

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

ACTION
02/17/05

RECOMMENDATION NO. A.01

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

January 6, 2005

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/05

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 2004/2005 budget.

Contractor/Contract Dates	Description	Site	Funding
Florence Benjamin Jan 1 - May 31, 2005 Cost Not to Exceed: \$700	To provide parent advocate mentor outreach and networking with SamoHi families	SamoHi	Medi-cal Grant 01-56400-0-11100-10000-5802-015-4150
Esperanza Caballero Jan 1 - May 31, 2005 Cost Not to Exceed: \$700	To provide parent advocate mentor outreach and networking with SamoHi families	SamoHi	Medi-cal Grant 01-56400-0-11100-10000-5802-015-4150
Rosalina Ruendia Jan 1 - May 31, 2005 Cost Not to Exceed: \$700	To provide parent advocate mentor outreach and networking with SamoHi families	SamoHi	Medi-cal Grant 01-56400-0-11100-10000-5802-015-4150
Marlene Herrera Jan 1 - May 31, 2005 Cost Not to Exceed: \$700	To provide parent advocate mentor outreach and networking with SamoHi families	SamoHi	Medi-cal Grant 01-56400-0-11100-10000-5802-015-4150
Jerran Tillman Jan 1 - May 31, 2005 Cost Not to Exceed: \$700	To provide parent advocate mentor outreach and networking with SamoHi families	SamoHi	Medi-cal Grant 01-56400-0-11100-10000-5802-015-4150

Contractor/Contract Dates	Description	Site	Funding
Richard Straus Feb 28 - June 24, 2005 Cost Not to Exceed: \$5,074	To provide teacher training and support plus launch a new humanitites curriculum	Lincoln	GATE 01-71400-0-11100-10000-5802-012-41120
Joseph Soto Sept 27, 2004 - June 23, 2005 Cost Not to Exceed: \$32,000	To conduct parent leadership development sessions through the Enlace program for spanish speaking parents across the district	Student and Family Support Services	Multicultural/City of Santa Monica 01-92230-0-11100-24950-5802-032-2560
Stephen Tucker Feb 18 - March 11, 2005 Cost Not to Exceed: \$1,500	To guest conduct 2005 Stairway of the Stars Concert to be held on March 10 and 11, 2005 and rehearse stairway performers during the week of the concert in presence of their music directors	Ed Services	Stairway of the Stars 01-91221-0-17300-10000-5802-030-1300
Julia Lourdes Lopez Jan 1 - May 31, 2005 Cost Not to Exceed: \$700.	To provide parent advocate mentor outreach and networking with SamoHi families	SamoHi	Medi-cal Grant 01-56400-0-11100-10000-5802-015-4150
Reading and Writing Project Network April 11 - 15, 2005 Cost: Not to Exceed \$12,950	To provide professional development and site-based coaching with Project Leader, Laurie Pessah for a Primary and Upper Grade Writers' Workshop	Ed Services	Title I 01-30100-0-11100-10000-5802-035-1300

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

TO: BOARD OF EDUCATION

ACTION
2/17/05

FROM: SUPERINTENDENT

RE: OVERNIGHT FIELD TRIP(S) 2004-2005

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2004-2005 school year. No child will be denied due to financial hardship.

<u>School Grade # students</u>	<u>Destination Dates</u>	<u>Principal Teacher</u>	<u>Cost Funding Source</u>	<u>Subject</u>	<u>Purpose of Trip</u>
JAMS grades 6-8 25 students	New York 6/2/05 to 6/6/05	Marcia McCarthy Amy Fowler	\$1,295 for 25+ students paid for by JAMS drama booster club	Drama	This educational trip will open the eyes and minds of children, unveiling the real life wonders of places found in history books, magazines, TV and the internet. It will be an interactive learning and cultural experience.
Samohi grades 9-12 6 students	San Francisco 3/6/05 to 3/7/05	Teri Jones Catherine Baxter	\$235 per student paid by fund raising	ROP	The purpose of this trip is for the Virtual Enterprise class to attend a trade show to promote their on-line virtual business. They will be competing with up to 68 other school businesses in salesmanship, best presentation of a booth, best web site design, best business plan, and best virtual enterprise project.

<u>School Grade # students</u>	<u>Destination Dates</u>	<u>Principal Teacher</u>	<u>Cost Funding Source</u>	<u>Subject</u>	<u>Purpose of Trip</u>
Samohi grades 9-12 6 students	Chico St. University 4/01/05 to 4/03/05	Teri Jones Catherine Baxter	\$240 per student. Money being raised through fund raisers and parents	ROP	The main purpose of this trip is for the entrepreneurship classes, Virtual Enterprise and Project ECHO to attend a trade show and State-level competition on their business projects. They will be competing with 30 of the top high school entrepreneurship programs in California in best presentation of a booth, best entrepreneurship project, environmental stewardship and social/ethic projects. Two days of activities have been organized by Chico State for SAGE (Students for the Advancement of Global Entrepreneurship.)

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/2005

FROM: JOHN E. DEASY/JUDY ABDO

RE: APPROVAL OF FEE INCREASE FOR THE SCHOOL-AGE PROGRAM FOR
FISCAL YEAR 2005-2006

RECOMMENDATION NO. A.04

It is recommended that the Board of Education approve the attached proposed fee schedule for non-subsidized parents in the School-Age Child Development programs for fiscal year 2005 - 2006.

COMMENT: Child Development Services is recommending a fee increase for the School-Age programs. The fees proposed are at or below market rate for comparable services. The proposed fee increase is approximately five percent. The proposed daily rate increase for summer, winter, and spring is \$2.00 dollars a day, from \$34.00 to \$36.00 beginning the summer of 2005.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

**CHILD DEVELOPMENT SERVICES
PRIMARY CREST - PROPOSED FEE SCHEDULE - 2005-2006**

SITE	GRADE	HOURS	MONTHLY FEE	*10% SIBLING DISCOUNT	5% SIBLING DISCOUNT
Elementary Schools Full-Time	"K" Only	Before & After School	\$350	K - \$315	K - \$333
				1-3 \$279	1-3 295
	1 - 3	Before & After School	\$310	\$279	\$295
Elementary Schools	K - 3	Winter & Spring Break 7:00 a.m. - 6:00 p.m.	\$144 per week		
A.M. Only	K - 5th Grade	7:00 - 8:30 a.m.	\$138		
Early Express	K	Dismissal until 2:45 p.m.	\$167		
Adams & Lincoln Middle Schools	6th- 8th Grade	2:45 - 6:00 p.m. 5-day plan 3-day plan	\$234	\$211	\$222
			\$139	\$125	\$132

* To qualify for 10% discount, siblings must be in the same program either in upper CREST or primary CREST, otherwise the 5% discount is applicable.

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/05

FROM: JOHN E. DEASY/LINDA KAMINSKY

RE: CARL D. PERKINS VOCATIONAL AND APPLIED TECHNOLOGY
EDUCATION ACT OF 2004-2005

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the Vocational Education Application for Funding Carl D. Perkins Vocational and Applied Technology Education Act of 1999, for secondary schools in the amount of \$52,795 for the 2004-2005 school year.

COMMENT: It is the purpose of the Carl D. Perkins Vocational and Applied Technology Education Act to make the District's students more competitive by developing more fully the academic and occupational skills of all segments of the student population. This purpose will principally be achieved through concentrating resources on improving educational programs leading to academic, and career/technical skill competencies needed to work in a technologically advanced society. These federal funds may only be used for program improvement at secondary school sites.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.06

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	<u>CONFERENCE NAME</u> <u>LOCATION</u> DATE (S)	<u>COST</u> <u>ESTIMATE</u>
<u>CADY, Linda</u> John Adams Middle 01-00000-0-13450-10000-5220-011-4110 General Fund - Function: Instruction	Yosemite Institute Extended Trip Yosemite, CA January 23 - 28, 2005	\$300 + SUB
<u>HARRIS, Hank</u> Educational Services 01-00000-0-19510-10000-5220-030 1300 General Fund - Function: Instruction	2005 Calif. Alternative Performance Assessment Program Downey, CA January 28, 2005	\$30
<u>HUNT, Mark</u> Lincoln Middle 01-72600-0-11100-10000-5220-012-4120 General Fund - Resource: SIP K-6	Calif. Band Directors Assn. Conference Fresno, CA February 17 - 20, 2005	\$200 + SUB

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>JAMES, Kimberly</u> Olympic High 01-00000-0-11100-27000-5220-014-4140 General Fund - Function: School Administration	Secondary Literacy Summit V San Diego, CA March 22 - 23, 2005	\$275
<u>KELLER, Anne</u> Special Ed 01-72600-0-11100-10000-5220-017-4170 General Fund - Resource: SIP K-6	Calif. Assn. of School Psychologists Sacramento, CA March 3 - 6, 2005	\$350
<u>LEININGER, Joy</u> Franklin Elementary 01-00030-0-11100-10000-5220-002-4020 General Fund - Resource: Governor's Performance Award	Good Teaching Conference - Santa Monica Classroom Teachers Assn. Hollywood, CA March 11, 2005	\$165 + SUB
MILLER, Stephanie Olympic High 01-00000-0-11100-27000-5220-014-4140 General Fund - Function: School Administration	A Framework for Understanding Poverty San Bernardino, CA February 24 - 25, 2005	\$225
<u>RANKEL, Claudia</u> Cabrillo Elementary 01-72600-0-11100-10000-5220-017-4170 General Fund - Resource: SIP K-6	Best of the Best Physical Education Workshop Pasadena, CA January 24, 2005	\$89 + SUB
<u>RHODES, Christopher</u> Santa Monica High No Cost to District	American Choral Directors National Convention Los Angeles, CA February 2 - 5, 2005	SUB ONLY
<u>SOLIMAN, Thoraia</u> Fiscal Services 01-00000-0-00000-72000-5220-051-2510 General Fund - Function: Other General Administration	Fiscal Management of Categorical Programs Glendora, CA March 2, 2005	\$240
<u>WOO, Angela</u> John Adams Middle No Cost to District	California Band Directors Assn. Fresno, CA February 18 - 20, 2005	SUB ONLY

<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>BROWN, Juliann</u> + 3 Additional Staff Franklin Elementary 01-72600-0-11100-10000-5220-002-4020 General Fund - Resource: SIP K-6	Marcy Cook: Active Math for K-3 Long Beach, CA Date Change: From 12/10/04 to 2/16/05	\$700 Total + 4 SUBS PLUS A \$40 OVERAGE
<u>WALLING, Cheryl</u> Franklin Elementary 01-72600-0-11100-10000-5220-002-4020 General Fund - Resource: SIP K-6	Marcy Cook: Active Math for K-3 Long Beach, CA Date Change: From 12/10/04 to 2/16/05	\$159 + 1 SUB PLUS A \$10 OVERAGE
Group Conference and Travel: In-State * a complete list of conference participants is on file in the Department of Fiscal Services		
<u>ALLEN-JONES, Pam</u> + 2 Additional Staff Santa Monica High 01-56400-0-11100-10000-5220-015-4150 General Fund - Resource: Medi-Cal Reimbursement	Soledad Enrichment Action Program "Parents Helping Parents" Los Angeles, CA April 11 - 15, 2005	\$550 Total
<u>ANDERSON, Judy</u> <u>O'BRIEN, Marianna</u> Lincoln Middle 01-72600-0-11100-10000-5220-012-4120 General Fund - Resource: SIP K-6	Calif. League of Middle Schools Annual Conference San Diego, CA March 18 - 19, 2005	\$500 Total
<u>BAXTER, Catherine</u> <u>STRAUS, Ilene</u> + 13 Additional Staff 01-58100-0-11100-10000-5220-015-4150 General Fund - Resource: Other Federal	Samohi Administrative Leadership Retreat Santa Monica, CA October 21, 2004	\$899.15 Total
<u>BEARD, Clara</u> <u>HOLLIE, Ada</u> Santa Monica High No Cost to District	Mt. St. Mary's Counselor Holiday Tea Los Angeles, CA December 8, 2004	0
<u>BORQUEZ, Catherine</u> + 5 Additional Staff Will Rogers Elementary 01-72600-0-11100-10000-5220-006-4060 General Fund - Resource: SIP K-6	6-Trait Writing Workshop Anaheim, CA February 28 - March 2, 2005	\$2,550 Total + 5 SUBS

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>BROCK, Miriam</u> <u>WOLD, Tanya</u> McKinley Elementary 01-30180-0-11100-10000-5220-004-4040 General Fund - Resource: Title I Basic	The 3 A's - Autism, ADHD, Apraxia Irvine, CA February 25, 2005	\$558 Total + 2 SUBS
<u>BURNETT, Michael</u> <u>CUDA, Zach</u> Santa Monica High 01-71400-0-11100-10000-5220-015-4150 General Fund - Resource: Gifted & Talented Education	Advanced Placement Workshop: Economics Alhambra, CA February 12, 2005	\$400 Total
<u>CAREY, Will</u> <u>MANGLE, Ruthy</u> Information Services 01-00000-0-00000-77000-5220-054-2540 General Fund - Function: Data Processing Services	Carter Pertaine Users Group Annual Conference Visalia, CA March 6 - 9, 2005	\$600 Total
<u>ESTRADA, Tiffany</u> <u>GUSMAO-GARCIA, Renata</u> John Muir Elementary 01-72600-0-11100-10000-5220-005-4050 General Fund - Resource: SIP K-6	Creating a Thinking Curriculum Westwood, CA January - May, 2005 (Various Dates)	\$700 Total + 2 SUBS
<u>JONES, Teri</u> <u>+ 2 Additional Staff & 18-20 Students</u> Regional Occupational Program 01-35500-0-38000-10000-5220-080-7800 General Fund - Resource: Carl Perkins II	Distributive Education Clubs of America Calif. State Career Development Conference Costa Mesa, CA March 4 - 6, 2005	\$2,000 Total
<u>RAMOS, Irene</u> <u>+ 3 Additional Staff</u> John Adams Middle 01-72600-0-11100-10000-5220-011-4110 General Fund - Resource: SIP K-6	Calif. League of Middle Schools Annual Conference San Diego, CA March 17 - 20, 2005	\$458 Total + 1 SUB
<u>ROWLAND, Chris</u> <u>YOUNG, Susan</u> Cabrillo Elementary 01-72600-0-11100-10000-5220-017-4170 General Fund - Resource: SIP K-6	National Council of Teachers of Mathematics Anaheim, CA April 6 - 9, 2005	\$652 Total + 2 SUBS

<u>NAME</u> <u>SITE</u> Account Number Fund - Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
Out-of-State Conferences: Individual		
<u>DEASY, John</u> Superintendent 01-00000-0-00000-71500-5220- 020-1200 General Fund - Function: Superintendent	Operation Public Education Advisory Board Mtg. Philadelphia, PA March 7 - 8, 2005	\$100 (misc. exp.) (Conference paid by OPE)
Out-of-State Conferences: Group		
NONE		

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

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/WINSTON A. BRAHAM
RE: ACCEPTANCE OF GIFTS - 2004-05

ACTION/CONSENT
02/17/05

RECOMMENDATION NO. A.07

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$38,902.23 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 2004-2005 income and appropriations by \$24,402.23, as described on the attached listing.

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

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 02-17Gift.pdf

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

TO: BOARD OF EDUCATION ACTION/CONSENT
02/17/05
FROM: JOHN E. DEASY/WINSTON BRAHAM/VIRGINIA I. HYATT
RE: APPROVAL OF PURCHASE ORDERS

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Order from January 28, 2005 through February 9, 2005 for fiscal year 2004/05.

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:

TO: BOARD OF EDUCATION ACTION/CONSENT
2/17/05
FROM: SUPERINTENDENT/WINSTON A. BRAHAM/VIRGINIA I. HYATT
RE: ACCEPTANCE OF WORK COMPLETED FOR TRUSS REPAIRS AT
WEBSTER ELEMENTARY SCHOOL BY SPS INC.

RECOMMENDATION NO. A.09

It is recommended that the Board of Education accept as completed all work contracted for the truss repairs at Webster Elementary School.

Funding Information

Budgeted: Yes
Fund/Source: 01 - General Fund
21 - Prop X - General Obligation Bonds
30 - State Modernization
Account number: 01-81500-0-00000-81100-5620-061-2602 - \$37,720
21-00000-0-92000-85000-5802-008-2605 - \$ 5,500
30-00000-0-92000-85000-6200-090-2600 - \$15,020
Description: Maintenance Contracts
Consulting Contracts
Building Improvement

COMMENT: The contract with SPS, Inc. has been completed. In order to facilitate the release of the 10% retention being held by the District, a notice of completion must be filed for thirty five (35) days with the County of Los Angeles pending Board approval.

Original Contract Amount	\$58,240
Total Contract Amount	\$58,240

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/04

FROM: SUPERINTENDENT/VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED FOR ASPHALT REPAIRS BY
BEN'S ASPHALT - MALIBU HIGH SCHOOL - BID #4.05

RECOMMENDATION NO. A.10

It is recommended that the Board of Education accept as completed all work contracted with Ben's Asphalt for asphalt repair at Malibu High School.

Funding Information:

Budgeted: Yes

Fund: 01

Source: Deferred Maintenance

Account Number:14-00000-0-00000-81100-5640-060-1500

Description: Deferred Maintenance-Repair by Vendor

COMMENT: The contract with Ben's Asphalt has been completed. In order to facilitate the release of the 10% retention being held by the District, a notice of completion must be filed for thirty five (35) days with the County of Los Angeles pending Board approval.

ORIGINAL CONTRACT	\$ 98,000.00
CHANGE ORDER #1,2	\$ 12,298.50
TOTAL CONTRACT AMOUNT	\$110,298.50

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: ACCOUNTING AND CONSULTING SERVICES/MANDATED COST
REIMBURSEMENT CLAIMS-CENTRATION, INC.

RECOMMENDATION NO. A.11

It is recommended that the Board of Education enter into an agreement with Centration, Inc. to provide accounting and consulting services related to the preparation of Mandated Cost reimbursement claims and other related services, in an amount not to exceed \$23,000 per year. The term of this agreement is July 1, 2004 Through June 30, 2005. The agreement covers work necessary to file claims for Fiscal Year 2003-2004, due on January 15, 2005, and all claims which become necessary between July 1, 2004 and June 30, 2005. The cost will be reimbursed to the District through the mandated cost claims process.

Funding Information

Source: Mandated Cost Income

Currently Budgeted: Yes

SACS Account # 01-00000-0-00000-72000-5802-051-2510

Description: General Fund/Unrestricted/Other Fiscal Serv./
Consultant/Fiscal Services/Director

COMMENT: The District has utilized this service from Centration, Inc. over the past six years. The mandated costs reimbursement claims processing services will assist the District with:

- 1) Maximizing State Mandated Costs reimbursement revenue
- 2) Monthly data collection
- 3) Staff training and consultation
- 4) Preparation of State Mandated Claim Reports
- 5) Semi-annual status reports to management
- 6) Preparation and presentation of revised claims

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM/ORLANDO GRIEGO

RE: FOOD AND NUTRITION GRANT

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve a grant application to the California Department of Education for School Breakfast Expansion Program. Amount to be determined.

Comment: Food and Nutrition Services proposed expanding the School Breakfast Program at McKinley and Will Rogers Elementary School. The California Department of Education is offering competitive grants of up to \$15,000 per site for non recurring expenses incurred in expanding a School Breakfast Program.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION
 FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS
 RE: CERTIFICATED PERSONNEL - Elections, Separations

ACTION/CONSENT
 02/17/05

RECOMMENDATION NO. A.13

Unless otherwise noted, all items are included in the 2004/2005 approved budget.

ADDITIONAL ASSIGNMENTS

JOHN ADAMS MIDDLE SCHOOL

Woo, Angela	14 hrs @\$35.96	1/14/05-6/24/05	<u>Est Hrly/\$500</u>
			TOTAL ESTABLISHED HOURLY \$500

Comment: Coordinate Hiplaces Survey
 01-Gifts

Burgee, Martha	4 hrs @\$35.96	12/20/04	<u>Est Hrly/\$144</u>
Krinski, Hallie	4 hrs @\$35.96	12/20/04	<u>Est Hrly/\$144</u>
			TOTAL ESTABLISHED HOURLY \$288

Comment: Saturday School Supervision
 01-Unrestricted Resource

ADULT EDUCATION

Gridley, Steven	230 hrs @\$40.30	1/10/05-6/30/05	<u>Est Hrly/\$9,269</u>
			TOTAL ESTABLISHED HOURLY \$9,269

Comment: ESL Teacher
 231 ESL

CABRILLO ELEMENTARY

Posey, Steve	66 hrs @\$35.96	1/10/05-6/24/05	<u>Est Hrly/\$2,373</u>
			TOTAL ESTABLISHED HOURLY \$2,373

Comment: After school Homework Club
 01-School Improvement Prog, K-6

EDUCATIONAL SERVICES

Crawford, Joan	42 hrs @\$35.96	9/7/04-6/30/05	<u>Est Hrly/\$1,510</u>
Hakomori, Teri	42 hrs @\$35.96	9/7/04-6/30/05	<u>Est Hrly/\$1,510</u>
			TOTAL ESTABLISHED HOURLY \$3,020

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

***This is an unbudgeted item that will be added to the current budget upon approval of this Consent/Action Item-**

Harris, Kenneth	28 hrs @\$35.96	9/7/04-6/24/05	<u>Est Hrly/\$1,007</u>
Horn, Lorri	28 hrs @\$35.96	9/7/04-6/24/05	<u>Est Hrly/\$1,007</u>
Matthews, Jill	28 hrs @\$35.96	9/7/04-6/24/05	<u>Est Hrly/\$1,007</u>
Olsheim, Elizabeth	28 hrs @\$35.96	9/7/04-6/24/05	<u>Est Hrly/\$1,007</u>
			TOTAL ESTABLISHED HOURLY \$4,028

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

***This is an unbudgeted item that will be added to the current budget upon approval of this Consent/Action Item-**

Antonopoulos, Erin	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Beeman-Solano, Amy	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Siddique, Lydia	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Gusmao-Garcia, Renata	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Louria, Meredith	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Ostrom, Michael	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Serratore, Rosa	84 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$3,021
Purcesll, Andrea	84 hrs @\$35.96	9/7/04-6/24/05	<u>Est Hrly/\$3,021</u>
TOTAL ESTABLISHED HOURLY			\$24,168

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

***This is an unbudgeted item that will be added to the current budget upon approval of this Consent/Action Item-**

Anderson, Terry	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Beasley, Linda	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Borquez, Catherine	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Compton-Sugars, Shirley	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Crawford, Joan	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Demopoulos, Katherine	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Gies, Gretchen	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Hendra, Mary	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Jimenez, Sylvia	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Kiehm, Monique	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Teisl, Shannon	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Young, F.E.	42 hrs @\$35.96	9/7/04-6/24/05	Est Hrly/\$1,510
Young, Susan	42 hrs @\$35.96	9/7/04-6/24/05	<u>Est Hrly/\$1,510</u>
TOTAL ESTABLISHED HOURLY			\$19,630

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

***This is an unbudgeted item that will be added to the current budget upon approval of this Consent/Action Item-**

FRANKLIN ELEMENTARY

Silhavy, Dawn	40 hrs @\$36.32	2/1/05-6/24/05	Est Hrly/\$1,453
McCullough, Helen	40 hrs @\$36.32	2/1/05-6/24/05	<u>Est Hrly/\$1,453</u>
TOTAL ESTABLISHED HOURLY			\$2,906

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

GRANT ELEMENTARY

Petrilyak, David	10.5 hrs @\$35.96	9/1/04-6/24/05	Est Hrly/\$378
Takashima, Iris	10.5 hrs @\$35.96	9/1/04-6/24/05	<u>Est Hrly/\$378</u>
TOTAL ESTABLISHED HOURLY			\$756

Comment: Grant Writing Assessment
01-School Improvement Prog, K-6

MALIBU HIGH SCHOOL

Deshautelle, Anna	35 hrs @\$36.32	2/1/05-3/31/05	Est Hrly/\$1,271
Scott, Ruben	35 hrs @\$36.32	2/1/05-3/31/05	<u>Est Hrly/\$1,271</u>
TOTAL ESTABLISHED HOURLY			\$2,542

Comment: CAHSEE Test prep classes
01-School Improvement Prog, 7-12

MCKINLEY ELEMENTARY SCHOOL

Kincannon, Marie	130 hrs @\$35.96	9/9/04-6/30/05	<u>Est Hrly/\$4,675</u>
TOTAL ESTABLISHED HOURLY			\$4,675

Comment: Music Teacher - Grades K-5
01-Gifts

ROOSEVELT ELEMENTARY SCHOOL

Chenik, Mara 272 hrs @\$36.32 2/1/05-6/10/05 Est Hrly/\$9,879
TOTAL ESTABLISHED HOURLY \$9,879

Comment: Reading Intervention
01-Govrn'r's Perf Awards

SANTA MONICA HIGH SCHOOL

Wexler, Linda 52 hrs @\$35.96 11/29/04-6/30/05 Est Hrly/\$1,870
TOTAL ESTABLISHED HOURLY \$1,870

Comment: Advanced Placement (A.P.) Tutorial
01-Gifted/Talented Educ (GATE)

Audet, Amanda 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Kirshon, Andrea 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
TOTAL ESTABLISHED HOURLY \$360

Comment: House Student Support Meetings
01-Other Federal

Barraza, Pete 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Contreras, Luis 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Cook, Peter 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Felix, Michael 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Ferre, Liwanag 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Kariya, Emily 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Marsh, Catherine 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Nation, Christina 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Roberts, Lasonja 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Walser, Eric 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
TOTAL ESTABLISHED HOURLY \$1,800

Comment: "M" House Student Support
01-Other Federal

Braunfeld, Daniel 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Fox, Sara 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Hecht, James 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Meadors, Amy 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
Morris, Ariel 5 hrs @\$35.96 11/1/04-6/30/05 Est Hrly/\$180
TOTAL ESTABLISHED HOURLY \$900

Comment: "A" House Student Support
01-Other Federal

HOURLY TEACHERS

STUDENT AND FAMILY SUPPORT SERVICES

Rubin, Theresa As needed @\$36.32/hr 1/24/05-6/30/05 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>
Bersch, Kirsten	6 units @227	Rehearsing and	9/3/04-6/23/05	1,362
Fedderson-France, Deanna	6 units @227	conducting Holiday & Spring Concerts	9/3/04-6/23/05	1,362
Lockrem, Bonnie	4 units @227	Auditioning Honor	9/3/04-6/23/05	908
Loyd, Alan	6 units @227	Orchestra Students	9/3/04-6/23/05	1,362

McKeown, Kevin	4.25 units @227	Conducting Stairwy	9/3/04-6/23/05	965
Ravaglioli, Steven	6 units @227	Rehearsing Honor	9/3/04-6/23/05	1,362
Tellier, Bruce	6 units @227	Orchestra Students	9/3/04-6/23/05	1,362
		and working at		
		Recruitment Assemblies		
		and Vendor Nights		
Hardity, Apryl	1.75 units @227	John Adams - Honor	9/3/04-6/23/05	\$397
		Orchestra rehearsals		
		TOTAL EXTENDED DUTY UNITS		\$9,081
		01-Local Parcel Tax - Measure S		

TOTAL BUDGETED ESTABLISHED HOURLY and EXTENDED DUTY UNITS = \$47,199

TOTAL UNBUDGETED ESTABLISHED HOURLY = \$50,846

TOTAL AFTER APPROVAL OF RECOMMENDATION ITEM = \$98,045

SUBSTITUTE TEACHERS Effective

CHILD DEVELOPMENT SERVICES

(@\$14.39 Hourly Rate)

Haskin, Dorothy 1/12/05

REGULAR DAY-TO-DAY SUBSTITUTES

(@\$122 Daily Rate)

Pursell, Nicole 1/28/05

LONG-TERM SUBSTITUTES

(\$186 Daily Rate)

Forrer, Brooke 1/7/05

PREFERRED SUBSTITUTES

(@\$143 Daily Rate)

Baroody, Reem 1/20/05

Cooley, Susan 1/5/05

Duff, Colleen 1/20/05

Payne, Anne 1/21/05

TEMPORARY CONTRACTS

Name/Assignment

Not to

Location

Exceed

Effective

Adams, Michael

100%

1/31/05-6/24/05

Santa Monica HS/Geometry

[new position]

Cottam, Cynthia

100%

1/31/05-6/24/05

Santa Monica HS/Math Tutor

[new position]

Forrer, Brooke

100%

1/7/05-6/24/05

Santa Monica HS/Spanish

[replacing V. Garcia-Hecht]

Couillard, Lindsay

100%

1/14/05-6/24/05

Santa Monica HS/Spanish

[replacing S. Campos-Gonzalez]

Latham, Diana

100%

11/18/04-6/24/05

Lincoln MS

[replacing M. Diamond]

Stevens, Stephanie

100%

1/13/05-6/24/05

Franklin Elementary/1st

[replacing E. Antonopoulos]

Sugarman, Amariah

100%

9/7/04-TBD

Santa Monica HS/PE

[replacing C. Rodinoff]

LEAVES OF ABSENCE (with pay)

<u>Name/Assignment</u>	<u>Effective</u>
<u>Location</u> Antonopoulos, Erin Franklin Elementary	11/18/04-1/20/05 [maternity]
Beeman-Solano, Amy Santa Monica High School	10/25/04-12/14/04 [maternity]
Bush, Gary Special Education	1/20/05-2/18/05 [medical]
Mugalian, Tamara SMASH	1/3/05-1/30/05 [medical]
Rodionoff, Carolyn Santa Monica HS	1/17/05-2/8/05 [medical]
Warick, Catherine John Adams MS	1/20/05-2/20/05 [medical]

LEAVES OF ABSENCE (without pay)

<u>Name/Assignment</u>	<u>Effective</u>
<u>Location</u> Antonopoulos, Erin Franklin Elementary	1/21/05-4/8/05 [family care]
Beeman-Solano, Amy Santa Monica High School	12/15/04-1/28/05 [family care]
Mcelvain, Nora Lincoln MS	2/23/05-2/22/06 [military]
Rodionoff, Carolyn Santa Monica HS	2/9/05-2/28/05 [medical]

RESIGNATIONS

<u>Name/Assignment</u>	<u>Effective</u>
<u>Location</u> Fawcett, Evelyn Adult Education	1/28/05
Forinash, Richard Child Development	12/17/04
Gleason, Tania Santa Monica High School	6/24/05
Moscoso, Xavier Adult Education	12/17/04
Solomon, Daryl Santa Monica High School	6/24/05

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/17/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: SPECIAL SERVICES EMPLOYEES

RECOMMENDATION NO. A.14

It is recommended that the following Special Services Employee contracts be approved in accordance with District policies and salary schedules and be assigned pursuant to BP 4213.5. Funding for the positions listed are included in the 2004/05 budget.

ELECTIONS

<u>Name/Location</u>	Not to <u>Exceed</u>	<u>Effective</u>	<u>Rate</u>
Solomon, Mary Anne	\$6,000	01/28/05-6/30/05	\$25/hr
Santa Monica High School, update and maintain SAMOHI website			
FUNDING:	01-90120-0-11100-27000-2917-015-1501		Gifts

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/RICHARD R. IDE
RE: CLASSIFIED PERSONNEL - MERIT

ACTION/CONSENT
02-17-05

RECOMMENDATION NO. A.15

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

ADACHI, NAOMI	INST ASST - SPECIAL ED 5.0 HRS/SY MCKINLEY RANGE: 20 STEP: 01	02-01-05
HAVAS, MAI-LI	CAFETERIA WORKER I 3.0 HRS/SY SAMOHI RANGE: 11 STEP: 01	01-24-05
KYLE, VIRGINIA	INST ASST - CLASSROOM 3.5 HRS/SY MUIR RANGE: 18 STEP: 01	01-10-05
PAGLINO, BRIAN	INST ASST - SPECIAL ED 6.0 HRS/SY MALIBU RANGE: 20 STEP: 04	01-31-05
SOLEIL, JESSICA	INST ASST - SPECIAL ED 6.0 HRS/SY SAMOHI RANGE: 20 STEP: 01	01-27-05
THOMPSON, BRETT	INST ASST - SPECIAL ED 6.0 HRS/SY SAMOHI RANGE: 20 STEP: 01	02-02-05

VOLUNTARY REDUCTION IN HOURS

MARTINEZ, MELINDA	INST ASST - SPECIAL ED 6.0 HRS/SY MCKINLEY FR: 6.10/SY	02-01-04
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STIPEND FOR COMMUNITY SERVICE COORDINATOR

CONSTANZA, SIUGEN	BIL COMMUNITY LIAISON MALIBU	09-07-04 06-24-05
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INVOLUNTARY TRANSFER

VASQUEZ,
MARTHA CHILDREN CENTER ASST 02-01-05
3.5 HRS/SY GRANT
FR: 3.5 HRS/SY CDS

INCREASE IN ASSIGNMENT

CARRILLO,
STEVEN BUS DRIVER 01-18-05
8.0 HRS/10 TRANSPORTATION
FR: 7.0 HRS/10

UNPAID LEAVE OF ABSENCE

DE CORDOVA,
ANGEL GARDENER 01-10-05
GROUNDS DEPARTMENT 03-10-05

MEDICAL LEAVE OF ABSENCE

MARES,
JOSE EQUIP OPERATOR TREE TRIMMER 01-04-05
GROUNDS DEPARMENT 01-24-05

REID,
SHUNTORIA INST ASST - CLASSROOM 01-01-05
WEBSTER 03-11-05

YBARRA,
JENNIFER CHILDREN CENTER ASST 05-29-05
EDISON 06-24-05

TEMP/ADDITIONAL ASSIGNMENT

CHAPMAN,
VICKI ELEMENTARY LIBIBRARY COORD 10-15-04
CABRILLO 06-24-05

CONRAD,
WEIJIN INST ASST - SPECIAL ED 09-07-04
SPECIAL ED 11-03-04

FUCHS,
SYLVIA OFFICE SPECIALIST 01-21-05
ROGERS 06-30-05

GUTIERREZ,
NANCY BIL COMMUNITY LIAISON 01-01-05
SAMOHI 06-30-05

NORWOOD,
LAKEISHA OFFICE SPECIALIST 02-01-05
FISCAL SERVICES 06-30-05

OZGUVEN,
FATMA INST ASST - CLASSROOM 01-06-05
ADAMS 06-24-05

SMITH,
LUZ TRANSLATOR 12-20-04
ED SERVICES 01-07-05

SUBSTITUTE

BELITZ, KIM	INST ASST - SPECIAL ED SPECIAL ED	01-24-05 06-24-05
DAUPHIN, KARIN	OFFICE SPECIALIST MALIBU	01-25-05 06-30-05
DUNGEE, KIM	CAFETERIA WORKER I FOOD SERVICES	01-28-05 06-24-05
LAWRENCE, JENNIFER	OFFICE SPECIALIST CABRILLO	01-03-05 06-24-05
ROBINSON, JAY	INST ASST - SPECIAL ED SPECIAL ED	01-26-05 06-24-05
RODRIGUEZ, IRENE	OFFICE SPECIALIST EDISON	01-24-05 06-30-05
ROZANKA, DAMIAN	INST ASST - PHYSICAL ED PERSONNEL COMMISSION	01-28-05 06-24-05
SURGINER, KAY	OFFICE SPECIALIST EDISON	01-10-05 06-30-05

RESIGNATION

BORNSTEIN, RENA	INST ASST - SPECIAL ED MALIBU	01-20-05
MILLER JR, WILBON	BUS DRIVER TRANSPORTATION	02-11-05
NICOLORO, NANCY	INST ASST - PHYSICAL ED GRANT	02-02-05
QUINTANA, MIRNA	CAFETERIA WORKER I MUIR	01-14-05
SHRAIBATI, SUSAN	INST ASST - CLASSROOM CABRILLO	01-03-05

RETIREMENT

ROBINSON, CHRISTINE	SR OFFICE SPECIALIST MALIBU	04-01-05
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MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02-17-05

FROM: JOHN E. DEASY/RICHARD R. IDE

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.16

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.

CHILD CARE ASSISTANT

DIAZ, MARIA	CDS-FRANKLIN	01-28-05 - 06-30-05
SALEHIEH, MARYAM	CDS-ADAMS	02-02-05 - 06-30-05

NOON AIDE

BUENDIA, CAROLINA	FRANKLIN	01-24-05 - 06-24-05
KAHLE, PETER	WEBSTER	10-05-04
LAWRENCE, JENNIFER	CABRILLO	01-03-05 - 06-24-05
MONTGOMERY, ALEXIS	WEBSTER	01-03-05 - 06-30-05
WILLIAMS, SHAYLON	MCKINLEY	01-26-05 - 06-24-05

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR
02/17/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: AMEND CERTIFICATION OF AUTHORIZED SIGNATURES

RECOMMENDATION NO. A.17

It is recommended that the Board of Education amend the Certification of Authorized Signatures, as presented on December 9, 2004 in Recommendations No. A.17 and A.17a, to add the signature of Timothy R. Walker, Assistant Superintendent, Special Education, and to remove the name of Cindy Atlas, Director of Special Education. This will be in effect from February 2, 2005 through December 2, 2005.

It is further recommended that the attached document "Certification of Signatures" be completed and filed with the County Superintendent of School in accordance with Education Code Section §42633. The signature will be considered valid for the period from February 2, 2005 through December 2, 2005.

COMMENTS:Mr. Walker is the new Assistant Superintendent, Special Education, and will assume the authorized signature responsibility for Special Education. Mr. Walker needs authorization to sign Los Angeles County Office of Education (LACOE) warrants, orders for salary payment, notices of employment contracts and other documents as directed by the Board of Education. Ms. Atlas will no longer need to be an authorized signatory.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

Santa Monica-Malibu Unified School District
Addendum to
CERTIFICATION OF SIGNATURES

As secretary to the governing board of the above-named school district, I certify that the signature as shown below is the verified signature of the person authorized to sign warrants, notices of employment, contracts and orders drawn on the funds of the school district. This certification is made in accordance with the provisions of Education Code Sections:

K-12 Districts: §35143, §42632 and §42633

This approved signature is valid for the period of February 2, 2005 to December 2, 2005
In accordance with governing board approval dated February 17, 2005.

Signature: _____
Secretary of the Board
John E. Deasy

Signature of Personnel authorized to sign Orders for Salary or Commercial Payments, Notices of Employment, Contracts and Other Documents as directed by the Board of Education:

Signature:
Typed Name: Timothy R. Walker
Title: Assistant Superintendent, Special Education

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/WINSTON A. BRAHAM
RE: DISTRICT INVESTMENT POLICY

ACTION/MAJOR
02/17/05
PREVIOUSLY
2/03/05

RECOMMENDATION NO. A.18

It is recommended that the Board of Education adopt the Investment Policy as outlined on the following pages.

COMMENT: This proposed policy came before the Board of Education at its regular meeting held February 3, 2005 for discussion. As an outcome of the discussion, section IV, 4., has been added and is underlined.

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

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT INVESTMENT BOARD

POLICY -

BP (TBD)

The governing Board, the Superintendent, and all management employees of the District support prudent investment of all revenues received by the District. The goals are compliance with all relevant laws, protection and security of principal and interest, and liquidity.

The District shall deposit in the LACOE Treasury, pursuant to Education Code §41001, to be placed to the credit of the proper Fund, all General funds, Adult Education funds, Cafeteria funds, Deferred Maintenance funds, General Obligation Bond funds, Capital Facilities funds, Developer Fees/School Facility funds, Special Reserve funds and Foundation Trust funds. The District and the LACOE Treasury shall make investment of all such funds within the requirements of the previously referred to prudent investor rules in California Probate Code §16045 et seq.

The District also may deposit funds in a bank or other financial institution whose accounts are federally insured in accordance with Education Code §41002.5 or any other law or provisions of the California School Accounting Manual.

The District shall deposit all other monies, such as Revolving Cash Fund, allowed by law to be deposited in other than the LACOE Treasury in any fully-insured banking institution in the Los Angeles County selected by the Superintendent, CFO and/or their joint designee.

The Superintendent, CFO or designee, as stipulated by applicable LACOE/California Education Codes, shall file periodic reports with the Board of Education regarding the status of all District investments in the LACOE Treasury and all monies deposited in banking institutions. Note: It is preferred, however, that these reports be continued/reflected in the 1st and 2nd Interim Reports as well as the annually-required Independent Audit Report, unless otherwise specified by the Board of Education.

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
INVESTMENT BOARD POLICY - BP (TBD)

I. Purpose

This policy is designed to govern the investment of funds held by the Santa Monica-Malibu Unified School District that will be henceforth referred to as "The District". The policy also governs the issuance of debt by the District. This policy is based upon Federal, State and Local Laws as well as prudent money management practices. To the extent that this policy conflicts with applicable laws, the applicable law shall prevail. The primary goals of this policy are:

- , To assure compliance with all federal, state and local laws governing the investment of monies and the issuance of debt;
- , To protect the principal deposits of the District; and,
- , To generate investment income within the parameters of this policy and established and/or known government codes.

II. Policy

The District's primary investment objective shall be to maintain the safety and liquidity of its funds. Safety of principal is the foremost objective of the District Investment Policy. The investment factors the District shall consider, in order of descending importance, are as follows:

- , Safety of invested funds;
- , Sufficient liquidity to meet future cash flow requirements; and,
- , Attain maximum flexible yield consistent with the above requirements.

In addition, the District/Board of Education shall adopt measures as set forth in this document to ensure that the issuance of debt by the District complies with all applicable federal and state laws, including federal and state security laws.

The Chief Financial Officer (CFO)/Assistant Superintendent for Fiscal/Business Services, under the direction of the Superintendent and the Board of Education, shall have the responsibility for all decisions and activities performed under the District's Investment Policy. The CFO shall have the ability to allocate resources or delegate responsibilities as necessary with external/oversight expert independent advice in order to optimize the safety and liquidity of the investment portfolio and to implement this particular Investment Policy.

III. Legal Constraints

Pursuant to California Education Code §41001, the District shall deposit all funds received or collected from any source into the LACOE Treasury to be placed to the credit of the proper Fund of the District, except as otherwise provided by a policy or practices to be adopted by the Board of Education and will be described herein.

Pursuant to California Education Code §41015, the District may invest all or part of funds deposited in a Special Reserve Fund or any surplus monies not required for immediate necessities of the District in any of the investments specified in California Government Code §16430 or §53601. Special Reserve Funds are defined as those Funds which the Board of Education has designated for capital outlay or other purposes where an accumulation over a period of a fiscal year is desired.

IV. Authorized Investments

The District shall make investments in the context of "prudent investor rules" [Government Civil Code §2261 et seq.] which in substance states that:

"Investments shall be made with the judgment and care under circumstances then prevailing which persons of prudence, discretion and intelligence exercise in the management of their own affairs, not for speculation, but for investment considering the probable safety of the capital as well as the probable income to be derived."

The District shall deposit all funds received or collected from any source into the LACOE Treasury, except as provided for through the California Education Code. Those funds maintained in a Special Reserve Fund or any surplus funds not required for the immediate necessities of the District shall be available for investments in "funds available for investment" on the conditions set forth in this policy.

1. The LACOE Investment Pool, established by the LACOE Treasurer for the benefit of local agencies and/or schools: the District may invest up to 100% of its funds available for investment in the LACOE Investment Pools.
2. The local Agency Investment Fund established by the California State Treasury for the benefit of the local agencies and/or schools: the District may also invest up to 100% of its funds available for investment in the Local Agency Investment Fund.
3. To the extent that the District directs the investments of its funds to specific securities, those securities shall be limited to the securities identified in the California Government Code §53601. However, the District will not under any circumstances direct the investment of this Fund to reverse re-purchase agreement unless such transaction are matched to their maturity.
4. Should, in the future, the needs of the District justify the issuance of General Obligation Bonds, notwithstanding prevailing interest rates or yield and/or incentives at that time, the District shall retain an investment expert's review to determine if the benefits of a "Non-Callable" feature(s) outweigh the ability of the District and/or its Issuer(s) to assign multiple "Call" periods of said issued debt and/or retention of the District's ability to restructure said debt in advance of its maturity date.

NOTE: The goal here is to increase the "Call" opportunities.

5. Monies received from the sources or for the purposes listed below may be deposited in a bank or other financial institution. Monies so deposited shall be in fully-insured or collateralized accounts or instruments in bank accounts maintained outside of the LACOE Treasury and shall be limited to the following purposes:
 - A. Revolving Cash
 - B. Associated Student Body Accounting
 - C. Self-Insurance Funds

- D. If applicable at all, in the Santa Monica-Malibu area, Mello-Roos bond proceeds
- E. Tax and Revenue Anticipation Notes (TRANS) proceed.
- F. Cafeteria Fund

V. Compliance with Federal and State Security Laws

The District will take reasonable steps to ensure that any debt offerings issued by the District comply fully with all applicable federal and state security laws. In connection with all debt offerings issued by the District, the District shall retain bond counsel and disclosure counsel to review the offering materials prepared in connection with the debt offering to ensure that disclosures contained in offering materials comply with federal and state security laws. The CFO shall be responsible for reviewing the offering materials regarding the accuracy of information disclosed in such materials. This will be done in concert with the Superintendent, Board of Education and/or any retained expert consultant.

VI. Deposit of Proceeds from the Issuance of Debt

The District shall not issue debt for the sole purpose of generating funds for investment. The District shall limit the issuance of debt for the purposes of meeting short-term cash flow needs and to fund capital projects. Debt issuance shall be reviewed by the Financial Oversight Committee, the Superintendent, Board of Education and any authorized outside legal or specialty consultant. When depositing proceeds from the issuance of debt, the District shall limit such investment to those authorized investments identified in this policy. Should, for example, a Trust Agreement of a particular debt issued by the District become more restrictive than the District policy on authorized investments, then the Trust Agreement shall take precedence.

VII. Investment Reviews

The CFO shall review quarterly reports, or as available, on investment performance and present the same to the Superintendent, Board of Education and the Financial Oversight Committee, as required, and this shall be done in a manner determined to be timely by both the Superintendent and the Board of Education.

VIII. Changes to Investment Policy

This policy will be reviewed on an annual basis or as is determined to be necessary by the Office of the CFO, Superintendent, Board of Education and/or as dictated by the Los Angeles County Office of Education (LACOE) policies or rules. The policy will also upon its review ensure its consistency with the objectives of income growth and safety, and changes in applicable laws and, most importantly, financial trends. Any proposed amendments to the policy will require approval by the Board of Education and, prior to submission to the Board, must be endorsed/approved by both the CFO and the Superintendent.

IX. Financial Professional Compliance with Investment Policy

All outside investment advisors/managers/attorneys and other financial professionals employed or retained by the District and/or its representatives including without limitation financial advisors, underwriters, bond counsel and disclosure counsel must review this policy and sign a Statement of Compliance confirming that they have reviewed this policy and will comply fully with this policy and/or all instructions delivered and approved by the Board of Education that are within applicable Government/Education Codes.

X. Legal Reference

The foregoing policy was developed using as its primary basis Education Codes §41001 and §41015, and Government Codes §16430 and §53601.

XI. No Sweat Policy

This Investment Board Policy is intended to reflect the District's position as it relates to the adoption of a "No-Sweat" Resolution. This means that the District is committed to and resolved not to knowingly invest and/or participate for the purposes of gaining increased or investment revenue with companies that knowingly align with and/or utilize "Sweat Gains" or disregard the District's language, intent or spirit of this "No Sweat" Resolution.

TO: BOARD OF EDUCATION

ACTION/MAJOR
02/17/05

FROM: JOHN DEASY / MIKE MATTHEWS

RE: REVISION TO POLICY 1340 ACCESS TO DISTRICT RECORDS

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve revisions to the existing Board Policy 1340 Access to Records, to update legal references and administrative regulations.

COMMENT: There have been no substantive changes in Board Policy 1340 since it was written in 1990. However, new legal references have been added and the administrative regulations have been expanded. This revision is based on the latest update from the California School Board Association sample policy guidelines (November 2004). Additions to the text are underlined.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

Santa Monica-Malibu District Policy Detail

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
1340	Community Relations	Access to District Records

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>
-----------------	---------------	-------------------

EXHIBIT

Public Activities Involving Staff, Students or School Facilities x

DETAIL

The Governing Board recognizes the right of citizens to have access to public records of the district. The Board intends that any person shall have reasonable access to the public records of the schools and district during normal business hours and within the requirements of state and federal law. Such records shall be examined in the presence of the staff member regularly responsible for their maintenance.

The district may charge for copies of public records or other materials requested by individuals or groups. The charge shall be based on actual costs of duplication, as determined by the Superintendent or designee and as specified in administrative regulation.

Public access shall not be given to records listed as exempt from public disclosure in the California Public Records Act or other statutes.

REFERENCE

Legal Reference:

EDUCATION CODE

- 35145 Public meetings
- 35170 Authority to secure copyrights
- 35250 Duty to keep certain records and reports
- 42103 Publication of proposed budget; hearing
- 44031 Personnel file contents and inspections
- 44839 Medical certificates; periodic medical examination
(re access to medical certificate in personnel file)
- 49060-49079 Pupil Records
- 49091.10 Parental review of curriculum and instruction
- 52015 Ongoing evaluation and modification of school improvement plans
- 52015.5 Availability of information required by EC 52015(g)
- 52850 Applicability of article (school-based Program Coordination Plan availability)
- 54722 Application of article (Motivation and maintenance program Plan availability)

GOVERNMENT CODE

- 3547 Proposals relating to representation
- 6250-6270 California Public Records Act
- 53262 Employment contracts
- 54957.2 Minute book record of closed sessions
- 54957.5 Agendas and other writings distributed for discussion or consideration
- 81008 Public records; inspection and reproduction

CODE OF REGULATIONS, TITLE 5

- 430-438 Individual pupil records
- 4061 Availability of evaluation information

CROSS REFERENCE

Board of Education Policy 5125 - Confidentiality of Student Records

MANAGEMENT RESOURCES

ADOPTED

February 13, 1990

REVISED

CSBA DATE

February 1999

DISTRICT GOAL

Santa Monica-Malibu Unified School District

REQUEST FOR ACCESS TO OR COPIES OF DISTRICT RECORDS

Date _____

Name _____
Address _____
City, State & Zip _____
Telephone _____
Fax/E-mail _____

I am requesting:

_____ access for inspection
_____ copies

Document Name/Reference/Description _____

Requests for access to district records shall be placed in writing with the Superintendent or appropriate designee. Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used or retained by the district regardless of physical form or characteristics. (Government Code 6252)

Every person may request a copy of any district record open to the public and not exempt from disclosure. (Government Code 6253) Copying fees of \$0.25 per page may be assessed. Checks to be made payable to SMMUSD.

Within 10 days of receiving any request for a copy of records, the Superintendent or designee shall determine whether the request seeks copies of disclosable public records in the district's possession. The Superintendent or designee shall promptly inform the person making the request of his/her determination and the reasons for the decision. (Government Code 6253)

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 10 additional working days by providing written notice to the requester and setting forth the reasons for the extension and the date on which a determination is expected to be made.

Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code 6253), (Board Policy 1340), and (Administrative Regulation 1340)

TO: BOARD OF EDUCATION

ACTION/MAJOR

02/17/05

FROM: JOHN DEASY/ LAUREL SCHMIDT

RE: REVISION TO POLICY 5117 INTERDISTRICT ATTENDANCE

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve revisions to the existing Board Policy 5117 Interdistrict Attendance to amend and extend the moratorium that was imposed in August 2002.

COMMENT: In August 2002, the Board of Education imposed a moratorium on accepting new students on interdistrict permits. The moratorium was intended to continue through the 2004-2005 school year, but the board directed that it should be reviewed annually in February, to allow for modifications to address emerging fiscal and enrollment data. The moratorium has been observed each year since its inception.

In the light of the State budget deficit and projected loss of enrollment, it is recommended that the board maintain the moratorium, but modify it to allow the district to accept no more than approximately 100 students on interdistrict permits in grades K-4.

New enrollments will be distributed across district schools to avoid undue impact on facilities and staff at a single site.

Permits will be granted using the same criteria and order stated in the current moratorium. Permits are granted for attendance in the district with no guarantee of placement in a school of choice.

It is recommended that the moratorium, with modifications, be extended for the 2005-2006 school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

New text in underline.
Deleted text in ~~strikeout~~.

BP 5117

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
5117	Students	Interdistrict Attendance Policy

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Attendance	x		

DETAIL

A. Although students generally must attend school in the district and school where their residence has been established, the Santa Monica-Malibu School District Governing Board recognizes justifiable reasons for interdistrict permits. Upon request, the Superintendent or designee may accept students from other districts and may allow students who live within the District to transfer to another school within the District or out of the District.

A.1 Involuntary loss of housing should not interfere with a child completing his/her education in the Santa Monica-Malibu Unified School District.

B. Permits of this type are to be initiated by the student's parent or guardian who attests to the fact or shows evidence that the permit would be in the student's best interests. Cancellation of the permit shall occur if certain provisions are not adhered to by the student or parent/guardian, or if overcrowding should occur at the school of acceptance.

C. The Board is committed to providing a quality education for all District students legally enrolled and will provide fair and consistent treatment for students and parent/guardians regardless of their residence or permit status. All applications for a permit will be treated in a fair and consistent manner.

D. Final approval of permits for all students, including student needing specialized programs, such as GATE, special education, ELL, etc., shall rest at the District and shall be contingent upon space availability. The District will not pay excess costs to provide specialized services to students on permit.

E. Except for the conditions listed below, effective September 2002, there will be a moratorium on the receipt of all new interdistrict attendance permits. This moratorium shall continue through the ~~2004-2005~~ 2005-2006 school year. Exceptions to the moratorium are as follows:

1. All students currently attending on an interdistrict permit will be allowed to remain in the District until they leave or graduate, assuming that they uphold appropriate standards of behavior and attendance.

2. Guidelines previously applied to SMASH, Edison, including the immersion program through Grade 8, and our preschools will remain in effect.

Requests for permits will be received (granted) in the following order:

1. Intradistrict permits allowing children who are residents of the cities of Santa Monica and/or Malibu to attend a school other than their neighborhood school;

1.a The District guarantees same-school placement for all siblings in a family once an intradistrict permit has been granted, except in cases where students need a specialized program which is only available on another campus.

2. Interdistrict permits for children of employees of the Santa Monica-Malibu Unified School District [certificated, classified, management, full and part-time (a minimum of 15 hours per week)];

2.a The District guarantees a seat in a District school to all children of District employees who have requested a new interdistrict permit; staff will do its best to accommodate requests for a specific school but will not guarantee requested placement. On-going permit holders are not effected and will continue in the home school being currently attended.

3. If space and budget permit, staff will do its best to accommodate requests for placement for siblings (of current interdistrict permit holders) who will be entering Kindergarten, 1st, 2nd, 3rd, 4th, 6th or 9th Grade. If a permit is received (granted) there is no guarantee of same-school placement. On-going permit holders are not effected and will continue in the home school being currently attended;

3.a Siblings of recent [within the last three (3) years] graduates of the Santa Monica-Malibu Unified School District who attended on interdistrict permits will be allowed to enroll under this section, under the same provisions.

4. If space and budget permit, interdistrict permits for children of employees of the cities of Malibu or Santa Monica.

REFERENCE

LEGAL REFERENCE:

EDUCATION CODE

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Admission of persons including nonresidents to attendance area; workers' compensation for pupils

DISTRICT POLICIES RELATED TO PERMITS:
BP 5116.1 Intradistrict Open Enrollment
BP 5145.3 Desegregation Plan

MANAGEMENT RESOURCES

ADOPTED

January 27, 1994

REVISED

January 20, 2005
November 22, 2002
April 1, 1999

CSBA DATE

July 2004

DISTRICT GOAL

Quality Education for All

TO: BOARD OF EDUCATION

ACTION/MAJOR

02/17/05

FROM: JOHNN E. DEASY/LAUREL SCHMIDT

RE: REVISION TO POLICY 5131.61 CONTROLLED SUBSTANCES

RECOMMENDATION NO. A.21

It is recommended that the board of Education approve revisions to the existing Board policy 5131.61 Controlled Substances, to provide equitable disciplinary interventions and consequences for students who are attending school in SMMUSD on an interdistrict permit.

COMMENT: Board Policy 5131.61 Controlled Substances indicates that students possessing or being under the influence of a controlled substance shall be suspended for five days and required to complete a rehabilitation plan within ten weeks for the first offense. However, in the case of students attending on an interdistrict permit, they are suspended and their permits are revoked for a first offense.

It is recommended that all students, resident and permit, have the same consequences for a first offense. Upon the second offense, students attending on an interdistrict permit will have their permits revoked and return to their neighborhood schools.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

New text in underline.
Deleted text in ~~strikeout~~.

BP 5131.61

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
5131.61	Students	Controlled Substances	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Activities	X		
<u>DETAIL</u>			

I. POLICY STATEMENT

Unlawfully possessing, using, selling, being under the influence of or otherwise furnishing to others a controlled substance or alcoholic beverage, or intoxicant of any kind, at any school activity or on any school district or adjacent property, is considered to be a threat to the educational process. For the offenses indicated, the student, under guidelines indicated below, may be subject to suspension, transfer to another school, expulsion and an obligation to complete the district counseling requirement.

II. DEFINITIONS OF EVIDENCE

A. Hard Evidence:

1. An admission by the student of unlawfully possessing, using, selling, being under the influence of, or otherwise furnishing to others a controlled substance or alcoholic beverage, or intoxicant of any kind.
2. Discovery of the controlled substance and/or alcoholic beverage, or intoxicant of any kind, on the student's person or in possessions such as lockers or backpacks under the student's control.
3. Eyewitness testimony of any school personnel of the actual unlawful possession, sale, use or furnishing to others.
4. Eyewitness testimony of two or more students of the actual unlawful possession, sale, use or furnishing to others.

B. Soft Evidence:

-- Soft evidence is more subjective; it involves all other forms of evidence and usually based on observation of student behavior.

III. DISCIPLINE AND COUNSELING PROCEDURES FOR GOVERNING USE, POSSESSION, BEING UNDER THE INFLUENCE OF A CONTROLLED SUBSTANCE (GRADES 1-12)

A. Hard Evidence: First Offense:

If the Principal or Superintendent determines, in the presence of hard evidence, that the student unlawfully possessed, used, ~~sold~~, was under the influence of or otherwise furnished to others a controlled substance or alcoholic beverage, or intoxicant of any kind, the following steps shall be taken.

1. The student shall be suspended for a maximum of five (5) days. (Enrollment at Saturday School cannot be used in lieu of suspension.)

The rights and responsibilities section of the school district suspension form shall be observed by the school principal/designee. This includes the parent's right to have access to pupil records and the parent's or pupil's right to an appeal following the district's appeal procedures. When make-up work can be reasonably provided, the pupil shall be allowed to complete all assignments and tests missed during a suspension.

~~2. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five day suspension, the permit will be revoked and the student will be directed to enroll in his/her neighborhood school.~~

32. Students in Grades 1-12 shall be placed on academic probation for a period of ten weeks. The terms of probation include loss of privileges from participating in the following: all sports, dramatic, choral or musical performances, dances, cheerleading, graduation and awards ceremonies.

a. Students must complete 24 hours of substance abuse counseling in a program offered by the district, or students must obtain preapproval if counseling will be provided by a private agency or therapist. Parents must attend twelve (12) hours of substance abuse counseling designed for parents.

b. Students must complete forty (40) hours of community service from a list of approved agencies provided by the district, or receive preapproval for community services with other organizations.

c. The principal has the option of requiring that the student participate in a 12-step program if the behavior warrants additional intervention.

d. If the student does not complete and provide documentation for all of the above measures, he/she will remain on probation with loss of privileges until all are completed. If the student fails to complete all of the above by the last day of the semester in which the ten-week probation was scheduled to end, the student will be transferred to another school in the district for the entire next semester. At the end of that semester, the student will be returned to his/her home school.

43. Hard Evidence - Second Offense:

If the principal or Superintendent determines, in the presence of hard evidence, that for a second time within middle school (Grades 6-8) or a second time within high school (Grades 9-12), the student unlawfully possessed, used, was under the influence of or otherwise furnished to others a controlled substance or alcoholic beverage or intoxicant of any kind, the following steps shall be taken:

- a. The student shall be suspended for a maximum of five (5) days. The rights and responsibilities section of the district suspension form shall be observed by the principal/designee. This includes the parent's right to have access to pupil records and the parent's or pupil's right to appeal following the district's appeal procedures. When make-up work can be reasonably provided, the pupil shall be allowed to complete all assignments and tests missed during the suspension.
- b. The principal shall recommend that the student be expelled from the district unless it is determined that expulsion is inappropriate under the particular circumstances of the case. During the period when the student is awaiting the expulsion hearing, make-up work will be provided.

2. c. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five day suspension, the permit will be revoked and the student will be directed to enroll in his/her neighborhood school.

B. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.

IV. DISCIPLINE PROCEDURES FOR PROVIDERS OF CONTROLLED SUBSTANCES OR ALCOHOLIC BEVERAGE, OR INTOXICANT OF ANY KIND TO OTHERS (GRADES 1-12)

In cases where the principal or Superintendent determines, in the presence of hard evidence, that the student sold or provided a controlled substance or alcoholic beverage, or intoxicant of any kind, to others, the following steps shall be taken:

- A. The student shall be suspended for a maximum of five (5) days. (Enrollment at Saturday School cannot be used in lieu of suspension.)
- B. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.
- C. The principal shall inform the Superintendent/designee of the incident and actions taken.
- D. The principal shall recommend that the student be expelled from school, unless the principal finds, and so reports to the Superintendent/designee in writing, that expulsion is inappropriate under the particular circumstances of the case.

V. SOFT EVIDENCE PROCEDURES

Soft evidence cases will usually involve situations in which the student is suspected of being under the influence of a controlled substance, alcoholic beverage or intoxicant of any kind. In such a case, the administrator may consult with the school nurse and may require the completion of the Behavioral Observation Form shown in the Discipline Handbook.

VI. DISTRIBUTION GUIDELINES

A. The above policy and procedure shall be distributed to all students Grades 1-12 at the beginning of each school year and to transfer students at the time of enrollment.

B. Within the first ten (10) days of school each principal shall implement procedures to ensure that all students have acknowledged that they have received a copy of the above policy and indicated their obligation to share the contents of the policy with the parent/guardian.

C. Each principal will ensure that all middle and high school students are explicitly informed of the provisions of the controlled substance policy through assemblies, presentations and/or direct instruction in appropriate classes.

REFERENCE

Legal Reference:

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking, or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion; particular circumstances

49423 Administration of prescribed medication

49480 Notice to school by parent or guardian; consultation with physician

49602 Confidentiality of pupil information

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51210 Areas of study

51220 Areas of study, grades 7 to 12

51260 Elementary and secondary school instruction in drug education by appropriately trained instructions

51262 Use of anabolic steroids; legislative finding and declaration

51264 CDE assistance for in service training

51265 Gang violence and drug and alcohol abuse prevention in service

51268 Collaboration to avoid duplication of effort

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11357 Unauthorized possession of marijuana; punishment; prior conviction; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11373.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program
11965-11969 The School-Community Primary Prevention Program
11998-11998.3 Drug and Alcohol Abuse Master Plans
11999-11999.3 Alcohol and drug program funding (Department of Health Services)

PENAL CODE

13864 Comprehensive alcohol an drug prevention education

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over; suspension, delay, or restriction of driving privileges

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7184 Safe and Drug-Free Schools and Communities Act

MANAGEMENT RESOURCES

WEB SITES

U. S. Department of Education, Family Policy Compliance Office:
<http://www.ed.gov/offices/OM/fpco>

ADOPTED

REVISED

CSBA DATE

32684

January 20, 2005
August 19, 2004
April 10, 1997

DISTRICT GOAL

Quality Education for All

TO: BOARD OF EDUCATION
 FROM: JOHN E. DEASY/TIMOTHY R. WALKER
 RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS

ACTION/MAJOR
 02/17/05

RECOMMENDATION NO. A.22

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2004-2005 as follows:

NPS/NPA

2004-2005 Budget 01-65000-0-57500-11800-5825-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Augmentative Communication Therapies, Inc.	05-31-90	NPA - Augmentative Communication Assessment	#135	\$ 500
Bruce Gale	06-09-95	NPA - Training 01/05 - 06/05	#136	\$ 5,250
Can Do Kids, Inc.	01-30-01	NPA - PT	#137	\$ 2,100
Dynamic Therapy Solutions	05-01-01	NPA - Augmentative Communication Assessment 01/05 - 06/05	#138	\$ 600
Step by Step	02-12-95	NPA - Speech 11/04 - 06/05	#139	\$ 2,700
Therapy West	09-30-88	NPA PT Evaluation 01/05 - 06/05	#140	\$ 500
Therapy West	02-19-98	NPA - Speech	#141	\$ 1,615
Baby & Baby, Inc.	08-14-00	NPA - PT	#88 UC05256	\$ 3,520

Amount Budgeted NPS/NPA 04/05	\$ 3,600,000
Prior Board Authorization as of 02/03/05	\$ 3,541,085
Balance	\$ 58,915
Total Amount of these Contracts	\$ 16,785
Balance	\$ 42,130

***Prior Year Authorization (02-05-04) \$3,122,795**

Instructional Consultants

2004-2005 Budget 01-65000-0-57500-11800-5802-043-1400

Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Adrian Whitchelo-Scott	03-16-90	Instr.Consultant - Assistive Technology Assessment 02/05 - 06/05	#78	\$ 600
Adrian Whitchelo-Scott	08-30-91	Instr.Consultant - Assistive Technology Assessment 02/05 - 06/05	#79	\$ 600
Larry Sulham	02-04-01	Instr.Consultant - Physical Therapy 02/05 - 06/05	#80	\$ 7,200
Rehabnet Outpatient Center, Inc. - ROC	08-25-98	Instr.Consultant - Speech services 02/05 - 06/05	#81	\$ 1,710
Rehabnet Outpatient Center, Inc. - ROC	01-24-97	Instr.Consultant - Speech services 02/05 - 06/05	#82	\$ 1,710
Rehabnet Outpatient Center, Inc. - ROC	04-18-94	Instr.Consultant - Speech services 02/05 - 06/05	#83	\$ 1,710
Rehabnet Outpatient Center, Inc. - ROC	08-12-01	Instr.Consultant - Speech services 01/05 - 06/05	#84	\$ 2,700
Rehabnet Outpatient Center, Inc. - ROC	12-24-97	Instr.Consultant - Speech services 02/05 - 06/05	#85	\$ 2,138
Rehabnet Outpatient Center, Inc. - ROC	02-21-98	Instr.Consultant - Speech services 02/05 - 06/05	#86	\$ 1,710
Rehabnet Outpatient Center, Inc. - ROC	08-05-96	Instr.Consultant - Speech services 02/05 - 06/05	#87	\$ 1,710
Rehabnet Outpatient Center, Inc. - ROC	08-08-97	Instr.Consultant - Speech services 02/05 - 06/05	#88	\$ 2,138
Rehabnet Outpatient Center, Inc. - ROC	10-09-00	Instr.Consultant - Speech services 02/05 - 06/05	#89	\$ 1,800
Rehabnet Outpatient Center, Inc. - ROC	10-09-98	Instr.Consultant - Speech services 02/05 - 06/05	#90	\$ 1,710
Rehabnet Outpatient Center, Inc. - ROC	02-19-98	Instr.Consultant - Speech services 02/05 - 06/05	#91	\$ 1,710

Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Rehabnet Outpatient Center, Inc. - ROC	02-23-98	Instr.Consultant - Speech services 02/05 - 06/05	#92	\$ 2,138
Rehabnet Outpatient Center, Inc. - ROC	12-16-01	Instr.Consultant - Speech services 01/05 - 06/05	#93	\$ 3,600
Rehabnet Outpatient Center, Inc. - ROC	09-09-01	Instr.Consultant - Speech services 02/05 - 06/05	#94	\$ 2,025
Rehabnet Outpatient Center, Inc. - ROC	03-22-01	Instr.Consultant - Speech services 02/05 - 06/05	#95	\$ 2,700
Tom Metz	07-24-98	Instr.Consultant - Audiological Assessment 01/05 - 06/05	#96	\$ 500

Amount Budgeted Instructional Consultants 04/05 \$ 400,000
Prior Board Authorization as of 02/03/05 \$ 394,658
Balance \$ 5,342

Total Amount of these Contracts \$ 40,109

Balance - \$ 34,767

Non-Instructional Consultants
2004-2005 Budget 01-65000-0-57500-11800-5890-043-1400

Non-Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Parent Reimbursement	04-15-90	Non-Instr.Consultant - Mileage reimbursement to parent for school year 2004-2005.	#30	\$ 500
Administrative Services Cooperative	04-15-90	Non-Instr.Consultant - Taxi services	#14 UC05242	\$ 3,500
Contract Increase				

Amount Budgeted Instructional Consultants 04/05 \$ 200,000
Prior Board Authorization as of 02/03/05 \$ 176,195
Balance \$ 23,805

Total Amount of these Contracts \$ 4,000

Balance \$ 19,805

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:

TO: BOARD OF EDUCATION

ACTION/MAJOR

02/17/05

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: APPOINTMENT TO FINE ARTS DISTRICT ADVISORY COMMITTEE

RECOMMENDATION NO. A.23

It is recommended that the Board of Education appoint Cheryl Mollicone to the Fine Arts District Advisory Committee in the Music Subcommittee.

COMMENT: Ms. Mollicone has submitted an application for appointment to the Committee. Copies have been provided to members of the Board of Education.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

02/17/05

FROM: BOARD OF EDUCATION

RE: MASTER FACILITIES USE AGREEMENT BETWEEN THE CITY OF SANTA MONICA AND THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

RECOMMENDATION NO. A.24

It is recommended that the Board of Education approve the Master Facilities Use Agreement between the City of Santa Monica and the Santa Monica-Malibu Unified School District for the term of five years beginning July 1, 2004 and ending on June 30, 2009.

COMMENT: This agreement formalizes the discussions between the City of Santa Monica and the School District whereby the City will pay the District \$6,000,000 for the use of facilities by the City for programs and projects. The agreement stipulates that the Agreement, by mutual consent, may be extended for up to two additional 2.5 year terms.

This agreement was presented for discussion at the February 3, 2005 Board of Education meeting.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

MASTER FACILITIES USE AGREEMENT

THIS MASTER FACILITIES USE AGREEMENT (“Agreement”) is entered into this __ day of _____, 2005, by and between the CITY OF SANTA MONICA, a municipal corporation and charter city (“the City”), and the SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, a unified school district (“the District”), each duly organized and existing under the laws of the State of California.

RECITALS:

- A. For many years, the City and the District have worked together to promote the health and welfare of the community’s children and youth by providing recreational opportunities and programs which foster good citizenship.
- B. Many of the City’s projects and programs for children, youth and their families take place at public parks, playgrounds, play fields, and other City-owned recreational facilities.
- C. However, the City’s playgrounds, play fields, and recreational facilities are limited in size and are not sufficient to accommodate all of the current recreational needs of the community’s children and youth and their families.
- D. Opportunities to create new parks and recreational facilities are limited because the City’s total land area is very small – approximately eight square miles – and the City is fully built-out.
- E. Additionally, land values are very high within the City and are rising.
- F. The District owns and operates school sites within the City which include playgrounds, play fields, recreational facilities and buildings which are under-utilized during non-school hours.
- G. The City and District desire to enter into a master agreement which will allow the City to use school facilities within the City to meet certain recreational and other needs during hours when the facilities are available for City use and will allow the District to benefit from the City’s use of the facilities through the generation of revenues for the maintenance of the District’s education programs.
- H. It is the intent of the City and the District to maximize the exchange of value – community use of District facilities within the City and revenue flow to the District.
- I. It is recognized by the City and the District that new and ongoing resources are desired and necessary to fully support the strategic plan(s) and the community’s expectations of both organizations.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. TERM.

The term of this Agreement shall be five years commencing on July 1, 2004, and ending on June 30, 2009, unless otherwise terminated pursuant to this Agreement.

By mutual agreement the City and District may extend the Agreement for up to two additional 2.5 year terms.

2. SUPPLEMENTAL USE AGREEMENTS.

Supplemental Use Agreements, governing specific programs and projects, are contemplated by the parties and shall be executed pursuant to this Master Facilities Use Agreement. This provision shall not be construed to prevent the City and the District from entering into other agreements relating to school sites and facilities within the City not specifically mentioned herein, or as the parties may desire.

3. PREMISES.

The premises governed by this Agreement (“the Premises”) shall consist of playgrounds, play fields, and structures at the District’s school sites in Santa Monica. The particular facilities which the City will use at each site shall differ for each program or project and shall therefore be specified in Supplemental Use Agreements governing specific programs and projects operated by the City on District property. However, in general, in making its facilities available pursuant to this Agreement and the various Supplemental Use Agreements, the District shall give the City priority over other non-District users.

4. USE OF PREMISES.

The Premises shall be used by the City to provide supervised and unsupervised recreational opportunities, child care, enrichment classes, and other services. Specific programs and projects shall be governed by Supplemental Use Agreements.

5. COMPENSATION.

A. The City shall pay the District for use of the Premises described in this Agreement initial Annual Base Payments totaling Six Million Dollars (\$6,000,000). Payment shall be made in two equal installments, one half by December 31st and one half by June 30th. In determining compensation, the City and District have not appraised the value of the Premises and do not assert that \$6,000,000 represents the precise value of the facilities the City may access under this Agreement. The parties expressly note the terms of this Agreement can be amended or modified at any time by written agreement of the parties. During the term of this Agreement, the base payment may be adjusted as described below in this Section 5.

B. Adjustments Based on the Consumer Price Index. Annual Base Payments will be adjusted by the Consumer Price Index for all urban wage earners and clerical workers for LA/LB SMSA (CPI), as measured from February to February with a minimum 2% and a maximum 4% adjustment.

C. Adjustments Based on Facility Use and Revenues.

- (1) In January 2007 the parties will convene an adjustment conference to assess the state of community use of the Premises and the fiscal status of the two organizations with the objective of adjusting the current payments for the use of said facilities upward or downward by a maximum of \$1,000,000.00, or holding payments constant for 2007/2008. The adjustment conference participants (“conferees”) will consist of the following persons: the City Manager, Superintendent of Schools, the Finance officers of both the City and the District, the Mayor, and the School Board President. The conferees will participate in the adjustment conference with the objective to have recommendations before the City Council and School Board by March 1, 2007.
- (2) In assessing the fiscal status of the City in order to establish the payments for the use of the Premises, the total of the following “Big Eight” General Fund revenue sources will be used: 1) property tax, 2) sales tax, 3) utility users tax, 4) transient occupancy tax (TOT), 5) business licenses tax, 6) real property transfer tax, 7) parking facilities tax, and 8) fines/forfeitures.
- (3) If the cumulative growth of the actual “Big Eight” revenues (see subsection (2) above) over the two-year period 2004/2005 and 2005/2006 exceeds the increase of CPI by 4% and the increase in each of those years exceeds the CPI by at least 1.25%, the conferees will discuss adjusting the base payments by an additional $\frac{3}{4}$ of 1% of the average of the actual “Big Eight” revenues for 2004/2005 and 2005/2006 by a maximum of \$1,000,000.00 effective 2007/2008. While the result of the discussions cannot be predetermined, the conferees will be mindful of the intent of this Agreement in approaching the discussion.
- (4) If the actual cumulative growth of the revenue sources found in the “Big Eight” exceeds CPI but does not reach the level specified in subsection (3), above, the conferees will discuss whether to recommend if there should be any adjustment to base payments above that specified in Section B above. While the result of the discussions cannot be predetermined, the conferees will be mindful of the intent of this Agreement in approaching the discussion.
- (5) If the actual cumulative growth of the revenue sources found in the “Big Eight” does not increase by at least CPI in 2004/2005 and 2005/2006, the conferees will discuss whether: 1) base payments should be held constant, 2) the CPI contemplated in Section B, above, withheld, or 3) base payments reduced by some amount which in no case would exceed \$1,000,000.00. While the result of the discussions cannot be pre-determined, the conferees will be mindful of the intent of this Agreement in approaching the discussion.

(6) In January 2009, the adjustment conference described above will be convened to assess the state of community use of the Premises and the fiscal status of the two organizations and discuss whether this Agreement should be extended for an additional 2.5 years, using the formula described in subsections (3) and (4) above to set the 2009/2010 base payments, except that the \$1,000,000.00 maximum will be adjusted for the change in CPI since the 2007/2008 adjustment, providing a new maximum cap on any adjustment. Should the second contract extension option be exercised, the same process would be followed to set the 2012/2013 base.

(7) Notwithstanding the foregoing provisions of Section 5.C., if in each of any two consecutive fiscal years over the term of this Agreement the actual growth of the total "Big Eight" revenues exceeds 7.5%, the conferees will meet in January to discuss adjusting payments above the then applicable cap effective July 1 of the same calendar year. If in each of any two consecutive fiscal years over the term of this Agreement the actual revenue from the total "Big Eight" revenues declines by 7.5%, the City may convene the conference to discuss temporarily suspending this Agreement.

6. RESPONSIBILITIES OF THE PARTIES.

- A. The City's Director of Community and Cultural Services shall be responsible for the direction and supervision of the City's programs and projects on the Premises.
- B. The Superintendent of the District or his or her designee, and the Director of Community and Cultural Services, or his or her designee, shall jointly establish a Master Calendar for the City's use of the Premises for the ensuing fiscal year no later than the 1st day of July of each year. Revisions may be made throughout the year upon mutual agreement of the Superintendent of District and the Director of Community and Cultural Services.
- C. The District shall ensure that clean and conveniently located restroom facilities are open and available for use by participants in all City operated programs and projects.
- D. Responsibility for maintenance, repairs, custodial services, utility payments, staffing and security relating to the City's use of the Premises for particular programs and projects shall be specified in Supplemental Use Agreements.
- E. The District's responsibility for providing equipment and improvements for specific City programs and projects shall be specified in Supplemental Use Agreements. Except as so specified, necessary improvements and equipment shall be purchased, owned, installed, maintained and repaired by the City.

7. ACCOUNTABILITY.

The parties agree that the best interests of the public will be served if the benefits of this Agreement as well as the financial status of the two organizations are well understood. To that end, the City Manager and Superintendent will prepare an annual report on the status of this Agreement for presentation to the City Council and Board of Education in conjunction

with the annual budget cycles of the organizations. The City and the District will make the annual report and their proposed and adopted budgets available at public libraries and on-line and will continue to seek ways to make complex financial information more understandable to the community. Both organizations will observe the provisions of the Brown Act in regard to this Agreement, as in all matters of governance subject to the terms of the Act. The District will continue to benefit from the advice of its Financial Oversight Committee during the term of this Agreement.

8. TERMINATION OF RIGHTS.

The City and the District may mutually agree to terminate this Agreement. In that event, District shall have the option of purchasing from the City, all or any part of the fixed improvements, of any kind or nature whatsoever, installed by the City on the Premises. In the event the District elects not to purchase all, some or any of said improvements, the City shall remove those items not purchased from the Premises. In such event, the City shall restore the grounds in the area of such removal operations to a neat, clean and acceptable condition.

In the event the District intends to dispose of the Premises, the City shall have the right of first refusal to purchase or lease said site or facility to the extent permissible by law. Any such purchase shall be at a price negotiated by the parties or, if the purchase is pursuant to the Naylor Bill or any state law providing City the right to purchase District land at a price other than fair market value, then at such price as is determined using the provisions of state law. The City shall provide written notice to the District of its intent to purchase or lease the Premises, or any part thereof, pursuant to this Section within 90 days of agreement to terminate, or within such other time as is required by state law if the Premises is purchased pursuant to state law.

The City and District understand that if any initiative is approved by the voters that would adjust or amend the City Charter for the purposes of funding educational programs, this Agreement is no longer binding.

9. MUTUAL INDEMNIFICATION.

A. Indemnification by the District. The District hereby agrees to defend, indemnify and hold harmless the City of Santa Monica, its City Council, boards and commissions, officers, agents, employees, and volunteers (collectively "City") from and against all claims, damages, losses, expenses, demands, liability, lawsuits, and judgments including, but not limited to, attorney's fees, arising directly or indirectly from or in any manner related to the District's possession, occupancy or use of the Premises pursuant to this Agreement or arising from or in any manner connected to the District's business, activities, operations, services or work conducted in, or about the Premises, except as otherwise expressly stated herein. However, the District shall not be required to indemnify the City where such claim arises from the negligence or wrongful misconduct of the City. The City shall promptly notify the District of any claim and cooperate with the District in connection with the defense of such claim.

B. Indemnification by the City. The City hereby agrees to defend, indemnify and hold harmless the District, its Board of Education, committees, officers, agents, employees, and volunteers (collectively "District") from and against all claims, damages, losses, expenses, demands, liability, lawsuits and judgments including, but not limited to, attorney's fees arising directly or indirectly from or in any manner related to the City's possession, occupancy or use of the Premises pursuant to this Agreement or arising from or in any manner connected to the City's business, activities, operations, services or work conducted in or about the Premises, except as otherwise expressly stated herein. The City's indemnification extends to all City uses and City-approved user groups pursuant to this Agreement. However, the City shall not be required to indemnify the District where such claim arises from the negligence or wrongful misconduct of the District. The District shall promptly notify the City of any claim and cooperate with the City in connection with the defense of such claim.

C. Survival of Section. This Section shall survive the expiration or earlier termination of this Agreement.

10. INSURANCE.

Prior to execution of this Agreement, the District and the City shall procure and thereafter maintain insurance against claims for injuries to persons or damage to property arising from or in connection with use of the Premises pursuant to this Agreement as specified in Attachment A. The acquisition and maintenance of such insurance shall not affect the obligation of indemnity established by Section 9 of this Agreement.

11. COMPLIANCE WITH LAW.

All activities undertaken pursuant to this Agreement shall be in accordance with all applicable ordinances, resolutions, statutes, rules and regulations of any federal, state or local governmental agency of competent jurisdiction.

12. NOTICES.

All notices, demands, requests or approvals to be given under this Agreement shall be given in writing and conclusively shall be deemed served when delivered personally or on the fifth business day after deposit in the United State mail, postage prepaid, registered or certified, addressed as follows:

All notices, demands, requests or approval from the District to the City shall be addressed to the City at:

Department of Community and Cultural Services
City of Santa Monica
1685 Main Street
Santa Monica, CA 90401
Attn: Director

All requests for payment shall be addressed to:

Department of Finance
City of Santa Monica
1717 4th Street, Suite 250
Santa Monica, CA 90401

All notices, demands, requests or approval from the City to the District shall be addressed to the District at:

Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404-3891
Attention: Asst. Supt. of Fiscal and Business Services

13. AMENDMENTS TO AGREEMENT.

In recognition of the fact that economic and other circumstances affecting the parties' participation in this Agreement are subject to fluctuation and change, the parties expressly note and agree that this Agreement may be amended or modified at any time by agreement of the parties. Any amendment to or modification of this Agreement shall be in writing and shall be effective only upon approval of the City Council of the City and the Board of Education of the District.

14. INTERPRETATION OF AGREEMENT.

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply. The section headings are for purposes of convenience only.

15. INTEGRATION OF AGREEMENT.

It is understood that there are no oral agreements between the parties hereto affecting this Agreement and the subject matter thereof and this Agreement supersedes and cancels any and all previous negotiations, arrangements, oral agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

16. SEVERABILITY.

In the event that part of this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining portions of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

17. ATTORNEY'S FEES.

If a party to this Agreement is required to initiate or defend, or is made a party to, any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees.

18. APPLICABLE LAW.

This Agreement shall be construed and interpreted under and governed and enforced according to the laws of the State of California.

IN WITNESS WHEREOF, the parties have executed this Master Use Facilities Agreement as of the day and year first above written.

CITY OF SANTA MONICA,
a municipal corporation

ATTEST:

MARIA STEWART
City Clerk

By _____
SUSAN E. MCCARTHY
City Manager

SANTA MONICA MALIBU UNIFIED SCHOOL
DISTRICT, a unified school district

APPROVED AS TO FORM:

MARSHA JONES MOUTRIE
City Attorney

By _____
Title: _____

ATTACHMENT A

THE DISTRICT'S INSURANCE OBLIGATION

The District shall secure before execution of this Agreement the following types and amounts of insurance:

Minimum Limits of Insurance.

The District shall obtain insurance of the types and in the amounts described below:

(1) Commercial General Liability Insurance:

The District shall maintain commercial general liability insurance or self-insurance (CGL) with a limit of not less than Five Million Dollars (\$5,000,000) each occurrence/Five Million Dollars (\$5,000,000) in the annual aggregate.

(2) Business Auto Liability Insurance:

The District shall maintain business auto liability insurance or self-insurance with a limit of not less than One Million Dollars (\$1,000,000) each accident.

(3) Workers' Compensation and Employer's Liability:

The District shall maintain workers' compensation insurance or self-insurance as required by the State of California and Employer's Liability Insurance in the amount of One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

Minimum Scope of Insurance.

(1) CGL insurance shall be written on Insurance Services Office Form CG 00 01 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

(2) Business Auto Insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos). Coverage shall be written on Insurance Services Office Form CA 00 01, CA 00 05, CA 00 12, and CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

Other Insurance Provisions.

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

- (1) The City of Santa Monica, members of its City Council, boards and commissions, officers, agents, employees and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the District; and with respect to liability arising out of the District's possession, occupancy, or use of the Premises pursuant to this Agreement. Under the CGL policy, using the Insurance Services Office additional insured endorsement form CG 20 10 or a substitute providing equivalent coverage. City and other additional insureds mentioned in this paragraph shall not, by reason of their inclusion as additional insureds, become liable for any payment of premiums to carriers for such coverage.

General Liability, Workers' Compensation and Employer's Liability.

The insurer shall agree to waive all rights of subrogation against the City of Santa Monica, members of its City Council, boards and commissions, officers, agents, employees and volunteers for losses arising from activities and operations of the District in the performance of services under this Agreement.

All Coverages.

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be canceled except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City at the following address:

Department of Community and Cultural Services
City of Santa Monica
1685 Main Street
Santa Monica, California 90401
Attention: Director

Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:6, unless otherwise approved by the City's Risk Manager.

Verification of Coverage.

District shall furnish the City with original certificates of insurance and amendatory endorsements affecting coverage required by this Agreement. The certificates and endorsements for each policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on forms provided by the City or on other than the City of Santa Monica's forms, provided those forms and endorsements conform to the requirements. All certificates and endorsements are to be received and approved by the City before this Agreement commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

THE CITY'S INSURANCE OBLIGATION

The City shall secure before execution of this Agreement the following types and amounts of insurance:

Minimum Limits of Insurance.

The City shall obtain insurance of the types and in the amounts described below:

(1) Commercial General Liability Insurance:

The City shall maintain commercial general liability insurance or self-insurance (CGL) with a limit of not less than Five Million Dollars (\$5,000,000) each occurrence/Five Million Dollars (\$5,000,000) in the annual aggregate.

(2) Business Auto Liability Insurance:

The City shall maintain business auto liability insurance or self-insurance with a limit of not less than One Million Dollars (\$1,000,000) each accident.

(3) Workers' Compensation and Employer's Liability:

The City shall maintain workers' compensation insurance or self-insurance as required by the State of California and Employer's Liability Insurance in the amount of One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

Minimum Scope of Insurance.

(1) CGL insurance shall be written on Insurance Services Office Form CG 00 01 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

(2) Business Auto Insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos). Coverage shall be written on Insurance Services Office Form CA 00 01, CA 00 05, CA 00 12, and CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

Other Insurance Provisions.

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

(1) The Santa Monica/Malibu Unified School District, members of its Board of Education, advisory committees, officers, agents, employees and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the City; and with respect to liability arising out of the City's possession, occupancy, or use of the Premises pursuant to this Agreement. Under the

CGL policy, using the Insurance Services Office additional insured endorsement form CG 20 10 or a substitute providing equivalent coverage. The District and other additional insureds mentioned in this paragraph shall not, by reason of their inclusion as additional insureds, become liable for any payment of premiums to carriers for such coverage.

General Liability, Workers' Compensation and Employer's Liability.

The insurer shall agree to waive all rights of subrogation against the District, members of its Board of Education, committees, officers, agents, employees and volunteers for losses arising from activities and operations of the City in the performance of services under this Agreement.

All Coverages.

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be canceled except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District at the following address:

Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404-3891
Attention: Asst. Supt. of Fiscal and Business Services

Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:6, unless otherwise approved by the District's Risk Manager.

Verification of Coverage.

The City shall furnish the District with original certificates of insurance and amendatory endorsements affecting coverage required by this Agreement. The certificates and endorsements for each policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on forms provided by the City. All certificates and endorsements are to be received and approved by the District before this Agreement commences. The District reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

TO: BOARD OF EDUCATION

INFORMATION

02/17/05

FROM: SUPERINTENDENT

RE: BASIC/SUPPLEMENTAL TEXTBOOK ADOPTION

RECOMMENDATION NO. I.1

It is recommended that the textbooks listed below be considered for adoption for the Santa Monica-Malibu Unified School District. The Board of Education will take action to adopt these books at the next Board of Education meeting.

DO IT! PLAY CLARINET, Book 1, Author; James O. Froseth, for Grades 4-5, Adoption requested by Bruce Tellier.

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

TO: BOARD OF EDUCATION

INFORMATION

02/17/05

FROM: JOHN E. DEASY/MICHAEL D. MATTHEWS/GABE SOUMAKIAN

RE: REPORT ON STUDENT ENROLLMENT PROJECTIONS FOR 2005-06

INFORMATION ITEM NO. I.2

Student enrollment is the backbone of the budget for any school district. Having accurate projections for the following year's budget is essential for planning at the district office and for developing master schedules at each of the school sites. That being said, since public schools are open to any child living in the SMMUSD attendance area, it is impossible to be one hundred percent accurate due to families moving in and out of the attendance area, as well as families coming from and going to private schools. Still, using careful attention and analysis, as well as extensive communication with families from the school sites, we can make the best possible projections.

The report focuses on the 2005-06 student enrollment projection. Dr. Matthews and Dr. Soumakian will describe the steps the Human Resources Department has taken and the tools used to establish the 2005-06 budget projection.

INFORMATION:

The first piece of data to examine is the historical enrollment projections vs. actual CBEDS enrollment. This data shows how accurate the projections were. The chart below summarizes the accuracy of the budget projections:

Year	1998	1999	2000	2001	2002	2003	2004	2005
Projection	11797	12367	12491	12499	12344	12711	12714	12340
CBEDS	12031	12136	12384	12650	12783	12657	12561	
Enrollment Change	+263	+105	+248	+266	+133	-126	-96	
Difference between Projection and CBEDS	+234	-231	-107	+151	+439	-54	-153	
Percent off of Projection	+2%	-2%	-0.9%	+1.2%	+3.5%	-0.4%	-1.2%	

From the chart it is evident that the accuracy range varies between 0.4% and 3.5%, with the median being 1.2%.

A sophisticated enrollment projection does not simply carry over the number of students from one year and move them forward into the next year. In our analysis, we use a "Cohort Survival Model" which examines student enrollment data over the last five years, including five years of the actual enrollment numbers and patterns in year to year changes at each school site. Using that model, we derive a projection for the following school year. We have presented this information to principals, to the Information Services Department and to the Special Education Department and asked for additional information that might have an impact on the projections. With that information, we have adjusted the projections of the Cohort Survival Model to arrive at a final enrollment projection. By following these procedures, we employ both data-based and site-based information to arrive at our best possible projection.

A summary of the 2005-2006 Enrollment Projection is attached. To summarize, we project that enrollment will decline from 12,561 students in October, 2004 to 12,340 in October, 2005, a decline of 205 students. We therefore recommend that the budget be developed with that projection at its core. Clearly, as demonstrated by the decline in enrollment in the 2004-05 school year, this continued decline is the direct result of the tightening of the district permit policy at the end of the 2002-03 school year. It should be noted that this projection does not take into account any additional permit students which may be allowed via an alteration in the District Permit Policy. In addition, these projections will be updated after the analysis of data from the upcoming Kindergarten Round-Ups.

WEB SITE NOTE:

Pages 74-78 appear as a separate document/attachment due to formatting issues. They are, however, part of the printed agenda.