

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

ACTION
08/26/04

RECOMMENDATION NO. A.1

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

No Minutes available for approval

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

TO: BOARD OF EDUCATION

ACTION

08/26/04

FROM: SUPERINTENDENT/LAUREL SCHMIDT

RE: APPROVAL OF INDEPENDENT CONTRACTOR
ELEANORE U. MEYER, PHYSICIAN CONSULTANT

RECOMMENDATION NO. A.02

It is recommended that the Board of Education enter into the following Independent Contract. This contract is included in the 2004-2005 budget.

| Contractor | Description | Site | Funding |
|---|--|------------------|---|
| Eleanore U. Meyer | Provide medical consultation services for the district, particularly school nurses | Student Services | Student Services Medi-Cal reimbursement |
| 09/01/04-06/30/05 | | | 01-56400-0-11100-3900 0-5802-041-1400 |
| Total amount of contract not to exceed \$10,000 | | | |
| | | | |

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

08-26-04

FROM: SUPERINTENDENT/PEGGY HARRIS/AIDA DIAZ

RE: APPROVAL OF A MEMORANDUM OF UNDERSTANDING WITH THE LOS ANGELES COUNTY OFFICE OF EDUCATION BILINGUAL TEACHER TRAINING PROGRAM

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve a Memorandum of Understanding (MOU) between the District and the Los Angeles County Office of Education Bilingual Teacher Training Program (LACOE-BTTP). This Memorandum enables the County Office BTTP to conduct training in the District designed to lead to the qualification of teachers for (Bilingual) Crosscultural Language and Academic Development (CLAD/BCLAD) certification. Training will be throughout the 2004-05 school year.

Funding Information:

Source: Title III Funds

Currently Budgeted: Yes

Comment: The State of California requires that all teachers who instruct English Language Learner (ELL) students be trained and certified in methodologies designed to meet the linguistic needs of the ELL student. The current form of certification for the State of California is the CLAD/BCLAD. The LACOE/BTTP is a state authorized provider of training, and its courses of study of CLAD/BCLAD and minority language proficiency are consistent with the California Department of Education guidelines. The projected cost for services is \$5,500.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/26/04

FROM: JOHN E. DEASY/LINDA KAMINSKI/JUDY ABDO

RE: AGREEMENT BETWEEN SANTA MONICA COLLEGE AND SANTA
MONICA-MALIBU UNIFIED SCHOOL DISTRICT - EVEN START
CHILD CARE PROGRAM

RECOMMENDATION NO. A.04

It is recommended that the Board of Education authorize the district to enter into an agreement with Santa Monica College for professional services related to the Even Start Child Care Program as specified in the attached agreement.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

Agreement for Professional Services

THIS AGREEMENT is hereby entered into by the SANTA MONICA COMMUNITY COLLEGE , hereinafter referred to as SMC, and:

Santa Monica Malibu Unified School

SS# 95-6002855

1651 – Sixteenth Street

Santa Monica, CA 90404

310/450-8338

hereinafter referred to as SMMUSD.

SMMUSD agrees to provide to SMC the services enumerated in Section G of this Agreement under the following terms and conditions:

- A. Services shall begin on 08/16/04 and shall be completed on or before 06/30/05.
- B. SMMUSD understands and agrees that s/he and all of his/her employees are not employees of the SMC and are not entitled to benefits of any kind or nature normally provided employees of the SMC and/or to which SMC employees are normally entitled, including, but not limited to State Unemployment Compensation or Workers Compensation. SMMUSD shall assume full responsibility for payment of all federal, state and local taxes or contributions including Unemployment Insurance, Social Security, and Income Taxes with respect to SMMUSD'S employees.
- C. SMMUSD shall furnish, at his/her own expense, all labor, materials, equipment and other items necessary to carry out the terms of this Agreement unless specifically stated in section J.
- D. In the performance of the work herein contemplated, SMMUSD is an independent contractor, with the authority to control and direct the performance of the details of the work, SMC being interested only in the results obtained.
- E. SMMUSD agrees to defend, indemnify and hold harmless the SMC, its Board of Trustees, employees and agents from any and all liability or loss arising in any way out of SMMUSD'S negligence in the performance of their Agreement, including, but not limited to any claim due to injury and/or damage sustained by SMC, and/or SMC'S employees or agents.
- F. SMMUSD shall provide SMC with a Certificate of Insurance showing a minimum (not applicable) combined single limit of general liability and automobile coverage as required by the SMC.

G. Services to be rendered to the SMC by the SMMUSD are as follows:

*Reimbursement for child care services,
staff development and conference expenses,
Even Start monthly home visits, ESL instructor,
child care supplies and equipment and other
costs related to Even Start program.*

H. Neither partner shall assign or delegate any part of this Agreement without the written consent of the other party.

I. The work completed herein must meet the approval of the SMC and shall be subject to the SMC'S general right of inspection and supervision to secure the satisfactory completion thereof. SMMUSD agrees to comply with all Federal, State, Municipal and SMC laws, rules, and regulations that are now, or may in the future become applicable to SMMUSD, SMMUSD'S business, equipment, and personnel engaged in operations covered by this Agreement or accruing out of the performance of such operations.

J. Payments will be made by the SMC to the SMMUSD as follows:
NOT TO EXCEED: \$18,000.--.

K. This agreement may be terminated by either party notifying the other, in writing, at any time prior to the date of termination.

THIS AGREEMENT IS ENTERED INTO THIS 10th DAY OF August, 2004.

SMC SIGNATURE

SMMUSD SIGNATURE

Piedad F. Robertson, Ed.D.
Superintendent/President

John E. Deasy, Ph.D.
Superintendent

DATE : _____

DATE: _____

June 7, 2004 (recommendation #4
BOARD APPROVAL DATE

01.3-00000.0-04334-00071-5110-7010000 &
01.3-00000.0-04345-00071-5110-7010000
ACCOUNT NUMBER

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/VIRGINIA I. HYATT
RE: APPROVAL OF PURCHASE ORDERS

ACTION/CONSENT
08/26/04

RECOMMENDATION NO. A.5

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from August 11 through August 19, 2004 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/MAJOR
08/26/04
FROM: JOHN E. DEASY/LINDA KAMINSKI/MICHAEL D. MATTHEWS
RE: EDUCATIONAL SERVICES - JOB DESCRIPTIONS

RECOMMENDATION NO. A.6

It is recommended that the Board of Education approve the job descriptions for the following positions:

- < Coordinator, Teacher Support
- < Coordinator, Student Support
- < Coordinator, Literacy
- < Coordinator, Assessment

COMMENT: Educational Services provides support for teachers, students and administrators in the development of standards-based curriculum, effective instructional strategies, and the administration and analysis of state and district standards-based assessments. Job descriptions have been rewritten to reflect the functions of the department and to align with the district's organizational structure of 200 day coordinator positions at range 60.

The job descriptions (attached) were reviewed by Board of Education at a regular meeting held August 19, 2004.

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

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Office of Human Resources

CERTIFICATED JOB DESCRIPTION

Coordinator of Teacher Support

DEFINITION

Under the direction of the Chief Academic Officer/designee, Educational Services, it is the role of the Coordinator of Teacher Support to assist in the development and implementation of professional development for teachers to meet the District's expectations for high quality teaching and the California Standards for the Teaching Profession.

DISTINGUISHING CHARACTERISTICS

Demonstrate knowledge and ability to effectively teach the California Content Standards and meet the highest expectations of the California Standards for the Teaching Profession.

Demonstrate ability to work with adult learners, ability to support and encourage members of the teaching profession, skills in self-assessment, and reflective practice in the process of improving instructional practice. Demonstrate leadership and collaboration in a team setting. Must have good familiarity with computer technology (creating spreadsheets, databases, word processing, email). Will need to develop competency with computerized assessment equipment.

EXAMPLES OF DUTIES:

Provide leadership and support for curriculum development and professional development to support full implementation of an effective, culturally responsive, standards-based curriculum to close the achievement gap.

Oversee and coordinate teacher professional development programs such as the Beginning Teacher Support and Assessment, Career Development Program, National Board Certification, or other programs as assigned by the Chief Academic Officer/designee.

Provide support to prospective, newly credentialed, out-of-state credentialed and continuing teachers to implement the California Content Standards and the California Standards for the Teaching Profession.

Support the selection, administration and analysis of curriculum-embedded assessments. Provide professional development on the use of assessment results for instructional planning.

Assist the Chief Academic Officer/designee with articulation, alignment and implementation of professional development, instructional initiatives, grants, and other programs as assigned.

Serve as a liaison between sites and the district office to further communication, collaboration and shared priorities.

DESIRABLE EXPERIENCE:

Any combination of experience and training that would likely provide the required knowledge and skill is qualifying. Typical ways to demonstrate the required knowledge and skill would be:

Documented successful classroom teaching experience, including use of effective instructional practices with diverse learners.

Evidence of ability to write and implement standards-based, grade-appropriate curriculum units/course of study designed to engage all students and close the achievement gap.

Demonstrated skill and ability to provide both individual and group professional development in curriculum, pedagogy and data analysis for instructional planning and modification.

Served in site-based leadership capacity to positively impact student achievement.

CERTIFICATION REQUIREMENTS:

Credential:

Must hold a Life or Professional Clear teaching credential with CLAD, BCLAD, or BCC certification.

Valid California Administrative Services Credential or Preliminary Services Credential is required.

Master's degree and/or National Board Certification.

License:

Possession of a valid Motor Vehicle Operator's license.

Condition of Employment:

Insurability by the district's liability insurance carrier.

Job Description Approved:

Michael Matthews, Ed. D.
Assistant Superintendent/Chief of Staff

Date

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Office of Human Resources

CERTIFICATED JOB DESCRIPTION

Coordinator of Student Support

DEFINITION

Under the direction of the Chief Academic Officer/designee, Educational Services, it is the role of the Coordinator of Student Support to assist in the development and implementation of intervention programs and professional development to increase student achievement and close the achievement gap.

DISTINGUISHING CHARACTERISTICS

Demonstrate knowledge and ability to effectively teach the California Content Standards and to implement effective intervention and remediation programs to increase achievement.

Demonstrate ability to work with adult learners, ability to support and encourage members of the teaching profession, skills in self-assessment, and reflective practice in the process of improving instructional practice. Demonstrate leadership and collaboration in a team setting. Must have good familiarity with computer technology (creating spreadsheets, databases, word processing, email). Will need to develop competency with computerized assessment equipment.

EXAMPLES OF DUTIES:

Provide leadership and support for curriculum development and professional development to support full implementation of an effective, culturally responsive, standards-based curriculum to close the achievement gap.

Oversee and coordinate student intervention programs such as the before/after school intervention and summer school programs.

Provide assistance to teachers at Title I, Program Improvement or other schools that need to increase student achievement.

Support the selection, administration and analysis of curriculum-embedded assessments. Provide professional development on the use of assessment results for instructional planning.

Assist the Chief Academic Officer/designee with articulation, alignment and implementation of professional development, instructional initiatives, grants, and other programs as assigned.

Serve as a liaison between sites and the district office to further communication, collaboration and shared priorities.

DESIRABLE EXPERIENCE:

Any combination of experience and training that would likely provide the required knowledge and skill is qualifying. Typical ways to demonstrate the required knowledge and skill would be:

Documented successful classroom teaching experience, including use of effective instructional practices with diverse learners.

Evidence of ability to write and implement standards-based, grade-appropriate curriculum units/course of study designed to engage all students and close the achievement gap.

Demonstrated skill and ability to provide both individual and group professional development in curriculum, pedagogy and data analysis for instructional planning and modification.

Served in site-based leadership capacity to positively impact student achievement.

CERTIFICATION REQUIREMENTS:

Credential:

Must hold a Life or Professional Clear teaching credential with CLAD, BCLAD, or BCC certification.

Valid California Administrative Services Credential or Preliminary Services Credential is required.

Master's degree and/or National Board Certification.

License:

Possession of a valid Motor Vehicle Operator's license.

Condition of Employment:

Insurability by the district's liability insurance carrier.

Job Description Approved:

Michael Matthews, Ed. D.
Assistant Superintendent/Chief of Staff

Date

CERTIFICATED JOB DESCRIPTION

Coordinator of Literacy

DEFINITION

Under the direction of the Chief Academic Officer/designee, Educational Services, it is the role of the Coordinator of Literacy to assist in the development and implementation of standards-based literacy instruction, professional development, and assessments to increase student achievement and close the achievement gap.

DISTINGUISHING CHARACTERISTICS

Demonstrate knowledge of the California Content Standards and effective teaching practices to support the development of literacy among all students. Demonstrate knowledge of and ability to analyze curriculum-embedded assessments to measure student progress in literacy and to inform instructional practices. Demonstrate ability to work with adult learners, skills in self-assessment, and reflective practice in the process of improving instructional practice based on knowledge of the state standards and assessment results. Demonstrate leadership and collaboration in a team setting. Must have good familiarity with computer technology (creating spreadsheets, databases, word processing, email). Will need to develop competency with computerized assessment equipment.

EXAMPLES OF DUTIES:

Provide leadership and support for the development of standards-based literacy curriculum and professional development to support full implementation of an effective, culturally responsive, standards-based curriculum to raise student achievement and close the achievement gap.

Oversee and coordinate literacy assessment programs such as district curriculum-embedded assessments, department-wide assessments.

Provide data analysis and professional development to support the interpretation and use of assessment results for school improvement planning and instructional planning.

Support the selection, administration and analysis of curriculum-embedded assessments.
Provide professional development on the use of assessment results for instructional planning.

Assist the Chief Academic Officer/designee with articulation, alignment and implementation of professional development, instructional initiatives, grants, and other programs as assigned.

DESIRABLE EXPERIENCE:

Any combination of experience and training that would likely provide the required knowledge and skill is qualifying. Typical ways to demonstrate the required knowledge and skill would be:

Evidence of exceptional knowledge in the field of literacy development including Language - Arts based literacy development as well as content-based literacy development. Demonstrated ability to communicate knowledge effectively with teachers and administrators.

Documented successful classroom teaching experience, including use of effective instructional practices with diverse learners.

Evidence of ability to analyze test results and implement data-based decision making designed to raise student achievement and close the achievement gap.

Demonstrated skill and ability to provide both individual and group professional development in assessment administration and data analysis for instructional planning and modification.

Served in site-based leadership capacity to positively impact student achievement.

CERTIFICATION REQUIREMENTS:

Credential:

Must hold a Life or Professional Clear teaching credential with CLAD, BCLAD, or BCC certification preferred.

Valid California Administrative Services Credential or Preliminary Services Credential is required.

Master's degree or higher in an area of expertise such as curriculum, literacy, linguistics, or reading, and/or National Board Certification.

License:

Possession of a valid Motor Vehicle Operator's license.

Condition of Employment:

Insurability by the district's liability insurance carrier.

Job Description Approved:

Michael Matthews, Ed. D.
Assistant Superintendent/Chief of Staff

Date

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Office of Human Resources

CERTIFICATED JOB DESCRIPTION

Coordinator of Assessment

DEFINITION

Under the direction of the Chief Academic Officer/designee, Educational Services, it is the role of the Coordinator of Assessment to assist in the development, implementation, and analysis of district and state assessment programs to increase student achievement and close the achievement gap.

DISTINGUISHING CHARACTERISTICS

Demonstrate knowledge of the California Content Standards and aligned assessments including the California Standards Tests, California High School Exit Exam, and district standards-based assessments. Demonstrate knowledge of state and federal accountability systems including the Academic Performance Index and No Child Left Behind Adequate Yearly Progress.

Demonstrate ability to analyze and communicate test results patterns to assist schools in data-based decision making. Demonstrate ability to work with adult learners, skills in self-assessment, and reflective practice in the process of improving instructional practice based on assessment results. Demonstrate leadership and collaboration in a team setting. Must have good familiarity with computer technology (creating spreadsheets, databases, word processing, email). Will need to develop competency with computerized assessment equipment.

EXAMPLES OF DUTIES:

Provide leadership and support for data analysis and professional development to support full implementation of an effective, culturally responsive, standards-based curriculum to raise student achievement and close the achievement gap.

Oversee and coordinate assessment programs such as district curriculum-embedded assessments, department-wide assessments and state and federal assessment programs such as the California Standards Tests and the California High School Exit Exam.

Provide data analysis to support the interpretation and use of assessment results for school improvement planning and instructional planning.

Support the selection, administration and analysis of curriculum-embedded assessments. Provide professional development on the use of assessment results for instructional planning.

Assist the Chief Academic Officer/designee with articulation, alignment and implementation of professional development, instructional initiatives, grants, and other programs as assigned.

DESIRABLE EXPERIENCE:

Any combination of experience and training that would likely provide the required knowledge and skill is qualifying. Typical ways to demonstrate the required knowledge and skill would be:

Documented successful classroom teaching experience, including use of effective instructional practices with diverse learners.

Evidence of ability to analyze test results and implement data-based decision making designed to engage raise student achievement and close the achievement gap.

Demonstrated skill and ability to provide both individual and group professional development in assessment administration and data analysis for instructional planning and modification.

Served in site-based leadership capacity to positively impact student achievement.

CERTIFICATION REQUIREMENTS:

Credential:

Must hold a Life or Professional Clear teaching credential with CLAD, BCLAD, or BCC certification.

Valid California Administrative Services Credential or Preliminary Services Credential is required.

Master's degree and/or National Board Certification.

License:

Possession of a valid Motor Vehicle Operator's license.

Condition of Employment:

Insurability by the district's liability insurance carrier.

Job Description Approved:

Michael Matthews, Ed. D.
Assistant Superintendent/Chief of Staff

Date

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/26/04

FROM: JOHN E. DEASY/MICHAEL D. MATTHEWS

previously
7/22 and 8/19/04

RE: APPROVAL OF AGREEMENT BETWEEN THE SANTA
MONICA MALIBU CLASSROOM TEACHERS ASSOCIATION
(SMMCTA) AND THE SANTA MONICA-MALIBU UNIFIED
SCHOOL DISTRICT (SMMUSD)

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the tentative agreement reached between the Santa Monica Malibu Classroom Teachers Association (SMMCTA) and the District regarding the contract which covers the period 2003-04 through 2004-2005.

COMMENT: The SMMCTA and District negotiating teams reached agreement on the contract on July 14, 2004. It is anticipated that the association will contact its membership to vote on the contract by September, 2004.

In accordance with AB 1200, the public disclosure of the collective bargaining agreement form is attached. This information has been made available to the public and posted to the district's web site as of August 11, 2004. (The document is in the paper copy of the Agenda, however, the information is not formatted for inclusion in the electronic version of the agenda. The information can be found on the district's web site, under press releases.)

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/26/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: NON-REPRESENTED EMPLOYEES INCLUDING SUPERINTENDENT,
ASSISTANT SUPERINTENDENTS, MANAGEMENT/SUPERVISORY AND
CONFIDENTIAL POSITIONS - 2004-05 SALARY ADJUSTMENT

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve the Compensation proposal for all Non-Represented Employees including the Superintendent of Schools, Assistant Superintendents, Management/Supervisory and Confidentials effective July 1, 2004.

Comment: Contract negotiations have concluded with SMMCTA which has resulted in a mutually agreed upon contract. SMMCTA Membership will vote on the contract in September, 2004.

With the conclusion of certificated negotiations, the Board of Education has directed that salary enhancements be applied to non-represented employees (superintendent, assistant superintendents, management/ supervisory and confidential) as follows: salary enhancements of one percent (1%), which was deferred from the 2003-04 school year and will go into effect on July 1, 2004, and an additional enhancement of one percent (1%), which will go into effect on February 1, 2005 be applied to Health and welfare benefits will be maintained at current district levels, except for those employees choosing the single insured, who will no longer be able to receive Blue Cross PERS Care unless they choose to pay the differential between the Kaiser rate and the Blue Cross PERS Care rate. Those who choose a single insurance package will be able to choose Blue Cross PERS Choice at no additional cost. The following proposal is presented for Board approval in regards to non-represented employee groups:

- < Apply a COLA of once percent (1%) effective July 1, 2004 and one percent (1%) effective February 1, 2005 to the Employment Agreements of Superintendent and Assistant Superintendents.
2. Apply a COLA of once percent (1%) effective July 1, 2004 and one percent (1%) effective February 1, 2005 to the Management Salary Schedule.

3. Apply a COLA of once percent (1%) effective July 1, 2004 and one percent (1%) effective February 1, 2005 to the Supervisory Salary Schedule.
4. Apply a COLA of one percent (1%) effective July 1, 2004 and one percent (1%) effective February 1, 2005 to the Confidential Salary Schedule.
5. Maintain health and welfare benefits at current district levels, except for those employees choosing the single insured, who will no longer be able to receive Blue Cross PERS Care unless they choose to pay the differential between the Kaiser rate and the Blue Cross PERS Care rate. Those who choose a single insurance package will be able to choose Blue Cross PERS Choice at no additional cost.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR
08/26/04

FROM: JOHN E. DEASY/LINDA KAMINSKI/CHRIS CORLISS

RE: 2004-2005 MODIFICATIONS TO PLAYGROUND PARTNERSHIP
AGREEMENT WITH CITY OF SANTA MONICA

RECOMMENDATION ITEM NO. A.09

It is recommended that the Board of Education approve modifications (see Attachment A) to the 2004-2005 PLAYGROUND PARTNERSHIP AGREEMENT with the City of Santa Monica for the 2004-2005 fiscal year.

COMMENTS: The Board of Education reviewed and discussed this item at the June 24, 2004 Board meeting. Board directed staff to return the item tonight for Action. Analysis of Playground Partnership (PP) site use data indicates very low use and incident levels during weekdays. Based on data, reducing number of PP staff from two or three on duty to one or two allows increased hours of PP operation without increasing budget or lowering service or safety standards.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/26/04

FROM: JOHN E. DEASY/LINDA KAMINSKI/CHRIS CORLISS

RE: AUTHORIZATION OF 2004-2005 CITY OF MALIBU FACILITIES
USE SCHEDULE

RECOMMENDATION NO. A.10

It is recommended that the Board of Education approve the 2004-2005 Facilities Use Schedule, Fees and Credits Summary (See Attachment A).

COMMENTS: This is an annual procedure required by the Master Joint Use Agreement with the City of Malibu approved by the Board on June 12, 2003.

The District has a joint use agreement with the City of Malibu (City) through 2006 providing for City and community education, recreation and athletic programming use of District facilities at Malibu High School, Cabrillo, Webster and Point Dume Marine Science Elementary School sites.

Schedule, Fees and Credits for planned use of District facilities in Malibu for the 2004-2005 fiscal year have been reviewed and approved by District and City of Malibu staff.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

DISCUSSION

08/26/04

FROM: JOHN E. DEASY/LINDA KAMINSKI/CHRIS CORLISS

RE: TEMPORARY MODIFICATION OF BOARD POLICY SECTION 1330 (a)
COMMUNITY RELATIONS-USE OF SCHOOL FACILITIES, SCHEDULE
OF CHARGES-USE OF FACILITIES

DISCUSSION ITEM NO. D.1

It is recommended that the Board of Education approve and adopt a Temporary modification of BOARD POLICY section 1330 (a) COMMUNITY RELATIONS USE OF SCHOOL FACILITIES-Schedule of Charges-Use of Facilities for the fiscal years 2004-2005 and 2005-2006. (See Attachment "A". Temporary Modification of COMMUNITY RELATIONS USE OF SCHOOL FACILITIES-Revised Schedule of Charges-Use of Facilities).

COMMENTS: The current SMMUSD Schedule of Charges for Field Use was adopted at the June 12, 2003 Board of Education Meeting. At that time Board directed staff to suspend fees for field users at John Adams and Lincoln Middle Schools for one year or until the City of Santa Monica implemented it's new field fee schedule plan. Santa Monica City Council approved implementation of field fees and a schedule on June 15, 2004.

Working together, District and City Staff have created a plan to temporarily modify the School District rate to match the City's. This will be enforced at the City permitted field space at John Adams and Lincoln Middle Schools through the 2005-2006 fiscal year.

The District will assign a block of non-school field use time to City. City will include District field space in available field inventory when allocating and permitting space to non-profit youth sports user groups. The City will permit the space in coordination with District staff. City will charge for the District field space at the modified hourly rate, which is substantially lower than the District hourly rate. The City will send payments of fees paid by the permitted users at each site to the District. The plan will accommodate the youth sports user groups need for additional space, help the City implement it's field fee charges and provide the District some revenue to help cover cost of permit monitoring and custodial services.

Attachment "A"

Temporary Modification of Facilities Use-Schedule of Charges
 (revised 2003 for John Adams and Lincoln Middle School fields to
 accommodate Youth Sports Groups and City of Santa Monica Field
 Fee Implementation

| John Adams and Lincoln Middle School Fields | SMMUSD "Basic Cost Rate" for Santa Monica based Non-Profit Youth Sports (per hour) | City of Santa Monica Rate for Santa Monica Based Non-Profit Youth Sports (per hour) |
|---|--|---|
| Soccer/Football w/o lights Practice/Games | \$15.00 | \$2.50 |
| Soccer/Football with lights Practice/Games | \$15.00 | \$5.00 |
| Softball/Baseball (2) (per field) w/o lights-Practice/Game | \$5.00 | \$1.25 |
| Softball/Baseball (2) (per field) with lights-Practice/Game | \$5.00 | \$3.75 |

TO: BOARD OF EDUCATION

DISCUSSION

08/26/04

FROM: JOHN E. DEASY/LINDA KAMINSKI/CINDY ATLAS

RE: SPECIAL EDUCATION INITIATIVES - PROGRESS REPORT

DISCUSSION ITEM NO. D.2

Since the presentation of the Special Education Strategic Plan and the District's response at the June board meetings, the district has been developing implementation plans for 2004 - 2005. Progress to date will be highlighted as well as continuing plans for the coming year.

TO: BOARD OF EDUCATION

DISCUSSION

08/26/04

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: REPORT FROM SAMOHI PARKING AND TRANSPORTATION TASK
FORCE

DISCUSSION ITEM NO. D.3

In March 2004, the Superintendent formed a task force to address the parking and transportation concerns of Santa Monica High School and its neighbors. The Superintendent and City Manager attended the first meeting. The task force includes community members - Christian Boyce, Barbara Filet, Kathryn Morea and Delphine LaFont; Andy Agle - City of Santa Monica, Assistant Director of Planning Community Development; Greg Runyon - S House principal; Bryce Maddock - SAMOHI student; Randi Hutchinson - SAMOHI PTSA; Jeanne Wells - Superintendent's Office. The charge of the task force was to recommend solutions which could be implemented to positively impact the parking and transportation issues involving Santa Monica High School and its neighboring community. The bigger picture, however, was how to safely deliver 3500 students to Santa Monica High School daily while preserving the health and safety of our children and the surrounding neighborhood.

The first meeting was held on March 24, 2004 and the task force identified fifteen factors which contribute to the parking and transportation problems:

1. 1600 potential student drivers
2. Limited parking spaces available on site (less than 50) and off site
3. The Blue Bus schedules do not always coincide with SAMOHI's schedule
4. A large number of parents drive students to and from school
5. Limited space available for drop-off and pick-up
6. SAMOHI is surrounded by four major thoroughfares: Olympic East; Pico Boulevard; Fourth Street and Lincoln Boulevard.
7. Lack of restrictions for students parking on streets surrounding SAMOHI
8. Limited safe walking/bicycle routes
9. Students who work after school need parking closer to the school
10. We live in a driving culture
11. Police support is limited during the start and ending school hours. (By necessity, they are assigned to the elementary and middle schools.)
12. SAMOHI has a non-traditional schedule. (Students may be at school from 6:30 a.m. - 7:30 p.m.)
13. There is no regular school bus transportation in California

14. Barnum Hall will soon attract a number of visitors
15. Lack of off-campus supervision

During the discussions, community members made many recommendations that affect their streets that were not included in the report. Recommendations were included only if they had a positive benefit to both the school and the community. Some recommendations are clearly outside the realm of the Board to enact; however, they were included as ideas to explore with the City of Santa Monica and Cal Trans.

Following are the recommendations, reached by consensus, which the task force felt would provide more safety for students and the community, as well as ease congestion and lack of parking for neighbors on Bay Street. The congestion on Michigan Avenue still remains unresolved.

1. Request the City to solicit resident feedback regarding changing street cleaning times on Bay Street from the present 3:30-5:00 p.m. to the previous 9:00-11:00 a.m. The once a week restriction would have little impact on students.
2. Ask the City to study traffic patterns and solicit resident feedback regarding traffic impacts on Bay Street between Sixth Street and Lincoln Boulevard between 7:00 and 9:00 a.m. on days Santa Monica High School is in session. Solutions may include posting signs indicating no turns onto Bay Street from Lincoln Boulevard.
3. Ask the City to help identify pedestrian/bicyclist street crossings that are heavily used by students and consider measures such as ladder striping to enhance pedestrian and bicyclist safety.
4. Ask the City and Cal Trans to study traffic patterns at Lincoln Boulevard and Michigan Avenue to enhance safety and movement for pedestrians, bicyclists and motorists. The City has begun by adjusting the signals at this intersection and is asking for feedback.
5. Ask the City and Cal Trans to re-evaluate the expansion of the Olympic Boulevard student drop-off zone.
6. Investigate whether there are adequate "School Zone" signs posted in the vicinity of SAMOHI, and if not, request the School District to ask for installation of additional signs. According to California Vehicle Code 42011, fines are doubled for offenses made in a school zone.

7. Encourage increased use of Santa Monica's Blue Bus by:
 - a. asking the Blue Bus staff to present educational programs at SAMOHI;
 - b. making Blue Bus student passes easily available for purchase at all SAMOHI houses;
 - c. recommending to the City that the enhancement of bus stops adjacent to SAMOHI be a priority to encourage increased rider use.
8. Throughout the school year, continue to have SAMOHI and the PTSA educate parents on current traffic and parking regulations including current drop-off and pick-up conflicts.
9. Have SAMOHI and the PTSA work with Santa Monica Police Department to aid in the enforcement of existing traffic rules around schools.
10. Have ASB and PTSA create a student survey for distribution in the fall that would include how students currently get to and from school, and how we can promote alternatives to automobile use.
11. Have PTSA and ASB work with the community to create a good neighbor policy.
12. Have SAMOHI consider a needs-based assessment for student parking on campus.

The task force is a new collaboration between the neighbors of SAMOHI, the City of Santa Monica and the School District. All participants on the task force were passionate about the needs of the students and neighbors of SAMOHI - being safe and considerate were two priorities.

TO: BOARD OF EDUCATION

DISCUSSION

08/26/04

FROM: JOHN E. DEASY

PREVIOUSLY

1/22/04; 2/05,19&26/04

RE: PROPOSED POLICY 3290 -
ACCEPTANCE OF GIFTS

3/11&25/04; 5/06; 6/24/04

DISCUSSION ITEM NO. D.4

The Board of Education has discussed this matter over a period of months. The policy has been modified based on input from the Ad Hoc Gift Policy Committee.

Acceptance of Gifts

The Board of Education adopts the following policy for acceptance of gifts to the District:

Philosophy

The Board of Education acknowledges that education is a fundamental right. Every child has a right to an education that will prepare him or her to be a skilled and productive member of our society. The goal of the Board of Education is to provide equitable and high quality educational opportunities for all students in Santa Monica-Malibu Unified School District.

The Board recognizes that the needs of students require various learning opportunities, and it is the responsibility of the board to identify and remove barriers that contribute to gaps in achievement for different groups of students. It is the intent of the Board that gifts accepted by the District provide equitable access to educational opportunities to meet the needs of all students. The board recognizes the community=s desire to participate in promoting excellence in our schools through fund-raising and gifts. While greatly appreciating acceptable donations, the Board discourages any gifts which may directly or indirectly impair its commitment to providing equal educational opportunities for all district students.

The Board recognizes that there are differences among various communities in their ability to contribute additional funds for programs and services at their local schools, and these differences perpetuate inequalities in educational opportunities from one district school to another. Therefore, the Board may not accept gifts by individuals, groups or organizations to specific schools intended to replace personnel, programs or services cut by the Board in the process of budget reduction, unless sufficient funds are received to restore those programs, services or personnel at all sites from which they were cut.

To achieve a greater level of equalization, the Board will establish an Equity Fund, which will be administered by an external organization of the Boards choosing. ***Contributions to this fund and distributions from this fund will be made in accordance with Administrative Regulations 3290.*** The purpose of the Equity Fund grants will be to improve the achievement of ALL students while simultaneously closing the achievement gap by mitigating the effects of the unequalized enrichment of schools.

Before accepting a gift, the Board shall consider whether the gift:

1. Has a purpose consistent with the district's vision and philosophy
2. Begins a program which the Board would be unable to continue when the donated funds are exhausted
3. Entails undesirable or excessive costs
4. Implies endorsement of any business or product

The Board shall carefully evaluate any conditions or restrictions imposed by the donor in light of district philosophy and operations. If the Board feels the district will be unable to fully satisfy the donor's conditions, the gift shall not be accepted.

Gift books and instructional materials shall be accepted only if they meet regular district criteria.

All gifts, grants and bequests shall become district property. At the Superintendent or designee's discretion, a gift may be used at a particular school.

Legal Reference:

EDUCATION CODE

[1834](#) Acquisition of materials and apparatus

[35162](#) Power to sue, be sued, hold and convey property

[41030](#) School district may invest surplus monies from bequest or gifts

[41031](#) Special fund or account in county treasury

[41032](#) Authority of school board to accept gift or bequest; investments; gift of land requirements

[41035](#) Advisory committee

[41036](#) Function of advisory committee

[41037](#) Rules and regulations

MANAGEMENT RESOURCES

ADOPTED January 23, 1984

REVISED

CSBA DATE

DISTRICT GOAL

SUBJECT: Acceptance of Gifts

ISSUED BY: Assistant Superintendent, Business and Fiscal Services

I. EFFECTIVE DATE

II. AUTHORITY
BOARD OF EDUCATION POLICY 3290

III. PROCEDURES

A. ACCEPTANCE PROCEDURES

1. Gifts will be donated to the school District but can be designated for a particular school.
2. A needs assessment will be conducted by a committee at each school composed of parents, teachers and the principal. This committee will develop a prioritized list of needs for each school.
3. The committee and the principal of the school must approve the disposition of all gifts, which should be in accordance with the school's identified needs, before a request for acceptance is submitted to the Board of Education.

B. CRITERIA FOR ACCEPTING GIFTS

All gifts and donations will be formally accepted by the Board of Education in accordance with administrative procedures subject to the following criteria:

1. Gifts are of direct or closely related instructional value and will not cause the instructional program of the school in which the gift is used to differ from established district curriculum. If a gift is offered that does not appear on the prioritized list of needs or is not of direct institutional value, the committee and the principal will evaluate the gift and make a recommendation regarding acceptance.
2. Gifts of money for personnel will be used for instruction, consulting services, assemblies, aides to assist in the instructional program, for supervision of students (i.e., noon aides) or clerical help. Certificated personnel will be hourly only; however, classified personnel may be hourly, part time or full time. All personnel whose services are paid for with gift funds must be hired through the Personnel Office.

3. The Business Services Division must approve all gifts requiring installation and maintenance, and appropriate money must accompany requests for acceptance of these gifts. If gift items require an ongoing maintenance contract, the money for that contract must accompany the gift.
4. Gift funds allocated to a school shall be placed in a specifically designated program account. Any funds remaining in this program at the end of the fiscal year shall carry forward into the ensuing fiscal year.
5. The foregoing rules also apply to gifts from student body organizations or any on-campus improvement projects not financed or processed through normal requisitioning procedures.
6. With gifts of opportunity, the Superintendent/designee is authorized to accept gifts on behalf of the Board of Education where a delay until the next Board of Education meeting will cause the gift offer to be retracted.
7. Schools will be allowed to establish a revolving cash fund created by gift money. The fund shall not exceed \$100 per teacher per semester.
8. Gifts given by individuals not in conjunction with fund raising under a value of \$100 do not need Board approval.

C. THE EQUITY FUND

To provide equitable and high quality educational opportunities for all students in Santa Monica-Malibu Unified School District, the Board will establish an Equity Fund, which will be administered by the Santa Monica Malibu Education Foundation. The Equity Fund will distribute block grants to all schools to address district and local school goals and mitigate the effects of the unequalized enrichment of schools. The District will establish two categories of contributions to the Equity Fund: mandatory contributions as described in this policy, and voluntary contributions.

1. Contributions and Collection Mechanisms:
Contributions to the mandatory fund will be collected from the following sources:
 - a. Fifteen percent of all cash gifts to either the District or any department or organization thereof, or individual schools, donated during a school year will be placed in the Equity Fund.
 - b. Grants and Gifts
There are four (4) types of revenue sources to the district in the area of grants and gifts:

- 1.) Gifts to the district
- 2.) Grants to the district
- 3.) Gifts to a site/school
- 4.) Grants to a site/school

It is not the intent of this policy to discourage grants from private or public philanthropy.

All gifts given to either a site/school or district shall be required to make the 15% established donation to the Equity Fund.

Grants to the district shall be considered on a case-by-case basis. When the Board accepts each grant (as is normally required), it would also decide if the individual grant should be subjected to the guidelines of the policy or not. A test of how equitable the grant funds are to be distributed will be a guiding principle when making this type of decision.

Grants applied for and given to individual sites/schools shall be exempted from the policy. However, no grant will be submitted or accepted unless it is reviewed by the Assistant Superintendent/ Chief Academic Officer.

2. Exemptions

The following items are exempt from mandatory contributions to the Equity Fund:

- a) ASB activities initiated and administered by students.
- b) Operational costs of any organization contributing to the fund.
- c) Any expenditure made by any organization covered by this policy that does not provide a donation explicitly to the Santa Monica-Malibu Unified Public Schools.
- d) Field trips for students.
- e) Scholarships (either academic or to ameliorate fiscal hardship for a student in order to participate in a school sponsored activity).
- f) District approved capital programs.

- g) Grants as noted above.
- h) Non-monetary gifts: The first \$5,000 of assessed value from any donor is exempt. Any amount of value over \$5,000 is subject to the 15% portion of the policy. **If a donor gives multiple gifts in a fiscal year, when totaled, the amount above \$5,000 is subject to the policy.**
- i) Funds supporting copy machines, i.e. purchase, maintenance agreements, etc.

3. Distribution of Funds

Distributions from the Equity Fund will be made annually to District schools. Prior to the purchase of any new service or material made by Equity Fund monies, a site must (to the extent fiscally possible) make whole the various organizations that contribute to the fund in the previous year.

The amount of money given to each school in block grants will be determined using a student weighted formula. See Appendix I. The formula contains equal and fractional weights.

This formula takes into account a number of impacting factors on a school. These are: socio-economic status, language acquisition, number of severely handicapped students, population size, and the academic performance of the student body. This formula shall be monitored regularly.

Making decisions about expenditures requires both a very local and very broad perspective simultaneously. These should not be considered as competing forces in this decision. As much as possible the Board of Education believes that the decisions be made as close to the classroom as possible when dealing with school site expenditures. A portion of the equity fund will be used for district-wide programs designed to support activities to achieve our mission. Funds should only be expended by either schools or the district for the following activities:

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

It should be expected that over time, and on a yearly basis contributions to the voluntary side of the fund would fluctuate dramatically. In order to avoid a feast/famine cycle (like the State of California) the School Board will include the yearly decision on the amount of funds from the voluntary contributions that will be redistributed. Even growth will be the aim.

In the weighted student formula, the total number of school points is divided into the total amount of Equity Fund resources available. The quotient becomes the Equity Funding Point Value. The Equity Funding Point Value is multiplied by the total number of points at each site resulting in a budget weighted to provide resources differentiated for the needs of each site.

Before receiving block grant funds, each school will submit a detailed plan for expenditures, as part of their regular school site improvement plan, to the Chief Academic Officer. The plan must include: target population, number of students served, description of need, rationale for plan, detailed plan of interventions and support, budget, assessment and evaluation procedures.

The Site Governance Council will administer the funds provided to a school/site from the Equity Fund. In the absence of a governance council, a similar group should be designated.

D. ADDITIONAL CONSIDERATIONS FOR COLLECTION

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

E. VOLUNTARY CONTRIBUTIONS

No formula is applied to voluntary contributions to the Equity Fund. Any amount given is a 100 percent contribution.

F. EQUITY FUND ADMINISTRATION

The Board will designate the Santa Monica Malibu Education Foundation to administer the Equity Fund. The duties of this organization will include the collection and distribution of funds, and the public reporting through an annual audit. The Organization will also be responsible for the collection of all voluntary donations to the Equity Fund. A board of directors from the Education Foundation will be established to oversee the Equity Fund and its activities. The School Board should seek membership and outline responsibilities for this board. The responsibilities of the Equity Fund Board include:

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

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

This policy will return to the Board of Education for review each year prior to October 1.

IV. RELATED FORMS:

Request for Acceptance of Gift
Block Grant Planning Form
Student Weighted Formula

V. APPROVAL _____

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/SUPERINTENDENT
RE: MALIBU SEPARATION STUDY - PROCESS

INFORMATION
08/26/04

INFORMATIONAL COMMUNICATION NO. I.1

As part of an exploratory investigation by a group of citizens in Malibu, the Superintendent has prepared a memorandum to the Board of Education regarding the process for petition regarding school district separation and implications of the process for the Santa Monica-Malibu Unified School District. The memo includes the Superintendent's recommendation regarding these issues.



Memo

To: Board of Education
From: Dr. John E. Deasy, Superintendent
CC: Senior Cabinet
Date: 8/13/04
Re: Malibu Separation Process

This memorandum is designed to provide the Board with the following information:

- 1.) The process for petition regarding school district separation pursuant to Education Code 35700(a) et seq.
- 2.) Implications of this process for Santa Monica-Malibu Unified
- 3.) My recommendation(s) regarding these issues

BACKGROUND

In March of the past school year a group of citizens in Malibu formed the Malibu Unified School Team to investigate the process and feasibility of forming an independent unified school district for the area of the city of Malibu. This group commissioned a study under the guidance of a consultant who is working with them. The consultant, Dr. Thomas Griffin, made a presentation to a group of citizens in Malibu in early August. Representatives of this group met with me last week. We discussed the process and information requested from them to be provided by the District. The group is identified as MUST (Malibu Unified School Team). Consideration of separation in order to form an independent unified school district has occurred before. In October of 1980, a similar petition came before the Board of Education. At that time, the Board took no position and supported the petition process. The County Committee voted the petition down later that year and the process ended. (Appendix 1). MUST intends to initiate the process for separation immediately and has asked for the Board's support of the process.

THE PROCESS

In order to help you understand the complexities of this process I have outlined the information germane to this event in the attachments to this memorandum. I have been in touch with the County Office and they have been very helpful. Not all of the answers to questions that are bound to arise are known at this time. As you develop questions, staff will work to provide answers.

The following is a typical flow sheet of timelines and activities to be completed. All information contained in this memorandum is provided by the County.

Timelines and activities

School District Reorganization Process and Potential Timelines

School District Unification and Formation Pursuant to Education Code 35700(a) et seq.

| | |
|----------------------|---|
| Petition Request | Should include map and description of area proposed for reorganization, supporting documentation, and rational for proposal. |
| Petition Requirement | ! Majority of the board members of each affected district, or ! Signatures of at least 25 percent of the registered voters residing within the affected area. |
| _____ | Completed petition containing required signatures returned to the Los Angeles County Superintendent of Schools (County Superintendent) |
| _____ | Signatures verified by the County Superintendent (via Los Angeles County Registrar-Recorder/County Clerk (30-day timeline) |
| _____ | If the petition is sufficient and signed as required by law, the proposal is presented to the Los Angeles County Committee on School District Organization (County Committee) at its next regular meeting. |
| _____ | At <u>least</u> one public hearing will be held by the County Committee in <u>each</u> affected school district. NOTE: Public hearings <u>must</u> be held within 60 days after presenting the proposal to the County Committee. |
| _____ | Staff gathers data, prepares feasibility study of area, and formulates plans and recommendations based on specified criteria contained in Education Code 35753. |
| _____ | Within 120 days of the first public hearing, the County Committee makes a recommendation to approve or disapprove the proposal and forwards it to the State Board of Education (SBE). If the County Committee recommends approval of the proposal, they may also recommend the area in which to hold the election. |
| _____ | SBE holds a public hearing (no statutory timeline for SBE to hold hearing) and makes a final decision to approve or disapprove the proposal. ! If approved, SBE selects area in which to hold an election and orders the County Superintendent to call an election. ! If disapproved, the process ends. |

_____ County Superintendent orders an election.

_____ Election held regarding proposal. Governing board election consolidated with reorganization election.

_____ If the reorganization election carries, the Los Angeles County Board of Supervisors orders changes in school districts (must be completed prior to end of calendar year in order for reorganization to become effective July 1 of following year).

_____ **Reorganization effective.**

Conditions to be considered affecting the decision

Policy Statement

- P The Los Angeles County Committee on School District Organization (County Committee) may vote to approve a proposal to transfer territory when the conditions contained in Education Code (EC) 35753(a)(1) through (10) are substantially met.
- P The County Committee has the option to vote to recommend that a proposal for unification or formation be disapproved, when the conditions are substantially met, if it determines a proposal will not be in the best overall interests of those affected, there is no compelling reason for a change, the proposal will not improve the effectiveness and/or the efficiency of the delivery of educational services to students, or for any other reason(s) the County Committee deems relevant.
- P The County Committee may vote to recommend approval of a proposal for unification or formation if it determines it is not practical nor possible to apply the EC 35753 conditions literally and circumstances with respect to the proposal present an **exceptional situation** sufficient to justify approval of the proposal.

Conditions Required To Be Considered By The County Committee

NOTE: Following each condition is a list of considerations, which may be used by the County Committee in determining if the condition has been substantially met. Because each reorganization proposal is unique, all considerations listed may not apply to specific proposals. Staff will use their discretion in determining which considerations to address in preparing reports and recommendations for the County Committee.

| | | |
|--|------------------------------------|---------------|
| Condition #1 | Condition Substantially Met | |
| The new districts will be adequate in terms of number of pupils enrolled. | ___ Yes | ___ No |

Considerations:

| <u>Type of School District</u> | <u>Minimum # of Pupils</u> |
|--------------------------------|----------------------------|
| ! elementary | 901 |
| ! high | 301 |
| ! unified | 1501 |

The County Committee should consider the projected enrollment and the resulting increase/decrease.

It is not necessary to meet the minimum requirements if the County Committee feels there are extenuating circumstances, e.g., geographical barriers.

| | | |
|---|------------------------------------|---------------|
| Condition #2 | Condition Substantially Met | |
| The districts are each organized on the basis of a substantial community identity. | ___ Yes | ___ No |

Considerations:

The County Committee should consider the following criteria:

- P Isolation
- P Geography
- P Distance between social centers
- P Distance between school centers
- P Topography
- P Weather
- P Community, school, social ties, and other circumstances peculiar to the area
- P Size and style of homes and similarity of architecture
- P Usage patterns of park and school facilities for recreation programs
- P Traffic patterns and public transportation
- P Geopolitical factors such as cities, zip codes, and electoral districts
- P Neighborhood and regional shopping patterns

| Condition #3 | Condition Substantially Met | |
|--|-----------------------------|--------|
| The proposal will result in an equitable division of property and facilities of the original district or districts | ___ Yes | ___ No |

Considerations:

- a. All property, funds, and obligations, except real property and bonded indebtedness (e.g. funds, cash on hand, monies due but uncollected, state apportionments)

The County Committee will determine which of the criteria authorized under EC 35736 shall apply for dividing the property:

- P Assessed valuation;
- P Revenue limit per pupil in each district;
- P Average daily attendance (ADA).

The County Committee should consider the value and location of the school property and such other matters as may be deemed pertinent and equitable.

- b. Real Property

The real property and personal property and fixtures normally situated there shall be the property of the district in which the real property is located.

In reviewing the aspects of proposals dealing with school facilities, the County Committee should request long-range facilities plans from the districts affected. Those plans should include:

- P Demographic studies showing both current and projected student population data;
- P Development of maps showing census tracts, boundaries, current and proposed zoning, and projected development;
- P An evaluation and report of the utilization, capacity, and condition of existing facilities; and
- P Development of a “comparison analysis” considering both existing and proposed divisions.

- c. Bonded Indebtedness

Provided for under EC 35570-35579.

NOTE: The County Committee may recommend, pursuant to EC 35565, the appointment of a board of arbitrators to resolve any disputes between the governing boards of the affected school districts concerning the division of funds, property, or obligations.

| Condition #4 | Condition Substantially Met | |
|--|-----------------------------|--------|
| The reorganization of the district will not promote racial or ethnic discrimination or segregation | ___ Yes | ___ No |

Considerations:

The County Committee should consider the effects of the following criteria (Title V of the California Administrative Code (CAC) 18573). Each of these items should be evaluated to determine whether any imbalance would be so disproportionate that, realistically, minority students would be isolated from other students and that all students would be deprived of an integrated educational experience:

- P The current number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts, compared with the number and percentage of pupils in each racial and ethnic group in the affected districts and schools in the affected districts if the proposal or petition is approved.
- P The trends and rates of present and possible future growth or change in the total population in the districts affected, in each racial and ethnic group within the total district, and in each school of the affected districts.
- P The school board policies regarding methods of preventing racial and ethnic segregation in the affected districts and the effect of the proposal or petition on any desegregation plan or program of the affected districts, whether voluntary or court ordered, designed to prevent or alleviate racial or ethnic discrimination or segregation.
- P The effect of factors such as distance between schools and attendance centers, terrain, and geographic features that may involve safety hazards to pupils, capacity of schools, and related conditions or circumstances that may have an effect on the feasibility of integration of the affected schools.
- P The effect of the proposal on the duty of the governing board of each of the affected districts to take steps, insofar as reasonably feasible, to alleviate segregation of minority pupils in schools regardless of its cause.

The County Committee may also consider:

- P Participation in extracurricular activities;
- P Equipment of affected school districts;
- P Condition of facilities of affected school districts;
- P Perception of staff, administrators, and community regarding whether schools are segregated; and
- P Racial/ethnic makeup of staff and administration.

| Condition #5 | Condition Substantially Met | |
|---|------------------------------------|---------------|
| The proposed reorganization will not result in any substantial increase in costs to the state. | ___ Yes | ___ No |

Considerations:

Pursuant to Title V of the CAC 18573, each district affected will be adequate in terms of financial ability if:

- P The revenue limit per ADA of the proposed district does not vary from the revenue limit per ADA in all of the affected districts by more than 15 percent; or
- P The proposal does not increase costs to the state for the affected territory by more than ten percent.

NOTE: Reorganization proposals exceeding the ten-percent limit will not be denied; however, the maximum increase will be held to ten percent.

The following factors should also be considered in evaluating this criterion:

- P The blended revenue limit per unit of ADA including salary add-ons and inflation adjustment calculated pursuant to EC 35735.1;
- P Other state special or categorical programs, and the increased state costs if students transferring would qualify in the gaining district and not in the losing district;
- P The additional costs to the state if special or categorical program costs are higher in the gaining district; and
- P The effect on the district's home-to-school and special education transportation costs and state reimbursement.

| Condition #6 | Condition Substantially Met | |
|--|-----------------------------|--------|
| <p>The proposed reorganization will not significantly disrupt the educational programs in the proposed districts and districts affected by the proposed reorganization and will continue to promote sound educational performance in those districts.</p> | ___ Yes | ___ No |

Considerations:

The County Committee must look at the effect of the proposal on all school districts affected by the reorganization. The County Committee should look at district-wide programs and the school site programs in schools not a part of the proposal that will be affected by the proposal.

| Condition #7 | Condition Substantially Met | |
|--|-----------------------------|--------|
| <p>The proposed reorganization will not result in a significant increase in school housing costs.</p> | ___ Yes | ___ No |

Considerations:

The County Committee should evaluate the affected districts' school housing needs and the long-range facilities plans for meeting the current and projected facilities requirements including:

- P Local bonding capacity (potential);
- P Developer fee income;
- P Surplus property and asset management opportunities
- P Eligibility for state school facilities funding;
- P Deferred maintenance, modernization, and reconstruction needs; and
- P The portion of costs for additional housing to be assumed by state and local programs.

| Condition #8 | Condition Substantially Met | |
|--|-----------------------------|--------|
| <p>The proposed reorganization is not primarily designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district.</p> | ___ Yes | ___ No |

Considerations:

The County Committee should analyze the rationale presented in the petition for the transfer. The County Committee should consider whether increased property values might be the primary reason for the petition. The county tax assessor's office or local real estate boards should be consulted concerning the potential impact on property values in the area proposed for transfer or unification.

| Condition #9 | Condition Substantially Met | |
|--|-----------------------------|--------|
| <p>The proposed reorganization will not negatively affect the fiscal management or fiscal status of the proposed district or any existing district affected by the proposed reorganization.</p> | ___ Yes | ___ No |

The County Committee should look at the percentage of lost revenue to total revenue of the affected districts. It should also look at the viability of a new school district to operate a meaningful educational curriculum with its anticipated revenue.

The County Committee should review the financial status of the districts for several preceding years and evaluate the financial impact of the reorganization on each of the districts affected. The County Committee might also review other sources of financial data including the annual audit reports prepared by the district's independent auditors.

Additionally, the County Committee should review and consider any potential revenue gains and/or losses (e.g. community redevelopment agency agreements, Mello-Roos Community Facility District funds, parcel taxes, certificates of participation, mitigation agreements with developers, or any other categorical or specialized funds.)

EC 35707

The County Committee must report whether any of the following, in the opinion of the County Committee, would be true regarding the proposed reorganization.

| | | |
|--|-------------------------------|-----------------------------------|
| The proposed reorganization would comply with the provisions of EC 35753. | <input type="checkbox"/> True | <input type="checkbox"/> Not True |
|--|-------------------------------|-----------------------------------|

| | | |
|--|-------------------------------|------------------------------|
| The proposed reorganization would adversely True affect the school district organization of the county. | <input type="checkbox"/> True | <input type="checkbox"/> Not |
|--|-------------------------------|------------------------------|

County Committee Decision/Recommendation

Within 120 days of the commencement of the first public hearing on the petition, the County Committee shall recommend approval or disapproval of a petition for unification of school districts; or for the division of the territory of an existing school district into two or more separate school districts, as the petition may be augmented; or shall approve or disapprove a petition for the transfer of territory, as the petition may be augmented.

A. May Approve the Proposal

P If all the conditions of EC 35753 are substantially met.

Certain conditions may be waived, and the County Committee may approve a proposal if the County Committee determines circumstances with respect to the petition or proposal provide an exceptional situation sufficient to justify approval.

B. To Disapprove the Proposal

P In making its decision, the County Committee should consider whether:

- o A compelling reason necessitates the reorganization;
- o The reorganization proposal improves the effectiveness and efficiency of the delivery of educational services;
- o The reorganization is in the best interests of all concerned;
- o Any other reasons deemed pertinent by the County Committee to support the reorganization

Except for petitions for the transfer of territory, the County Committee shall forward its recommendation to the SBE.

Decision/Recommendation

The County Committee:

___ **Approves the proposed reorganization**

Determination and execution of election, process completed by the County only.
Determining the Area of the Election

STEP 1

P Identify the petition area

STEP 2

P The County Committee may expand the area of election beyond the petition area if it determines that there exists a logical and meaningful reason to do so.

P If not, then the election area is deemed to be the petition area.

As one can see the process has many steps and phases. It is clear that the Board of Education has no actual decision-making activity in this process. The Board may facilitate the process, and certainly give testimony at the County and State level hearings. As such, staff and I offer the following recommended course of action.

RECOMMENDATION(S)

I strongly recommend that a position of neutrality be taken throughout the process. I view this as a civic/governmental issue and ultimately an issue of self-determination for the citizens of Malibu. This is not in keeping with other 'educational' issues such as curriculum, student conduct, instructional materials, and the like. This is also not in keeping with facility improvement processes. Those areas serve an educational aim and direct purpose of the Board's leadership. Separation from the District is a process called for by the Educational Code and relegated to the County and State for decision-making. Today (so-to-speak) the students of Malibu, and all of the Santa Monica-Malibu Unified School District, enjoy a remarkable educational experience.

The Board of Education would execute its official duties in guiding the system through policy creation and enforcement and by monitoring results. On both counts it is obvious that the District excels. It is clear that the Board of Education has no direct decision-making on separation as per Education Code. This decision is for the County to ultimately determine. Therefore, neutrality is the prudent course of action. I further advise that I think it best to facilitate the desire(s) of the citizens of Malibu in undertaking this serious investigation.

Since it is apparent that the community of Malibu wants to examine this issue, I suggest that nothing stand in the way of the democratic process. Therefore, I recommend that we (the petitioners and the District) jointly facilitate the initiation of the process. The Board could call for a motion that places your signatures on the petition for the purpose of moving the process to the County for a full examination of the merits and a start of the official process **simultaneously** with the receipt of the required signatures from the electorate of Malibu. This process would indicate a commitment by the community of Malibu to the process and the Board's commitment to the community's opportunity to exercise the process called for in Education Code governing this matter. The Board of Education could notify MUST that when they have collected the signatures and presented them to you, that the Board would also make the motion at a Board meeting affixing your signatures on the petition and sending both to the County. This process does not require the Board of Education to take a position on the merits of the petition (and I do not think you should), but honors the already established public process with a redoubled affirmation of the process. It also sends a clear message of gravity of purpose to the County with respect to this issue.

Of course, Malibu need not follow this course of action. As has been pointed out in this memorandum, they can simply file the signatures and initiate the process. But with our long and unique history, I think it appropriate to be by their side in what will ultimately be their decision.

Please know that staff and I stand ready to provide you as much information as you desire as this process moves forward.

wp/BOARD/Malibu separation