, 10/2, 12/4, 1/8/04, 1/22,**2/26**, 3/4,**3/11**,3/17,**3/25**,4/22, **4/29**, 5/6,**5/13**,6/3 and 6/24
Malibu Meetings (MHS) 9/4, 11/6, 2/5, and 4/1 - Malibu High School Aud. 30215 Morningview Drive, Malibu.
Santa Monica City Council Chambers (SM) 9/18, 10/16, 11/20, 2/19 and 5/20 - 1685 Main Street, Santa Monica.

Agenda Distribution:

A copy of the Table of Contents is posted 72 hours in advance of regularly scheduled Board of Education meetings and is also accessible to the public 24 hours/day at the District Office entrance, 1651 16th Street 16th Street, Santa Monica.

Complete Board of Education agendas are available in *pdf* format, on the District's website: www.smmusd.org.

If you will require accommodation to participate in the Board meeting, please notify the Superintendent's Office at least one day prior to the meeting.

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

March 11, 2004

I CALL TO ORDER

6:00 p.m.

Moved to Closed Session: 6:01 p.m.

Reconvened Public Meeting: 7:36 p.m.

A Roll Call

Jose Escarce - President
Emily Bloomfield - Vice President
Julia Brownley
Oscar de la Torre
Mike Jordan
Maria Leon-Vazquez
Shane McLoud

Bryce Maddock - Santa Monica High School
Camden Vilkin - Malibu High School Student Representative - excused absence
Elizabeth Kelso - Olympic High School Student Representative

B Pledge of Allegiance

Led by Elizabeth Kelso

II CLOSED SESSION

President Escarce announced the following action taken in Closed Session:

In Closed Session, the Board of Education, by unanimous vote of the members present, voted to approve Resolution No. 03-17, indicating that four (4) Certificated Administrators "may" be released from their administrative assignments and reassigned for the 2004-05 school year. The Board directed the Superintendent or his designee to issue the appropriate legal notices pursuant to Education Code 44951. The final decision on reassignment will be made by the Board on or before June 30, 2004. Employees determined by the Board for possible reassignment, are identified by employee numbers on the resolution (attached).

Motion made by: Mr. McLoud

Seconded by: Dr. Jordan

Ayes: All (7)

Noes: None (0)

Abstentions: None (0)

TO: BOARD OF EDUCATION

ACTION
03/11/04

FROM: JOHN E. DEASY

RE: APPROVAL OF MINUTES

RECOMMENDATION NO. A.01

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

December 06, 2001

February 1, 2003

MOTION MADE BY: Ms. Brownley
SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)
ABSTENTIONS: (None)

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04
FROM: JOHN E. DEASY/LINDA KAMINSKI Previously
02/05/04, 02/26/04, 03/04/04
RE: BOARD POLICY 0000 - VISION

RECOMMENDATION NO. A.02

It is recommended that the Board of Education revise Board Policy 0000: Mission, Vision and Beliefs.

COMMENT: It is the responsibility of the Board to adopt and revise as necessary a District Vision that encompasses the Mission, Vision and Beliefs of the District.

The policy was reviewed at two previous meetings. It is appropriate for the Board to take action on this item.

MOTION MADE BY: This item will be presented on the
SECONDED BY: March 25, 2004 Agenda.

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

NUMBER	ARTICLE	TITLE
0000	Philosophy, Goals, Objectives & Plans	Vision
SUBTOPIC	POLICY	REGULATION
Concepts and Roles	x	EXHIBIT

BP 0000 (a)

Mission

Extraordinary achievement for ALL students while simultaneously closing the achievement gap.

BP 0000 (b)

Vision

As a community of learners the Santa Monica-Malibu Unified School District works together in a nurturing environment to help students be visionary, versatile thinkers; resourceful, life-long learners; effective, multilingual communicators and global citizens. We are a rich, culturally diverse community that values the contributions of all its members by actively confronting institutionalized racism. We exist to assist all students in their pursuit of academic achievement and personal health and to support them in their exploration of intellectual, artistic, technological, physical and social expression.

BP 0000 (c)

Beliefs

We believe in equality and access and equality of opportunity for all students.

We believe in a strategic plan created by our community to guide our work.

We believe that students, parents and teachers share in the responsibility for each child's learning.

We believe that safe, clean and functional school and district facilities are conducive to learning.

We believe that the district should operate within responsible financial boundaries that include future fiscal planning which reflects instructional priorities and aggressively seeks available funding sources.

We believe high standards and expectations for all our students promote rigorous learning environments.

We believe acceptance, appreciation of and connection with the diversity of students and families in SMMUSD are essential for effective teaching and learning.

We believe intelligence is learned and effort creates ability.

We believe all children are capable of developing intelligence when they are offered proper instruction and the educational support and/or interventions to meet their specific learning needs.

We believe teachers are committed to student and their own learning.

We believe teachers know the subjects they teach and how to teach those subjects to students.

We believe teachers are responsible for managing and monitoring student learning.

We believe teachers think systemically about their practice and learn from experience.

We believe teachers are lead members of our learning community.

We believe teachers are responsible for developing intelligence in students.

We believe two way accountability between school site credentialed and classified staff and Central Office teams promotes a culture of shared responsibility for student learning. Central Office teams must have their goals and accountability system linked to providing support to the work of teachers and site leaders.

We believe resources must be aligned to the goals and strategies for increasing student achievement for all while closing the achievement gap.

REFERENCE

MANAGEMENT RESOURCES

ADOPTED

March 10, 1994

REVISED

CSBA DATE

DISTRICT GOAL

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04
FROM: JOHN E. DEASY/LINDA KAMINSKI Previously
02/05/04, 02/26/04, 03/04/04
RE: BOARD POLICY 0200 - GOALS

RECOMMENDATION NO. A.03

It is recommended that the Board of Education revise Board Policy 0200: Goals for the district

COMMENT: It is the responsibility of the Board to adopt and revise as necessary a District Goals that encompass the performance outcomes for which the District holds itself accountable.

The policy was reviewed at two previous meetings. It is appropriate for the Board to take action on this item.

MOTION MADE BY: This item will be returned to
SECONDED BY: the March 25, 2004 agenda.

STUDENT ADVISORY VOTE:
AYES:
NOES:
ABSTENTIONS:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
0200	Philosophy, Goals, Objectives & Plans	Goals for the District

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Concepts and Roles		x	

AR 0200

A. STUDENT ACHIEVEMENT

The district holds itself and all schools accountable for demonstrating that all students and disaggregated subgroups, including English Learners and students with disabilities, will meet the following goals for mastery of the state standards in English/Language Arts, English Language Development, and mathematics.

Performance measures include the California Standards Tests in English/Language Arts and mathematics, the California High School Exit Exam (CAHSEE), the California English Language Development Test (CELDT), and district, standards-based instructional program assessments. Benchmark grades for reporting purposes are Grades 3, 5, 8 and 10.

95 percent of all students and disaggregated subgroups, including English Learners and students with disabilities, will participate in the state and district assessments.

Language Arts

The percentage of all students scoring at or above the Proficient Level will increase by 8 percentage points annually on the California Standards Tests in English-Language Arts.

The percentage of students in disaggregated subgroups scoring at or above the Proficient Level will increase by 16 percentage points annually on the California Standards Tests in English-Language Arts.

85 percent of all Grade 10 students and disaggregated subgroups will pass the English-Language Arts section of the California High School Exit Exam.

85 percent of students will meet district benchmarks on the standards-based instructional program assessments for English-Language Arts.

85 percent of English Learners will demonstrate benchmark progress toward English-Language Arts proficiency on the standards-based instructional program assessments between the winter and spring test administrations.

85 percent of English-Only/Fluent and English Learners in the Two Way Immersion program will demonstrate proficiency on the district standardized Spanish-Language Arts assessment.

English Language Development

80 percent of English Learners will demonstrate annual increases in English language proficiency on the California English Language Development Test (CELDT) as follows:

Beginning: two levels

Early Intermediate - Early Advanced: one level

85 percent of English Learners will meet district benchmarks on the standards-based English Language Development instructional program assessments.

Mathematics

The percentage of all students scoring at or above the Proficient Level will increase by 8 percentage points annually on the California Standards Tests in mathematics.

The percentage of students in disaggregated subgroups scoring at or above the Proficient Level will increase by 16 points annually on the California Standards Tests in mathematics.

85 percent of all Grade 10 students and disaggregated subgroups will pass the mathematics section of the California High School Exit Exam.

85 percent of students will meet district benchmarks on the standards-based instructional program assessments for mathematics.

85 percent of English-Only/Fluent and English Learners in the Two Way Immersion program will meet district benchmarks on the standardized Spanish language mathematics assessment.

College Readiness

We will hold ourselves accountable for preparing both well represented and underrepresented students for UC/CSU eligibility by meeting the following goals:

The percentage of high school students with a grade point average below 2.0 will decrease by 10 percentage points.

The percentage of 11th and 12th grade students completing Advanced Placement courses will increase by 10 percent annually.

The percentage of 12th grade students completing the UC/CSU a-g requirements will increase by 10 percent annually.

REFERENCE

MANAGEMENT RESOURCES

ADOPTED

REVISED

CSBA DATE

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/11/04

FROM: JOHN E. DEASY / JOSEPH N. QUARLES

RE: ADOPT JOB DESCRIPTION AND NEW POSITION: TECHNOLOGY
SUPPORT ASSISTANT

RECOMMENDATION NO. A.04

It is recommended that the Board of Education approve the attached job description, creating the position of Technology Support Assistant, pursuant to Education Code 45109 and 45276, and Merit Rule 3.2.5 A.

COMMENT: In November, the District reached a tentative agreement with SEIU Local #660, making 2003-04 the final period of employment for all Special Services Employees and Independent Contractors performing Tech/Computer support services. The balance of 2003-04 was to serve as the period of transition from the use of Special Services Employees performing Tech/Computer support services to the use of employees in the classified service.

A committee consisting of District Administrative staff and SEIU representatives have met on a regular basis since January to plan for the transition, and develop the attached job description for the Technology Support Assistant classification.

Merit Rule 3.2.5 A., says in part, "When the Board creates a new position it shall submit the duties officially assigned to the position, in writing to the Director of Classified Personnel... The Director of Classified personnel shall present recommendations to the Commission for action."

With Board approval, the Commission will complete the classification process, including verifying the qualifications, setting the salary level for the position, and notifying the Commission of its action. Following the Commission's approval, the recruitment and selection process will begin.

MOTION MADE BY: Ms. Brownley
SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A
AYES: All (7)
NOES: None (0)
ABSTENTIONS: (None)

CLASS TITLE: **Technology Support Assistant**

BASIC FUNCTION:

Under general supervision, performs a variety of technical duties related to the support of technology in the school environment.

REPRESENTATIVE DUTIES:

Provide computer and peripheral installation, configuration, trouble-shooting and repair in classrooms, libraries, labs and office.

Setup and administration of file, mail, web and database services.

Setup and administration of network and computer-based security provisions and policies and ongoing monitoring and maintenance for virus, internet content protection.

Setup and administration of individual access accounts.

Perform security and virus monitoring and maintenance.

Assist in the operation of computers, local and network printers, file services and other related peripheral equipment (scanners, digital still and movie cameras, CD/DVD burners, video projectors, office equipment, etc.)

Assist with manufacturers' tech support and warranty issues.

Perform operating system installation and upgrades.

Maintain site technology inventory.

Provide reconfiguration of equipment at open and close of school year.

Coordinate donated equipment, organize technology resources and assist in district projects.

Attend all required training sessions and meetings.

Perform related duties as assigned.

SUPERVISION:

Supervision is received from the Director of Information Services or his or her designee.

KNOWLEDGE and ABILITIES:KNOWLEDGE OF:

- Equipment, procedures, supplies, materials and general principles related to personal computers.
- Knowledge of the Windows and MacIntosh operating systems.
- General operation procedures.
- Appropriate applications and utilities.
- Record-keeping and filing techniques.
- Record retrieval and storage systems.
- Software copyright laws.
- Installation of applications and operating system software.

ABILITY TO:

- Assist staff in the operation of a variety of personal computers and peripherals.
- Maintain accurate inventory records of supplies and equipment
- Solve abstract reasoning problems.
- Perform detailed work rapidly and accurately.
- Follow and provide clear oral and written instructions.
- Work independently and with general supervision.
- Establish and maintain cooperative and effective working relationships with others.
- Troubleshoot and repair basic system malfunctions and maintain system operation.

EDUCATION AND EXPERIENCE:

Graduation from high school supplemented by college-level course work in computer use and repair or related field and two years experience supporting a variety of personal computers and peripheral devices.

WORKING CONDITIONS:ENVIRONMENT:

School campus (classrooms, offices, labs and libraries
Work under constant interruption

PHYSICAL ABILITIES:

Dexterity of hands and fingers to operate a computer keyboard; sitting or standing for extended periods of time; lifting and moving moderately heavy equipment; bending at the waist, kneeling or crouching.

HAZARDS:

Extended viewing of computer monitor.

REQUIRED:

Personal Transportation
Valid California Driver License

TO: BOARD OF EDUCATION

ACTION/MAJOR

3/11/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY/BETH CONNORS

RE: ACCEPT 2002-03 FINANCIAL AUDIT

RECOMMENDATION NO. A.05

It is recommended that the Board of Education accept the 2002-03 Financial Audit and approve the administrative responses to the "Findings" and "Recommendations" as contained in the audit.

COMMENTS: The 2002-03 financial audit has been completed by Roy J. Blair, CPA. The Board of Education has received copies of the audit and an information copy of the audit is available for public review in the Office of the Chief Financial Officer

A section of the audit report contains a series of "Findings" and "Recommendations" and "District Responses" for Board consideration.

Mr. Blair will be available at the meeting to answer questions.

* * * * *

Public Comments

Tom Carter

MOTION MADE BY: Ms. Brownley

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

ABSTENTIONS: (None)



Santa Monica
Malibu Schools

*Office of the Chief Financial Officer
Fiscal and Business Services*

TO: Superintendent and Members of the Board of Education

FROM: Kenneth R. Bailey

RE: Annual Financial Report (Audit Report)

DATE: March 4, 2004

As a follow-up to a finding by the District's auditor, Roy J. Blair, the enclosed Employee Ratio Worksheet is the report referred to in Finding 2003-7 on page 5.8 under the title Ratio of Administrative Employees to Teachers.

As you can see, the District is in compliance, by having less than 8% administrative staff to teacher ratio.

KRB/dms
ENCLS (2)

Employee Ratio Worksheet

District SANTA MONICA-MALIBU U.S.D. Fiscal Year 2003-04

Data Compiled as of 2/6/04
(Date)

This worksheet may be utilized to summarize school district certificated staffing data for the purpose of annually monitoring the district's administrator-teacher ratio as required by *Education Code* sections 41400-41407. The information will be reviewed as part of the district's annual audit required by *Education Code* Section 41020. Do not submit this worksheet to the California Department of Education. Retain the worksheet and present the data upon request of district's independent auditor. (Note: county offices of education and charter schools are not subject to the requirements of *Education Code* sections 41400-41407.)

Part I Number of Certificated Employees (Full-time equivalents (FTE),
calculated to two decimal places, to include full-time, part-time,
and prorated positions)

A) Administrative..... 47.05 FTE
B) Exempt Administrative..... 5.77 FTE
C) Net Administrative..... 41.28 FTE
(Line A minus Line B above)
D) Teachers..... 664.74 FTE
E) Pupil Services..... 56.25 FTE

Part II Maximum Number of Administrative Employees (Calculate to
two decimals)

A) Allowed Ratio..... .08
(Enter .08 for unified, .07 for high school,
or .09 for elementary school districts)
B) Maximum Administrators..... 53.18 FTE
(Ratio from Part II, Line A x Teacher
FTE from Part I, Line D)

Part III Excess Administrator FTE (Calculate to two decimals)

A) Actual Excess..... 0 FTE
(Part I, Line C minus Part II, Line B. If
zero or negative, enter -0-)
B) Rounded Excess..... 0 FTE
(Round any FTE reported on Part III, Line
A to the nearest whole number (e.g. 0.49 or less
rounds to 0.00, 0.50 or above rounds to 1.00,
1.49 rounds to 1.00, and 1.50 to 2.00, etc.))

Employee Ratio Worksheet
Page 2

If Part III, Line B is zero or Part I, Line A shows one or fewer FTE, stop here. The district is in compliance with, or is exempt from, the employee ratio limitations imposed by Education Code Section 41402.

If Part II, Line B is greater than zero, continue to complete the remainder of this form.

Part IV Penalty for Excess Administrator FTE

- A) District's Total State Revenue.....\$ _____
(2001-02 Unaudited Actual Financial Report)
- B) District's Total Revenue and Other Financing
Sources..... \$ _____
(2001-02 Unaudited Actual Financial Report)
- C) Portion of State Revenue in Total Revenue..... _____
(Part IV, Line A divided by Part IV, Line B.
Calculate to two decimals)
- D) Total Annual Salaries of the Administrative
FTE reported on Part I, Line A..... \$ 4,543,128.90
- E) Average Administrator Salary.....\$ _____
(Part IV, Line D divided by FTE from Part I,
Line A. Calculate to nearest whole number.)
- F) State Funded Share of Administrator Salary.....\$ _____
(Part IV, Line D x Part IV, Line C. Calculate
to the nearest whole number)
- G) Penalty.....\$ _____
(Part IV, Line F x Part III, Line B)

Prepared by: <u>KATHY SCOTT</u>	<u>(310) 450-8338</u>	<u>2/6/04</u>
(Name)	(Phone #)	(Date)

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/11/04

FROM: SUPERINTENDENT/KENNETH R. BAILEY

RE: APPROVE 2003-04 SECOND INTERIM REPORT

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the 2003-04 Second Interim Report.

COMMENTS: The Board of Education adopted the 2003-04 Budget on June 27, 2003, and subsequently revised the original budget in the First Interim Report of October 31, 2003, and they were approved by the Los Angeles County Office of Education (LACOE).

Since the approval of the First Interim Report, changing conditions have necessitated adjusting the District budget. All of the expenditure and revenue changes previously approved by the Board or proposed for approval at this time are identified in the Second Interim Report through January 31, 2004 actuals.

The summary pages of the District's General Fund are included as part of this document. A narrative of the District's current fiscal status and projections for the 2004-05 and the 2005-06 fiscal years will be available in a Powerpoint report to be presented at the Board Meeting. The complete Second Interim Report is internally numbered and is attached to this Board Agenda as "Attachment A".

In introducing this item, Mr. Deasy commented that he was proud of the work done by staff in the Fiscal Services Department. The report indicated that the district was not in a position of deficit spending.

Mr. Deasy introduced Mr. Ken Bailey and Ms. Beth Connors who presented the Second Interim Report.

MOTION MADE BY: Ms. Brownley

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: All (7)

NOES: None (0)

ABSTENTIONS: (None)

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04
FROM: JOHN E. DEASY/JOSEPH N. QUARLES/KATHY SCOTT corrected
RE: ADOPT AMENDED RESOLUTION NO. 03-10: REDUCTION OR
DISCONTINUANCE OF PARTICULAR KINDS OF SERVICES WITH
DIRECTION TO NOTIFY AFFECTED EMPLOYEES OF
RECOMMENDATION OF LAYOFF; ESTABLISHING ORDER OF
SENIORITY ("TIE-BREAKING CRITERIA"); AND RELATED
ACTIONS

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve amended Resolution 03-10 for the reduction or discontinuance of particular kinds of services as indicated on the Resolution, effective June, 2004.

COMMENT: The Superintendent of Santa Monica-Malibu Unified School District recommends to the Governing Board that the employees effected by the reductions listed on the attached Resolution 03-10 not be reemployed for the 2004-2005 school year and that the Board give notice as required by Education Code Sections 44949 and 44955 that their services will not be required.

Resolution No. 03-10, adopted at the March 4, 2004 meeting, is amended to include known attrition, reassignments, non-reelections, etc.

* * * * *

PUBLIC COMMENTS

Ashley Weber
Harry Keiley

MOTION MADE BY: Ms. Brownley
SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A
AYES: All (7)
NOES: None (0)
ABSTENTIONS: None (0)

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

**AMENDED
RESOLUTION NO 03-10.**

REDUCTION OR DISCONTINUANCE OF PARTICULAR KINDS OF SERVICE

WHEREAS, pursuant to Education Code Section 44955, it is the opinion of this Board that it has become necessary to reduce or discontinue particular kinds of service; and

WHEREAS, this Board does not desire to reduce the services of permanent certificated employees based upon a reduction of average daily attendance during the past two years; and

WHEREAS, it is the opinion of this Board that the following kinds of services be reduced or discontinued for the 2004-2005 school year:

Particular Kinds of Services and Full-Time Equivalents

1.	Woodshop	.2 FTE
2.	Art	2.0 FTE
3..	English	7.0 FTE
4.	Industrial Technology	.5 FTE
5.	Music	1.2 FTE
6.	P.E.	4.0 FTE
7.	Spanish	2.0 FTE
8.	French	1.0 FTE
9.	Japanese	1.0 FTE
10.	Math	6.0FTE

TOTAL SERVICES REDUCED = 24.9 FTE

WHEREAS, it is the opinion of this Board that it is necessary by reason of the aforementioned reductions and discontinuances of service to decrease the number of certificated employees by the equivalent of 24.9 FTE employees for the 2004-2005 school year.

WHEREAS, in determining the service to be reduced, the Board of Education has considered all assured and/or attrition known as of the time of this Resolution, and the reductions set forth above are in addition to any known and assured attrition;

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

WHEREAS, the time served by employees serving in certificated staffing positions pursuant to, and possessing only emergency permits cannot be included in computing the service required as a prerequisite to attainment of or eligibility to classification as a permanent employee, and such employees therefore are non-probationary and non-permanent employees pursuant to Education Code Section 44911 and administrative interpretations;

WHEREAS, it is the Board's belief that individuals employed solely pursuant to emergency permits are not entitled to the rights of a probationary or permanent certificated employees within the layoff process and therefore they have been non-re-elected by Resolution.

WHEREAS, due to the legal uncertainty as to whether employees possessing solely emergency permits serving in the particular kind of service being reduced are entitled to be included in the layoff process, the Board has determined to, as a precaution, give said employees the same type of layoff notices as would be provided to probationary or permanent certificated employees despite the fact that said employees have no probationary seniority;

WHEREAS, the Education Code requires that various actions be taken and notices be forwarded no later than March 15th of each school year regarding layoffs of certificated personnel resulting from reductions of particular kinds of service;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education of the Santa Monica-Malibu Unified School District, that for the 2004-2005 school year, the particular kinds of services to be provided by said District shall be and hereby are reduced to the extent hereinabove set forth.

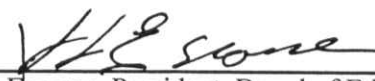
BE IT FURTHER RESOLVED that due to the reduction or discontinuance of particular kinds of services, the legal number of employees of the District, pursuant to Education Code Section 44955, not be reemployed for the 2004-2005 school year.

BE IT FURTHER RESOLVED that the Superintendent, or his designee, is directed to give Notice of Recommendation Not to Reemploy, in accordance with the provisions of Section 44949 and 44955 of the Education Code, to the number of certificated employees allowed pursuant to Education Code Section 44955.

BE IT FURTHER RESOLVED that the Superintendent, or his designee, is delegated the authority to take all actions necessary and proper to the accomplishment of the purposes of this Resolution.

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

AYES: 7
NOES: 0
ABSENT: 0



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

I, John E. Deasy, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its Regular Board Meeting held on March 11, 2004.



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

Attachment A (attached to the permanent Minutes)

**Santa Monica-Malibu Unified School District
Department of Human Resources**

Board of Education Resolution 03-10
Attachment "A"

List of Probationary, Tenured or Emergency Credentialed Employees to
Receive Notices Due to Reduction or Elimination of Particular Kinds of Services (PKS)

Employee No.	Site	Subject/Level	FTE
666871	MHS	Art	1.00
265974	SAMOH	Art	1.00
950537	SAMOH	English	1.00
939504	SAMOH	English	1.00
687789	SAMOH	English	1.00
088236	SAMOH	English	1.00
824252	SAMOH	English	1.00
471205	SAMOH	English	1.00
301622	SAMOH	English	1.00
335447	SAMOH	French	1.00
308092	Lincoln	Woodshop	0.20
701058	SAMOH	Industrial Tech.	0.50
917076	SAMOH	Japanese	1.00
453164	JAMS	Math	1.00
609172	MHS	Math	1.00
755718	SAMOH	Math	1.00
010272	SAMOH	Math	1.00
894903	SAMOH	Math	1.00
351512	SAMOH	Math	1.00
647322	MHS	Music	0.20
188858	Ed. Svcs.	Music	1.00
108068	MHS	Phys. Ed.	1.00
364637	JAMS	Phys. Ed.	1.00
752904	Lincoln	Phys. Ed.	1.00
552031	Lincoln	Phys. Ed.	1.00
523119	SAMOH	Spanish	1.00
514688	SAMOH	Spanish	1.00
Total FTE:			24.90

TO: BOARD OF EDUCATION

ACTION/MAJOR
03/11/04

FROM: JOHN E. DEASY/JOSEPH QUARLES/KATHY SCOTT

RE: ADOPT RESOLUTION NO. 03-13: RELEASE AND REASSIGNMENT OF
CERTIFICATED ADMINISTRATORS

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve attached Resolution No. 03-13, reassigning the listed certificated administrators at the end of the 2003-04 school year pursuant to Education Code 44951.

COMMENT: The Superintendent of the Santa Monica-Malibu Unified School District recommends to the governing Board that the Certificated administrative employees listed in the resolution be reassigned for the 2004-05 school years. This decision was made on an individual by individual basis. This matter will be discussed in Closed Session.

MOTION MADE BY: Ms. Brownley

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

ABSTENTIONS: None (0)

A number of speakers turned in cards to speak to item A.09, however, President Escarce, in reading the cards realized that the wrong number was written and that the speakers wanted to address this matter.

Moved by Dr. Escarce, seconded by Ms. Bloomfield and voted 7/0 to reconsider this item. It was further agreed to rescind the vote and to vote again on this item following the public speakers.

PUBLIC COMMENTS

Vivian Alcalay

Marcia Gecht

Shamir Moorner

Jessyca M. Gilmore

Rachell Cleaves

The Board voted on the motion as moved by Ms. Brownley,
Seconded by Mr. de la Torre as follows:

AYES: (6)

NOES: (1) Ms. Leon-Vazquez

ABSTENTIONS: (0) None

**CERTIFICATED ADMINISTRATORS
RELEASE AND REASSIGNMENT**

RESOLUTION NO. 03-13

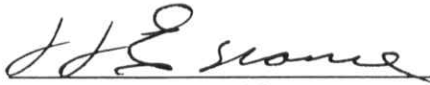
BE IT RESOLVED that the Board of Education has determined that the certificated employees listed below shall be released from their administrative positions and reassigned at the end of the 2003-04 school year, and that the Superintendent and/or his designee is hereby authorized to give written notice of this action pursuant to Education Code section 44951:

96-7862

56-1443

46-9037

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



Jose Escarce, President



Mike Jordan, Member



Emily Bloomfield, Vice President

Maria Leon-Vazquez, Member



Julia Brownley, Member



Shane McLoud, Member



Oscar de la Torre, Member

(Signed document on file in the Human Resources Department)

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

RESOLUTION NO. A.09

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

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

MOTION MADE BY: Ms. Brownley
SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A
AYES: All (7)
NOES: None (0)
ABSTENTIONS: (None)

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

RESOLUTION NO. 03-14

**RESOLUTION NONREELECTING AN EMERGENCY
TEMPORARY CERTIFICATED EMPLOYEE**

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

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

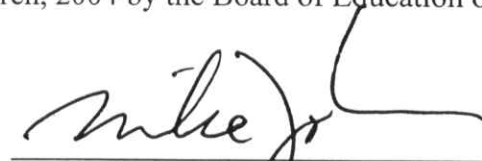
BE IT RESOLVED that the following certificated probationary employees not be reemployed for the 2004-2005 school year, and that the Superintendent or his designee be directed to give written notice thereof as required by law:

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

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



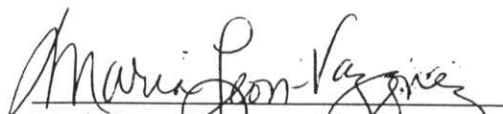
Jose Escarce, President



Mike Jordan, Member



Emily Bloomfield, Vice President



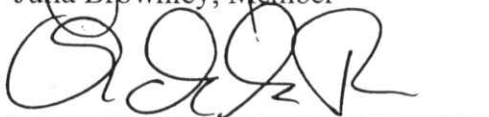
Maria Leon Vazquez, Member



Julia Brownley, Member



Shane McLoud, Member



Oscar de la Torre, Member

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/11/04

FROM: SUPERINTENDENT/JOSEPH N. QUARLES/KATHY SCOTT

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

RESOLUTION NO. A.10

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

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

MOTION MADE BY: Ms. Brownley
SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A
AYES: All (7)
NOES: None (0)
ABSTENTIONS: (None)

**BEFORE THE BOARD OF EDUCATION OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
RESOLUTION NO. 03-15**

RESOLUTION NON-REELECTING TEMPORARY CERTIFICATED EMPLOYEES

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

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


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

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

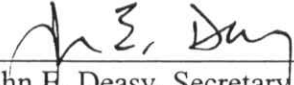
09-3472	64-2015	63-1550	75-6979	70-4519	67-2176
88-5257	67-8153	57-6272	75-2223	56-7579	48-3472
87-8482	56-1422	78-4582	44-6842	88-0921	78-1496
17-5772	95-5038	99-2054	05-7125	37-7711	

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

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

AYES:	<u>7</u>	
NOES:	<u>0</u>	Jose Escarce, President
ABSENT:	<u>0</u>	Board of Education
		Santa Monica-Malibu Unified School District

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



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

TO: BOARD OF EDUCATION ACTION/MAJOR
03/11/04
FROM: SUPERINTENDENT/JOSEPH N. QUARLES/KATHY SCOTT
RE: RESOLUTION NO. 03-16 - RELEASE OF EMPLOYEES SERVING IN
CERTIFICATED STAFFING POSITIONS PURSUANT TO EMERGENCY
PERMITS

RESOLUTION NO.A.11

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

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

MOTION MADE BY: Ms. Brownley
SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A
AYES: All (7)
NOES: None (0)
ABSTENTIONS: (None)

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
RESOLUTION REGARDING RELEASE OF EMPLOYEES SERVING IN CERTIFICATED STAFFING
POSITIONS PURSUANT TO EMERGENCY PERMITS**

RESOLUTION NO. 03-15

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

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

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

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

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

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

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

(A) the Board would not be able to approve the required Declaration of Need to the extent allowing the employees listed below to be reemployed;

(B) it is appropriate to non-reelect, release and non-renew the employment of the employees listed below in order to ensure available staffing space for the qualified, regularly credentialed employees who are intended to be hired instead of those individuals holding only emergency permits;

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

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

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

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

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

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

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

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

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

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

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

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

Approval:

Dr. Escarce
Ms. Bloomfield
Ms. Brownley
Mr. de la Torre
Dr. Jordan
Ms. Leon-Vazquez
Mr. McLoud

Dissenting:

None

Abstaining:

None

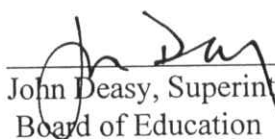
Absent:

None

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

Date:

3/11/04


John Deasy, Superintendent/Secretary

Board of Education

Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

DISCUSSION

03/11/04

FROM: JOHN E. DEASY/KENNETH BAILEY/ORLANDO GRIEGO

RE: FOOD AND NUTRITION SERVICES

DISCUSSION ITEM NO. D.1

At the February 8, 2004 meeting, School Board Members requested information regarding Food and Nutrition Service's operations.

The mission of the Food and Nutrition Services Department is to provide high quality, nutritious food to the students of Santa Monica-Malibu Unified School District on a self-sustaining basis. To that end, Food and Nutrition Services staff have implemented a number of programs including the nationally recognized Farmers' Market Salad Bar Program. Each program strives to satisfy the needs of the customers while ensuring compliance of local, State and Federal regulations.

Prior to the 2003/04 school year, it was determined that all ala carte prices would be increased. For your information the majority of ala carte sales take place in the secondary schools with a limited amount in some of the elementary sites.

Food and Nutrition Services regularly seeks out new items, especially healthy items, that can be offered to students. Prior to introduction, Food and Nutrition Services tests a majority of all new products either with staff and/or with students. This is typical of most school food service departments.

Finally, with regard to pricing of meals, program regulations require all complete meals whether hot or cold, to be priced the same depending on whether the meal is served in our elementary or secondary schools.

The Food and Nutrition Services Department is actively looking into new products, innovative ways to encourage students to make healthy selections and to do so on a self sustaining basis. Each member of the staff supports the mission of ensuring that our students be offered healthy food items that will provide the required fuel for learning in the classroom.

Food & Nutrition Services

Department Update
March 11, 2004
Orlando Griego

Santa Monica-Malibu USD
Food & Nutrition Services

Background

- Farmer's Market Salad Bar Program introduced in 1997.
- Participant: National School Breakfast & Lunch Programs
- Snack Programs: Child Development & After-School
- Provider of breakfast & lunch meals: Child Development
- Self sustaining

Santa Monica-Malibu USD
Food & Nutrition Services

Program Participation

- An average of 3700 meals served daily, an average of 70,000 meals served monthly.
- Elementary schools account for 77% of lunches served.
- Secondary schools account for 90% of ala Carte sales.
- Prices for select ala Carte items increased by an average of 20%.

Santa Monica-Malibu USD
Food & Nutrition Services

Quality Food & Services

- Menu and ala Carte items tested with staff and students.
- Pricing of ala Carte items determined each school year.
- New items reflect student requests and focus on healthy choices.
- Staff in schools during lunch periods.

Santa Monica-Malibu USD
Food & Nutrition Services

Farmer's Market Salad Bar Program

- Average Daily Participation – Salad Bar: 800
- Total Salad Bar meals served – February: 14,553.
- All meals served qualify for the National School Lunch Program.
- Portions must meet minimum requirements for a reimbursable meal.
- Extensive nutrition education program.
- All National School Lunch Program meals are currently priced at the same amount.

Santa Monica-Malibu USD
Food & Nutrition Services

Focus: Healthy Choices, Lifelong Habits

- Nutrition education.
- Student participation: school gardens, classroom instruction, Farmer's Market tours.
- New menu items.

Santa Monica-Malibu USD
Food & Nutrition Services

Goals

- Nutritional analysis of all menus.
- Menu planning method will be changed:
2004/05 school year: Nutrient Based.
- Survey of representative sample of students.
- Survey of local districts, identify Best Practices;
incorporate into FNS.
- Conduct extensive food & labor cost analysis.

Santa Monica-Malibu USD
Food & Nutrition Services

Final Comments

- Food & Nutrition Services remains committed to providing healthy food choices and excellent customer service on a daily basis.
- Food & Nutrition Services strongly believes its role is to create an environment for students to develop healthy eating habits as a lifestyle.
- Food & Nutrition Services will continue to develop healthy food policies and practices that will be a model for the District and the school food service industry, while remaining self sustaining.

Santa Monica-Malibu USD
Food & Nutrition Services

TO: BOARD OF EDUCATION

DISCUSSION

03/11/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: PROPOSED POLICY 3290 - ACCEPTANCE OF GIFTS
NEXT STEPS

Previously

01/22/04

02/05/04, 02/19/04. 02/26/04

DISCUSSION ITEM NO. D.2

Following the Board's discussion of the proposed changes to the district's gift policy at the meeting of February 26, 2004, the superintendent has prepared the attached memorandum based on direction by the Board of Education.

It is recommended that the Board of Education discuss each component of the proposed policy as outlined.

* * * * *

The Board of Education directed the Superintendent to develop language regarding Grants and Gifts and that it be included when the policy is presented for further discussion scheduled for the March 25, 2004 Board meeting.

SANTA MONICA-MALIBU UNIFIED SCHOOLS

TO:	BOARD OF EDUCATION
FROM:	JOHN E. DEASY, SUPERINTENDENT
SUBJECT:	GIFT POLICY/NEXT STEPS
DATE:	MARCH 4, 2004

This memorandum is designed to outline the next steps in our work on proposed policy 3290. I will delineate the major areas for which staff needs direction in writing the fine points of both the policy and administrative regulation. I will also suggest a course for each step yet to be resolved, and also provide as much data as possible for you to examine as you make the necessary decisions.

It may be helpful to frame the major issues remaining to be resolved as the following:

- 1.) The collection mechanism
- 2.) The administration of the policy and equity fund
- 3.) The distribution mechanism
- 4.) A process to obtain community assistance in constructing the working details of the policy and administrative regulation.

I will begin with the last framing issue first.

I. Community Assistance

i. Ad Hoc Committee

I propose that we establish an Ad Hoc working group to assist the Board and the administration. The general purpose of such a group would be to help the Board construct the finer points of the administrative regulations and to offer opinion on policy points when asked. The group should be able to meet rather frequently during the next few months and be of a size that will allow a diversity of opinion yet being able to complete the work. I suggest that we ask for a representative from each of the school/sites that will contribute to the equity fund and the principal/director from each site. The superintendent's office will facilitate the organization and specifics of the working group. I suggest Jeanne Wells be the liaison to this group. I think the PTA is the best body to use in soliciting membership to the working committee. The committee should form as soon as possible and report regularly to the Board. In addition, a representative from our Santa Monica-Malibu Education Foundation should also be on the committee. The Board may want to seek additional membership from your financial oversight committee. I suggest the working group form and meet before March 20, 2004.

II. The Collection Mechanism

i. Collection Formula

This issue falls into two previously suggested recommendations. Before suggesting a direction, let's examine two methodologies prior to a recommendation on a formula.

The first methodology is to use a straightforward 'flat contribution' formula. An example of this was the 15% of all contributions made to a site/school. Any organization, which either donates or purchases service/product for a school/site, would be affected. The Board accepts all such contributions with the understanding that 15% of the total contributions made would be placed in the equity fund.

A second methodology involves the same legal principle in that the Board accepts all contributions made to or on behalf of a site/school with the understanding that a percentage of the contribution is placed in the equity fund. The exact amount of the contribution would depend on the total amount of gift giving at any site/school over a year. As the amount increases, the amount of the contribution to the Equity Fund would decrease to a point (an amount to be determined by you) where no contribution would be made on any gifts above that point. This so called sliding scale methodology was outlined in the second revision of the policy presented.

Given these two options, I suggest that you consider the simplest form, the flat contribution rate of 15%.

ii. Additional Monies for Consideration for Contribution

I suggest that you include in your final policy the expectation that grants and gifts made to the district at-large also be subjected to your contribution formula. Specifically, I recommend that you apply the collection formula to a portion of the monies given to the school district by our 2 cities. As a specific recommendation, I suggest you apply the formula to any amount of funds given above the current contracted agreement amount in our Santa Monica JUA (\$3,000,000) and any amount given above our current Malibu JUA (approx. \$320,000).

iii. Additional Considerations for Collection

A methodology to simplify the entire collection process is to have schools/sites post a monthly update with the fiscal office on the amount of gift/donations made to or on behalf of the school during each month. The fiscal office will help schools track their ongoing gift amounts and contribution owed to the fund. Sites/schools would be responsible for 'holding aside' their required contribution. All contributions would be sent to the Equity Fund in June. The organization administering the Equity Fund would receive the donations and distribute the funds via the student-weighted formula in July. The district will provide an anticipated planning budget each year, so that sites/schools can plan accordingly for the expenditure of these funds. This would be made on the previous year's level of gift/fundraising.

III. The Administration of the Fund

i. The Equity Fund Administration

The Board should provide direction as to the entity that will administer the fund collection and distribution. In speaking with a number of possible candidates including: local banks, institutions of higher learning, municipal officers and businesses, after thoughtful consideration, I suggest the Board ask and use our local Education Foundation for this work. They have a long history of such work, a flawless track record of administration, and a current keen insight into both fundraising and our communities.

The duties of this organization should include the collection of funds, the distribution of funds, and the public reporting (through an audit) of the year's activities in the fund. In addition, the organization would also be responsible for the collection of all voluntary funds given to the Equity Fund.

A board of directors should be established to oversee the Equity Funds and its activities. The School Board should seek membership and outline responsibilities for this board. Among the responsibilities the members of the Equity Fund Board should include the following:

- 1.) Actively fundraise for the Fund
- 2.) Assist sites/schools in fundraising through a cadre of experts in this area. These volunteers will be at the disposal of various schools to help with this important work
- 3.) Support a sister site program for those who wish to participate
- 4.) Post an annual audit of both the finances and activities of the Equity Fund.

This group of community volunteers should report to the School Board on a regular basis.

IV. The Distribution of the Funds

i. Distribution Mechanism

The next set of considerations needs to center on the distribution of Equity Funds. I suggest the School Board make several decisions in order to guide staff.

First is the formula. I have suggested a formula that takes into account a number of impacting factors on a school. These are: socio-economic status, language acquisition, number of severely handicapped students, population size, and the academic performance of the student body. I suggest you adopt this formula and monitor its effects regularly.

Second are any exemptions made during the collection phase, which would negate these funds from being distributed. I have suggested a list of those activities in previous policy drafts. I suggest you adopt this list and monitor this situation during the year.

Third is the use and locus of control of decision-making for the expenditures made from the Equity Fund. Making decisions about expenditures requires both a very local and very broad perspective simultaneously. You should not consider both as competing forces in this decision. As much as possible we believe that the decisions are made as close to the classroom as possible when dealing with school site expenditures. That being said, I suggest you decide that a portion of the equity fund be used for district-wide programs designed to support activities to achieve our mission. With this in mind, I offer the following framework for these decisions. Funds should only be expended by either schools or the district for the following activities:

- 1.) Enhance the degree of equity in our district within enrichment/advancement programs (this deals with the equity of advantage issues)
- 2.) Intervention and supplemental support programs (this deals with the equity of opportunity issues)
- 3.) District-wide intervention or acceleration programs (this deals with community-wide equity of acquisition issues)

It is also important to explicitly state prohibitions in spending from the Equity Fund. Several of these have been suggested in previous policy drafts. I suggest you finalize a set of these as guidelines, noting that individual exceptions are bound to arise and will be dealt with on a case-by-case basis.

It should be expected that over time, and on a yearly basis contributions to the voluntary side of the fund would fluctuate dramatically. In order to avoid a feast/famine cycle (like the State of California) The School Board should include in your policy the yearly decision on the amount of funds from the voluntary contributions you will redistribute. Even growth should be your aim. In addition, I believe that you should expect the Equity Fund to hold enough money in any given year to achieve all of the possibilities outlined above.

ii. Other Considerations

A number of considerations have been offered in providing suggestions for enhancing fundraising, creating incentives for the Equity Fund, and for district-wide equality of increased fundraising. Among these have been suggestions for creating a two tier Equity Fund, one being voluntary and the other being mandatory. By establishing some preset target in the voluntary component of the fund, it would trigger the negation of collections to the mandatory component of the fund. I suggest you define a direction on this idea, so that staff may make specific recommendations.

Another suggestion has been the establishment of criteria a site/school would need to meet in order to receive distributions from the Equity Fund; specifically, setting an increased threshold of local fundraising as a target that would trigger the disbursement of funds. An example would be the use of a three-year rolling average of fundraising, and then establishing a percentage increase required to receive funds each year.

Both have merits and drawbacks. Staff would offer research and recommendations, if the School Board provides direction.