

**Santa Monica-Malibu Unified School District
Board of Education Meeting
ADDENDUM to AGENDA for
JANUARY 6, 2005**

A meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on Thursday, January 6, 2005 in the Santa Monica-Malibu Unified School District, Board Room, 1651 16th Street, Santa Monica, CA. The meeting will be called to order at **5:00 p.m.** at which time the Board will move to Closed Session for the reason(s) listed in Section III, below. The Board will reconvene the public portion of the meeting at 7 p.m. in the District Board Room.

The Public Portion of the Board Meeting Begins at 7 p.m.

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

Time Certain Items: Those items listed for a specified time (indicated in bold) are listed to give the public an indication of when a particular item of interest will come before the Board. The Board will hear the item at the affixed time. However, if it is prudent to do so, the Board may adjust the time stamp to complete an item currently on the floor, but will not delay the time stamped item for more than 15 minutes.

VII CONSENT CALENDAR

Curriculum

A.04a Approval of Memorandum of Understanding Between the
Stupski Foundation and the Santa Monica-Malibu Unified School District 3

X SUPERINTENDENT'S REPORT

- Special Education - Update

XI MAJOR ITEMS

A.15 Authorization to Pay Off Certificates of Participation (COP's)
1997 Series A 4

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.

XII DISCUSSION ITEMS

D.3 Community Day School Policy 6185 5-10

XX ADJOURNMENT

This meeting will adjourn in memory of Dr. Neil C. Schmidt, who served as Superintendent of the Santa Monica-Malibu Unified School District from 1992 to 2001. The Board of Education and Superintendent John E. Deasy extend their heartfelt condolences to Neil’s wife, Julie, and their daughters, Corrie and Sarah.

The next meeting is a regular meeting scheduled to be held on Thursday, January 20, 2005, at 7 p.m. in the Santa Monica City Council Chambers, 1685 Main Street, Santa Monica, CA.

TO: BOARD OF EDUCATION

ACTION/CONSENT

01/06/05

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN THE
STUPSKI FOUNDATION AND THE SANTA MONICA-MALIBU UNIFIED
SCHOOL DISTRICT

RECOMMENDATION NO. A.04a

It is recommended that the Board of Education approve a memorandum of understanding between the Stupski Foundation and the Santa Monica-Malibu Unified School District to support the district's continued focus on standards-based literacy professional development during 2004 - 2005.

COMMENT: The Stupski Foundation has been instrumental in providing financial and administrative resources to support the district's mission of high achievement for all students while simultaneously closing the achievement gap. The MOU is on file in the Education Services Office.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

01/06/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: AUTHORIZATION TO PAY OFF CERTIFICATES OF PARTICIPATION
(COPS), 1997 SERIES A

RECOMMENDATION NO. A.15

It is recommended that the Board of Education authorize District staff to pay off the Certificates of Participation, 1997 Series A, in the amount of \$2,372,787.17.

COMMENTS: The 1997 Series A Certificates of Participation Issue was used to cover the shortfall from the Northridge Earthquake repairs paid from the ES Bond monies. This amount has been included in the budget and was presented as part of the First Interim Report.

The District will have to pay off the \$2,372,787.17 by January 15, 2004, and prior Board approval is required. This authorization will allow that transaction to take place. We will save \$781,746.50 in interest for early retirement of this Issue by eliminating 12 additional years of debt service payments. Previous debt service principal and interest payments averaged \$245,000 annually.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

DISCUSSION

01/06/05

FROM: JOHN E. DEASY/LINDA KAMINSKI

First Reading

RE: COMMUNITY DAY SCHOOL POLICY 6185

DISCUSSION ITEM NO. D.3

It is recommended that the Board of Education adopt a policy that authorizes the establishment of a Community Day School within the district, including procedures for the involuntary transfer of students.

COMMENT: Community day schools can provide an appropriate placement within the district for students who have been expelled or referred by the School Attendance Review Board. Community day schools can benefit secondary students who need a small, personalized learning environment. Specific criteria need to be established to determine which students would be eligible to attend the community day school, along with requirements and procedures for enrollment and exiting the program.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
6185	Instruction	Community Day School	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Instructional Arrangements	X		

DETAIL

The Board of Education recognizes the need to provide an appropriate alternative educational program for expelled students who are prohibited from attending regular schools in the district and for certain students referred by probation or district processes. The district shall operate one or more community day schools designed to meet the needs of these students. The Community Day School program is designed to provide students with the skills and attitudes necessary for success when they return to a regular school environment. The Superintendent or designee shall ensure that any such school is operated in accordance with legal requirements related to enrollment, instructional time and facilities.

The Board perceives the community day school as a flexible component of a comprehensive effort to meet the needs of expelled and other at-risk students throughout the county. The Superintendent or designee shall solicit input from the County Superintendent of Schools and neighboring districts when designing the district community day school and shall collaborate with them in fulfilling countywide needs.

In order to foster positive attitudes and academic progress, the Board recognizes that community day schools must give students substantial individual help with their problems. Community day school staff shall collaborate with district counselors, psychologists, and other support staff and with the county office of education, law enforcement, probation, and human services agency staff who work with at-risk youth. To the extent possible, community day school programs shall provide a low student-teacher ratio as well as individualized instruction and assessment.

The Superintendent or designee shall establish procedures for the involuntary transfer of students to a community day school in accordance with law and administrative regulation.

REFERENCE

Legal Reference:

EDUCATION CODE

1980-1986 County community schools

17085-17096 Emergency portable facilities

17280-17316 Field Act, approvals

17365-17374 Field Act, fitness of occupancy

48660-48666 Community day schools

48900-48926 Suspension or expulsion

WELFARE AND INSTITUTIONS CODE

300 Minors subject to jurisdiction

602 Minors violating laws defining crime; ward of court

UNITED STATES CODE, TITLE 20
1400-1487 Individuals with Disabilities Education Act
UNITED STATES CODE, TITLE 29
794 Rehabilitation Act of 1973, Section 504

MANAGEMENT RESOURCES

Management Resources:

CDE PROGRAM ADVISORIES

0306.96 Expulsion Policies and Expulsion Placements, SPB: 95/96-04

WEB SITES

CDE, Educational Options Office: <http://www.cde.ca.gov/spbranch/essdiv/edoptshome.html>

ADOPTED

REVISED

CSBA DATE

March 2000

DISTRICT GOAL

Quality Education for All

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
6185	Instruction	Community Day School

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Instructional Arrangements		X	

DETAIL1.0 Involuntary Transfer

- 1.1 A student may be assigned to the community day school only upon meeting one or more of the following conditions: (Education Code 48662)
 - 1.1.1. The student is involved in an expulsion process except for those expelled under 48915(c).
 - 1.1.2 The student is probation-referred pursuant to Welfare and Institutions Code 300 and/or Welfare and Institutions Code 602.1.1.3
 - 1.1.3 The student is referred from the School Attendance Review Board (SARB).
 - 1.1.4 The student is referred through a district-level referral process.
- 1.2 The first priority shall be give to students who are expelled for 48900 and 48915(a). The second priority will be given to probation-referred students and SARB. The third priority will be given to students who are involuntary transferred through the district level referral process.
- 1.3 In addition, the district will maintain an agreement and/or contract with the County Superintendent of Schools to serve students assigned (E.C. 48662) or to any other placement options.
- 1.4 In case of any student who has been identified as eligible students, under the Individuals with Disabilities Education Act or Section 504 of the federal Rehabilitation Act of 1973, who are assignment to a community day school shall be first approved by the student's Individualized Education Program (IEP) team, Student Success Team (SST), or 504 team may recommend that the student be considered for placement in the community day school through the district level referral process. If the district level referral process consurs with the recommendation for consideration of placement by the IEP team, the SST, or the 504 team such team must reconvene to determine the final placement in accordance with federal and state law.
- 1.5 At least 10 calendar days prior to the involuntary transfer of a student as a result of district-level referral process, the Superintendent or designee shall provide written notice of the transfer to the student's parent/guardian or to the adult student age 18 or older. The notice shall contain a statement of the facts and circumstances upon which the transfer is based, its duration, and conditions of readmission. The notice shall advise the student's parent/guardian or adult student of the opportunity to inspect and obtain copies of all documents supporting the transfer. In addition, the notice shall also state that the parent/guardian or adult student has five school days to request a meeting with the Superintendent or designee to discuss the transfer.

- 1.6 If the Superintendent designates an individual to represent the district at the meeting, the individual so designated shall not be a member of the staff of the school at which the student is currently enrolled.
- 1.7 At the meeting the reason for the transfer shall be reviewed with the parent/guardian or adult student and the parent/guardian or adult student may present evidence on the student's behalf.
- 1.8 The Superintendent or designee shall send the parent/guardian or adult student written notice of the decision to transfer or not transfer within three school days of the meeting.
- 1.9 If the parent/guardian or adult student desires to appeal the decision, he/she shall file written notice of the intent to appeal within 5 school days of receiving the decision. The Superintendent/designee will review the appeal within 10 calendar days of receipt of the notice of the appeal. The Superintendent's decision shall be final.

2.0 Instruction & Assessment

- 2.1 Academic programs at the community day school shall be comparable to those available to students of a similar age in the school district. (Education Code 48663)
- 2.2 The minimum school day for community day school students shall be 360 minutes of classroom instruction provided by a certificated employee of the district reporting attendance for apportionment purposes. Independent study shall not be used as a means of providing any part of this minimum day. (Education Code 48663)

3.0 Community Day School Placement Procedures

- 3.1 The Director of Pupil Services will refer eligible expelled students to the community day school. Final placement must be authorized by the Superintendent or designee.
- 3.2 The Director of Pupil Services will refer probation students returning from incarceration to the community day school. The process begins with a meeting including all of the following participants: probation officer, student, parent, and district representatives.
- 3.3 The SARB Chair may recommend that students be considered for placement in the community day school through the district referral process. Final determination of placement shall be made by the district referral team. The SARB board will outline requirements of the students' rehabilitation for readmittance to the district.
- 3.4 Additional students may be referred to the community day school through a district level referral process.
 - 3.4.1 At-risk students who are not eligible for other placement in the district maybe referred after all other interventions have been exhausted.
- 3.5 A community day school contract will be developed for each student served based on their rehabilitation plan, court order or SARB contract. All students entering community day school will be expected to comply with their community day school contract, including but not limited to appropriate behavior and a high attendance rate. If a student does not comply with any or part of the contract, the

student maybe assigned to an alternative placement. An IEP team meeting shall be held for students in special education who do not meet the requirements of the community day school contract and IEP goals.

4.0 Community Day School Exit Procedures

- 4.1 Students who are ready to be readmitted to a comprehensive site after a board expulsion action will meet with the Director of Pupil Services to provide evidence that all requirements of the expulsion have been completed and to determine that the student poses no threat to the safety of him/herself or others. .
- 4.2 Students who are on probation may be referred to a comprehensive site when they complete their community day school contract and meet their guidelines for credit acquisition.
- 4.3 Students who are under a SARB contract can be referred to a comprehensive site after review to determine if they have successfully completed their SARB and community day school contracts.
- 4.4 Students who are referred under a district referral process must successfully complete a minimum of one semester and comply with the rehabilitation plan and have successfully met conditions of their community day school contract.

5.0 Facilities

To house the community day school operations, the district shall do one or more of the following: (Education Code 17292.5)

- 5.1 Use available school facilities conforming with Field Act requirements
- 5.2 Apply for emergency portable classrooms pursuant to Education Code 17085-17096
- 5.3 Upon certifying to the State Allocation Board that all reasonable efforts have been made to use facilities that conform with the Field Act requirements of item #1 above, enter into lease agreements for facilities for which a structural engineer has submitted a report stating that substantial structural hazards do not exist.

Every three years, the Superintendent or designee shall report to the State Allocation Board on the facilities used for the district's community day programs and efforts to place these programs in facilities that conform with the requirements of #1 above. (Education Code 17292.5)

ADOPTED

REVISED

CSBA DATE

March 2000

DISTRICT GOAL

Equal Opportunity for All