

**For a Listing of Upcoming Board Meetings See Page vi of this Table of Contents**  
**Santa Monica-Malibu Unified School District**  
**Board of Education Meeting**  
**AGENDA**

**March 5, 2009**

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Thursday, March 5, 2009**, in the **Malibu City Council Chambers**: 23815 Stuart Ranch Road, Malibu, CA. The Board of Education will call the meeting to order at 4:00 p.m. in the upstairs Conference Room at the Malibu City Council Chambers, at which time the Board of Education will move to Closed Session regarding the items listed below. The public meeting will reconvene at 5:30 p.m. in the Council Chambers.

**The public meeting will begin at 5:30 p.m.**

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

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

**I. CALL TO ORDER**

- A. Roll Call
- B. Pledge of Allegiance

**II. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY**

**III. CLOSED SESSION (100):**

- Receipt of recommendation for approval of the proposed CAHSEE waiver request pursuant to §60851 (c), as cited in the Education Code (15):
  - CAHSEE-1017-08/09      CAHSEE-1019-08/09      CAHSEE-1021-08/09
  - CAHSEE-1018-08/09      CAHSEE-1020-08/09      CAHSEE-1022-08/09
- Receipt of recommendation for approval of the proposed settlement cases pursuant to GC §54956.9 (b), as cited in the Brown Act (5):
  - DN-1019-08/09
- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC§54957, as cited in the Brown Act (Director, Coordinator, Principal, Assistant Principal, Nurse, Counselor, Psychologist, Teacher, Dean of Students, Multisite Supervisor) (10)
- Conference with Superintendent regarding 2008-2009 Strategies for Negotiations with S.E.I.U. pursuant to GC §54957.6 as cited in the Brown Act. (15)
- Conference with Superintendent regarding 2008-2009 Strategies for Negotiations with S.M.M.C.T.A. pursuant to GC §54957.6 as cited in the Brown Act. (15)

- Closed session with legal counsel concerning anticipated litigation pursuant to GC §54956.9 as cited in the Brown Act (2 cases). (20)
- Closed Session, Superintendent’s performance evaluation pursuant to GC §54954.5 as cited in the Brown Act. (20)

**IV. BOARD OF EDUCATION – COMMENDATIONS / RECOGNITIONS (30)**

- Malibu High School (10)

**V. APPROVAL OF THE AGENDA**

**VI. APPROVAL OF MINUTES**

A.01 Approval of Minutes .....1  
February 19, 2009

**VII. CONSENT CALENDAR (5)**

Consent agenda items are considered routine, as agreed by the President, Vice President and Superintendent, requiring no discussion, and are normally all approved at one time by the Board of Education. However, members of the Board of Education, staff, or the public may request an item be removed from the consent agenda for clarification and/or discussion. Consideration will occur during Section XI (Major Items).

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**VIII. PUBLIC COMMENTS**

Public Comments is the time when members of the audience may address the Board of Education on items not scheduled on the meeting’s agenda. All speakers are limited to three (3) minutes. When there are a large number of speakers, the Board may reduce the allotted time to two (2) minutes per speaker. The Brown Act (Government Code) states that Board members may not engage in discussion of issues raised during “VIII. Public Comments” except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff. This Public Comment section is limited to 20 minutes. If the number of persons wishing to address the Board of Education exceeds the time limit, additional time will be provided in Section **XVI. CONTINUATION OF PUBLIC COMMENTS.**

**IX. COMMUNICATIONS (29)**

The Communications section provides an opportunity for the Board of Education to hear reports from the individuals or Committee representative listed below. All reports are limited to 5 minutes or less. However, if more time is necessary, or if a report will not be presented, please notify the Board secretary eight workdays prior to the date of the meeting.

**A. Student Board Member Reports**

Jaime Black – Santa Monica High School (3)

Roya Sahafi – Malibu High School (3)

Isis Enriquez – Olympic High School (3)

**B. SMMCTA Update – Mr. Harry Keiley (5)**

**C. S.E.I.U. Update – Ms. Keryl Cartee-McNeely (5)**

**D. PTA Council – Rebecca Kennerly (5)**

**E. Financial Oversight Committee (5)**

**X. SUPERINTENDENT’S REPORT (5)**

**MAJOR and DISCUSSION Items**

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

**XI. MAJOR ITEMS (135)**

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

A.26 Adopt Resolution No. 08-19 – Recognizing Women’s History Month (5)..... 59-60

A.27 Adopt Resolution No. 08-20 – Releasing Certificated Administrators (5) ..... 61-63

A.28 Adopt Resolution No. 08-21 – Shall Release and Reassign Certificated Administrators (5)..... 64-66

A.29 Adopt Resolution No. 08-22 – May Release and Reassign Certificated Administrators (5)..... 67-69

A.30 Adopt Resolution No. 08-23 – Administrator Release and Reassignment (5). 70-72

A.31 Adopt Resolution No. 08-24 – Reduction or Discontinuation of Particular Kinds of Services with Direction to Notify Affected Employees of Recommendation of Layoff (30)..... 73-75

A.32 Adopt Resolution No. 08-25 – Determination of Seniority among Certificated Employees with the Same Seniority Date (“Tie-Breaker Resolution”) (5)..... 76-79

A.33 Adopt Resolution No. 08-26 – Regarding the Non-Reelection of Certificated Probationary Employees (5) ..... 80-82

A.34 Adopt Resolution No. 08-27 – Regarding the Non-Reelection of Certificated Probationary Employees Serving in Certificated Staffing Positions Pursuant to Intern Credentials, Short-Term Staffing Permits, Provisional Internship Permits, Special Temporary Certificates, State-Issued Waivers and/or Emergency Permits (5)..... 83-87

A.35 Adopt Resolution No. 08-28 – Regarding the Non-Reelection of Certificated Temporary Employees (5)..... 88-90

A.36 Approval of Measure BB Budget Increase for Malibu Middle and High School Campus Improvements Project: Parking, Traffic, Wastewater System, and Other Improvements (30) ..... 91-92

A.37 Measure BB Scope – Malibu Middle and High School Campus Improvements Project – Athletic Field Lighting (30)..... 93-95

**XII. DISCUSSION ITEMS (0)**

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

**XIII. INFORMATIONAL ITEMS (0)**

**XIV. BOARD MEMBER ITEMS (0)**

These items are submitted by individual Board members for information or discussion, as per Board Policy 8320(b).

**XV. REQUESTS BY MEMBERS OF THE PUBLIC OR DISTRICT ADVISORY COMMITTEES TO ADDRESS THE BOARD OF EDUCATION**

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

**XVI. CONTINUATION OF PUBLIC COMMENTS**

A continuation of Section VIII, as needed. (If the number of persons wishing to address the Board of Education exceeds the time limit in section VIII, additional time will be provided in Section **XVI, CONTINUATION OF PUBLIC COMMENTS.**)

**XVII. BOARD MEMBER COMMENTS**

Board Member Comments is the section where a Board member may make a brief announcement or make a brief report on his or her own activities relative to Board business. There can be no discussion under “BOARD MEMBER COMMENTS.”

**XVIII. FUTURE AGENDA ITEMS**

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

**XIV. CLOSED SESSION**

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

**XX. ADJOURNMENT**

This meeting will adjourn to the next regularly scheduled meeting to be held on **Thursday, March 19, 2009, at 5:30 p.m.** at the **Santa Monica City Council Chambers, 1685 Main Street, Santa Monica, CA.**

**Meetings held at Santa Monica City Hall are broadcast live – City TV2, Cable Channel 16.**

**Meetings held at the District Office and in Malibu are taped and rebroadcast in Santa Monica on CityTV2, Cable Channel 20 – Check TV listing.**

**Meetings are rebroadcast in Malibu on Government Access Ch. 3 every Saturday at 8pm.**

**SMMUSD Board of Education Meeting Schedule 2008-2009**

**Closed Session begins at 4:00pm**  
**Public Meetings begin at 5:30pm**

July through December 2008					
Month	1 <sup>st</sup> Thursday	2 <sup>nd</sup> Thursday	3 <sup>rd</sup> Thursday	4 <sup>th</sup> Thursday	Special Note:
July				7/24 DO	* 7/1: Special Meeting * 7/10: Special Meeting
August			8/21* DO		*8/21: Begins at 4:30pm
September	9/4 DO			9/18 DO	
October	10/2 M		10/16 SM		
November	11/6 M		11/20* DO	11/27 (5 <sup>th</sup> Thurs)	*11/20: Location moved to District Office Thanksgiving 11/27-28
December	12/8* DO	12/11 DO	12/17* DO	winter break	*12/8: Special Meeting *12/17: Special Meeting
<b>December 22 – 31: Winter Break</b>					
January through June 2009					
<b>January 1 – 2: Winter Break</b>					
January	winter break	1/8* DO	1/15 DO	1/29 (5 <sup>th</sup> Thurs)	*1/8: Special Closed Session
February	2/5 M		2/19 SM	2/27* DO	*2/27: Special Meeting
March	3/4* DO 3/5 M		3/19 SM		*3/4: Special Meeting Stairway 3/26 & 3/27
April	4/2 DO	spring break	spring break	4/23 DO	
<b>April 6-17: Spring Break</b>					
May	5/7 M		5/21 SM		
June	6/4 DO			6/25 DO	Last day of school 6/19

District Office (DO): 1651 16<sup>th</sup> Street, Santa Monica.  
 Malibu City Council Chambers (M): 23815 Stuart Ranch Road, Malibu, CA  
 Santa Monica City Council Chambers (SM): 1685 Main Street, Santa Monica.

**Santa Monica-Malibu Unified School District  
Board of Education  
March 5, 2009**

**I. CALL TO ORDER**

A. Roll Call

Ralph Mechur – President  
Barry Snell – Vice President  
Ben Allen  
Oscar de la Torre  
Jose Escarce  
Maria Leon-Vazquez  
Kelly Pye

Student Board Members

Jaime Black – Santa Monica High School  
Roya Sahafi – Malibu High School  
Isis Enriquez – Olympic High School

B. Pledge of Allegiance

**II. CLOSED SESSION**

TO: BOARD OF EDUCATION

ACTION  
03/05/09

FROM: TIM CUNEO

RE: APPROVAL OF MINUTES

RECOMMENDATION NO. A.01

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

February 19, 2009

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



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## **CONSENT ITEMS**

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / MAUREEN BRADFORD

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.02

It is recommended that the Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2007/2008 budget.

<b>Contractor / Contract Dates</b>	<b>Description</b>	<b>Site</b>	<b>Funding</b>
Michael E. Hill 7/1/08 to 6/30/09 <i>Amend for additional:</i> \$4,500 Not to exceed: \$15,000	To update District's Board Policy and Board Policy Database.	Pupil Services	01-00000-0-11100-39000-5802-040-1400
Spirit Series, Inc. 2/23/09 to 3/13/09 Not to exceed: \$10,465	Implement Buddha Walks unit in ten 6 <sup>th</sup> grade classes.	John Adams	01-90150-0-11100-10000-5802-011-4110 (\$3,031) and 01-71400-0-011100-10000-5802-011-4110 (\$7,434)
Robert Gilliam Productions 2/1/09 to 6/30/09 <i>Amend Contract Amount:</i> Not to exceed:\$11,580 <del>\$10,830</del> (approved on 2/19/09)	Providing contemporary dance instruction to Malibu Middle and High School students ( <i>increased number of classes – six classes added</i> )	Malibu Middle and High	01-90830-0-17000-10000-5802-010-4100
J. Wallace Berriman 2/23/09 to 6/30/09 Cost: \$75 per hour for a not-to-exceed cost of \$6,000	Project management consulting services in connection with the solar project at Pt. Dume	Business Services	01-90100-00001-82000-5802-050-1500
CCM, Inc. 1/1/09 to 6/30/09 <i>Amend Contract Amount:</i> Cost: \$485.10 per month for a not-to-exceed cost of \$3,000	Additional out-of-state tax cost	District	01-81500-0-00000-81100-5802-061-2802

<p>Communication Resources for Public Schools (Thomas DeLapp)</p> <p><i>Amend Contract Date:</i> 11/6/08 to <u>12/31/09</u> <del>6/30/09</del></p> <p><i>Amend for additional:</i> \$20,000</p> <p>Not to exceed: \$34,500</p>	<p>Continuation of communications audit and other related projects.</p>	<p>District</p>	<p>01-00000-0-00000-71500-5802-020-1200</p>
<p>Art meets Technology (Maryanne Solomon)</p> <p>3/6/09 to 6/30/09</p> <p>Not to exceed: \$2,000</p>	<p>Complete Barnum Hall website along with Theater Operations &amp; Filming pages</p>	<p>Business Services: Theater Operations and Facility Permits</p>	<p>01-91180-0-81000-54000-5802-046-2460</p>
<p>Robert Germain</p> <p>2/1/2009 to 6/30/09</p> <p>Not to exceed: \$6,000</p>	<p>Facilitate Communication Lab with SEIU and SMMUSD</p>	<p>Human Resources &amp; SEIU</p>	<p>01-00000-0-00000-74000-5802-026-1250 (SEIU will reimburse 50% of cost.)</p>

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / MAUREEN BRADFORD

RE: OVERNIGHT FIELD TRIP(S) 2008-2009

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2008-2009 school year. No child will be denied due to financial hardship.

<b>School Grade # students</b>	<b>Destination Dates of Trip</b>	<b>Principal/Teacher</b>	<b>Cost Funding Source</b>	<b>Subject</b>	<b>Purpose Of Field Trip</b>
Samohi 9 -12 20	Temecula Valley High School  2/26/09 - 2/28/09	Hugo Pedroza/ M. Black/ B. Wright/ D. Waters/ B. Forster	\$50 per student by parent donation and fundraising	PE	To participate in the Master's Meet for Wrestling - CIFSS
Samohi 9-12 20	Bakersfield, CA State Finals Wrestling  3/5/09-3/8/09	Hugo Pedroza/ M. Black/ B. Wright/ D. Waters/ B. Forster	\$75 per student by parent donation and fundraising	PE	To participate in the Cal-State Finals Wrestling - CIF
Cabrillo 4 53	Sacramento and Coloma, CA  5/29/09	Barry Yates/ S. Baltrushes/ J. Mathews	\$386 per student by parent donation and fundraising	Social Studies	Social Studies enrichment supporting the curriculum (CA heritage)
Samohi 9 - 12 12	DECA State Marketing & Business Competition, Santa Clara, CA  3/5/09 - 3/8/09	Hugo Pedroza/ M. Shafiey	\$360 per student by parent donation and fundraising	ROP	State's DECA Competition (marketing and business)

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / PAT HO

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.04

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: name, location and date(s) of the conference, complete account code, fund and program names, and the total estimated cost as provided by the site administrator. The average cost for substitute teachers is \$130/day. This figure is furnished for informational purposes and does not reflect the actual amount paid for an individual substitute.)

<u>NAME</u> <u>SITE</u> Account Number Fund – Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>ALLSTOT, Sean</u> Lincoln Middle 01-73950-0-11100-10000-5220-012-5120 General Fund- <b>Resource:</b> School & Library Imprvmnt.	Character Development Seminar Los Angeles, CA March 6 – 8, 2009	\$775
<u>DIAZ, Aida</u> Ed Services 01-62860-0-47600-10000-5220-035-1300 General Fund- <b>Resource:</b> ELAP –English Language	School Program Improvement for English Learners: Data Tools Downey, CA March 9, 2009	\$135
<u>KORVIN, Karin</u> Santa Monica High 01-71400-0-11100-10000-5220-015-4150 General Fund- <b>Resource:</b> Gifted/Talented Edu (GATE)	AP Workshop Santa Ana, CA March 7, 2009	\$150
<u>NIEMI, Charlene</u> Santa Monica High 01-00000-0-11100-31400-5220-041-1400 General Fund- <b>Function:</b> Health Services	Stressed Out? Ways to Manage Stress and Asthma February 7, 2009	\$0

**Adjustments**

(Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)

NONE

**Group Conference and Travel: In-State**

*\* a complete list of conference participants is on file in the Department of Fiscal Services*

<u>FREEDMAN, Marolyn</u> <u>SCHMIDT, Laurel</u> Pupil Services 01-00000-0-11100-39000-5220-040-1400 General Fund- <b>Function:</b> Other Pupil Services	Cyber Safety Workshop Downey, CA March 6, 2009	\$40 TOTAL
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<u>GATES, Janie</u> <u>GECH, Marcia</u> Olympic High 01-00000-0-32000-27000-5220-014-4140 General Fund- <b>Function:</b> School Administration	Cyber Safety Workshop Downey, CA May 26, 2009	\$40 TOTAL <b>+1 SUB</b>
<u>HARRIS, Peggy</u> +9 Additional Staff Ed Services 01-40350-0-11100-21000-5220-035-1300 General Fund <b>Resource:</b> Title II Teacher Quality	LACOE/Language Arts Instructional Materials Fair Alhambra, CA February 18 -19, 2009	\$1,110
<u>HO, Pat</u> +4 Additional Staff Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- <b>Function:</b> Fiscal Services	QCC Budget Development #1 & 2 District Office (Webinar) February 3 & 5, 2009	\$500 TOTAL
<u>MURRAY, Brian</u> +2 Additional Staff Special Ed/District 01-56400-0-00000-39000-5220-041-1400 General Fund- <b>Resource:</b> Medi-Cal Billing Option	Autism Diagnostic Observation Schedule (ADOS) Workshop Los Angeles, CA April 6 – 7, 2009	\$1,200 TOTAL
<u>ONAMI, Janice</u> <u>SIMON, Monica</u> Child Development Services 12-60600-0-85000-10000-5220-070-2700 50% 12-60550-0-85000-10000-5220-070-2700 Child Development Fund- <b>Resource:</b> State Preschool/Child Care	California Child Development Administrators Association (CCDAA) Sacramento, CA March 10 – 13, 2009	\$2,250 TOTAL
<u>RIZK, Rizk</u> +2 Additional Staff Fiscal Services/Human Resources 01-00000-0-00000-73100-5220-051-2510 01-00000-0-00000-74000-5220-025-1950 General Fund- <b>Resource:</b> Conference & Travel/HR	CALSTRS & PERS Training Downey, CA February 18, 2009	\$91 TOTAL <b>Mileage Only</b>

**Out-of-State Conferences: Individual**

<u>KULSRUD, Kelly</u> SMASH 01-00000-0-11100-10000-1110-030-1501 General Fund- <b>Function:</b> Instruction	February Mini-Institute Content Area Reading and Writing New York, NY February 16 -20, 2009	\$733 TOTAL <b>+1 SUB</b>
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**Out-of-State Conferences: Group**

<b>NONE</b>		
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MOTION MADE BY:  
 SECONDED BY:  
 STUDENT ADVISORY VOTE:  
 AYES:  
 NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JUDY ABDO

RE: APPROVAL OF FEE INCREASE FOR THE SCHOOL-AGE PROGRAMS  
FOR FISCAL YEAR 2009-2010

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve a fee increase for non-subsidized parents in the School-Age Child Development Programs effective July 1, 2009.

COMMENT: It is a condition of the Funding Terms and State and Federal Programs that parents' fees in the non-subsidized program cannot be less than the daily/monthly reimbursement rate for subsidized families receiving the same services. We are also coordinating fee increases with the City CREST program.

**PROPOSED FEE SCHEDULE FOR FY 2009-2010**

<b>Program</b>	<b>GRADE</b>	<b>Current</b>	<b>Required</b>
Before and After School	K	\$370	\$390
Before and After School	1 - 3	\$325	\$350
A.M. Only	K - 5	\$145	\$150
Early Express	K	\$175	\$190
Adams & Lincoln MS	6 - 8	\$245	\$250

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS / JUDY ABDO

RE: AGREEMENT WITH THE STATE DEPARTMENT OF EDUCATION TO  
ACCEPT FUNDS FOR THE INFANT AND TODDLER PROGRAM FOR  
FISCAL YEAR 2008-2009

RECOMMENDATION NO. A.06

It is recommended that the Board of Education accept the contract with the State Department of Education, Child Development Division effective July 1, 2008 through June 30, 2009. This agreement CCAP-8180 is to be executed between the Superintendent of public Instruction, State Department of Education, and the Santa Monica-Malibu Unified School District, wherein the State agrees to pay the Santa Monica-Malibu Unified School District Child Development Fund/CDC an amount not to exceed \$3,070.00. By signing the contract the Board agrees to use the funds to support the Child Care and Development Programs and the California School Age Families Education (CalSAFE) program serving infants to toddler ages birth to three years and to authorize Tim Cuneo, Superintendent of Schools, to sign the contract on behalf of the governing board.

Funding Information

Source: Child Development Fund - Restricted  
Currently Budgeted: No  
Account Number: 12-50350-0-00000-00000-8290-000-0000  
Description: Child Care Capacity Project  
Infant/Toddler Child Care Resource Program

COMMENT: The intent of this resource award is to improve the quality and availability of child care by allowing us flexibility in the expenditures of the funds for one-time only item that primarily benefit the infant-toddler child care services program.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION /CONSENT

03/05/09

FROM: SUPERINTENDENT / CHIUNG-SALLY CHOU / JANIE GATES

RE: 2009-2010 COMMUNITY-BASED ENGLISH TUTORING PROGRAM

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve of State funds presently available for the Community-Based English Tutoring Program. The allocation is based on the number of Limited English Proficient students in the District and will provide funds for adult English language instruction programs for parents and other members of the community who make a commitment to tutoring K-12 children with Limited English Proficiency. The funds are available immediately upon Board approval.

The Board of Education must assure that six conditions of acceptance be certified, as follows:

1. The conditions established pursuant to California Education Code (EC) sections 315-317, and California Code of Regulations (CCR), Title 5, Sections 11315, 11315.5, and 11315.6, 00-11315.5 will be met by the District in the administration of this program.
2. The District will use fiscal control and accounting procedures that will ensure proper disbursements and accounting of state funds paid to that agency under the program. The District will make records available for audit when requested.
3. Funds may be used for direct program services, community notification processes, transportation services, and background checks related to the adults participating in the tutoring program.
4. The District will be responsible for expending these funds to provide free or subsidized adult English-language instruction for parents or community members who have pledged to provide personal English-language tutoring to English learners kindergarten through grade twelve.
5. Pledge records will consist of the following information: name of school district, name of school, and the name and signature of parent or community member committed to tutor English learners. These records will be maintained for audit.

6. A Community-Based English Tutoring (CBET) plan will be adopted by the local governing board and include elements of instruction and achievement information as described by EC Section 317. The data collected shall be used, by the governing board, to review and revise the plan as necessary, not less than once every three years, and be made available to the state as requested.

Signature of Presiding Officer of Governing Board is required. Original Notification of Intent to Participate, Fiscal Year 2009-2010, and CBET plan are attached for review and approval.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / RUTH VALADEZ

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS - 2008-2009

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2008-2009 as follows:

**NPS**

2008-2009 Budget 01-65000-0-57500-11800-5125-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Excelsior Youth Centers	12/27/94	NPS	#54-UC09255	\$ 9,531
Carousel School	7/4/04	NPS	#56-UC09261	\$ 20,022
LAUSD	9/26/92	Inter-SELPA Permit	#23-UC09258	\$ 31,096
LAUSD	10/3/90	Inter-SELPA Permit	#24-UC09259	\$ 31,096

Amount Budgeted NPS 08/09	\$ 1,500,000
Prior Board Authorization as of 02/19/2009	\$ 1,460,904
Balance	\$ 39,096
Positive Adjustment (See Below)	\$ 0
Total Amount for these Contracts	\$ 91,745
Balance	\$ -52,649

Adjustment					
NPS Budget 01-65000-0-57500-11800-5125-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2007-08 in the amount of \$ 0 as of 3/05/09					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

**NPA**

2008-2009 Budget 01-65000-0-57500-11800-5126-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Believeability	10/10/96	AT assessment	#39-UC09253	\$ 1070
Believeability	4/8/93	AT assessment	#40-UC09262	\$ 1070
Believeability	10/20/92	AT assessment	#41-UC09263	\$ 1070
Believeability	5/14/96	AT assessment	#42-UC09264	\$ 1070

Amount Budgeted NPA 08/09		\$ 1,400,000
Prior Board Authorization as of 02/19/09		\$ 1,239,436
	Balance	\$ 160,564
Positive Adjustment (See Below)		\$ 0
Total Amount for these Contracts		\$ 4,280
	Balance	\$ 156,284

Adjustment					
NPA Budget 01-65000-0-57500-11800-5126-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2007-08 in the amount of \$ 0 as of 03/05/09					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

**NPA PRE SCHOOL**

2008-2009 Budget 01-65000-0-57300-11800-5125043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted NPA Pre School 08/09		\$ 100,000
Prior Board Authorization as of 02/19/09		\$ 120,460
	Balance	\$ -20,460
Total Amount for these Contracts		\$ 0
	Balance	\$ -20,460

**Instructional Consultants**

2008-2009 Budget 01-65000-0-57500-11900-5802-043-1400

Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
K&M Center	1/20/00	Educational therapy	#50-UC09256	\$ 6,000
Carol Atkins - contract increase	4/18/93	CAPD assessment	#45-UC09231	\$ 238
Ruth Punt	Various	Speech	#51-UC09257	\$ 7,000

Amount Budgeted Instructional Consultants 08/09	\$ 310,000
Prior Board Authorization as of 02/19/09	\$ 502,988
Balance	\$- 192,988
Positive Adjustment (See Below)	\$ 0
Total Amount for these Contracts	\$ 13,238
Balance	\$ -206,226

Adjustment					
Instructional Consultants Budget 01-65000-0-57500-11900-5802-043-1400					
There has been a reduction in authorized expenditures of Instructional Consultants contracts for FY 2008-09 in the amount of \$ as of 3/05/09					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

**Instructional Consultants -INFANT**

2008-2009 Budget 01-65000-0-57100-11900-5802-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consult-Infants 08/09	\$ 15,000
Prior Board Authorization as of 02/19/09	\$ 19,130
Balance	\$ -4,130
Total Amount for these Contracts	\$ 0
Balance	\$ -4,130

**Instructional Consultants -PRE SCHOOL**

2008-2009 Budget 01-65000-0-57300-11900-5802-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instruct Consult-Pre School 08/09	\$ 175,000
Prior Board Authorization as of 02/19/09	\$ 53,220
Balance	\$ 121,780
 Total Amount for these Contracts	 \$ 0
Balance	\$ 121,780

**Non-Instructional Consultants**

2007-2008 Budget 01-65000-0-57500-11900-5890-043-1400

Non-Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Parent Reimbursement	8/16/95	Transportation to NPS	#22-UC09252	\$ 985
Parent Reimbursement	8/16/88	Transportation to NPS	#21-UC09254	\$ 11,520

Amount Budgeted Non-Instructional Consultants 08/09	\$ 144,000
Prior Board Authorization as of 02/19/09	\$ 135,194
Balance	\$ 8,806
Positive Adjustment (See Below)	\$ 0
Total Amount for these Contracts	\$ 12,505
Balance	\$ -3,699

Adjustment					
Non-Instructional Consultants Budget 01-65000-0-57500-11900-5890-043-1400					
There has been a reduction in authorized expenditures of Non-Instructional Consultants contracts for FY 2008-09 in the amount of \$ as of 03/05/09					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

**Legal**

2007-2008 Budget 01-65000-0-57500-11900-5820-043-1400

Legal Contractor	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Legal Services 08/09			\$ 200,000
Prior Board Authorization as of 02/19/09			712,500
	Balance		\$ -512,500
Adjustments for this period			\$ 0
			\$ -512,500
Total Amount for these Contracts			\$ 54,708
	Balance		\$ -567,208

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/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: AWARD OF PURCHASE ORDERS - 2008-2009

RECOMMENDATION NO. A.09

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from February 11, 2009, through February 23, 2009, for fiscal /09.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / PAT HO

RE: ACCEPTANCE OF GIFTS - 2008/2009

RECOMMENDATION NO. A.10

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$21,322.87 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 2008-2009 income and appropriations by \$21,322.87 as described on the attached listing.

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

NOTE: The list of gifts is available on the District's website, [www.smmusd.org](http://www.smmusd.org).

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

Current Gifts and Donations 2008/2009

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
<b>JAMS</b> 01-90120-0-00000-00000-8699-011-0000	\$ 425.00 \$ 85.00	\$ 75.00 \$ 15.00		Metro Calvary Church Janet T. Searfoss	General Supplies and Materials General Supplies and Materials
<b>Adult Education</b> 11-90120-0-00000-00000-8699-090-0000					
<b>Alternative (SMASH)</b> 01-90120-0-00000-00000-8699-009-0000					
<b>Cabrillo</b> 01-90120-0-00000-00000-8699-017-0000					
<b>CDS</b> 12-90120-0-00000-00000-8699-070-0000					
<b>Edison</b> 01-90120-0-00000-00000-8699-001-0000					
<b>Franklin</b> 01-90120-0-00000-00000-8699-002-0000					
<b>Grant</b> 01-90120-0-00000-00000-8699-003-0000					
<b>Lincoln</b> 01-90120-0-00000-00000-8699-012-0000					
<b>Malibu High School</b> 01-90120-0-00000-00000-8699-010-0000 01-90120-0-00000-00000-8699-004-0000	\$ 1,852.87 \$ 330.00 \$ 29.58	\$ - \$ - \$ 5.22		Malibu High Arts Angels Marine Biology Students Planet Aid, Inc.	General Supplies and Materials General Supplies and Materials General Supplies and Materials
<b>Muir</b> 01-90120-0-00000-00000-8699-005-0000	\$ 183.20	\$ -		Various	Field Trip
<b>Olympic HS</b> 01-90120-0-00000-00000-8699-014-0000	\$ 10,000.00	\$ -		RGK Foundation	Grant

## Current Gifts and Donations 2008/2009

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
<b>Rogers</b> 01-90120-0-00000-00000-8699-006-0000					
<b>Roosevelt</b> 01-90120-0-00000-00000-8699-007-0000	\$ 700.00	\$ -		Scholarship of America	Field Trips
<b>Samohi</b> 01-90120-0-00000-00000-8699-015-0000 <b>Barnum Hall</b> 01-91150-0-00000-00000-8699-015-0000					
<b>Pt. Dume Marine Science</b> 01-90120-0-00000-00000-8699-019-0000					
<b>Webster</b> 01-90120-0-00000-00000-8699-008-0000					
<b>Others:</b>					
<b>Superintendent's Office</b> 01-90120-0-00000-00000-8699-020-0000					
<b>Educational Services</b> 01-90120-0-00000-00000-8699-030-0000	\$ 6,000.00 \$ 1,622.00	\$ - \$ -		Gail Dorin Foundation Various Music Parents	Special Services Employee General Supplies and Materials
<b>Student &amp; Family Services</b> 01-90120-0-00000-00000-8699-040-0000					
<b>Special Education</b> 01-90120-0-00000-00000-8699-044-0000					
<b>Information Services</b> 01-90120-0-00000-0000-8699-054-0000					
<b>Food and Nutrition Services</b> 01-90120-0-00000-0000-8699-057-0000					
<b>District</b> 01-90120-0-00000-00000-8699-090-0000					
<b>TOTAL</b>	<b>\$ 21,227.65</b>	<b>\$ 95.22</b>	<b>\$ -</b>	21322.87	

## Current Gifts and Donations 2008/2009

School/Site Account Number	Y-T-D Adjusted Gift Total	Current Gift Amount	Equity Fund 15% Contrib.	Cumulative Gift Amount	Y-T-D In-Kind Value	Current In-Kind Value	Cumulative In-Kind Value
<b>JAMS</b> 01-90120-0-00000-00000-8699-011-0000	\$ 262,326.46	\$ 510.00	\$ 90.00	\$ 262,926.46	\$ 4,950.00 \$ 100.00		\$ 4,950.00 \$ 100.00
<b>Adult Education</b> 11-90120-0-00000-00000-8699-090-0000	\$ 3,423.22			\$ 3,423.22			
<b>Alternative (SMASH)</b> 01-90120-0-00000-00000-8699-009-0000							
<b>Cabrillo</b> 01-90120-0-00000-00000-8699-017-0000	\$ 81,699.90			\$ 81,699.90	\$ 13,329.26		\$ 13,329.26
<b>CDS</b> 12-90120-0-00000-00000-8699-070-0000	\$ 1,384.67			\$ 1,384.67	\$ 5,113.00		\$ 5,113.00
<b>Edison</b> 01-90120-0-00000-00000-8699-001-0000	\$ 64,539.01			\$ 64,539.01	\$ 200.00		\$ 200.00
<b>Franklin</b> 01-90120-0-00000-00000-8699-002-0000	\$ 1,268.17			\$ 1,268.17			
<b>Grant</b> 01-90120-0-00000-00000-8699-003-0000	\$ 3,829.46			\$ 3,829.46	\$ 65.88		\$ 65.88
<b>Lincoln</b> 01-90120-0-00000-00000-8699-012-0000	\$ 43,290.18			\$ 43,290.18			
<b>Malibu High School</b> 01-90120-0-00000-00000-8699-010-0000 <i>Malibu Shark Fund - Resource #90141</i>	\$ 135,889.70	\$ 2,212.45	\$ 5.22	\$ 138,107.37			
<b>McKinley</b> 01-90120-0-00000-00000-8699-004-0000	\$ 87,758.30			\$ 87,758.30			
<b>Muir</b> 01-90120-0-00000-00000-8699-005-0000	\$ 65,794.20	\$ 183.20	\$ -	\$ 65,977.40			
<b>Olympic HS</b> 01-90120-0-00000-00000-8699-014-0000	\$ 8,666.16	\$ 10,000.00	\$ -	\$ 18,666.16			
<b>Rogers</b> 01-90120-0-00000-00000-8699-006-0000	\$ 84,700.85			\$ 84,700.85	\$ 150.00		\$ 150.00
<b>Roosevelt</b> 01-90120-0-00000-00000-8699-007-0000	\$ 139,582.25	\$ 700.00	\$ -	\$ 140,282.25	\$ 100.00		\$ 100.00
<b>Samohi</b> 01-90120-0-00000-00000-8699-015-0000	\$ 158,308.72			\$ 158,308.72	\$ 5,475.00 \$ 100.00		\$ 5,475.00 \$ 100.00
<b>Pt. Dume Marine Science</b> 01-90120-0-00000-00000-8699-019-0000	\$ 156,306.20			\$ 156,306.20			
<b>Webster</b> 01-90120-0-00000-00000-8699-008-0000	\$ 12,670.00			\$ 12,670.00			

Current Gifts and Donations 2008/2009

School/Site Account Number	Y-T-D Adjusted Gift Total	Current Gift Amount	Equity Fund 15% Contrib.	Cumulative Gift Amount	Y-T-D In-Kind Value	Current In-Kind Value	Cumulative In-Kind Value
<b>ALL OTHER LOCATIONS:</b>							
<b>Superintendent's Office</b> 01-90120-0-00000-00000-8699-020-0000	\$ 50,000.00			\$ 50,000.00			
<b>Educational Services</b> 01-90120-0-00000-00000-8699-030-0000	\$ 247,386.61	\$ 7,622.00		\$ 255,008.61	\$ 24,170.00		\$ 24,170.00
<b>Student and Family Support Services</b> 01-90120-0-00000-00000-8699-041-0000	\$ 325.00			\$ 325.00			
<b>Special Education</b> 01-90120-0-00000-00000-8699-044-0000	\$ 1,000.00			\$ 1,000.00			
<b>Information Services</b> 01-90120-0-00000-00000-8699-054-0000	\$ 2,000.00			\$ 2,000.00			
<b>District</b> 01-90120-00000-0-00000-8699-090-0000							
<b>Food &amp; Nutrition Services</b> 01-90120-0-00000-00000-8699-070-0000	\$ 9,207.84			\$ 9,207.84			
<b>TOTAL GIFTS</b>	<b>\$ 1,621,356.90</b>	<b>\$ 21,227.65</b>	<b>\$ 95.22</b>	<b>\$1,642,679.77</b>	<b>\$ 53,753.14</b>	<b>\$ -</b>	<b>\$ 53,753.14</b>
			Total Equity Fund 15% Contribs.				
<b>Total Cash Gifts for District:</b>		<b>\$ 21,227.65</b>	<b>\$ 95.22</b>		Total In-Kind Gifts:	<b>\$ -</b>	

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY COMMERCIAL DOOR - BID #9.04 - DISTRICTWIDE DOOR REPLACEMENT

RECOMMENDATION NO. A.11

It is recommended that the Board of Education accept as completed all work contracted with authorize Commercial Door, Bid #9.04 for Districtwide Door Replacement in an amount of \$279,602.62.

Funding Information

Budgeted: Yes

Fund: 14

Source: Deferred Maintenance

Account Number:14-00000-0-00000-81100-5640-XXX-2600

COMMENTS: The contract with Commercial Door has been completed. In order to facilitate the release of the 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	\$258,677.62
Change Order #1	\$ 6,925.00
Change Order #2	\$ 14,000.00
Total Contract Amount	\$279,602.62

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY SANTA MONICA FENCE FOR FENCING REPLACEMENT PROJECT - BID #8.10 - DISTRICTWIDE FENCING

RECOMMENDATION NO. A.12

It is recommended that the Board of Education accept as completed all work contracted with Santa Monica Fence for Fencing Replacement, Bid #8.10 for districtwide fencing in an amount of \$109,184.29.

Funding Information

Budgeted: Yes

Fund: 25

Source: Capital Facilities Fund

Account Number: 25-90100-0-00000-85000-6170-XXX-2600

COMMENTS: The contract with Santa Monica Fence has been completed. In order to facilitate the release of the 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	\$ 98,861.84
CHANGE ORDER #1	\$ 16,790.51
CHANGE ORDER #2	\$ 10,322.45
CHANGE ORDER #3	<\$ 16,790.51>
<u>FINAL CONTRACT AMOUNT</u>	<u>\$109,184.29</u>

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY SANTA MONICA FENCE FOR FENCING REPLACEMENT PROJECT - BID #8.19 - FENCING REPLACEMENT MALIBU HIGH SCHOOL AND CABRILLO ELEMENTARY SCHOOL (MALIBU HS PORTION ONLY)

RECOMMENDATION NO. A.13

It is recommended that the Board of Education accept as completed all work contracted with Santa Monica Fence for Fencing Replacement, Bid #8.19 for Malibu Middle and High School in an amount of \$41,191.18.

Funding Information

Budgeted: Yes

Fund: 25

Source: Capital Facilities Fund

Account Number: 25-90100-0-00000-85000-6170-XXX-2600

COMMENTS: The contract with Santa Monica Fence has been completed. In order to facilitate the release of the 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.

FINAL CONTRACT AMOUNT                      \$ 41,191.18

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY STONE ROOFING FOR  
ROOFING REPAIRS - BID #8.18R - MALIBU AND SANTA MONICA  
HIGH SCHOOLS

RECOMMENDATION NO. A.14

It is recommended that the Board of Education accept as completed all work contracted with Stone Roofing for Roofing Repairs, Malibu and Santa Monica High Schools in the amount of \$429,120.

Funding Information

Budgeted: Yes  
Fund: 14  
Source: Deferred Maintenance  
Account Number: 14-00000-0-00000-81100-5640-XXX-2600

COMMENTS: The contract with Stone Roofing Company has been completed. In order to facilitate the release of the 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	\$421,130
CHANGE ORDER #1	\$ 7,990
FINAL CONTRACT AMOUNT	\$429,120

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY JJ PLUMBING - BID  
#8.13R - DISTRICTWIDE PLUMBING REPAIRS

RECOMMENDATION NO. A.15

It is recommended that the Board of Education accept as completed all work contracted with JJ Plumbing for Districtwide Plumbing Repairs, in an amount of \$249,913.

Funding Information

Budgeted: Yes

Fund: 14

Source: Deferred Maintenance

Account Number:14-00000-0-00000-81100-5640-XXX-2600

COMMENTS: The contract with JJ PLUMBING has been completed. In order to facilitate the release of the 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	\$241,000
Change Order #1	\$ 6,708
Change Order #2	\$ 2,205
Total Contract Amount	\$249,913

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO /JANECE L. MAEZ / PAT HO

RE: APPROVAL OF THE 2008-09 SECOND INTERIM REPORT

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve the 2008-09 First Interim Report and the corresponding budget adjustments.

COMMENTS: Education Code (*EC*) Sections §35035 (g), §42130, and §42131 require the governing board of each local educational agency (*LEA*) to certify at least twice a year as to the LEA's ability to meet its financial obligations for the remainder for that fiscal year and for the subsequent two fiscal years.

The 2008-09 Budget was adopted by the Board of Education on June 26, 2008, and was approved by the Los Angeles County Office of Education (*LACOE*). The Board adopted the 2008-09 1<sup>st</sup> Interim Report on December 11, 2008, and it was approved by the LACOE.

Since the adoption of the 1<sup>st</sup> Interim Report, changing conditions have necessitated adjusting the District budget. All of the expenditure and revenue changes previously approved by the Board or proposed for approval at this time are individually identified in the Second Interim Report (January 31, 2009), which is included as a part of this document.

The Second Interim Report was developed based on the following Revenue and Expenditure Assumptions.

**REVENUE ASSUMPTIONS:**

1. State Revenue Limit projection is based on a 5.66% COLA for 2007-08 (\$329 per ADA = 5.60% for SMMUSD). And the Deficit Factor is <9.685%>. The net decrease in Revenue Limit funding is <\$3,443,062>.
2. The Base Revenue Limit for Santa Monica-Malibu will be \$62,445,378, per 2007-08 P-2 ADA (11,064).
3. The Lottery allocation is currently estimated to be \$121 (\$137 in 1<sup>st</sup> Interim) per annual ADA. Of this amount, \$11.50 is allocated for instructional materials.

4. The District will participate in the State's Class Size Reduction Program for Grades K-3 and will receive \$1,071 per pupil for Grades K-3.
5. No budget for Mandated Costs Reimbursement in 2008-09.
6. Special Education transfer from the Revenue Limit for ADA generated by Special Education students is \$1,927,129. Special Education Settlement at \$4.52 per 1999-00 ADA is \$52,328. The Special Education estimated funding for AB 602 is \$6,592,724, and the estimated federal funding is \$2,434,339.
7. Instructional Materials Funding Realignment Program will be funded at \$69 per pupil (October 2007 CBEDS -11,571).
8. The local Parcel Tax for Measure R at \$346 per parcel is estimated to generate \$10,300,420, after processing senior exemptions, which are anticipated to number 2,757 out of 32,527 parcels. The Measure R parcel tax began in 2008-09 and replaced the previous Measure Y and Measure S parcel taxes.
9. The District will receive \$7,943,913 of financial support from the City of Santa Monica.
10. The District will receive \$135,000 of Joint Use Agreement funding from the City of Malibu.
11. The combined lease revenue is \$2.64 million, which is from the Doubletree Hotel, Madison Site, 9<sup>th</sup> & Colorado and 16<sup>th</sup> Street properties.
12. There is \$800,000 estimated interest revenue for the Unrestricted General Fund.
13. The District will receive \$16.8 per pupil for the Arts and Music Block Grant.
14. The District will receive \$69 per 2007-08 CBEDS grade 7-12 for Supplemental School Counseling.

**EXPENDITURE ASSUMPTIONS:**

1. Full-Time Equivalent (*FTE*) Changes post 1<sup>st</sup> Interim:
  - 1.0 FTE increase speech assistant for Special Education
  - 1.575 FTE increase one-on-one instructional aide for Special Education

2. Salary:

No projections of salary increases are included, except the step and column increases for Certificated and Classified employees.

3. Statutory Benefits:

- 8.25 % STRS employer contribution rate
- 6.20% OASDI contribution rate
- 1.45% Medicare contribution
- 0.30% SUI contribution
- 2.00% Workers' Compensation contribution rate
- 9.428% PERS employer Contribution rate
- 3.592% PERS Reduction

4. Effective 1/1/2009, the premium rates for District-paid employee medical are increased as follows:

- Blue Shield (HMO) - 5.18%
- Kaiser Permanente - 8%

**TRANSFERS**

1. Due to our participation in the State's School Facilities Modernization Program, we are currently required to budget 3% (\$3,857,302) of the total General Fund budget for the Ongoing Maintenance Program.
2. A contribution of \$500,000 to the Deferred Maintenance Fund (Fund 14) has been budgeted, representing the estimated District match.
3. A transfer of \$1,000,000 from Fund 21 to the Ongoing Maintenance Program (Fund 01) is budgeted.
4. A contribution of \$75,000 to the Child Development Fund (Fund 12) has been budgeted for the extra costs incurred by the minimum days of elementary schools.
5. A contribution of \$1,000,000 to the Post-Employment Benefits Fund (Fund 20) has been budgeted to reserve for the implementation of GASB 45.

**ASSUMPTIONS USED FOR MULTIYEAR PROJECTION:**

It should be noted that the development of the 2<sup>nd</sup> Interim Report was completed prior to the adoption of the State budget on February 19<sup>th</sup>. Estimates for Revenue Limit and other State programs reflect projections known at the time the report was prepared. They can be considered worst case scenarios and will be adjusted to reflect actual State budget adoption as the District continues with its own budget development. Also, it should be noted and emphasized that any potential changes to the current or future budgets are all subject to Board approval.

They are presented at this time as a demonstration of possible reduction plans as we move forward into 2009-10.

The District is using the following assumptions to prepare the multiyear projection in the 2<sup>nd</sup> Interim Report:

- The projected enrollment does not change for next three years.
- A significant factor in Multiyear projections is the impact of the State budget. Revenue limit projections reflect a statutory COLA of 5.02%, and .5% in 2009-10 and 2010-11, with a 16.1699% deficit applied to both year.
- The ratio of K-3 Class Size Reduction (CSR) will increase from 20:1 to 23:1.
- The projection reflects the District use of the local flexibility to transfer the partial categorical programs' fund balance to the Unrestricted General Fund in 2009-10 and 2010-11.

**RESERVE FOR ECONOMIC UNCERTAINTIES**

The District budget reflects a 3% + \$2M reserve of the total General Fund budget for 2008-09.

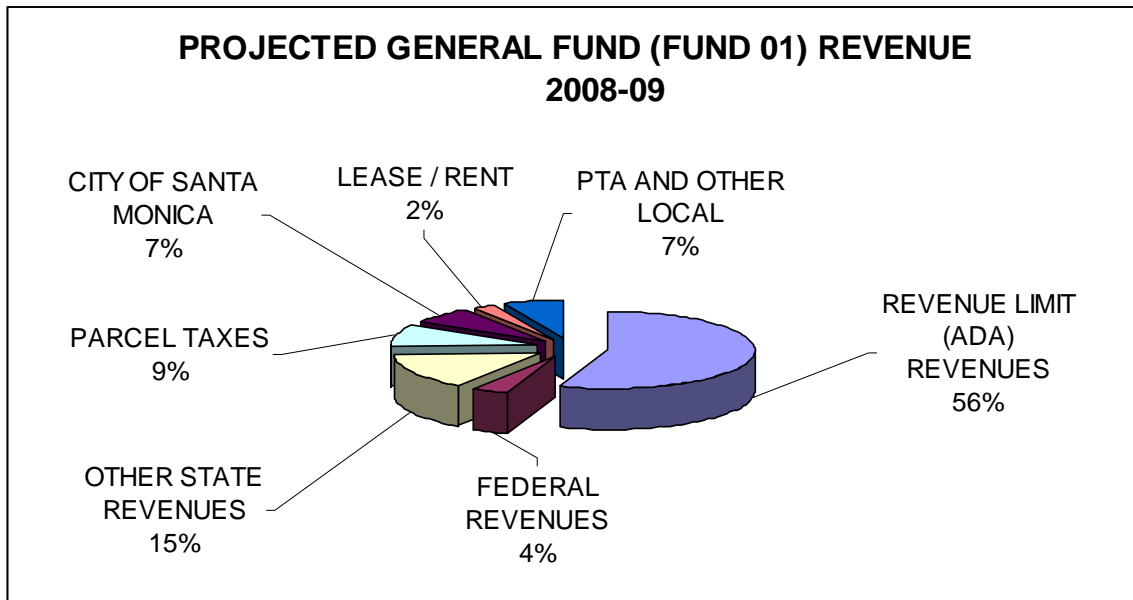
The Following pages include a General Fund - Revenue Summary and a General Fund Expenditure Summary, as well as individual summaries for major Funds and a Multi-Year Projection for the Unrestricted General Fund. The following documents are included as Attachment A: *2008-09 Second Interim Budget Assumptions* and the complete *SACS Report*.

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

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
2008-09 SECOND INTERIM BUDGET SUMMARY  
GENERAL FUND**

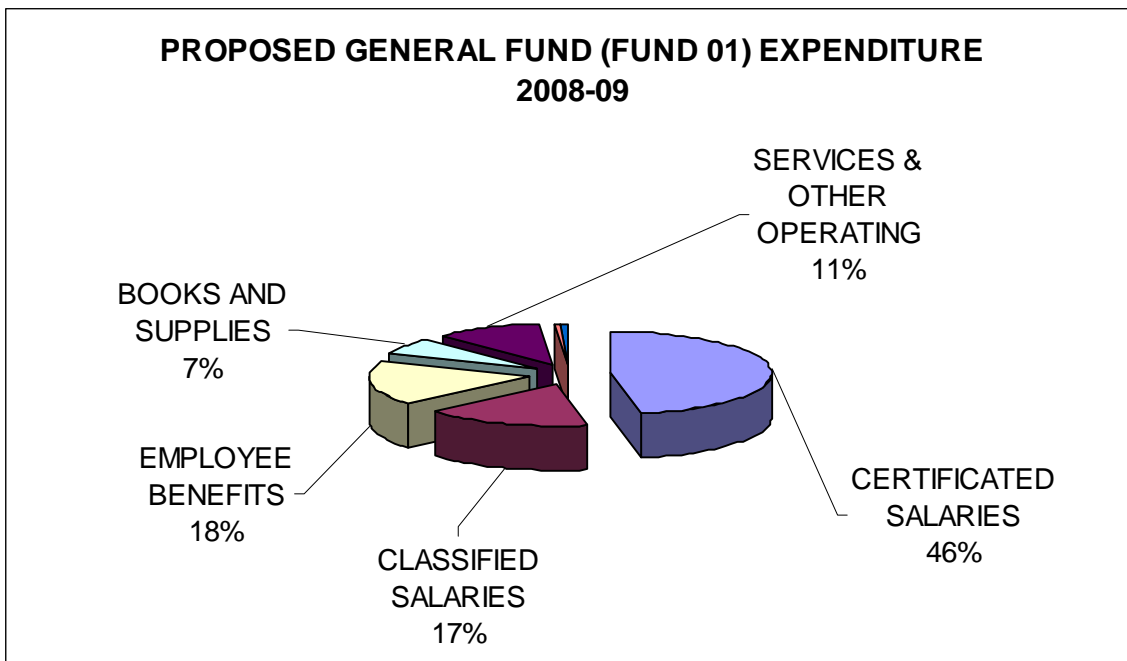
**REVENUES**

<b>BEGINNING BALANCE</b>	\$ 28,085,174
<b>REVENUES</b>	
<b>PROJECTED REVENUES:</b>	
REVENUE LIMIT (ADA) REVENUES	62,684,176
FEDERAL REVENUES	4,815,033
OTHER STATE REVENUES	17,480,672
PARCEL TAXES	10,300,420
CITY OF SANTA MONICA	7,943,913
LEASES/ RENTS	2,642,412
PTA AND OTHER LOCAL	7,667,394
INTERFUND TRANSFERS	1,000,000
<b>TOTAL REVENUES:</b>	114,534,020
<b>TOTAL AVAILABLE FUNDS:</b>	<b>\$ 142,619,194</b>



**EXPENDITURES**

<b>PROPOSED EXPENDITURES:</b>	
CERTIFICATED SALARIES	\$ 58,733,127
CLASSIFIED SALARIES	21,021,661
EMPLOYEE BENEFITS	22,356,137
BOOKS AND SUPPLIES	8,178,749
SERVICES & OTHER OPERATING	13,545,123
CAPITAL OUTLAY	601,105
OTHER OUTGO	1,008,361
<b>TOTAL EXPENDITURES:</b>	<b>125,444,263</b>
<b>PROJECTED FUND BALANCE:</b>	<b>\$ 17,174,931</b>





**2008-09 MAJOR CATEGORICAL PROGRAMS**

	<b>2008-09 1ST INTERIM BUDGET</b>	<b>2008-09 2ND INTERIM BUDGET</b>	<b>CHANGE</b>
<b>FEDERAL PROGRAMS</b>			
TITLE I :BASIC	962,980	1,335,546	372,566
TITLE II :TEACHER QUALITY	489,635	489,635	-
TITLE II: ENHANCING ED THROUGH TECH	24,406	24,406	-
TITLE II: ENHANCING ED THROUGH TECH PART D	82,800	82,800	-
TITLE III : LEP	144,741	168,282	23,541
TITLE IV: DRUG FREE SCHOOL	44,227	39,863	(4,364)
TITLE V: INNOVATIVE EDUCATION	19,420	19,420	-
VOC: CARL PERKINS II	54,902	54,902	-
MEDI-CAL REIMBURSEMENT	125,000	125,000	-
SP ED: IDEA ENTITLEMENT	2,298,649	2,296,393	(2,256)
DEPT REHAB: TRANSITION PARTNERSHIP PROGRAM	137,946	137,946	-
<b>TOTAL FEDERAL REVENUES:</b>	<b>4,384,706</b>	<b>4,774,193</b>	<b>389,487</b>
<b>STATE PROGRAMS</b>			
SPECIAL EDUCATION - AB602	6,609,831	6,592,724	(17,107)
WORKABILITY	58,256	58,256	-
GIFTED AND TALENTED EDUCATION	98,710	98,710	-
HOME TO SCHOOL TRANSPORTATION	484,894	484,894	-
SPECIAL ED TRANSPORTATION	448,895	448,895	-
ECONOMIC IMPACT AID	739,261	739,261	-
ENGLISH LANGUAGE ACQUISITION (ELAP)	56,512	56,512	-
TOBACCO-USE PREVENT ED: 4-8	47,613	47,613	-
SCHOOL SAFETY	198,139	198,139	-
INSTRUCTIONAL MATERIALS REALIGNMENT	691,126	691,126	-
CAHSEE INTENSIVE INSTR & SERVICES	88,953	88,953	-
LOTTERY -INSTRUCTIONAL MATERIALS	193,249	133,423	(59,826)
INSTRUCTIONAL MATERIALS - ENGLISH LEARNER	-	-	-
CAL SAFE: STUDENT SUPPORT	26,000	26,000	-
ARTS AND MUSIC BLOCK GRANT	193,144	193,144	-
PUPIL RETENTION BLOCK GRANT	37,908	37,908	-
TEACHER CREDENTIALING BLOCL GRANT	181,579	181,579	-
PROFESSIONAL DEVELOPMENT BLOCK GRANT	522,604	522,604	-
TARGETED INSTRUCTIONAL IMPROVEMENT	502,778	502,778	-
SCHOOL AND LIBRARY IMPROVEMENT	750,236	749,426	(810)
CA PEER ASSISTANCE & REVIEW (PAR)	43,169	43,169	-
REGIONAL OCCUPATIONAL PROGRAM (ROP)	978,762	1,057,987	79,225
ADMINSTRATION TRAINING (AB75/430)	9,000	9,000	-
SUPPLEMENTAL SCHOOL COUNSELING	394,447	394,447	-
<b>TOTAL STATE REVENUES</b>	<b>13,355,066</b>	<b>13,356,548</b>	<b>1,482</b>

**LOCAL GENERAL FUND CONTRIBUTION**

	<b>2008-09 1ST INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
SPECIAL EDUCATION	\$ 11,367,021	\$ 11,749,980	\$ 382,959
SPECIAL EDUCATION TRANSPORTATION*	484,899	482,829	(2,070)
NATIONAL BOARD CERTIFICATION	20,000	20,000	-
MULTI-CULTURAL PROGRAM	500,000	500,000	-
REGIONAL OCCUPATIONAL PROGRAM	8,700	8,700	-
HOME TO SCHOOL TRANSPORTATION	74,667	62,525	(12,142)
ONGOING MAINTENANCE PROGRAM	3,890,101	3,857,302	(32,799)
<b>TOTAL CONTRIBUTION:</b>	<b>\$ 16,345,388</b>	<b>\$ 16,681,336</b>	<b>\$ 335,948</b>

Includes:

Transfer \$97,751 from School and Library Improvement Block Grant to Special Education Transportation

Transfer \$31,322 from Targeted Instructional Improvement Block Grant to Home to School Transportation.

**MULTI-YEAR PROJECTION  
UNRESTRICTED GENERAL FUND**

**ASSUMPTIONS**

<b>Factor</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>
Statutory COLA	5.66%	5.02%	0.50%
Base Revenue Limit Per P2 ADA	\$ 6,208.84	\$ 6,517.84	\$ 6,549.84
<b>Deficit Factor</b>	-9.685%	-16.161%	-16.161%
Enrollment Projection*	11,565	11,565	11,565
Decline Enrollment from Prior Year	(87)	0	0
P2 ADA Projection	11,006	11,006	11,006
Revenue Limit ADA (Prior Yr)	11,064	11,006	11,006
Federal Revenues	0%	0%	0%
City of Santa Monica	\$ 7,943,913	\$7,667,230	\$7,897,247
<b>Measure R</b>	\$10,300,420	\$10,609,433	\$10,927,716
Lottery	\$121/ADA	\$121/ADA	\$121/ADA
Special Ed COLA - State	0%	0%	0%
Salary Increase: Certificated	0%	0%	0%
CTA Salary Compression		577,129	
Salary Increase: Management	0%	0%	0%
Salary Increase: Classified	0%	0%	0%
Step & Column Incr. - Certificated	2.20%	2.40%	2.40%
Step & Column Incr. - Mgmt.	1.50%	1.50%	1.50%
Step & Column Incr. - Classified	1.50%	1.50%	1.50%
FTE Adjustment vs Enrollment	(9.55 FTEs)	(28 FTEs)	0
Health/Welfare	5%	7%	7%
Workers' Compensation	2%	2%	2%
Indirect Cost Rate	6.78%	5.00%	5.00%
Interest Rate	3.50%	3.00%	3.00%
Interfund Transfer From Fund 21	\$ 1,000,000	\$1,000,000	\$1,000,000
Interfund Transfer to Fund 12 & 20	\$ 1,075,000	\$ 75,000	\$ 75,000
Ongoing Maintenance	3%	3%	3%
Reserve for Uncertainties	5%	3%	3%

## PROJECTIONS

Description	2008-09 2ND INTERIM	2009-10 PROJECTION	2010-11 PROJECTION
<b>Revenue:</b>			
Revenue Limit	\$ 60,757,047	\$ 58,994,033	\$ 59,282,454
Other Federal	40,840	40,840	-
Other State Apportionments	774,077	774,077	777,575
Class Size Reduction	3,088,085	3,088,085	3,088,085
Other State (Lottery...)	1,270,460	1,270,460	1,270,460
<b>Measure R</b>	10,300,420	10,609,433	10,927,716
All Other Local Income	12,610,133	11,209,726	11,536,875
Interfund Transfer In	1,000,000	1,000,000	1,000,000
Local General Fund Contribution	(16,681,336)	(13,981,336)	(15,231,336)
<b>Total Revenue:</b>	<b>73,159,726</b>	<b>73,005,318</b>	<b>72,651,829</b>
<b>Expenditure:</b>			
Teacher Salaries	45,306,948	44,273,193	45,400,379
Classified Salaries 1.5%	11,145,977	11,172,443	11,342,141
Benefits 4%	15,709,333	15,962,729	16,760,865
Supplies/Books	924,589	754,526	754,526
Other Operational Costs	6,694,388	5,666,093	5,666,093
Capital Outlay	85,800	-	-
Transfers	6,800	6,800	6,800
Indirect	(1,252,656)	(850,000)	(850,000)
Transfer Out	1,075,000	75,000	75,000
<b>Total Expenditures</b>	<b>79,696,179</b>	<b>77,060,784</b>	<b>79,155,804</b>
<b>Increase (Decrease) Fund Balance</b>	<b>(6,536,453)</b>	<b>(4,055,466)</b>	<b>(6,503,975)</b>
Beginning Fund Balance	21,020,258	14,483,805	10,428,339
Fund Balance	14,483,805	10,428,339	3,924,364
<b>Reserve- Revolving cash, store</b>	96,000	96,000	96,000
Reserve – Student System	1,000,000	1,000,000	
Reserve for Economic Certainties	5,763,328	3,491,285	3,578,915
Unappropriated Balance	\$ 7,624,477	\$ 5,841,054	\$ 249,449
% of District Reserve	10.67%	8.02%	3.21%

## SUMMARY OF MAJOR FUNDS

### FUND 01 – UNRESTRICTED GENERAL FUND

	2008-09 1 <sup>ST</sup> INTERIM	2008-09 2ND INTERIM	CHANGES
<b>BEGINNING BALANCE</b>	21,020,258	21,020,258	-
<b>REVENUES</b>			-
REVENUE LIMIT	64,200,109	60,757,047	(3,443,062)
FEDERAL REVENUE	40,840	40,840	-
OTHER STATE REVENUE	5,201,569	5,132,622	(68,947)
LOCAL REVENUES	21,679,553	22,910,553	1,231,000
INTERFUND TRANSFER	(15,345,388)	(15,681,336)	(335,948)
<b>TOTAL REVENUES</b>	<b>75,776,683</b>	<b>73,159,726</b>	<b>(2,616,957)</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	45,305,930	45,306,948	1,018
CLASSIFIED SALARIES	11,138,602	11,145,977	7,375
EMPLOYEE BENEFITS	15,694,797	15,709,333	14,536
BOOKS AND SUPPLIES	920,143	924,589	4,446
SERVICES & OTHER OPERATING	6,598,043	6,694,388	96,345
CAPITAL OUTLAY	77,266	85,800	8,534
OTHER OUTGO	(158,018)	(170,856)	(12,838)
<b>TOTAL EXPENDITURES</b>	<b>79,576,763</b>	<b>79,696,179</b>	<b>119,416</b>
NET INCREASE (DECREASE)	(3,800,080)	(6,536,453)	(2,736,373)
<b>PROJECTED FUND BALANCE</b>	<b>17,220,178</b>	<b>14,483,805</b>	<b>(2,736,373)</b>

### FUND 01 - RESTRICTED GENERAL FUND

	2008-09 1ST INTERIM	2008-09 2ND INTERIM	CHANGES
<b>BEGINNING BALANCE</b>	7,064,915	7,064,915	-
<b>REVENUES</b>			
REVENUE LIMIT	1,929,388	1,927,129	(2,259)
FEDERAL REVENUE	4,384,706	4,774,193	389,487
OTHER STATE REVENUE	5,815,815	5,755,326	(60,489)
LOCAL REVENUES	11,827,373	12,236,310	408,937
INTERFUND TRANSFER	16,345,388	16,681,336	335,948
<b>TOTAL REVENUES</b>	<b>40,302,670</b>	<b>41,374,294</b>	<b>1,071,624</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	13,337,555	13,426,179	88,624
CLASSIFIED SALARIES	9,772,724	9,875,684	102,960
EMPLOYEE BENEFITS	6,672,176	6,646,804	(25,372)
BOOKS AND SUPPLIES	6,616,925	7,254,160	637,235
SERVICES & OTHER OPERATING	6,078,146	6,850,735	772,589
CAPITAL OUTLAY	528,483	515,305	(13,178)
OTHER OUTGO	1,157,935	1,179,217	21,282
<b>TOTAL EXPENDITURES</b>	<b>44,163,944</b>	<b>45,748,084</b>	<b>1,584,140</b>
<b>PROJECTED FUND BALANCE</b>	<b>3,203,641</b>	<b>2,691,125</b>	<b>(512,516)</b>

**FUND 11 - ADULT EDUCATION**

	<b>2008-09 1ST INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	286,639	286,639	-
<b>REVENUES</b>			
FEDERAL REVENUE	127,728	127,728	-
STATE REVENUE	394,873	337,107	(57,766)
LOCAL REVENUES	29,077	29,077	-
<b>TOTAL REVENUES</b>	<b>551,678</b>	<b>493,912</b>	<b>(57,766)</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	330,084	330,084	-
CLASSIFIED SALARIES	125,010	125,010	-
EMPLOYEE BENEFITS	96,281	96,281	-
BOOKS AND SUPPLIES	32,890	32,890	-
SERVICES & OTHER OPERATING	32,420	32,420	-
OTHER OUTGO	18,567	18,567	-
<b>TOTAL EXPENDITURES</b>	<b>635,252</b>	<b>635,252</b>	<b>-</b>
<b>PROJECTED FUND BALANCE</b>	<b>203,065</b>	<b>145,299</b>	<b>(57,766)</b>

**FUND 12 - CHILD DEVELOPMENT FUND**

	<b>2008-09 1ST INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	336,582	336,582	-
<b>REVENUES</b>			
FEDERAL REVENUE	1,688,635	1,935,690	247,055
OTHER STATE REVENUE	3,308,049	3,347,010	38,961
LOCAL REVENUES	2,856,324	2,788,519	(67,805)
INTERFUND TRANSFER	75,000	75,000	-
<b>TOTAL REVENUES</b>	<b>7,928,008</b>	<b>8,146,219</b>	<b>218,211</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	2,946,854	3,033,738	86,884
CLASSIFIED SALARIES	2,007,294	2,038,636	31,342
EMPLOYEE BENEFITS	1,538,828	1,590,657	51,829
BOOKS AND SUPPLIES	254,057	244,157	(9,900)
SERVICES & OTHER OPERATING	773,159	842,659	69,500
CAPITAL OUTLAY	3,500	500	(3,000)
OTHER OUTGO	404,316	395,872	(8,444)
<b>TOTAL EXPENDITURES</b>	<b>7,928,008</b>	<b>8,146,219</b>	<b>218,211</b>
<b>PROJECTED FUND BALANCE</b>	<b>336,582</b>	<b>336,582</b>	<b>-</b>

**FUND 13 - CAFETERIA FUND**

	<b>2008-09 1ST INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	375,523	375,523	-
<b>REVENUES</b>			
FEDERAL REVENUE	1,056,041	1,056,041	-
OTHER STATE REVENUE	58,118	58,118	-
LOCAL REVENUES	2,438,680	2,385,281	(53,399)
<b>TOTAL REVENUES</b>	<b>3,552,839</b>	<b>3,499,440</b>	<b>(53,399)</b>
<b>EXPENDITURES</b>			
CLASSIFIED SALARIES	1,513,086	1,475,000	(38,086)
EMPLOYEE BENEFITS	495,570	480,257	(15,313)
BOOKS AND SUPPLIES	1,602,304	1,610,404	8,100
SERVICES & OTHER OPERATING	(257,121)	(265,221)	(8,100)
CAPITAL OUTLAY	40,000	40,000	-
OTHER OUTGO	159,000	159,000	-
<b>TOTAL EXPENDITURES</b>	<b>3,552,839</b>	<b>3,499,440</b>	<b>(53,399)</b>
<b>PROJECTED FUND BALANCE</b>	<b>375,523</b>	<b>375,523</b>	<b>-</b>

**FUND 14 - DEFERRED MAINTENANCE FUND**

	<b>2008-09 1ST INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	4,101,498	4,101,498	-
<b>REVENUES</b>			
OTHER STATE REVENUE			
LOCAL REVENUES	50,000	50,000	-
INTERFUND TRANSFER	500,000	500,000	-
<b>TOTAL REVENUES</b>	<b>550,000</b>	<b>550,000</b>	<b>-</b>
<b>EXPENDITURES</b>			
BOOKS AND SUPPLIES	4,866	4,866	-
SERVICES & OTHER OPERATING	1,330,000	1,342,885	12,885
CAPITAL OUTLAY	3,145,134	3,145,134	-
<b>TOTAL EXPENDITURES</b>	<b>4,480,000</b>	<b>4,492,885</b>	<b>12,885</b>
<b>PROJECTED FUND BALANCE</b>	<b>171,498</b>	<b>158,613</b>	<b>(12,885)</b>

**FUND 21 - BUILDING FUND**

	<b>2008-09 1<sup>ST</sup> INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	58,507,096	58,507,096	-
<b>REVENUES</b>			
PROCEEDS - SALE OF BONDS			-
INTERFUND TRANSFER			-
LOCAL REVENUES	3,700,000	3,720,000	20,000
CONTRIBUTION	1,300,000	1,300,000	-
<b>TOTAL REVENUES</b>	<b>5,000,000</b>	<b>5,020,000</b>	<b>20,000</b>
<b>EXPENDITURES</b>			
CLASSIFIED SALARIES	324,111	324,111	-
EMPLOYEE BENEFITS	103,565	103,565	-
BOOKS AND SUPPLIES	164,512	164,512	-
SERVICES & OTHER OPERATING	15,842,951	15,842,951	-
CAPITAL OUTLAY	36,793,216	36,793,216	-
OTHER OUTGO	1,000,000	1,000,000	-
<b>TOTAL EXPENDITURES</b>	<b>54,228,355</b>	<b>54,228,355</b>	<b>-</b>
<b>PROJECTED FUND BALANCE</b>	<b>9,278,741</b>	<b>9,298,741</b>	<b>20,000</b>

**FUND 40 - SPECIAL RESERVE FOR CAPITAL OUTLAY**

	<b>2008-09 1ST INTERIM</b>	<b>2008-09 2ND INTERIM</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	1,886,544	1,886,544	-
<b>AUDIT ADJUSTMENT</b>		1,493,185	1,493,185
<b>REVENUES</b>			
DEVELOPMENT FEE	1,350,647	1,627,571	276,924
<b>TOTAL REVENUES</b>	<b>1,350,647</b>	<b>1,627,571</b>	<b>276,924</b>
<b>EXPENDITURES</b>			
BOOKS AND SUPPLIES			-
SERVICES & OTHER OPERATING	2,000	2,000	-
CAPITAL OUTLAY	-	-	-
OTHER OUTGO (TF TO FUND 21)	1,145,453	1,145,453	-
<b>TOTAL EXPENDITURES</b>	<b>1,147,453</b>	<b>1,147,453</b>	<b>-</b>
<b>PROJECTED FUND BALANCE</b>	<b>2,089,738</b>	<b>3,859,847</b>	<b>1,770,109</b>



**2008-09 PROJECTED ENDING FUND BALANCE AS OF JUNE 30, 2009**

	<b>FUND</b>	<b>PROJECTED FUND BALANCE AS OF 6/30/09</b>
01	GENERAL FUND UNRESTRICTED RESTRICTED	\$ 14,483,805 \$ 2,691,125
11	ADULT EDUCATION	\$ 145,299
12	CHILD DEVELOPMENT FUND	\$ 336,582
13	CAFETERIA FUND	\$ 375,523
14	DEFERRED MAINTENANCE FUND	\$ 158,613
19	FOUNDATION FUND	\$ 108,828
20	SPECIAL RESERVE FUND FOR POSTEMPLOYMENT BENEFITS	\$ 2,716,077
21	BUILDING FUND	\$ 9,278,740
25	CAPITAL FACILITIES FUND	\$ 1,470,139
40	SPECIAL RESERVE FUND FOR CAPITAL OUTLAY PROJECTS	\$ 3,859,847
56	DEBT SERVICES FUND	\$ 1,253

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / PAT HO

RE: APPROVAL OF 2007-08 MEASURE BB AUDIT REPORT

RECOMMENDATION NO. A.17

It is recommended that the Board of Education accept the 2007-08 Measure BB Annual Financial Audit Report and approve management discussion and analysis/the administrative responses to the "Findings" & "Recommendations" as contained in the Subject audits.

COMMENTS: In response to California Education Code mandate, the 2007-08 Measure BB audit has been completed by the audit firm of Nigro, Nigro and White. The Board of Education has previously received copies of the audit report and an information copy is available for public review in the Office of the Superintendent. The report will be presented at the Prop 39 Bond Oversight Committee on February 24, 2009.

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

Ms. White will be available at the meeting to answer questions.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: APPROVE CONTRACT FOR ATC ASSOCIATES FOR HAZARDOUS MATERIALS INVESTIGATION AND REPORTS FOR MEASURE BB PROJECTS - RFQ #9.05

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve a Contract for ATC Associates to provide hazardous materials investigations and reports for Samohi, Malibu HS, Adams MS, Edison ES, McKinley ES, Rogers ES, Washington East and West, and Olympic for the Measure BB Projects, in the amount of \$101,138.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number:	21-00000-0-00000-85000-5802-015-2600 (Samohi)	\$16,135
	21-00000-0-00000-85000-5802-010-2600 (MHS)	\$19,095
	21-00000-0-00000-85000-5802-011-2600 (Adams)	\$17,305
	21-00000-0-00000-85000-5802-001-2600 (Edison)	\$17,025
	21-00000-0-00000-85000-5802-004-2600 (McKinley)	\$5,376
	21-00000-0-00000-85000-5802-006-2600 (Rogers)	\$5,376
	21-00000-0-00000-85000-5802-070-2600 (Wash E/W)	\$6,483
	21-00000-0-00000-85000-5802-014-2600 (Olympic)	\$14,343

Description: Independent Contractor / Consultant

COMMENTS: Prior to construction and demolition of the Measure BB projects, the District will require the services of ATC Associates to verify asbestos and lead containing materials and air quality, provide reports detailing the findings, and recommendations for removal and demolition. The BOE approved the Master Services contract with ATC on July 24, 2008, after a publicly advertised process.

*(Continued on next page)*

Previous lead and asbestos surveys did not fully investigate the hazardous materials at the sites in order to remove them prior to the demolition or modernization of the structures. ATC will use the previous reports to create a baseline from which to begin their invasive surveys of areas noted in the previous reports. Based on those surveys, ATC will develop a demolition plan and prepare abatement and demolition specifications for each of the subject eight (8) schools.

This scope of work was anticipated in the cost projections for the Measure BB budgets.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: CONTRACT AMENDMENT #8 TO INCREASE SCOPE FOR PHASE I  
ENVIRONMENTAL SCREENING SERVICES FOR ENVIRONMENTAL  
IMPACT STUDY SERVICES - LFR - MEASURE BB

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve Contract Amendment #8 with LFR for preparation of a Removal Action Workplan at Edison, for the Measure "BB" program, in the amount of \$21,010, for a total contract amount of \$358,572.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-001-2600

Description: Independent Contractor / Consultant

COMMENTS: The original contract was to provide Phase 1 screenings for all school sites. Contract Amendment #1 (April 17, 2008) was for a pipeline risk evaluation. Contract Amendments #2 and #3 (June 26, 2008 and July 24, 2008) were for a Preliminary Site Assessment at Lincoln MS, Malibu HS, Adams MS, and SAMOHI. Contract Amendment #4 (September 18, 2008) was for a Stage 2 Pipeline Risk Assessment at Edison. Contract Amendment #5 (January 15, 2009) was for further investigations at SAMOHI and Malibu HS. Contract Amendment #7 (February 19, 2009) was to approve a Stage 2 water pipeline analysis at SAMOHI. This Contract Amendment #8 is to prepare a Removal Action Workplan (RAW) for Edison to address elevated concentrated contaminants in the soil from lead and pesticides.

*(Continued on next page)*

ORIGINAL CONTRACT AMOUNT	\$ 54,300
Contract Amendment #1 (Pipe Risk Eval., ELA)	\$ 26,686
Contract Amendment #2 (Env. Assessment, Lincoln)	\$ 50,879
Contract Amendment #3 (Env. Assessment, 4 sites)	\$162,335
Contract Amendment #4 (Pipe Risk Phase 2, ELA)	\$ 32,392
Contract Amendment #5 (Contract Extension)	\$ 0
Contract Amendment #6 (Malibu, SAMOHI)	\$ 4,200
Contract Amendment #7 (Pipe Risk Stage 2, SAMOHI)	\$ 6,770
Contract Amendment #8 (Removal Action Plan, ELA)	\$ 21,010
<u>TOTAL CONTRACT AMOUNT</u>	<u>\$358,572</u>

This scope of work was anticipated in the cost projections for the Measure BB budgets.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.20

Unless otherwise noted, the following items are included in the 2008/2009 approved budget.

**ADDITIONAL ASSIGNMENTS**

ADAMS MIDDLE SCHOOL

Brown, Dan	9.87 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$399
Cartagena, Lissette	9.87 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$399
Hart, Matt	9.87 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$399
Jacobs, Ed	2.47 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$100
Jurewicz, Kristen	9.87 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$399
Post, Joel	9.87 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$399
Sato, Glenn	2.47 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$100
Schopflin, Jennifer	2.47 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$100
Tarpley, Shirley	2.47 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$100
Toppel, Diane	9.87 hrs @\$40.46	11/14/08-2/8/09	Est Hrly/\$399
			<u>TOTAL ESTABLISHED HOURLY</u> \$2,794

Comment: Chaperone Science Magnet Trips  
01-Targeted Instr. Imprvmnt BG

EDUCATIONAL SERVICES

Lynch, Jennifer	9 hrs @\$40.46	2/5/09-2/27/09	Est Hrly/\$364
			<u>TOTAL ESTABLISHED HOURLY</u> \$364

Comment: Reading Intervention Language Arts Adoption Team  
01-IASA: Title II Teacher Quality

Anderson, Meredith	33 hrs @\$40.46	12/3/08-6/19/09	Est Hrly/\$1,335
Hagen, Carol	33 hrs @\$40.46	12/3/08-6/19/09	Est Hrly/\$1,335
			<u>TOTAL ESTABLISHED HOURLY</u> \$2,670

Comment: Develop curriculum for "Connect for Success" Summer Program  
01-Economic Impact Aid - SCE

Daruty, Lila	6 hrs @\$40.46	1/30/09-6/19/09	Est Hrly/\$ 243
Evans, Jennifer	6 hrs @\$40.46	1/30/09-6/19/09	Est Hrly/\$ 243
Hamilton, LaDawna	49 hrs @\$40.46	1/30/09-6/19/09	Est Hrly/\$1,983
Naranjo, Rocio	49 hrs @\$40.46	1/30/09-6/19/09	Est Hrly/\$1,983
Sanschagrín, Marc	6 hrs @\$40.46	1/30/09-6/19/09	Est Hrly/\$ 243
Sato, Glenn	49 hrs @\$40.46	1/30/09-6/30/09	Est Hrly/\$1,983
Talbott, Deborah	49 hrs @\$40.46	1/30/09-6/30/09	Est Hrly/\$1,983
			<u>TOTAL ESTABLISHED HOURLY</u> \$8,661

Comment: Enhancing Education through Technology  
01-Title II Part D EETT Cometiciv

FACILTY PERMITS

Wood, David	5 hrs @\$40.46	1/31/09	Est Hrly/\$202
			<u>TOTAL ESTABLISHED HOURLY</u> \$202

Comment: Support Services for Facility Permits  
01-Permits

GRANT ELEMENTARY SCHOOL

Chen, Lillian	5 hrs @\$40.46	1/27/09-2/17/09	Est Hrly/\$202
Croft, susan	20 hrs @\$40.46	2/4/09-3/27/09	Est Hrly/\$809
Donovan, Mike	20 hrs @\$40.46	2/3/09-3/27/09	Est Hrly/\$809
Hopkins, Miriam	20 hrs @\$40.46	1/27/09-4/3/09	Est Hrly/\$809
Young, Lori	10 hrs @\$40.46	1/28/09-4/3/09	Est Hrly/\$405
			<u>TOTAL ESTABLISHED HOURLY \$3,034</u>

Comment: Intensive Intervention Program  
01-Unrestricted Resource -50%  
01-School and Library Imprvmnt BG -50%

LINCOLN MIDDLE SCHOOL

Obusek, John	20 hrs @\$40.46	9/2/08-6/19/09	Est Hrly/\$809
			<u>TOTAL ESTABLISHED HOURLY \$809</u>

Comment: ASB Sales and Inventory  
01-Reimbursed by ASB

MALIBU HIGH SCHOOL

Owens, Rebecca	140 hrs @\$40.46	1/27/09-6/19/09	Est Hrly/\$5,664
			<u>TOTAL ESTABLISHED HOURLY \$5,664</u>

Comment: After School Tutoring  
01-Gifts - Equity Fund

MCKINLEY ELEMENTARY SCHOOL

Duran, Concepcion	3 hrs @\$40.46	2/5/09-6/19/09	Est Hrly/\$121
Mowry, Kristen	3 hrs @\$40.46	2/5/09-6/19/09	Est Hrly/\$121
Treuenfels, Therese	3 hrs @\$40.46	2/5/09-6/19/09	Est Hrly/\$121
			<u>TOTAL ESTABLISHED HOURLY \$363</u>

Comment: Lesson Planning - 3<sup>rd</sup> Grade Collaborative  
01-Gifts - Equity Fund

Gonzalez, Gabriela	25 hrs @\$40.46	2/5/09-5/1/09	Est Hrly/\$1,012
			<u>TOTAL ESTABLISHED HOURLY \$1,012</u>

Comment: After School Support  
01-IASA: Title I Basic-LW Ing/Neg -60%  
01-Gifts -40%

Wetmore, Elayne	15 hrs @\$40.46	2/5/09-6/19/09	Est Hrly/\$607
			<u>TOTAL ESTABLISHED HOURLY \$607</u>

Comment: Testing Coordinator  
01-IASA: Title I Basic-LW Ing/Neg

King, Keri	30 hrs @\$40.46	2/5/09-6/19/09	Est Hrly/\$1,214
			<u>TOTAL ESTABLISHED HOURLY \$1,214</u>

Comment: GATE Coordinator  
01-IASA: Title I Basic-LW Ing/Neg

Carpenter, Mary	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Cervantes, Hayde	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Daruty, Lila	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Duran, Concepcion	3.0 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$121
Evans, Jennifer	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Marks, Jamie	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Moore, LaShawn	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Mowry, Kristen	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Sanschagrín, Marc	1.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$ 61
Suomu, Susan	5.0 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$202
Treuenfels, Therese	3.5 hrs @\$40.46	1/28/09-2/5/09	Est Hrly/\$142
			<u>TOTAL ESTABLISHED HOURLY \$953</u>

Comment: PTA Family Nights  
01-Gifts - Equity Fund



POINT DUME ELEMENTARY SCHOOL

Harris, Kenneth 20 hrs @\$40.46 1/21/09-3/25/09 Est Hrly/\$809  
TOTAL ESTABLISHED HOURLY \$809

Comment: GATE Classes  
01-Gifted/Talented Educ (GATE)

ROOSEVELT ELEMENTARY SCHOOL

Cairns, Patricia 10 days @\$510.35 2/4/09-2/17/09 Own Daily/\$5,104  
TOTAL ESTABLISHED HOURLY \$5,104

Comment: Substitute for Assistant Principal  
01-Unrestricted Resource

SMASH

Mugalian, Tamara 45 hrs @\$40.46 2/23/09-6/12/09 Est Hrly/\$1,821  
Purcell, Andrea 56 hrs @\$40.46 3/2/09-6/19/09 Est Hrly/\$2,266  
TOTAL ESTABLISHED HOURLY \$4,087

Comment: After School Reading Specialist  
01-Unrestricted Resource

SANTA MONICA HIGH SCHOOL

Sakow, Terry 15 hrs @\$40.46 7/1/08-7/4/08 Est Hrly/\$607  
TOTAL ESTABLISHED HOURLY \$607

Comment: Summer Band Performance  
01-Gifts

Beeman, Amy Solano 18 hrs @\$40.46 2/2/09-6/19/09 Est Hrly/\$728  
Gow, William 18 hrs @\$40.46 2/2/09-6/19/09 Est Hrly/\$728  
Luong, Theresa 18 hrs @\$40.46 2/2/09-6/19/09 Est Hrly/\$728  
Mabrey, Matt 18 hrs @\$40.46 2/2/09-6/19/09 Est Hrly/\$728  
TOTAL ESTABLISHED HOURLY \$2,912

Comment: O-House Intervention Sessions  
01-Gifts - Equity Fund

ADDITIONAL ASSIGNMENT - EXTRA DUTY UNITS

CABRILLO ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Baltrushes, Susan	0.5 EDU	Sacramento Trip	9/08-6/09	\$128
Baltrushes, Susan	1.0 EDU	Science/GATE Program	9/08-6/09	\$256
Pickens, Erin	2.0 EDU	Student Study Team	9/08-6/09	\$512
Matthews, Jill	0.5 EDU	Sacramento Trip	9/08-6/09	\$128
Posey, Steve	1.0 EDU	WOLF Program	9/08-6/09	\$256
Posey, Steve	1.0 EDU	Student Paper	9/08-6/09	\$256
Rowland, Chris	1.0 EDU	WOLF Program	9/08-6/09	\$256
Rowland, Christ	2.0 EDU	Student Council	9/08-6/09	\$512
Thorne, Laurel	1.0 EDU	Primary Intervention	9/08-6/09	\$256
TOTAL EDUS				\$2,560

**TOTAL ESTABLISHED HOURLY,OWN DAILY AND EXTRA DUTY UNITS = \$44,426**

**ELECTIONS**

<u>SUBSTITUTE TEACHERS</u>	<u>Effective</u>
<u>LONG-TERM SUBSTITUTES</u>	
(@\$210.00 Daily Rate)	
Garfield, Rachel	2/20/09
Lewis, Teri	1/28/09
Schram, Jessica	1/26/09

<u>PREFERRED SUBSTITUTES</u>	
(@\$162.00 Daily Rate)	
Byrne, Christopher	1/24/09
Lambert, Daniel	1/7/09

<u>REGULAR DAY-TO-DAY SUBSTITUTES</u>	
(@\$138.00 Daily Rate)	
Cotta, Julianne	2/23/09
Enterante, Donna	2/10/09
Yoo, Paula	2/23/09

**LEAVE OF ABSENCE (with pay)**

<u>Name/Location</u>	<u>Effective</u>
Calek, Laura Pt Dume Elementary	2/14/09-2/20/09 [FMLA]
Carey, Ann Roosevelt Elementary	1/5/09-2/6/09 [maternity] (Revision of dates from 2/5/09 Agenda)

**RESIGNATION**

<u>Name/Location</u>	<u>Effective</u>
Hopkinson, Sandra Lincoln Middle School	6/19/09
Snyder, Jessica McKinley Elementary School	6/19/09
Willard, Susan Grant Elementary School	6/19/09

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: SPECIAL SERVICE EMPLOYEES

RECOMMENDATION NO. A.21

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 is included in the 2007-08 budget.

<u>Name/Location</u>	<u>Not to Exceed</u>	<u>Effective Dates</u>	<u>Rate</u>
Ostrovsky, Juliana	\$4,850	1/5/09-6/12/09	\$32/hr
SMASH; Teach Visual Arts for school-wide arts program.			
FUNDING: 01-90150-0-31000-10000-2917-009-1501 -100%			
Reimbursed by PTA			

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS / WILBERT YOUNG

RE: CLASSIFIED PERSONNEL - MERIT

RECOMMENDATION NO. A.22

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 schedules.

<u>ELECTION</u>		<u>EFFECTIVE DATE</u>
BENJAMIN, JACQUITA GRANT ELEMENTARY	INST ASST - SPECIAL ED 6 HRS/SY/RANGE: 20 STEP: A	2/23/09
BROMBERG, JAMES LINCOLN MS	LIFEGUARD/SWIM INSTRUCTOR 6 HRS/SY/RANGE: 21 STEP: A	2/23/09
HIGGINS, SHAUN ROOSEVELT ELEMENTARY	INST ASST - SPECIAL ED 6 HRS/SY/RANGE: 20 STEP: A	2/17/09
MARROQUIN, ROBERT SPECIAL ED/PINE ST	INST ASST - SPECIAL ED 4.5 HRS/SY/RANGE: 20 STEP: A	2/17/09
MC MAHON, MARY GRANT ELEMENTARY	INST ASST - SPECIAL ED 6 HRS/SY/RANGE: 20 STEP: A	2/23/09
RIORDAN, ELIZABETH SPECIAL EDUCATION	INST ASST - INTENS BEHAV INTER 6 HRS/SY/RANGE: 26 STEP: A	2/10/09
SAMPSON, JULIE MCKINLEY ELEMENTARY	INST ASST - SPECIAL ED 4 HRS/SY/RANGE: 20 STEP: A	2/23/09
<u>ELECTION TO THE BOARD OF EDUCATION</u>		<u>EFFECTIVE DATE</u>
ALLEN, BEN BOARD OF EDUCATION	BOARD MEMBER	12/7/08-12/6/12
<u>TEMP/ADDITIONAL ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
BELL, MICHAEL OPERATIONS	GARDNER	12/4/08-6/30/09
CRAWFORD, CYNTHIA JOHN ADAMS MS	LIBRARY ASST I	1/26/09-6/19/09
THRUSTON, LINDA MUIR ELEMENTARY	INST ASST - CLASSROOM	2/4/09-6/4/09
<u>SUBSTITUTES</u>		<u>EFFECTIVE DATE</u>
CAVALUZZI, LISA HUMAN RESOURCES	OFFICE SPECIALIST	2/17/09-6/30/09
DENSON, LACREACIA FOOD SVCS	CAFETERIA WORKER I	2/11/09-6/30/09
DOUGLAS, LAMONT HUMAN RESOURCES	CAMPUS SECURITY OFFICER	2/19/09-6/24/09

GUEVARA, MANUEL HUMAN RESOURCES	CAMPUS SECURITY OFFICER	2/10/09-6/24/09
ST CLAIR, REGINALD HUMAN RESOURCES	INST ASST - PHYSICAL ED	2/10/09-6/19/09
TERRY, GENE HUMAN RESOURCES	CAMPUS SECURITY OFFICER	2/19/09-6/24/09
VASQUEZ, ANGEL HUMAN RESOURCES	INST ASST - PHYSICAL ED	2/10/09-6/19/09
WILSON, STANLEY ADULT EDUCATION	CAMPUS SECURITY OFFICER	1/15/09-6/12/09

**INCREASE IN ASSIGNMENT**

**EFFECTIVE DATE**

EVERAGE, ASKIA SANTA MONICA HS	INST ASST - SPECIAL ED 4.8 HRS/SY FR: 4 HRS/SY	2/2/09
LOPEZ, MARIBEL SANTA MONICA HS	INST ASST - SPECIAL ED 7 HRS/SY FR: 6 HRS/SY	2/1/09

**VOLUNTARY TRANSFER**

**EFFECTIVE DATE**

JOSEPH, SHIRLEY FOOD SVCS/MALIBU HS	CAFETERIA WORKER I 6 HRS/SY FR: 3 HRS/SY/FOOD SVCS/LINCOLN	2/11/09
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**LEAVE OF ABSENCE (PAID)**

**EFFECTIVE DATE**

BELL, MICHAEL MAINTENANCE	EQUIPMENT OPERATOR MILITARY	3/22/09-3/27/09
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**LEAVE OF ABSENCE (UNPAID)**

**EFFECTIVE DATE**

CARRIERE, LEIGH PT DUME ELEMENTARY	INST ASST - CLASSROOM CFRA	2/1/09-4/25/09
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**PROFESSIONAL GROWTH**

**EFFECTIVE DATE**

RATLIFF-WOODS, SHELEITA GRANT ELEMENTARY SCHOOL	INST ASST - SPECIAL ED	3/1/09
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**WORKING OUT OF CLASS**

**EFFECTIVE DATE**

KAMIBAYASHI, TERRY FACILITIES MAINT	MANAGER, MAINTENANCE & CONSTR FR: FACILITIES TECH	2/6/09-6/18/09
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**RESIGNATION**

**EFFECTIVE DATE**

BRADLEY, JIM FOOD SVCS	CAFETERIA WORKER I	2/13/09
GUIRGUIS, RAMEZ WEBSTER ELEMENTARY	INST ASST - CLASSROOM	2/5/09

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS / WILBERT YOUNG

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.23

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 schedules.

**COACHING ASSISTANT**

SCHACK, TREVOR	MALIBU HIGH SCHOOL	2/1/09-6/30/09
SKOPHAMMER, DANE	MALIBU HIGH SCHOOL	1/1/09-6/30/09
SMITH, ANGELA	SANTA MONICA HS	2/18/09-6/30/09

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: APPROVAL OF DUTIES AND RESPONSIBILITIES FOR A NEW  
POSITION IN THE MAINTENANCE AND OPERATIONS DEPARTMENT  
- CONSTRUCTION SUPERVISOR - TO BE FUNDED FROM MEASURE  
BB BOND FUNDS

RECOMMENDATION NO. A.24

It is recommended that the Board of Education approve the duties and responsibilities of a new position within the Maintenance and Operations Department of the District.

Funding Information:

Currently Budgeted: No

Fund: Measure BB - Bond Fund

Account Number: 21-00000-0-00000-85000-2317-050-1501

Description: Supervisor of Construction / Measure BB

COMMENTS: With a number of Measure BB projects having scheduled start dates within the next six to nine months, it is increasingly important that communication between the District's Maintenance and Operations Department and the staff of the Measure BB program is seamless. To accomplish this, the District believes a position acting as a liaison between these departments would be of value. The individual in this position would coordinate and attend meetings between District staff in Maintenance and Operations and the Facilities (Measure BB) departments, as well as the District's outside consulting firms during the design and construction processes. This person would schedule and attend all onsite inspections, testing, or other activities prior to and throughout the construction process. Since most of the District's projects will be occurring while students and staff are onsite, we are anticipating the need to have an individual that will coordinate and resolve issues with site administrators as they relate to the bond projects. The position would interact on a professional level with site and construction administrators, project managers, and construction superintendents relating to construction projects.

*(Continued on next page)*

It is anticipated that in excess of 50% of this employee's time would be spent on bond-related activities. It is therefore appropriate to charge the salary and benefits for the position directly to the Bond Fund.

Approval of these representative duties will allow staff to ask the Personnel Commission to properly classify the position. After classification is completed and a salary range is suggested, staff will return to the Board requesting hiring of the position.

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: APPROVAL OF DUTIES AND RESPONSIBILITIES FOR A NEW  
POSITION IN THE THEATER OPERATION & FACILITY PLANNING  
DEPARTMENT

RECOMMENDATION NO. A.25

It is recommended that the Board of Education approve the duties and responsibilities of a new position within the Theater Operations and Facility Planning Department.

Funding Information:

Currently Budgeted: Yes

Fund: General Fund

Account Number: 01-91180-0-81000-54000-2410-046-1501

Description: Barnum Hall/Community Services/Clerical

COMMENT: Beginning July 1, 2009, the oversight of Joint Use Agreements and all Facility Use Permits will transition from a special consultant working as Community Recreation Facilities Coordinator to the Director of Theater Operations and Facility Permits. The cost of the consulting contract will end. To support the increased workload and demand on the department, it will be necessary to add additional staff. The request before the Board is to create a full-time position to support facility permits and joint use agreements. It would be a classified non-management position reporting to the Director of Theater Operations & Facility Permits. This position would organize, coordinate and support facility permits and joint use agreements that use the athletic and recreation facilities of the District; coordinate use by outside users with the school sites and school athletic programs; arrange for field, court, gym and pool facility and equipment maintenance; coordinate classified staff assigned to work facility permits; and work with office staff to issue and support facility permits.

*(Continued on next page)*

The unique characteristic of the position would be the scheduled working hours. It is anticipated that a regular schedule would be: Wednesday-Friday, 12:00pm-8:30pm; Saturday and Sunday, 8:00am-4:30pm; Monday and Tuesday off. This will allow for closer monitoring of the facility use by various organizations over the weekend and provide a single contact for the numerous employees hired each weekend for various purposes related to facility use.

Approval of these general duties and responsibilities will allow staff to ask the Personnel Commission to properly classify the position. After classification is completed and a salary range is suggested, staff will return to the Board requesting budgetary action. It is expected that this will be cost neutral to the District General Fund budget.

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

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## **MAJOR ITEMS**

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO

RE: ADOPT RESOLUTION NO. 08-19 - RECOGNIZING WOMEN'S  
HISTORY MONTH

RECOMMENDATION NO. A.26

It is recommended that the Board of Education adopt Resolution  
08-19 - Recognizing Women's History Month.

COMMENTS: In 1981, Sen. Orrin Hatch (R-Utah) and Rep. Barbara  
Mikulski (D-Md.) co-sponsored a joint Congressional  
resolution proclaiming a national Women's History  
Week. In 1987, Congress expanded the celebration to a  
month, and March was declared Women's History Month.

Attached is the resolution.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-19  
RECOGNIZING WOMEN'S HISTORY MONTH**

**WHEREAS** American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways;

**WHEREAS** American women have played, and continue to play, a critical economic, cultural, and social role in every sphere of the life of the nation by constituting a significant portion of the labor force working inside and outside of the home;

**WHEREAS** American women have played a unique role throughout the history of the nation by providing the majority of the volunteer labor force of the nation;

**WHEREAS** American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our nation;

**WHEREAS** American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

**WHEREAS** American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all:

**NOW, THEREFORE, BE IT RESOLVED** that the Santa Monica-Malibu Unified School District Board of Education does hereby adopt this Resolution to encourage: the celebration of Women's History Month; the instruction to our students on the achievements and contributions of women; fostering in our students a greater understanding of the roles women have played throughout the history of our nation; and helping all students understand their responsibilities in protecting and preserving gender equality.

**PASSED AND ADOPTED** this 5<sup>th</sup> day of March 2009 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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Ralph Mechur  
Board President

---

Tim Cuneo  
Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-20 - RELEASING CERTIFICATED  
ADMINISTRATORS

RECOMMENDATION NO. A.27

It is recommended that the Board of Education approve the attached Resolution No.08-20 - Releasing Certificated Administrators, pursuant to Education Code Section 44951 as indicated on the Resolution, effective June 2009.

COMMENT: The Board of Education is required to notify certificated administrators on or before March 15 of its decision to release the employees for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-20**

**RESOLUTION RELEASING CERTIFICATED ADMINISTRATORS**

**WHEREAS**, California Education Code Section 44951 requires that unless a certificated employee holding a position requiring an administrative or supervisory credential is sent written notice by registered mail by March 15, or, unless the signature of the employee is obtained on the written notice by March 15 that he or she shall be released from his or her position for the following school year, then he or she shall be continued in the position; and,

**WHEREAS**, the purpose of California Education Code Section 44951 is to afford affected administrative employees adequate notice of reassignment or release and sufficient time to permit such employees to possibly seek other administrative employment prior to the beginning of the next school year; and,

**WHEREAS**, the employees listed below are currently employed by the Santa Monica-Malibu Unified School District in positions requiring an administrative credential; and,

**WHEREAS**, the Board and Superintendent have considered, on an individual basis, the performance of the employees listed below and the anticipated needs of the District and have determined that the certificated employees listed below be given notice of their release from their administrative assignment and salary placement at the end of the 2008-2009 school year.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, the Board of Education has determined, upon consideration on an individual basis, that the individuals listed below, each of whom is a certificated employee, shall be released from his or her administrative position and salary placement at the end of the 2008-2009 school year, and the Superintendent, or designee, is hereby authorized to give written notice of this action.

5941            7154

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5th day of March 2009 by the following vote:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

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Ralph Mechur, President  
Board of Education of the  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education of the  
Santa Monica-Malibu Unified School District



TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-21 - SHALL RELEASE AND  
REASSIGN CERTIFICATED ADMINISTRATORS

RECOMMENDATION NO. A.28

It is recommended that the Board of Education approve the attached Resolution No.08-21 - Shall Release and Reassign Certificated Administrators pursuant to Education Code Section 44951 as indicated on the Resolution, effective June 2009.

COMMENT: The Board of Education is required to notify certificated administrators on or before March 15 of its decision that the employee shall be released from an administrative position and reassigned to a teaching position for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-21**

**RESOLUTION: SHALL RELEASE AND REASSIGN CERTIFICATED  
ADMINISTRATORS**

**WHEREAS**, California Education Code Section 44951 requires that unless a certificated employee holding a position requiring an administrative or supervisory credential is sent written notice by registered mail by March 15, or, unless the signature of the employee is obtained on the written notice by March 15 that he or she shall be released from his or her position for the following school year, and reassigned to a teaching position, then he or she shall be continued in the position; and,

**WHEREAS**, the purpose of California Education Code Section 44951 is to afford affected administrative employees adequate notice of reassignment or release and sufficient time to permit such employees to possibly seek other administrative employment prior to the beginning of the next school year; and,

**WHEREAS**, the employees listed below are currently employed by the Santa Monica-Malibu Unified School District in positions requiring an administrative credential; and,

**WHEREAS**, the Board and Superintendent have considered, on an individual basis, the performance of the employees listed below and the anticipated needs of the District and have determined that the certificated employees listed below be given notice of their release from their administrative assignment and salary placement at the end of the 2008-2009 school year to a teaching position and its respective salary placement for the 2009-2010 school year.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, the Board of Education has determined, upon consideration on an individual basis, that the individuals listed below, each of whom is a certificated employee, shall be released from his or her administrative position and salary placement at the end of the 2008-2009 school year to a teaching position and its respective salary placement for the 2009-2010 school year, and the Superintendent, or designee, is hereby authorized to give written notice of this possible action.

9358	0071	5449	4094
6029	8200	6749	

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009 by the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_

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Ralph Mechur, President  
Board of Education of the  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education of the  
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-22 - MAY RELEASE AND REASSIGN  
CERTIFICATED ADMINISTRATORS

RECOMMENDATION NO. A.29

It is recommended that the Board of Education approve the attached Resolution No.08-22 - May Release and Reassign Certificated Administrators pursuant to Education Code Section 44951 as indicated on the Resolution, effective June 2009.

COMMENT: The Board of Education is required to notify certificated administrators on or before March 15 of its decision that the employee may be released from an administrative position and reassigned to a teaching position for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-22**

**RESOLUTION: MAY RELEASE AND REASSIGN CERTIFICATED ADMINISTRATORS**

**WHEREAS**, California Education Code Section 44951 requires that unless a certificated employee holding a position requiring an administrative or supervisory credential is sent written notice by registered mail by March 15, or, unless the signature of the employee is obtained on the written notice by March 15 that he or she may be released from his or her position for the following school year, and reassigned to a teaching position, then he or she may be continued in the position; and,

**WHEREAS**, the purpose of California Education Code Section 44951 is to afford affected administrative employees adequate notice of possible reassignment or release and sufficient time to permit such employees to possibly seek other administrative employment prior to the beginning of the next school year; and,

**WHEREAS**, the employees listed below are currently employed by the Santa Monica-Malibu Unified School District in positions requiring an administrative credential; and,

**WHEREAS**, the Board and Superintendent have considered, on an individual basis, the performance of the employees listed below and the anticipated needs of the District and have determined that the certificated employees listed below be given notice of their potential release from their administrative assignment and salary placement at the end of the 2008-2009 school year to a teaching position and its respective salary placement for the 2009-2010 school year.

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED**, the Board of Education has determined, upon consideration on an individual basis, that the individuals listed below, each of whom is a certificated employee, may be released from his or her administrative position and salary placement at the end of the 2008-2009 school year to a teaching position and its respective salary placement for the 2009-2010 school year, and the Superintendent, or designee, is hereby authorized to give written notice of this possible action.

8447	4286	5825	5839
3837	4525	9493	

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009 by the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_

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Ralph Mechur, President  
Board of Education of the  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education of the  
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-23 - ADMINISTRATOR RELEASE AND REASSIGN

RECOMMENDATION NO. A.30

It is recommended that the Board of Education approve the attached Resolution No.08-23 - Administrator Release and Reassign pursuant to Education Code Section 44951 as indicated on the Resolution, effective June 2009.

COMMENT: The Board of Education is required to notify certificated administrators on or before March 15 of its decision that the employee may be released from an administrative position and reassigned to another position for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-23**

**ADMINISTRATOR RELEASE AND REASSIGNMENT**

**WHEREAS**, California Education Code section 44951 requires that unless a certificated employee holding a position requiring an administrative or supervisory credential is sent written notice by registered mail by March 15, or, unless the signature of the employee is obtained on the written notice by March 15 that he or she may be released from his or her position for the following school year, then he or she shall be continued in their current position; and,

**WHEREAS**, other certificated employees serving in positions not requiring administrative or supervisory credentials and who are not subject to the terms of a collective bargaining agreement, may have their assignments changed so long as those changes are reasonable and within the scope of their credentials; and

**WHEREAS**, the purpose of California Education Code section 44951 is to afford affected administrative employees adequate notice of possible reassignment and sufficient time to permit such employees to possibly seek other administrative employment prior to the beginning of the next school year; and,

**WHEREAS**, the individuals listed below are currently employed by the Santa Monica-Malibu Unified School District in positions requiring an administrative credential, or in other certificated positions which are not subject to the terms of a collective bargaining agreement; and,

**WHEREAS**, the Board and Superintendent have considered the anticipated needs of the District and have determined that the individuals listed below be given notice of their potential release from their administrative assignments at the end of the 2008-2009 school year, and reassignment effective at the beginning of the 2009-2010 school year;

6270

2379

**NOW THEREFORE BE IT RESOLVED AND ORDERED**, the Board of Education has determined that the above-listed individuals may be released from their administrative positions at the end of the 2008-2009 school year, and reassigned to another position, and the Superintendent or designee is hereby authorized to give written notice of this possible action.



The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009, by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

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

I, Tim Cuneo, Clerk of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed, and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Clerk, Board of Education of the  
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

**Previously**

**02/19/09**

RE: ADOPT RESOLUTION NO. 08-24 - REDUCTION OR  
DISCONTINUANCE OF PARTICULAR KINDS OF SERVICES WITH  
DIRECTION TO NOTIFY AFFECTED EMPLOYEES OF  
RECOMMENDATION OF LAYOFF

RECOMMENDATION NO. A.30

It is recommended that the Board of Education approve Resolution No. 08-24 for the reduction or discontinuance of particular kinds of services (Nursing services, Categorical Intervention Counseling services, and elementary music teaching services), as indicated on the Resolution, effective June 2009.

COMMENT: The Superintendent of the Santa Monica-Malibu Unified School District recommends to the Governing Board that the services enumerated in Resolution No. 08-23 are to be reduced or discontinued no later than the beginning of the 2009-2010 school year, and that the Board give notice as required by Education Code Sections 44949 and 44955 to those employees whose services will not be required.

This item first came to the board at the 2/19/09 board meeting, but was postponed until the board received more information regarding the budget. During discussion of this item on 2/19/09, a motion was made, seconded, and passed to direct staff to schedule a special board meeting in order to discuss various budget options and the impact of specific staff layoffs as they relate to other proposed reductions. This special meeting was held on 3/4/09. This item is now returning for board consideration.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

**BEFORE THE BOARD OF EDUCATION OF THE  
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA  
RESOLUTION NO. 08-24  
REDUCTION OR DISCONTINUANCE OF PARTICULAR KINDS OF SERVICE**

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

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

**WHEREAS**, it is the opinion of this Board that the following particular kinds of service be reduced or discontinued for the 2009-2010 school year:

1. Nursing Services	2.0 FTE
2. Categorical Intervention Counseling Services	1.0 FTE
3. Elementary Music Instruction	<u>2.0 FTE</u>
TOTAL CERTIFICATED POSITIONS	5.0 FTE

**WHEREAS**, it is the opinion of this Board that it is necessary by reason of the aforementioned reductions and discontinuances of service to decrease the number of certificated employees by the equivalent of 5.0 FTE employees for the 2009-2010 school year;

**WHEREAS**, in determining the amount of service to be reduced, the Board of Education has considered all assured attrition, and the reduction identified above is in addition to any assured attrition known at the time of this resolution;

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

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Education of the Santa Monica-Malibu Unified School District, that for the 2009-2010 school year, the particular kinds of services to be provided by said District shall be and hereby are reduced to the extent hereinabove set forth.

**BE IT FURTHER RESOLVED** that due to the reduction or discontinuance of particular kinds of services set forth above, the legal number of employees of the District, pursuant to Education Code Section 44955, not be reemployed for the 2009-2010 school year.

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

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

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009, by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

---

Ralph Mechur, President  
Board of Education  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its Regular Board Meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education  
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

**Previously**

**02/19/09**

RE: ADOPT RESOLUTION NO. 08-25 - DETERMINATION OF  
SENIORITY AMONG CERTIFICATED EMPLOYEES WITH THE SAME  
SENIORITY DATE ("Tie-Breaker Resolution")

RECOMMENDATION NO. A.32

It is recommended that the Board of Education adopt Resolution  
No. 08-25 "Tie-Breaker Resolution".

COMMENT: As the District prepares to implement the reduction or  
discontinuation of particular kinds of services, there  
is a requirement to have Board direction regarding the  
determination of seniority status among probationary and  
tenured certificated employees with the same date of  
seniority. Consequently, the Board must act to direct  
staff as to the specific criteria to be used in  
determining the order of termination between  
certificated employees who have the same seniority date.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-25**

**DETERMINATION OF SENIORITY AMONG CERTIFICATED EMPLOYEES  
WITH THE SAME SENIORITY DATE ("TIE-BREAKER RESOLUTION")**

**WHEREAS,** pursuant to Education Code Section 44955, the Board is required, as between employees who first rendered paid service to the District on the same date, to determine the order of termination solely on the basis of the needs of the District and its students; and

**WHEREAS,** Education Code Section 44955 requires that upon the request of any employee whose order of termination is determined as stated above, the Board of Education shall furnish in writing no later than five days prior to the commencement of the hearing held in accordance with Section 44949, a statement of the specific criteria used in determining the order of termination and the application of the criteria in ranking each employee to the other employees in the group.

**NOW THEREFORE, BE IT RESOLVED,** as follows:

1. That this Board determines that the needs of the District and the students of this District are best served by resolving seniority ties within the meaning of Education Code Section 44955, subdivision (b)(third paragraph) and Section 44846, by applying the criteria set forth in paragraphs 4 through 15 below:
2. That as between employees who first rendered paid service to the district in a probationary position on the same date, the order of termination of said employees shall be determined by reference to the criteria which follow and the application thereof to each employee;
3. That the criteria set forth in paragraphs 4 through 15 below are listed in priority order and each criterion shall be used only if the preceding criteria do not delineate the order of termination;
4. As between certificated employees possessing the same seniority date, the employee who is highly qualified within the meaning of the No Child Left Behind Act wins the tie-breaker over an employee who is not highly qualified within the meaning of the No Child Left Behind Act;
5. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, the certificated employee holding currently valid and properly filed BCLAD/BCC, or equivalent, wins the tie-breaker;
6. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, the employee who possesses a currently valid and properly filed CLAD, or equivalent, wins the tie-breaker;

7. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, the certificated employee having on file with the District a National Board Certificate wins the tie-breaker;
8. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, the certificated employee holding a clear credential wins over those holding a less permanent credential such as a preliminary credential;
9. Assuming that the preceding paragraphs do not resolve all ties between employees having the same seniority date, then employees possessing multiple authorizations and supplemental authorization on credentials will be regarded as having greater seniority for purposes of determining seniority order than certificated employees having only multiple authorizations (ranked by number of authorizations). Similarly, certificated employees possessing multiple authorizations on credentials will be regarded as having greater seniority for purposes of determining seniority order than certificated employees having only single authorization credentials and multiple supplemental authorizations. Similarly, certificated employees possessing single authorization credentials and multiple supplemental authorizations will be regarded as having greater seniority for purposes of determining seniority order than certificated employees having only a single authorization and single supplemental authorization. Similarly, certificated employees possessing a single authorization and single supplemental authorization will be regarded as having greater seniority for purposes of determining seniority order than certificated employees having only a single authorization on credentials;
10. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, then employees only possessing a preliminary credential will be regarded as having greater seniority for purposes of determining seniority order than employees possessing lesser credentials, including but not limited to, a provisional credential/certificate such as an intern credential, emergency permit; Short-Term Staffing Permit ("STSP"), Provisional Internship Permit ("PIP"), Special Temporary Certificate ("STC") or State-Issued Waiver;
11. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, then the certificated employee holding the highest current step placement on the salary schedule will be regarded as having greater seniority for purposes of determining seniority order;
12. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, then employees with the earliest original hire date within this District will be regarded as having greater seniority for purposes of determining seniority order;
13. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, then employees with a Phd./Ed.D/J.D. from an accredited institution of higher education will be regarded as having

greater seniority for the purposes of determining seniority order than employees possessing a Masters degree from an accredited institution of higher education;

14. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, then the employee with the earliest date of conferral of a Masters degree from an accredited institution of higher education will be regarded as having greater seniority for purposes of determining seniority order;
15. Assuming that the preceding paragraph does not resolve all ties between employees having the same seniority date, then the employee with the highest undergraduate grade point average will be regarded as having greater seniority for the purposes of determining seniority order.

Such criteria shall be applied to rank the order of individuals for purposes of layoff and reemployment, subject to exceptions allowed by law;

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009 by the following vote:

AYES: \_\_\_\_\_  
NOES: \_\_\_\_\_  
ABSENT: \_\_\_\_\_

\_\_\_\_\_  
Ralph Mechur, President  
Board of Education  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

\_\_\_\_\_  
Tim Cuneo, Secretary  
Board of Education  
Santa Monica-Malibu Unified School District



TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-26 - REGARDING THE NON-  
REELECTION OF CERTIFICATED PROBATIONARY EMPLOYEES

RECOMMENDATION NO. A.33

It is recommended that the Board of Education adopt Resolution No.08-26 regarding the non-reelection of certificated probationary employees pursuant to Education Code Section 44929.21(b), effective June 2009.

COMMENT: The Board of Education is required to notify probationary employees on or before March 15 of the employee's second complete consecutive school year of employment of its decision to not reelect the employee for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-26**

**RESOLUTION NON-REELECTING CERTIFICATED PROBATIONARY EMPLOYEES:**

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

**WHEREAS**, the following employees have been employed by this District in positions requiring certification qualifications, and are serving as probationary employees as indicated below:

5775	0848	4193	1779
3616	0689	0307	9231
2629	2039	4356	9999

**WHEREAS**, the performance of each of the above-named employees during his/her probation period has not been sufficient to warrant the continuation of his/her probationary status and/or the granting of tenure;

**WHEREAS**, it is the Board's intent to not reelect the above-named employees for the subsequent school year, 2009-2010, pursuant to Education Code Section 44929.21(b);

**WHEREAS**, the decision to non-reelect the above employees is made on an individual basis.

**NOW, THEREFORE, BE IT RESOLVED**, as follows:

1. That the Board has determined that it is necessary at this time to send notice to each of the individual employees indicated above that he/she will not be reelected for the subsequent school year for the reasons set forth above, and as further supported by documents possessed by the District; and
2. That the Superintendent, or designee, is directed to issue to each individual employee listed above the notice described in Section 44929.21(b) prior to March 15, 2009, that he/she will not be reemployed for the 2009-2010 school year; and

3. That the Superintendent, or designee, is directed to take such further and additional actions as are necessary and appropriate to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009 by the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_

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Ralph Mechur, President  
Board of Education of the  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education of the  
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-27 - REGARDING THE NON-REELECTION OF CERTIFICATED PROBATIONARY EMPLOYEES SERVING IN CERTIFICATED STAFFING POSITIONS PURSUANT TO INTERN CREDENTIALS, SHORT-TERM STAFFING PERMITS, PROVISIONAL INTERNSHIP PERMITS, SPECIAL TEMPORARY CERTIFICATES, STATE-ISSUED WAIVERS AND/OR EMERGENCY PERMITS

RECOMMENDATION NO. A.34

It is recommended that the Board of Education adopt Resolution No.08-27 regarding the non-reelection of certificated probationary employees (Intern Credentials, Short-Term Staffing Permits, Provisional Internship Permits, Provisional Internship Permits, Special Temporary Certificates, State-Issued Waivers and/or Emergency Permits) pursuant to Education Code Section 44929.21(b), effective June 2009.

COMMENT: The Board of Education is required to notify probationary employees on or before March 15 of the employee's second complete consecutive school year of employment of its decision to not reelect the employee for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

RESOLUTION NO. 08-27

**RESOLUTION NON-REELECTING CERTIFICATED PROBATIONARY EMPLOYEES  
SERVING IN CERTIFICATED STAFFING POSITIONS PURSUANT TO INTERN  
CREDENTIALS, SHORT-TERM STAFFING PERMITS, PROVISIONAL INTERNSHIP  
PERMITS, SPECIAL TEMPORARY CERTIFICATES, STATE-ISSUED WAIVERS  
AND/OR EMERGENCY PERMITS:**

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

**WHEREAS**, the time served by those employees possessing only intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits cannot be included in computing the services required as a prerequisite to attainment of/or eligibility to classification as a permanent employee (Education Code Section 44911);

**WHEREAS**, the following employees have been employed by this District in certificated staffing positions pursuant to temporary contracts and/or as employees serving solely pursuant to and possessing only intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits, as indicated below:

3019

**WHEREAS**, the performance of each of the above-named employees during his/her probationary period has not been sufficient to warrant the continuation of his/her probationary status; and

**WHEREAS**, as this Board reviews the educational priorities of this District and the methods and means of providing educational services and determines the kinds of personnel required, this Board intends to decrease, where possible, reliance upon employees serving in certificated staffing positions pursuant to and possessing only provisional certificates/credentials such as intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits and recognizes such effort to be consistent with state

and federal laws (including especially the federal No Child Left Behind Act) and with elevating the training and/or experience levels of its certificated staff to provide the most highly qualified certificated staff available for this District's students;

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

**WHEREAS**, this Board understands representatives of this District will conduct appropriate diligent searches intended to successfully recruit a sufficient number of certificated staff to replace various current employees holding only intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits, including those individuals named above in this Resolution, so that:

A) the Board would not be able to approve the required Declaration of Need to the extent allowing the employees listed above and possessing only emergency permits to be reemployed:

B) it is appropriate to non-reelect, release and non-renew the employment of the employees listed below in order to ensure available staffing space for the qualified, regularly credentialed employees who are intended to be hired instead of those individuals holding only intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits;

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

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

**WHEREAS**, whether or not this formal action and notice are required, this Board wishes to provide notice to these employees whose services will not be continued into next school year, of their non-reemployment and release from employment (effective upon the close of the 2008-2009 school year), so such individuals may commence considerations of employment alternatives elsewhere for the next school year;

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

**NOW, THEREFORE, BE IT RESOLVED AND ORDERED** that each of the individual employees indicated above, serving in certificated staffing positions pursuant to and possessing only intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits, be released from employment with this school district effective upon each employee's last working day of this current school year or upon the expiration of any applicable temporary employment contract (whichever occurs first) and are not reemployed and not reelected for the next succeeding school year;

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

**BE IT FURTHER RESOLVED AND ORDERED** that the Superintendent or the Superintendent's designee engage in due diligence searches to recruit a sufficient number of regularly credentialed certificated employees to replace those holders of intern credentials, short-term staffing permits, provisional internship permits, special temporary certificates, state-issued waivers and/or emergency permits listed above, in accordance with the requirements of law.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009 by the following vote:

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent: \_\_\_\_\_

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Ralph Mechur, President  
Board of Education of the  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education of the  
Santa Monica-Malibu Unified School District



TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 08-28 - REGARDING THE NON-  
REELECTION OF CERTIFICATED TEMPORARY EMPLOYEES

RECOMMENDATION NO. A.35

It is recommended that the Board of Education adopt Resolution No.08-28 regarding the non-reelection of certificated temporary employees pursuant to Education Code Section 44954, effective June 2009.

COMMENT: The Board of Education is required to notify temporary certificated employees before the end of the school year of its decision to not reelect the employees for the next succeeding school year.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

**RESOLUTION NO. 08-28**

**RESOLUTION NON-REELECTING CERTIFICATED TEMPORARY EMPLOYEES:**

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

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

**WHEREAS**, it is the Board's intent to not reelect the employees listed below for the subsequent 2009-2010 school year, pursuant to Education Code Section 44954;

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

3900	4346	3608	4647	6130	3328
9529	5522	2952	6185	8643	1550
3062	5699	4673	9412		

**BE IT FURTHER RESOLVED**, that the Superintendent or designee is directed to issue to the employees named in this Resolution the notice described in Section 44954, informing them that they will not be reemployed for the 2009-2010 school year, and to take such further and additional actions as may be necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 5<sup>th</sup> day of March 2009 by the following vote:

Ayes: \_\_\_\_\_  
Noes: \_\_\_\_\_  
Absent: \_\_\_\_\_

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Ralph Mechur, President  
Board of Education of the  
Santa Monica-Malibu Unified School District

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 5, 2009.

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Tim Cuneo, Secretary  
Board of Education of the  
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: APPROVAL OF MEASURE BB BUDGET INCREASE FOR MALIBU  
MIDDLE AND HIGH SCHOOL CAMPUS IMPROVEMENTS PROJECT:  
PARKING, TRAFFIC, WASTEWATER SYSTEM, AND OTHER  
IMPROVEMENTS

RECOMMENDATION NO. A.36

It is recommended that the Board of Education approve a budget increase of \$5,888,000 to provide additional scope for parking, traffic, safety, on-site wastewater treatment system, and other required improvements to the Measure BB Malibu Middle and High School Campus Improvements project, for a total construction budget of \$36,263,000.

Historically, traffic and parking has been a challenge for both the school and local community at the Malibu campus since the high school was added in the 1990s. Concerns regarding student, staff and community safety have been discussed by many groups in several settings over the past years. Most recently, the topic has been reviewed in a series of Community Outreach meetings. Staff and consultants have been working with city representatives, school personnel, traffic engineers and others. A plan has been developed that now addresses a long term problem.

Additionally, the State of California Water Quality Control Board requires permits for the operation of on-site wastewater treatment systems. During the course of our extensive preliminary investigations of the site septic systems, it has become apparent that major modifications to the on site wastewater systems are necessary.

Funding Information:

Budgeted: No  
Fund: 21  
Source: State School Building Fund  
Account Number: 21-00000-0-00000-85000-6200-010-2600  
Description: Building Improvement

COMMENTS: At the Board meeting of February 5, 2009, proposed traffic and parking recommendations were presented under *Discussion Item No. D.01*. The architects, together with other consultants, have prepared additional scope descriptions and supporting estimates. Estimates have been reviewed by Parsons/CCM and its independent estimator, Lee Saylor Associates. Following is a table summarizing the proposed added scope and estimated construction costs (current dollars, February 2009):

<b>TRAFFIC, PARKING, AND SAFETY</b>	<b>Amount</b>
Right Turn Lane, Morning View Drive (MVD)	\$ 315,549
Expand parking lot to 250 spaces	691,224
Ramp and Stairs, new parking lot	355,093
Coastal Sage Scrub replacement (allowance)	50,000
Bus staging area at main entry	857,615
North lot - restripe, reconfigure	215,123
Raised delineators, MVD	50,708
Cabrillo ES Parking and Traffic (allowance)	500,000
Loop road, upper campus	587,304
Library entry courtyard (bus staging)	160,551
Secure perimeter of campus (District Std.)	494,079
<b>Sub-total</b>	<b>\$ 4,278,246</b>

<b>State Water Board Requirements, other</b>	<b>AMOUNT</b>
Septic system improvements	412,283
Secondary treatment system (allowance)	1,000,000
Electric power infrastructure	197,632
<b>Sub-total</b>	<b>\$ 1,609,915</b>
<b>Total Increase in Budget Allocation</b>	<b>\$ 5,888,161</b>
<b>Round to:</b>	<b>\$ 5,888,000</b>

The budget allocation will be funded by a reallocation from the escalation/market factor budget of the Measure BB program budget. Allocations to other BB projects remain unchanged.

A presentation will accompany this agenda item.

The Measure BB Advisory Budget Sub-committee reviewed the proposed budget reallocation on February 24, 2009. The Measure BB Advisory Committee reviewed and recommended Board Approval of the proposed budget reallocation on March 2, 2009.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/05/08

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: MESAURE BB SCOPE - MALIBU MIDDLE AND HIGH SCHOOL  
CAMPUS IOMPROVEMENTS PROJECT - ATHLETIC FIELD LIGHTING

RECOMMENDATION NO. A.37

It is recommended that Board of Education approve a Scope Definition to the Measure BB Malibu Middle and High School Campus Improvements project, Athletic Field Lighting.

Funding Information:

Budgeted: Yes  
Fund: 21  
Source: State School Building Fund  
Account Number: 21-00000-0-00000-85000-6200-010-2600  
Description: Scope Definition

COMMENT: At the Board meeting of February 5, the status of the Malibu Middle and High School Campus Improvements Project was presented under *Discussion Item No.D.01*. The athletic facilities improvements for the project including field lighting were discussed. Athletic facility improvements are an "Add Alternate" for the project. This means the design for these facilities is proceeding; however the bid and award of construction contracts for add-alternate scopes would be suspended until it was certain adequate funds remain in the program, after core program requirements have been successfully bid and awarded. Following is a summary of Add Alternates for athletic facilities and the Malibu campus:

<b>ADD ALTERNATES, ATHLETIC FACILITIES</b>	<b>Amount</b>
Artificial Turf	\$ 1,692,656
Concrete bleachers	334,329
Field Lighting (permanent)	429,069
Tennis Courts	103,601
<b>Total Add Alternates, Athletic Facilities</b>	<b>\$ 2,559,655</b>

At the Board meeting of February 5, extensive public comment was received on the project with considerable emphasis placed upon the character and operating plans for the proposed athletic field lighting. A public workshop on March 2, 2009 is scheduled at Malibu High School Library to present a new updated operating plan for educational purposes only.

After careful review of the various options available, it is now recommended that the District proceed with the completion of design, environmental analysis and California Coastal Commission amendment application for the athletic field lights with the following self-imposed conditions:

1. The proposed operating plan for the field lighting will be limited to educational purposes only. The operating plan will accommodate all Title 9 requirements.
2. Any future proposals by the City of Malibu or other third party users would require a separate CEQA evaluation and Coastal Development Permit amendment directly to the Coastal Commission as a separate project as defined by CEQA and other statutes. The District will not be a proponent for uses beyond educational purposes and will not be a Lead Agency as defined by CEQA for any such proposed project/activity.
3. The field lighting design will take into account all best practices including proper illumination of the playing field surfaces, avoidance of glare and light spill, all required environmental analysis including review for consistency with the Coastal Act provisions and the governing amendment process.
4. The District will return to the Board with a defined operating plan that has been thoroughly reviewed with the public and school community. The plan will include specific mitigations to limit the operation of the lights including number of nights operation, number of hours of operation, operational controls and other such requirements that may be appropriate to develop a thorough and manageable mitigation monitoring program for the operation of the field lighting consistent with educational requirements.

*(Continued on next page)*

Alternatively, the Board may choose to suspend further design and consultant support to the field lighting portion of the scope of work. However, staff does not support this position because it would inhibit the goal of providing complete athletic facilities to support the goal of a comprehensive high school program at the Malibu campus including provisions to meet all Title 9 requirements.

The budget allocation for the project is not effected by this action since it is an Add Alternate scope in the Measure BB program budget.

A presentation will accompany this agenda item.

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