

**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**  
**MINUTES**

**June 25, 2009**

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education was held on Thursday, June 25, 2009, in the District Administrative Offices: 1651 16<sup>th</sup> Street, Santa Monica, CA. The Board of Education called the meeting to order at 4:15 p.m. in the Board Conference Room at the District Offices: 1651 16<sup>th</sup> Street, Santa Monica, CA. At 4:16 p.m., the Board of Education moved to Closed Session regarding the items listed below. The public meeting reconvened at 6:32 p.m. in the Board Room.

**I. CALL TO ORDER**

- A. Roll Call
- B. Pledge of Allegiance

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

**III. CLOSED SESSION (90):**

- Receipt of recommendation for approval of the proposed settlement cases pursuant to GC §54956.9 (b), as cited in the Brown Act (15):  
DN-1033-08/09      DN-1034-08/09      DN-1035-08/09
- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC§54957, as cited in the Brown Act (Director, Teacher) (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)
- Pupil hearing pursuant to EC §48918 (c) as cited in the Brown Act (No. A.38) (10)
- Closed Session, Superintendent's performance evaluation pursuant to GC §54954.5 as cited in the Brown Act. (5)

**IV. BOARD OF EDUCATION – COMMENDATIONS / RECOGNITIONS (0)**

**V. APPROVAL OF THE AGENDA**

*It was moved by Ms. Leon-Vazquez, seconded by Mr. de la Torre, and voted 7/0 to approve the agenda with the Update and Addendum, and to move Items A.45 and A.46 to follow the Consent Calendar, to move Item A.15 to the beginning of Major, and to reschedule A.51 and A.52 for a special meeting on July 1, 2009, at 6:30pm.*

**VI. APPROVAL OF MINUTES**

- A.01 Approval of Minutes .....1
- May 21, 2009 (*approval postponed from 6/10/09*)
  - May 28, 2009
  - June 10, 2009
  - June 15, 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).

6:37 pm

### **Curriculum and Instruction**

A.02	Approval of Independent Contractors.....	2-3
A.03	Conference and Travel Approval/Ratification.....	4-6
A.04	Agreement to Provide School-Age Community Child Care (SACCC) Services for Fiscal Year 2009-10.....	7
A.05	Approval of the Head Start ERSEA Plan .....	8-21
A.06	Adoption of Adult Education Courses – 2009-10.....	22-22b
A.07	Consolidated Application, Part I.....	23-24
A.08	Approval of Special Education Contracts – 2008-2009 .....	

### **Business and Fiscal**

A.09	Award of Purchase Orders – 2008-2009.....	30-30c
A.10	Acceptance of Gifts – 2008/2009 .....	31-35
A.11	Appropriation of Transfers at School Year-End.....	36-36a
A.12	Renew Contract – School Services of California, Inc. ....	37
A.13	Approval of Malibu Equestrian Agreement.....	38-39j
A.14	Amendment to Contract for Bid #9.09 Change Order #3 – Districtwide Painting – AJ Fiste Corporation.....	40
A.15	<del>Award Bid #10.02 – Districtwide Safety Improvement Child Care Facilities to <u>TBD</u> – Adopt Resolution No. 08-52 – Award of Contract for Modernization Work District-wide: Child Development Safety Projects .....</del>	<del>41-41b</del>

9:29 pm

### **Measure “BB”**

A.16	Contract to Culbertson & Associates LLLC Representation to California Coastal Commission, Field Lighting – Malibu High School.....	42
A.17	Contract Amendment #9 for Sampling and Testing to Support Form 200s – Malibu MS/HS and Cabrillo Elementary School – Topanga Underground – Measure BB .....	43
A.18	Contract Amendment #4 for Sewer Drain Line Survey and Reports – Pt. Dume Elementary School – Drew Lewis Company – Measure BB.....	44
A.19	Contract Amendment #17 for Increased Architectural Services for Malibu MS/HS Campus Improvements Project: North Parking Lot “A” – Measure BB .....	45-46
A.20	Contract Amendment #1 for Inspection Services – John Adams Middle School – Gateway Science and Engineering – Measure BB .....	47
A.21	Contract Amendment #12 for Increased Scope – Architectural Services for Separate Interim Housing Package – Lincoln Middle School – WWCOT – Measure BB.....	48-49
A.22	Contract Amendment #13 for Increased Scope – Architectural Services for Sanitary Sewer Rehabilitation – Lincoln Middle School – WWCOT – Measure BB .....	50-51
A.23	Contract Amendment #14 for Increased Scope – Architectural Services for Fire Sprinkler Design at Building E – Lincoln Middle School – WWCOT – Measure BB.....	52-53

A.24	Contract Amendment #16 for Increased Scope – Topographic Surveys and Digital Mapping for Additional Survey Work – John Adams Middle School – Psomas – Measure BB – RFP #8.09 .....	54-55
A.25	Contract Amendment #17 for Increased Scope – Topographic Surveys and Digital Mapping for Additional Survey Work – Malibu MS/HS – Psomas – Measure BB – RFP #8.09 .....	56-57
A.26	Contract Amendment #18 for Increased Scope – Topographic Surveys and Digital Mapping for Additional Survey Work – Pt. Dume Marine Science School – Psomas – Measure BB – RFP #8.09.....	58-59
A.27	Contract Amendment #9 for Increased Architectural Services for Development of District Standard Specifications – Daly Genik/IBI – Measure BB .....	60-61
A.28	Contract Amendment #5 for Consulting Arborist Services – Grant, McKinley, and Webster Elementary Schools – CY Carlberg – Measure BB .....	62-63
A.29	Contract Amendment #6 for Consulting Arborist Services – Olympic High School and Washington Child Development Services – CY Carlberg – Measure BB .....	64-65
A.30	Contract Amendment #5 for Preliminary Geologic Investigation and Reports for Wastewater System Requirements – Pt. Dume Elementary School – Geoconcepts, Inc. – Measure BB.....	66
A.31	Contract Amendment #2 for Networld Solutions – Measure BB .....	67
A.32	Contract Amendment #13 for Additional Phase I Environmental Screening Services – Malibu MS/HS Campus Improvements – LFR – Measure BB .....	68
A.33	Award Bid #9.14 – DSA Application #APP03-109232 John Adams Parking Lot to Graph Company – Measure BB.....	69
A.33a	<u>Award Bid #9.14 – DSA Application #APP03-109232 John Adams Parking Lot to Graph Company – Measure BB.....</u>	<u>69a</u>

### **Personnel**

A.34	Certificated Personnel – Elections, Separations .....	70-74
A.35	Special Service Employees .....	75
A.36	Classified Personnel – Merit .....	76-78
A.37	Classified Personnel – Non-Merit.....	79

### **General**

A.38	Expulsion of Student (B/D 04/10/96) .....	80
A.39	Adopt New Policies, Revise Updated Policies, and Delete Obsolete Policies – 2000, 4000, 6000, 7000, and 9000 Series .....	81-87

## **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.**

7:13 pm

- *Jerry Rubin, a member of the community, requested the board to adopt a resolution in support of Santa Monica Tree-Hugging Day on September 22, 2009.*

## **IX. COMMUNICATIONS** (25)

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 – none in the summer**

*Mr. Allen requested that the Superintendent invite the Student Board Members for 2009-10 to attend meetings during the summer. Mr. de la Torre stressed the importance of an orientation for the new members. Mr. Cuneo suggested that a couple of board members act as mentors to the students. Mr. de la Torre and Mr. Allen volunteered.*

7:19 pm

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

*Mr. Keiley reported on two issues in Sacramento that interest CTA. First, a discussion around the possibility of reducing the necessary 2/3 vote to pass a parcel tax. The union supports this. Second, a discussion about the sale of district properties. Currently, the law restricts how districts spend revenue from selling properties. Mr. Keiley then read a list of suggestions for budgetary reductions and teachers' sacrifices. Mr. de la Torre suggested holding a town hall meeting to put these issues on the table to discuss with the community.*

7:44 pm

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

*Ms. Keryl Cartee-McNeely was not present. Mr. de la Torre reported that on Tuesday night, board members were invited to a rally that kicked off a caravan sending SEIU members to Sacramento to address the state government regarding the budget.*

7:39 pm

### **D. PTA Council – Shari Davis** (5)

*Ms. Davis said she was proud and humble to be following in the footsteps of wonderful previous PTA Council Presidents. PTA's most urgent concern is the budget crisis in Sacramento. The State PTA is closely monitoring what is happening in Sacramento. The PTA representative will continue to serve on the Superintendent's Budget Advisory Committee. Regarding the budget to be approved tonight, Ms. Davis said we all have to accept the \$4.5M cuts to our budget. At the PTA Council's last meeting, the group officially formed a PTA Priorities Committee. She added that the homework policy item on tonight's agenda is associated with one of those focuses. Ms. Davis explained how homework is an important nexus between school and parents. The PTA agrees that homework is an important component in a child's education.*

7:51 pm

### **E. DAC End-of-Year Report** (10)..... 88-93

*English Learners Advisory Committee* (5)

*Special Education District Advisory Committee* (5)



## **X. SUPERINTENDENT'S REPORT (5)**

8:51 pm

*Superintendent Cuneo thanked SEDAC for giving their report and said he was looking forward to working with them during the next year. The focus in the Special Education Department will be on programs. There are many opportunities for what the programs can be with a new Director coming on board. He added that second interviews for the Director of Special Education have been conducted, and he hopes to bring forward a recommendation to the board at the July 16 meeting.*

*He thanked Rebecca Kennerly for her work with the PTA Council. He welcomed Shari Davis as the new President.*

*The schools' graduation and promotion ceremonies were held last week. Mr. Cuneo commented that they were wonderful events to propel our students to the next level. Mr. Cuneo volunteered at SAMOHI's Grad Nite last Friday at 3:00am. He said his favorite part was handing out the diplomas to the students.*

*On June 10, there was a grand opening ceremony at JAMS for the new Boys and Girls Club facility. Mr. Cuneo remarked that it offered a great partnership for the students and community. He commended Dr. Chou for working with the Boys and Girls Club regarding curriculum at the facility.*

*Mr. Cuneo attended the 60<sup>th</sup> Annual Kiwanis Music Scholarship Awards luncheon. He said it was a great event that recognized much of the music talent in our district.*

*The FOC and Superintendent's Budget Committee have been collaborating regarding the budget, and Mr. Cuneo has invited SMMCTA and SEIU to also participate. They are exploring not only budget options, but also strategies for communication with the employees and communities. At the July 16 board meeting, Mr. Cuneo will recommend the formation of a Blue Ribbon Committee to study the potential of an emergency parcel tax.*

*Summer school begins on Monday, June 29. It will last four weeks for elementary school, five weeks for middle school, and six weeks for high school. ESY (Special Education extended school) is four weeks for elementary school and middle school and six weeks for high school. Current enrollment is about 350 for elementary, 200 for middle, 800 for high school, and about 300 for ESY. The district may have to consider a reduction in summer school in future budget years. The district will also have to anticipate one of two budgets: one with an emergency parcel tax and one without*

*The Superintendent made a statement to correct Item A.35, Resolution No. 08-44 from the June 4 minutes. The language that had been stricken from this resolution at the March 5, 2009, meeting had inadvertently been left in on the June 4 version of the resolution. The Superintendent clarified that this resolution did not reflect the performance of the employees listed, but rather the anticipated needs of the District. The language has been stricken on the following page. The June 4 minutes are scheduled to be approved at the July 16 meeting.*

*Mr. Cuneo reported that he, Dr. Chou, and Dr. Matthews will be meeting with Samohi's administration to discuss the transition from six to five houses. Dr. Pedroza explained the steps that have been taken so far regarding the transition. There have been many conversations with parents, staff, and students. Letters have been and will continue to be sent home informing families of the changes. The school*

*has planned a welcoming event for the beginning of the school year. The moving of house assignments has been completed. Today, the physical moves of advisors and outreach specialists were finalized. Dr. Pedroza said there was now the issue of house names to determine. During the first two weeks of school, there will be a pep rally to highlight the school's goal for an API score of 800 and to celebrate the new and revised Samohi.*

### **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 (150)**

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.

9:38 pm	A.40	Establish Position – Senior Office Specialist, Special Education (5).....	94
9:39 pm	A.41	Establish Position – Sports Facility Coordinator, Theater Operations and Facility Permits (5) .....	95-95c
9:50 pm	A.42	Adopt Resolution No. 08-46 – In Support of Senate Constitutional Amendment 6 (SCA 6) (5) .....	96-97
9:52 pm	A.43	Appoint Members to the Measure BB Advisory Committee (10) .....	98-99
10:06 pm	A.44	Adopt Resolution No. 08-47 – Providing for the Issuance of the 2009 General Obligation Bond Anticipation Notes and Series C of the Measure BB General Obligation Bonds (20) .....	100-115
6:45 pm	A.45	Conduct Public Hearing on Resolution of Necessity and Adopt Resolution No. 08-48 – Resolution of Necessity Authorizing an Eminent Domain Action to Acquire Real Property for the Expansion and Reconstruction of the Edison Language Academy (5) .....	116-125
7:10 pm	A.46	Approval of Edison Language Academy Project and Authorize the Filing of a Notice of Determination – Measure BB (5).....	126-126a
10:37 pm	A.47	Approval to Adjust Measure BB Construction Budget Allocations (15) .....	127-128
10:43 pm	A.48	Approval of Juan Cabrillo Elementary School Fencing and Gate Project, Measure BB Program and Authorize Filing of Notice of Exemption (5) .....	129-130k
10:44 pm	A.49	Approval of Will Rogers Learning Community Entry and Main Office Reconfiguration Project, Measure BB Programs and Authorize Filing of Notice of Exemption (5) .....	131-132j
10:45 pm	A.50	Approve Agreement with Los Angeles County Department of Public Works Water District No. 29 – Malibu MS/HS Campus Improvements Project – Measure BB (5) .....	133-134
A. 51-A.52 postponed until 7/1/09	A.51	Adopt Resolution No. 08-49 – Findings and Adoption of Mitigated Negative Declaration, Mitigation Monitoring & Reporting Program, & Approval of the Malibu High School Football Lighting Project (40)...	135-140d
	A.52	Adopt Resolution No. 08-50 – Exemption of the Malibu High School Football Lighting Project from the City of Malibu Zoning Code (5) .....	141-145
10:55 pm	A.53	Adopt Resolution No. 08-51 – California Needs a Fair and Balanced Approach to Solving the State Budget Crisis (5).....	146-147
10:57 pm	A.54	Public Hearing on 2009-10 Final Budget (5) .....	148
11:04 pm	A.55	Adopt 2009-10 Final Budget (10).....	149-165

## **XII. DISCUSSION ITEMS (210)**

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

11:36 pm

D.01 Annual Review of Intradistrict Transfers and Interdistrict Permits (30) ..... 166-172

12:11 am

D.02 Staff Response to the Recommendations from the Task Force on the  
Achievement of Students of Color (30) ..... 173

D.03 Revise Policy 6146.11 – Alternative Credits toward Graduation (30) ..... 174-180

D.03-D.05  
postponed  
until 7/1/09

D.04 Revise Policy 6154 – Homework/Makeup Work (Formerly known as  
Homework Policy K-12) (30) ..... 181-189

D.05 Review Board Policy Series 0000 and 1000 (90) ..... 190-191  
0000 (*Philosophies, Goals, Objectives, and Comprehensive Plans*)  
1000 (*Community Relations*)

## **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**

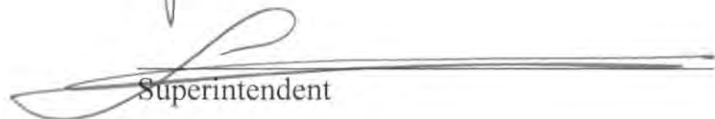
The Board of Education will, if appropriate, adjourn to CLOSED SESSION to complete discussion on items listed for CLOSED SESSION following the regular business meeting.

**XX. ADJOURNMENT**

It was moved by Mr. Snell, seconded by Mr. de la Torre, and voted 7/0 to adjourn at 1:11am. The next regularly scheduled meeting will be held on **Thursday, July 16, 2009**, at **5:30p.m.** in the Board Room at the District Offices: 1651 16<sup>th</sup> Street, Santa Monica, CA.

Approved: 7-16-09

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Superintendent

**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
December 22 – 31: Winter Break					
January through June 2009					
January 1 – 2: Winter Break					
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	4/18* DO 4/23 DO	*4/2: Begins at 6:00pm *4/18: Special Closed Session
April 6-17: Spring Break					
May	5/5* DO 5/7 M	5/14* DO	5/21 SM	5/28* DO	*5/5: Special Meeting *5/14: Special Meeting *5/28: Special Meeting
June	6/4 DO	6/10* DO		6/25 DO	*6/10: Special Meeting 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.

## SMMUSD Board of Education Meeting Schedule 2009-2010

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

July through December 2009					
Month	1 <sup>st</sup> Thursday	2 <sup>nd</sup> Thursday	3 <sup>rd</sup> Thursday	4 <sup>th</sup> Thursday	Special Note:
July			7/16 DO		
August			8/20 DO		
September	9/3 DO		9/17 DO		First day of school: 9/9
October	10/1 M		10/15 DO	10/29 (5 <sup>th</sup> Thurs)	
November	11/5 M		11/19 DO		Thanksgiving: 11/26-27
December		12/10 DO		winter break	
<b>December 20 – 31: Winter Break</b>					
January through June 2010					
<b>January 1 – 2: Winter Break</b>					
January		1/14 DO			
February	2/4 M		2/18 DO		
March	3/4 DO		3/18 DO		*Stairway: 3/25 & 3/26
<b>March 29 – April 9: Spring Break</b>					
April	spring break	spring break		4/22 DO	
May	5/6 M		5/20 DO		
June	6/3 DO		6/17 DO		Last day of school: 6/25

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

**Santa Monica-Malibu Unified School District  
Board of Education  
June 25, 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

*None due to summer*

B. Pledge of Allegiance

*Led by Ms. Leon-Vazquez*

4:15 p.m.

4:16 p.m.

6:32 p.m.

**II. CLOSED SESSION**

*In Closed Session, the Board took action to approve:*

- *Settlement agreement in cases No. DN-1033-08/09 and DN-1035-08/09:*

1. Case No. DN-1033-08/09

*The substance of the Agreement was as follows:*

- a) *Continue speech therapy, followed by re-assessment.*
- b) *No cost to the district.*

2. Case No. DN-1034-08/09

*The substance of the Agreement was as follows:*

- a) *\$6,250 in attorney fees.*

3. Case No. DN-1035-08/09

*The substance of the Agreement was as follows:*

- a) *\$15,000 reimbursement to parents.*

*The total cost for all three cases is \$21,250. It was moved by Mr. Snell, seconded by Dr. Escarce, and vote 7/0 to approve these settlement cases.*

- *The Board considered the Superintendent's report regarding a parent's request for a hearing concerning a complaint against an employee. The Board voted not to hold a hearing in the matter.*

TO: BOARD OF EDUCATION  
FROM: TIM CUNEO  
RE: APPROVAL OF MINUTES

ACTION  
06/25/09

RECOMMENDATION NO. A.01

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

May 21, 2009  
May 28, 2009  
June 10, 2009  
June 15, 2009

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Ms. Pye  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)



---

## **CONSENT ITEMS**

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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.

Contractor / Contract Dates	Description	Site	Funding
Community Partners: Family Matter @ Work 7/1/09 to 6/30/09 Not to exceed: \$12,000	To meet with key community partners to gather information about the specific services they offer for families with children ages 0 – 5.	Child Development Services	12-94190-0-85000-59000-5820-070-2700
Orbach, Huff & Suarez 7/1/07to 6/30/10 <u>Second Amended:</u> increase of \$100,000	To provide legal services for the District	Measure BB	21-00000-0-00000-85000-5820-050-2600
Marina Data Solutions (Hank Kratzer) 7/1/09 to 6/30/10 Not to exceed: \$90,000	To implement and manage data warehouse system, integrating data from various resources, work with applications that are potential sources of data, report building and template construction and to create capacity for more advanced statistical analysis.	Educational Services & Student Info. System Project	\$60,000: 01-00000-0-19600-21000-5802-030-1300 (Ed Srvs)  \$30,000: 01-32000-0-11100-21000-5802-054-2540 (Student Info. System Project)
Ajay Mohindra 1/1/09 to 6/30/09 <u>Amend Contract Amount:</u> Not to Exceed \$1,000	Funds needed through completion of contract on June 30, 2009.	Fiscal Services	General Fund  01-00000-0-00000-73100-5802-051-2510
Demsey Filliger & Assoc. 7/1/09 to 6/30/10 Not to exceed: \$6,000	Biennial actuarial valuation as required by GASB 45.	Business	01-00000-0-00000-73000-5802-050-1500
Michael Hill Consulting Services 7/1/09 to 6/30/10 Not to exceed: \$72,000	Coordination with City of Santa Monica on RDA/Civic Center Joint Use Project. <b><i>Note: This is not the contract for facility permits, which ends 6/30/09.</i></b>	District	40-00000-0-00000-81000-5802-050-1500

Michael Hill Consulting Services 7/1/09 to 6/30/10 Not to exceed: \$6,000	Supporting District Measure BB efforts, working on Joint and Facility Use portions of the Program.	District	21-00000-0-00000-85000-5802-050-2600
Zevitz-Redfield & Associates, Inc. (Will Carey) 7/1/09 to 6/30/10 <u>Amend Contact Amount:</u> Cost: \$125.00 per hour (for an additional 200 hours) Not to Exceed: \$25,000	Additional support for Information Services Department.	Information Services	01-00000-0-00000-77000-5640-054-2540
Marcela G. Avila 03/27/09 Not to exceed \$150.00	Presentation to English Learners Committee (DELAC), Student, Parent and School connections	Educational Services	01-62860-0-47600-5802-035-1300 ELAP
Walter Levi Hughes 07/01/09 to 08/31/09 Not to exceed: \$4,200	To support maintenance project on theatrical rigging in Barnum Hall.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5890-046-2460
Marlon I. Guerra 07/01/09 to 08/31/09 Not to exceed: \$4,200	To support maintenance project on theatrical rigging in Barnum Hall.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5890-046-2460
Walter Levi Hughes 07/01/09 to 06/30/10 Not to exceed: \$7,800	To perform specialized technical theatre support for Theatre Operations rentals in Barnum Hall and other District Theaters.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5890-046-2460

\*\*\*\*\*      \*\*\*\*\*      \*\*\*\*\*      \*\*\*\*\*      \*\*\*\*\*      \*\*\*\*\*

*The board agreed to reduce the contract for Zevitz-Redfield & Associates, Inc. by half (\$12,500). The board also agreed to reduce the contract for Marina Data Solutions to \$60,000, and have Ed Services come back in fall with an update before approving the remaining \$30,000. The board requested to see the scope of work for this vendor.*

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.03

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>ANDERSON, Terry</u> Santa Monica High 01-71400-0-11100-10000-5220-015-4150 General Fund- <b>Resource:</b> Gifted/Talented Educ (GATE)	AP Summer Institute-English Literature And Composition Palos Verdes, CA August 10-13, 2009	\$700
<u>CHOU, Sally</u> Ed Services 01-40350-0-11100-21000-5220-035-1300 General Fund- <b>Resource:</b> Title II	The Main Thing=Student Learning (ACSA) Yorba Linda, CA October 6, 2009	\$200
<u>DIAZ, Aida</u> Ed Services 01-42030-0-47600-10000-5220-035-1300 General Fund- Function: Title III	CELDT Scoring Training of Trainers Workshop Los Angeles, CA May 13, 2009	\$30
<u>DURAN-CONTRERAS, Martha</u> Ed Services 01-65000-0-50010-21000-5220-035-1300 General Fund- Resource: Special Education	Statewide Professional Workshop- Dr. Kevin Feldman Lakewood, CA May 5, 2009	\$34 Mileage Only
<u>GATES, Janie</u> Olympic High School	Association of California School Administrators Long Beach, CA June 26 – 27, 2009	\$0
<u>GATES, Janie</u> Olympic High	ACSA-Educational Options Council Sacramento, CA 11/4/09, 3/19/10, 5/7/10,	\$0
<u>HO, Pat</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Conference & Travel	May Revision In June workshop Downey, CA June 8, 2009	\$165

<u>KRATZER, Cindy</u> Ed Services 01-40350-0-11100-21000-5220-035-1300 General Fund- Resource: Title II	Response to Intervention Irvine, CA May 17, 2009	\$60
<u>SAM, Stuart</u> District Office 21-00000-0-00000-85000-5220-050-1500 BB Fund- Function: Construction	CASH-DSA Update Ontario, CA June 26, 2009	\$200

<b>Adjustments</b> (Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)		
<b>NONE</b>		

<b>Group Conference and Travel: In-State</b> <i>* a complete list of conference participants is on file in the Department of Fiscal Services</i>		
<u>BELTRAN, Sue</u> <u>HYATT, Lova</u> Muir Elementary 01-30100-0-11100-10000-5220-005-4050 General Fund- <b>Resource:</b> Title I	Cognitively Guided Instruction (CGI) San Diego, CA July 30 – August 1, 2009	\$765 TOTAL
<u>BIGLOW, Laurie</u> +2 Additional Staff Point Dume Elementary	WOLF Outdoor Learning Adventure Malibu, CA May 19 – 22, 2009	\$0
<u>RIVERA, Nancy</u> <u>SCHOEN, Russel</u> Child Development Services 12-00000-0-85000-10000-5220-070-2700 Child Development Fund- Function: Instruction	2008/2009 Year-End Closing Area Meetings Downey, CA May 18, 2009	\$50 TOTAL
<u>THATCHER, Cindy</u> +17 Additional Staff Rogers Elementary 01-30100-0-11100-10000-5220-006-4060 General Fund Resource: Title I	Cognitively Guided Instruction San Diego, CA July 30 – August 1, 2009	\$7,000 TOTAL
<u>WEBB, Suzanne</u> +2 Additional Staff Lincoln Middle 01-90121-0-11100-10000-5220-012-4120 General Fund Resource: Gifts-Equity Fund	2009 AVID Summer Institute San Diego, CA August 3 – 7, 2009	\$4,000 TOTAL

<b>Out-of-State Conferences: Individual</b>		
<u>BARRAZA, Pete</u> Santa Monica High	College Board AP Reading of National Exam Orlando, FL June 10- 15, 2009	\$0 1 SUB
<u>HOLLAND, Kurt</u> SMASH 01-90121-0-11100-10000-5200-009-4090 General Fund- Resource: Gifts-Equity Fund	Developmental Designs for Middle Schools Duluth, MN June 8 – 12, 2009	\$695 TOTAL +1 SUB
<u>MACON, Triten</u> Ed Services 01-40350-0-11100-10000-5220-035-1300 General Fund- Resource: Title II	National Conference on Singapore Math Strategies Las Vegas, NV July 13 – 16, 2009	\$500 TOTAL

<b>Out-of-State Conferences: Group</b>		
<b>NONE</b>		

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / JUDY ABDO

RE: AGREEMENT TO PROVIDE SCHOOL-AGE COMMUNITY CHILD CARE  
(SACCC) SERVICES FOR FISCAL YEAR 2009-2010

RECOMMENDATION NO. A.04

It is recommended that the Board of Education authorize execution of a resolution to renew the contract with the State Department of Education (CDE), Child Development Division effective July 1, 2009 through June 30, 2010. This agreement, CLTK-9035, 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 District Child Development Fund/SACCC an amount not to exceed \$226,250. The Board agrees to provide a drug free workplace 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: yes  
Account Number: 12-60800-0-00000-60800-8530-090-0000  
Description: SACCC Apportionment - CDS

COMMENT: The contract, operated on a minimum of 246 days, is based on a full-time daily reimbursement rate of \$31.56 per child. The contract provides for the operation of a before-and-after school planned program of age appropriate, creative, recreational, and educational services, snacks, parent participation, and staff development. Participating schools include Cabrillo, Franklin, Grant, and Roosevelt.

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / JUDY ABDO

RE: APPROVAL OF HEAD START ERSEA PLAN

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the Head Start Eligibility, Recruitment, Selection, Enrollment, and Attendance (ERSEA) Plan.

COMMENT: The Head Start Program reviews and updates the ERSEA Plan annually, in accordance with federal regulations. The ERSEA Plan directs staff in performing the required tasks and responsibilities.

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)



# Santa Monica-Malibu Unified School District Head Start Policies & Procedures

Subject: Intake and Eligibility  
Part: 1305  
Subpart: Age of Children and Family Income Eligibility  
Section Title(s): Attendance  
Related  
Performance  
Standard(s): 1305.8 (a)(b)(c)  
Lead Responsibility: Coordinator

(A) Procedure The Intake/Eligibility Procedures will ensure that all eligible applicants are considered for Head Start services. This procedure identifies the children and families that are in most need.

(B) Rationale: Head Start services will be determined based on age and income eligibility.

(C) Responsibility: All Staff

(D) Procedure: **Terms and Definitions:**

**“New”**: A child’s information is entered into ChildPlus before his/her eligibility information has been verified. A child will remain as “New” in ChildPlus until the family’s eligibility documents (proof of income and proof of birth) have been verified.

**“Wait List Date”**: When age and income eligibility documents (proof of income and proof of birth) have been verified, staff will have the Parent/Guardian sign a CRIS Application. The information from the application will be used to be entered into ChildPlus. This process will place the child on a waiting list.

## **Intake Procedure:**

Eligible families with children ages 3-5, must live, work or go to school in Santa Monica.

1. When a parent/guardian inquires about the Head Start program, staff will assist the parent in completing a Wait List Application.
2. Staff will inform the parent or guardian that they need to provide verification of the following information:
  - Age
  - Income
  - IEP or IFSP, if applicable
3. The Computer Operator will input the Wait List Application information into ChildPlus creating a “New” applicant entry on a daily basis

## **Eligibility Procedure:**

1. Age Eligibility:

To be eligible for Head Start, a child must be at least 3 years old at the time of enrollment and no older than 5 by December 2nd.

2. Age Verification of the Child:

Staff must verify the age of the child by examining one of the following:

- Certified Birth Certificate
- Health Department Certificate
- Immunization Card
- Passport

A copy of the verifying document will be attached to application and originals will be returned to parent or guardian.

3. Income Eligibility:

- a. When computing family income, the SOS will use the twelve-month period immediately preceding the month in which application for enrollment in Head Start is made. Alternatively, the SOS can use the calendar year immediately proceeding the calendar year in which the application is made.
- b. Calculation of income is to be completed by the SOS on the Monthly Gross Income Calculation Form.
- c. The SOS will check income against the current Head Start Income Guidelines.  
(Note: A family may exceed the Health and Human Services (HHS) Poverty Guidelines, yet be eligible for the program due to public assistance, homelessness or foster care and adoption payments. A family may also exceed the HHS Poverty Guidelines and yet be eligible for the Head Start program if a child has a current IEP/IFSP according to the agency's recruitment plan.)
- d. If child has an IEP/IFSP, the SOS will make a copy of the IEP/IFSP and any other supporting documentation and will send copies to the Psychologist for review.
- e. Documents used to verify income are to be returned to the parent or guardian after completion of the Income Eligibility Worksheet.
- f. If an over income family does not meet any of the exception criteria, staff will refer them to another community preschool program.

4. Verification of Income:

As part of the application and selection process, the program must verify family income before determining the child is eligible. Staff will verify the income by examining any of the following:

- Individual Income Tax Form 1040
- W-2 Forms
- Pay stubs
- Written statements from employers
- Documentation showing current status of public assistance
- Self-declaration (Note: Parents that are unable to provide any of the official documentation of income, such as day

laborers, will be asked to provide a statement self-declaring income that is signed under penalty of perjury).

5. All Head Start Eligible children will have a CRIS Application signed by their Parent/Guardian and staff.

6. Residency Verification:

Staff must verify their residency by examining one of the following:

- Gas bill
- Electric bill
- Water bill
- Rental Agreement

A copy of the verifying document will be attached to application and originals will be returned to parent or guardian. For families living outside of the district, the SOS will have a Non-resident Declaration form signed.

7. For out of service area families that do not work or go to school in Santa Monica, the SOS will complete an Interagency Agreement, obtain Coordinator signature, make a copy for our files and forward the original to the appropriate Agency for approval.

8. This application will be reviewed and initialed by the Administrative Assistant before being given to the Computer Operator for updated entry into ChildPlus.

9. Additional Eligibility Factors:

Verification of the following information may influence the Selection Process based on the Head Start Eligibility Point Criteria (EPC) points:

- a. Documents of custody or guardianship
- b. Referrals from other agencies e.g. MOU
- c. Documentation of receipt of assistance such as SSI, homelessness or receipt of foster care.

#### **Priority Wait List:**

When the child is determined to be eligible, staff determines the EPC points based on the agency's Head Start Selection Criteria matrix. The EPC points are automatically calculated upon entering the application into the ChildPlus. This system can rank children on the Wait List in order of EPC points. The child with the most points has the greatest need of service thus having the highest priority.

(E) Forms:

Wait List Application  
Applicant Statement  
Monthly Gross Income Calculation Form  
Income Eligibility Worksheet  
CRIS Application  
EPC Points form  
Interagency Agreement

# Santa Monica-Malibu Unified School District Head Start

## Policies & Procedures

Subject: Recruitment  
Part: 1305  
Subpart: Age of Children and Family Income Eligibility  
Section Title(s): Recruitment of Children  
Related  
Performance  
Standard(s): 1305.5(a)(b)(c)  
Lead Responsibility: Coordinator

- (A) Policy: The Head Start concept is promoted in our community to search out eligible families through a specific recruitment process. The recruitment process focuses on the low income population, as well as reaching the required 10% disabilities enrollment requirement.
- (B) Rationale: In order to reach the most in need of Head Start Services, the agency needs to implement a recruitment plan to encourage eligible families to apply for services.
- (C) Responsibility: Coordinator, Multi Site Supervisor, Lead Teachers, Teachers, Teacher Assistants, Family Advocates (FAs), Senior Office Specialist (SOS) and other staff.
- (D) Procedure: Flyers describe the qualifications for the program and also encourages the recruitment of children with special needs. They are distributed in August and February or whenever needed.  
Flyers and/or letters in English and Spanish are distributed or mailed to the following locations:
- Santa Monica College
  - Elementary Schools in the District
  - Community Centers: PAL, Virginia Park, Reed Park, Jocelyn Park
  - Health Department
  - Markets: Albertson's, Carnicerias, specialty shops
  - Libraries: Fairview
  - Food Stamps – Olympic/Purdue
  - Apartment building lobbies – Community Corporations – Affordable Housing
  - Laundromats: Lincoln, Ocean Park, Rose & 4<sup>th</sup>
  - Hospitals and other facilities: Saint John's Hospital, UCLA
  - Health clinics: Les Kelly, Venice, Burke, Westside Family Health Center, La Vida Medical
  - Regional Center and other organizations serving children with special needs
  - District Search and Serve
  - State Unemployment Office
  - Social Security Office

WIC  
99 cent store  
Thrift shops  
Swap meets  
Venice Skills Center

Articles and announcements describing the Head Start Program, qualification requirements, and encouraging the registration of children with special needs are submitted to local papers ( Santa Monica Mirror, Santa Monica Daily Press, Santa Monica Surf the Outlook, The Argonaut, Santa Monica Star, La Opinion) throughout the year.

Information is provided through church bulletins within the community.

Letters are sent through the local Resource and Referral, Connections for Children.

Parents are involved in distributing flyers about Head Start openings and recruitment of children with special needs.

Recruitment priorities that are tied into the community needs assessment are reviewed and established by parents and voted on at a Parent Group meeting approving refunding priorities annually.

During the months of March and April, parents and staff are part of the Kindergarten Round up team, which visits and recruits at local elementary sites.

The Family Advocates will coordinate recruitment efforts with the SMMUSD Adult Education program, Santa Monica College, and district-operated infant and toddler programs.

Family Advocates will organize door-to-door canvassing of certain neighborhoods to recruit families and leave door hangers if no one is home.

The preschool program will have information posted on the district's website advertising services.

In order to monitor recruitment a log is maintained to record activity to make sure it is ongoing.

(E) Forms: Door hangers (English/Spanish)  
Flyers (English/Spanish)  
Contact Log  
Recruitment Log

# Santa Monica-Malibu Unified School District Head Start

## Policies & Procedures

Subject: Selection and Enrollment  
Part: 1305  
Subpart: Age of Children and Family Income Eligibility  
Section Title(s): Selection Process: Enrollment and Reenrollment  
Related  
Performance  
Standard(s): 1305.6; 1305.7  
Lead Responsibility: Coordinator

(A) Policy: The Head Start Program must consider all eligible applicants and have a formal process for establishing selection criteria for serving children and families.

(B) Rationale: SMMUSD will determine the selection criteria according to the Community Assessment and Recruitment Plan. All eligible families will be selected according to the eligibility point criteria ranking system in ChildPlus as vacancies occur.

(C) Responsibility: Coordinator, Family Advocates, Lead Teachers, Senior Office Specialist

(D) Procedure: **Selection and Enrollment:**  
When an opening occurs, the SOS will take the following steps to ensure that the child with the highest priority is contacted and offered the program:

1. Check for enrolled children who wish to transfer into the center with the opening. (Children wishing to transfer have priority.)
2. If there are no children that wish to transfer, the SOS is to run the priority waitlist in ChildPlus and identify the child with the highest priority points.
3. Once the child has been identified, the SOS will make at least two attempts to contact the family via telephone within two business days. If phone calls were not successful, a Contact/Selection Letter will be mailed to the family informing the family of their selection into the program. The letter will be in the family's primary language, when possible.
4. If the family does not respond to the Contact/Selection Letter within five working days, one more phone call will be attempted by the SOS. If the family does not respond, the child will remain on the prioritized-waitlist for another selection cycle.
5. The SOS will document the two phone calls on the Contact Log Sheet and in ChildPlus. The Contact Log Sheet and copies of the Selection/Contact and Contact Letter will be attached to the Eligibility Application and file in the pending file at the SMMUSD CDS office.
6. When a family has accepted the program slot, the SOS will document it in ChildPlus and schedule an appointment with the

family. The SOS will ask the family to bring the following enrollment documents to the appointment:

- Current monthly income verification for State eligibility
  - Immunizations
  - TB test (12 months prior to entry date)
7. During the appointment, the SOS/FA will give the Parent/Guardian an enrollment packet and complete the following with the parent:
    - Enrollment Record
    - Medical Health History pg 1-3
    - Family Partnership
    - Family Assessment
  8. Another appointment will be made to return the enrollment packet. Following the second appointment, the SOS will inform and provide the parent of any missing documents needed to continue the enrollment process and document this conversation on the Contact Log Sheet and in ChildPlus. If there is a health, nutrition or disability issue identified on the health history form, the SOS will write the issue on the Alert form.
  9. Once the documents have been completed with the family, the SOS will accept the child and enter the date as well as any notes in the enrollment screen in ChildPlus.
  10. A file will be created by the SOS and labeled with child's name, DOB, and the name of the center the child will be attending.
  11. The SOS will collect the following documents to develop an Student file that will remain at the SMMUSD CDS Office:
    - Eligibility Application
    - Copy of Birth Certificate
    - Contact/Selection Letter
    - CRIS Application
    - CRIS Enrollment Record
    - EPC Points Score Sheet
    - Rationale Form
    - Emergency Card
    - Food Restriction/Allergy
    - Blue Immunization Card
    - Child's Immunization Record
    - TB Results
    - Personal Rights
    - Parent's Rights
    - Confidentiality
    - Parent Admission Agreement
    - Getting to Know You
    - Statement of Good Health
    - Medical Health History pg 1-3
    - Physical Exam
    - Parent Consent
    - Family Partnership
    - Family Assessment
    - Confidentiality

- Understanding Child Abuse
  - Copies of the Contact Log Sheet
  - Copies of the ChildPlus Enrollment notes
12. The SOS will assign the child to a class and give the Student's file to the Computer Operator for input and mark the child enrolled in ChildPlus, using the enrollment date listed on the Enrollment Record, enter the Child's entry date (the day the child is expected to attend on the first day).
  13. The SOS will assemble the Teacher's File Folder for the site with the following documents:
    - Emergency Card
    - Food Restriction/Allergy
    - Child Immunization Record
    - TB Results
    - Personal Rights
    - Parent's Rights
    - Confidentiality Form
    - Parent Admission Agreement
    - Getting to Know You
    - Statement of Good Health
    - Medical Health History pg 1-3
    - Physical Exam
    - Parent Consent
    - Parent Handbook receipt
    - ASQ and ASQ/SE
  14. The Nurse will review the file and sign the child's Physical Exam.
  15. The Nurse will forward a copy of the Alert form to appropriate personnel (Nutrition – Dietician, Mental Health – Psychologist) according to the concerns noted by the Nurse or SOS.
  16. The SOS will complete an Announcing New Student form and send an email to the FA, MSS and the Lead Teacher letting them know the name of the child that has been accepted if entry is during the school year. The student's file will be taken to the site by the SOS or FA within two business days prior to the child's start date.
  17. The Teacher will review all documents in the file folder prior to the child's start date.

(E) Forms:

- Enrollment Record
- CRIS Application
- Enrollment Checklist
- Medical Health History pg 1-3
- Physical Examination
- Dental Examination Form
- Understanding Child Abuse
- Parent Admission Agreement
- Parent Consent
- Confidentiality Form
- Parent's Rights
- Personal Rights



Family Partnership  
Family Assessment  
Family Goals  
Notice of Action  
Emergency Card  
Food Restriction/Allergy Form  
Getting to Know your Child  
Statement of Good Health  
Blue Immunization Record  
Applicant Statement  
Training Verification  
Employment Verification  
Child Support Form  
Alert Form

## Santa Monica-Malibu Unified School District Head Start Policies & Procedures

Subject: Attendance Monitoring  
Part: 1305  
Subpart: Age of Children and Family Income Eligibility  
Section Title(s): Attendance  
Related  
Performance  
Standard(s): 1305.8 (a)(b)(c)  
Lead Responsibility: Coordinator

- (A) Policy: Federal Performance Standards require Head Start programs to track daily attendance and analyze the causes of absenteeism when the monthly average daily attendance rate falls below 85%.
- (B) Rationale: Children enrolled in SMMUSD programs are expected to attend school on a consistent basis. Teachers, Family Advocates (FA) and Lead Teachers are expected to encourage parents/guardians to bring their children to school and provide support and resources when necessary to assist parents/guardians in bringing their child to school regularly.
- (C) Responsibility: Coordinator, Multi Site Supervisor, Lead Teachers, Teachers, Teacher Assistants, FAs, Senior Office Specialist (SOS) and Computer Operator.
- (D) Procedure: Parents must sign in and out on the Sign-In/Out Sheet each day and include the time that the child arrives and departs. The Teacher in each class will monitor that parents/guardians sign in and out on a daily basis.
- The parent/guardian is expected to call the center if the child cannot attend and give a reason for the absence.
  - The center staff will record the specific reason for absence i.e. has fever, ear infection, family illness etc. on the child's sign in sheets.
  - If a child is going to be absent for an extended period of time, the Teacher or FA will have the parent/guardian sign a Limited Term Leave Request form.
  - The Lead Teachers will collect Sign-In/Out Sheets each month and review attendance for parent signatures.
  - The Lead Teachers will give the Sign-In/Out Sheets to the SOS on the 3<sup>rd</sup> business day of the month for previous month's attendance.
  - The SOS will complete the monthly attendance reports for the State and for LACOE.
  - The Computer Operator will reconcile attendance in the Grantee Reporting System (GRS), calculate attendance % and analyze the reasons for falling under 85%.
  - The Computer will submit the report to the Coordinator for review.

### **Initial steps to follow in case of absence:**

- Staff needs to write an A in red ink on the day of the absence and highlight the appropriate box to signal a reason for absence and

Parent/Guardian signature is needed on the back of the monthly sign-in sheet.

- When a parent does not call-in the absence, the Teacher or Teacher Assistant will call the family on the same day of the absence to obtain the reason for the absence.
- If the parent is unable to be reached, the Lead Teacher will continue to attempt to contact the family by calling the emergency contacts listed on the Emergency Card for three (3) consecutive school days. The attempts will be documented on the Absence Log located in the attendance binder. A new Absence Log Sheet will be started daily.
- At least once a week, the FAs will check the Absence Log for any absences that have not been verified for three days.

**If contact is not made by the third day, the following steps will be taken:**

1. The Teacher/Lead Teacher will complete an In-House Referral noting Absences as the reason and will give this form to the Psychologist who will give a copy to the appropriate FA.
2. The FA will make an attempt to contact the family by calling the emergency contacts on the Emergency Card.
3. If no contact is made, the FA will make a home visit to attempt to contact the family.
4. If contact is made with the family, the FA will try to determine the reason(s) for the child not attending and offer assistance, if necessary. The specific reason for absence i.e. fever, ear infection, family illness etc. will be documented on the Absence Log.

**If contact through a home visit is not made by the 5th day, the following steps will be taken:**

1. The FA will send a letter to the family. The letter will ask the family to contact the Child Development Services immediately.
2. A deadline date will be specified in this letter notifying the parent/guardian that the child may be dropped from the class if contact is not made.

**If contact is not made by the tenth day, the following steps will be taken:**

1. The FA will notify the Lead Teacher of the intent to drop the child.
2. With Multi Site Supervisor approval, the FA will assign a drop date to the child and process the child's file as a termination.
3. The SOS will provide termination dates and reasons for termination on the Notice of Action form and the Computer Operator will enter this data into Child Plus and the GRS within two working days.
  - The Teacher and/or FA will notify the Lead Teacher in order to obtain a determination if the child will remain enrolled.

- The family will complete a Limited Term Leave Request Extensions beyond the 10 consecutive days will be approved by the Multi Site Supervisor.

### **Recording Attendance and Absences**

- The Teacher or Teacher Assistant will track attendance on Monthly Attendance Summary sheets and input Daily Attendance and Absences into the GRS daily.
- The Lead Teacher will monitor input, assist in attendance tracking when needed and review for parent signatures for absences.
- The Computer Operator and SOS will review and monitor the attendance reports for completion.

### **Entering Attendance in GRS:**

1. When you first log in, click on the *Delegate Administration*.
2. Click on *Attendance (Center Based)*.
3. Use the *Class* drop-down menu to select the site you wish to record attendance.
4. Use the *Month/Year* drop-down menu to select the appropriate month/year.
5. Use the *Day* drop-down menu to select which date you wish to record attendance.
6. All children enrolled in the class you specified will appear. You may click on one of the master default boxes (P, E, U, or N) on the top to mark all children with the same entry. Mark the appropriate box to record attendance:  
     P = Present  
     E = Excused Absence  
     U = Unexcused absence  
     N = No Class

Note: If a child has left the program please leave the attendance box blank.

### **Attendance Monitoring**

- The SOS and Computer Operator will compare the Sign-in/Sign-out sheets with the Monthly Summary reports to verify accuracy on a monthly basis. The Computer Operator will generate a monthly average daily attendance (ADA) report for each center and agency-wide and give it to the Coordinator and Multi Site Supervisor to verify monthly attendance is at or above 85%.
- If any center or the agency as a whole is below 85% ADA, the Computer Operator will analyze trends and contributing factors.
- After reviewing the report and making necessary corrections this report will be submitted to the Coordinator by the 17th day of the following month. The Coordinator will review documents to verify that monthly attendance is at or above 85% ADA.
- If a plan of action is necessary, the Coordinator will involve all applicable managers and the Lead Teacher in the development and implementation of the action plan.

- On-going concerns are shared with the Coordinator and the Multi Site Supervisor monthly for review and plan of action if necessary.

(E) Forms:     Absence Log  
                    Contact Log Sheet  
                    Limited Term Leave Request  
                    Family Partnership Agreement  
                    Monthly Attendance Report  
                    Monthly Attendance Summary Sheets  
                    Sign-in/Out Sheet  
                    Attendance and Enrollment % Reports  
                    In-House Referral Form

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / JANIE GATES

RE: ADOPTION OF ADULT EDUCATION COURSES - 2009-10

RECOMMENDATION NO. A.06

It is recommended that the Board of Education adopt the attached state approved courses for the Santa Monica-Malibu Unified School District Adult Education Center.

Comment: On June 1, 2009, the California Department of Education approved the District's Adult Education Center course work for 2009-10. Each year, the District must submit to the state the courses to be offered at the Adult Education Center in order for the District to claim apportionment for these courses.

Attachment:

- Listing of California Department of Education Course Approval for 2009-10

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

# California Department of Education

**Date:** 06/01/2009  
**To:** Janie Gates  
Adult Education Administrator  
Santa Monica-Malibu Unified School District  
**CDS: 19-64980**  
**From:** Cliff Moss  
Education Programs Consultant  
Adult Education Office  
916-327-8765



**Subject:** Course Approval for 2009-10

**Your request for approval of the following 30 courses have been received, recorded, and approved for the 2009-10 school year.**

Course Number	Course Name	Most Recent Year Course Outline Developed/Update	Job Market Study Year
1.1001	English Language Arts	2001	---
1.1002	Mathematics	2001	---
1.1006	Vocational ABE	2001	---
1.2011	English 1	2003	---
1.2012	English 2	2003	---
1.2013	English 3	2003	---
1.2014	English 4	2003	---
1.2015	Literature	2001	---
1.2018	English Language Arts Electives	2007	---
1.2021	Algebra I	2002	---
1.2022	Integrated Math	2003	---
1.2023	Geometry	2002	---
1.2027	Mathematics Electives	2001	---
1.2030	Earth Science	2006	---
1.2031	Physical Science	2006	---
1.2032	Health & Life Sciences	2006	---
1.2041	US History	2006	---
1.2042	World History	2006	---
1.2043	American Government	2002	---

1.2044	Economics	2002	---
1.2045	Psychology	2004	---
1.2055	Visual and Performing Arts	2001	---
1.2057	Electives	2001	---
1.2058	Test Preparation	2003	---
2.1020	ESL Beginning (Low-High)	2001	---
2.1030	ESL Intermediate (Low-High)	2001	---
2.1040	ESL Advanced (Low-High)	2001	---
2.1050	ESL Multi Level	2001	---
2.2000	Citizenship Preparation	2001	---
6.6070	Technology	2008	---

You are authorized to claim apportionment for the above courses. It is recommended that you use these Course Titles with your suggested classes listed under them when communicating your program offerings to the public.

---

Course Outlines for all apportionment classes shall be on file and available for review at the adult school or the district office (5 CCR 10508).

To meet optimum educational standards, these course outlines should contain:

- Goals and purposes
- Performance objectives or competencies
- Instructional strategies
- Units of study, with approximate hours allotted for each unit
- Evaluation procedures
- Clear course completion requirements of established goals and objectives

*From EC 1900; 41976; 52506; 52515; 52518; 52570.*

---

For Vocational Education courses:

Before establishing a Vocational or Occupational Education Program, you must conduct a job market study in your market area and have it reviewed every two years to justify the vocational program. Refer to the Job Market Study in EC 52519; 52520 for more information.

---



---



TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: CONSOLIDATED APPLICATION, PART I

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the submission of the State of California Consolidated Application, Part I.

COMMENT: The Consolidated Application must be submitted to the California Department of Education in order for the district to receive state and federal categorical program funding. The application is submitted in two parts each school year. Following Board approval, Part I is to be submitted by June 30, 2009. Part I indicates which programs will be implemented at eligible schools. Santa Monica-Malibu Unified School District requests participation in the following federal programs: Title I Basic Grant (low income/low achieving students), Title II, Part A (Teacher and Principal Training and Recruiting), Title III (Limited English Proficient Students), and Title IV (Safe and Drug Free Schools and Communities). Federal guidelines also allow local non-profit private schools to participate with the public school district in federal programs. Those participating private schools are identified in Part I of the application.

Many state programs have been removed from the Consolidated Application, due to the new Tier III flexibility. However, Economic Impact Aid (EIA) funding for English learners and for low-income students remains as part of the application.

Part II of the Consolidated Application, which includes budget information, will be submitted to CDE in January 2010 after district funding entitlements are confirmed. Part II will indicate the number of pupil participants and funding allocations for each program and school site.

Each school site is required to have a comprehensive school plan known as the Single Plan for Student Achievement (SPSA) describing the strategies and activities to improve student achievement and meet district adopted standards through the supplementary services provided by these categorical programs. Schools utilize additional highly qualified teachers,

instructional aides, scientifically research-based intervention programs, tutoring assistance, materials and equipment, professional development, district provided training, conferences and workshop attendance, expert consultants, and parent/community involvement activities to meet the needs of their students. Each School Site Council is required to provide input and recommend to the Board the approval of planned program activities and budgets as part of the Single Plan for Student Achievement. The Director of Assessment, Research and Evaluation reviews program guidelines with all administrators and site staff to insure appropriate implementation and compliance for each categorical program.

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / JEANNE DAVIS

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
Academy for the Advancement of Children with Autism - contract increase	8/16/95	1:1 aide	#53-UC09249	\$ 6,460

Amount Budgeted NPS 08/09	\$ 1,500,000
Prior Board Authorization as of 06/04/2009	\$ 1,542,182
Balance	\$ - 42,182

Positive Adjustment (See Below)	\$ 0
---------------------------------	------

Total Amount for these Contracts	\$ 6,460
Balance	\$ - 48,642

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 06/25/09					
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
Harmony Communications - contract increase	Various	Speech Therapy	#19-UC09108	\$ 7,630
WAPADH	5/21/91	AAC/AT Assessment	#49-UC09364	\$ 900
WAPADH	5/6/94	Speech Therapy	#50-UC9367	\$ 2,500

WAPADH	1/26/98	Speech Therapy	#51-UC09363	\$ 1,000
Allison Freeman	10/21/92	Counseling	#15-UC09099	\$ 1,000
Julia Hobbs Speech Pathology	1/20/00	Speech Pathology	#4-UC09088	\$ 1,560
Behavioral Building Blocks	8/14/93	Behavior Aide & Supervision	#52-UC09368	\$ 27,840
Therapy West	10/17/00	Physical Therapy	#53-UC09369	\$ 1,080
Therapy West Note: reflecting correction in the contract # previously approved by Board on 6/4/09	8/28/02	Occupational Therapy	#38-UC09253 (NOT #62-UC08293)	\$ 0
Believeability	Various	AT Training	#54-UC09370	\$ 220
Believeability - contract increase	7/28/01	AT Training	#26-UC09147	\$ 150
Hear to Talk	9/13/04	Auditory Verbal Therapy	#55-UC09368	\$ 910

Amount Budgeted NPA 08/09		\$ 1,400,000
Prior Board Authorization as of 06/04/09		\$ 1,231,008
	Balance	\$ 168,992
Positive Adjustment (See Below)		\$ 0
Total Amount for these Contracts		\$ 44,790
	Balance	\$ 124,202

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 06/25/09					
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 06/04/09	\$	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
JBA Institute - contract increase	10/16/00	Behavior Intervention	#52-UC09266	\$ 4,500
Dr. Trang Nguyen	3/7/00	Vision Assessment	#61-UC09371	\$ 430
Jeanne Gehle	Various	Instructional Consultant	#57-UC09358	\$ 6,240

Amount Budgeted Instructional Consultants 08/09	\$	310,000
Prior Board Authorization as of 06/04/09	\$	612,090
Balance	\$	-302,090
Positive Adjustment (See Below)	\$	0
Total Amount for these Contracts	\$	11,170
Balance	\$	-313,260

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 06/25/09					
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 06/04/09	\$	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 06/04/09 \$ 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

Amount Budgeted Non-Instructional Consultants 08/09 \$ 144,000

Prior Board Authorization as of 06/04/09 \$ 227,069

Balance \$ -83,069

Positive Adjustment (See Below) \$ 0

Total Amount for these Contracts \$ 2,881

Balance \$ -85,950

**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 06/25/09

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 06/04/09 842,208

Balance \$ -642,208

Adjustments for this period \$ 0

\$ -642,208

Total Amount for these Contracts \$ 0

Balance \$ -642,208

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: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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 May 26, 2009, through June 16, 2009, for fiscal /09.

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF JUNE 25, 2009

PAGE 1

U-GENERAL FUND, UNRESTRICTED R-GENERAL FUND, RESTRICTED A-ADULT ED CD-CHILD DEVELOPMENT F-CAFETERIA  
SF-SPECIAL FINANCING (FLEX) BB,X-BONDS D-DEVELOPER FEES SR-SPECIAL RESERVE CAPITAL  
DF-DEFERRED MAINTENANCE SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
<b>*** CHANGED PURCHASE ORDERS ***</b>					
918097	BEST BUY	/ PRICE INCREASE	CHILD DEVELOPMENT CENTER	357.06	CD
917976	BICYCLE AMBULANCE	/ INCREASE PO 915364	SANTA MONICA HIGH SCHOOL	50.00	R
918162	CHEVRON U.S.A. INC.	/ FUEL	PURCHASING/WAREHOUSE	300.00	U
918018	CLASSROOMDIRECT.COM	/ INCREASE PO 917730	CHILD DEVELOPMENT CENTER	44.76	CD
918115	EVENTFUL FLOWER DESIGN	/ PRICE INCREASE	R O P	126.00	R
917990	GALE SUPPLY CO	/ INCREASE PO 917027	WEBSTER ELEMENTARY SCHOOL	41.00	R
917992	GALE SUPPLY CO	/ INCREASE PO 917361	WEBSTER ELEMENTARY SCHOOL	190.00	R
917993	GALE SUPPLY CO	/ INCREASE PO 916243	OLYMPIC CONTINUATION SCHOOL	66.00	R
917986	HAMPTON BROWN BOOKS	/ INCREASE PO 916375	EDISON ELEMENTARY SCHOOL	217.00	R
918102	LAKESHORE CURRICULUM	/ PRICE INCREASE	EDISON ELEMENTARY SCHOOL	117.00	R
				** CHANGED PURCHASE ORDERS	1,508.82
<b>*** NEW PURCHASE ORDERS ***</b>					
918057	ADI	ALARMS-MAINTENANCE	FACILITY MAINTENANCE	500.00	R
918056	ADVANCE LANDAU TOPS	REPAIR SEAT-VEHICLE 82	FACILITY MAINTENANCE	225.00	R
918020	AMECI PIZZA & PASTA	FOOD/PARENT LEADER FORUM	ENGLISH LANGUAGE DEVELOPMENT	275.00	R
918134	ANIMAL & INSECT PEST MGMT INC	GROUNDS CONTRACT PEST CONTROL	GROUNDS MAINTENANCE	500.00	R
918156	ANIMAL & INSECT PEST MGMT INC	OPEN ORDER GROUNDS PEST CONT	GROUNDS MAINTENANCE	960.00	R
918163	ANIMAL & INSECT PEST MGMT INC	OPERATIONS GROUNDS PEST CONTR	GROUNDS MAINTENANCE	360.00	R
918032	ANTI-DEFAMATION LEAGUE	TRAINING	CHILD DEVELOPMENT CENTER	2,000.00	CD
917983	ATLANTIC EXPRESS OF LA INC	TRANSPORTATION COSTS/SAMO -USC	CURRICULUM AND IMC	587.50	R
918026	ATLANTIC EXPRESS OF LA INC	CHARTER BUS TRANSPORTATION	JOHN ADAMS MIDDLE SCHOOL	1,540.00	R
918107	ATLANTIC EXPRESS OF LA INC	TRANSPORTATION	SANTA MONICA HIGH SCHOOL	385.00	U
918146	BALDERAMA, JACK	PRODUCE FOR FARMERS' MRK SBP	FOOD SERVICES	220.00	F
918089	BAXTER, CATHERINE	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	262.20	U
918048	BAY CITIES FURNACE & AIR	ED SERVICE HVAC	FACILITY MAINTENANCE	310.00	R
917966	BELIEVE ABILITY INC	ASSISTIVE TECH SETUP & TRAIN	SPECIAL EDUCATION REGULAR YEAR	220.00	R
917989	BICYCLE AMBULANCE	REPAIR SECURITY BIKES	SANTA MONICA HIGH SCHOOL	200.00	R
918087	BOONE, LARRY	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918039	CALIFORNIA CD CREATIONS	SCANNING OF CUM RECORDS	PURCHASING/WAREHOUSE	59,864.40	R
918012	CALIFORNIA CONSTRUCTION	FACILITIES CONTRACT DOC REVIEW	FACILITY MAINTENANCE	8,000.00	DF
917987	CALIFORNIA DEPT OF EDUCATION	REFUND TO CDE FOR OVERPAYMENT	DISTRICT-WIDE	33,676.00	CD
916944	CALIFORNIA OFFICE SYSTEMS INC	CLASS AND OFFICE SUPPLIES	OLYMPIC CONTINUATION SCHOOL	243.52	R
917999	CALIFORNIA OFFICE SYSTEMS INC	LATERAL FILE	PURCHASING/WAREHOUSE	1,746.91	U
918055	CALIFORNIA STATE PARKS	FIELD TRIP	ROOSEVELT ELEMENTARY SCHOOL	160.00	R
918083	CDS PTA	REIMBURSE CDS PTA	CHILD DEVELOPMENT CENTER	280.00	CD
918002	CDW-G COMPUTING SOLUTIONS	UPDATE FOR SQL SERVER	FOOD SERVICES	195.67	F
918120	CDW-G COMPUTING SOLUTIONS	Live Meeting	INFORMATION SERVICES	813.58	U
918079	CHAMPION CHEMICAL	SUMMER CLEANING SUPPLIES	FRANKLIN ELEMENTARY SCHOOL	311.50	U
918103	CHEVRON U.S.A. INC.	GAS	SANTA MONICA HIGH SCHOOL	327.75	U
918161	CHEVRON U.S.A. INC.	OPEN ORDER OPERATIONS GASOLINE	GROUNDS MAINTENANCE	760.00	R
917997	CITIZENS MEDICAL GROUP	OPEN ORDER FOR FIRST AID	INSURANCE SERVICES	1,000.00	U
918106	CITY OF MALIBU	OTHER OPERATING EXPENSES	BOE/SUPERINTENDENT	240.00	U
918063	CM REFRIGERATION	REFRIGERATION REPAIR	WEBSTER ELEMENTARY SCHOOL	372.58	R
918000	COCA-COLA USA	TO REPAIR SODA FOUNTAIN	FOOD SERVICES	51.57	F
918137	COHN, JEFFREY	MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	1,000.00	R
918179	CONTEMPORARY BOOKS/MCGRAW-HILL	SUMMER SCHOOL MATERIALS	STATE AND FEDERAL PROJECTS	281.65	R
918077	CORPORATE EXPRESS	OFFICE SUPPLIES	FOOD SERVICES	700.00	F
918139	CPI/CRISIS PREVENTION INSTITUT	TRAINING WORKBOOKS	SPECIAL EDUCATION REGULAR YEAR	550.22	R

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF JUNE 25, 2009

PAGE 2

U-GENERAL FUND,UNRESTRICTED R-GENERAL FUND,RESTRICTED A-ADULT ED CD-CHILD DEVELOPMENT F-CAFETERIA  
SF-SPECIAL FINANCING (FLEX) BB,X-BONDS D-DEVELOPER FEES SR-SPECIAL RESERVE CAPITAL  
DF-DEFERRED MAINTENANCE SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
918082	CRESTLINE	SUPPLIES FOR SEA	CURRICULUM AND IMC	600.00	R
918043	CUSTOM GUIDE INC	SOFTWARE	INFORMATION SERVICES	6,828.13	U
918105	DE LA TORRE,OSCAR	GENERAL SUPPLIES/MATERIALS	BOE/SUPERINTENDENT	70.88	U
917696	DEMCO INC	LIBRARY SUPPLIES	SANTA MONICA HIGH SCHOOL	1,753.74	U
918022	DICK BLICK	ART SUPPLIES MIDDLE SCHOOL	MALIBU HIGH SCHOOL	1,496.26	R
918069	DISCOUNT SCHOOL SUPPLY	CRIB SHEETS	CHILD DEVELOPMENT CENTER	180.76	CD
918071	DOUGLAS, JENNIFER	REIMBURSEMENT	CHILD DEVELOPMENT CENTER	95.57	CD
918148	DOWNEY GLASS CO	FOR GLAZING INVOICES 08/09	FACILITY MAINTENANCE	850.00	R
918127	ENGLER BROS MOTOR PARTS	OPEN ORDER OPERATIONS VEHICLES	GROUPS MAINTENANCE	330.00	R
918061	EXECUTIVE ENVIRONMENTAL	REMEDICATION-PINE ST. CDC	FACILITY MAINTENANCE	464.52	R
917995	FACING HISTORY & OURSELVES	FRESHMAN SEMINAR	SANTA MONICA HIGH SCHOOL	1,500.00	U
918036	FED EX KINKOS	FED EX SHIPPING	WILL ROGERS ELEMENTARY SCHOOL	127.48	R
918085	FEDEX	FED EX SHIPPING	WILL ROGERS ELEMENTARY SCHOOL	127.48	R
918147	FISHER HARDWARE INC	MAINT BLDG SUPPLIES IN 08/09	FACILITY MAINTENANCE	1,000.00	R
918016	GALE CENGAGE LEARNING	LIBRARY BOOKS	JOHN ADAMS MIDDLE SCHOOL	577.76	R
918040	GALE SUPPLY CO	CUSTODIAL SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	921.96	R
918065	GALE SUPPLY CO	CUSTODAIL SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	900.11	R
918066	GALE SUPPLY CO	CUSTODAIL SUPPLIES	SANTA MONICA HIGH SCHOOL	2,641.34	R
918070	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CHILD DEVELOPMENT CENTER	359.21	CD
918080	GALE SUPPLY CO	SUMMER CUSTODAIL SUPPLIES	FRANKLIN ELEMENTARY SCHOOL	1,928.68	U
918113	GALE SUPPLY CO	SUPPLY ORDER - TRANSP. DEPT.	TRANSPORTATION	51.02	R
918160	GALE SUPPLY CO	OPEN ORDER OPERATIONS SUPPLIES	GROUPS MAINTENANCE	900.00	R
918091	GELLIS WAX, WENDY	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918155	GITTER,RANDALL	PRINTING	SAINT ANNE'S PRIVATE SCHOOL	84.15	R
918075	GOLDEN WEST INDUSTRIAL SUPPLY	FOR OPERATIONS SUPPLIES-GLOVES	FACILITY OPERATIONS	344.87	R
918176	GREAT SOURCE EDUCATION GROUP	SUMMER SCHOOL MATERIALS	STATE AND FEDERAL PROJECTS	185.43	R
918073	GREEN THUMB INTERNATIONAL	OPEN ORDER FOR WOODSHOP	MALIBU HIGH SCHOOL	75.00	R
917994	HOME DEPOT L.A.	SUPPLIES FOR GARDEN GRANT	FOOD SERVICES	3,000.00	R
918053	HUGHES APPLIANCE	MAINTENANCE SUPPLIES	FACILITY MAINTENANCE	450.00	R
918088	INIGUEZ,JOSE	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918019	INTELLI-TECH	DESKTOP COMPUTER	PURCHASING/WAREHOUSE	1,493.10	U
918084	INTELLI-TECH	DESKTOP COMPUTER	CURRICULUM AND IMC	1,494.10	U
918118	INTELLI-TECH	Scanner/Moniter	INFORMATION SERVICES	731.98	U
918111	ITS SOLUTION	CAMERA SYSTEM/TRANSPORTATION	TRANSPORTATION	1,690.00	R
918078	JAIME JOSE LUIS	PRODUCE FOR FMSB PROGRAM	FOOD SERVICES	1,500.00	F
918015	KNOWBUDDY PUBLISHERS	LIBRARY BOOKS	JOHN ADAMS MIDDLE SCHOOL	101.44	R
917949	LAKESHORE (PICK UP ONLY)	SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	1,342.96	R
918068	LAKESHORE CURRICULUM	COT SHEETS	CHILD DEVELOPMENT CENTER	812.60	CD
918005	MAEZ,JAN	CELL PHONE REIMBURSEMENT	BUSINESS SERVICES	1,800.00	U
918093	MAYORAL, EVA	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918168	MC MASTER CARR	MAINT. SUPPLY INVOICES 08/09	FACILITY MAINTENANCE	500.00	R
918030	MCGREGORY, CYNTHIA	reimbursement	STATE AND FEDERAL PROJECTS	43.19	R
918046	NASCO WEST - MODESTO	SCIENCE EQUIPMENT	WILL ROGERS ELEMENTARY SCHOOL	200.12	U
918008	NICK RAIL MUSIC	INSTRUMENT REPAIRS	CURRICULUM AND IMC	4,500.00	U
917988	OFFICE MAX	PAPER	SANTA MONICA HIGH SCHOOL	3,893.67	U
918072	ONAMI,JANICE	REIMBURSEMENT	CHILD DEVELOPMENT CENTER	229.20	CD
918133	PACIFIC TREE CARE	GROUPS CONTRACT TREE TRIMMING	GROUPS MAINTENANCE	350.00	R
918090	PEDROZA,HUGO	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918076	POLITO FAMILY FARMS	PRODUCE FOR FMSB PROGRAM	FOOD SERVICES	200.00	F
918100	POSTMASTER-SANTA MONICA	POSTAGE FOR REPORT CARDS	SANTA MONICA HIGH SCHOOL	1,319.00	U
918109	POSTMASTER-SANTA MONICA	POSTAGE STAMPS	FRANKLIN ELEMENTARY SCHOOL	352.00	U

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF JUNE 25, 2009

PAGE 3

U-GENERAL FUND,UNRESTRICTED R-GENERAL FUND,RESTRICTED A-ADULT ED CD-CHILD DEVELOPMENT F-CAFETERIA  
SF-SPECIAL FINANCING (FLEX) BB,X-BONDS D-DEVELOPER FEES SR SPECIAL RESERVE CAPITAL  
DF-DEFERRED MAINTENANCE SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
918101	PROJECT ECHO	PROFIT SHARING PROGRAM/SAMOHI	FOOD SERVICES	7,890.88	F
917998	FUDWILL FARMS LLC	PRODUCE FOR FRESH FRUIT & VEG	FOOD SERVICES	1,000.00	F
918034	QSS	QSS WEBINAR	PURCHASING/WAREHOUSE	100.00	U
917943	RAYCOM/MOBILE RELAY ASSOCIATES	EMERGENCY FREQ./RADIOS/CHANNEL	BUSINESS SERVICES	48,859.33	R
918037	RAYVERN LIGHTING	LAMP/FLORESCENT	SANTA MONICA HIGH SCHOOL	211.40	U
918131	RENAISSANCE LEARNING INC	STUDENT EQUIPMENT	SPECIAL EDUCATION REGULAR YEAR	388.12	R
918095	RICOH U.S.	COPIER STAPLES	SANTA MONICA HIGH SCHOOL	465.23	U
918086	RUNYON, GREGORY	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918058	SEHI COMPUTER PRODUCTS	LASER PRINTER	SMASH SCHOOL	492.68	U
918023	SIR SPEEDY PRINTING #0245	MATERIALS FOR SPECIAL ED	SPECIAL EDUCATION REGULAR YEAR	519.60	R
918171	SPARKLETT'S WATER CO	MAINT SUPPLY IN 08/09	FACILITY MAINTENANCE	75.00	R
917942	SPECTRA/SHAW CONTRACT FLOORING	CARPET - ED SERVICES	CURRICULUM AND IMC	15,775.00	R
918035	STAPLES BUSINESS ADVANTAGE	OPEN ORDER CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	670.00	R
917982	STAPLES/P-U/SANTA MONICA/WILSH	TONER CARTRIDGE	ROOSEVELT ELEMENTARY SCHOOL	201.87	R
918136	STAPLES/P-U/VENICE/LINCOLN BL	SCHOOL SUPPLIES	SPECIAL EDUCATION REGULAR YEAR	489.56	R
918074	STOVER SEED CO	SEED FOR FIELDS	GROUNDS MAINTENANCE	1,201.75	R
918138	TACCARIELLO NICCOLE	MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	350.00	R
918153	THYSSENKRUPP ELEVATOR	REPAIR TO ELEVATORS-MHS	FACILITY MAINTENANCE	928.00	R
918013	TMAD ENGINEERS INC	FACILITIES CONTRACT	FACILITY MAINTENANCE	44,060.00	DF
917672	TOYS TO GROW ON/LAKESHORE	classroom rug/kinsinger	WILL ROGERS ELEMENTARY SCHOOL	449.91	R
918140	TUMBLEWEED EDUCATIONAL	TRANSPORTATION	SANTA MONICA HIGH SCHOOL	350.00	U
918130	WARREN DISTRIBUTING INC.	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	175.00	R
918092	WELLS,LESLIE	REIMB FOR CELL PHONE	SANTA MONICA HIGH SCHOOL	240.00	U
918142	WESTERN FENCE & SUPPLY CO	REPAIR TO SAMOHI OLYMPIC GATE	FACILITY MAINTENANCE	1,967.00	R
918112	WILSON & VALLELY TOWING	TOWING CHARGE - SPECIAL ED.	TRANSPORTATION	323.00	R
** NEW PURCHASE ORDERS				298,141.09	

\*\* FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATION/NEW CONSTRUCTION/DEVELOPER FEES \*\*

918081	DAILY BREEZE,THE	LEGAL ADVERTISEMENT DB 6-33	BUSINESS SERVICES	1,566.00	BB
918098	LA OPINION NEWSPAPER	LEGAL ADVERTISEMENT DB 6-33	BUSINESS SERVICES	2,088.00	BB
918094	RICOH U.S.	COPIER MAINTENANCE AGREEMENT	BUSINESS SERVICES	900.00	BB
918003	STATE OF CALIFORNIA	DSA NEW REPLACEMENT CALSSROOM	JOHN ADAMS MIDDLE SCHOOL	58,606.17	BB
918004	STATE OF CALIFORNIA	DSA PORTABLE CLASSRM BLDGS	JOHN ADAMS MIDDLE SCHOOL	5,040.47	BB
918045	STATE OF CALIFORNIA	DSA GRANT ENTRY COURTYARD	GRANT ELEMENTARY SCHOOL	1,925.75	BB
** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATION/NEW CONSTRUCTION/DEVELOPER FEES				70,126.39	

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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 \$23,672.11 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 \$23,672.11 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).

\*\*\*\*\*

*Mr. Mechur requested a presentation this summer regarding how this gift reporting item and all gift reporting is assembled.*

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

BOE Date: 06/25/09

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					
<b>Adult Education</b> 11-90120-0-00000-00000-8699-090-0000	\$ 13.85	\$ -		Supervalu	General Supplies and Materials
<b>Alternative (SMASH)</b> 01-90120-0-00000-00000-8699-009-0000					
<b>Cabrillo</b> 01-90120-0-00000-00000-8699-017-0000	\$ 178.00 \$ 116.00 \$ 55.00 \$ 50.82	\$ - \$ - \$ - \$ -		Barry and Nina Yates Various Parents Various Parents Various Parents	Field Trip Field Trip Field Trip Field Trip
<b>CDS</b> 12-90120-0-00000-00000-8699-070-0000					
<b>Edison</b> 01-90120-0-00000-00000-8699-001-0000	\$ 81.99 \$ 42.50	\$ 14.46 \$ 7.50		One Cause Weber/Fouts	General Supplies and Materials General Supplies and Materials
<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	\$ 31.79	\$ 5.61		Planet Aid, Inc.	General Supplies and Materials
<b>Malibu High School</b> 01-90120-0-00000-00000-8699-010-0000	\$ 720.00 \$ 107.39	\$ - \$ 18.95		Various Various	Master Swim (Student Funds) General Supplies and Materials
<b>McKinley</b> 01-90120-0-00000-00000-8699-004-0000	\$ 9,763.63 \$ 1,618.00	\$ 1,105.62 \$ -		Various Various	General Supplies and Materials General Supplies and Materials
<b>Muir</b> 01-90120-0-00000-00000-8699-005-0000	\$ 80.00	\$ -		Various	Field Trip
<b>Olympic HS</b> 01-90120-0-00000-00000-8699-014-0000					

BOE Date: 06/25/09

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					
<b>Samohi</b> 01-90120-0-00000-00000-8699-015-0000	\$ 576.50 \$ 352.00 \$ 161.00	\$ - \$ - \$ -		Various Various Various	General Supplies and Materials General Supplies and Materials General Supplies and Materials
<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 \$ 2,407.50 \$ 164.00	\$ - \$ - \$ -		Gail Dorin Foundation Various Parents Various Parents	Special Services General Supplies and Materials 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> 01-90120-0-00000-00000-8699-054-0000					
<b>Food and Nutrition Services</b> 01-90120-0-00000-00000-8699-057-0000					
<b>District</b> 01-90120-0-00000-00000-8699-090-0000					
<b>TOTAL</b>	<b>\$ 22,519.97</b>	<b>\$ 1,152.14</b>	<b>\$ -</b>		

BOE Date: 06/25/09

## 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	\$ 53,183.00			\$53,183.00	\$ 200.00		\$ 200.00
<b>Adult Education</b> 11-90120-0-00000-00000-8699-090-0000	\$ 31.80	\$ 13.85		\$ 45.65			\$ -
<b>Alternative (SMASH)</b> 01-90120-0-00000-00000-8699-009-0000							\$ -
<b>Cabrillo</b> 01-90120-0-00000-00000-8699-017-0000	\$ 26,437.50	\$ 399.82		\$26,837.32	\$ 12,060.70		\$ 12,060.70
<b>CDS</b> 12-90120-0-00000-00000-8699-070-0000				\$ -	\$ 150.00		\$ 150.00
<b>Edison</b> 01-90120-0-00000-00000-8699-001-0000	\$ 3,610.68	\$ 124.49	\$ 21.96	\$ 3,757.13			\$ -
<b>Franklin</b> 01-90120-0-00000-00000-8699-002-0000	\$ 454.74			\$ 454.74			\$ -
<b>Grant</b> 01-90120-0-00000-00000-8699-003-0000	\$ 300.00			\$ 300.00			\$ -
<b>Lincoln</b> 01-90120-0-00000-00000-8699-012-0000	\$ 332.26	\$ 31.79	\$ 5.61	\$ 369.66			\$ -
<b>Malibu High School</b> 01-90120-0-00000-00000-8699-010-0000 <i>Malibu Shark Fund - Resource #90141</i>	\$ 37,693.94	\$ 827.39	\$ 18.95	\$38,540.28			\$ -
<b>McKinley</b> 01-90120-0-00000-00000-8699-004-0000	\$ 17,183.80	\$ 11,381.63	\$ 1,105.62	\$29,671.05			\$ -
<b>Muir</b> 01-90120-0-00000-00000-8699-005-0000	\$ 7,848.02	\$ 80.00		\$ 7,928.02			\$ -
<b>Olympic HS</b> 01-90120-0-00000-00000-8699-014-0000	\$ 12,450.00			\$12,450.00			\$ -
<b>Rogers</b> 01-90120-0-00000-00000-8699-006-0000	\$ 36,140.44			\$36,140.44			\$ -
<b>Roosevelt</b> 01-90120-0-00000-00000-8699-007-0000	\$ 3,506.88			\$ 3,506.88			\$ -
<b>Samohi</b> 01-90120-0-00000-00000-8699-015-0000	\$ 22,762.62	\$ 1,089.50		\$23,852.12	\$ 650.00		\$ 650.00
<b>Pt. Dume Marine Science</b> 01-90120-0-00000-00000-8699-019-0000	\$ 15,040.00			\$15,040.00			\$ -
<b>Webster</b> 01-90120-0-00000-00000-8699-008-0000	\$ 12,670.00			\$12,670.00			\$ -

BOE Date: 06/25/09

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				\$ -			\$ -
<b>Educational Services</b> 01-90120-0-00000-00000-8699-030-0000	\$ 90,503.93	\$ 8,571.50		\$ 99,075.43	\$ 250.00		\$ 250.00
<b>Student and Family Support Services</b> 01-90120-0-00000-00000-8699-041-0000				\$ -			\$ -
<b>Special Education</b> 01-90120-0-00000-00000-8699-044-0000				\$ -			\$ -
<b>Information Services</b> 01-90120-0-00000-00000-8699-054-0000				\$ -			\$ -
<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				\$ -			\$ -
<b>TOTAL GIFTS</b>	<b>\$ 340,149.61</b>	<b>\$ 22,519.97</b>	<b>\$ 1,152.14</b>	<b>\$363,821.72</b>	<b>\$ 13,310.70</b>	<b>\$ -</b>	<b>\$ 13,310.70</b>
<b>Total Cash Gifts for District:</b>		<b>\$ 22,519.97</b>	<b>\$ 1,152.14</b>		<b>Total In-Kind Gifts:</b>	<b>\$ -</b>	



TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: APPROPRIATION TRANSFERS AT SCHOOL YEAR-END

RECOMMENDATION NO. A.11

It is recommended that the Board of Education approve the attached authorization to make appropriation transfers.

COMMENTS: The Los Angeles County Office of Education encourages District's Governing Boards to authorize the County Office to make appropriation transfers. The District will identify the source of the funds to be transferred. Copies of transfers will be sent to Santa Monica-Malibu Unified School District as they occur. This action is recommended by the Los Angeles County Office of Education and is a routine occurrence.

Section '42601 of the Education Code as amended states: "At the close of any school year a school district may, with the approval of the governing board, identify and request the County Superintendent of Schools to make the transfers between the designated fund balance or the unappropriated fund balance and any expenditure classification or classifications, or balance any expenditure classifications of the budget of the district for that school year as necessary to permit the payment of obligations of the district incurred during that school year. For each elementary, high school, and unified school district that during the preceding school year, had an average daily attendance less than the level, as appropriate, specified in subdivision (a) of EC '41301, the County Superintendent of Schools, with the consent of the Governing Board of the School District, may identify and make the transfers, and shall notify the districts."

Fiscal year-end posting of warrants or liabilities, or both, may cause overdraft in appropriation accounts, which will need budget transfers between major objects or reserve accounts.

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

SCHOOL DISTRICTS WITH ADA ABOVE EC 41301 LEVEL\*  
YEAR-END APPROPRIATION TRANSFERS

TO: Los Angeles County Office of Education  
Division of School Financial Services  
Accounting Section, EC 2<sup>nd</sup> Floor

FROM: Santa Monica-Malibu Unified School District

SUBJECT: AUTHORIZATION TO MAKE APPROPRIATION TRANSFERS

Our school district has ADA equal to or above the level specified in Education Code (EC) 41301. The governing board, in accordance with the provisions of EC 42601, hereby approves to authorize the County Superintendent of Schools to make appropriate transfers necessary at the close of the 2008-09 school year to permit the payment of obligations of the district incurred during such school year.

Please identify sources by entering 1, 2, 3, etc., to indicate 1st source, 2nd source, etc.

Authorization approved by governing board for transfers:

- 1 Between major objects of expenditure
- 2 From unappropriated fund balances, if any
- 3 From designated fund balances

Signature  Date June 25, 2009  
Secretary ~~Clerk~~ of the Governing Board

\*Education Code 41301 levels: less than 901 average daily attendance (ADA) for the elementary school districts, less than 301 ADA for the high school districts, and less than 1501 ADA for the unified school districts.

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: RENEW CONTRACT - SCHOOL SERVICES OF CALIFORNIA, INC.

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve an agreement for special fiscal services with School Services of California, Inc., effective July 1, 2009 and terminating June 30, 2010.

It is further recommended that in consideration for services provided by School Services of California, Inc., that the District agrees to pay \$3,120 annually, plus expenses.

Funding Information

Source: General Fund-Unrestricted

Currently Budgeted: Yes

Account Number: 01-00000-0-00000-73000-5890-050-1500

Description: Other Gen'l Admin/Contracts/Business Serv.

COMMENT: This request represents a renewal of our contract with School Services of California, Inc. There is a \$120.00 increase in the annual fee over the previous annual contract amount. School Services of California, Inc. provides fiscal services to the District including school finance, legislation, school budgeting and general fiscal issues. This agreement also includes up to 12 direct service hours at no additional cost.

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: APPROVAL OF MALIBU EQUESTRIAN AGREEMENT

RECOMMENDATION NO. A.13

It is recommended that the Board of Education authorize the Superintendent to approve the attached "Community Recreation Agreement for the Use of Certain School Land of the Santa Monica-Malibu Unified School District for Community Recreation Purposes."

COMMENTS: This is a corrective action for the purpose of creating a fully executed (with signatures) document memorializing the agreement between the City and District for the operation and maintenance of the Malibu Equestrian Park.

Since 1993, the City of Malibu has operated and maintained the Malibu Equestrian Park located on the District's property adjacent to Malibu High School under a Community Recreation Agreement with the District. During that time the park has become recognized as a City park, open to the public for formal and informal use by local riders. The community service group, Trancas Riders and Ropers, also uses the park for structured equestrian programs and instruction.

In 1981, the District entered into a three-party agreement with the County Department of Parks and Recreation and the Santa Monica Mountains Conservancy for future recreational uses of unused land adjacent to Malibu High School. The agreement was amended in 1986 to re-divide the unused 46 acres into more suitable parcels and to initiate the planning of the Malibu Equestrian Park, which utilizes approximately 20 acres.

In 1989, the County developed a Master Plan for the Equestrian Park, which the District subsequently approved. Although the Park Master Plan was not fully realized, the County did complete necessary grading and constructed two arenas, restroom facilities, picnic area, park access road, and parking lot.

Upon the City's incorporation, District, City and County representatives discussed the disposition of the facility, and in 1993, agreed it should be

operated by the City of Malibu. At that time, the City took a one-year assignment from the County of its rights and obligations under the agreement and assumed responsibility for the operation and maintenance of the facility. However, the assignment was never executed by the District and ultimately, expired by its own terms on June 30, 1994.

Since the City and District's desire was to have the City continue to operate the facility, a similar 25-year Community Recreation Agreement was drafted, which again transferred the County's rights and obligations to the City. In October 1995, the City Council approved the new Agreement.

In 2008, it was discovered that neither the City nor the District had a signed copy of the 1995 Agreement nor was there evidence that the Board took action to approve the agreement. In the absence of a signed agreement and related Board action, the staffs of the District and City worked together to refine the 1995 agreement.

This new, refined agreement was approved by the Malibu City Council at its June 8, 2009 meeting and is attached. The Agreement will allow the City to continue to operate the Malibu Equestrian Park until the year 2022 under the same conditions as approved by the City Council in 1995.

The District does not receive any compensation from the City for the use of the park nor does it contribute to the approximate \$25,000 annual costs for maintaining or operating the facility.

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

FINAL VERSION MAY 12, 2009

COMMUNITY RECREATION AGREEMENT  
FOR THE USE OF CERTAIN SCHOOL LAND OF THE  
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
BY THE CITY OF MALIBU FOR  
COMMUNITY RECREATION PURPOSES

THIS COMMUNITY RECREATION AGREEMENT (the "Agreement") is made and effective as of this \_\_\_\_ day of \_\_\_\_, 2009 by and between the City of Malibu, a municipal corporation ("City"), and the Santa Monica-Malibu Unified School District, a school district of the County of Los Angeles ("District").

W I T N E S S E T H :

WHEREAS, Section 6500 et. seq. of the Government Code and Section 10900 et. seq. of the Educational Code authorize and empower countries, cities, and school districts to cooperate with each other in the development and execution of adequate programs of community recreation; and

WHEREAS, the District entered into a community recreation agreement with the County of Los Angeles and the Santa Monica Mountain Conservancy in September 8, 1981, for development of the Malibu High School site for community recreation purposes, which agreement was amended on February 18<sup>th</sup>, 1986 (the "Original Amended Agreement"); and

WHEREAS, the CITY was incorporated subsequent to the date of the Amended Agreement, and the Site (as defined below) is located within the jurisdictional limits of the city; and

WHEREAS, Section 7 of the Amended Agreement contemplates the release of the County from its obligations upon execution of a like agreement by the City and the District; and

WHEREAS, the City agrees to operate and maintain the Site for the purposes mentioned herein;

NOW, THEREFORE, for and in consideration of the mutual covenants and conditions contained herein, the receipt and sufficiency of which are hereby acknowledged, the parties agree as follows:

**SECTION 1 PURPOSE OF AGREEMENT**

The purpose of this Agreement is for the District to make available to the City the Site, so that the City can operate and maintain the Site for community recreation purposes, including use as an equestrian center, for the benefit of the public. This Agreement supersedes and

replaces in its entirety the Original Amended Agreement and from and after the date of this Agreement the Original Amended Agreement shall be of no further force or effect.

## **SECTION 2 DESCRIPTION OF PROPERTY/RECREATIONAL SITE**

The District owns that certain real property more particularly depicted on Exhibit A attached hereto and that certain portion of the land depicted on Exhibit A labeled as the "District Property" is hereinafter referred to as the District Property. Subject to terms and conditions of this Agreement, the City shall have the right to use a portion of the real property owned by the District and labeled on Exhibit A attached hereto as the "Equestrian Center" (such portion of the District owned real property is referred to herein as the "Site") for community recreation purposes, subject to and in accordance with the terms of this Agreement.

## **SECTION 3 CONSIDERATIONS**

It is understood and agreed that the consideration for this Agreement consists of maintenance and operation of the Site by the City at its sole cost and expense, for use by the public as a recreational area, in accordance with the provisions of this Agreement.

## **SECTION 4 USE OF SITE**

A. Except for the improvement, buildings, facilities and other structures (collectively, the "Improvements") and the fixtures, furnishings and equipment (collectively, the "FF&E") existing at or located on the Site as of the date hereof, the City shall not construct or install any additional Improvements on the Site or remove any Improvements or FF&E (unless any removed FF&E is replaced with FF&E, of a comparable or higher quality) without the prior written approval of the District. The City agrees and acknowledges it has no right to expand or relocate the existing Improvements from the existing location of such Improvements on the Site and has no right to use any portion of the District Property pursuant to this Agreement.

B. Title to all Improvements and FF&E (whether existing as of the date of this Agreement or at any time hereafter) on the Site shall automatically become the property of, and vest in, the District, without any compensation to City therefore, upon termination of this Agreement and City shall have no right, title or interest in or to any such Improvements and/or FF&E following the termination of this agreement.

C. The District shall have the right to use the District Property, for any purpose, and the City hereby acknowledges that the District intends to install and maintain a parking lot and related driveways and walkways on portion of the District Property adjacent to the Site.

## **SECTION 5 OPERATIONS AND MAINTENANCE**

A. The City agrees to properly maintain or cause to be maintained the Site at all times during the term of this agreement at its sole cost and expense and respond to and

reasonably comply with District's request for maintenance when required at the City's sole cost and expense. City will operate the Site in a manner that will not contribute to the creation of any public nuisance or otherwise interfere with the District's use of the District Property and/or Malibu High School.

B. The City will comply with all applicable laws and regulations governing the use and operation of the Site.

C. All permits or amendments to permits necessary to operate the Site shall be the sole responsibility of the City (including the cost and expense to obtain maintain or renew), provided that District shall reasonably cooperate as necessary to facilitate cooperation including any covenants or restrictions which bind District's ownership interest in the land or which commit District to financial obligations or legal rights or restrictions on other District land.

## **SECTION 6 TERMS OF THE AGREEMENT**

This agreement shall remain in full force and effect for an initial period of thirteen (13) years (the "Initial Term") from the date of this Agreement, unless sooner terminated as outlined in section 7 hereof. It is expressly agreed by the parties hereto that during the Initial Term and during any renewal term this Agreement shall not, by implications, be considered a sale, transfer or conveyance of the Site by the District and no party to the Agreement shall assert that entrance into the Agreement constitutes such a sale, transfer or conveyance. Further, all parties agree that this Agreement is not a waiver of the State of California's right of first refusal to acquire the Site should the Site be scheduled for disposal as excess property by the District. Title thereto, during the term shall remain in, and continue to remain in the District. At the expiration of the Initial Term, this Agreement shall continue thereafter under the same conditions on a year-to-year basis until terminated by the parties pursuant to section 7 of this Agreement.

## **SECTION 7 CANCELLATIONS**

Cancellation of the Agreement as affecting all or any part of the Site may be exercised by City or District, for any reason or no reason at all, upon one hundred eighty (180) days prior written notice by either party to the other notifying the other of its election to terminate the Agreement, except that cancellation as provided in Section 8 shall be effective immediately upon the City giving written notice to the District as provided in Section 9.

## **SECTION 8 LOSSES OR DESTRUCTION OF SITE**

In the event the Site and /or the improvements constructed thereon shall be totally or partially destroyed by fire, earthquake, flood, storms, war, insurrection, riot, public disorder, governmental action, or casualty (collectively, the "Casualty Events"), the City shall have the option of either restoring at its sole cost and expense the improvements constructed thereon and restoring the land their prior condition consistent with outdoor open space use or to terminate this agreement. The City shall notify District of its election to repair and restore the



Site or to terminate this Agreement within 60 days following any casualty event. If the City does not make its election within such 60-day period, the City will be deemed to have terminated this agreement. In the event the city does not restore the improvements, District shall have the option, but not the obligation, at its expense, to restore such improvements, or alternatively to terminate this Agreement.

## **SECTION 9 GENERAL PROVISIONS**

A. All notices regarding this agreement shall be in writing and shall be given by postage pre-paid first class U.S. mail to the other party at the following addresses:

To the District at:  
Santa Monica-Malibu Unified School District  
1651 16<sup>th</sup> Street  
Santa Monica, California 90404  
Attention: Superintendent of Schools

To the City:  
City of Malibu  
23555 Civic Center Way  
Malibu, California 90265  
Attention: City Manager

Either party may designate in writing another place for such notice.

B. No waiver of any term or condition of this Agreement shall be considered a continuing waiver thereof. Any waiver must be in writing.

C. This agreement constitutes the entire agreement between the parties. It may not be modified except by an agreement in writing signed by the party against whom the enforcement of any waiver, change, modification, or discharge it sought.

D. City may assign its rights, interest and obligations or any portion of its rights, interest and obligations conferred herein, upon prior written approval of District, if fiscal limitations render it impossible to provide for the development or operation or maintenance of the recreational facilities provided for and if it finds that assignment may satisfactorily accomplish the purposes provided for in the preamble and body of this agreement. Such assignment, however, (i) must be approved in writing in advance by District, (ii) the proposed assignee must be another governmental entity having jurisdiction over the Site, and (iii) must expressly require the assignee to assume all obligations of the City.

E. City and District shall each indemnify, defend and hold the other, its governing body, officers, agents, and employees harmless from and against any and all costs, injuries, claims, lawsuits or actions arising from each parties' actions or omissions in the performance of such party's obligations under this Agreement, including, but

limited to claims for property damage, personal injury, and any other damages. The obligation to indemnify, defend and save harmless as stated hereinabove shall include, but not be limited to, paying all legal fees and cost incurred by legal counsel of each party's choice in representing itself in connection with any such claims losses, lawsuits, or actions, at a rate consistent with what the party pays its own legal counsel. The City's indemnity of District hereunder shall include all programs and activities of the Site other than District activities covered in Section 10 below, regardless of whether such loss is the result of the negligence or acts or omissions of the City or any party using the Site pursuant to this Agreement. District's indemnify of City hereunder shall include all of District's use of the site regardless whether such loss is the result of to negligence or acts or omissions of District or any party using the site when in District use. This shall survive the expiration of the term of this Agreement. At all times during the term of this Agreement, City shall procure and maintain, at its sole cost and expense, the insurance policies set forth on Exhibit C attached hereto, which insurance policies shall comply with all of the requirements, including, but not limited to, the applicable coverage amounts, set forth on Exhibit B attached hereto.

#### **SECTION 10 DISTRICT USE OF FACILITY**

The city agree to allow the District to use the proposed recreational facilities, at no cost to the District, for programs, recreation, and physical education activities during the normal school day and for after-school athletic and recreational activities, upon the written request of the District and in accordance with a schedule to be prepared quarterly in advance by the District and forwarded to the Director of Parks and Recreation of City for review and approval. During the conduct of such programs and activities, the City may formulate and enforce such rules and regulations as are necessary to maintain proper standards of conduct and safety on the facilities for all groups. Other than as hereinbefore set forth, the exclusive right for use of the subject facilities and Site during the period described above shall remain vested in the City.

#### **SECTION 11 BENEFICIARIES OF THE AGREEMENT**

Each and all of the terms of the Agreement contained herein shall be binding upon and shall insure the benefit of the City and the District to their reproductive successors in interest.

IN WITNESS THEREOF, this Agreement has been duly executed with all the formalities required by law on the respective dates set forth opposite their signatures.

CITY OF MALIBU

Date: \_\_\_\_\_, 2009

\_\_\_\_\_  
Mayor

Attest:

\_\_\_\_\_  
City Clerk

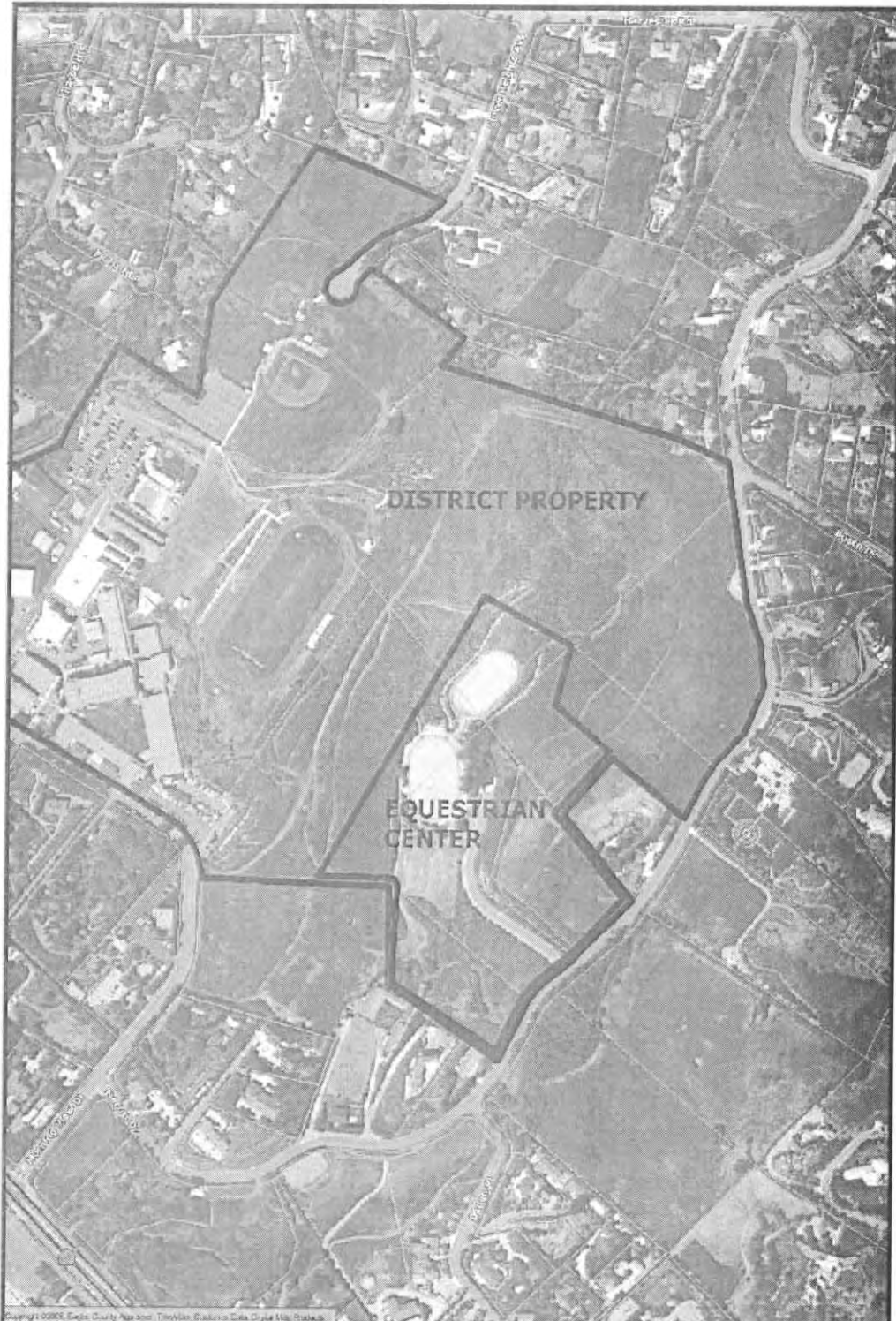
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Date: \_\_\_\_\_, 2009

\_\_\_\_\_  
President

EXHIBIT A

DEPICTION OF THE DISTRICT PROPERTY AND THE SITE



## EXHIBIT B

### INSURANCE REQUIREMENTS

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

#### **Minimum Limits of Insurance.**

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

(1) **Commercial General Liability Insurance:**

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

(2) **Business Auto Liability Insurance:**

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

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

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

#### **Minimum Scope of Insurance.**

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

(2) Business Auto Insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos). Coverage shall be written on Insurance Services Office Form CA 00 01, CA 0005, CA 00 12, and CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

### **Other Insurance Provisions.**

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

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

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

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

### **All Coverages.**

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

Santa Monica Malibu Unified School District  
1651 16<sup>th</sup> Street  
Santa Monica, California 90404  
Attention: Asst. Supt. For Business and Financial Services

### **Acceptability of Insurers.**

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

### **Verification of Coverage.**

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

all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: AMENDMENT TO CONTRACT FOR BID #9.09 CHANGE ORDER #3 -  
DISTRICTWIDE PAINTING - AJ FISTE CORPORATION

RECOMMENDATION NO. A.14

It is recommended that the Board of Education authorize Change Order #3 as an amendment to the contract AJ Fiste Corporation in an amount not to exceed \$4,650.00 for a total contract amount of \$452,189.61.

Funding Information

Budgeted: Yes

Fund: 14

Source: Deferred Maintenance

Account Number: 14-62050-0-00000-81100-5640-XXX-2600

Description: Site Improvement

01-91180-0-xxxxxx-xxxxxx-5640-046-2460

General fund- Barnum Hall

COMMENTS: Change Order #3 represents the work listed below:

ORIGINAL CONTRACT AMOUNT	\$396,270.00
CHANGE ORDER #1	20,959.61
CHANGE ORDER #2	30,310.00
CHANGE ORDER #3	4,650.00
TOTAL CONTRACT AMOUNT	\$452,189.61

This change order constitutes the following additions to the scope of work:

- 1- Samohi - Entry retaining wall on Olympic: Wash, prime and paint according to specifications \$750
- 2- Lincoln - Top of Arcades: Wash, prime and paint top of all arcades through school \$3,900

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)



TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: ADOPT RESOLUTION NO. 08-52 - AWARD OF CONTRACT FOR  
MODERNIZATION WORK DISTRICT-WIDE: CHILD DEVELOPMENT  
SAFETY PROJECTS

RECOMMENDATION NO. A.15

It is recommended that the Board of Education adopt Resolution  
No. 08-52 - Award of Contract for Modernization Work  
Districtwide: Child Development Safety Projects.

COMMENT: The Los Angeles County Department of Education (LACOE)  
approved a last minute, year-end grant to the Santa  
Monica-Malibu Unified District's Head Start Program in the  
amount of \$127,330. Due to year-end allocation  
restrictions, it was necessary to bid the Public Works  
project in a very limited amount of time in order to have  
the contracts encumbered by June 30, 2009, and to have the  
work completed by the end of August in order to receive  
the funding. Summer school at most of the identified sites  
further restricts the times that contractors will be  
allowed to work on the sites to complete the work by the  
start of school in September. In addition, there are State  
Facility Grant monies available to fund some of these  
safety projects. Both grants are site and project  
specific.

District staff provided a job walk and publically bid the  
project, which was due Monday, June 22, 2009. Twenty-four  
(24) contractors were invited to bid, ten (10) attended  
the job walk on June 12, and zero (0) bids were received.  
Due to the time constraints of completing the bids for the  
start of school in September, it is requested that the  
Board of Education approve the following resolution to  
allow a contract award without advertising and bidding.  
Bids have been received from four (4) contractors and will  
be reviewed by staff prior to the end of the month and a  
contract approved, to allow encumbrance of funds by the  
end of the fiscal year 2008-09.

MOTION MADE BY: Mr. Snell  
SECONDED BY: Mr. Allen  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

**BEFORE THE GOVERNING BOARD OF THE  
SANTA MONICA- MALIBU UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 08-52 FOR AWARD OF CONTRACT FOR MODERNIZATION  
WORK DISTRICT-WIDE: CHILD DEVELOPMENT SAFETY PROJECTS**

**WHEREAS**, the Santa Monica- Malibu Unified School District ("District") advertised for bids for modernization work at various District-wide Child Development Classrooms (the "Project") in accordance with Public Contract Code sections 20111 and 20112;

**WHEREAS**, the advertisement for bids for the Project stated that all sealed bids would be received and opened on June 22, 2009, but no bids were timely submitted at that time;

**WHEREAS**, the District must complete all work on the Project as soon as possible in order to permit the continuance of existing school classes, prevent interruption to District programs and operations and to ensure Project funding from a Head Start Grant and from the State Facilities Grant;

**WHEREAS**, competitively bidding the work for the Project again would cause unnecessary delay and would most likely result in the District not receiving bids for the second time;

**WHEREAS**, it would work an incongruity and not produce any advantage to the District to competitively bid the work for the Project due to the fact that no bids were timely received during the prior bid, and that it is likely that the District will not receive bids if it advertises and receives bids for a second time;

**WHEREAS**, Meakin v. Steveland (1977) 68 Cal.App.3d 490 and Los Angeles Dredging v. Long Beach (1930) 210 Cal. 348 hold that statutes requiring competitive bidding do not apply when competitive bidding would work an incongruity or not produce any advantage;

**WHEREAS**, in order to timely complete all necessary work on the Project, the District will request and receive proposals from a minimum of two contractors, and after reviewing all proposals, the District will determine which proposal is in the District's best interest to construct the Project;

**WHEREAS**, the Governing Board of the District desires by a majority of the vote and pursuant to Education Code section 17604 and similar statutes, to delegate authority to its Assistant Superintendent, Chief Financial Officer (Jan Maez) to execute and deliver contracts and agreements, and otherwise negotiate and contract with a contractor to construct the Project, or to otherwise carry out the intent of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the Governing Board makes the following findings:

1. That the above recitals are true and correct.
2. That all work on the Project must be completed as soon as possible in order to permit the continuance of existing school classes, prevent interruption to District programs and operations and to ensure Project funding from a Head Start Grant and from the State.

3. That competitively bidding the work for the Project would cause unnecessary delay and would most likely result in the District not receiving bids again.
4. That it would work an incongruity and not produce any advantage to the District to competitively bid the work for the Project.
5. The District will request and receive proposals from a minimum of two contractors, and after reviewing all proposals, the District will determine which proposal is in the District's best interest to construct the Project.
6. That the District's Governing Board hereby approves the delegation of authority and appoints its Assistant Superintendent, Chief Financial Officer (Jan Maez), who is hereby authorized and directed, pursuant to a majority of the vote of the Governing Board and Education Code section 17604 and similar statutes, to execute and deliver contracts and agreements, and otherwise negotiate and contract with a contractor to construct the Project, or to otherwise carry out the intent of this Resolution, all subject to ratification of the Board of Education.

**APPROVED, PASSED AND ADOPTED** by the Governing Board of the Santa Monica- Malibu Unified School District this 25<sup>th</sup> day of June, 2009, by the following vote:

AYES:

7

NOES:

0

ABSENT:

0

ABSTAINED:

0

I, Ralph Mechur, President of the Santa Monica- Malibu Unified School District Governing Board, do hereby certify that the foregoing is full, true, and correct copy of the Resolution passed and adopted by said Board at a regularly scheduled and conducted meeting held on said date, which Resolution is on file in office of said Board.

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

I, Tim Cuneo, Clerk of the Board of Education of the Santa Monica- Malibu Unified School District Governing Board, do hereby certify that the foregoing Resolution was regularly introduced and adopted by the Board of Education of the Santa Monica- Malibu Unified School District Governing Board at a regular meeting thereof held on the 25<sup>th</sup> day of June, 2009, by the above described vote of the Governing Board;

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the official seal of the Santa Monica- Malibu Unified School District Governing Board this 25<sup>th</sup> day of June, 2009.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT TO CULBERTSON & ASSOCIATES LLC REPRESENTATION  
TO CALIFORNIA COASTAL COMMISSION, FIELD LIGHTING -  
MALIBU HIGH SCHOOL

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve a revision to the fund and account numbers for the contract and amendment to Culbertson & Associates LLC.

Funding Information

Budgeted: Yes

Funds: 21, 01

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5820-010-2600 - 50%  
01-90100-0-00000-82100-5820-010-1500 - 50%

Description: Consultant Services

COMMENTS: The Board approved a contract to Culbertson & Associates, LLP on August 21, 2008 to expedite and coordinate the review by the California Coastal Commission staff in acquiring a permit for field lighting for the Malibu High School project. Pursuant to the original contract, revisions were made in the scope of work such as strategic advice on overall plans for school improvements with respect to the ESHA and ESHA buffer designations, input on strategic coordination of the scope and extent of lighting, and input on the existing Coastal Development Permit. At the May 21, 2009 Board meeting, contract amendment No. 1 was approved. No change in the contract amount is required at this time.

ORIGINAL CONTRACT AMOUNT:	\$ 25,000
CONTRACT AMENDMENT #1	\$ 34,000
TOTAL	\$ 59,000

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #9 FOR SAMPLING AND TESTING TO  
SUPPORT FORM 200s - MALIBU MS/HS AND CABRILLO  
ELEMENTARY SCHOOL - TOPANGA UNDERGROUND - MEASURE BB

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve Contract Amendment #9 with Topanga Underground for ground water sampling and testing at the Malibu and Cabrillo school sites in an amount of \$68,000, for a total contract amount of \$322,221.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600

Description: Independent Contractor / Consultant

COMMENTS: To complete the Form 200s application to the Los Angeles Regional Water Quality Control Board, ground water sampling and test from 11 monitoring wells must be performed in accordance with sampling and testing protocols required by the Waterboard.

ORIGINAL CONTRACT AMOUNT	\$ 11,600
Contract Amendment #1 (Septic Analysis)	\$ 45,207
Contract Amendment #2 (New Septic Survey)	\$ 3,575
Contract Amendment #3 (Water Flow Survey)	\$108,690
Contract Amendment #4 (Septic Work/Permit)	\$ 5,405
Contract Amendment #5 (Septic Excavation)	\$ 15,544
Contract Amendment #6 (Form 200s, Webster)	\$ 30,000
Contract Amendment #7 (Form 200s, Pt. Dume)	\$ 30,000
Contract Amendment #8 (Septic Tanks, Webster)	\$ 4,200
Contract Amendment #9 (Sampling, Testing)	\$ 68,000
TOTAL CONTRACT AMOUNT	\$322,221

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #4 FOR SEWER DRAIN LINE SURVEY AND  
REPORTS - PT. DUME ELEMENTARY SCHOOL - DREW LEWIS  
COMPANY - MEASURE BB

RECOMMENDATION NO. A. 18

It is recommended that the Board of Education approve Contract Amendment #4 with Drew Lewis Company for sewer drain line surveys and investigations at Pt. Dume Elementary School in the amount of \$6,400 for a total contract amount of \$22,700.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-019-2600

Description: Independent Contractor / Consultant

BACKGROUND: At the May 7, 2009 Board meeting, the Board approved an allocation of funding for the Webster and Pt. Dume elementary schools for OWTS investigations. At the May 21, 2009 Board meeting, the Board authorized proceeding with a contract amendment to Topanga Underground to initiate site investigations for Pt. Dume. This amendment for Drew Lewis is part of the necessary site investigations to support the application for permitting of the OWTS at Pt. Dume.

COMMENTS: The original contract was approved by the Board on February 5, 2009. This Contract Amendment #4 is to investigate and detail sewer lines for Pt. Dume. The contract expiration date is also extended from June 30, 2009 to June 30, 2010.

ORIGINAL CONTRACT AMOUNT	\$6,400
Contract Amendment #1 (New Survey )	\$1,600
Contract Amendment #2 (Additional survey)	\$1,900
Contract Amendment #3 (Webster)	<del>\$6,800</del> \$6,400
Contract Amendment #4 (Pt. Dume; time ext.)	\$6,400
TOTAL CONTRACT AMOUNT	\$22,700

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSET

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ/ STUART SAM

RE: CONTRACT AMENDMENT #17 FOR INCREASED ARCHITECTURAL  
SERVICES FOR MALIBU MS/HS CAMPUS IMPROVEMENTS PROJECT:  
NORTH PARKING LOT "A" - MEASURE BB

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve Contract Amendment #17 with HMC Architects to provide additional architectural services for the additional scope related to the reconfiguration of the North Parking Lot "A" in the amount of \$57,340 for a total contract amount of \$5,847,557.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600

Description: Consultant Services

COMMENTS: The additional scope of work for the project was described in Major Action Item A.38 at the May 7, 2009 Board Meeting. As part of the Malibu project, the existing North Parking Lot "A" will be reconfigured to include a new on-site traffic circle and to mitigate and redirect as appropriate drainage away from the adjacent Environmentally Sensitive Habitat Area.

This Contract Amendment #17, for \$57,340 is for the architectural services for additional scope added to the project. The revised contract total will be \$5,847,557.

ORIGINAL CONTRACT AMOUNT (Programming/Schematic Design)	\$961,327
CONTRACT AMENDMENT #1 (Cabrillo SDC-IS)	\$87,995
CONTRACT AMENDMENT #2 (FF&E Standards)	\$92,400
CONTRACT AMENDMENT #3 (DD/CD/CA Malibu Project)	\$3,562,894
CONTRACT AMENDMENT #4 (Pt. Dume/Webster Safety)	\$157,588
CONTRACT AMENDMENT #5 (Malibu Project Public Meetings/EIR)	\$25,144
CONTRACT AMENDMENT #6 (Cabrillo Safety Project)	\$10,304
CONTRACT AMENDMENT #7 (Webster Parking Safety Project)	\$62,344
CONTRACT AMENDMENT #8 (Cabrillo Septic Study)	\$21,647
CONTRACT AMENDMENT #9 (Malibu right turn lane study)	\$68,256
CONTRACT AMENDMENT #10 (Malibu fire protection)	\$25,991
CONTRACT AMENDMENT #11 (Malibu field renderings)	\$8,046
CONTRACT AMENDMENT #12 (Malibu wastewater study)	\$62,037
CONTRACT AMENDMENT #13 (Malibu electrical)	\$34,428
CONTRACT AMENDMENT #14 (Malibu EIR, Traffic, Parking)	\$372,321

CONTRACT AMENDMENT #15 (Webster fire alarm)	\$9,090
CONTRACT AMENDMENT #16 (Malibu, Additional Scope)	\$228,405
CONTRACT AMENDMENT #17 (Malibu, Parking Lot "A")	\$57,340
TOTAL CONTRACT AMOUNT:	\$5,847,557

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)



TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #1 FOR INSPECTION SERVICES - JOHN  
ADAMS MIDDLE SCHOOL - GATEWAY SCIENCE AND ENGINEERING -  
MEASURE BB

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve Contract Amendment #1 with Gateway Science and Engineering for Inspection Services for the John Adams Parking Lot Project, in the amount of \$45,560 for a total contract amount of \$147,010.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-011-1500 \$45,560

Description: Independent Contractor/Consultant

Comments: The Board of Education previously approved Gateway Science and Engineering (GSE) as one of two prequalified Inspection Services consultant at their June 26, 2008 meeting. Division of the State Architect (DSA) Inspection Services are required by code to ensure that school facilities are built to the DSA approved plans and specifications.

District staff requested a proposal from GSE to provide Inspection Services for the John Adams MS Parking Lot project. The contract award for this project is Item No. A.20. For continuity, staff has requested that the Inspector of Record (IPR) that was previously assigned to the John Adams Boys and Girls Cub project continue as IOR for the adjacent parking lot project, as it is being constructed from the same DSA approved plans and specification under a separate construction contract.

This Contract Amendment #1, for \$45,560, is for Inspection Services for John Adams MS. The revised contract total will be \$147,010.

ORIGINAL CONTRACT AMOUNT (Adams Boys Girls Club)	\$101,450
Contract Amendment #1 (Adams parking lot)	\$45,560
<u>TOTAL CONTRACT AMOUNT</u>	<u>\$147,010</u>

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #12 FOR INCREASED SCOPE -  
ARCHITECTURAL SERVICES FOR SEPARATE INTERIM HOUSING  
PACKAGE - LINCOLN MIDDLE SCHOOL - WWCOT - MEASURE BB

RECOMMENDATION NO. A.21

It is recommended that the Board of Education approve Contract Amendment #12 with WWCOT Architects to provide additional architectural services to prepare a separate package for the relocatables to provide interim housing at Lincoln Middle School in an amount not to exceed \$31,755 for a total contract amount of \$3,811,680.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-5802-012-2600

Description: Consultant Services

COMMENTS: During construction of the Measure BB project at Lincoln MS, three relocatable buildings are planned to be installed on site to provide interim housing of the library and classrooms during construction. WWCOT and staff have determined that it will be beneficial to the project schedule to document and construct the interim housing package as separate package. Additionally, separating the interim housing package from the main project should simplify the approval and certification process with the Division of the State Architect.

This Contract Amendment # 12, for \$31,755, is for architectural services to prepare a separate package for the interim housing at Lincoln Middle School. The revised contract total will be \$3,811,680.

ORIGINAL CONTRACT AMOUNT (Prog./Schematic Design)	\$936,032
CONTRACT AMENDMENT #1 (McKinley SDC, Roosevelt Preschool)	\$131,663
CONTRACT AMENDMENT #2 (Data Center)	\$99,420
CONTRACT AMENDMENT #3 (DD/CD/CA)	\$2,195,078
CONTRACT AMENDMENT #4 (Roosevelt Revised Design)	\$70,435
CONTRACT AMENDMENT #5 (Data Center structural revisions)	\$6,925
CONTRACT AMENDMENT #6 (McKinley Safety Proj.)	\$168,697
CONTRACT AMENDMENT #7 (Lincoln MS Revised Design)	\$92,592
CONTRACT AMENDMENT #8 (Lincoln Fire Protection)	\$17,538
CONTRACT AMENDMENT #9 (Landscape and Planting Standards)	\$30,245

CONTRACT AMENDMENT #10 (Add'l Landscape Standards)	\$5,200
CONTRACT AMENDMENT #11 (PV Standard Specs)	\$26,100
CONTRACT AMENDMENT #12 (Lincoln Interim housing) (A.21)	\$31,755
TOTAL CONTRACT AMOUNT	\$3,811,680

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #13 FOR INCREASED SCOPE -  
ARCHITECTURAL SERVICES FOR SANITARY SEWER  
REHABILITATION - LINCOLN MIDDLE SCHOOL - WWCOT -  
MEASURE BB

RECOMMENDATION NO. A.22

It is recommended that the Board of Education approve Contract Amendment #13 with WWCOT Architects to provide additional architectural and engineering services for the design and documentation of rehabilitation of the existing sanitary sewer line at Lincoln Middle School in an amount not to exceed \$15,569 for a total contract amount of \$3,827,249.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-5802-012-2600

Description: Consultant Services

COMMENTS: Based on results of sewer area study survey provided by the District it was determined that the existing sanitary sewer line serving the Lincoln MS site is not adequate to support the planned development of the campus.

District staff requested that WWCOT provide a proposal to provide architectural and engineering services to study possible options and propose a solution to resolve the flow issue with the existing sewer line, including the following scope of work:

- Perform site investigations as required to verify the existing conditions.
- Provide alternative solutions/flow studies.
- Prepare cost estimate.
- Attend meetings with the District and utility service provider.
- Prepare Construction Documents.

This Contract Amendment # 13, for \$15,569, is for architectural and engineering services to prepare a separate package for the interim housing at Lincoln Middle School. The revised contract total will be \$3,827,249.

ORIGINAL CONTRACT AMOUNT (Prog./Schematic Design)	\$936,032
CONTRACT AMENDMENT #1 (McKinley SDC, Roosevelt Preschool)	\$131,663
CONTRACT AMENDMENT #2 (Data Center)	\$99,420
CONTRACT AMENDMENT #3 (DD/CD/CA)	\$2,195,078
CONTRACT AMENDMENT #4 (Roosevelt Revised Design)	\$70,435
CONTRACT AMENDMENT #5 (Data Center structural revisions)	\$6,925
CONTRACT AMENDMENT #6 (McKinley Safety Proj.)	\$168,697
CONTRACT AMENDMENT #7 (Lincoln MS Revised Design)	\$92,592
CONTRACT AMENDMENT #8 (Lincoln Fire Protection)	\$17,538
CONTRACT AMENDMENT #9 (Landscape and Planting Standards)	\$30,245
CONTRACT AMENDMENT #10 (Add'l Landscape Standards)	\$5,200
CONTRACT AMENDMENT #11 (PV Standard Specs)	\$26,100
CONTRACT AMENDMENT #12 (Lincoln Interim housing) (A.21)	\$31,755
CONTRACT AMENDMENT #13 (Lincoln sewer line) (A.22)	\$15,569
TOTAL CONTRACT AMOUNT	\$3,827,249

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #14 FOR INCREASED SCOPE -  
ARCHITECTURAL SERVICES FOR FIRE SPRINKLER DESIGN AT  
BUILDING E - LINCOLN MIDDLE SCHOOL - WWCOT - MEASURE BB

RECOMMENDATION NO. A.23

It is recommended that the Board of Education approve Contract Amendment #14 with WWCOT Architects to provide additional architectural and engineering services for fire protection design for Existing Building E at Lincoln Middle School in an amount not to exceed \$54,933 for a total contract amount of \$3,882,182.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-5802-012-2600

Description: Consultant Services

COMMENTS: At their January 15, 2009 meeting, the Board of Education approved Contract Amendment #8 to WWCOT to provide Automatic Fire Sprinkler System (AFSS) design for the new construction portion of the Measure BB project at Lincoln MS. During the Construction Documents Phase, WWCOT determined that AFSS were also required by code to be installed throughout the existing Building E as part of the modernization project planned for that building.

In December 2007, the Division of the State Architect (DSA) issued Bulletin 07-04 announcing their intentions to issuing Stop Work Orders for Automatic Fire Sprinkler Systems (AFSS) that are being installed without approved plans. As AFSS design has traditionally been a design-build package completed by the contractor and submitted to DSA as a deferred submittal, this service is normally excluded from the scope of architectural services for the Measure BB projects.

District staff recognized that including the design of the AFSS in the original DSA submittal is not only preferred by DSA, but could also potentially avoid major delays during construction and assist with timely DSA close-out. Therefore, District Staff

requested a fee proposal from WWCOT for the additional scope to provide AFSS design at existing Building E.

This Contract Amendment #14, for \$54,933, is for the architectural and engineering services to provide architectural and engineering services for fire protection design, including Automatic Fire Sprinkler Systems for existing Building E at Lincoln MS. The revised contract total will be \$3,882,182.

ORIGINAL CONTRACT AMOUNT (Prog./Schematic Design)	\$936,032
CONTRACT AMENDMENT #1 (McKinley SDC, Roosevelt Preschool)	\$131,663
CONTRACT AMENDMENT #2 (Data Center)	\$99,420
CONTRACT AMENDMENT #3 (DD/CD/CA)	\$2,195,078
CONTRACT AMENDMENT #4 (Roosevelt Revised Design)	\$70,435
CONTRACT AMENDMENT #5 (Data Center structural revisions)	\$6,925
CONTRACT AMENDMENT #6 (McKinley Safety Proj.)	\$168,697
CONTRACT AMENDMENT #7 (Lincoln MS Revised Design)	\$92,592
CONTRACT AMENDMENT #8 (Lincoln Fire Protection)	\$17,538
CONTRACT AMENDMENT #9 (Landscape and Planting Standards)	\$30,245
CONTRACT AMENDMENT #10 (Add'l Landscape Standards)	\$5,200
CONTRACT AMENDMENT #11 (PV Standard Specs)	\$26,100
CONTRACT AMENDMENT #12 (Lincoln Interim housing) (A.21)	\$31,755
CONTRACT AMENDMENT #13 (Lincoln sewer line) (A.22)	\$15,569
CONTRACT AMENDMENT #14 (Lincoln sprinklers at E)(A.23)	\$54,933
TOTAL CONTRACT AMOUNT	\$3,882,182

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #16 FOR INCREASE SCOPE - TOPOGRAPHIC  
SURVEYS AND DIGITAL MAPPING FOR ADDITIONAL SURVEY WORK  
- JOHN ADAMS MIDDLE SCHOOL - PSOMAS - MEASURE BB - RFP  
#8.09

RECOMMENDATION NO. A.24

It is recommended that the Board of Education award Contract Amendment #16 to Psomas for additional design survey services at John Adams Middle School for the Measure BB program in the amount of \$8,379, for a total contract amount of \$969,929.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-011-2600 (JAMS) \$8,379

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope by the design team, additional detailed survey was required in order to coordinate the relation between the specific existing campus elements, the completed Boys & Girls Club project, and with proposed grading around existing trees and proposed design solution.

This Contract Amendment #16, for \$8,379, is for additional survey work as designated by the design team at John Adams Middle School which requires greater detail to support the design of the new facilities.

ORIGINAL CONTRACT AMOUNT	\$ 249,450
Contract Amendment#1 (Survey, 4 Sites)	\$ 92,200
Contract Amendment#2 (Samohi Utilities Map)	\$ 39,600
Contract Amendment#3 (Survey, 2 Sites)	\$ 38,000
Contract Amendment#4 (Survey, 4 Sites)	\$ 63,000
Contract Amendment#5 (Survey, 4 Sites)	\$ 99,900
Contract Amendment#6 (Survey/Utilities Mapping, 4 Sites)	\$ 84,500
Contract Amendment #7 (Survey, 5 Sites)	\$ 72,600
Contract Amendment #8 (MMHS, Sewer, Easement)	\$ 63,500
Contract Amendment #9 (Samohi, Olympic)	\$ 99,000
Contract Amendment #10 (Samohi survey)(A.16)	\$ 7,500
Contract Amendment #11 (Lincoln survey)(A.17)	\$ 15,000
Contract Amendment #12 (MMHS survey)	\$ 5,500
Contract Amendment #13 (Webster survey)	\$ 22,500



Contract Amendment #14 (MMHS survey)	\$ 7,500
Contract Amendment #15 (MMHS slope analysis)	\$ 1,800
Contract Amendment #16 (JAMS design survey) (A.24)	\$ 8,379
TOTAL CONTRACT AMOUNT	\$ 969,929

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #17 FOR INCREASED SCOPE -  
TOPOGRAPHIC SURVEYS AND DIGITAL MAPPING FOR ADDITIONAL  
SURVEY WORK - MALIBU MS/HS - PSOMAS - MEASURE BB - RFP  
#8.09

RECOMMENDATION NO. A.25

It is recommended that the Board of Education award Contract Amendment #17 to Psomas for additional design survey services at Malibu Middle/High School for the Measure BB program in the amount of \$29,246, for a total contract amount of \$999,175.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600 (MMHS) \$29,246

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope by the design team, additional services are required: detailed field survey over Parking Lot "D" and easterly portion of the campus, east of Merritt Drive; full width cross sections along Merritt Drive, abutting the fill area; establishment of Merritt Avenue along the entire length of campus; plotting of the applicable easements from Title Report; and printing and transmittal as required.

This Contract Amendment #17, for \$29,246, is for additional survey work as designated by the design team at Malibu Middle/High School which requires greater detail to support the design of the new facilities.

ORIGINAL CONTRACT AMOUNT	\$ 249,450
Contract Amendment#1 (Survey, 4 Sites)	\$ 92,200
Contract Amendment#2 (Samohi Utilities Map)	\$ 39,600
Contract Amendment#3 (Survey, 2 Sites)	\$ 38,000
Contract Amendment#4 (Survey, 4 Sites)	\$ 63,000
Contract Amendment#5 (Survey, 4 Sites)	\$ 99,900
Contract Amendment#6 (Survey/Utilities Mapping, 4 Sites)	\$ 84,500
Contract Amendment#7 (Survey, 5 Sites)	\$ 72,600
Contract Amendment #8 (MMHS, Sewer, Easement)	\$ 63,500
Contract Amendment #9 (Samohi, Olympic)	\$ 99,000

Contract Amendment #10	(Samohi survey) (A.16)	\$ 7,500
Contract Amendment #11	(Lincoln survey) (A.17)	\$ 15,000
Contract Amendment #12	(MMHS survey)	\$ 5,500
Contract Amendment #13	(Webster survey)	\$ 22,500
Contract Amendment #14	(MMHS survey)	\$ 7,500
Contract Amendment #15	(MMHS slope analysis)	\$ 1,800
Contract Amendment #16	(JAMS design survey) (A.24)	\$ 8,379
<u>Contract Amendment #17</u>	<u>(MMHS design survey) (A.25)</u>	<u>\$ 29,246</u>
TOTAL CONTRACT AMOUNT		\$ 999,175

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #18 FOR INCREASE SCOPE - TOPOGRAPHIC  
SURVEYS AND DIGITAL MAPPING FOR ADDITIONAL SURVEY WORK  
- POINT DUME MARINE SCIENCE SCHOOL - PSOMAS - MEASURE  
BB - RFP #8.09

RECOMMENDATION NO. A.26

It is recommended that the Board of Education award Contract Amendment #18 to Psomas for additional survey services at Point Dume Marine Science Elementary School for the Measure BB program in the amount of \$23,574, for a total contract amount of \$1,022,749.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-019-2600 (PDES) \$23,574

Description: Independent Contractor / Consultant

COMMENTS: In developing the requirements for Waterboard submittal for the Onsite Wastewater Treatment System, additional services are required to field edit for utilities, invert elevations on sewer and storm drain manholes, property line establishment from Title Report; and printing and transmittal as required.

This Contract Amendment #18, for \$23,574, is for additional survey services to support the Point Dume Marine Science Elementary School Waterboard review and permitting process.

ORIGINAL CONTRACT AMOUNT	\$ 249,450
Contract Amendment#1 (Survey, 4 Sites)	\$ 92,200
Contract Amendment#2 (Samohi Utilities Map)	\$ 39,600
Contract Amendment#3 (Survey, 2 Sites)	\$ 38,000
Contract Amendment#4 (Survey, 4 Sites)	\$ 63,000
Contract Amendment#5 (Survey, 4 Sites)	\$ 99,900
Contract Amendment#6 (Survey/Utilities Mapping, 4 Sites)	\$ 84,500
Contract Amendment#7 (Survey, 5 Sites)	\$ 72,600
Contract Amendment #8 (MMHS, Sewer, Easement)	\$ 63,500
Contract Amendment #9 (Samohi, Olympic)	\$ 99,000
Contract Amendment #10 (Samohi survey) (A.16)	\$ 7,500
Contract Amendment #11 (Lincoln survey) (A.17)	\$ 15,000
Contract Amendment #12 (MMHS survey)	\$ 5,500
Contract Amendment #13 (Webster survey)	\$ 22,500

Contract Amendment #14	(MMHS survey)	\$	7,500
Contract Amendment #15	(MMHS slope analysis)	\$	1,800
Contract Amendment #16	(JAMS design survey) (A.24)	\$	8,379
Contract Amendment #17	(MMHS design survey) (A.25)	\$	29,246
Contract Amendment #18	(PDES survey) (A.26)	\$	23,574
TOTAL CONTRACT AMOUNT			\$1,022,749

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #9 FOR INCREASED ARCHITECTURAL  
SERVICES FOR DEVELOPMENT OF DISTRICT STANDARD  
SPECIFICATIONS - DALY GENIK/IBI - MEASURE BB

RECOMMENDATION NO. A.27

It is recommended that the Board of Education approve Contract Amendment #9 with Daly Genik/IBI provide architectural services for the development of District Standard Specifications for Measure "BB" projects in an amount not to exceed \$29,400, for a total contract amount of \$3,827,102.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-5802-050-2600

Description: Consultant Services

COMMENTS: At their July 24, 2008 meeting, the Board of Education approved Contract Amendment #3 to Daly Genik/IBI to provide services to develop District Standard Specifications for the Measure BB projects. Daly Genik/IBI has completed the scope of work as defined by that contract amendment.

District staff requested a proposal from Daly Genik/IBI to continue to provide services to coordinate and update District Standard Specifications as required to prepare the Measure BB projects for bidding and construction.

Daly Genik/IBI submitted a proposal to provide the following scope of work:

- Update General Conditions and coordinate with Division 01 specifications
- Coordinate District Design Standards with District Standard Specifications and finalize document for publication.
- Revise and update District Standard Specification sections as required.

This Contract Amendment #9, for \$29,400, is for the architectural and engineering services to coordinate and update District Standard Specifications and Design Standards. The revised contract total will be \$3,827,102.

ORIGINAL CONTRACT AMOUNT (Prog./Schem.Design)	\$536,695
CONTRACT AMENDMENT #1 (Revised Schematic)	\$78,000
CONTRACT AMENDMENT #2 (DD/CD/CA)(rev.)	\$2,876,732
CONTRACT AMENDMENT #3 (Dist. Stand. Specs)	\$40,000
CONTRACT AMENDMENT #4 (Library Study)	\$7,750
CONTRACT AMENDMENT #5 (2 Add'l Designs)(rev.)	\$94,800
CONTRACT AMENDMENT #6 (Fire Protection Design)	25,025
CONTRACT AMENDMENT #7 (Design revisions)	\$64,700
CONTRACT AMENDMENT #8 (Rev.-Pre-school, canopy)	\$74,000
CONTRACT AMENDMENT #9 (Dist. Std. Specs, Design Stds.)	\$29,400
TOTAL CONTRACT AMOUNT	\$3,827,102

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #5 FOR CONSULTING ARBORIST SERVICES  
- GRANT, MCKINLEY, AND WEBSTER ELEMENTARY SCHOOLS - CY  
CARLBERG - MEASURE BB

RECOMMENDATION NO. A.28

It is recommended that the Board of Education approve Contract Amendment #5 with Cy Carlberg, Registered Consulting Arborist, for Consulting Arborist Services for the Measure BB Safety and Security Projects at Grant Elementary School, McKinley Elementary School and Webster Elementary School, in the amount of \$14,040 for a total contract amount of \$93,350.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-003-1500 (Grant) \$4,290

21-00000-0-00000-85000-5802-004-1500 (McKinley) \$4,290

21-00000-0-00000-85000-5802-008-1500 (Webster) \$5,460

Description: Independent Contractor/Consultant

Comments: Consulting Arborist Services are necessary in order to insure proper design and handling of the District's tree and shrub resources during design and construction of the Measure BB projects.

District staff requested proposals from Cy Carlberg, District Consulting Arborist, to provide arborist services for the safety and security projects being designed at Grant ES, McKinley ES and Webster ES. The current designs for the safety and security projects at Will Rogers Leaning Community and Juan Cabrillo ES do not result in any potential impacts to existing trees.

Consulting Arborists services include the following activities:

- Review site plans, irrigation plans, grading plans, and planting plans.
- Site visit and evaluation of existing trees.
- Prepare photo-documented report.
- Develop Tree Protection Plan (draft tree numbers, accurate canopy spreads, location of protective fencing, tree protection specifications).
- Construction Monitoring.



This Contract Amendment #5, for \$14,040, is for Consulting Arborist Services for the safety and security projects at three elementary school sites. The revised contract total will be \$93,350.

In addition, Contract Amendments #1 and #3 are renumbered to reflect the actual executed contract amendments with Cy Carlberg.

ORIGINAL CONTRACT AMOUNT (Adams, Lincoln)	\$17,550
Contract Amendment #1 (Malibu, Samohi)	\$32,460
Contract Amendment #2 (Edison)	\$13,920
Contract Amendment <del>#1</del> #3 (Malibu, Samohi)	\$4,380
Contract Amendment <del>#3</del> #4 (Community Outreach)	\$11,000
Contract Amendment #5 (Grant, McKinley, Webster)	\$14,040
TOTAL CONTRACT AMOUNT	\$93,350

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #6 FOR CONSULTING ARBORIST SERVICES  
- OLYMPIC HIGH SCHOOL AND WASHINGTON CHILD DEVELOPMENT  
SERVICES - CY CARLBERG - MEASURE BB

RECOMMENDATION NO. A.29

It is recommended that the Board of Education approve Contract Amendment #6 with Cy Carlberg, Registered Consulting Arborist, for Consulting Arborist Services for the Measure BB Projects at Olympic High School and Washington East/West Child development Services, in the amount of \$8,580 for a total contract amount of \$101,930.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-014-1500 (Olympic) \$4,290

21-00000-0-00000-85000-5802-070-1500 (Wash.CDS) \$4,290

Description: Independent Contractor/Consultant

Comments: Consulting Arborist Services are necessary in order to insure proper design and handling of the District's tree and shrub resources during design and construction of the Measure BB projects.

District staff requested proposals from Cy Carlberg, District Consulting Arborist, to provide arborist services for the projects being designed at Olympic HS and Washington East/West CDS.

Consulting Arborists services include the following activities:

- Review site plans, irrigation plans, grading plans, and planting plans.
- Site visit and evaluation of existing trees.
- Prepare photo-documented report.
- Develop Tree Protection Plan (draft tree numbers, accurate canopy spreads, location of protective fencing, tree protection specifications).
- Construction Monitoring.

This Contract Amendment #6, for \$8,590, is for Consulting Arborist Services for Olympic HS and Washington East/West CDS. The revised contract total will be \$101,930.

ORIGINAL CONTRACT AMOUNT (Adams, Lincoln)	\$17,550
Contract Amendment #1 (Malibu, Samohi)	\$32,460
Contract Amendment #2 (Edison)	\$13,920
Contract Amendment #3 (Malibu, Samohi)	\$4,380
Contract Amendment #4 (Community Outreach)	\$11,000
Contract Amendment #5 (Grant,McKinley,Webster)(A.28)	\$14,040
Contract Amendment #6 (Olympic, Washington)	\$8,580
TOTAL CONTRACT AMOUNT	\$101,930

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #5 FOR PRELIMINARY GEOLOGIC  
INVESTIGATION AND REPORTS FOR WASTEWATER SYSTEM  
REQUIREMENTS - PT. DUME ELEMENTARY SCHOOL -  
GEOCONCEPTS, INC. - MEASURE BB

RECOMMENDATION NO. A.30

It is recommended that the Board of Education approve Contract Amendment #5 for GeoConcepts, Inc., for a preliminary geologic investigation of the existing wastewater system at Pt. Dume Elementary School in an amount of \$25,280 for a total contract amount of \$143,300.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-019-2600

Description: Independent Contractor / Consultant

COMMENTS: At the May 7, 2009 Board meeting, funding for the investigations was approved. At the May 21, 2009 Board meeting, a contract amendment to Topanga Underground was approved for initial system investigations. This Contract Amendment # 5 to GeoConcepts provides for geotechnical investigations including installation of three (3) monitoring wells at the Pt. Dume Elementary School site.

Original Contract Amount:	\$ 6,000
Contract Amendment #1 (Monitoring Wells)	\$73,500
Contract Amendment #2 (Saturday Work)	\$10,440
Contract Amendment #3 (Percolation Tests)	\$10,000
Contract Amendment #4 (Geotech, Webster)	\$18,080
Contract Amendment #5 (Geotech, Pt. Dume)	\$25,280
Total Contract Amount:	\$143,300

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #2 FOR NETWORLD SOLUTIONS - MEASURE  
BB

RECOMMENDATION NO. A.31

It is recommended that the Board of Education approve Contract Amendment #2 with Networld Solutions in the amount of \$115,000 for a total contract amount of \$314,000.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00003-0-00000-85000-5802-050-2600

Description: Independent Contractor / Consultant

BACKGROUND: As a part of the Measure BB program, technology improvements have been planned and partially implemented across the entire District. Networld Solutions has been instrumental in developing the strategic vision, planning, and implementation of technology improvements for the Measure BB program.

COMMENTS: The original contract was approved by the Board on October 4, 2007. This Contract Amendment #2 is to continue the implementation of the Measure BB Technology Program. The contract expiration date is also extended from June 30, 2009 to June 30, 2011.

ORIGINAL CONTRACT AMOUNT	\$49,000
Contract Amendment #1	\$150,000
Contract Amendment #2	\$115,000
TOTAL CONTRACT AMOUNT	\$314,000

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #13 FOR ADDITIONAL PHASE I  
ENVIRONMENTAL SCREENING SERVICES - MALIBU MS/HS CAMPUS  
IMPROVEMENTS - LFR - MEASURE BB

RECOMMENDATION NO. A.32

It is recommended that the Board of Education approve Contract Amendment #13 with LFR for an expanded Phase I environmental screening for the Malibu Middle School and High School Campus Improvement project, Measure BB program, in the amount of \$860 for a total contract amount of \$455,138.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600

Description: Independent Contractor / Consultant

COMMENTS: At the May 7, 2009 Board Meeting, changes to the scope and budget of the Malibu project were approved to proceed. Adjustments to the Phase 1 environmental screening and documentation are required.

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
Contract Amendment #9 (Sampling Lincoln)	\$ 16,808
Contract Amendment #10 (Sampling Adams)	\$ 21,608
Contract Amendment #11 (sampling RAW Adams)	\$ 25,320
Contract Amendment #12 (samp. RAW Lincoln)	\$ 31,970
Contract Amendment #13 (Revised Phase 1, Malibu)	\$ 860
TOTAL CONTRACT AMOUNT	\$455,138

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: AWARD OF BID #9.14 - DSA APPLICATION # APP03-109232  
JOHN ADAMS PARKING LOT TO GRAPH COMPANY - MEASURE BB

RECOMMENDATION NO. A.33

It is recommended that the Board of Education award Bid #9.14 for DSA Application# APP03-109232 John Adams Parking Lot to Graph Company, in an amount not to exceed \$ 359,500.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-6200-011-2600

COMMENTS: This project includes completion of the parking lot construction at John Adams Middle School. The scope of work includes finish, grading, utilities, flatwork, landscape planting and irrigation.

Bids were sent to twenty-six (26) contractors, nineteen (19) contractors attended the mandatory job walk on April 16 2009, and four (4) bidders submitted bids as follows:

Graph Company	\$ 359,500
C S Legacy Construction, Inc.	\$ 367,962
Excel Paving Company	\$ 440,450
Dreyfuss Construction	\$ 469,765

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION ACTION/CONSENT  
06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM ADDENDUM

RE: CONTRACT AMENDMENT #2 WITH CAA PLANNING FOR MITIGATED  
NEGATIVE DECLARATION, FOOTBALL FIELD LIGHTING ONLY -  
MALIBU HIGH SCHOOL

RECOMMENDATION NO. A.33a

It is recommended that the Board of Education approve Contract Amendment #2 for additional professional services to CAA Planning for completion of the Mitigated Negative Declaration (MND) in support of the football field lighting project for Malibu High School in an amount not to exceed \$46,268, for a total contract amount of \$71,118.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Building Fund (Temporary)  
Account Number: 21-00000-0-00000-85000-5802-010-2600  
Description: Consultant Services

COMMENTS: On August 21, 2008, the BOE approved a contract with CAA Planning for preparing, submitting, and processing an amendment to Coastal Development Permit #04-99-276 to permit Malibu High School Football lighting. On January 5, 2009, Amendment #1 was BOE approved for additional professional services to prepare an MND based upon temporary lighting, minimal consultation coordination, and comments focused only on lighting details. This Amendment #2 provides additional services for analyzing two additional project design scenarios, intensive consultant coordination, and responding to extensive public comments that included the City of Malibu. Amendment #2 also includes the payment of filing fees to the LA County Clerk's office and the California Department of Fish and Game.

ORIGINAL CONTRACT AMOUNT (8/21/08)	\$ 7,000
CONTRACT AMENDMENT #1 (CDP Amendment)	\$17,850
CONTRACT AMENDMENT #2 (MND Changes)	\$46,268
TOTAL CONTRACT AMOUNT	\$71,118

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)



TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.34

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

**ADDITIONAL ASSIGNMENTS**

ADAMS MIDDLE SCHOOL

Brown, Dan	2 hrs @\$40.46	6/15/09	Est Hrly/\$81
Jurewicz, Kristin	2 hrs @\$40.46	6/15/09	Est Hrly/\$81
Lathanh, Tony	2 hrs @\$40.46	6/15/09	Est Hrly/\$81
TOTAL ESTABLISHED HOURLY			\$243

Comment: Curriculum Planning  
01-Targeted Instr. Imprvmnt BG

CHILD DEVELOPMENT SERVICES

Niemi, Charlene	13 hrs @\$40.46	10/4/09-6/30/09	Est Hrly/\$526
TOTAL ESTABLISHED HOURLY			\$526

Comment: CPR and First Aid Classes  
12-Head Start Basic

EDUCATIONAL SERVICES

Cervantes, Hayde	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Chen, Lillian	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Clark, Julie	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Daruty, Lila	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Gusmao-Garcia, R.	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Hopkins, Miriam	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Hwang, Genie	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Johnson, Rebecca	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Levy, Nancy	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Loc, Dalia	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Mulkern, Nicole	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Ostrom, Michael	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Posey, Stephen	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Sanschagrín, Marc	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Scheer, Susan	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Talbott, Deborah	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Witt, Carl	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
TOTAL ESTABLISHED HOURLY			\$8,262

Comment: Elementary Intensive Intervention Summer School  
Staff Development and Parent Workshop  
01-Gifts - Equity Fund

Anderson, Meredith	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
DiMercurio, Joseph	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Jones, Julie	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Kertesz, Charles	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Lapajne, Katy	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Moazzez, Rozita	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
O'Brien, Marianna	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Post, Joel	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
TOTAL ESTABLISHED HOURLY			\$3,888

Comment: Middle School Intensive Intervention Summer School  
Staff Development and Parent Workshop  
01-Gifts - Equity Fund

Acker, Nathaniel	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Alvarado, Robert	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Bart-Bell, Dana	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Beeman-Solano, Amy	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Clark, Jason	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Cox, Shannon	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
De la Cruz, Gilda	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Dew, Stephanie	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Hafft, Ianna	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Kusion, Lisa	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Lima, Alaina	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Lipetz, Sarah	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Luong, Theresa	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Mayle, Alexander	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Semik, Renee	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Skaggs, Debbie	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Veral, Ramon	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486
Wintner, Lisa	12 hrs @\$40.46	6/24/09-6/25/09	Est Hrly/\$486

TOTAL ESTABLISHED HOURLY      \$8,748

Comment:      High School Intensive Intervention Summer School  
                  Staff Development and Parent Workshop  
                  01-Gifts - Equity Fund

SANTA MONICA HIGH SCHOOL

Demirijian, Lisa	22 hrs @\$40.46	2/21/09-4/30/09	Est Hrly/\$ 890
Simone, Laura	28 hrs @\$40.46	2/21/09-4/30/09	Est Hrly/\$1,133
Trundle, Al	26 hrs @\$40.46	2/21/09-4/30/09	Est Hrly/\$1,052

TOTAL ESTABLISHED HOURLY      \$3,075

Comment:      9<sup>th</sup> and 10<sup>th</sup> Grade Parent Meetings  
                  01-Pupil Retention Block Grant      - 58%  
                  01-Unrestrict Resource                      - 42%

Beeman-Solano, Amy	10 hrs @\$40.46	4/14/09-5/20/09	Est Hrly/\$405
Karyadi, Adrienne	10 hrs @\$40.46	4/14/09-5/20/09	Est Hrly/\$405
Stevens, Maria	10 hrs @\$40.46	4/14/09-5/20/09	Est Hrly/\$405

TOTAL ESTABLISHED HOURLY      \$1,215

Comment:      Student Supervision during Testing  
                  01-CAHSEE Intensive Instr & Serv

SPECIAL EDUCATION

Heyler, Sioux	23 days @\$381.18	6/29/09-7/31/09	Own Daily/\$8,767
---------------	-------------------	-----------------	-------------------

TOTAL OWN DAILY      \$8,767

Comment:      Workability - Extended School Year  
                  01-Dept Rehab: Transittn Partnrshp      - 80%  
                  01-Sp Ed: Workability I LEA                      - 20%  
                  {2009-2010 Budget}

WILL ROGERS ELEMENTARY SCHOOL

Harris, Jerold	21 days @\$534.64	5/11/09-6/30/09	Own Daily/\$11,227
----------------	-------------------	-----------------	--------------------

TOTAL OWN DAILY      \$11,227

Comment:      Substitute Principal  
                  01-Unrestricted Resource

**SUMMER SCHOOL - {2009-2010 Budget}**

(80% own daily rate unless otherwise noted)

EDUCATIONAL SERVICES

Posey, Stephen	19 days @\$277.82	6/29/09-7/24/09	Own Daily/\$5,279
Scheer, Susan	19 days @\$369.29	6/29/09-7/24/09	Own Daily/\$7,017

TOTAL OWN DAILY      \$12,296

Comment:      Elementary Intensive Intervention Summer School (Malibu)  
                  01-Unrestricted Resource

Cervantes, Hayde	19 days	@\$195.70	6/29/09-7/24/09	Own Daily/\$3,718
Chen, Lillian	19 days	@\$309.66	6/29/09-7/24/09	Own Daily/\$5,884
Clark, Julie	19 days	@\$325.57	6/29/09-7/24/09	Own Daily/\$6,186
Daruty, Lila	19 days	@\$325.57	6/29/09-7/24/09	Own Daily/\$6,186
Gusmao-Garcia, R.	19 days	@\$349.05	6/29/09-7/24/09	Own Daily/\$6,632
Hopkins, Miriam	19 days	@\$397.22	6/29/09-7/24/09	Own Daily/\$7,547
Hwang, Genie	19 days	@\$289.02	6/29/09-7/24/09	Own Daily/\$5,491
Johnson, Rebecca	19 days	@\$339.86	6/29/09-7/24/09	Own Daily/\$6,457
Levy, Nancy	19 days	@\$318.00	6/29/09-7/24/09	Own Daily/\$6,042
Loc, Dalia	19 days	@\$249.23	6/29/09-7/24/09	Own Daily/\$4,735
Mulkern, Nicole	19 days	@\$325.57	6/29/09-7/24/09	Own Daily/\$6,186
Ostrom, Michael	19 days	@\$292.26	6/29/09-7/24/09	Own Daily/\$5,553
Sanschagrin, Marc	19 days	@\$397.22	6/29/09-7/24/09	Own Daily/\$7,547
Talbott, Deborah	19 days	@\$337.51	6/29/09-7/24/09	Own Daily/\$6,413
Witt, Carl	19 Days	@\$337.51	6/29/09-7/24/09	<u>Own Daily/\$6,413</u>
TOTAL OWN DAILY				\$90,450

Comment: Elementary Intensive Intervention Summer School (Santa Monica)  
01-Unrestricted Resource

Anderson, Meredith	24 days	@\$241.67	6/29/09-7/31/09	Own Daily/\$5,800
DiMercurio, Joe (40%)	24 days	@\$198.61	6/29/09-7/31/09	Own Daily/\$4,767
Jones, Julie	24 days	@\$325.57	6/29/09-7/31/09	Own Daily/\$7,814
Kertesz, Charles	24 days	@\$292.66	6/29/09-7/31/09	Own Daily/\$7,024
Lapajne, Katy	24 days	@\$317.61	6/29/09-7/31/09	Own Daily/\$7,623
Moazzez, Rozita	24 days	@\$397.22	6/29/09-7/31/09	Own Daily/\$9,533
O'Brien, Marianna(40%)	24 days	@\$151.05	6/29/09-7/31/09	Own Daily/\$3,625
Post, Joel	24 days	@\$397.22	6/29/09-7/31/09	<u>Own Daily/\$9,533</u>
TOTAL OWN DAILY				\$55,719

Comment: Middle School Intensive Intervention Summer School  
01-Unrestricted Resource

Acker, Nathaniel	29 days	@\$325.57	6/29/09-8/7/09	Own Daily/\$ 9,442
Alvarado, Robert	29 days	@\$254.34	6/29/09-8/7/09	Own Daily/\$ 7,376
Bart-Bell, Dana	29 days	@\$305.34	6/29/09-8/7/09	Own Daily/\$ 8,855
Beeman-Solano, A.	29 days	@\$369.29	6/29/09-8/7/09	Own Daily/\$10,709
Clark, Jason	29 days	@\$317.61	6/29/09-8/7/09	Own Daily/\$ 9,211
Cox, Shannon (40%)	29 days	@\$120.84	6/29/09-8/7/09	Own Daily/\$ 3,504
De La Cruz, Gilda	29 days	@\$325.57	6/29/09-8/7/09	Own Daily/\$ 9,442
Dew, Stephanie	29 days	@\$397.22	6/29/09-8/7/09	Own Daily/\$11,519
Hafft, Ianna	29 days	@\$262.30	6/29/09-8/7/09	Own Daily/\$ 7,607
Kusion, Alex	29 days	@\$397.22	6/29/09-8/7/09	Own Daily/\$11,519
Lima, Alaina (40%)	29 days	@\$130.42	6/29/09-8/7/09	Own Daily/\$ 3,782
Lipetz, Sarah	29 days	@\$270.26	6/29/09-8/7/09	Own Daily/\$ 7,838
Luong, Theresa	29 days	@\$325.57	6/29/09-8/7/09	Own Daily/\$ 9,442
Mayle, Alexander	29 days	@\$278.22	6/29/09-8/7/09	Own Daily/\$ 8,068
Semik, Renee	29 days	@\$268.39	6/29/09-8/7/09	Own Daily/\$ 7,783
Skaggs, Debbie	29 days	@\$318.00	6/29/09-8/7/09	Own Daily/\$ 9,222
Veral, Ramon	29 days	@\$235.49	6/29/09-8/7/09	Own Daily/\$ 6,829
Wintner, Lisa	29 days	@\$302.10	6/29/09-8/7/09	<u>Own Daily/\$ 8,761</u>
TOTAL OWN DAILY				\$150,909

Comment: High School Intensive Intervention Summer School  
01-Unrestricted Resource

**TOTAL ESTABLISHED HOURLY, AND OWN DAILY = \$355,325**

**ELECTIONS****ADMINISTRATIVE CONTRACTS**

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Dabash, Reham Multi-Site Supervisor Child Development Services	100%	7/1/09

**SUBSTITUTE TEACHERS****Effective****LONG-TERM SUBSTITUTES**

(@\$210.00 Daily Rate)

Berson, Rosie	5/28/09-6/19/09
Oseguera, Christian	4/27/09-6/19/09

**PREFERRED SUBSTITUTES**

(@\$162.00 Daily Rate)

Devlin, Ashley	5/28/09
Ebneyamin, Soha	6/5/09
Mesrobian, Sylvia	5/28/09
Oseguera, Christian	5/15/09

**REGULAR DAY-TO-DAY SUBSTITUTES**

(@\$138.00 Daily Rate)

Brown, Jackie	5/21/09
Kelly, Brandy	6/3/09
Schaffer, Randall	5/21/09

**LEAVE OF ABSENCE (with pay)**

Name/Location

Effective

Corriveau, Christina Santa Monica HS	9/4/09-10/22/09 [maternity]
Deshautelle, Anna Malibu High School	5/18/09-6/19/09 [maternity]
Kinsinger, Julie Rogers Elementary	5/27/09-6/8/09 [medical]
Kinsinger, Julie Rogers Elementary	6/9/09-6/19/09 [catastrophic]
Magnuson, Ruth Santa Monica HS	9/4/09-10/23/09 [maternity]

**LEAVE OF ABSENCE (without pay)**

Name/Location

Effective

Allstot, Sean Lincoln MS	2/1/10-6/25/10 [personal]
Anderson, Terry Santa Monica HS	9/4/09-6/25/10 [20% - personal]
Corriveau, Christina Santa Monica HS	10/23/09-1/31/10 [CFRA]
Corriveau, Christina Santa Monica HS	2/1/10-6/25/10 [child care]
Frederick, Sarah Roosevelt Elementary	9/4/09-6/25/10 [personal]
Garcia, Veronica Santa Monica HS	9/4/09-6/25/10 [20% - personal]

**RESIGNATION**

<u>Name/Location</u>	<u>Effective</u>
Cartegena, Zelena John Adams MS	6/19/09
Farruggia, Elizabeth Santa Monica HS	6/19/09
Lebo, Meredith Lincoln Middle School	6/19/09

**RETIREMENT**

<u>Name/Location</u>	<u>Effective</u>
Beasley, Linda Edison Elementary	6/19/09
Just, Peggy R.O.P./Santa Monica HS	6/29/09
Wexler, Linda Santa Monica HS	6/19/09

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: SPECIAL SERVICE EMPLOYEES

RECOMMENDATION NO. A.35

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>
Nelson, Rebecca	\$6,854	7/1/09-8/28/09	\$403.18/day
Special Education; Behavior Intervention Specialist. To assist with summer caseload			
FUNDING:	01-65000-0-50010-31200-1930-042-1501		-100%
Special Education			

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION ACTION/CONSENT  
06/25/09

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

RE: CLASSIFIED PERSONNEL - MERIT

RECOMMENDATION NO. A.36

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>
PART, BRIAN	SPORT FACILITY COORDINATOR	7/1/09
FACILITY PERMITS	8 HRS/12 MO/RANGE: 38 STEP: A	
 <u>TEMP/ADDITIONAL ASSIGNMENTS</u>		
AVILA, ALFREDO	STUDENT OUTREACH SPEC	3/3/09-3/13/09
SANTA MONICA HS		
BURDICK, BART	GARDENER	5/17/09-6/30/09
THEATER OPERATIONS		
GRANADINO, FRANK	BUS DRIVER	5/9/09-6/30/09
THEATER OPERATIONS		
GUTIERREZ, ADRIANA	INST ASST - PHYSICAL ED	5/29/09
MCKINLEY ELEMENTARY		
HARDT, REBECCA	STUDENT OUTREACH SPEC	3/3/09-3/13/09
SANTA MONICA HS		
INIGUEZ, WILMA	SR OFFICE SPECIALIST	5/18/09-6/2/09
MUIR ELEMENTARY		
LOWE, HEATHER	ELEM LIBRARY COORD	5/18/09-5/22/09
MCKINLEY ELEMENTARY		
MENDOZA, DINA	SR OFFICE SPECIALIST	5/1/09-6/30/09
SANTA MONICA HS		
 <u>"EARLY TELL" RETIREMENT INCENTIVE</u>		
GOLDENBERG, AUDREY	INST ASST - CLASSROOM	5/30/09
ROOSEVELT ELEMENTARY		
HUGHES, CLARENCE	UTILITY WORKER	5/30/09
OPERATIONS		
HUMPHERYS, ANTONIA	INST ASST - BILINGUAL	5/30/09
LINCOLN MS		
MARTINEZ, LUZ	SITE COORDINATOR	5/30/09
FOOD SVCS		
 <u>SUBSTITUTES</u>		
CURTIS, KATHLEEN	CAMPUS SECURITY OFFICER	6/4/09-6/24/09
HUMAN RESOURCES		

DE LA ROSA, CHRIS CHILD DEVELOP SVCS	CHILDREN CENTER ASST	6/9/09-6/30/09
LUMEL, YOLANDA PURCHASING	BUYER	5/8/09-6/30/09
<b><u>INVOLUNTARY TRANSFER</u></b>		<b><u>EFFECTIVE DATE</u></b>
ADAMS, DARYL WEBSTER ELEMENTARY	PHYSICAL ACTIVITIES SPEC 6 HRS/SY FR: 6 HRS/SY/MUIR ELEMENTARY	6/1/09
CHRISTENSEN, KIM MUIR ELEMENTARY	PHYSICAL ACTIVITIES SPEC 6 HRS/SY FR: 5.5 HRS/SY/WEBSTER ELEMENTARY	6/1/09
<b><u>LEAVE OF ABSENCE (PAID)</u></b>		<b><u>EFFECTIVE DATE</u></b>
CUEVA, JEMINA FOOD SERVICES	CAFETERIA WORKER I MEDICAL	5/23/09-6/22/09
LOHMEYER, JUDY PURCHASING	BUYER MEDICAL	5/8/09-6/11/09
MARES, JOSE OPERATIONS	LEAD GROUNDS PERSON MEDICAL	5/14/09-6/11/09
RINDLISBACHER, NOAH PURCHASING	ASSISTANT BUYER MEDICAL	5/12/09-5/26/09
YOUNAM, JULIE PERSONNEL COMMISSION	HUMAN RESOURCE TECH MEDICAL	5/21/09-6/2/09
<b><u>LEAVE OF ABSENCE (UNPAID)</u></b>		<b><u>EFFECTIVE DATE</u></b>
HUGHES, CLARENCE MAINTENANCE	UTILITY WORKER PERSONAL	6/1/09-6/30/09
HUGHES, CLARENCE MAINTENANCE	UTILITY WORKER PERSONAL	7/1/09-8/28/09
LOHMEYER, JUDY PURCHASING	BUYER PERSONAL	6/12/09-6/30/09
O'ROURKE, THOMAS SANTA MONICA HS	CUSTODIAN PERSONAL	6/23/09-6/30/09
O'ROURKE, THOMAS SANTA MONICA HS	CUSTODIAN PERSONAL	7/1/09-9/1/09
<b><u>ESTABLISHMENT OF POSITION</u></b>		<b><u>EFFECTIVE DATE</u></b>
	DATA BASE ADMINISTRATOR 8 HRS/12 MO; INFORMATION SVCS [Board Approved 10/16/08]	6/26/09
	SENIOR OFFICE SPECIALIST 4 HRS/12 MO; SPECIAL EDUCATION	6/26/09
	SPORTS FACILITY COORDINATOR 8 HRS/12 MO; FACILITY PERMITS [Board Approved 6/25/09]	6/26/09
<b><u>ABOLISHMENT OF POSITION</u></b>		<b><u>EFFECTIVE DATE</u></b>
	LEAD PERSON, MECHANICAL 8 HRS/12 MO; FACILITIES MAINT	5/19/09



SR ADMINISTRATIVE ASST	4/25/09
8 HRS/12 MO; SPECIAL EDUCATION	

**LAYOFF**

5341-070-08	SR OFFICE SPECIALIST	<b><u>EFFECTIVE DATE</u></b>
ROOSEVELT ELEMENTARY	8 HRS/10 MO	8/10/09

**SUSPENSION WITHOUT PAY**

3998-015-08	CAMPUS SECURITY OFFICER	<b><u>EFFECTIVE DATE</u></b>
		6/23/09
5306-040-08	CUSTODIAN	6/29/09, 6/30/09, 7/1/09

**RESIGNATION**

BARON-REMIGIO, JOSE	INST ASST - PHYSICAL	<b><u>EFFECTIVE DATE</u></b>
GRANT ELEMENTARY		6/19/09
FUJIKAWA, ERIN	INST ASST - SPECIAL ED	6/19/09
LINCOLN MIDDLE SCHOOL		
MANGOBA, MARK	TECH SUPPORT ASST	5/29/09
INFORMATION TECH		
MOONEY, CHERIS	INST ASST - SPECIAL ED	6/19/09
PT DUME ELEMENTARY		
PFEIFFER, JULIE	INST ASST - CLASSROOM	6/19/09
WEBSTER ELEMENTARY		
SAKOMOTO, LEO	INST ASST - MUSIC	6/19/09
JOHN ADAMS MS		
SCHOEN, RUSSELL	ACCOUNTING TECH	6/10/09
CHILD DEVELOP SVCS		
ZAKOWICZ, EVA	ACCOUNTING TECH	7/17/09
FISCAL SVCS		

**RETIREMENT**

HARGER, BILLIE	ADMINISTRATIVE ASST	<b><u>EFFECTIVE DATE</u></b>
FACILITIES MAINTENANCE		8/1/09

MOTION MADE BY: Ms. Leon-Vazquez  
 SECONDED BY: Mr. Snell  
 STUDENT ADVISORY VOTE: N/A  
 AYES: All (7)  
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

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

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.37

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.

**CHILD CARE ASSISTANT**

MONROY, JASMINE

CHILD DEVELOP SVCS

5/21/09-6/30/09

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO /SALLY CHOU / LAUREL SCHMIDT

RE: EXPULSION OF STUDENT (B/D 04/10/96)

RECOMMENDATION NO. A.38

It is recommended that the Board of Education expel student (B/D 04/10/96).

COMMENT: The Principal of Santa Monica Alternative School House (SMASH) recommended the expulsion based on the student's violations of Education Code Sections 48915(c)(3), 48900(c) and 48900(k) and the expulsion should be held in abeyance:

"Selling a controlled substance."

Education Code 48915(c)(3)

"Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, alcoholic beverage or intoxicant of any kind."

Education Code 48900(c)

"Disrupted school activities or otherwise willfully defied the valid authority of school officials or other school personnel."

Education Code 48900(k)

\*\*\*\*\*

*Mr. de la Torre requested information staff regarding prevention, intervention, and rehabilitation for student use and/or selling of controlled substances. Mr. Snell would also like to see how the district works with parents regarding this. The board agreed to these requests.*

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Mr. Snell

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/25/09

FROM: TIM CUNEO

RE: ADOPT NEW POLICIES, REVISE UPDATED POLICIES, AND  
DELETE OBSOLETE POLICIES - 2000, 4000, 6000, 7000, AND  
9000 SERIES

RECOMMENDATION NO. A.39

It is recommended that the Board of Education adopt new policies, revise updated policies, and delete obsolete policies from the 2000, 4000, 6000, 7000, and 9000 Series, as discussed at the May 14 and May 28 special meetings. These changes will be effective September 1, 2009.

COMMENT: The policies are listed below according to action required. Those policies marked to come back for a second reading will be scheduled during the next several board meetings.

As per board request, these policies have been accessible online at <http://www.smmusd.org/board/policies.html> for at least thirty days. Also during that time, members of the public have had the opportunity to contact the Office of the Superintendent with feedback.

Policies with minor changes that were suggested during first reading will be available in hardcopy format at the meeting.

The proposed 3000 and 5000 series were discussed at the June 10, 2009, meeting. The 0000 and 1000 series will be discussed tonight under Item D.05. All four sets will return for action on July 16, following their thirty-day public review period.

**NEW POLICIES TO BE ADOPTED**

POLICY #	TITLE	FIRST READING
<b>2000 SERIES</b>	<b>ADMINISTRATION</b>	
2111	Superintendent Governance Standards	May 14, 2009
2120	Superintendent Recruitment and Selection	May 14, 2009
2121	Superintendent's Contract	May 14, 2009
2140	Evaluation of the Superintendent	May 14, 2009

2230	Representative and Deliberative Groups	May 14, 2009
<b>4000 SERIES</b>	<b>PERSONNEL</b>	
4000	Concepts and Roles	May 14, 2009
4100	Certificated Personnel	May 14, 2009
4111.2	Legal Status Requirement	May 14, 2009
4112	Appointment and Conditions of Employment	May 14, 2009
4112.22	Staff Teaching Students of Limited English Proficiency	May 14, 2009
4112.24	Teacher Qualifications under the No Child Left Behind Act	May 14, 2009
4112.6	Personnel Records	May 14, 2009
4112.62	Maintenance of Criminal Offender Records	May 14, 2009
4112.8	Employment of Relatives	May 14, 2009
4112.9	Employee Notifications	May 14, 2009
4117.2	Resignation	May 14, 2009
4117.5	Termination Agreements	May 14, 2009
4119.1	Civil and Legal Rights	May 14, 2009
4119.23	Unauthorized Release of Confidential/Privileged Information	May 14, 2009
4131.1	Beginning Teacher Support/Induction	May 14, 2009
4132	Publication or Creation of Materials	May 14, 2009
4136	Nonschool Employment	May 14, 2009
4143	Negotiation/Consultation	May 14, 2009
4154	Health and Welfare Benefits	May 14, 2009
4161.11, 4261.11	Industrial Accident/Illness Leave	May 14, 2009
4161.2	Personal Leaves	May 14, 2009
4161.9	Catastrophic Leave Program	May 14, 2009
4215, 4315	Evaluation/Supervision	May 14, 2009
4231	Staff Development	May 14, 2009
4300	Administrative and Supervisory Personnel	May 14, 2009
4301	Administrative Staff Organization	May 14, 2009
4313.2	Demotion/Reassignment	May 14, 2009
4314	Transfers	May 14, 2009
4315.1	Staff Evaluating Teachers	May 14, 2009
4331	Staff Development (Administrative)	May 14, 2009
<b>6000 SERIES</b>	<b>INSTRUCTION</b>	
6000	Concepts and Roles	May 28, 2009
6011	Academic Standards	May 28, 2009
6112	School Day	May 28, 2009
6115	Ceremonies and Observances	May 28, 2009
6141.5	Advanced Placement	May 28, 2009
6141.6	Multicultural Education	May 28, 2009
6142.1	Sexual Health and HIV/AIDS Prevention Instruction	May 28, 2009
6142.3	Civic Education	May 28, 2009
6142.8	Comprehensive Health Education	May 28, 2009
6142.91	Reading/Language Arts Instruction	May 28, 2009
6142.92	Mathematics Instruction	May 28, 2009
6142.93	Science Instruction	May 28, 2009
6143	Courses of Study	May 28, 2009
6145.2	Athletic Competition	May 28, 2009
6145.5	Student Organizations and Equal Access	May 28, 2009
6145.6	International Exchange	May 28, 2009
6145.8	Assemblies and Special Events	May 28, 2009
6146.2	Certificate of Proficiency/High School Equivalency	May 28, 2009
6146.3	Reciprocity of Academic Credit	May 28, 2009
6146.4	Differential Graduation and Competency Standards for Students with Disabilities	May 28, 2009

6159.3	Appointment of Surrogate Parent for Special Education Students	May 28, 2009
6159.4	Behavioral Interventions for Special Education Students	May 28, 2009
6161.2	Damaged or Lost Instructional Materials	May 28, 2009
6161.3	Toxic Art Supplies	May 28, 2009
6162.5	Student Assessment	May 28, 2009
6162.51	Standardized Testing and Reporting Program	May 28, 2009
6162.54	Test Integrity/Test Preparation	May 28, 2009
6163.2	Animals at School	May 28, 2009
6164.2	Guidance/Counseling Services	May 28, 2009
6164.41	Children with Disabilities Enrolled by Their Parents in Private School	May 28, 2009
6164.5	Student Success Teams	May 28, 2009
6172.1	Concurrent and Dual Enrollment in College Classes	May 28, 2009
6173	Education for Homeless Children	May 28, 2009
6173.1	Education for Foster Youth	May 28, 2009
6176	Weekend/Saturday Classes	May 28, 2009
6178.1	Work Experience Education	May 28, 2009
6178.2	Regional/Occupational Center/Program	May 28, 2009
6181	Alternative Schools	May 28, 2009
6183	Home and Hospital Instruction	May 28, 2009
<b>7000 SERIES</b>	<b>FACILITIES</b>	
7010	Goals and Objectives	May 28, 2009
7111	Evaluating Existing Buildings	May 28, 2009
7131	Relations with Local Agencies	May 28, 2009
7140	Architectural and Engineering Services	May 28, 2009
7150	Site Selection and Development	May 28, 2009
7210	Facilities Financing	May 28, 2009
7211	Developer Fees	May 28, 2009
7214	General Obligation Bonds	May 28, 2009
<b>9000 SERIES</b>	<b>BY-LAWS OF THE BOARD</b>	
9000	Role of the Board	May 14, 2009
9005	Governance Standards	May 14, 2009
9010	Public Statements	May 14, 2009
9011	Disclosure of Confidential/Privileged Information	May 14, 2009
9012	Board Member Electronic Communications	May 14, 2009
9100	Organization	May 14, 2009
9110	Terms of Office	May 14, 2009
9121	President	May 14, 2009
9122	Secretary	May 14, 2009
9140	Board Representatives	May 14, 2009
9150	Student Board Members	May 14, 2009
9200	Limits of Board Member Authority	May 14, 2009
9220	Governing Board Elections	May 14, 2009
9222	Resignation	May 14, 2009
9223	Filling Vacancies	May 14, 2009
9224	Oath or Affirmation	May 14, 2009
9230	Orientation	May 14, 2009
9240	Board Development	May 14, 2009
9250	Remuneration, Reimbursement, and Other Benefits	May 14, 2009
9260	Legal Protection	May 14, 2009
9270	Conflict of Interest	May 14, 2009
9310	Board Policies	May 14, 2009
9320	Meetings and Notices	May 14, 2009
9321	Closed Session Purposes and Agendas	May 14, 2009
9321.1	Closed Session Actions and Reports	May 14, 2009

9322	Agenda/Meeting Materials	May 14, 2009
9323	Meeting Conduct	May 14, 2009
9323.2	Action by the Board	May 14, 2009
9324	Minutes and Recording	May 14, 2009
9400	Board Self-Evaluation	May 14, 2009

### **UPDATED POLICIES TO BE REVISED**

<b>POLICY #</b>	<b>TITLE</b>	<b>FIRST READING</b>
<b>2000 SERIES</b>	<b>ADMINISTRATATION</b>	
2000	Concepts and Roles	May 14, 2009
2110	Superintendent Responsibilities and Duties	May 14, 2009
<b>4000 SERIES</b>	<b>PERSONNEL</b>	
4020	Drug and Alcohol-Free Workplace	May 14, 2009
4030	Nondiscrimination in Employment	May 14, 2009
4031	Complaints Concerning Discrimination in Employment	May 14, 2009
4032	Reasonable Accommodation	May 14, 2009
4040	Employee Use of Technology	May 14, 2009
4111	Recruitment and Selection	May 14, 2009
4112.2	Certification	May 14, 2009
4112.23	Special Education Staff	May 14, 2009
4112.4	Health Examinations	May 14, 2009
4112.42	Drug and Alcohol Testing for School Bus Drivers	May 14, 2009
4113	Assignment	May 14, 2009
4115	Evaluation/Supervision	May 14, 2009
4116	Probationary/Permanent Status	May 14, 2009
4119.11	Sexual Harassment	May 14, 2009
4119.41	Employees with Infectious Disease	May 14, 2009
4119.42	Exposure Control Plan for Bloodborne Pathogens	May 14, 2009
4119.43	Universal Precautions	May 14, 2009
4131	Staff Development (Certificated)	May 14, 2009
4135	Soliciting and Selling	May 14, 2009
4139	Peer Assistance and Review	May 14, 2009
4143.1	Public Notice – Personnel Negotiations	May 14, 2009
4144	Complaints	May 14, 2009
4151	Employee Compensation	May 14, 2009
4156.3	Reimbursement Employee Personal Property	May 14, 2009
4157	Employee Safety	May 14, 2009
4157.1	Work-Related Injuries	May 14, 2009
4157.3	Return-to-Work	May 14, 2009
4161.8	Family Care and Medical Leave	May 14, 2009
<b>6000 SERIES</b>	<b>INSTRUCTION</b>	
6020	Parent Involvement	May 28, 2009
6111	School Calendar	May 28, 2009
6116	Classroom Interruptions	May 28, 2009
6141	Curriculum Development and Evaluation	May 28, 2009
6141.2	Recognition of Religious Belief and Customs	May 28, 2009
6142.4	Service Learning/Community Service Classes	May 28, 2009
6142.6	Visual and Performing Arts Education	May 28, 2009
6144	Controversial Issues	May 28, 2009
6145	Extracurricular and Cocurricular Activities	May 28, 2009

6146.1	High School Graduation Requirements	May 28, 2009
6153	School-Sponsored Trips	May 28, 2009
6159	Individualized Education Program (IEP)	May 28, 2009
6159.1	Procedural Safeguards and Complaints for Special Education	May 28, 2009
6159.2	Nonpublic Nonsectarian School and Agency Services for Special Education	May 28, 2009
6161.1	Selection and Evaluation of Instructional Materials	May 28, 2009
6161.11	Supplementary Instructional Materials	May 28, 2009
6162.52	High School Exit Examination	May 28, 2009
6162.6	Use of Copyrighted Materials	May 28, 2009
6163.4	Student Use of Technology	May 28, 2009
6164.4	Identification and Evaluation of Individuals for Special Education	May 28, 2009
6164.6	Identification and Education under Section 504	May 28, 2009
6171	Title I Programs	May 28, 2009
6172	Gifted and Talented Student Program	May 28, 2009
6174	Education for English Language Learners	May 28, 2009
6177	Summer School	May 28, 2009
6178	Career Technical Education	May 28, 2009
6179	Supplemental Instruction	May 28, 2009
6184	Continuation Education	May 28, 2009
6185	Community Day School	May 28, 2009
6190	Evaluation of the Instructional Program	May 28, 2009
6200	Adult Education	May 28, 2009
<b>7000 SERIES</b>	<b>FACILITIES</b>	
7310	Naming of Facility	May 28, 2009

### **OBSOLETE POLICIES TO BE DELETED**

<b>POLICY #</b>	<b>TITLE</b>	<b>FIRST READING</b>
<b>2000 SERIES</b>	<b>ADMINISTRATION</b>	
2220.1	Selection of Administrative Management/Personnel	May 14, 2009
<b>4000 SERIES</b>	<b>PERSONNEL</b>	
4033	Compliance Program – Americans with Disabilities Act	May 14, 2009
4115.1	Certification of Qualified Evaluators of Instruction	May 14, 2009
4137	Tutoring	May 14, 2009
4152	Contract Hire Dates for Temporary Certificated	May 14, 2009
4156.1	Employee Property Replacement and Repair	May 14, 2009
4156.2	Awards and Recognition	May 14, 2009
4171	Administrative Staffing Elementary	May 14, 2009
4213.5	Initial Employment	May 14, 2009
4256.4	Use of Private Vehicle	May 14, 2009
4313.5	Compensatory Time Termination	May 14, 2009
<b>6000 SERIES</b>	<b>INSTRUCTION</b>	
6012	Equal Opportunities for Students	May 28, 2009
6013	Equivalence – Allocation of Service...	May 28, 2009
6040	Teacher's Annual Report to Principals	May 28, 2009
6111	School Calendar	May 28, 2009
6112.1	School Day – Santa Monica High School	May 28, 2009
6141.5	Advanced Admissions Program	May 28, 2009



6142	Extracurricular and Cocurricular Activities	May 28, 2009
6142.2	HIV/AIDS Instruction	May 28, 2009
6142.71	Driver Training	May 28, 2009
6142.94	Educational TV Policy	May 28, 2009
6142.95	Child Care and Development Programs	May 28, 2009
6143.1	Required Instruction	May 28, 2009
6145.3	Extracurricular Activities – Santa Monica High School	May 28, 2009
6145.9	Extracurricular Activities	May 28, 2009
6159.5	Individuals with Exceptional Needs	May 28, 2009
6161.12	Supplementary Instructional Materials	May 28, 2009
6161.13	Instructional Resources for Teachers	May 28, 2009
6163.5	Instructional Resources for Students	May 28, 2009
6172.1	Identification Procedures	May 28, 2009
6180	Use of Federal and State Compensatory Ed Funds	May 28, 2009
6181.1	Parent Involvement in Compensatory Education	May 28, 2009
6184.1	Referral Procedures	May 28, 2009
6190.1	Outcome Evaluation	May 28, 2009
6210	Instructional Arrangements	May 28, 2009
6300	Preschool/Early Childhood Education	May 28, 2009
<b>9000 SERIES</b>	<b>BY-LAWS OF THE BOARD</b>	
9000	Role of the Board	May 14, 2009
9005	Governance Standards	May 14, 2009
9010	Public Statements	May 14, 2009
9110	Constitutional and Statutory Provisions	May 14, 2009
9120	Membership	May 14, 2009
9121	Time and Manner of Election	May 14, 2009
9122	Vacancies	May 14, 2009
9123	Term of Office	May 14, 2009
9124	Remuneration, Reimbursement, and Other Benefits	May 14, 2009
9124.1	Health and Welfare Benefits – Former Elected Members of the Board of Education	May 14, 2009
9124.2	Health and Welfare Benefits – Current Elected Members of the Board of Education	May 14, 2009
9125	Removal from Office	May 14, 2009
9130	Officers of the Board	May 14, 2009
9131	Duties of the President	May 14, 2009
9131.0	Duties of the President – Santa Monica-Malibu Education Foundation	May 14, 2009
9131.1	Duties of the Vice President	May 14, 2009
9132	Duties of the Secretary	May 14, 2009
9200	Limits of Board Member Authority	May 14, 2009
9210	Qualifications	May 14, 2009
9212	Special Meetings	May 14, 2009
9213	Quorum	May 14, 2009
9220	Adoption, Amendment, Repeal, or Suspension of Policies and Bylaws	May 14, 2009
9221	Regular Meetings	May 14, 2009
9230	Administrative Regulations and Procedures	May 14, 2009
9000	Role of the Board	May 14, 2009
9005	Governance Standards	May 14, 2009
9010	Public Statements	May 14, 2009

**POLICIES TO BE BROUGHT FOR SECOND READING PRIOR TO APPROVAL**

<b>POLICY #</b>	<b>TITLE</b>	<b>FIRST READING</b>
<b>4000 SERIES</b>	<b>PERSONNEL</b>	
4112.5	Criminal Record Check	May 14, 2009
4119.21, 4219.21, 4319.21	Professional Standards	May 14, 2009
4119.25	Political Activities of Employees	May 14, 2009
4119.26	Non-Fraternization with Students	May 14, 2009
4158	Employee Security	May 14, 2009
4161	Leaves or Family Care Leave	May 14, 2009
4212.5	Criminal Record Check	May 14, 2009
<b>6000 SERIES</b>	<b>INSTRUCTION</b>	
6142.7	Physical Education	May 28, 2009
6146.11	Alternative Credits toward Graduation	
6154	Homework/Make Up Work	May 28, 2009
<b>7000 SERIES</b>	<b>FACILITIES</b>	
7000	Concepts and Roles	May 28, 2009

\*\*\*\*\*

*The minor changes to language suggested during the first reading can be found under Attachments at the end of these minutes.*

MOTION MADE BY: Ms. Leon-Vazquez  
SECONDED BY: Mr. Snell  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

---

## **COMMUNICATIONS**

**District Advisory Committee  
Board of Education Annual Report  
June 25, 2009**

**ENGLISH LEARNERS ADVISORY COMMITTEE**

**Staff Liaison:** Aida Diaz

The District English Learners Advisory Committee (DELAC) is a state mandated advisory committee. The main function of DELAC is to review and advise the board on programs and services for English Learners (ELs).

Our District DELAC meetings incorporate the state mandated requirements and informational presentations. The state mandated requirements help parents to fully understand the programs and services for English Learners and participate in the educational process of their children. The presentations provide parents with knowledge and skills that they can use to support and advocate for their students in their acquisition of English and academic subjects. It is important to note that our DELAC continues to include a wide range of Spanish speaking parents, many of whom do not have children who are English Learners.

**I     Meeting Topics:**

DELAC complied with state requirements and included the following presentations:

<b>Month</b>	<b>DELAC Requirements</b>	<b>Presentations</b>
October	<ul style="list-style-type: none"><li>• Purpose of DELAC</li><li>• Goals and Objectives of the District programs</li><li>• and services for English Learners</li><li>• Survey of Topics for future meetings</li></ul>	<ul style="list-style-type: none"><li>• Strategies to Improve Learning</li></ul>
November	<ul style="list-style-type: none"><li>• Survey results</li></ul>	<ul style="list-style-type: none"><li>• Successful Parent/Teacher Conferences</li></ul>
January	<ul style="list-style-type: none"><li>• English Learner Progress-CELDT, AMAO</li></ul>	<ul style="list-style-type: none"><li>• Venice Family: Stress and Our Children</li></ul>
February	<ul style="list-style-type: none"><li>• CELDT students reports</li><li>• Reclassification Procedure</li><li>• Report Cards</li></ul>	<ul style="list-style-type: none"><li>• Dr. Bonafina: Discipline in Tough Times: Basic Strategies</li></ul>
March	<ul style="list-style-type: none"><li>• Needs Assessment Survey for Board Report</li><li>• Language Census Report R-30</li></ul>	<ul style="list-style-type: none"><li>• Marcela Avila, MFPI Therapist: Adolescent Latinos</li></ul>
May	<ul style="list-style-type: none"><li>• Board Report</li></ul>	<ul style="list-style-type: none"><li>• "La Universidad Está a Tu Alcance" (Road to College)</li></ul>

## II Highlights

### Assessment:

- California English Language Development Test (CELDT) is administered every year between July-October. The purpose of this test is to determine the English language proficiency of students and the progress English Learners are making in their acquisition of the English language in the areas of Listening, Speaking, Reading and Writing.

Levels	Totals
Beginning (BG)	67
Early Intermediate (EI)	130
Intermediate (IN)	358
Early Advanced (EA)	539
Advanced (AD)	374
<b>TOTAL</b>	<b>1468</b>

### English Learners Achievement Data:

- Our District and individual school sites continue to meet and surpass state generated achievement targets on the Title III English language proficiency Annual Measurable Achievement Objectives (AMAOs).

AMAOs	2007-2008 Target	District Percentage Meeting Target
1. Percent of Students Making Annual Progress in Learning English	50.1%	72.3%
2. Percent of Students Attaining English Proficiency-CELDT	28.9%	53.1%
3. Adequate Yearly Progress for the English Learner Subgroup at the LEA level for English-Language Arts Mathematics	34.0% 34.6%	49.7% 52.4%

### Staff Development:

- California Education code requires that English Learners be instructed in ELD and content classes by teachers that possess specific training and authorization. By hiring teachers with appropriate authorization and / or training our teachers we will be complying with state and federal mandates and meeting the instructional needs of our English Learners. The current authorization required by the state is the Cross Cultural Language and Academic Development (CLAD) certificate that is earned by taking courses or passing the California Teachers of English Learners (CTEL) examination. The district offered CTETL Examination Preparation classes free of cost to district teachers.

### Number of Teachers participating in Examination preparation workshops:

2008-2009
25

**Teachers with authorization to instruct English Learners:**

2007-2008	2008-2009
225	270

**Language Census Report (R-30):**

- The R-30 is the annual school-level data collection document that contains counts of students from non-English-language backgrounds enrolled in public (K-12) schools in California and data on the staff that provide services to ELs. The student counts for ELs as reflected in the R-30 determine the funding for most Federal and State categorical funding.

**I English Learners and Fluent English Proficient**

Language	English Learners (EL)	Fluent English Proficient (FEP)	Total
Spanish	932	841	1773
Farsi	54	153	207
Japanese	36	67	104
Korean	32	41	73
Russian	23	63	86
Mandarin	24	37	61
<b>Total of All Languages*</b>	<b>1306</b>	<b>1538</b>	<b>2866</b>

\*Includes over 31 languages

**III Recommendations:**

DELAC, as well as all members of our District community, is aware that the District faces many difficult decisions as a result of the State reduction of funds for education. However, parents want to make certain that the District continues to implement the strategies, interventions, and programs that have been successful in accelerating the achievement of our English Learners. English Learners is considered to be a subgroup whose progress is the focus of many of the accountability targets set by the State. Title III English language proficiency Annual Measurable Achievement Objectives (AMAOs) is one of these reports. As mentioned above many of our English Learners meet the percentage of achievement required by the State in the AMAOs. However, there is a significant number of English Learners who are not meeting these targets. Therefore, there remains a need to refine our ability to provide effective service to each English Learner, particularly those who have yet to meet the State target levels of achievement. In addition, there are state mandates regarding services to English Learners that the District needs to adhere. English Learners are a significant group that is central to the district efforts of reducing the achievement gap and their academic needs should be taken into account when making program cuts due to budget reductions.

DELAC views the following recommendations as fundamental to the academic success of their children, and in fulfillment of the charge that they have been given by the State of California as reflected in the California Educational Code urges the District to:

1) Continue to offer high quality English Language Development (ELD) at the secondary level:

The achievement level of SMMUSD's Reclassified Fluent English proficient students as measured by performance on standardized measures such as CST and CAHSEE have historically been remarkable. Parents and staff feel that this is directly attributable to the comprehensive services that English Learners receive in District programs. A fundamental component of these services are ELD classes that are targeted, utilize high quality materials and instructional methodologies, and sequentially provide for the linguistic needs of students acquiring English. There is a need to continue to provide the current scope, sequence and structure of District ELD programs.

2) Offer Sheltered content classes at the secondary level:

Sheltered content classes provide grade level academic instruction that gives English Learners access to the core curriculum while teaching English vocabulary and English grammatical structures. Secondary sites need to evaluate the need of providing their English Learners with access in the various content areas and create sheltered classes offerings according to the identified need.

This year the number of sheltered content classes offered at both JAMS and Samohi were reduced. Further reductions of sheltered and ELD classes are being proposed for the next school year. The alternative is that English Learners will be in mainstream classes where their access to the curriculum would be greatly affected by their low English proficiency levels.

#### **IV Budgetary Implications/Recommendation:**

Currently the district uses State and Federal funds to provide supplementary support to English Learners. These funds have also been reduced which has resulted in the need to cut back on the level of supplementary support provided for English Learners. The guidelines and restrictions of these funds do not allow us to provide the content courses that are part of the core program that all students are entitled to. We urge the District to provide the financial support that secondary schools need to provide these specialized classes.

\*\*\*\*\*                  \*\*\*\*\*                  \*\*\*\*\*                  \*\*\*\*\*                  \*\*\*\*\*                  \*\*\*\*\*

*Ms. Diaz presented the report to the board. Ms. Perez, President of the SAMOHI ELAC, emphasized the need for small class sizes in the ELD and sheltered classes. The board then asked questions regarding the number of students taking ELD and sheltered classes at the various schools and grade levels. Mr. Mechur requested that staff come back in the early fall regarding class sizes, staffing, and a status on the level of service being provided in these classes. Mr. de la Torre requested drop-out and CAHSEE data for these students.*

**District Advisory Committee  
Board of Education Annual Report  
June 25, 2009**

**SPECIAL EDUCATION DISTRICT ADVISORY COMMITTEE (SEDAC)**

**Staff Liaisons:** Dr. Jeanne Davis and Dr. Sally Chou

**Chair:** Theresa Harris

Members of the District Advisory Committee on Special Education are appointed by the Board of Education to advise and inform the governing body on how to meet the needs of the roughly fifteen percent of the student body that comprises the diverse population of students with disabilities. The Committee exists, according to the District website: "to advise the Board on school problems, needs and issues from a balanced, logical, and analytic perspective, as the need arises." Currently the committee consists of 19 members with Theresa Harris as Chair, Claudia Landis as Vice Chair, and Linda Karr O'Connor as Secretary.

There have been significant accomplishments this year for SEDAC members. SEDAC finalized the Special Education Parent Handbook, assisted in the creation of special education policy and members held positions on various advisory committees, including the committee to assist in the selection of the new Director of Special Education, the Special Education Collaborative, the PTA Special Education Committee and the PTA Legislative Committee.

In addition, this year SEDAC was named by the City Council in the School District Master Facilities Use Agreement as having responsibility to "review the District's special education policies and programs, make recommendations, and report to the Board of Education."

**Accomplishments to Date:**

SEDAC is very proud of the publication of the Special Education Handbook, written by a standing committee of SEDAC member parents. The handbook was the centerpiece of the Special Education Parent Forum held in the fall of 2008. This Fall Forum was jointly sponsored by SEDAC, PTA and the District.

SEDAC has created a number of subcommittees and ad hoc committees in order to work quickly and effectively analyze various aspects of the delivery of special education, including financial management, programmatic offerings, use of federal stimulus money, and participating in the updating of Board policies.

- The Ad Hoc Committee on Special Education Policy was formed and was instrumental in setting and updating district special education related policies. Members worked with Dr. Sally Chou, Chief Academic Officer, and Dr. Jeanne Davis, Interim Special Education Director, to review the proposed California School Board Association policies and administrative regulations. SEDAC proposed policies specific to special education and the committee also strengthened general education policies for inclusion of students with disabilities in school activities. In particular,



SEDAC is proud that there is now explicit District policy on including students with disabilities in field trips, extracurricular activities, and other non-academic activities.

- SEDAC members served on the committee to assist in the selection of the new Director of Special Education, a process that is not yet completed.
- The Ad Hoc Committee on Programs was formed and will conduct its first meetings over the summer during which time it hopes to meet with the new Director of Special Education. Members of the SEDAC Ad Hoc Committee on Programs will also participate in the District's Program Task Force as recommended in the Working Group's Goal 7.
- Recently an Ad Hoc Committee on Special Education Finances was formed to analyze the budget in light of the proposed cut to Special Education.

**Suggested Direction for 2009-10:**

SEDAC members are concerned about the recent test results of students with disabilities in that they did not make adequate progress in the STAR testing, which has impacted the district's ability to meet the requirements for the federal Annual Yearly Progress (AYP) and state Academic Performance Index (API) for selected schools. SEDAC members would like to support the District in the process of understanding the relevance of this data to our students' performance and make appropriate programmatic responses. State and federal accountability measures have been shown to benefit students with disabilities in that they invite schools to measure and monitor their progress.

In light of this, the following information is necessary:

- An analysis of how SMMUSD failed to meet AYP and API growth targets.
- A comparison of how other comparable districts in the state were able to achieve the growth targets on STAR testing for students with disabilities.
- The district plan and timetable for Santa Monica and Malibu schools to meet growth targets.
- An analysis of how the budget will accommodate the development of more effective programs and instruction of students with disabilities.

\*\*\*\*\*

*Ms. Theresa Harris presented the report to the board. Dr. Escarce suggested the new Director of Special Education examine how the existing expenditures and make up of that department could be more efficient. Mr. Snell requested assessment data from at least two years back. Ms. Pye requested this come back as discussion item in the fall.*

---

## MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU

RE: ESTABLISH POSITION - SENIOR OFFICE SPECIALIST, SPECIAL  
EDUCATION

RECOMMENDATION NO. A.40

It is recommended that the Board of Education establish the position of Senior Office Specialist (.50 FTE) in Special Education in order to better serve the needs of the District. This position will assist with clerical support for the Department of Special Education.

COMMENT: When the Special Education Department was supervised by an Assistant Superintendent the office was staffed by a full-time Sr. Administrative Assistant and a full-time Administrative Assistant. Now that the Department is headed by the Director of Special Education, it is felt that the appropriate clerical support would be a full-time Administrative Assistant and a part-time Senior Office Specialist. The full-time Sr. Administrative Assistant position will be abolished.

FUNDING NOTE: The 2009-2010 budget will be adjusted \$21,808 for salary and benefits.

MOTION MADE BY: Mr. Allen  
SECONDED BY: Dr. Escarce  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: ESTABLISH POSITION - SPORTS FACILITY COORDINATOR,  
THEATER OPERATIONS AND FACILITY PERMITS

RECOMMENDATION NO. A.41

It is recommended that the Board of Education establish the position of Sports Facility Coordinator to better to better serve the needs of the District. This position will coordinate and support facility permits and joint-use agreements that use the athletic and recreation facilities of the District.

COMMENT: Under the supervision of the Director of Theater Operations & Facility Permits, the Sports Facility Coordinator organizes, coordinates and supports facility permits and joint-use agreements that use the athletic and recreation facilities of the District, coordinates use by outside users with the school sites and school athletic programs, arranges for field, court, gym and pool facility and equipment maintenance, coordinates classified staff assigned to work facility permits, and works with office staff to issue and support facility permits. A job description is attached.

FUNDING NOTE: The 2009-2010 budget will be adjusted \$62,345 for salary and benefits.

\*\*\*\*\*

*Mr. de la Torre requested an organizational chart and budget for the Theater Operations and Facility Department. He also requested the job description return to the Personnel Commission to add that it be preferable the candidate be bilingual.*

MOTION MADE BY: Mr. Allen  
SECONDED BY: Mr. Allen  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

PERSONNEL COMMISSION  
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

**SPORTS FACILITY COORDINATOR**

Classified Employees Salary Range – 38

**Job Summary**

Under the general supervision of the Director of Theater Operations & Facility Permits, organizes, coordinates and supports facility permits and joint use agreements that use the athletic and recreation facilities of the District; coordinates use by outside users with the school sites and school athletic programs; arranges for field, court, gym and pool facility and equipment maintenance; coordinates classified staff assigned to work facility permits; and works with office staff to issue and support facility permits.

**Representative Duties**

1. Coordinates & facilitates the joint use agreements with Cities of Malibu & Santa Monica, Santa Monica College and other joint use agreements entered into by the district.
2. Supports the full process of issuing and overseeing facility permits that use District athletic and recreation facilities. Assists office staff with issuing and supporting all facility permits, including scheduling and billing.
3. Confers with the representatives of outside user groups regarding facility usages, availability of equipment and scheduling of use.
4. Confers and schedules with site administrative staff, athletic coaches, and facility maintenance to coordinate the use of the athletic facilities by outside groups.
5. Schedules, coordinates and gives direction to classified personnel working facility permits.
6. Implements facility permit guidelines and rules of use related to the use and operation of facilities.
7. Regularly visits school sites to assess permit and joint use. Conducts facility inspections before and after permits to ensure that the permit complies with user organization plans and safety regulations. Prepares documents and cost estimates for building or equipment damage.
8. Attends district, community and civic meetings, as assigned.
9. Arranges for facility and equipment maintenance and inspects to ensure timely and appropriate completion. Recommends equipment purchase expenses.
10. Read, interprets and applies applicable district policies, municipal codes, environmental and safety regulations. Guides staff, volunteers and user groups in work and safety procedures.
11. Performs other related duties as assigned.

*Note: The statements herein are intended to describe the general nature and level of work performed by employees, and are not to be construed as an exhaustive list of responsibilities and qualifications of personnel so classified.*

**Supervision**

Supervision is received from the Director of Theater Operations and Facility Permits. No supervision is exercised over other staff.

## SPORTS FACILITY COORDINATOR

Page Two

### Job Related Qualifications

#### Knowledge of:

- Principles & Methods, equipment and material used to deliver support of the rental and use of school athletic facility operations, including the process of permitting this use.
- A wide range of athletic, recreation and sports facility use including equipment
- Principles and practices of general community service programs.
- Modern office practices, methods and computer equipment.
- Basic accounting procedures.
- First aid methods and safety precautions used in community service/recreation programs.
- Laws and regulations governing public use and assembly of athletic facilities including fire and safety laws, Cal OSHA regulations, ADA provisions, health codes and applicable local, state, and federal regulations and laws.
- Administrative policies and department procedures.
- Organization and time management skills.
- Customer service principles and techniques

#### Ability to:

- Operate personal computer and standard office equipment including fax machine, computer printer and copier machines, including standard applications, i.e. Microsoft Office, Access, Adobe Creative Suite
- Compile, verify and use information from a variety of sources from in and out of the district.
- Organize, coordinate and complete tasks to meet scheduled deadlines and provide technical direction to support staff.
- Interpret and apply administrative policies and procedures.
- Prepare and maintain basic records.
- Work independently with general supervision.
- Demonstrate flexibility and respond to changing requirements and job assignments.
- Communicate effectively and work cooperatively with co-workers, supervisor, management and public.
- Provide effective customer service
- Understand with sensitivity and awareness, the cultural diversities and needs of students and their environment within the communities encompassed by the District.
- Establish and maintain cooperative working relationships with those contacted in the course of work.

**EMPLOYMENT STANDARDS**

Any combination of:

**Education**

Educational attainment equivalent to a high school diploma or its recognized equivalent.

**Experience**

Three (3) years of experience planning, coordinating and implementing community service and/or recreational programs. (One year of experience **MUST** be in a paid capacity.)

**Licenses and Other Requirements**

Must maintain a valid California driver's license and be insurable by the District's carrier and must have the use of a personal vehicle.

**Special Information**

None.

**Working Conditions (Environment)**

Work is typically performed at indoor and outdoor program sites in seasonal weather conditions. Work may require exposure to playground noise, dust and dirt. Must be available to attend meetings, program events and activities. May be required to work a varied schedule including days, evenings, weekends and holidays.

Physical demands may include bending, kneeling, squatting, sitting, running, standing, climbing and lifting up to 15 lbs.

DUTIES APPROVED  
BOARD OF EDUCATION:  
March 5, 2009

CLASSIFICATION APPROVED  
PERSONNEL COMMISSION:  
March 10, 2009

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO

RE: ADOPT RESOLUTION NO. 08-46 - IN SUPPORT OF SENATE  
CONSTITUTIONAL AMENDMENT 6 (SCA 6)

RECOMMENDATION NO. A.42

It is recommended that the Board of Education adopt Resolution  
No. 08-46 - In Support of Senate Constitutional Amendment 6 (SCA  
6).

COMMENT: This Constitutional Amendment would reduce the two-  
thirds vote requirement on parcel taxes.

MOTION MADE BY: Mr. Snell  
SECONDED BY: Mr. de la Torre  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)



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

**RESOLUTION NO. 08-46 - IN SUPPORT OF SENATE CONSTITUTIONAL  
AMENDMENT 6 (SCA 6)**

**WHEREAS**, Senate Constitutional Amendment 6 (Simitian), which reduces the two-thirds vote requirement on parcel taxes, will be acted on by the California State Legislature; and

**WHEREAS**, reductions in the state General Fund revenue have led to reduced school funding; and

**WHEREAS**, state General Fund revenue is unstable and erratic, which results in unpredictable funding levels for school districts and county offices of education; and

**WHEREAS**, parcel tax revenue can provide a stable, predictable source of school revenue; and

**WHEREAS**, passage of SCA 6 will empower local voters to invest in their schools based on the needs of their communities by requiring a tough, but fair 55 percent vote to pass local parcel taxes, while protecting taxpayers and homeowners with accountability provisions that will ensure that funds generated from parcel taxes are not wasted or mismanaged; and

**WHEREAS**, revenue from parcel taxes can be spent according to local priorities and are not subject to state control; and


**WHEREAS**, the two-thirds vote requirements results in minority rule by requiring two "yes" votes to cancel out one no vote; and


**WHEREAS**, passage of SCA 6 will allow local voters to decide to make investments in their neighborhood schools in addition to state funding; and

**NOW, THEREFORE, BE IT RESOLVED** that the governing board of the Santa Monica-Malibu Unified School District strongly urges the California State Legislature to support and adopt SCA 6.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of June 2009 by the following vote:

AYES: 7  
NOES: 0  
ABSTENTIONS: 0  
ABSENT: 0

  
\_\_\_\_\_  
Ralph Mechur, President  
Board of Education

  
\_\_\_\_\_  
Tim Cuneo  
Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

**UPDATE**

RE: APPOINT MEMBERS TO THE MEASURE BB ADVISORY COMMITTEE

RECOMMENDATION NO. A.43

It is recommended that the Board of Education appoint the following individuals to the Measure "BB" Advisory Committee (names are alphabetical):

<u>Name</u>	<u>District Affiliation</u>
<u>Ben Garbuio</u>	<u>Parent, Santa Monica Resident, Engineer</u>
<u>Rebecca Kennerly</u>	<u>Parent, former PTSA Council President; Chair, Community for Excellent Public Schools</u>
<u>Michael Sidley</u> [TBD]	<u>Parent, Malibu Resident, Attorney</u> [Representative: City of Malibu]

~~NOTE: At the publication of this agenda, the sub committee of the Measure "BB" Advisory Committee was in the final stages of recommending committee membership to fill open positions that arose after several resignations. The Measure "BB" Advisory Committee will be meeting on June 22, 2009 to finalize the recommendations; an update will be issued prior to the Board meeting on June 25, 2009.~~

COMMENT: Copies of the 7 applications received by the April 30, 2009 deadline have been provided to the Board of Education under separate cover and are on file in the Office of the Superintendent. The sub-committee reviewed the applications and selected 4 for interviews. At the June 22, 2009 meeting, the Measure BB Advisory Committee recommended the appointment of three individuals to the committee.

BACKGROUND: At the Board of Education Meeting of April 19, 2007, the Board approved the name change from the Ad Hoc Facilities Committee to the Measure "BB" Advisory Committee. At the Board Meetings of June 13 and June 28, 2007, the Board appointed a total of seventeen (17) members. Since that time, four (4) members have resigned and the designated member from the City of Malibu is currently vacant. It is anticipated that the Measure BB Advisory Committee will recommend three (3) new members be appointed at this time. The District will be contacting the City of Malibu to fill the currently vacant, designated position.

Other committee members continuing include:

Name

Craig Hamilton, Chair  
Dennis Crane  
David Reznick  
Barbara Stinchfield, City of Santa Monica  
Don Girard, SMC  
Laura Rosenthal  
Ted Bardacke  
Elaine Rene-Weissman  
Judith Meister  
William Jepson  
David Kaplan

\*\*\*\*\*

Public Comments:

- *Richard McKinnon, a member of the community, addressed the board regarding this item.*

MOTION MADE BY: Mr. Snell  
SECONDED BY: Dr. Escarce  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: ADOPT RESOLUTION NO. 08-47 - PROVIDING FOR THE  
ISSUANCE OF THE 2009 GENERAL OBLIGATION BOND  
ANTICIPATION NOTES AND SERIES C OF THE MEASURE BB  
GENERAL OBLIGATION BONDS

RECOMMENDATION NO. A.44

It is recommended that the Board of Education adopt Resolution No. 08-47 which provides for the issuance of the 2009 General Obligation Bond Anticipation Notes (not-to-exceed \$30 million) and Series C General Obligation Bonds (not to exceed \$30 million) of the Measure BB General Obligation Bonds.

COMMENTS: At the District's May 7, 2009 Board Meeting, the Board of Education adopted Resolution No. 08-38, authorizing the issuance of the Series B General Obligation Bonds in an amount not-to-exceed \$80 million. At the time of adoption, the administration indicated that an additional presentation would be made at a subsequent Board meeting with a recommended financing structure.

At the June 2, 2009 meeting of the Financial Oversight Committee, the District's bond advisor, Tony Hsieh of Keygent Public Finance, presented various options in issuing the next \$80 million of Measure BB funds. Mr. Hsieh recommended that the District obtain the next \$80 million by issuing a combination of bonds and bond anticipation notes to minimize/avoid the use of capital appreciation (zero-coupon) bonds, which currently carry a significantly higher interest cost in current market conditions.

The resolution authorizes the issuance of the 2009 General Obligation Bond Anticipation Notes in an amount not-to-exceed \$30 million. In addition, the resolution provides for the issuance of the Series C General Obligation Bonds (also in an amount not to exceed \$30 million) which would be used in the future to pay off the 2009 General Obligation Bond Anticipation Notes. The Series C General Obligation Bonds will not be issued without additional approvals from the Board of Education.

*(Continued on next page)*

It is currently estimated that the District will use \$60 million in bonds and \$20 million in bond anticipation notes to obtain the next \$80 million in Measure BB funding. This allocation may change, given changes in market conditions, however, under no condition will the total issuance amount exceed \$80 million. The financings are projected to be completed in early August.

\*\*\*\*\*

*The handout can be found under Attachments at the end of these minutes.*

Public Comments:

- *Cynthia Torres and Craig Hamilton, members of the community, addressed the board regarding this item.*

MOTION MADE BY: Mr. Snell  
SECONDED BY: Mr. Allen  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

## **RESOLUTION NO. 08-47**

### **RESOLUTION OF THE BOARD OF EDUCATION OF THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT AUTHORIZING THE ISSUANCE OF 2009 GENERAL OBLIGATION BOND ANTICIPATION NOTES, ELECTION OF 2008 GENERAL OBLIGATION BONDS, SERIES C, AND ACTIONS RELATED THERETO**

**WHEREAS**, a duly called election (the “Bond Election”) was held in the Santa Monica-Malibu Unified School District (the “District”), Los Angeles County (the “County”), State of California on November 7, 2006 and thereafter canvassed pursuant to law;

**WHEREAS**, at the Bond Election there was submitted to and approved by the requisite fifty-five percent vote of the qualified electors of the District a question (the “Bond Measure”) as to the issuance and sale of general obligation bonds (the “Bonds”) of the District for various purposes set forth in the ballot submitted to the voters, in the maximum principal amount of Two Hundred Sixty-Eight Million Dollars (\$268,000,000) payable from the levy of an *ad valorem* tax against the taxable property in the District;

**WHEREAS**, the District issued \$60,000,000 of Series A Bonds under the Authorization and has further authorized the issuance of not-to-exceed \$80,000,000 of Series B Bonds under the Bond Measure.

**WHEREAS**, pursuant to Chapter 1 of Title 1, Division 1, Part 10, of the Education Code of the State of California, entitled “Bonds of School Districts and Community College Districts” (the “Act”), and in particular pursuant to the authority set forth in Section 15150 of the Act, the governing board of a school district may, by resolution, upon such terms and conditions as it shall prescribe, issue notes, on a negotiated or competitive-bid basis, maturing within a period not to exceed five years, in anticipation of the sale of general obligation bonds authorized at the time the notes are issued;

**WHEREAS**, the proceeds from the sale of such notes shall be used only for authorized purposes of the anticipated general obligation bonds or to repay outstanding notes authorized by the Act;

**WHEREAS**, at this time the Board of Education (the “Board”) of the District deems it in the best interests of the District to issue not-to-exceed Thirty Million Dollars (\$30,000,000) of the District’s 2009 General Obligation Bond Anticipation Notes (the “2009 Notes”) at an interest rate not-to-exceed the maximum rate allowed by law per annum, and to use the proceeds thereof for any of the purposes authorized at the Bond Election;

**WHEREAS**, pursuant to the Act, in the event that the sale of the Series C Bonds (defined below) does not occur prior to the maturity of the 2009 Notes issued in anticipation of the sale, each of the Superintendent, the President of the Board, and the Assistant Superintendent, Business Services of the District (the “Authorized Officers”), in order to repay the 2009 Notes then maturing, shall cause renewal notes (the “Renewal Notes”) to be issued to repay the 2009 Notes and the interest thereon;

**WHEREAS**, the renewal of a 2009 Note may not be issued after the sale of the Series C Bonds in anticipation of which the original 2009 Notes are being issued and the total amount of the 2009 Notes or renewals thereof issued and outstanding may not at any time exceed the total amount of the unsold Bonds;

**WHEREAS**, any renewal of the 2009 Notes shall be payable not later than five years after the date of their issue, and such 2009 Notes or renewals thereof are payable from the proceeds of the sale of the Series C Bonds or any Renewal Notes, or from other funds of the District lawfully available for the purpose of repaying the 2009 Notes, including State grants;

**WHEREAS**, interest on the 2009 Notes and any Renewal Notes also shall be payable from proceeds of the sale of the Series C Bonds, defined below, or from the *ad valorem* tax lawfully levied to pay principal of and interest on the Series C Bonds; and

**WHEREAS**, at this time this Board has determined that it is necessary and desirable to also request the issuance of a series of such Bonds in an aggregate principal amount not-to-exceed \$30,000,000 to be styled as “Santa Monica-Malibu Unified School District, Los Angeles County, California, Election of 2008 General Obligation Bonds, Series C” (the “Series C Bonds”);

**WHEREAS**, the Board of Supervisors of the County shall issue the Series C Bonds on behalf of the District pursuant to Chapter 1.5 of Part 10 of Division 1 of title 1 (commencing with Section 15264 *et seq.*) of the California Education Code;

**WHEREAS**, the District desires to establish the Building Fund (defined herein) into which proceeds of the 2009 Notes and proceeds of the Series C Bonds will be deposited; and

**WHEREAS**, the District desires to establish the Debt Service Fund (defined herein) into which any premium received by the District from the proceeds of the Notes, proceeds from the sales of any Renewal Notes, premium received on the Series C Bonds issued to repay the 2009 Notes, and any Renewal Notes and any proceeds of the *ad valorem* tax levied to pay the principal of and interest on the Series C Bonds will be deposited as described herein;

**WHEREAS**, this Board desires to appoint and reappoint certain professionals to provide services related to the issuance of the 2009 Notes and the Series C Bonds as well as other debt of the District; and

**WHEREAS**, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including this proposed issue of 2009 Notes and the Series C Bonds, is within all limits prescribed by law;

**NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE BOARD OF EDUCATION OF THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, LOS ANGELES COUNTY, CALIFORNIA, AS FOLLOWS:**

**Section 1.** Authorization of Issuance of 2009 Notes and Series C Bonds; Terms Thereof.

(A) The Board hereby determines to and authorizes the issuance of two series of notes not-to-exceed \$30,000,000 principal amount of general obligation bond anticipation notes under Section 15150 of the Act, designated "Santa Monica-Malibu Unified School District, Los Angeles County, State of California, 2009 General Obligation Bond Anticipation Notes"; to be numbered 1 (and consecutively upward in order of issuance if more than one Note is registered); to be in the denominations of \$5,000, or integral multiples thereof, as determined by the Underwriter (as referred to herein), to be dated the date of delivery thereof; to mature (with or without the option of prior redemption as set forth in the Note Purchase Agreement) on one or more dates set forth in the Note Purchase Agreement described in Section 10 below within a period not to exceed five years from the date of delivery and on a day on which banks in New York or California are open for business; and to bear interest, payable on one or more dates specified in the Note Purchase Agreement computed on a 30-day month/360-day year basis, at the rate or rates determined at the time of sale thereof, but not in excess of the maximum rate allowed by law per annum. Both the principal of and interest on the 2009 Notes shall be payable, only upon surrender thereof, in lawful money of the United States of America at the principal office of U.S. Bank National Association, as agent for the Treasurer and Tax Collector of Los Angeles County, as Paying Agent (the "Paying Agent"), which is hereby designated as the paying agent on the 2009 Notes. For purposes of the 2009 Notes, the Paying Agent shall be deemed to be a "fiscal agent" within the meaning of Section 53601 of the Government Code of the State of California.

(B) To raise money for the purposes authorized by voters of the District at the Election, to pay the principal and interest due on the 2009 Notes, and to pay all necessary legal, financial and contingent costs in connection with the issuance of the Series C Bonds, this Board hereby petitions the Board of Supervisors of the County to authorize the issuance of the Series C Bonds and to order such Series C Bonds sold at a negotiated sale such that the Series C Bonds shall be dated as of a date to be determined by said Board of Supervisors, shall bear interest at a rate not to exceed that authorized at the Election, and shall be payable upon such terms and provisions as shall be set forth in the Series C Bonds, and shall be in an aggregate principal amount not-to-exceed \$30,000,000. The Board estimates that the costs associated with the issuance of the Series C Bonds, including compensation to the Underwriter and any such costs which the Underwriter agrees to pay pursuant to the Purchase Contract, will equal approximately 1.5% of the principal amount of the Series C Bonds.

**Section 2.** Form of 2009 Notes. The 2009 Notes shall be issued in registered form and shall be substantially in the form and substance set forth in Exhibit A attached hereto and by reference incorporated herein, the blanks in said form to be filled in with appropriate words and figures. The 2009 Notes may be initially registered in the name of "Cede & Co." as nominee of The Depository Trust Company, and shall be evidenced by one note in the aggregate principal amount of the 2009 Notes. The Depository Trust Company, New York, New York is hereby appointed depository for the 2009 Notes. Registered ownership may not thereafter be transferred except as set forth in Section 4 hereof. There shall be simultaneously delivered with each 2009 Note, the legal opinion of Stradling Yocca Carlson & Rauth, a Professional Corporation respecting the validity of said 2009 Notes and, immediately following such legal opinion, a certificate executed with the facsimile signature of the Clerk of the Board of Education, said certificate to be in substantially the following form:

I HEREBY CERTIFY that the following is a true and correct copy of the legal opinion regarding the 2009 Notes therein described that was provided by Stradling Yocca Carlson & Rauth, a Professional Corporation, and was dated as of the date of delivery of and payment for said 2009 Notes.

[Facsimile Signature]

Clerk of the Board of Education

**Section 3.** Transfer and Exchange of 2009 Notes. Subject to the provisions of Section 4 hereof, the registration of any 2009 Note may, in accordance with its terms, be transferred, upon the registration books kept by the Paying Agent for such purpose, by the person in whose name it is registered, in person or by his or her duly authorized attorney, upon surrender of such 2009 Note for cancellation, accompanied by delivery of a written instrument of transfer, duly executed in a form approved by the Paying Agent.

Whenever any 2009 Note or 2009 Notes shall be surrendered for registration or transfer, the Paying Agent shall execute and deliver a new 2009 Note or 2009 Notes, for a like aggregate principal amount. The Paying Agent shall require the 2009 Note owner requesting such registration of transfer to pay any tax or other governmental charge required to be paid with respect to such transfer. The District may require the owner requesting such registration of transfer to pay such additional reasonable charge as may be necessary to cover customary expenses incurred and fees charged by the Paying Agent with respect to such registration of transfer. The Paying Agent may treat the registered owner of any 2009 Note as the absolute owner thereof for all purposes whatsoever in accordance with this Resolution, and the Paying Agent shall not be affected by any notice to the contrary.

Subject to the provisions of Section 4 hereof, 2009 Notes may be exchanged at the office of the Paying Agent for a like aggregate principal amount of 2009 Notes in other authorized denominations. The Paying Agent shall require the payment by the 2009 Note owner requesting such exchange of any tax or other governmental charge required to be paid with respect to such exchange. The Paying Agent may require the owner requesting such exchange to pay such additional reasonable charge as may be necessary to cover customary expenses incurred and fees charged by the Paying Agent or the District with respect to such exchange.

**Section 4.** Use of Depository. (1) The 2009 Notes may be initially registered as provided in Section 2 hereof. In such event, registered ownership of the 2009 Notes, or any portion thereof, may not thereafter be transferred except:

(i) To any successor of Cede & Co., as nominee of The Depository Trust Company, or its nominee, or to any substitute depository designated pursuant to clause (ii) of this Section 4 (a "substitute depository"); provided, that any successor of Cede & Co., as nominee of The Depository Trust Company or a substitute depository, shall be qualified under any applicable laws to provide the services proposed to be provided by it;

(ii) To any substitute depository not objected to by the Paying Agent, upon (1) the resignation of The Depository Trust Company or its successor (or any substitute depository or its successor) from its functions as depository, or (2) a determination by the District to substitute another depository for The Depository Trust Company (or its successor) because The Depository Trust Company or its successor (or any substitute depository or its successor) is no longer able to carry out its functions as depository; provided, that any such substitute depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(iii) To any person as provided below, upon (1) the resignation of The Depository Trust Company or its successor (or substitute depository or its successor) from its functions as depository, or (2) a determination by the District to remove The Depository Trust Company or its successor (or any substitute depository or its successor) from its functions as depository.

(2) In the case of any transfer pursuant to clause (i) or clause (ii) of subsection (1) of this Section 4, upon receipt of the outstanding 2009 Notes by the Paying Agent, together with a request of the District, to the Paying Agent, a new 2009 Note shall be executed and delivered in the aggregate principal amount of the 2009 Notes registered in the name of such successor or such substitute depository, or their nominees, as the case may be, all as specified in such request of the District. In the case of any transfer pursuant to clause (iii) of subsection (1) of this subparagraph (d), upon receipt of the outstanding 2009 Notes by the Paying Agent together with a request of the District to the Paying Agent, new 2009 Notes shall be executed and delivered in such denominations numbered in the manner determined by the Paying Agent and registered in the names of such persons as are requested in such a request of the District. Thereafter, 2009 Notes shall be transferred pursuant to Section 3 hereof.

(3) The District and the Paying Agent shall be entitled to treat the person in whose name any 2009 Note is registered as the owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall have no responsibility for transmitting payments to, communication with, notifying, or otherwise dealing with any beneficial owners of the 2009 Notes and neither the District nor the Paying Agent will have any responsibility or obligations, legal or otherwise, to the beneficial owners or to any



other party, including The Depository Trust Company or its successor (or substitute depository or its successor), except for the owner of any 2009 Notes.

(4) So long as the outstanding 2009 Notes are registered in the name of Cede & Co. or its registered assigns, the District and the Paying Agent shall cooperate with Cede & Co., as sole registered owner, or its registered assigns in effecting payment of the principal of and interest on the 2009 Notes by arranging for payment in such manner that funds for such payments are properly identified and are made immediately available on the date they are due.

**Section 5.** Deposit of 2009 Note Proceeds; No Arbitrage. The proceeds from the sale of the 2009 Notes, to the extent of the principal amount thereof, shall be paid to the Treasurer and Tax Collector of the County (the "Treasurer") to the credit of the fund hereby created and established and to be known as the "Santa Monica-Malibu Unified School District General Obligation Series C Bond and Bond Anticipation Note Building Fund" (the "Building Fund") of the District, shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the 2009 Notes and Series C Bonds are being issued, provided that such proceeds shall be applied solely to authorized purposes of the Bond Election. Any accrued interest and any premium received by the Treasurer and Tax Collector of Los Angeles County (the "Treasurer") from the sale of the 2009 Notes and the Series C Bonds shall be kept separate and apart in the fund hereby created and established and to be designated as the "Santa Monica-Malibu Unified School District General Obligation Series C Bond and Bond Anticipation Note Debt Service Fund" (the "Debt Service Fund") and shall be used only for payment of principal of and interest on the 2009 Notes or the Series C Bonds. Any proceeds of Renewal Notes received by the District and other funds of the District lawfully available for the purpose of repaying the 2009 Notes and any Renewal Notes shall be deposited into the Debt Service Fund and shall be applied to pay the principal of and interest due on the 2009 Notes or Renewal Notes, as applicable. So long as the 2009 Notes and any Renewal Notes are outstanding, amounts in the Debt Service Fund are irrevocably pledged to the repayment of the 2009 Notes, any Renewal Notes and the Series C Bonds, and the interest thereon and thereafter to the repayment of the Series C Bonds. Interest earnings on moneys held in the Building Fund shall be retained in the Building Fund. Interest earnings on moneys held in the Debt Service Fund shall be retained in the Debt Service Fund. Any excess proceeds of the 2009 Notes not needed for the authorized purposes set forth herein for which the 2009 Notes are being issued shall be transferred to the Debt Service Fund and applied to the payment of principal of and interest on the 2009 Notes.

Upon the issuance of the Series C Bonds, all accrued interest and premium received by the District from the sale of the Series C Bonds and other proceeds of the Series C Bonds to be applied to repay the 2009 Notes and any Renewal Notes shall be deposited into the Debt Service Fund and be applied to pay the principal of and interest due on the 2009 Notes, any Renewal Notes and thereafter any Series C Bonds. After the issuance of the Series C Bonds, the Debt Service Fund shall remain in effect and amounts therein shall be applied to pay the principal of and interest on the Series C Bonds when due.

If, after payment in full of the Series C Bonds, there remain excess proceeds in the Debt Service Fund or the Building Fund, any such excess amounts shall be transferred to the General Fund of the District.

The District hereby covenants that it will make no use of the proceeds of the 2009 Notes or the Series C Bonds that would cause the 2009 Notes or the Series C Bonds to be "arbitrage bonds" under Section 148 of the Code; and, to that end, so long as any of the 2009 Notes are outstanding, the District, and all of its officers having custody or control of such proceeds, shall comply with all requirements of said section, including restrictions on the use and investment of proceeds of the 2009 Notes and the Series C Bonds and the rebate of a portion of investment earnings on certain amounts, including proceeds of the 2009 Notes or the Series C Bonds, if required, to the Federal government, and of the Income Tax Regulations of the United States Treasury promulgated thereunder or under any predecessor provisions, to the extent that such regulations are, at the time, applicable and in effect, so that the 2009 Notes and the Series C Bonds will not be "arbitrage bonds."

Furthermore, the District will not make any use of the proceeds of the 2009 Notes or the Series C Bonds or any other funds of the District, or take or omit to take any other action, that would cause the 2009 Notes or the Series C Bonds to be "private activity bonds" within the meaning of Section 141 of the Code or "federally guaranteed" within the meaning of Section 149(b) of the Code. To that end, so long as any 2009 Notes or the Series C Bonds are unpaid, the District, with respect to such proceeds and such other funds, will comply with all requirements of such Sections and all regulations of the United States Department of the Treasury issued thereunder and under Section 103 of the Internal Revenue Code of 1986, as amended, to the extent such requirements are, at the time, applicable and in effect.

The District will not use or permit the use of its facilities or any portion thereof by any person other than a governmental unit as such term is used in Section 141 of the Code, in such manner or to such extent as would result in the loss of exclusion from gross income for federal income tax purposes of the interest paid on the 2009 Notes or the Series C Bonds. In furtherance of the foregoing tax covenants of this Section 5, the District covenants that it will comply with the instructions and requirements of the Tax Certificate to be executed and delivered by the District on the date of issuance of the 2009 Notes or the Series C Bonds, which is incorporated herein as if fully set forth herein. These covenants shall survive the payment in full or defeasance of the 2009 Notes or the Series C Bonds.

If required by the Tax Certificate executed upon the issuance of the 2009 Notes and the Series C Bonds, the District will establish with the County a Rebate Fund for purposes of paying any rebate owed under the Code.

**Section 6.** Investment of Proceeds of the 2009 Notes.

(i) Definitions. As used in this Section, the terms set forth below shall have the meanings ascribed to them:

“Code” means the Internal Revenue Code of 1986, as amended.

“Fair Market Value” means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of section 1273 of the Code) and, otherwise, the term “Fair Market Value” means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code, (iii) the investment is a United States Treasury Security—State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

“Non-AMT Bonds” means obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103(a) of the Code and not treated as an item of tax preference under Section 57(a)(5)(C) of the Code, that are legal investments pursuant to Section 53601 of the Government Code.

“Permitted Investments” means (i) any lawful investments permitted by Section 16429.1 and Section 53601 of the Government Code, including Non-AMT Bonds and Qualified Non-AMT Mutual Funds, (ii) shares in a California common law trust established pursuant to Title 1, Division 7, Chapter 5 of the Government Code which invests exclusively in investments permitted by Section 53635 of the Government Code, but without regard to any limitations in such Section concerning the percentage of moneys available for investment being invested in a particular type of security, (iii) a guaranteed investment contract with a provider rated in at least the second highest category by each rating agency then rating the Bonds and approved by the Bond Insurer, if any, (iv) the Local Agency Investments Fund of the California State Treasurer, and (v) the investment pool maintained by the Treasurer, and (vi) State and Local Government Series Securities.

“Qualified Non-AMT Mutual Fund” means stock in a regulated investment company to the extent that at least 95% of the income of such regulated investment company is interest that is excludable from gross income under Section 103 of the Code and not an item of tax preference under Section 57(a)(5)(C) of the Code.

“Qualified Permitted Investments” means (i) Non-AMT Bonds, (ii) Qualified Non-AMT Mutual Funds, (iii) other Permitted Investments authorized by the Bond Insurer, if any, and an opinion of Bond Counsel to the effect that such investment would not adversely affect the tax-exempt status of the Notes, and (iv) Permitted Investments of proceeds of the Notes, and interest earned on such proceeds, held not more than thirty days pending reinvestment or Note redemption. A guaranteed investment contract or similar investment agreement (e.g. a forward supply contract, GIC, repo, etc.) does not constitute a Qualified Permitted Investment.

“Taxable Notes” means any Notes not issued as Tax-Exempt Notes.

“Tax-Exempt Notes” means any Notes the interest in which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Bonds.

(ii) Moneys in the Debt Service Fund and the Building Fund shall be invested at the written direction of the District, in Permitted Investments. If at the time of issuance the District determines to issue the 2009 Notes as Tax-Exempt Notes without regard to the Internal Revenue Code “temporary period” restrictions, all investment of Note proceeds shall be subject to paragraph (1) below; and the District, may provide for an agent to assist the County in investing funds pursuant to paragraph (1) below. If the District fails to direct the County or its agent, as the case may be, the County or its agent shall invest or cause the funds in the Building Fund to be invested in Qualified Permitted Investments, subject to the provisions of paragraph (1) below, until such time as the District provides written direction to invest such funds otherwise. Neither the County nor its officers and agents, as the case may be, shall have any responsibility or obligation to determine the tax consequences of any investment. The interest earned on the moneys deposited to the Building Fund shall be applied as set forth in subparagraph (1)(C) below:

(1) Covenant Regarding Investment of Proceeds.

(A) Permitted Investments. Beginning on the delivery date, and at all times until expenditure for authorized purposes, not less than 95% of the proceeds of the 2009 Notes deposited in the Building Fund, including investment earnings thereon, will be invested in Qualified Permitted Investments which are rated in at least the second highest rating category by one of the two Rating Agencies. Notwithstanding the preceding provisions of this Section, for purposes of this paragraph, amounts derived from the disposition or redemption of Qualified Permitted Investments and held pending reinvestment or redemption for a period of not more than 30 days may be invested in Permitted Investments. The District hereby authorizes investments made pursuant to this Resolution with maturities exceeding five years.

(B) Recordkeeping and Monitoring Relating to Building Fund.

i. Information Regarding Permitted Investments. The District hereby covenants that it will record or cause to be recorded with respect to each Permitted Investment in the Building Fund the following information: purchase date; purchase price; information establishing the Fair Market Value of such Permitted Investment; face amount; coupon rate; periodicity of interest payments; disposition price; disposition date; and any accrued interest received upon disposition.

ii. Information in Qualified Non-AMT Mutual Funds. The District hereby covenants that, with respect to each investment of proceeds of the 2009 Notes in a Qualified Non-AMT Mutual Fund pursuant to paragraph (1)(A) above, in addition to recording, or causing to be recorded, the information set forth in paragraph (1)(B)(i) above, it will retain a copy of each IRS information reporting form and account statement provided by such Qualified Non-AMT Mutual Fund.

iii. Monthly Investment Fund Statements. The District covenants that it will obtain, at the beginning of each month following the delivery date, a statement of the investments in the Building Fund detailing the nature, amount and value of each investment as of such statement date.

iv. Retention of Records. The District hereby covenants that it will retain the records referred to in paragraph (1)(B)(i) and each IRS information reporting form referred to in paragraph (1)(B)(ii) with its books and records with respect to the 2009 Notes until three years following the last date that any obligation comprising the 2009 Notes is retired.

(C) Interest Earned on Permitted Investments. The interest earned on the moneys deposited in the Building Fund shall be deposited in the Building Fund and used for the purposes of that fund.

Except as required below to satisfy the requirements of Section 148(f) of the Internal Revenue Code of 1986, as amended (the "Code"), interest earned on the investment of moneys held in the Debt Service Fund shall be retained in the Debt Service Fund and used by the County to pay the principal of and interest on the 2009 Notes or the Series C Bonds when due.

**Section 7. Payment of 2009 Notes.**

(A) Source of Payment. The principal amount of the 2009 Notes, together with the interest thereon, shall be payable from proceeds of the sale of any Renewal Notes or the Series C Bonds or from other funds of the District lawfully available for the purpose of repaying the 2009 Notes, including State grants. Interest on the 2009 Notes also shall be payable from the tax lawfully levied to pay principal of and interest on the Series C Bonds. The District covenants that prior to the maturity of the 2009 Notes it shall issue or cause to be issued either the Series C Bonds or Renewal Notes in an amount sufficient to pay the principal and interest due on the 2009 Notes.

(B) Issuance of Renewal Notes. In the event that the sale of the Series C Bonds does not occur prior to the maturity of the 2009 Notes, any one of the Authorized Officers, in order to repay the 2009 Notes then maturing, shall cause Renewal Notes to be issued for this purpose. The renewal of a 2009 Note may not occur after the sale of Series C Bonds in anticipation of which the 2009 Notes were issued.

The total amount of the 2009 Notes and Renewal Notes issued and outstanding may not at any time exceed the total amount of the unsold Bonds.

(C) Maximum Term of Renewal Notes. Any Renewal Notes shall be payable at a fixed time not more than five years from the date of the original issuance of the 2009 Notes.

**Section 8. Execution of 2009 Notes.** The President of the Board, or a designated deputy thereof, is hereby authorized to sign the 2009 Notes manually or by facsimile signature, and the Clerk of the Board of Education (the "Clerk") is hereby authorized to countersign the 2009 Notes manually or by facsimile signature and said officers are hereby authorized to cause the blank spaces thereof to be filled in as may be appropriate. No 2009 Note shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the 2009 Note is manually signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the 2009 Note so

authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

**Section 9.** Appointment of Bond Counsel, Financial Advisor and Underwriter. Stradling Yocca Carlson & Rauth, a Professional Corporation is appointed to act as Bond Counsel and Disclosure Counsel in connection with the issuance of the 2009 Notes and the Series C Bonds. Therefore named in the Note Purchase Agreement as the underwriter (the "Underwriter") is appointed to act as the underwriter in connection with the issuance of the 2009 Notes. Keygent LLC is appointed to act as the Financial Advisor in connection with the issuance of the 2009 Notes and the Series C Bonds.

**Section 10.** Approval of Purchase Contract: Sale of 2009 Notes and Series C Bonds.

(A) The 2009 Notes and the Series C Bonds shall be sold at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the 2009 Notes and the Series C Bonds to fit the needs of particular purchasers, and a greater opportunity for the Underwriter to pre-market the 2009 Notes and the Series C Bonds to potential purchasers prior to the sale, all of which will contribute to the District's goal of achieving the lowest overall cost of funds. The form of Note Purchase Agreement for the 2009 Notes and comparable bond purchase agreement for the Series C Bonds (collectively, the "Purchase Contract"), substantially in the form presented to this meeting and on file with the Clerk of this Board is hereby approved.

(B) In connection with the sale of the 2009 Notes, each of the Authorized Officers is hereby authorized to execute and deliver the Note Purchase Agreement substantially in the form presented to this meeting, with such changes therein, deletions therefrom and modifications thereto as the officer executing the same may approve, such approval to be conclusively evidenced by his or her execution and delivery thereof; provided, however, that the maximum interest rate on the 2009 Notes and the Series C Bonds shall not exceed the maximum rate allowed by law per annum and that the Underwriter's discount with respect to the 2009 Notes, excluding original issue discount and costs of issuance to be paid by the Underwriter, shall not exceed 0.5% of the principal amount of the 2009 Notes. The Authorized Officers, each alone, are hereby further authorized to determine the maximum principal amount of 2009 Notes to be specified in the Purchase Contract, up to \$30,000,000, and to accept or reject the interest rates and purchase price proposed by the Underwriter subject to the limitations set forth above.

(C) In connection with the sale of the Series C Bonds, each of the Authorized Officers is hereby authorized to execute and deliver the Note Purchase Agreement substantially in the form presented to this meeting, with such changes therein, deletions therefrom and modifications thereto as the officer executing the same may approve, such approval to be conclusively evidenced by his or her execution and delivery thereof; provided, however, that the maximum interest rate on the Series C Bonds shall not exceed that authorized at the Election and that the Underwriters' discount with respect to the Series C Bonds, excluding original issue discount and costs of issuance to be paid by the Underwriter, shall not exceed 0.8% of the principal amount of the Series C Bonds. The Authorized Officers, each alone, are hereby further authorized to determine the maximum principal amount of Series C Bonds to be specified in the Note Purchase Agreement, up to \$30,000,000, and to accept or reject the interest rates and purchase price proposed by the Underwriter subject to the limitations set forth above.

**Section 11.** Preliminary Official Statement and Official Statement for the 2009 Notes and the Series C Bonds

(A) The Preliminary Official Statement relating to the 2009 Notes, substantially in the form on file with the Clerk of the Board, is hereby approved. The Authorized Officers, each alone, are hereby authorized to make changes to the Preliminary Official Statement so as to make it accurate as of its date and to deem the Preliminary Official Statement "final" pursuant to Rule 15c2-12 of the Securities Exchange Act of 1934 prior to its distribution. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the 2009 Notes and is directed to deliver copies of any final Official Statement to the purchasers of the 2009 Notes. Each of the Authorized Officers is authorized to execute and deliver a final Official Statement substantially in the form of the Preliminary Official Statement, together with such changes therein as the officer executing the same may approve. Execution of the Official Statement shall conclusively evidence the District's approval thereof.

(B) The Board approves the preparation of a Preliminary Official Statement and an Official Statement relating to the Series C Bonds. The Authorized Officers, each alone, are hereby authorized to make changes to such Preliminary Official Statement so as to make it accurate as of its date and to deem the Preliminary Official Statement "final" pursuant to Rule 15c2-12 of the Securities Exchange Act of 1934 prior to its distribution. The Underwriter is hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Series C Bonds and is directed to deliver copies of any final Official Statement to the purchasers of the Series C Bonds. Each of the Authorized Officers is authorized to execute and deliver a final Official Statement substantially in the form of the Preliminary Official Statement, together with such changes therein as the officer executing the same may approve. Execution of such Official Statement for the Series C Bonds shall conclusively evidence the District's approval thereof.

**Section 12.** Continuing Disclosure Certificate. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of those certain Continuing Disclosure Certificates executed by the

District in connection with the issuance of the 2009 Notes or the Series C Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof. Any owner of the 2009 Notes or the Series C Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not constitute a default hereunder or result in acceleration of the 2009 Notes or the Series C Bonds.

**Section 13. Supplemental Resolution.**

(a) This Resolution, and the rights and obligations of the District and of the owners of the 2009 Notes issued hereunder, may be modified or amended at any time by a supplemental resolution adopted by the District with the written consent of owners owning at least 60% in aggregate principal amount of the outstanding 2009 Notes, exclusive of 2009 Notes, if any, owned by the District; provided, however, that no such modification or amendment shall, without the express consent of the owner of each 2009 Note, affected, reduce the principal amount of any 2009 Notes, reduce the interest rate payable thereon, extend its maturity or the times for paying interest thereon or change the monetary medium in which principal and interest is payable, nor shall any modification or amendment reduce the percentage of consents required for amendment or modification. No such Supplemental Resolution shall change or modify any of the rights or obligations of any Paying Agent without its written assent thereto. Notwithstanding anything herein to the contrary, no such consent shall be required if the owners are not directly and adversely affected by such amendment or modification.

(b) This Resolution, and the rights and obligations of the District and of the owners of the 2009 Notes, issued hereunder, may be modified or amended at any time by a supplemental resolution adopted by the District without the written consent of the owners:

(i) To add to the covenants and agreements of the District in this Resolution, other covenants and agreements to be observed by the District which are not contrary to or inconsistent with this Resolution as theretofore in effect;

(ii) To add to the limitations and restrictions in this Resolution, other limitations and restrictions to be observed by the District which are not contrary to or inconsistent with this Resolution as theretofore in effect;

(iii) To confirm as further assurance any pledge under, and the subjection to any lien or pledge created or to be created by, this Resolution, of any moneys, securities or funds, or to establish any additional funds or accounts to be held under this Resolution;

(iv) To cure any ambiguity, supply any omission, or cure to correct any defect or inconsistent provision in this Resolution; or

(v) To amend or supplement this Resolution in any other respect, provided such Supplemental Resolution does not adversely affect the interests of the owners of the 2009 Notes and Series C Bonds, respectively.

(c) Any act done pursuant to a modification or amendment so consented to shall be binding upon the owners of all the 2009 Notes and shall not be deemed an infringement of any of the provisions of this Resolution, whatever the character of such act may be, and may be done and performed as fully and freely as if expressly permitted by the terms of this Resolution, and after consent relating to such specified matters has been given, no owner shall have any right or interest to object to such action or in any manner to question the propriety thereof or to enjoin or restrain the District or any officer or agent of either from taking any action pursuant thereto.

**Section 14. Resolution To Constitute Contract.** In consideration of the purchase and acceptance of any and all of the 2009 Notes authorized to be issued hereunder by those who shall own the same from time to time, this Resolution shall be deemed to be and shall constitute a contract between the District and the owners from time to time of the 2009 Notes; and the pledge made in this Resolution shall be for the equal benefit, protection and security of the owners of any and all of the 2009 Notes, all of which, regardless of the time or times of their issuance or maturity, shall be of equal rank without preference, priority or distinction of any of the 2009 Notes over any other thereof.

**Section 15. Unclaimed Moneys.** Anything in this Resolution to the contrary notwithstanding, any moneys held by the Paying Agent in trust for the payment and discharge of any of the 2009 Notes which remain unclaimed for two (2) years after the date when such 2009 Notes have become due and payable and moneys were held by the Paying Agent at such date, or for two (2) years after the date of deposit of such moneys if deposited with the Paying Agent after said date when such 2009 Notes become due and payable, shall be repaid by the Paying Agent to the District, as its absolute property and free from trust, and the Paying Agent shall thereupon be released and discharged with respect thereto and the owners of the 2009 Notes shall look only to the District for the payment of such 2009 Notes; provided, however, that before being required to make such payment to the District, the Paying Agent shall, at the expense of District, cause to be mailed to the owners of all such 2009 Notes, at their respective addresses appearing on the registration books, a notice that said moneys remain unclaimed and that, after a date in

said notice, which date shall not be less than thirty (30) days after the date of mailing such notice, the balance of such moneys then unclaimed will be returned to the District.

**Section 16.** Defeasance. All or any portion of the 2009 Notes may be defeased prior to maturity in the following ways:

(a) Cash: by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which together with amounts then on deposit in the Debt Service Fund is sufficient to pay all 2009 Notes designated for defeasance, including all principal and interest and premium, if any; or

(b) Government Obligations: by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations (defined below) together with cash, if required, in such amount as will, in the opinion of an independent certified public accountant, together with interest to accrue thereon and moneys then on deposit in the Debt Service Fund together with the interest to accrue thereon, be fully sufficient to pay and discharge all 2009 Notes designated for defeasance (including all principal and interest represented thereby and prepayment premiums, if any) at or before their maturity date;

then, notwithstanding that any of such 2009 Notes shall not have been surrendered for payment, all obligations of the District with respect to all such designated outstanding 2009 Notes shall cease and terminate, except only the obligation of the Paying Agent or an independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the owners of such designated 2009 Notes not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, Government Obligations shall mean:

Direct and general obligations of the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations that are unconditionally guaranteed as to principal and interest by the United States of America, or "prerefunded" municipal obligations rated in the highest rating category by Moody's Investors Service or Standard & Poor's. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (i) a bank or trust company acts as custodian and holds the underlying United States obligations; (ii) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (iii) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed "AAA" by Standard & Poor's or "Aaa" by Moody's Investors Service.

**Section 17.** Delivery of 2009 Notes. The proper officials of the District are hereby authorized and directed to deliver the 2009 Notes to the Underwriter in accordance with the Purchase Contract. All actions heretofore taken by the officials and agents of the District with respect to the sale and issuance of the 2009 Notes are hereby approved, confirmed and ratified, and the officials of the District are hereby authorized and directed, for and in the name and on behalf of the Board, to do any and all things and take any and all actions and execute and deliver any and all certificates, agreements and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful issuance and delivery of the 2009 Notes in accordance with this Resolution.

**Section 18.** Legislative Determinations. The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the 2009 Notes and the Series C Bonds in order to make them legal, valid and binding obligations of the District have been performed and have been met, or will at the time of delivery of the 2009 Notes and the Series C Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the 2009 Notes or the Series C Bonds.

**Section 19.** Further Actions Authorized. It is hereby covenanted that the District, and its appropriate officials, have duly taken all actions necessary to be taken by them, and will take any additional actions necessary to be taken by them, for carrying out the provisions of this Resolution.

**Section 20.** Recitals. All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.

PASSED, ADOPTED AND APPROVED this 25<sup>th</sup> day of June, 2009, by the following  
vote:

AYES:	MEMBERS	<u>Mechur, Snell, Allen, Leon-Vazquez, Pye, Escarce,</u> de la
NOES:	MEMBERS	_____ Torre
ABSTAIN:	MEMBERS	_____
ABSENT:	MEMBERS	_____

  
\_\_\_\_\_  
President of the Board of Education

ATTEST:

  
\_\_\_\_\_  
Secretary of the Board of Education

## CLERK'S CERTIFICATE

I, Tim Cuneo, Clerk of the Board of Education of the Santa Monica-Malibu Unified School District, Los Angeles County, California, hereby certify as follows:

The foregoing is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly and legally held at the regular meeting place thereof on June 25, 2009, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original Resolution adopted at said meeting and entered in said minutes.

Said Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: June 25, 2009

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



## EXHIBIT A

Registered No. 1

\$ \_\_\_\_\_

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
LOS ANGELES COUNTY  
STATE OF CALIFORNIA  
2009 GENERAL OBLIGATION BOND ANTICIPATION NOTE

Rate of <u>Interest:</u> _____%	<u>Dated Date:</u> _____, 2009	Interest <u>Payment Date</u> _____	<u>Maturity Date:</u> _____, 20__	<u>CUSIP:</u> _____
---------------------------------------	-----------------------------------	--	--------------------------------------	------------------------

**REGISTERED OWNER:**

**PRINCIPAL AMOUNT:**

FOR VALUE RECEIVED, Santa Monica-Malibu Unified School District (the "District"), Los Angeles County, State of California, acknowledges itself indebted to and promises to pay the Registered Owner identified above, or registered assigns, at the principal office of U.S. Bank National Association, as agent for the Treasurer and Tax Collector of Los Angeles County, as Paying Agent (the "Paying Agent") the Principal Amount specified above, in lawful money of the United States of America, on Maturity Date, specified above, together with interest thereon at the Rate of Interest per annum set forth above (computed on the basis of a 360-day year of twelve 30-day months) in like lawful money from the Dated Date specified above until payment in full of said principal sum. Both the principal of and interest on this Note shall be payable only upon surrender of this Note as the same shall fall due; provided, however, no interest shall be payable for any period after maturity during which the holder hereof fails to properly present this Note for payment.

It is hereby certified, recited and declared that this Note is one of an authorized issue of Notes in the aggregate principal amount of \_\_\_\_\_ Dollars (\$ \_\_\_\_\_), all of like date, tenor and effect, made, executed and given pursuant to and by authority of a resolution of the Board of Education of the District duly passed and adopted on June 25, 2009 under and by authority of Sections 15150 *et seq.*, Chapter 1 of Title 1, Division 1, Part 10 of the Education Code of the State of California (the "Act"), and, in particular, pursuant to the authority set forth in Section 15150 of the Act, and that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this Note have existed, happened and been performed in regular and due time, form and manner as required by law, and that this Note, together with all other indebtedness and obligations of the District, does not exceed any limit prescribed by the Constitution or statutes of the State of California.

The principal amount of the Notes, together with the interest thereon, shall be payable from the proceeds of the sale of a portion of the general obligation bonds authorized at a duly called held in the District on November 7, 2006 and thereafter canvassed pursuant to law, or of any renewal of notes or from other funds of the District lawfully available for the purpose of repaying the notes, including State grants.

This Note is transferable by the registered owner hereof in person or by his or her attorney duly authorized in writing at the Paying Agent in Los Angeles, California, but only in the manner, subject to the limitations and upon payment of the charges provided in the Resolution, and upon surrender and cancellation of this Note except this Note shall not be transferred or exchanged later than the fifteenth day prior to the maturity date hereof. Upon such transfer, a new Note or Notes of authorized denominations and for the same aggregate principal amount will be issued to the transferees in exchange herefor.

The District and the Paying Agent may deem and treat the registered owner hereof as the absolute owner hereof for the purpose of receiving payment of or on account of principal hereof and interest due hereon and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.


Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co. has an interest herein.

IN WITNESS WHEREOF, the District has caused this Note to be executed by the President of its Board of Trustees by manual or facsimile signature and countersigned by the Clerk by manual or facsimile signature this \_\_\_\_ day of \_\_\_\_\_, 2009.

SANTA MONICA-MALIBU UNIFIED SCHOOL  
DISTRICT

By:   
\_\_\_\_\_  
President of the Board of Education

Countersigned

By:   
\_\_\_\_\_  
Secretary of the Board of Education  
Santa Monica-Malibu Unified School  
District

#### CERTIFICATE OF AUTHENTICATION

This note is one of the notes described in the Note Resolution referred to herein which has been authenticated and registered on \_\_\_\_\_, 2009.

TREASURER AND TAX COLLECTOR OF  
LOS ANGELES COUNTY, as Paying Agent

By: U.S. BANK NATIONAL  
ASSOCIATION, as Agent

\_\_\_\_\_  
Authorized Signatory

### LEGAL OPINION

I HEREBY CERTIFY that the following is a true and correct copy of the legal opinion upon the notes therein described that was provided by Stradling Yocca Carlson & Rauth, a Professional Corporation, and was dated as of the date of delivery of and payment for said Notes.

\_\_\_\_\_  
(Facsimile Signature)

Secretary of the Board of Education

### ASSIGNMENT

For value received the undersigned do(es) hereby sell, assign and transfer unto \_\_\_\_\_ the within-mentioned registered Note and hereby irrevocably constitute(s) and appoint(s) \_\_\_\_\_ attorney, to transfer the same on the books of the Paying Agent with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed by:

\_\_\_\_\_  
NOTE: The signature to the assignment must be guaranteed by an eligible guarantor institution.

\_\_\_\_\_  
NOTE: The signature to the assignment must correspond to the name as written on the face of this Note in every particular, without any alteration or change whatsoever.

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

**UPDATE**

RE: ~~CONDUCT PUBLIC HEARING ON RESOLUTION OF NECESSITY AND~~  
ADOPT RESOLUTION NO. 08-48 - RESOLUTION OF NECESSITY  
AUTHORIZING AN EMINENT DOMAIN ACTION TO ACQUIRE REAL  
PROPERTY FOR THE EXPANSION AND RECONSTRUCTION OF THE  
EDISON LANGUAGE ACADEMY

RECOMMENDATION NO. A.45

ISSUE:

The adoption of a Resolution of Necessity by the Santa Monica-Malibu Unified School District (hereinafter "District"), which, if approved, will authorize the condemnation of the following properties that abut the Edison Language Academy (hereinafter "Edison"): 2508 Virginia Avenue, Santa Monica, California 90404 and 2512 Virginia Avenue, Santa Monica, California 90404 (hereinafter "Subject Parcels") for purposes of expanding and reconstructing the Edison campus.

The Subject Parcels to be acquired are more specifically identified as follows:

(A.) Parcel No. 1:

Owner: Shinobu Maruyama  
Address: 2508 Virginia Avenue, Santa Monica, CA  
90404  
APN: 4274-005-032

(B.) Parcel No. 2:

Owner: Mary Hernandez Revocable Trust c/o Mary  
Hernandez, Trustee  
Address: 2512 Virginia Avenue, Santa Monica, CA  
90404  
APN: 4274-005-033

Legal descriptions of the Subject Parcels are attached hereto as Exhibit "A". Maps depicting the Subject Parcels are attached hereto as Exhibit "B".

RECOMMENDATION:

Staff recommends that the District's Board of Education (hereinafter "Board") proceed as follows:

- a. Conduct a hearing on whether a Resolution of Necessity should be adopted, as required by Code of Civil Procedure

- section 1245.235, for the commencement of an eminent domain proceeding to acquire the Subject Parcels;
- b. Receive testimony from each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll; and
  - c. Following the close of the hearing, if the Board decides to proceed with condemning the Subject Parcels, the Board make certain findings as required by law (and as identified and analyzed below), and adopt Resolution No. 08-48 for the acquisition of the Subject Parcels by no less than a two-thirds vote of all members of the Board.

#### PROPOSED PROJECT:

##### Project Location

The proposed Edison project site includes the existing Edison campus, located at 2425 Kansas Avenue, Santa Monica, California, and the Subject Parcels (hereinafter "Proposed Project Site"), which abut the Edison campus.

The Proposed Project Site is located northeast of the intersection of Cloverfield Boulevard and Kansas Avenue and is generally bounded by residential uses to the northeast, Kansas Avenue to the southeast, residential uses to the southwest, and Virginia Avenue to the northwest. Regional access to the Proposed Project Site is provided by Interstate 10 (Santa Monica Freeway), located approximately 200 feet north of the northern corner of the Proposed Project Site.

##### Project Details

The proposed project is the expansion and reconstruction of the Edison Language Academy (hereinafter "Proposed Project"). The Proposed Project would result in the development of one- and two-story school buildings mostly located on the northwestern area of the Proposed Project Site along the Virginia Avenue frontage. The two-story buildings would be utilized for classroom space. The remaining one-story buildings would be utilized for administration and support services, the cafeteria, preschool, and a physical education building located on the west end of the Proposed Project Site.

#### EFFORTS MADE FOR NEGOTIATED ACQUISITION:

In accordance with Government Code section 7267.2, the District made offers of just compensation to the owners of record for the Subject Parcels after obtaining appraisals of fair market value from Curtis-Rosenthal, LLC. The offer to Shinobu Maruyama (hereinafter "Maruyama") was made on October 2, 2008. The offer to the Mary Hernandez Revocable Trust c/o Mary Hernandez, Trustee (hereinafter "Hernandez") was made on January 5, 2009. The offers were made for the full amount of the appraiser's opinion of value as to each of the Subject Parcels. Since the

time that the offers were made, counsel for the District has continuously kept in contact with Maruyama and Hernandez regarding the offers. As of this date, in spite of the District's good faith efforts at negotiated acquisition, no agreements have been reached with Maruyama and Hernandez. Copies of the offer letters are attached hereto as Exhibit "C".

#### ENVIRONMENTAL FINDINGS:

Following the development of the Proposed Project, the District's environmental consultant, Christopher A. Joseph & Associates (hereinafter "CAJA"), conducted an environmental review of the Proposed Project under the California Environmental Quality Act (hereinafter "CEQA"). CAJA determined that the Proposed Project could potentially cause significant environmental impacts, but with implementation of the mitigation measures there would be no significant environmental impacts. As a result, CAJA prepared a Proposed Project Mitigated Negative Declaration (hereinafter "Project MND") that describes the components of the Proposed Project, analyzes the potential environmental impacts, and includes mitigation measures to reduce those significant environmental impacts to less than significant.

On April 3, 2009, the District released the Project MND for public review and comment. The comment period ended on May 4, 2009. Only two comments were received. The first comment was from the Department of Transportation (hereinafter "DOT") and the second was from counsel for Hernandez. DOT commented that the Proposed Project needed to be reviewed by Caltrans' Division of Aeronautics because of the Proposed Project's proximity to the Santa Monica Municipal Airport. After receiving the comment, CAJA consulted with DOT and demonstrated that the Proposed Project is exempt from the suggested review. On May 21, 2009, DOT agreed in writing.

The Project MND reported that the Proposed Project would not impact biological resources. The attorney for Hernandez claimed that the Proposed Project MND was inadequate for failing to acknowledge significant biological impacts of removing the Hernandez backyard ornamental garden as part of a possible expansion of Edison campus. In response to the comment, CAJA conducted an additional biological assessment of 2512 Virginia Avenue. The Biological Assessment Report revealed that there are no candidate, sensitive, or special species existing at the Hernandez property and concluded that removal of the backyard garden would not create a biological impact.

On May 21, 2009, the Board adopted the Project MND and the Mitigation Monitoring and Reporting Program as Resolution 08-40. A copy of Resolution 08-40 is attached hereto as Exhibit "D".

On September 4, 2008, the Board adopted Resolution 08-07 finding that the Proposed Project Site is not a current or former waste disposal or solid waste disposal site, not a hazardous substance release site pursuant to Health & Safety Code section 25356, and will not constitute an actual or potential endangerment of public health to persons who attend or are to be employed at the Proposed Project. A copy of Resolution 08-07 is attached hereto as Exhibit "E".

On April 23, 2009, the Board held a public hearing to evaluate the potential Edison Language Academy expansion pursuant to California Department of Education (hereinafter "CDE") site selection standards and adopted Resolution 08-33, finding that the potential acquisition of the Subject Parcels meets CDE's school site selection standards. A copy of Resolution 08-33 is attached hereto as Exhibit "F".

NOTICE:

Prior to the adoption of a Resolution of Necessity, the District must notify each person whose property is to be acquired by eminent domain, and whose name and address appears on the last equalized county assessment roll, of his/her right to be heard on the matter. Notices were sent to Maruyama and Hernandez by first-class mail (and Federal Express) on May 29, 2009, advising them of their right to be heard at the hearing on June 25, 2009, regarding the adoption of the Resolution of Necessity (hereinafter "Notices"). Copies of the Notices are attached hereto as Exhibit "G".

Pursuant to Code of Civil Procedure section 1245.235(b)(3), failure of an owner to file a written request to appear and be heard at the hearing, within fifteen (15) days of mailing of the Notice, results in a waiver of his/her right to appear and be heard.

STANDARDS FOR ADOPTING A RESOLUTION OF NECESSITY:

The Board may adopt a Resolution of Necessity only after it has given each person whose property is to be acquired by eminent domain and whose name and address appears on the last equalized county assessment roll the opportunity to appear and be heard. The hearing is not a public hearing to solicit input from the public, but is intended to provide an opportunity for the potential condemnees to address the District regarding the requirements identified in Code of Civil Procedure section 1240.030 (and outlined below). The purpose of the hearing is to consider whether to adopt the Resolution of Necessity, authorizing the District to file a condemnation action to acquire the Subject Parcels.

In order to condemn property, the Board must make the following findings as outlined in California Code of Civil Procedure section 1240.030:

1. Whether the public interest and necessity require the Proposed Project. (Code Civ. Proc. §1240.030(a).)
2. Whether the Proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury. (Code Civ. Proc. §1240.030(b).)
3. Whether the Subject Parcels are necessary for the Proposed Project. (Code Civ. Proc. §1240.030(c).)

Adoption of the Resolution of Necessity requires a two-thirds vote of all members of the Board.

BASIS FOR PROPOSED FINDINGS BY THE BOARD:

From the start, it has been the District's preference to acquire the Subject Parcels through negotiation rather than condemnation. To that end, the District has diligently pursued negotiated acquisition with Hernandez and Maruyama. However, despite the District's continuous good faith efforts, no agreements have been reached to date.

To assist the Board in considering the findings outlined in Code of Civil Procedure section 1240.030, staff has prepared the following analysis:

1. Public interest and necessity require condemnation of the Subject Parcels:

The acquisition of the Subject Parcels is necessary because the current size of the Edison campus, 4.9 acres, is far below the CDE size standard of 7.8 acres. Acquisition of the Subject Parcels would provide additional space for the school, bringing the total acreage up to 5.5 acres. While this still does not satisfy CDE's size standard, the expanded site results in a square-shaped campus, which affords the best layout of school facilities. It allows the elementary and preschool classrooms to both be located along one side of the Proposed Project Site, thereby maximizing play space and providing the students who attend Edison with a larger, better-situated campus. Also, the District-wide programmatic instructional policy requires that the configuration of the campus facilitate the transition of preschool students into kindergarten and that the preschool be adjacent to a parking area for drop-off and pick-up. The Proposed Project school layout supports the District's policy in that the preschool and kindergarten are adjacent to one another, making the transition to kindergarten much easier, and are adjacent to ample parking that allows for drop-off and pick-up.



A CDE site size worksheet is attached hereto as Exhibit "H".

2. The Proposed Project is planned or located in a manner that will be most compatible with the greatest public good and least private injury:

If the District decides not to acquire the Subject Parcels, an alternative would be the acquisition of the multi-family residential buildings that line two sides of the Edison campus (Virginia Avenue and Kansas Avenue flank the other two sides). Not only is it more expensive to acquire multi-family residential buildings, both in terms of their fair market value and the relocation costs associated with moving multiple individuals/families from their residences, it would result in the displacement of much greater numbers of individuals/families, causing more private injury. The acquisition of the Subject Parcels (two single family residences), results in the least private injury while still achieving the greatest public good, which is building a larger, better-situated campus for the students who attend the Edison Language Academy.

The District has commenced an informational program regarding eligibility and the availability of relocation assistance for occupants of the Subject Parcels. Maruyama and Hernandez have each received general information notices, relocation brochures, and a detailed explanation of the program. If eligible, Maruyama and Hernandez will receive relocation benefits and assistance.

3. The Subject Parcels are necessary for the Proposed Project:

As stated above, the Subject Parcels are necessary for the Proposed Project because without them, the Edison campus size will remain far below the CDE size standard for schools. With the acquisition of the Subject Parcels, the size of the campus will be 5.5 acres, and the new square-shaped campus will afford the best layout of school facilities. In addition, the Proposed Project configuration allows for implementation of the District's programmatic instructional policy, which requires that the configuration of the campus facilitate the transition of preschool students into kindergarten and that the preschool be adjacent to a parking area for drop-off and pick-up.

4. The Government Code section 7267.2 offer has been made:

As stated above, the District made offers of just compensation to Maruyama and Hernandez after obtaining appraisals of fair market value. To date, the District's attempts at negotiated

acquisition have not been successful. The offer letters are attached hereto as Exhibit "C".

FISCAL IMPACT:

If the Board adopts the Resolution of Necessity and decides to proceed with eminent domain, a court action must be filed within six (6) months of the adoption of the Resolution.

Although precise figures cannot be determined at this time, the cost of acquisition will include the fair market value of the Subject Parcels as well as relocation expenses, attorneys' fees, consultants' fees, court costs and other potential litigation costs and expenses. There is also the possibility that a jury could determine that the value of the Subject Parcels exceeds the fair market value determination made by the District's appraiser.

\*\*\*\*\*

*Ms. Maez read a statement into the record, which can be found under Attachments at the end of these minutes.*

*The board then heard from the property owners:*

- Shinobu Maruyama, owner of 2508 Virginia Avenue, Santa Monica, CA 90404.*
- Mary Hernandez Revocable Trust c/o Mary Hernandez, Trustee, owner of 2512 Virginia Ave., Santa Monica, CA 90404 (represented by Jeffrey Horowitz).*

*Mr. de la Torre asked if the district would help find alternate housing for these families. Ms. Maez explained that relocation services are part of the imminent domain process.*

MOTION MADE BY: Mr. Snell  
SECONDED BY: Dr. Escarce  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6)  
NOES: 1 (Mr. de la Torre)

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

**RESOLUTION NO. 08-48 - RESOLUTION OF NECESSITY AUTHORIZING AN  
EMINENT DOMAIN ACTION TO ACQUIRE REAL PROPERTY FOR THE EXPANSION  
AND RECONSTRUCTION OF THE EDISON LANGUAGE ACADEMY**

**WHEREAS**, the Santa Monica-Malibu Unified School District (hereinafter "District") is a California public school district.

**WHEREAS**, the District is authorized to acquire the following real property by eminent domain for purposes of expanding and reconstructing the Edison Language Academy (hereinafter "Proposed Project") pursuant to California Constitution, Article I, section 19, Education Code section 35270.5, and Code of Civil Procedure section 1230.010, *et seq.* (the California Eminent Domain Law), including but not limited to section 1240.010, 1240.020, 1240.110, 1240.120:

**(A.) Parcel No. 1:**

**Owner:** Shinobu Maruyama  
**Address:** 2508 Virginia Avenue, Santa Monica, CA 90404  
**APN:** 4274-005-032

**(C.) Parcel No. 2:**

**Owner:** Mary Hernandez Revocable Trust c/o Mary Hernandez, Trustee  
**Address:** 2512 Virginia Avenue, Santa Monica, CA 90404  
**APN:** 4274-005-033

The properties identified above are hereinafter referred to as "Subject Parcels". Legal descriptions of the Subject Parcels are attached hereto as Exhibit "A". Maps depicting the Subject Parcels are attached hereto as Exhibit "B".

**WHEREAS**, the Subject Parcels are required for the expansion and reconstruction of the Edison Language Academy; and

**WHEREAS**, notice was given to the affected property owners in accordance with Code of Civil Procedure section 1245.235 of the date, time and place where the matters addressed herein would be heard and considered by the Board of Education (hereinafter "Board"); and

**WHEREAS**, a hearing was held in accordance with Code of Civil Procedure section 1245.235 to hear and consider the matters addressed herein; and

**WHEREAS**, all conditions and statutory requirements necessary to exercise the power of eminent domain to acquire the Subject Parcels have been complied with by the District; and

**NOW, THEREFORE, THE BOARD DOES HEREBY FIND, DETERMINE AND RESOLVE**, by at least a two-thirds vote of this Board, each of the following:

1. The public interest and necessity require the Proposed Project.
2. The Proposed Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury.
3. The property sought to be acquired is necessary for the Proposed Project.
4. The offers required by Government Code section 7267.2 were made to the owners of record of the Subject Parcels.

**AND BE IT RESOLVED, that** the Superintendent, or his designee, and counsel for the District are hereby authorized and directed to take all steps necessary to commence legal proceedings in a court of competent jurisdiction to acquire the Subject Parcels by eminent domain. Legal counsel is also authorized and directed to seek and obtain an order for prejudgment possession of the Subject Parcels in accordance with the provisions of eminent domain law and to deposit the amount of probable compensation with the clerk of the Superior Court.

**AND BE IT FURTHER RESOLVED, that** the Board directs the Assistant Superintendent to serve as the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based. The record includes the staff Board Report on this Resolution and the documents referenced in the Board Report to this Resolution, hearing testimony, and other evidence in the record, all of which are incorporated by this reference. The record of proceedings shall be maintained at the District's offices at 1651 16th Street, Santa Monica, California 90404.


**PASSED AND ADOPTED** by the Santa Monica-Malibu Unified School District of Los Angeles County at a regular meeting held on this 25th day of June 2009.

AYES: 6


NOES: 1

ABSTENTIONS: 0

ABSENT: 0

  
\_\_\_\_\_  
Ralph Mechur, President  
Board of Education

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 June 25, 2009.

  
\_\_\_\_\_  
Tim Cuneo, Superintendent  
Santa Monica-Malibu  
Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: APPROVAL OF EDISON LANGUAGE ACADEMY PROJECT AND  
AUTHORIZE THE FILING OF A NOTICE OF DETERMINATION -  
MEASURE BB

RECOMMENDATION NO. A.46

It is recommended that the Board of Education ("Board") approve the Edison Language Academy Project ("Project") and authorize the filing of a Notice of Determination ("NOD").

The Measure BB Advisory Committee recommends approval of the Project.

DISCUSSION:

The Santa Monica-Malibu Unified School District ("District") developed the Project to completely redevelop the Edison Language Academy into a state-of-the-art elementary school and preschool and provide an enhanced learning environment for the Edison Language Academy's student body.

On May 21, 2009, the Board unanimously adopted Resolution 08-40 to adopt the Project's Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program.

If the Board adopts the Resolution of Necessity in Resolution No. 08-48 preceding this item to initiate eminent domain proceedings to acquire 2508 and 2512 Virginia Avenue, staff recommends that the Board approve the Project.

Further, staff requests that the Board authorize the Assistant Superintendent to file the attached proposed NOD pursuant to the California Environmental Quality Act should the Board approve the Project.

MOTION MADE BY: Ms. Leon-Vazquez

SECONDED BY: Ms. Pye

STUDENT ADVISORY VOTE: N/A

AYES: Six (6)

NOES: None (0)

ABSTAIN: 1 (Mr. de la Torre)

## Notice of Determination

Appendix D

### To:

☒ Office of Planning and Research

For U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth St.

Sacramento, CA 95814

☒ County Clerk

County of: Los Angeles

Address: 12400 East Imperial Highway

Norwalk, CA 90650

### From:

Public Agency: Santa Monica-Malibu Unified School District

Address: 1651 Sixteenth Street

Santa Monica, CA 90404-3891

Contact: Janece L. Maez

Phone: (310) 450-8338 ext. 268

Lead Agency (if different from above):

Address:

Contact:

Phone:

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2009041025

Project Title: Edison Language Academy Project

Project Location (include county): 2425 Kansas Ave; 2508 + 2512 Virginia Ave, Santa Monica 90404, L.A. County

### Project Description:

Project includes demolition and removal of ~44,034 asf of all existing school facilities on Campus, demolition of 2,367 asf of residential uses on 2 adjacent parcels (2508 + 2512 Virginia Ave), and development of ~48,140 asf of new school facilities. Implementation of Project would yield increase of ~4,106 asf of new school facilities. Enrollment expected to remain stable through 2015 with increase of ~5 students to 433 K-5th grade students and no increase in pre-school students in 2015. Project is solely local Measure BB Bond funded.

This is to advise that the Santa Monica-Malibu Unified School District has approved the above described project on

☒ Lead Agency or ☐ Responsible Agency

June 25, 2009

(Date)

and has made the following determinations regarding the above described project:

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.
5. A statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
6. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.

This is to certify that the final EIR Mitigated Negative Declaration with comments and responses and record of project approval, or the ~~negative Declaration~~, is available to the General Public at: SMMUSD Offices: 1651 Sixteenth Street, Santa Monica, CA 90404-3891

Signature (Public Agency) \_\_\_\_\_ Title Assistant Superintendent

Date \_\_\_\_\_ Date Received for filing at OPR \_\_\_\_\_

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: APPROVAL TO ADJUST MEASURE BB CONSTRUCTION BUDGET  
ALLOCATIONS

RECOMMENDATION NO. A.47

It is recommended that the Board of Education take the following specific actions to adjust current construction budgets as follows:

Action 1: Approve an increase of \$ 1 million to the Edison Language Academy project. This increase is required to adjust the construction budget to the current estimate based upon the most recent adjustments to the design including canopy requirements, passive ventilation structures and other core scope elements.

Action 2: Approve an increase of \$ 525 thousand to the Fire Life Safety and Security projects. This increase is required to adjust the construction budget for this group of projects based upon most current estimates and adjustments to the designs to meet all safety and security requirements.

These construction funding adjustments will be made by adjustment to the Program Reserve.

Comments: All other projects are forecasted to be within current construction budget allocations. All construction budget allocations are based upon current estimates and 2009 construction dollar valuations.

At the June 22, 2009 meeting, the Measure BB Advisory Committee reviewed the current proposed construction budget allocations.

MOTION MADE BY: Mr. Snell

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)



COST CATEGORY	CURRENT BUDGET (6.10.09)	CHANGE	PROPOSED BUDGET (6.25.09)	PER- CENT	REMARKS
<b>CONSTRUCTION PROJECTS</b>					2009 CONSTRUCTION DOLLARS
Santa Monica HS / 015	62,350,000		62,350,000		Current estimate
Malibu MS-HS / 010	33,458,000		33,458,000		A.38 Budget revision; BOE 5/7/09
Reserve for off-site traffic, Cabrillo parking	986,000		986,000		A.38 Budget revision; BOE 5/7/09
Olympic HS	5,011,000		5,011,000		Current estimate
Washington CDS	1,575,000		1,575,000		Current estimate
Adams MS	12,930,000		12,930,000		Current estimate
Lincoln MS	17,524,000		17,524,000		Current estimate
Edison Language Academy	33,000,000	1,000,000	34,000,000	3.03%	Increase for current estimate
Technology Program	10,925,000		10,925,000		Current estimate
Subtotal: Core program	177,759,000	1,000,000	178,759,000		
Cabrillo, Perimeter Controls	67,000	41,000	108,000		Current Estimate
Grant, Perimeter Control	115,000	135,000	250,000		Current Estimate
McKinley, Perimeter Control, Reconfigure Main Office and Restrooms	522,000		522,000		Current Estimate
Muir/SMASH, Perimeter Control	17,000		17,000		Current Estimate
Rogers, Perimeter Control, Reconfigure Main Office	82,000	14,000	96,000		Current Estimate
Webster, Perimeter Control, Reconfigure Drop-off	155,000		155,000		Current Estimate
Webster, Parking Lot, Traffic Control	339,000		339,000		Current Estimate
Pt. Dume, Gas Line Replacement	265,000	195,000	460,000		Current Estimate
Webster, Fire Alarm Replacement	306,000	140,000	446,000		Current Estimate
Fire Life Safety and Security	1,868,000	525,000	2,393,000	28.10%	Increase for scope, current estimate
<b>TOTAL CONSTRUCTION</b>	179,627,000	1,525,000	181,152,000		
Other authorized technology					
Smart Boards	114,235		114,235		Smart Boards
Program Reserve	28,000,000	-2,000,000	26,000,000		Drawdown to balance budget
<b>TOTAL CONSTRUCTION</b>	207,741,235	-475,000	207,266,235		
Land Acquisition (ELA)					Confidential
Offsite parking, transportation, other support	1,000,000		1,000,000		Allowance: Samohi, Lincoln, Edison
<b>TOTAL</b>	213,256,635	-475,000	212,781,635		Constt., Land, Offsites
Total Indirect (Soft) Costs	72,113,048	108,690	72,221,739	34.84%	Percent of Construction
Program Contingency	13,701,941	366,309	14,068,250	6.60%	Increase to balance budget
<b>GRAND TOTAL</b>	299,071,624		299,071,624		
<b>TOTAL FUNDING AVAILABLE</b>	299,071,624		299,071,624		

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: APPROVAL OF JUAN CABRILLO ELEMENTARY SCHOOL FENCING AND GATE PROJECT, MEASURE BB PROGRAM AND AUTHORIZE FILING OF NOTICE OF EXEMPTION

RECOMMENDATION NO. A.48

It is recommended that the Board of Education approve the Juan Cabrillo Elementary School Fencing and Gate Project (Project) and authorize staff to file a Notice of Exemption under the Class 1 Categorical Exemption.

COMMENTS: At its November 6, 2008 meeting, the Board of Education approved a total allocation of \$1,297,000 from the Measure BB bond fund for the life safety projects identified at Cabrillo, Grant, McKinley, Muir/SMASH, Rogers and Webster Elementary Schools.

The Project consists of reconfiguration of the main campus entry with new perimeter fencing and gate at the front yard and new gate and closer at the staff entrance to the campus from the parking lot. This reconfiguration will improve supervision, safety, and security on the elementary school campus.

Due to the limited scope of this Project and that no new buildings or additions will be constructed, it has been found that the Project is categorically exempt under the California Environmental Quality Act (CEQA) because such types of projects like the Juan Cabrillo Elementary School Fencing and Gate Project will not create a significant environmental impact. The District commissioned PBS&J to analyze the Project and prepare a memorandum to document that this Project meets the Existing Facilities (i.e., Class 1) Categorical Exemption as set forth in CEQA Guidelines section 15301. This memorandum is attached hereto as Attachment A.

Under the CEQA Guidelines, a Notice of Exemption (NOE) is filed with the County Clerk after approval of the Project. The proposed NOE is attached hereto as Attachment B. Staff requests authorization to file the NOE.

Note: The complete Memorandum of Environmental Effects - Class 1 Categorical Exemption has been forwarded to the Board of Education members and is available for public review in the Superintendent's Office.

MOTION MADE BY: Mr. Snell  
SECONDED BY: Mr. Allen  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

# **SANTA MONICA—MALIBU UNIFIED SCHOOL DISTRICT**

## **Juan Cabrillo Elementary School Fencing and Gate Project**

### **Memorandum of Environmental Effects Class 1 Categorical Exemption**

*Prepared for*  
**Santa Monica Malibu Unified School District**  
1651 Sixteenth Street  
Santa Monica, California 90404

*Prepared by*  
**PBS&J**  
12301 Wilshire Boulevard, Suite 430  
Los Angeles, California 90025

June 2009

## NOTICE OF EXEMPTION

To: Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

County Clerk

County of: Los Angeles

12400 Imperial Highway, Room 1701

Norwalk, CA 90650

From: (Public Agency) Santa Monica Malibu  
Unified School District (SMMUSD)

1651 Sixteenth Street

Santa Monica, California 90404

**Project Title:** SMMUSD Juan Cabrillo Elementary School Fencing and Gate Project

**Project Location – Specific:** The Project is located at 30237 Morning View Drive, in Malibu, southeast of the intersection of Morning View Drive and Via Cabrillo Street.

**Project Location – City:** Malibu

**Project Location – County:** Los Angeles

**Description of Nature, Purpose and Beneficiaries of Project:** The Project components consist of the following: install new perimeter fencing and gates at the front yard, and install a new gate and closer at the parking lot entrance and reconfigure the main campus entry, in order to better secure the perimeter of campus. This reconfiguration will improve supervision, safety, and security on campus.

**Name of Public Agency Approving Project:** Santa Monica Malibu Unified School District

**Name of Person of Agency Carrying Out Project:** Santa Monica Malibu Unified School District

**Exempt Status:** (check one)

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4), 15269(b)(c));

☒ Categorical Exemption. State type and section number: CEQA Section 15301 (Class 1)

Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:** The project qualifies for the Class 1, Existing Facilities, Categorical Exemption of CEQA Guidelines Section 15301 because the Project only entails the minor alteration of existing public school structures, facilities, and mechanical equipment involving negligible or no expansion of use beyond that existing at the time of the District's determination. The Project merely reconfigures the existing secured perimeter of the campus at the main entrance to the school to include kindergarten campus access within the controlled perimeter of the campus. The Project would not induce growth, as enrollment is not forecasted to change. Thus, the use of Juan Cabrillo Elementary School after the Project is completed would remain the same. Accordingly, the Project would not result in any significant impacts as further shown in the Juan Cabrillo Elementary School Fencing and Gate Project Project, Memorandum of Environmental Effects Class 1 Categorical Exemption, dated June 2009.

### Lead Agency

**Contact Person:** Janece Maez, Assistant Superintendent, Fiscal and Business Services

**Area Code/Telephone/Extension:** (310) 450-8338

### If filed by applicant:

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: \_\_\_\_\_

Signed by Lead Agency

Signed by Applicant

Date: \_\_\_\_\_ Title: \_\_\_\_\_

Date received for filing at OPR:

# Memorandum of Environmental Effects

## Class 1 Categorical Exemption

Section 21084 of the Public Resources Code requires the inclusion of a list of types/classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of the *California Environmental Quality Act* (CEQA).

The following memorandum and discussion of environmental effects were completed to serve as an attachment to the Notice of Exemption for the Juan Cabrillo Elementary School Fencing and Gate Project (Project) for an existing school site in the City of Malibu, California. This Project satisfies the Class 1 Categorical Exemption under CEQA Section 15301 for existing facilities, as the Project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

---

**1. Project title:**

SMMUSD Juan Cabrillo Elementary School Fencing and Gate Project

---

**2. Lead agency name and address:**

Santa Monica-Malibu Unified School District  
1651 Sixteenth Street  
Santa Monica, CA 90404

---

**3. Contact person and phone number:**

Janece Maez  
Assistant Superintendent, Fiscal and Business Services  
Chief Financial Officer  
(310) 450-8338  
measurebb@smmusd.org

---

**4. Project location:**

Juan Cabrillo Elementary School  
30237 Morning View Drive  
Malibu, CA 90265

---

**5. General plan designation:**

Institutional

**6. Zoning:**

Institutional

**7. Description of project**

The Juan Cabrillo Elementary School is an elementary school that supports a variety of academic programs which encourage outstanding language arts and technology literacy, creative problem-solving skills, higher level thinking, and respect for individual differences. Juan Cabrillo Elementary School is located at 30237 Morning View Drive, in Malibu, California, east of the intersection of Morning View Drive and Via Cabrillo Street. The campus (i.e., the Project site) is surrounded by a rural residential neighborhood and is immediately adjacent to Malibu Middle and High School (refer to Figure 1). The campus is approximately 3.20 acres and the Cabrillo Elementary School Fencing and Gate Project (Project) would involve the installation of new fencing and entry points at the front yard and the parking lot entrance as well as a reconfiguration at the main entry. The earth area affected by the proposed Project is approximately 1,450 square feet.

The Project components are external, affecting the perimeter of the entry yard and parking lot entrance. Currently, access to kindergarten classrooms is not within the controlled perimeter of the campus. The Project components consist of the following: install new perimeter fencing and gates at the front yard, install a new gate and closer at the parking lot entrance and reconfigure the main campus entry, in order to better secure the perimeter of campus (refer to Figure 2). These components would be consistent with the aesthetic design of existing campus structures. This reconfiguration will improve supervision, safety, and security on campus. Gate and fence construction are anticipated to commence in January 2010 and be completed in March 2010.

In accordance with Section 15301 of the *California Environmental Quality Act* (CEQA Guidelines), projects that consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination are categorically exempt from further review because such projects do not have a significant impact on the environment.

The proposed Project has been evaluated pursuant to the above cited criteria and qualifies for a Class 1 Categorical Exemption pursuant to the provisions of CEQA Guidelines Section 15301. This document provides the substantial evidence supporting the classification of this Project as a Class 1 Categorical Exemption.

## **Findings for Class 1 Category Exemption**

### **Cultural Resources**

Under CEQA, public agencies must consider the effects of their actions on "historical resources." Pursuant to Public Resources Code, Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."

“Historical resource” is a term with a defined statutory meaning (see Public Resources Code, Section 21084.1 and CEQA Guidelines Section 15064.5 (a)). The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP), as well as some California State Landmarks and Points of Historical Interest.

Properties of local significance that have been included on a local register of historical resources or that have been identified in a local historical resource survey may be eligible for listing in the CRHR and are presumed to be “historical resources” for the purposes of CEQA unless a preponderance of evidence indicates otherwise (Public Resources Code, Section 5024.1; California Code of Regulations, Title 14, Section 4850). Unless a survey is five or more years old and not updated or a resource listed in a survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR.

Juan Cabrillo Elementary School is not currently listed on the NRHP, the CRHR, or a local register of historical resources. Therefore the proposed Project would not result in adverse affects to an historical resource. No exterior or interior changes to structures located on campus would occur. Consequently the Project would not cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Public Resources Code, Section 21084.1 and CEQA Guidelines Section 15064.5.

### **Land Use**

The type of on-site land uses would not change over existing conditions. The City of Malibu Local Coastal Program (LCP) land use and zoning designation of Institutional for the Project site would not change.<sup>1</sup> The proposed Project involves improvements to the perimeter fencing on an existing school site and would be consistent with the policies set forth in the City’s LCP, as fence heights are exempt from the LCP.

### **Biological Resources**

The proposed Project site exists within a predominantly developed rural environment. A stream designated as an environmentally sensitive habitat area (ESHA) by the City of Malibu Local Coastal Program (LCP) crosses the school property along the northwestern edge of campus. The stream flows under the school property through an underground pipe, and then daylights into a natural streambed vegetated primarily with arroyo willow just beyond the school property. The underground pipe was installed prior to the adoption of the Coastal Act. According to a biological inventory prepared for Malibu Middle and High School (Glen Lukos 2008), which included the Cabrillo Elementary School campus found that no endangered, threatened, or rare species or habitats (including but not limited to plants, fish, insects, animals and birds) are known to exist on the site<sup>2</sup>. The stream across campus supports southern arroyo willow riparian forest, adjacent to campus. No additional riparian habitats or sensitive natural communities are known to exist in the general vicinity of the proposed project site. No

<sup>1</sup> City of Malibu Local Coastal Program (LCP). April 12, 2004. Website: <http://www.ci.malibu.ca.us/index.cfm?fuseaction=detailgroup&navid=204&cid=1576>. Accessed May 27, 2009.

<sup>2</sup> Glen Lukos. 2008. Draft Biological Inventory, Malibu High School Project.



wetland habitat has been identified or is known to exist on, or in the vicinity of the proposed Project site. Proposed Project components would occur at the main entrance to campus and would not impact other portions of the school site. The ESHA and the stream underneath the campus would not be disturbed by the proposed Project. No impacts to the stream or the identified ESHA would occur. As no existing trees would be removed there is minimal chance that nesting or roosting birds would be disturbed due to implementation of the proposed Project. Any landscaping materials that exist on the proposed Project site and that could be disturbed during construction are not considered sensitive species and their removal would not result in significant impacts. The proposed Project would not conflict with any local policies, ordinances, or conservation plans protecting such resources.

### **Transportation/Traffic**

The proposed Project site is located southeastern of the intersection of Morning View Drive and Via Cabrillo Street. Regional access is provided by the Pacific Coast Highway (PCH) via intersection with Morning View Drive. Vehicle access to the Project site is exclusively available from Morning View Drive. No changes to on-site circulation are proposed as part of the Project. During construction activities, trips associated with the implementation of the Project would include limited truck trips and construction worker commute trips that would not create traffic related impacts during construction due to the small number of workers and trips associated with the proposed Project.

The proposed Project would not create additional student population and would not create additional vehicular traffic during either the AM or PM peak weekday hours during operation. It is not anticipated that the proposed Project would create a significant impact to traffic. In addition, the Project would not create a significant CMP intersection, freeway, or transit impact. Parking for the Project will be provided by an existing school parking lot on site, and impacts to parking are not anticipated. Approval of the proposed Project would not result in significant effects related to traffic.

### **Noise**

The construction activities associated with the proposed Project could result in a small but temporary increase in ambient noise levels, primarily due to the operation of heavy pieces of mechanized construction equipment, but also including noise generated by smaller power tools, generators, and other sources. Construction noise could be generated by concrete mixers, materials delivery and on-site movement, and hand and power tools, as well as by the arrival and departure of construction workers and the on-site servicing of equipment. The proposed Project does not entail any substantial earth moving or excavation. In addition, construction noise could be generated by equipment and materials deliveries and the movement of materials around the Project site, by the operation of heavy equipment, and by the use of hand tools such as hammers, skill saws, pneumatic nail guns, and power drills. However, the proposed Project would comply with the requirements of Section 8.24.050(G) of the *Malibu Municipal Code* (MMC), which limits the hours during which construction activity can take place. MMC Section 8.24.050 includes the following description, which is a violation of the City's noise ordinance:

Construction: operating or causing the operation of any tools, equipment, impact devices, derricks or hoists used in construction, chilling, repair, alteration, demolition or earthwork, on weekdays

between the hours of seven p.m. and seven a.m., before eight a.m. or after five p.m. on Saturday, or at any time on Sundays or holidays, except as provided in Section 8.24.060(D).

Compliance with the City's noise ordinance, as it relates to construction activities, would ensure that potential noise impacts during construction of the proposed Project would be less than significant. The proposed Project would comply with all the cited sections of the MMC. Therefore, implementation of the proposed Project would not be expected to result in significant noise-related environmental effects during the construction period.

When completed and operational, the proposed Project would not increase the noise levels currently existing. Typical non-vehicular operational activities associated with a school site that would generate noise include: student activity on site, bells, alarms, and crowds at special events. These types of sources are generally limited to school hours, with a few exceptions for special events. The proposed Project is on an existing school site and has no operational noise generating features. The proposed Project would not create additional student population and would not create additional vehicular traffic in the area; therefore, traffic related noise levels would not increase at the Project site or within the surrounding community. As such, approval of the proposed Project would not result in significant effects related to noise.

### **Air Quality**

The South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the South Coast Air Basin. The SCAQMD has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs), the most recent of which was adopted in June, 2007. The 2007 AQMP is designed to satisfy the *California Clean Air Act* (CCAA) tri-annual update requirements and to fulfill the SCAQMD's commitment to update transportation emission budgets based on the latest approved motor vehicle emissions model and planning assumptions.

Projects that are consistent with the projections of employment and/or population forecasts identified in the Growth Management Chapter of the Southern California Association of Government's (SCAG) Regional Comprehensive Plan and Guide (RCPG) are considered consistent with the AQMP growth projections. The proposed Project would be consistent with all adopted land use designations for the site and, as an existing school use, would not result in any increase in local employment within the City of Malibu in excess of current projections. Therefore, the proposed Project would be consistent with the AQMP population forecasts and would not jeopardize attainment of State and federal ambient air quality standards in the Basin.

Minor and temporary pollutant emissions would result from construction of the proposed Project. As stated previously, construction activities would last approximately two months and would not involve substantial use of construction equipment which would typically contribute to air quality impacts. There would be minimal earth disturbing activities and diesel equipment associated with construction of the proposed Project. As such, due to the relatively small size and duration of the proposed Project, construction-related emissions would not result in the exceedence of SCAQMD emissions thresholds.

No increase in operational emissions above existing levels would result from the operation of the proposed Project. Because the proposed Project site is an existing school site there would be no identifiable net increase in stationary emissions (electricity and natural gas). Operation of the proposed Project would not increase new vehicle trips per day, which would not result in significant operational emission increases. Consequently, there would be no net increase in identifiable mobile source emissions and no air quality impacts.

According to the CEQA Air Quality Handbook, projects which are consistent with the AQMP performance standards and emission reduction targets should be considered less-than-significant unless there is other pertinent information to the contrary. SCAQMD regulations indicate that a development project shall not be considered cumulatively considerable with regard to air quality if the development project: (i) does not generate significant air quality impacts on its own, (ii) does not propose any greater number of units or building space than would be allowed under the existing General Plan for the site, and (iii) is consistent with AQMP forecasts. As discussed previously, there would be no net increase in daily emissions associated with the operation of the proposed Project, the Project would be consistent with the existing land use designations for the site, and the proposed Project would be consistent with AQMP forecasts. Therefore, the net increase in emissions generated by the proposed Project would not be cumulatively considerable, and approval of the proposed Project would not result in significant effects related to air quality.

### ***Water Quality***

The site is currently developed and does not serve as a source for groundwater recharge. Operation of the Project as would not place any additional demands on groundwater resources beyond existing conditions. The proposed entry modifications and fencing improvements would not alter local drainage patterns. The proposed Project would not contain any other project features that would substantially degrade water quality. Therefore, approval of the proposed Project would not result in significant effects related to water quality.

### ***Utilities and Public Services***

The proposed Project is located in a developed rural area and is served by existing utility infrastructure (sanitary septic, water, gas and electricity), which would not be replaced or upsized as a result of the proposed Project. Impacts would be less than significant.

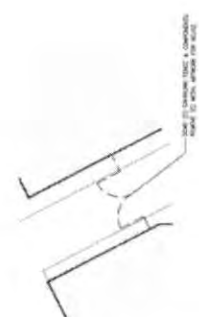
The proposed Project would not result in any significant increase in solid waste as compared to the existing condition. There would be no impacts to regional or area landfills.

The site is an existing school and Measure BB modernization is to enhance the school campus to serve the already existing students and staff. The proposed Project would not increase the number of residents within the area and therefore would not increase people number of local residents utilizing public parks, libraries and schools. The proposed Project would not result in adverse impacts to the local schools. In addition, the proposed Project would not increase the use of the local library and local public parks and related facilities.

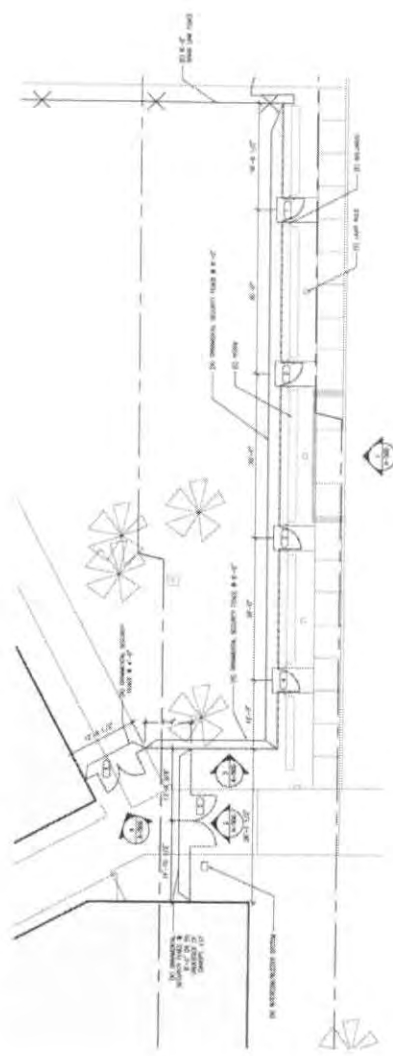
Since the proposed Project can be adequately served by all existing utilities and public services, this requirement would be met.

## **CONCLUSION**

The proposed Project qualifies for a Class 1 Categorical Exemption pursuant to the provisions of CEQA Section 15301. The proposed Project would not result in significant impacts relating to historical resources, land use, biological resources, transportation and traffic, community noise levels, air quality, water quality or utility services.



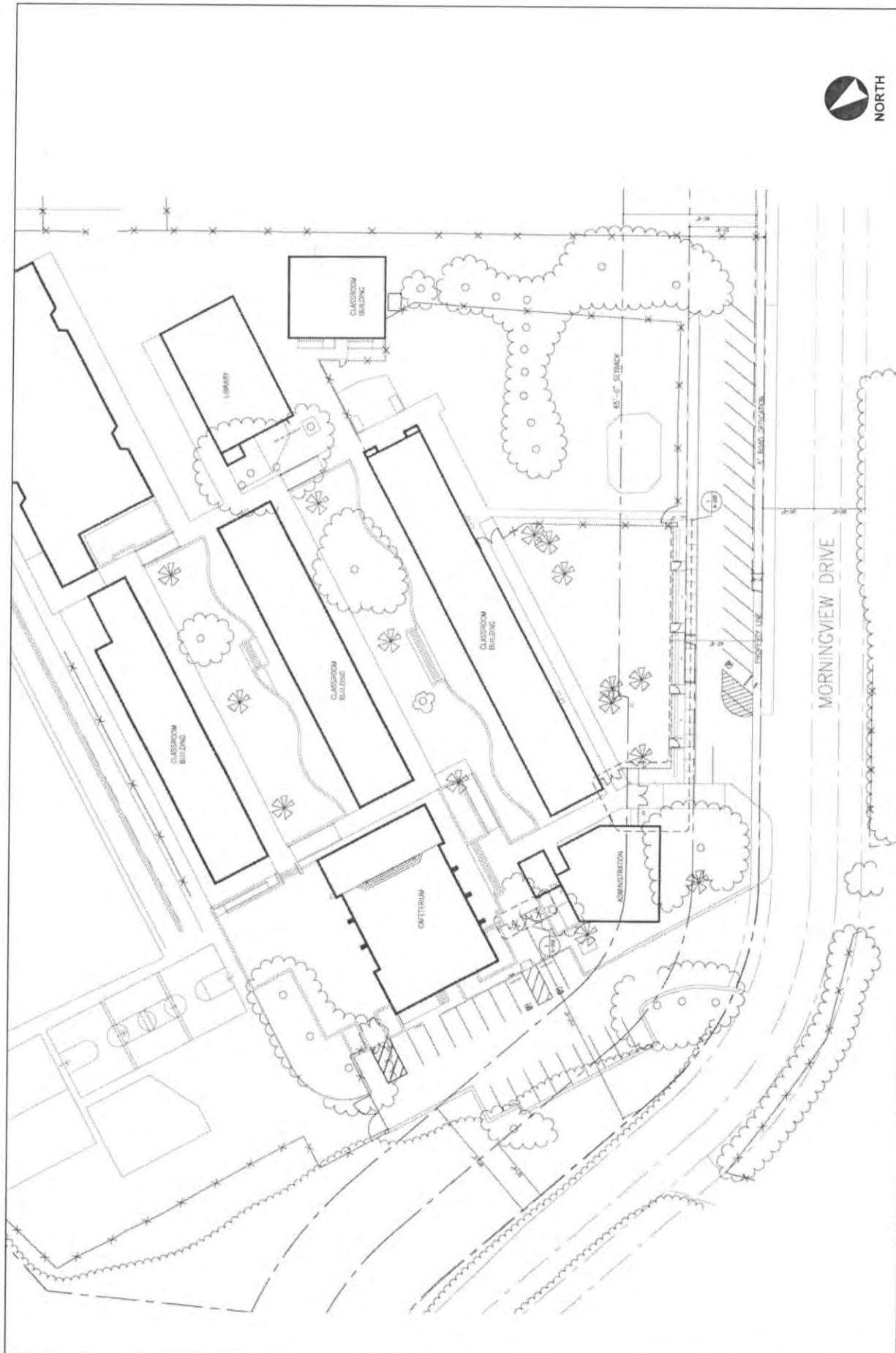
SECTION 1: FENCE CORNER & GATE MECHANISM  
SECTION 2: FENCE SECTION  
SECTION 3: FENCE SECTION



SECTION 4: FENCE SECTION

FIGURE 1  
Enlarged Plans

100007871



**FIGURE 2**  
**Proposed Site Plan**

100007871



TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: APPROVAL OF WILL ROGERS LEARNING COMMUNITY ENTRY AND  
MAIN OFFICE RECONFIGURATION PROJECT, MEASURE BB PROGRAM  
AND AUTHORIZE FILING OF NOTICE OF EXEMPTION

RECOMMENDATION NO. A.49

It is recommended that the Board of Education approve the Will Rogers Learning Community Entry and Main Office Reconfiguration Project (Project) and authorize staff to file a Notice of Exemption under the Class 1 Categorical Exemption.

COMMENTS: At its November 6, 2008 meeting, the Board of Education approved a total allocation of \$1,297,000 from the Measure BB bond fund for the life safety projects identified at Cabrillo, Grant, McKinley, Muir/SMASH, Rogers and Webster Elementary Schools.

The Project consists of the relocation of the entry gate and fence to include the cafeteria entry within the school's controlled perimeter and reconfiguring the main office to channel persons entering the school through the main office. The new entry gate and reconfiguration will improve supervision, safety, and security on the elementary school campus.

Due to the limited scope of this Project and that no new buildings or additions will be constructed, it has been found that the Project is categorically exempt under the California Environmental Quality Act (CEQA) because such types of projects like the Will Rogers Learning Community Entry and Main Office Reconfiguration Project will not create a significant environmental impact. The District commissioned PBS&J to analyze the Project and prepare a memorandum to document that this Project meets the Existing Facilities (i.e., Class 1) Categorical Exemption as set forth in CEQA Guidelines section 15301. This memorandum is attached hereto as Attachment A.

Under the CEQA Guidelines, a Notice of Exemption (NOE) is filed with the County Clerk after approval of the Project. The proposed NOE is attached hereto as Attachment B. Staff requests authorization to file the NOE.

Note: The complete Memorandum of Environmental Effects - Class 1 Categorical Exemption has been forwarded to the Board of Education members and is available for public review in the Superintendent's Office.

MOTION MADE BY: Mr. Snell  
SECONDED BY: Mr. Allen  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)



# **SANTA MONICA—MALIBU UNIFIED SCHOOL DISTRICT**

## **Will Rogers Learning Community Entry and Main Office Reconfiguration Project**

### **Memorandum of Environmental Effects Class 1 Categorical Exemption**

*Prepared for*  
**Santa Monica Malibu Unified School District**  
1651 Sixteenth Street  
Santa Monica, California 90404

*Prepared by*  
**PBS&J**  
12301 Wilshire Boulevard, Suite 430  
Los Angeles, California 90025

June 2009

## NOTICE OF EXEMPTION

---

**To:** Office of Planning and Research  
1400 Tenth Street, Room 121  
Sacramento, CA 95814

**From:** (Public Agency) Santa Monica Malibu  
Unified School District (SMMUSD)  
1651 Sixteenth Street  
Santa Monica, California 90404

County Clerk  
County of :Los Angeles  
12400 Imperial Highway, Room 1701  
Norwalk, CA 90650

**Project Title:** SMMUSD Will Rogers Learning Community Entry and Main Office Reconfiguration Project

**Project Location – Specific:** The Project is located at 2401 14<sup>th</sup> Street, in Santa Monica, at the intersection of 14<sup>th</sup> Street and Pine Street.

**Project Location – City:** Santa Monica

**Project Location – County:** Los Angeles

**Description of Nature, Purpose and Beneficiaries of Project:** The Project components consist of the following: relocate the entry gate and fence to include the cafeteria entry within the school's controlled perimeter and reconfigure the main office to accept entering traffic through new gates. This reconfiguration will improve supervision, safety, and security on campus.

**Name of Public Agency Approving Project:** Santa Monica Malibu Unified School District

**Name of Person of Agency Carrying Out Project:** Santa Monica Malibu Unified School District

**Exempt Status:** (check one)

Ministerial (Sec. 21080(b)(1); 15268);

Declared Emergency (Sec. 21080(b)(3); 15269(a));

Emergency Project (Sec. 21080(b)(4), 15269(b)(c));

☒ Categorical Exemption. State type and section number: CEQA Section 15301 (Class 1)

Statutory Exemptions. State code number: \_\_\_\_\_

**Reasons why project is exempt:** The Project qualifies for the Class I, Existing Facilities, Categorical Exemption of CEQA Guidelines Section 15301 because the Project only entails the minor alteration of existing public school structures, facilities, and mechanical equipment involving negligible or no expansion of use beyond that existing at the time of the District's determination. The Project merely reconfigures the existing secured perimeter of the campus at the main entrance to the school. The Project would not induce growth, as enrollment is not forecasted to change. Thus, the use of Will Rogers Learning Community after the Project is completed would remain the same. Accordingly, the Project will not result in any significant impacts as further shown in the Will Rogers Learning Community Entry and Main Office Reconfiguration Project, Memorandum of Environmental Effects Class I Categorical Exemption, dated June 2009.

### **Lead Agency**

**Contact Person:** Janece Maez, Assistant Superintendent, Fiscal and Business Services

**Area Code/Telephone/Extension:** (310) 450-8338

### **If filed by applicant:**

1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project?      Yes      No

Signature: \_\_\_\_\_

Signed by Lead Agency

Signed by Applicant

Date: \_\_\_\_\_ Title: \_\_\_\_\_

Date received for filing at OPR: \_\_\_\_\_

# Memorandum of Environmental Effects

## Class 1 Categorical Exemption

Section 21084 of the Public Resources Code requires the inclusion of a list of types/classes of projects which have been determined not to have a significant effect on the environment and which shall, therefore, be exempt from the provisions of the *California Environmental Quality Act* (CEQA).

The following memorandum and discussion of environmental effects were completed to serve as an attachment to the Notice of Exemption for the Will Rogers Learning Community Entry and Main Office Reconfiguration Project (Project) for an existing school site in the City of Santa Monica, California. This Project satisfies the Class 1 Categorical Exemption under CEQA Section 15301 for existing facilities, as the Project consists of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination.

---

**1. Project title:**

SMMUSD Will Rogers Learning Community Entry and Main Office Reconfiguration Project

---

**2. Lead agency name and address:**

Santa Monica-Malibu Unified School District  
1651 Sixteenth Street  
Santa Monica, CA 90404

---

**3. Contact person and phone number:**

Janece Maez  
Assistant Superintendent, Fiscal and Business Services  
Chief Financial Officer  
(310) 450-8338  
measurebb@smmusd.org

---

**4. Project location:**

Will Rogers Learning Community  
2401 14<sup>th</sup> Street  
Santa Monica, CA 90405

---

**5. General plan designation:**

Public Lands

**6. Zoning:**

R2 (Low Density Multiple Residential) with a Public Lands Overlay District

**7. Description of project**

The Will Rogers Learning Community is an elementary school that supports a variety of educational programs, including instrumental and vocal music program, Readathon, science expo, and a media center. Will Rogers Learning Community is located at 2401 14<sup>th</sup> Street, in Santa Monica, California at the intersection of 14<sup>th</sup> Street and Pine Street. The campus (i.e., the Project site) is surrounded by a residential neighborhood and John Adams Middle School to the north. The campus is approximately 5.56 acres and the Will Rogers Learning Community Entry and Main Office Reconfiguration Project (Project) involves the construction of new fencing and entry gates at the main entry to the campus along with the reconfiguration of the main office to direct entry through the office during school hours. The total renovated floor area would be 465 square feet. The total floor area for both renovation and exterior fencing improvement would be approximately 600 square feet.

The Project components are both external and internal, with interior renovation affecting the main office area. The Project components consist of the following: relocate the entry gate and fence to include cafeteria entry within a controlled perimeter and reconfigure the main office to accept entering traffic through new gates (refer to Figure 1). Current access to the cafeteria is not within the controlled perimeter of the Project site. This reconfiguration will improve supervision, safety, and security on campus. Project activities are anticipated to commence in November 2009 and be completed by February 2010.

In accordance with Section 15301 of the *California Environmental Quality Act* (CEQA Guidelines), projects that consist of the operation, repair, maintenance, permitting, leasing, licensing, or minor alteration of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible or no expansion of use beyond that existing at the time of the lead agency's determination are categorically exempt from further review because such projects do not have a significant impact on the environment.

The proposed Project has been evaluated pursuant to the above cited criteria and qualifies for a Class 1 Categorical Exemption pursuant to the provisions of CEQA Guidelines Section 15301. This document provides the substantial evidence supporting the classification of this Project as a Class 1 Categorical Exemption.

## **Findings for Class 1 Category Exemption**

### **Cultural Resources**

Under CEQA, public agencies must consider the effects of their actions on "historical resources." Pursuant to Public Resources Code, Section 21084.1, a "project that may cause a substantial adverse change in the significance of an historical resource is a project that may have a significant effect on the environment."

“Historical resource” is a term with a defined statutory meaning (see Public Resources Code, Section 21084.1 and CEQA Guidelines Section 15064.5 (a)). The term embraces any resource listed in or determined to be eligible for listing in the California Register of Historical Resources (CRHR). The CRHR includes resources listed in or formally determined eligible for listing in the National Register of Historic Places (NRHP), as well as some California State Landmarks and Points of Historical Interest.

Properties of local significance that have been included on a local register of historical resources or that have been identified in a local historical resource survey may be eligible for listing in the CRHR and are presumed to be “historical resources” for the purposes of CEQA unless a preponderance of evidence indicates otherwise (Public Resources Code, Section 5024.1; California Code of Regulations, Title 14, Section 4850). Unless a survey is five or more years old and not updated or a resource listed in a survey has been demolished, lost substantial integrity, or there is a preponderance of evidence indicating that it is otherwise not eligible for listing, a lead agency should consider the resource to be potentially eligible for the CRHR.

The Will Rogers Learning Community is not currently listed on the NRHP, the CRHR, or a local register of historical resources. Therefore the proposed Project would not result in adverse affects to an historical resource. Project activities consist of reconfiguration of the perimeter fencing and the main offices to improve supervision, safety, and security on campus. Consequently the Project would not cause a substantial adverse change in the significance of a historical or archaeological resource pursuant to Public Resources Code, Section 21084.1 and CEQA Guidelines Section 15064.5.

### **Land Use**

The type of on-site land uses would not change over existing conditions. The Project is consistent with the City of Santa Monica zoning designation of the project site, which is R2 (Low Density Multiple Residential) with a Public Lands Overlay District<sup>1</sup> as well as the General Plan designation of Public Land.<sup>2</sup> The proposed Project is a Measure BB modernization project on an existing school site and would be consistent with the policies set forth in the City’s General Plan.

### **Biological Resources**

The proposed Project site exists within a fully urbanized environment. No endangered, threatened, or rare species or habitats (including but not limited to plants, fish, insects, animals and birds) are known to exist on the site. There are no known riparian habitats or sensitive natural communities located in the general vicinity of the proposed Project site. No wetland habitat has been identified or is known to exist on, or in the vicinity of, the proposed project site. Since the entire proposed Project site has been developed, any existing plants or vegetation are not indigenous to the area and are not expected to provide a suitable habitat for a diverse terrestrial community. As no existing trees would be removed there is minimal chance that nesting or roosting birds would be disturbed due to implementation of the proposed Project. Any landscaping materials that exist on the proposed Project site and that would be removed or impacted during construction are not considered sensitive species and their removal would

<sup>1</sup> City of Santa Monica. 2009. GIS Zoning map. Retrieved from [http://www01.smgov.net/isd/gis/map\\_catalog/csm\\_map\\_catalog/districtingmap.pdf](http://www01.smgov.net/isd/gis/map_catalog/csm_map_catalog/districtingmap.pdf) on May 13.

<sup>2</sup> City of Santa Monica. 2002 Land Use and Circulation Element. October.



not result in significant impacts. The proposed Project would not conflict with any local policies, ordinances, or conservation plans protecting such resources.

### **Transportation/Traffic**

The proposed Project site is located at the intersection of 14<sup>th</sup> Street and Pine Street. Regional Access is provided by the Santa Monica Freeway (I-10). Vehicle access to the site would remain the same. During construction activities, trips associated with the implementation of the Project would include limited truck trips and construction worker commute trips that would not create traffic related impacts during construction due to the small number of workers and trips associated with the proposed Project.

The proposed Project would not create additional student population and would not create additional vehicular traffic during either the AM or PM peak weekday hours during operation. It is not anticipated that the proposed Project would create a significant impact to traffic. In addition, the Project would not create a significant CMP intersection, freeway, or transit impact. Parking for the Project will be provided by an existing school parking lot on site, and impacts to parking are not anticipated. Approval of the proposed Project would not result in significant effects related to traffic.

### **Noise**

The construction activities associated with the proposed Project could result in a small but temporary increase in ambient noise levels, primarily due to the operation of heavy pieces of mechanized construction equipment, but also including noise generated by smaller power tools, generators, and other sources. Construction noise could be generated by concrete mixers, materials delivery and on-site movement, and hand and power tools, as well as by the arrival and departure of construction laborers and the on-site servicing of equipment. However, this Project does not entail any substantial earth moving or excavation. In addition, construction noise could be generated by equipment and materials deliveries and the movement of materials around the Project site, by the operation of heavy equipment, and by the use of hand tools such as hammers, skill saws, pneumatic nail guns, and power drills. However, the proposed Project would comply with the requirements of Section 4.12.110 of the *Santa Monica Municipal Code* (SMMC), which limits the hours during which construction activity can take place. SMMC Section 4.12.110 includes the following requirement:

No construction activities shall occur before the hours of 8:00 AM or after 6:00 PM on Monday through Friday, before 9:00 AM or after 5:00 PM on Saturday, and at no time on a Sunday or holiday unless otherwise permitted by the City.

Compliance with the City's noise ordinance, as it relates to construction activities, would ensure that potential noise impacts during construction of the proposed Project would be less than significant. Vibration generated by construction-related activities on the Project site would be exempt from the requirements of the City's noise ordinance pursuant to the provisions of Section 4.12.070 of the SMMC, provided that the approved hours of operation are observed. The proposed Project would comply with all the cited sections of the SMMC. Therefore, implementation of the proposed Project would not be expected to result in significant noise-related environmental effects during the construction period.

When completed and operational, the proposed Project would not generate noise levels on-site that would exceed City standards at nearby residential uses. Typical non-vehicular operational activities

associated with a school site that would generate noise include: student activity on site, bells, alarms, and crowds at occasional special events. These types of sources are generally limited to school hours, with a few exceptions for special events. The proposed Project is an existing school site and its implementation would not be anticipated to generate noise levels that are greater than what currently exists. Additionally, the proposed Project would not create additional student population and would not create additional vehicular traffic in the area; therefore, traffic-related noise levels would not increase at the Project site or within the surrounding community. As such, approval of the proposed Project would not result in significant effects related to noise.

### **Air Quality**

The South Coast Air Quality Management District (SCAQMD) is the agency principally responsible for comprehensive air pollution control in the South Coast Air Basin. The SCAQMD has responded to this requirement by preparing a series of Air Quality Management Plans (AQMPs), the most recent of which was adopted in June, 2007. The 2007 AQMP is designed to satisfy the *California Clean Air Act* (CCAA) tri-annual update requirements and to fulfill the SCAQMD's commitment to update transportation emission budgets based on the latest approved motor vehicle emissions model and planning assumptions.

Projects that are consistent with the projections of employment and/or population forecasts identified in the Growth Management Chapter of the Southern California Association of Government's (SCAG) Regional Comprehensive Plan and Guide (RCPG) are considered consistent with the AQMP growth projections. The proposed Project would be consistent with all adopted land use designations for the site and, as an existing school use, would not result in any increase in local employment within the City of Santa Monica in excess of current projections. Therefore, the proposed Project would be consistent with the AQMP population forecasts and would not jeopardize attainment of State and federal ambient air quality standards in the Basin.

Minor and temporary pollutant emissions would result from construction of the proposed Project. As stated previously, construction activities would last approximately three months and would not involve substantial use of diesel-powered construction equipment which would typically contribute to air quality impacts. There would be minimal earth disturbing activities and diesel equipment associated with construction of the proposed Project. Therefore, due to the relatively small size and duration of the proposed Project, construction-related emissions would not result in the exceedence of SCAQMD emissions thresholds.

No significant increase in operational emissions above existing levels would result from the operation of the proposed Project. Because the proposed Project site is an existing school site there would be no identifiable net increase in stationary emissions (electricity and natural gas). Operation of the proposed Project would not increase new vehicle trips per day, which would not result in significant operational emission increases. Consequently, there would be no net increase in identifiable mobile source emissions and no air quality impacts.

According to the CEQA Air Quality Handbook, projects which are consistent with the AQMP performance standards and emission reduction targets should be considered less-than-significant unless

there is other pertinent information to the contrary. SCAQMD regulations indicate that a development project shall not be considered cumulatively considerable with regard to air quality if the development project: (i) does not generate significant air quality impacts on its own, (ii) does not propose any greater number of units or building space than would be allowed under the existing General Plan for the site, and (iii) is consistent with AQMP forecasts. As discussed previously, there would be no net increase in daily emissions associated with the operation of the proposed Project, the Project would be consistent with the existing land use designations for the site, and the proposed Project would be consistent with AQMP forecasts. Therefore, the net increase in emissions generated by the proposed Project would not be cumulatively considerable, and approval of the proposed Project would not result in significant effects related to air quality.

### ***Water Quality***

The Project site is currently developed and does not serve as a source for groundwater recharge. Operation of the Project as would not place any additional demands on groundwater resources beyond existing conditions. The proposed internal office modifications and fencing improvements would not alter these local drainage patterns. The proposed Project would not contain any other project features that would substantially degrade water quality. Therefore, approval of the proposed Project would not result in significant effects related to water quality.

### ***Utilities and Public Services***

The proposed Project is located in a developed area and is served by existing utility infrastructure (sewer, water, gas and electricity), which would not be replaced or upsized as a result of the proposed Project. Since the proposed Project is a minor reconfiguration of a small portion of an existing school site, there would be a small, incremental increase in consumption of water, electricity, and natural gas and an equally small increase in the amount of waste water generated as a result of project implementation. Impacts would be less than significant.

The proposed Project would not result in any significant increase in solid waste as compared to the existing condition. During construction activities, the District would follow all feasible requirements established in Section 7.60 of the City's Municipal Code. There would be no impacts to regional or area landfills.

The intent of the proposed Project is to improve supervision, safety, and security for the existing students and staff. The proposed Project would not increase the number of residents within the area and therefore would not increase people number of local residents utilizing public parks, libraries and schools. The proposed Project would not result in adverse impacts to the local schools. In addition, the proposed project would not increase the use of the local library and local public parks and related facilities.

Since the proposed Project can be adequately served by all existing utilities and public services, this requirement would be met.



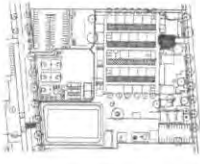
## CONCLUSION

The proposed Project qualifies for a Class 1 Categorical Exemption pursuant to the provisions of CEQA Section 15301. The proposed Project would not result in significant impacts relating to historical resources, land use, biological resources, transportation and traffic, community noise levels, air quality, water quality or utility services.

KoningEisenbergArchitecture  
1434 28th St. Santa Monica, CA 90404  
Tel: 310.622.0131  
Fax: 310.629.9719

osborn

325 East Harvard Street / Beverly Hills, CA 90210  
Telephone: (818) 244-1102 / Fax: (818) 244-1643



1/2" = 1'-0"

Checked by Engineer  
Date: 1/11/10  
Title: Final Plans

City of Santa Monica Planning Commission

Submitted by  
Santa Monica-Malibu U.S.D.  
Will Rogers Learning Community  
Santa Monica, CA 90405  
Tel: 310.434-2943  
Fax: 310.434-2529  
http://www.smo.k12.ca.us

PROJECT  
SANTA MONICA-MALIBU U.S.D.  
WILL ROGERS  
LEARNING COMMUNITY  
SANTA MONICA, CA 90405



FILE NO.  
PROJECT NO.  
DATE



100% DESIGN DEVELOPMENT  
FEBRUARY 4, 2009

A 1.02

SITE PLAN

LEGEND

ALTERNATE DRIVE PAVING CONSTRUCTION

WALKWAY

TEMPORARY RECEIVING DRIVE DURING CONSTRUCTION

14th STREET

14th STREET

SITE PLAN

3" = 1'-0" 1" = 1'-0" 1/2" = 1'-0" 01 A 1.02

FIGURE 1  
Proposed Site Plan

100007874

Will Rogers Learning Community Entry and Main Office Reconfiguration Project

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: APPROVE AGREEMENT WITH LOS ANGELES COUNTY DEPARTMENT OF  
PUBLIC WORKS, WATER DISTRICT NO. 29 - MALIBU MS/HS  
CAMPUS IMPROVEMENTS PROJECT - MEASURE BB

RECOMMENDATION NO. A.50

It is recommended that the Board of Education authorize execution of an agreement with the Los Angeles County Department of Public Works, Water District No. 29. The agreement will be signed by Janece Maez, Asst. Supt. Business Services on behalf of the District.

BACKGROUND: As part of the Malibu Middle School and High School Campus Improvement Project, the District is required to obtain approval of the construction documents by the Division of State Architect (DSA). DSA requires that the Local Fire Authority (LFA), Los Angeles County Fire Department confirm adequate service to the project and campus. In turn, based upon code requirements, the LFA requires that adequate water flow be available to support fire fighting capability. In this case, the requirement will be 2,625 gpm for a 2 hour duration.

Fire flow tests were conducted to determine current flow rates, working pressure and related technical information. After review with the appropriate authorities, it was determined that in order to meet the water flow requirements, certain off-site improvements (as further described in the agreement) will be required to meet the flow rates required.

Funding for the off-site improvements was approved by the Board at the May 7, 2009 Board meeting. This agreement will commit the school District to fully implement the off-site water system improvements including all related costs such as design, construction, inspection and testing.

COMMENTS: The draft agreement Form WW194 12/97 is attached for reference.

MOTION MADE BY: Mr. Snell

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

**STATEMENT BY APPLICANT FOR  
WATER SERVICE AGREEING TO  
INSTALL CERTAIN WATER FACILITIES  
BEFORE SERVICE IS PROVIDED**

**Spec. No. WWD 29-701 (PC)**

**Inquiry No. I 33451-29**

**Date April 24, 2009**

Premises Address: **30215 W. MORNING VIEW DRIVE, MALIBU**

**(Malibu High School/Middle School")**

**(APN 4469-017-900, 4469-018-900,901,902,903,904)**

I (We) the undersigned, being the applicant/owner, agree that as a condition of District service to said premises, to install or to have installed, at no expense to the District, the following water system facilities:

**Installation of approximately 2,200 feet of 12-inch diameter water main in Busch Drive between Cuthbert Road & the Lower Busch Pump Station and in Merritt Drive south of Busch Drive, one Pressure Regulating Station (860' to 325' pressure zone), four interconnections to the existing water system, and all other necessary appurtenances.**

**These water system improvements are required to satisfy the fire flow requirement of 2,625 gpm at 20 psi for a 2 hour duration.**

I (We) agree that should additional water system facilities be necessary, as a result of: (a) local fire protection agency; (b) building permit; (c) land subdivision; or (d) local zoning agency requirements; to install or to have installed said facilities.

I (We) agree that these facilities must be installed to the satisfaction of the District before permanent water service will be provided. Within one year of District's approval, should construction of said facilities not be started, I (We) understand that the District may revise the requirements for water service.

I (We) agree that said facilities must be installed by a contractor possessing a valid "A", "C-34", or "SC-34" license in California using plans prepared by an engineer licensed to practice in California and approved by the District, and specifications prepared by the District.

I (We) agree that all fees for water service must be paid, in full, to the appropriate water agencies prior to water service being provided by the District.

OWNER(S) (Print or Type Name)

SIGNATURE

DATE

**SANTA MONICA MALIBU UNIFIED SCHOOL DISTRICT**  
**JANECE MAEZ, ASSISTANT SUPT. BUSINESS SERVICES**

Owner's Representative Name:

Address: 1651 Sixteenth Street, Santa Monica, CA 90404

Telephone No (310) 450-8338

WW194 12/97

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

**UPDATE**

RE: ADOPT RESOLUTION 08-49 - FINDINGS AND ADOPTION OF  
MITIGATED NEGATIVE DECLARATION, MITIGATION MONITORING  
AND REPORTING PROGRAM, AND APPROVAL OF THE MALIBU HIGH  
SCHOOL FOOTBALL LIGHTING PROJECT

RECOMMENDATION NO. A.51

It is recommended that the Board of Education ("Board") adopt Resolution 08-49 to find that the mitigated Malibu High School Football Lighting Project ("Project") will not have a significant effect on the environment, adopt the Proposed Project Mitigated Negative Declaration ("MND"), adopt the Mitigation Monitoring and Reporting Program ("MMRP"), and approve the Project.

DISCUSSION:

In 2000, the athletic field for the Malibu High School was constructed by the Santa Monica-Malibu Unified School District ("District") as part of the Proposition X bond program. The athletic field has been used ever since for football, soccer, band practice, and other activities as part of the school's educational program.

In 2003, Malibu High School began its first use of temporary night lights for evening football games starting with the homecoming game. The school has continued using temporary night lights for each football season thereafter. Although District staff did receive questions and concerns about the night lighting, no formal complaint ~~was~~ has ever been made to the District until September 2008. The City of Malibu and the Coastal Commission have not directed the District to cease the use of night lighting.

In 2008, during the formulation of the Measure BB Malibu Middle and High School Campus Improvements Project ("Measure BB Project"), it was discovered that an existing Coastal Development Permit that was issued by the California Coastal Commission for the Proposition X bond project at Malibu High School in 2000 contained a restriction that prohibited the use of night lights on the athletic field, whether permanent or temporary. The permit's lighting restriction was to be memorialized in a separate agreement between the District and the California Coastal Commission. Unfortunately, neither the District nor the California Coastal Commission can locate the agreement, which may not have been ultimately executed. The District acknowledged that it violated the permit's lighting

restriction in the Notice of Preparation/Initial Study that was released for public comment on the Measure BB Project.

To remedy the violation and permit the continuance of evening football practices and games, the District developed this Project to obtain an amendment to the Coastal Development Permit for the Malibu High School. The Project would provide night lighting for the 16-night practices and games totaling no more than 62 hours annually. Five portable light standards, 53-feet high, and having six lights each on top would be positioned around the athletic field, as has been done for the past six years. In addition, visors will be included on the lights to reduce glare, and spill light, and sky glow. After the football season ends, the lights would be removed until the next football season. No other lighted evening sporting event would be allowed on the athletic field.

The District engaged CAA Planning ("CAA") to conduct an environmental review of the Project under the California Environmental Quality Act ("CEQA"). CAA determined that the Project could potentially cause significant environmental impacts, but with implementation of the certain mitigation measures there would be no resultant significant environmental impacts. As a result, CAA prepared an MND that discloses the Project, analyzes the potential environmental impacts, and includes mitigation measures to reduce those significant environmental impacts to less than significant.

On May 8, 2009, the District released the Project MND for public review and comment. The comment period ended June 10, 2009, 33 days later. In all, 18 written comments comment letters and a petition signed by 268 members of the public in support of the Project were received, which. CAA prepared responses to the comments and an Errata to the MND ("Errata") that are included together with the comments in CAA's letter and, which is available for review at the District's Main Office and on the District's website. Most comments focused on the claims that the Project would cause significant impacts on aesthetics and biological resources. However, the MND provided analysis and mitigation to reduce these impacts below significant. Although there are many comments, none of them disclose the potential that the mitigated Project would create a significant environmental impact.

Based upon the Project MND, its Errata, the mitigation measures referenced therein and identified in the MMRP, the MND's reference documents, the comments, CAA's responses to those comments, and the whole of the record of proceedings, there is no substantial evidence or fair argument that the mitigated Project will potentially have a significant effect on the environment.

CAA prepared a proposed MMRP for the Project as required by CEQA. The proposed MMRP is attached hereto as Exhibit A. The proposed MMRP lists two mitigation measures needed to reduce the Project's impacts to less than significant, as well as an additional measure to give further assurances that the number of nights and the duration of their use do not exceed the 16 nights or total of 62 hours, annually. As part of this last measure, Malibu High School would voluntarily lose the use of the lights for one football season should the lights be used in excess of the maximum 16 days per year. By adopting the proposed MMRP, the Board will provide the District with the mechanism to ensure that the mitigation measures are implemented.

If Resolution No. 08-49 is adopted by the Board, the District will submit its Project application for an amendment to the Coastal Development Permit with the California Coastal Commission. If the California Coastal Commission grants the permit amendment, Malibu High School will be able to continue using temporary night lights for its football season.

\*\*\*\*\*

The board agreed to postpone this item until a special meeting on July 1, 2009.

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

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION

RESOLUTION 08-49

**FINDINGS AND ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND  
MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVAL  
OF THE MALIBU HIGH SCHOOL FOOTBALL LIGHTING PROJECT**

**WHEREAS**, the Santa Monica-Malibu Unified School District ("District") developed the Malibu High School Football Lighting Project ("Project") to obtain an amendment to the existing Coastal Development Permit with the District to authorize the continuance of the Malibu High School football night practices and games using temporary portable lights that will be in place during the football season;

**WHEREAS**, the California Environmental Quality Act ("CEQA") requires the District to evaluate and determine whether the Project could create significant environmental impacts and develop and adopt feasible mitigation measures to reduce such impacts to less than significant;

**WHEREAS**, the District engaged CAA Planning ("CAA") to conduct the environmental review of the Project;

**WHEREAS**, CAA conducted an Initial Study of the Project and determined that it could potentially create certain significant environmental impacts, but that implementation of certain mitigation measures would reduce such impacts to less than significant and that a Mitigated Negative Declaration ("MND") is the appropriate environmental document;

**WHEREAS**, CAA prepared an MND that describes the Project, analyzes the potential environmental impacts, and identifies mitigation measures to reduce those significant environmental impacts to less than significant;

**WHEREAS**, the Project MND was noticed and circulated for public comment according to CEQA's procedures;

**WHEREAS**, the District received 18 comment letters and a petition signed by 268 members of the public in support of the Project during the comment period; and

**WHEREAS**, CAA prepared responses to the comment letters and an Errata to the MND ("Errata") and determined that ~~none of them~~ the comments do not provide a fair argument or substantial evidence that a potentially significant impact would result from the mitigated Project or requires the substantial revision of



the MND, and thus, the MND need not be recirculated for additional public comment.

**NOW, THEREFORE, BE IT RESOLVED**, that the Santa Monica-Malibu Unified School District Board of Education ("Board") hereby finds as follows:

1. Based upon the Project description, the Project MND, its Errata, the mitigation measures identified therein, the comments, the responses to comments, the Mitigation Monitoring and Reporting Program, the Board Item, all other referenced documents, and the whole of the record of proceedings, no new significant effect has been identified and no further mitigation measures or Project revisions are required to reduce ~~the~~ an effect to less than significant.
2. Based upon the Project description, the Project MND its Errata, the mitigation measures identified therein, the comments, the responses to comments, the Mitigation Monitoring and Reporting Program, the Board Item, all other referenced documents, and the whole of the record of proceedings, the new mitigation measure to monitor and report on the number of nights and the hours of usage annually is not a new mitigation measure needed to reduce potential impacts to less than significant.
3. The responses to comments and Errata merely clarify or amplify the information in the MND.
4. Based on the forgoing findings, the District determines that recirculation of the MND is not required.
5. Based upon the Project description, the Project MND, its Errata, the mitigation measures identified therein, the comments, the responses to comments, the Mitigation Monitoring and Reporting Program, the Board Item, all other referenced documents, and the whole of the record of proceedings, there is no fair argument or substantial evidence that the Project will have a potentially significant effect on the environment and an environmental impact report is not required.
6. The Project's MND, its Errata, the conclusions in the responses to comments, and the content of this Resolution reflect the District's independent judgment and analysis.

**BE IT FURTHER RESOLVED** that the Board hereby adopts:

1. The Project MND prepared by CAA and dated May 8, 2009 and Errata dated June 18, 2009; and

2. The Malibu High School Football Lighting Project Mitigation Monitoring and Reporting Program (attached hereto as Exhibit A) for the mitigation measures that are required to mitigate or avoid potentially significant environmental impacts.

**BE IT FURTHER RESOLVED** that the Board approves the Project and authorizes the submission of an application to the California Coastal Commission to permit the Project.

**BE IT FURTHER RESOLVED** that the Board directs the Assistant Superintendent to serve as the custodian of the documents and other materials that constitute the record of proceedings upon which the Board's decision is based. The record of proceedings shall be maintained at the District's offices at 1651 Sixteenth Street, Santa Monica, California 90404.

**PASSED AND ADOPTED** by the Santa Monica-Malibu Unified School District of Los Angeles County at a regular meeting held on this 25th day of June 2009.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Ralph Mechur, President  
Board of Education

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 June 25, 2009.

---

Tim Cuneo, Superintendent  
Santa Monica-Malibu  
Unified School District

## MITIGATION MONITORING AND REPORTING PROGRAM

### **MALIBU HIGH SCHOOL FOOTBALL LIGHTING PROJECT**

The Santa Monica-Malibu Unified School District developed a project to operate temporary and portable athletic field night lighting at Malibu High School for a limited number of football practices and football games. Football lighting will occur no more than sixteen (16) nights per football season during the months of September, October and November. Playoff games, if necessary, could be played into December and are included in the total number of night games. The night lights will be used for team practices and games, with an overall usage of approximately 62 hours per year. The light standards will be placed on the athletic field during the football season and removed at the end of the season. The lights will be 53 feet in height with a 5'x5'x3' base. Each light standard would have six 1,500-watt metal halide fixtures and would be powered by diesel-powered generators. The fixtures will be shielded to reduce light spill and reduce glare.

The California Environmental Quality Act (CEQA) requires that all public agencies establish monitoring and/or reporting procedures for mitigation measures (MMs) adopted as conditions of approval in order to mitigate or avoid significant environmental impacts caused by a project. Specifically, Public Resource Code Section 21081.6(a)(1) states:

*The public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.*

CEQA Guidelines §15097 provides clarification of mitigation monitoring and reporting requirements and guidance to local lead agencies on implementing strategies. The reporting or monitoring program must be designed to ensure compliance during project implementation.

The following Mitigation Monitoring and Reporting Program includes MMs identified in the Mitigated Negative Declaration (MND) for the Malibu High School Football Lighting project. MMs have been drafted to meet the requirements of *Public Resources Code* §21081.6 as fully enforceable monitoring programs. The Mitigation Monitoring and Reporting Program defines the following for each MM:

1. A time for performance. In each case, a time for performance of the mitigation measure, or review of evidence that mitigation has taken place, is provided. The performance points selected are designed to ensure that impact-related components of project implementation do no proceed without establishing that the mitigation is implemented or assured.
2. A responsible party for supervising performance. In each case, a public official is named in the mitigation measure as responsible for ensuring that the mitigation is carried out. To guarantee that the mitigation measure will not be inadvertently overlooked the supervising public official is the official who grants the permit or authorization called for in the performance.

3. Definition of mitigation. In each case (except where a mitigation measure, such as a geotechnical report, is a well-known procedure or term of art), the mitigation measure contains the criteria for mitigation, either in the form of adherence to certain adopted regulations or identification of the steps to be taken in mitigation.

Matrix Orientation

The following matrix lists all mitigation measures from the MND referenced above. The matrix also identifies the required timing, the responsible parties for implementation and the completion date of the required mitigation.

<b>Mitigation Measure</b>	<b>Timing</b>	<b>Responsible Party</b>	<b>Date Completed</b>
MM A-1: Prior to the operation of night lighting for football use, the District shall ensure that spill and glare control fixtures be added to each light. The spill and glare control fixtures utilized shall be capable of reducing spill, glare, and sky glow from the football lights.	Prior to operation of night lighting each football season	Santa Monica-Malibu Unified School District, Malibu High School Principal	
MM A-2: Field lighting shall be designed to minimize visibility of light source and glare impacts by directing lighting towards the sports field area and not illuminating areas outside the project boundaries. The light control visors shall be examined to ensure the maximum benefit of light and glare reduction. Prior to the commencement of night lighting for footballs use, the District shall ensure that the lights have been tested by a qualified engineer.	Prior to operation of night lighting each football season	Santa Monica-Malibu Unified School District, Malibu High School Principal	

Mitigation Measure	Timing	Responsible Party	Date Completed
<p>MM A-3: Operating Plan:</p> <ol style="list-style-type: none"> <li>1. Athletic field lighting is limited to football games and practices;</li> <li>2. Signs will be posted describing the permitted lighting use;</li> <li>3. The use of portable lighting is limited to eight football practices until 7:30 p.m. and eight football games until 10:30 p.m. for a maximum total of 62 hours per year;</li> <li>4. The temporary lights shall only remain on the athletic field during the football season and shall be removed thereafter;</li> <li>5. The District will contract with a third party vendor to monitor the athletic field lighting usage and to annually report to the Board of Education on the number of nights and times the lights were in operation and render an opinion on whether the Project is compliant with the lighting usage limitations; and</li> <li>6. The District will prohibit others from using the temporary lights on the athletic field.</li> <li>7. If the portable lights are used in excess of the 16 nights, the next football season shall be prohibited from using lights on the athletic field.</li> </ol>	<ol style="list-style-type: none"> <li>1. During athletic field lighting usage;</li> <li>2. Prior to usage of the athletic field lighting;</li> <li>3. During athletic field lighting usage;</li> <li>4. End of football season;</li> <li>5. Prior to, during, and following the football season;</li> <li>6. At all times;</li> <li>7. Following the football season.</li> </ol>	<p>Santa Monica-Malibu Unified School District, Ms. Jan Maez</p>	

# Notice of Determination

Appendix D

## To:

☒ Office of Planning and Research

For U.S. Mail:

P.O. Box 3044

Sacramento, CA 95812-3044

Street Address:

1400 Tenth St.

Sacramento, CA 95814

☒ County Clerk

County of: Los Angeles

Address: 12400 Imperial Highway

Norwalk, CA 90650

## From:

Public Agency: Santa Monica-Malibu Unified School District

Address: 1651 Sixteenth Street

Santa Monica, CA 90404

Contact: Ms. Janece L. Maez, Assistant Superintendent

Phone: (310) 450-8338

Lead Agency (if different from above):  
same as above

Address:

Contact:

Phone:

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2009051042

Project Title: Malibu High School Football Lighting

Project Location (include county): 30215 Morning View Drive, Malibu, Los Angeles County

## Project Description:

Operation of temporary, portable night lighting for a limited number of football practices and football games. Football lighting will occur a max. of 16 nights per football season during Sept.-Nov. with an overall max. usage of 62 hours per year. Potential playoff usage in Dec. is included in the total number of nights. The light standards will be placed on the site during the football season and removed at the end of the season. Shielded lights will be 53' in height with a 5'x5'x3' base and be operated by two diesel generators.

This is to advise that the Santa Monica-Malibu Unified School District has approved the above described project on

☒ Lead Agency or ☐ Responsible Agency

June 25, 2009 and has made the following determinations regarding the above described project:

(Date)

1. The project ☐ will ☒ will not have a significant effect on the environment.
2. ☐ An Environmental Impact Report was prepared for this project pursuant to the provisions of CEQA.  
☒ A Mitigated Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures ☒ were ☐ were not made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan ☒ was ☐ was not adopted for this project.
5. A statement of Overriding Considerations ☐ was ☒ was not adopted for this project.
6. Findings ☒ were ☐ were not made pursuant to the provisions of CEQA.

This is to certify that the Mitigated Negative Declaration with comments and responses and record of project approval is available to the General Public at: Santa Monica-Malibu Unified School District offices: 1651 Sixteenth Street, Santa Monica, CA 90404

Signature (Public Agency) \_\_\_\_\_ Title Assistant Superintendent

Date \_\_\_\_\_

Date Received for filing at OPR \_\_\_\_\_

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: ADOPT RESOLUTION 08-50 - EXEMPTION OF THE MALIBU HIGH SCHOOL FOOTBALL LIGHTING PROJECT FROM THE CITY OF MALIBU ZONING CODE

RECOMMENDATION NO. A.52

It is recommended that the Board of Education ("Board") adopt Resolution 08-50 to exempt the Malibu High School Football Lighting Project ("Project") from the City of Malibu's zoning code because the Project is not a permitted use therein.

DISCUSSION:

In 2000, the athletic field for the Malibu High School was constructed by the Santa Monica-Malibu Unified School District ("District") as part of the Proposition X bond program. The athletic field has been used ever since for football, soccer, band practice, and other activities as part of the school's educational program.

In 2003, Malibu High School began its first use of temporary night lights for evening football games starting with the homecoming game. The school has continued using temporary night lights for each football season thereafter. Although District staff received questions and concerns about the night lighting, no formal complaint was ever made to the District until September 2008. The City of Malibu and the Coastal Commission have not directed the District to cease the use of night lighting.

In 2008, during the formulation of the Measure BB Malibu Middle and High School Campus Improvements Project ("Measure BB Project"), it was discovered that an existing Coastal Development Permit that was issued by the California Coastal Commission for the Proposition X bond project at Malibu High School in 2000 contained a restriction that prohibited the use of night lights on the athletic field, whether permanent or temporary. The permit's lighting restriction was to be memorialized in a separate agreement between the District and the California Coastal Commission. Unfortunately, neither the District nor the California Coastal Commission can locate the agreement, which may not have been ultimately executed. The District acknowledged that it violated the permit's lighting restriction.

To remedy the violation and permit the continuance of evening football night practices and games, the District developed the Project to obtain an amendment to the Coastal Development Permit

on the Malibu High School. The Project would provide night lighting for the 16-night practices and games totaling no more than 62 hours annually. Five portable light standards, 53-feet high, and having six lights each on top would be positioned around the athletic field as has been done for the past six years. After the football season ends, the lights would be removed until the next football season. No other lighted evening sporting event would be allowed on the athletic field.

Malibu High School is in the Institutional Zone of the City of Malibu. By letter dated June 10, 2009, the City of Malibu informed the District that the Project is not a permitted use in the Institutional Zone, or any zone within the City of Malibu, with or without a conditional use permit.

Per Government Code section 53094, the California Legislature has authorized school districts to exempt themselves from local zoning codes for classroom facilities.

The Malibu High School athletic field is a classroom facility even though it does not have four walls and a roof. Sophomores, Juniors, and Seniors are eligible to receive five physical education credits per season of participation. Generally, every student must obtain 20 physical education credits in order to graduate.

It is well known and accepted among educators that team sports, such as football, are an integral and vital part of an educational program that emphasizes building character, teamwork, discipline, sportsmanship, and competition. Such activities, although frequently not confined to a traditional classroom, can and do enhance the academic or educational achievement of students.

Further, the California Department of Education considers athletic fields to be teaching stations, which indicates they are a part of an educational program.

Since the City of Malibu has an adopted general plan and its zoning code provides for the location of public schools, per section 53094(b), the District must adopt a resolution by a two-thirds' vote of the Board members to exempt the Project from the City of Malibu's zoning code.

Section 53094's requirement for compliance with Government Code section 65352.2 and Public Resources Code section 21151.2 are not applicable here since the Project is not a new school site or an expansion of an existing school site. The physical component of the Project is the portable lighting of the existing athletic field.



If Resolution 08-50 is adopted, section 53094 requires the Board to notify the City of Malibu within ten days of adoption. Thus, staff requests the Board to direct the Assistant Superintendent to give such notice to the City of Malibu.

\*\*\*\*\*

The board agreed to postpone this item until a special meeting on July 1, 2009.

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

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

**RESOLUTION 08-50**

**EXEMPTION OF THE MALIBU HIGH SCHOOL FOOTBALL LIGHTING PROJECT  
FROM THE CITY OF MALIBU ZONING CODE**

**WHEREAS**, the Santa Monica-Malibu Unified School District ("District") developed the Malibu High School Football Lighting Project ("Project") to obtain an amendment to the existing coastal development permit with the District to authorize the continuance of the Malibu High School football night practices and games using temporary portable lights that will be in place during the football season;

**WHEREAS**, on May 8, 2009, a copy of the Project's Mitigated Negative Declaration was sent to the City of Malibu for review and comment;

**WHEREAS**, Malibu High School is in the Institutional Zone of the City of Malibu;

**WHEREAS**, by letter dated June 10, 2009, the City of Malibu informed the District that the Project is not a permitted use in the Institutional Zone, or any City of Malibu zone, with or without a conditional use permit;

**WHEREAS**, Government Code section 53094(b) expressly authorizes the District to exempt the Project from the City of Malibu's zoning code and permit requirements by a two-thirds' vote of the District's Board members;

**WHEREAS**, based upon the Board of Education Item, the Project is not a "nonclassroom facility" within the meaning of Government Code section 53094(b);

**WHEREAS**, the City of Malibu's zoning code unduly hampers, interferes with, and prohibits the Project;

**WHEREAS**, the Malibu High School football evening practices and games cannot continue unless the Project is exempted from the City of Malibu's zoning code; and

**WHEREAS**, football, as a team sport, is an integral, important part of the education of the District's students at Malibu High School.

**NOW, THEREFORE, BE IT RESOLVED**, for good and sufficient cause based on the entire record of proceedings that the Santa Monica-Malibu Unified School District Board of Education hereby finds the Project to be a classroom facility and exempts the Project from the City of Malibu's zoning code, which includes all permitting conditions and prohibitions that would otherwise apply to the Project.

**BE IT FURTHER RESOLVED** that the Assistant Superintendent is directed to serve notice of this action upon the City of Malibu within 10 days.

**PASSED AND ADOPTED** by the Santa Monica-Malibu Unified School District of Los Angeles County at a regular meeting held on this 25th day of June 2009.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

---

Ralph Mechur, President  
Board of Education

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 June 25, 2009.

---

Tim Cuneo, Superintendent  
Santa Monica-Malibu  
Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

FROM: RALPH MECHUR

RE: ADOPT RESOLUTION NO. 08-51 - CALIFORNIA NEEDS A FAIR  
AND BALANCED APPROACH TO SOLVING THE STATE BUDGET  
CRISIS

RECOMMENDATION NO. A.53

It is recommended that the Board of Education adopt Resolution  
No. 08-51 - California Needs a Fair and Balanced Approach to  
Solving the State Budget Crisis.

COMMENT: The Resolution is attached.

MOTION MADE BY: Mr. Mechur

SECONDED: MR. Allen

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

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

**RESOLUTION NO. 08-51 - California Needs a Fair and Balanced  
Approach to Solving the State Budget Crisis**

**WHEREAS** California's budget crisis threatens to undermine the quality of life in our communities and the education of the students of the Santa Monica-Malibu USD; and

**WHEREAS** the Governor's budget proposal would leave hundreds of thousands unemployed, putting even more pressure on county services and driving California further into recession; and

**WHEREAS** the Governor's budget proposal would deny some 300,000 students a college education and increase class sizes in our public schools, weakening education for our children and making California less competitive with other states; and

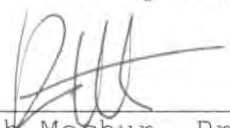
**WHEREAS** the Governor's budget proposal would significantly cut money the state is legally required to pay to schools, a move that will severely impact the Santa Monica-Malibu USD budget and make it difficult to provide and to deliver the services we our students deserve; and

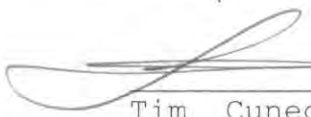
**WHEREAS** public opinion research conducted after the May 2009 Special Election showed that voters of all political backgrounds oppose the governor's budget proposal, including 65 percent who say the budget crisis should be solved with a with a mixture of cuts and new taxes - not just cuts alone as the Governor is proposing.

**NOW THEREFORE BE IT RESOLVED** by the Board of Education of the Santa Monica-Malibu USD that we call on the Governor and Legislature to produce a common-sense budget that has a fair balance between spending cuts and taxes to minimize the impact on the people of California.

**PASSED AND ADOPTED** this 25<sup>th</sup> day of June 2009 by the following vote:

AYES: 7  
NOES: 0  
ABSTAIN: 0  
ABSENT: 0

  
\_\_\_\_\_  
Ralph Mechur, President  
Board of Education

  
\_\_\_\_\_  
Tim Cuneo  
Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

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

RE: PUBLIC HEARING ON 2009-10 FINAL BUDGET

RECOMMENDATION NO. A.54

It is recommended that the Board of Education (in accordance with Education Code Section §42103) hold a public hearing prior to formal consideration of the District's 2009-10 Budget.

COMMENT: The proposed budget has been made available for public inspection in the Office of the Superintendent, consistent with established District policy. In addition, the required public notices were placed in *The Santa Monica Daily Press* and *The Malibu Surfside News*.

\*\*\*\*\*

Public Comments:

- *Cynthia Torres and Richard McKinnon, members of the public, addressed the board regarding the 2009-10 budget.*

	Open <u>Public Hearing</u>	Close <u>Public Hearing</u>
MOTION MADE BY:	Dr. Escarce	Mr. Snell
SECONDED BY:	Mr. de la Torre	Ms. Pye
STUDENT ADVISORY VOTE:	N/A	N/A
AYES:	All (7)	All (7)
NOES:	None (0)	None (0)

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/25/09

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

RE: ADOPT 2009-10 FINAL BUDGET

RECOMMENDATION NO. A.55

It is recommended that the Board of Education, following a "Public Hearing", Adopt the District Budget for 2009-10.

Introduction

The Budget Development Calendar noted that following a Public Hearing, the Board of Education will be asked to approve the District Budget for 2009-10. This agenda item presents a detailed summary of the 2009-10 Budget, and also provides a continuing opportunity to discuss general budgetary information and projections.

The fiscal crisis in California is causing a significant impact on the development in the current (2008-09) and budget (2009-10) fiscal years. Revenue limit entitlements from the State have decreased nearly 10% over the two years. In May, our revenue was reduced by \$562/ADA (*Average Daily Attendance*). To assist districts with budget development, the State is allowing unprecedented flexibility in categorical funds. The Federal government is providing one-time stimulus funds that will bridge some of the shortfall. Board action in early June has been included in the budget, by reducing projected expenditure in excess of \$4.5 million dollars. By incorporating all of these changes into the District's projections, the multiyear (3-year) estimates reflect the need for future adjustments. Without changes, the District has over a \$15.5 million dollar shortfall in the 2011-12 fiscal year. The multiyear projections included in the budget reflect future reductions that will be required. The District will begin immediately to identify areas of potential revenue or expenditures in order to overcome this shortfall. The budget does not include revenue enhancements because of uncertainty associate with additional revenues.

Listed below are the assumptions used to develop the SMMUSD budget:

**REVENUE ASSUMPTIONS**

4.25% statutory COLA for 2009-10 Revenue Limit funding.

The Base Revenue Limit for Santa Monica-Malibu USD will be \$6,469.84 per ADA (2008-09 P2 ADA - 11,030). A **<17.967% >** deficit factor is applied to the Revenue Limit, and the adjusted

Based Revenue Limit will be \$5,307.40 per ADA. The total Revenue Limit is \$59,192,045.

The revenue for the Supplemental Instructional Programs is \$621,146, decreased by 19.84% as compared to the 2007-08 fiscal year.

The projection of the 2009-10 District enrollment is the same as 2008-09.

The Lottery allocation will be \$121 per annual ADA, of which \$109.50 is for unrestricted expenditures and the remaining \$11.50 is for Proposition 20 - Mandated for Instructional Materials.

The District will participate in the K-3 Class Size Reduction Program and receive \$1,071 per pupil, less the 15% of penalties for increasing class size to 23:1, and the total projected revenue is \$2,817,533.

No COLA and a <17.967%> cut of Special Education Funding. Adjusted Special Education funding is \$5,078.81. Special Education transfer from the Revenue Limit is \$1,885,435. Special Education Mandate Settlement at \$4.52 per 1999-2000 ADA is \$52,328.

The 2008-09 Mandated Reimbursement is not included in the 2009-10 Budget.

The Measure R parcel tax at \$346 per parcel is estimated to generate \$10,300,420, after processing senior exemptions.

The District will receive \$7,443,913 of financial support from the City of Santa Monica.

The District will receive \$135,000 of Joint Use Agreement funding from the City of Malibu.

The combined lease revenue is \$2,662,993, which is from the DoubleTree Hotel, Madison Site, 9<sup>th</sup> & Colorado and 16<sup>th</sup> Street properties.

All State Categorical except Tier I State Categorical programs funding is decreased by 19.84% compared to the 2007-08 revenues.

The estimated revenue of Tier III programs is \$3,161,689. A <19.84%> cut is applied to the 2007-08 Revenue.

The American Recovery and Reinvestment Act funding is as follows:



Title One - \$638,497

IDEA - \$1,200,000 in 2008-09 & \$1,284,988 in 2009-10

State Fiscal Stabilization Fund (*SFSF*) - \$3,047,171 in 2008-09 and \$1,500,845 in 2009-10.

No State contribution for regular Deferred Maintenance projects (approximately \$500,000).

#### **EXPENDITURE ASSUMPTIONS**

##### **Staffing Ratio Changes:**

K-3	23
Grade 4-5 (Title I schools)	25
Grade 4-5 (Other)	30
Grade 6-8 (John Adams)	30
Grade 6-12 (Other)	32

##### **Full-Time Equivalent (FTE) Changes:**

**Certificated:** Due to the change in staffing ratios, 24.7 FTE teaching positions are budgeted to be decreased, as follows:

- (2.0) FTE teaching positions at Will Rogers Elementary School
- (2.0) FTE teaching positions at Webster Elementary School
- (2.0) FTE teaching positions at Pt. Dume Elementary School
- (2.0) FTE teaching positions at Grant Elementary School
- (2.0) FTE teaching positions at Cabrillo Elementary School
- (1.0) FTE teaching position at Franklin Elementary School
- (1.0) FTE teaching position at Edison Elementary School
- (2.8) FTE teaching positions at John Adams Middle School
- (2.4) FTE teaching positions at Lincoln Middle School
- (1.2) FTE teaching positions at Malibu High School
- (4.8) FTE teaching positions at Santa Monica High School
- (1.5) FTE teaching positions at Special Education

**Certificated:** Due to the change in staffing ratios at Title I schools, the following increases will occur:

- 1.0 FTE teaching position at John Muir Elementary School
- 1.0 FTE teaching position at McKinley Elementary School

##### **Other Certificated Support Decreases:**

- (0.5) FTE Librarian at Santa Monica High School
- (0.5) FTE Librarian for Elementary Schools

##### **Management Decreases:**

- (1.0) FTE Math Coordinator
- (0.2) FTE Principal of Santa Monica Alternative School (SMASH)
- (1.0) House Principal at Santa Monica High School
- (1.0) Special Education Coordinator

(1.0) Principal on Special Assignment

- Visual and Performing Arts Coordinator 20 day reduction

**Classified Decreases:**

(1.0) FTE Administrative Assistant at Santa Monica High School

(1.0) FTE Sr. Office Specialist at Santa Monica High School

**Salary:**

Certificated salary schedule shall be compressed from 21 to 18 years (Estimated Cost \$600,000).

2.2% step and column increase for certificated employees

1.5% step and column increase for classified employees

**Benefits:**

**Statutory Benefits:**

8.25% STRS employer contribution rate

6.20% OASDI contribution rate

1.45% Medicare contribution rate

0.30% SUI contribution

2.00% Workers' Compensation contribution

9.709% PERS Employer contribution rate

3.311% PERS Reduction

**Health & Welfare**

The premium for District-paid employee health benefits is budgeted for a 10% increase in 2010 calendar year. Cal-PERS has not announced the new rate for 2009. We will adjust these rates when we receive the official notification.

**Retiree Health & Welfare Benefits:**

The 2009-10 projected total pay-as-you-go retiree benefits are \$893,832.

**Summer Schools:**

The proposed budget of Summer Schools is \$593,252.

**The American Recovery and Reinvestment Act**

In 2008-09, the State Fiscal Stabilization Fund (*SFSF*) funds were used to offset State reductions. In 2009-10, the District is using SFSF to fund 6.6 FTE positions in music teachers, intervention counselors, and nurses. The District also will use this funding to purchase the new student system.

The District is using ARRA - IDEA funds to fund 23 FTE positions in Special Education for both 2008-09 and 2009-10.

The ARRA - Title I money is allocated to Title one Schools to fund the extra teaching positions and staff development activities in 2009-10.

**Others:**

The budget for the schools' Formula Money allocation for supplies and other operating costs:

K-5     \$ 36.75 per pupil

6-8     \$ 38.66 per pupil

9-12    \$ 59.48 per pupil

Lottery Instructional Materials funds (Proposition 20) will be used to partly fund this allocation.

Due to the participation in the State's School Facilities Modernization Program, we are currently budgeting 3% of the total General Fund (Restricted and Unrestricted) budget for the Ongoing Maintenance Program.

The estimated Property and Liability Insurance is \$1,050,000.

**TRANSFERS**

The Indirect Rate will be changed from 6.78% to 7.03% in 2009-10.

A \$1M transfer from Fund 21 to the Ongoing Maintenance Program (Fund 01) was approved by the Board (May 3, 2007).

A \$75,000 transfer from the General Fund to Child Development Center is budgeted in 2009-10 for the extra cost incurred by the minimum days of elementary schools.

Eliminate General Fund transfer to Deferred Maintenance of \$500,000 and \$1,000,000 to Retiree Benefits Fund.

**2009-10 BUDGET REDUCTIONS**

Board-approved reductions in the 2009-10 fiscal year include:

<u>Item</u>	<u>Reduction Amount</u>
Contracts	\$ 300,000
District Administration	\$ 250,000
Samohi Reorganization	\$ 480,000
Class Size/Staffing Ratio Changes	\$1,906,788
Special Education Realignment	\$ 700,000
Tier III Categorical Flexibility	\$1,000,000

## **RESERVE for ECONOMIC UNCERTAINTIES**

Under the State Criteria and Standards, the District Budget should reflect a 3% reserve of the total General Fund Budget for 2009-10, 2010-11 and 2011-12.

### ***The following documents include:***

- Summary General Fund Budget
- 2009-10 Major Categorical Programs
- Local General Fund Contribution (LGFC)
- Multi-year Financial Projection (MYFP) through 2011-12
- Summary of Major Funds
- Projected Ending Fund Balance 2008-09

The complete 2009-10 District Budget in the State Standard Account Code Structure (SACS) format is attached to the Agenda as Attachment A (*green pages*).

\*\*\*\*\*

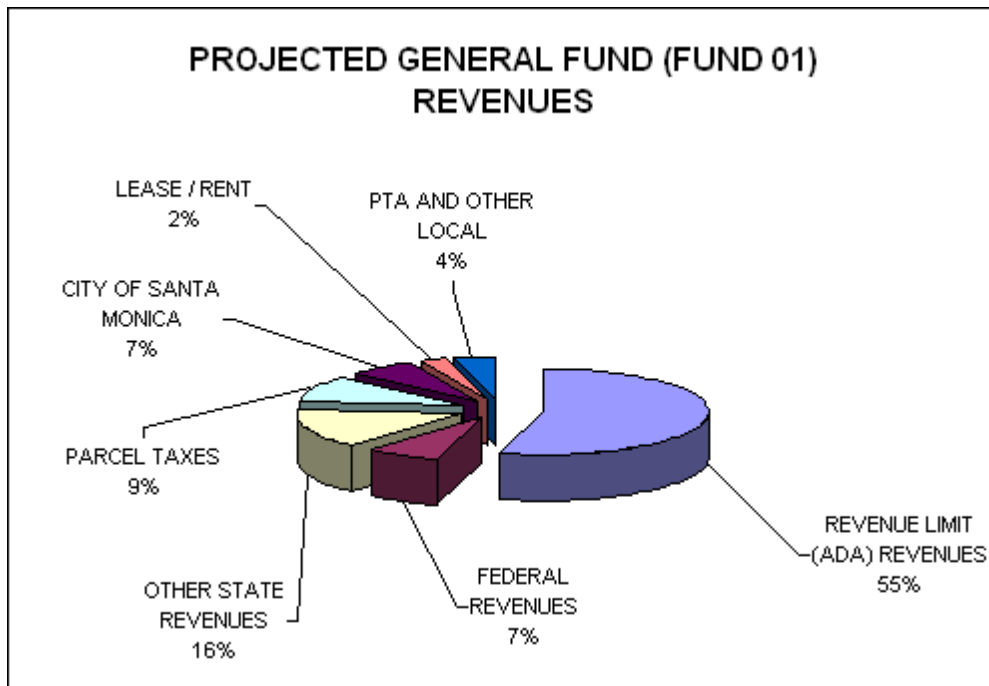
*Ms. Maez's presentation can be found under Attachments at the end of these minutes.*

MOTION MADE BY: Dr. Escarce  
SECONDED BY: Ms. Pye  
STUDENT ADVISORY VOTE: N/A  
AYES: All (7)  
NOES: None (0)

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
2009-10 PROPOSED BUDGET SUMMARY  
GENERAL FUND**

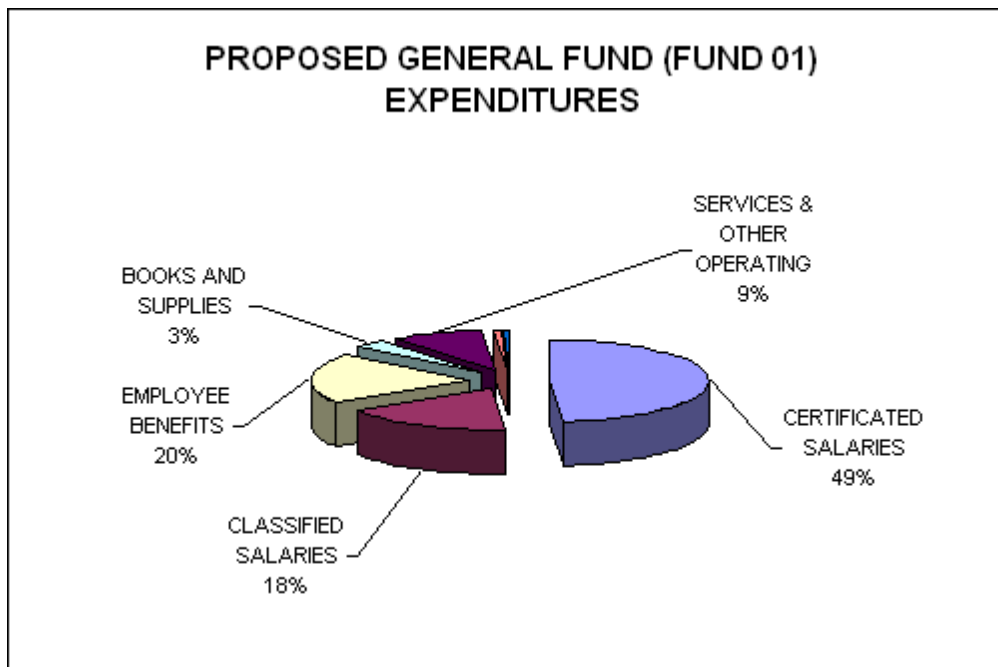
**REVENUES**

<b>PROJECTED BEGINNING BALANCE</b>	\$ 21,381,222
<b>PROJECTED REVENUES:</b>	
REVENUE LIMIT (ADA) REVENUES	59,192,045
FEDERAL REVENUES	7,913,651
OTHER STATE REVENUES	16,673,605
PARCEL TAXES	10,300,420
CITY OF SANTA MONICA	7,443,913
LEASE / RENT	2,662,993
PTA AND OTHER LOCAL	4,510,030
INTERFUND TRANSFERS	1,000,000
<b>TOTAL REVENUES:</b>	<b>108,696,657</b>
<b>TOTAL AVAILABLE FUNDS:</b>	<b>130,077,879</b>



**EXPENDITURES**

<b>PROPOSED EXPENDITURES:</b>	
CERTIFICATED SALARIES	57,492,087
CLASSIFIED SALARIES	20,740,787
EMPLOYEE BENEFITS	23,338,984
BOOKS AND SUPPLIES	3,853,194
SERVICES & OTHER OPERATING	11,236,909
CAPITAL OUTLAY	1,123,000
OTHER OUTGO	(509,157)
<b>TOTAL EXPENDITURES:</b>	<b>117,275,804</b>
<b>PROJECTED FUND BALANCE:</b>	12,802,075



**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
2009-2010 MAJOR CATEGORICAL PROGRAMS**

	<b>2008-09 BUDGET</b>	<b>2009-10 BUDGET</b>	<b>CHANGE</b>
<b>FEDERAL PROGRAMS</b>			
TITLE I :BASIC	1,335,546	1,070,959	(264,587)
<b>ARRA - TITLE I BASIC</b>		638,497	638,497
<b>ARRA - STATE FISCAL STABILIZATION FUND (SFSF)</b>	3,047,171	1,500,845	(1,546,326)
TITLE II :TEACHER QUALITY	517,343	436,274	(81,069)
TITLE II: ENHANCING ED THROUGH TECH	24,406	9,500	(14,906)
TITLE II: ENHANCING ED THROUGH TECH PART D	82,800	-	(82,800)
TITLE III : LEP	168,282	136,325	(31,957)
TITLE IV: DRUG FREE SCHOOL	39,863	33,850	(6,013)
TITLE V: INNOVATION EDUCATION	19,420	6,512	(12,908)
VOC: CARL PERKINS II	54,902	-	(54,902)
MEDICAL REIMBURSEMENT	150,000	125,000	(25,000)
SP ED: IDEA ENTITLEMENT	2,296,393	2,432,955	136,562
<b>ARRA - IDEA SEC. 611/619</b>	1,200,000	1,284,988	84,988
DEPT REHAB: TRANSITION PARTNERSHIP PROGRAM	137,946	137,946	-
<b>TOTAL FEDERAL REVENUES:</b>	<b>9,074,072</b>	<b>7,813,651</b>	<b>(1,260,421)</b>
<b>STATE PROGRAMS</b>			
SPECIAL EDUCATION - AB602	6,592,724	6,592,724	-
WORKABILITY	58,256	58,256	-
HOME TO SCHOOL TRANSPORTATION	508,230	508,230	-
SPECIAL ED TRANSPORTATION	470,494	470,494	-
ECONOMIC IMPACT AID	878,163	878,163	-
ENGLISH LANGUAGE ACQUISITION (ELAP)	55,289	51,858	(3,431)
TOBACCO-USE PREVENT ED: 4-8	48,372	15,651	(32,721)
LOTTERY -INSTRUCTIONAL MATERIALS	133,423	133,423	-
INSTRUCTIONAL MATERIALS - ENGLISH LEARNER	30,653		(30,653)
CAHSEE INTENSIVE INSTR & SERVICES	61,739	-	(61,739)
REGIONAL OCCUPATIONAL PROGRAM (ROP)	1,049,287	1,025,954	(23,333)
<b>TIER III PROGRAMS</b>		<b>3,161,869</b>	<b>3,161,869</b>
EDUCATION TECH: CTAPS	30,267	-	(30,267)
INSTRUCTIONAL MATERIALS REALIGNMENT	722,896	-	(722,896)
SCHOOL SAFETY	176,416	-	(176,416)
CAL SAFE: STUDENT SUPPORT	26,000	-	(26,000)
ARTS AND MUSIC BLOCK GRANT	172,886	-	(172,886)
PUPIL RETENTION BLOCK GRANT	35,443	-	(35,443)
TEACHER CREDENTIALING BLOCK GRANT	154,907	-	(154,907)
PROFESSIONAL DEVELOPMENT BLOCK GRANT	472,929	-	(472,929)
TARGETED INSTRUCTIONAL IMPROVEMENT	487,495	-	(487,495)
SCHOOL AND LIBRARY IMPROVEMENT	678,192	-	(678,192)
CA PEER ASSISTANCE & REVIEW (PAR)	42,514	-	(42,514)
ADMINISTRATION TRAINING (AB75/430)	7,614	-	(7,614)
GIFTED AND TALENTED EDU (GATE)	87,164	-	(87,164)
SUPPLEMENTAL SCHOOL COUNSELING	350,375	-	(350,375)
<b>TOTAL STATE REVENUES</b>	<b>13,331,728</b>	<b>12,896,622</b>	<b>(435,106)</b>

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
LOCAL GENERAL FUND CONTRIBUTION (LGFC)**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGE</b>
SPECIAL EDUCATION	11,532,139	11,655,715	123,576
SPECIAL EDUCATION TRANSPORTATION*	489,424	559,817	70,393
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**	14,432	102,330	87,898
ONGOING MAINTENANCE PROGRAM	3,359,900	3,289,054	(70,846)
		-	-
<b>TOTAL CONTRIBUTION:</b>	<b>15,924,595</b>	<b>16,115,616</b>	<b>191,021</b>

1. TRANSFER \$97,751 FROM SCHOOL AND LIBRARY IMPROVEMENT BLOCK GRANT TO SPECIAL EDUCATION TRANSPORTATION IN 2008-09
2. TRANSFER \$31,322 FROM TARGETED INSTRUCTIONAL IMPROVEMENT PROGRAM (TIIG) TO HOME TO SCHOOL TRANSPORTATION IN 2008-09
3. NATIONAL BOARD CERTIFICATION PROGRAM WILL BE SUPPORTED BY TIER III IN 2009-10



<b>SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT</b>				
<b>MULTI-YEAR PROJECTION</b>				
<b>UNRESTRICTED GENERAL FUND - ASSUMPTIONS</b>				
<b>Factor</b>	<b>2008-09</b>	<b>2009-10</b>	<b>2010-11</b>	<b>2011-12</b>
Statutory COLA	5.66%	4.25%	0.90%	2.40%
Base Revenue Limit Per P2 ADA	\$ 6,208.84	\$ 6,469.84	6,527.84	\$ 6,682.84
<b>Deficit Factor</b>	<b>-11.428%</b>	<b>-17.967%</b>	<b>-17.967%</b>	<b>-17.967%</b>
<b>Base Revenue Limit with Deficit</b>	<b>\$ 5,499.29</b>	<b>\$ 5,307.40</b>	<b>\$ 5,354.98</b>	<b>\$ 5,482.13</b>
Enrollment Projection*	11,565	11,565	11,565	11565
P2 ADA Projection	11,030	11,030	11,030	11,030
Revenue Limit ADA (Prior Yr)	11,060	11,031	11,031	11,031
Federal Revenues	0%	0%	0%	0%
City of Santa Monica	\$ 8,024,282	\$ 7,443,913	\$ 7,592,791	\$ 7,744,647
Measure R Parcel Tax	\$ 10,300,420	\$ 10,300,420	\$ 10,403,424	\$ 10,611,493
Lottery	\$121/ADA	\$121/ADA	\$121/ADA	\$121/ADA
Special Ed COLA - State	0%	0%	0%	0%
Salary Increase: Certificated*	0%	\$600,000	0%	0%
Salary Increase: Management	0%	0%	0%	0%
Salary Increase: Classified	0%	0%	0%	0%
Step & Column Incr. - Certificated	2.20%	2.20%	2.20%	2.20%
Step & Column Incr. - Mgmt.	1.50%	1.50%	1.50%	1.50%
Step & Column Incr. - Classified	1.50%	1.50%	1.50%	1.50%
Health/Welfare	5%	7%	7%	7%
Workers' Compensation	2%	2%	2%	2%
Indirect Cost Rate	6.78%	7.03%	5.00%	5.00%
Interest Rate	2.90%	1.80%	2.50%	2.50%
Interfund Transfer From Fund 21	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000	\$ 1,000,000
Interfund Transfer to Fund 12	\$ 75,000	\$ 75,000	\$ 75,000	\$ 75,000
Ongoing Maintenance	3%	3%	3%	3%
Reserve for Uncertainties	5%	3%	3%	3%
<b>* EFFECTIVE JUNE 30, 2009, THE CERTIFICATED SALARY SCHEDULE SHALL BE COMPRESSED FROM 21 TO 18 YEARS.</b>				

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
MULTI-YEAR PROJECTION  
UNRESTRICTED GENERAL FUND**

<b>Description</b>	<b>2008-09 BUDGET</b>	<b>2009-10 PROPOSED</b>	<b>2010-11 PROJECTED</b>	<b>2011-12 PROJECTED</b>
<b>Revenue:</b>				
Revenue Limit	59,561,489	57,425,482	57,937,753	59,307,461
Other Federal	62,123	100,000	100,000	100,000
Other State Apportionments	744,766	705,900	710,248	726,533
Class Size Reduction	3,314,745	2,817,533	2,817,533	2,817,533
Other State (Lottery...)	1,270,460	1,270,460	1,270,460	1,270,460
Meas. R Parcel Tax	10,300,420	10,300,420	10,403,424	10,611,493
All Other Local Income	12,890,866	10,941,574	11,337,584	11,389,440
Interfund Transfer In	1,000,000	1,000,000	1,000,000	1,000,000
Local General Fund Contribution	(15,924,595)	(16,115,616)	(16,000,000)	(17,115,616)
2007-08 SWEEPS	1,030,143			
TIER III - Categorical Flexibility	73,819	3,161,869	3,161,869	3,161,869
	74,324,236	71,607,622	72,738,871	73,269,173
<b>Expenditure:</b>				
Certificated (Admin & Teachers)	42,603,900	45,343,893	42,118,631	43,045,241
Classified (Admin & Staff)	11,138,778	11,379,035	10,394,749	10,550,670
Benefits	15,411,006	16,745,095	16,166,674	16,975,008
Supplies/Books	954,611	1,533,800	1,500,000	1,500,000
Other Operational Costs	6,567,059	6,070,945	6,000,000	6,000,000
Capital Outlay	76,047	25,000		
Transfers	6,800	6,800	6,800	6,800
Indirect	(1,190,028)	(999,853)	(850,000)	(850,000)
Transfer Out	75,000	75,000	75,000	75,000
	75,643,173	80,179,715	75,411,854	77,302,719
<b>Increase (Decrease) Fund Balance</b>	<b>(1,318,937)</b>	<b>(8,572,093)</b>	<b>(2,672,983)</b>	<b>(4,033,546)</b>
Beginning	21,020,258	19,701,321	11,129,228	8,456,245
Fund Balance	19,701,321	11,129,228	8,456,245	4,422,699
Reserve- Revolving cash, Store	96,000	96,000	96,000	96,000
Reserve - New Student System*	1,000,000	-	-	-
Total Available Fund Balance	18,605,321	11,033,228	8,360,245	4,326,699
5% / 3% Contingency Reserve	5,712,221	3,518,274	3,330,969	3,388,115
Unappropriated Balance	12,893,100	7,514,954	5,029,276	938,584

**The District will use State Fiscal Stabilization Fund to purchase the new student system in 2009-10.**

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
SUMMARY BUDGET OF MAJOR FUNDS**

**FUND 01: UNRESTRICTED GENERAL FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	21,020,258	19,701,321	(1,318,937)
<b>REVENUES</b>			-
REVENUE LIMIT	59,561,489	57,425,482	(2,136,007)
FEDERAL REVENUE	62,123	100,000	37,877
OTHER STATE REVENUE	5,329,971	7,955,762	2,625,791
LOCAL REVENUES	23,191,286	21,241,994	(1,949,292)
INTERFUND TRANSFER	(13,820,633)	(15,115,616)	(1,294,983)
<b>TOTAL REVENUES</b>	<b>74,324,236</b>	<b>71,607,622</b>	<b>(2,716,614)</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	42,603,900	45,343,893	2,739,993
CLASSIFIED SALARIES	11,138,778	11,379,035	240,257
EMPLOYEE BENEFITS	15,411,006	16,745,095	1,334,089
BOOKS AND SUPPLIES	954,611	1,533,800	579,189
SERVICES & OTHER OPERATING	6,567,059	6,070,945	(496,114)
CAPITAL OUTLAY	76,047	25,000	(51,047)
OTHER OUTGO	(1,108,228)	(918,053)	190,175
<b>TOTAL EXPENDITURES</b>	<b>75,643,173</b>	<b>80,179,715</b>	<b>4,536,542</b>
NET INCREASE (DECREASE)	(1,318,937)	(8,572,093)	
<b>PROJECTED FUND BALANCE</b>	<b>19,701,321</b>	<b>11,129,228</b>	<b>(8,572,093)</b>

**FUND 01 - RESTRICTED GENERAL FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	7,064,915	1,679,900	(5,385,015)
<b>REVENUES</b>			
REVENUE LIMIT	1,904,539	1,766,563	(137,976)
FEDERAL REVENUE	9,074,072	7,813,651	(1,260,421)
OTHER STATE REVENUE	5,693,226	2,125,119	(3,568,107)
LOCAL REVENUES	12,677,252	9,268,086	(3,409,166)
INTERFUND TRANSFER	14,820,633	16,115,616	1,294,983
<b>TOTAL REVENUES</b>	<b>44,169,722</b>	<b>37,089,035</b>	<b>(7,080,687)</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	16,080,075	12,148,194	(3,931,881)
CLASSIFIED SALARIES	9,984,284	9,361,752	(622,532)
EMPLOYEE BENEFITS	6,875,308	6,593,889	(281,419)
BOOKS AND SUPPLIES	6,396,178	2,319,394	(4,076,784)
SERVICES & OTHER OPERATING	8,972,413	5,165,964	(3,806,449)
CAPITAL OUTLAY	630,336	1,098,000	467,664
OTHER OUTGO	616,143	408,896	(207,247)
<b>TOTAL EXPENDITURES</b>	<b>49,554,737</b>	<b>37,096,089</b>	<b>(12,458,648)</b>
NET INCREASE (DECREASE)	(5,385,015)	(7,054)	
<b>PROJECTED FUND BALANCE</b>	<b>1,679,900</b>	<b>1,672,846</b>	<b>(7,054)</b>

**FUND 11- ADULT EDUCATION**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	286,639	228,508	(58,131)
<b>REVENUES</b>			
FEDERAL REVENUE	135,650	121,706	(13,944)
OTHER STATE REVENUE	420,170	398,463	(21,707)
LOCAL REVENUES	30,267	23,875	(6,392)
<b>TOTAL REVENUES</b>	<b>586,087</b>	<b>544,044</b>	<b>(42,043)</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	337,817	262,153	(75,664)
CLASSIFIED SALARIES	125,010	129,531	4,521
EMPLOYEE BENEFITS	97,209	91,125	(6,084)
BOOKS AND SUPPLIES	33,095	20,624	(12,471)
SERVICES & OTHER OPERATING	32,520	24,601	(7,919)
OTHER OUTGO	18,567	16,013	(2,554)
<b>TOTAL EXPENDITURES</b>	<b>644,218</b>	<b>544,047</b>	<b>(100,171)</b>
NET INCREASE (DECREASE)	(58,131)	(3)	
<b>PROJECTED FUND BALANCE</b>	<b>228,508</b>	<b>228,505</b>	<b>(3)</b>

**MAJOR PROGRAMS**

<b>PROGRAMS</b>	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
2007-08 ADA FUNDING \$442,135			-
<15.4%> IN 08-09 <19.84%> IN 09-10	374,046	354,415	(19,631)
FEDERAL PROGRAM	135,650	121,706	(13,944)
COMMUNITY-BASED ENGLISH TUTOR PROGRAM	46,124	44,048	(2,076)

**FUND 12 - CHILD DEVELOPMENT FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	336,582	336,434	(148)
<b>REVENUES</b>			
FEDERAL REVENUE	2,072,096	1,942,690	(129,406)
OTHER STATE REVENUE	3,347,010	3,153,433	(193,577)
LOCAL REVENUES	2,930,819	2,901,107	(29,712)
INTERFUND TRANSFER	75,000	75,000	-
<b>TOTAL REVENUES</b>	<b>8,424,925</b>	<b>8,072,230</b>	<b>(352,695)</b>
<b>EXPENDITURES</b>			
CERTIFICATED SALARIES	3,032,938	2,878,083	(154,855)
CLASSIFIED SALARIES	2,030,265	2,121,698	91,433
EMPLOYEE BENEFITS	1,572,292	1,526,945	(45,347)
BOOKS AND SUPPLIES	467,046	277,969	(189,077)
SERVICES & OTHER OPERATING	925,714	848,185	(77,529)
CAPITAL OUTLAY	500	5,000	4,500
OTHER OUTGO	396,318	424,358	28,040
<b>TOTAL EXPENDITURES</b>	<b>8,425,073</b>	<b>8,082,238</b>	<b>(342,835)</b>
NET INCREASE (DECREASE)	(148)	(10,008)	
<b>PROJECTED FUND BALANCE</b>	<b>336,434</b>	<b>326,426</b>	<b>(10,008)</b>

<b>CHILD DEVELOPMENT MAJOR PROGRAMS</b>	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
FEDERAL BLOCK GRANT	226,560	231,060	4,500
HEAD START	1,519,554	1,519,554	-
OTHER FEDERAL PROGRAMS	338,499	192,076	(146,423)
STATE PRESCHOOL (GCTR)	1,480,140	1,444,007	(36,133)
GENERAL CHILD CARE	2,572,807	2,644,392	71,585
LATCHKEY (GLTK)	464,500	463,813	(687)
CALSAFE CHILD CARE & DEVELOP	230,054	230,202	148
L. A. UNIVERSAL PRESCHOOL	569,653	472,472	(97,181)

#### **FUND 13: CAFETERIA SPECIAL FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	375,523	275,558	(99,965)
<b>REVENUES</b>	-		
FEDERAL REVENUE	1,056,041	1,079,257	23,216
OTHER STATE REVENUE	43,018	41,678	(1,340)
LOCAL REVENUES	2,385,281	2,401,260	15,979
<b>TOTAL REVENUES</b>	<b>3,484,340</b>	<b>3,522,195</b>	<b>37,855</b>
<b>EXPENDITURES</b>			
CLASSIFIED SALARIES*	1,475,000	1,454,345	(20,655)
EMPLOYEE BENEFITS	480,257	494,872	14,615
BOOKS AND SUPPLIES	1,650,230	1,660,622	10,392
SERVICES & OTHER OPERATING	(294,461)	(278,230)	16,231
CAPITAL OUTLAY	114,279	40,000	(74,279)
OTHER OUTGO	159,000	150,586	(8,414)
<b>TOTAL EXPENDITURES</b>	<b>3,584,305</b>	<b>3,522,195</b>	<b>(62,110)</b>
NET INCREASE (DECREASE)	(99,965)	-	
<b>PROJECTED FUND BALANCE</b>	<b>275,558</b>	<b>275,558</b>	<b>-</b>

#### **FUND 14: DEFERRED MAINTENANCE FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	4,101,498	2,095,613	(2,005,885)
<b>REVENUES</b>			
OTHER STATE REVENUE	-	-	-
LOCAL REVENUES	80,000	50,000	(30,000)
<b>TOTAL REVENUES</b>	<b>80,000</b>	<b>50,000</b>	<b>(30,000)</b>
<b>EXPENDITURES</b>			
BOOKS AND SUPPLIES	4,866	5,000	134
SERVICES & OTHER OPERATING	1,702,885	1,200,000	(502,885)
CAPITAL OUTLAY	378,134	-	(378,134)
<b>TOTAL EXPENDITURES</b>	<b>2,085,885</b>	<b>1,205,000</b>	<b>(880,885)</b>
NET INCREASE (DECREASE)	(2,005,885)	(1,155,000)	
<b>PROJECTED FUND BALANCE</b>	<b>2,095,613</b>	<b>940,613</b>	<b>(1,155,000)</b>

#### **FUND 20: SPECIAL RESERVE FUND FOR POSTEMPLOYMENT BENEFITS**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	1,672,077	1,716,077	44,000
<b>REVENUES</b>			
INTEREST	44,000	35,000	(9,000)
<b>TOTAL REVENUES</b>	<b>44,000</b>	<b>35,000</b>	
<b>PROJECTED FUND BALANCE</b>	<b>1,716,077</b>	<b>1,751,077</b>	<b>35,000</b>

**FUND 21: BUILDING FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	58,507,095	4,488,187	
<b>REVENUES</b>			
PROCEEDS - SALE OF BONDS	-	80,000,000	80,000,000
INTERFUND TRANSFER	1,300,000	-	(1,300,000)
LOCAL REVENUES	4,271,623	2,000,000	(2,271,623)
<b>TOTAL REVENUES</b>	<b>5,571,623</b>	<b>82,000,000</b>	<b>76,428,377</b>
<b>EXPENDITURES</b>			
CLASSIFIED SALARIES	324,111	291,424	(32,687)
EMPLOYEE BENEFITS	104,585	121,003	16,418
BOOKS AND SUPPLIES	178,807	77,700	(101,107)
SERVICES & OTHER OPERATING	18,667,057	25,151,880	6,484,823
CAPITAL OUTLAY	39,315,971	17,927,250	(21,388,721)
OTHER OUTGO	1,000,000	1,000,000	-
<b>TOTAL EXPENDITURES</b>	<b>59,590,531</b>	<b>44,569,257</b>	<b>(15,021,274)</b>
NET INCREASE (DECREASE)	(54,018,908)	37,430,743	
<b>PROJECTED FUND BALANCE</b>	<b>4,488,187</b>	<b>41,918,930</b>	<b>37,430,743</b>

**FUND 25: CAPITAL FACILITIES FUND**

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	1,523,139	766,947	(756,192)
<b>REVENUES</b>			
DEVELOPMENT FEE	750,000	600,000	(150,000)
INTEREST	50,000	20,000	(30,000)
<b>TOTAL REVENUES</b>	<b>800,000</b>	<b>620,000</b>	<b>(180,000)</b>
<b>EXPENDITURES</b>			
BOOKS AND SUPPLIES	-	-	-
SERVICES & OTHER OPERATING	103,000	-	(103,000)
CAPITAL OUTLAY	153,192	-	(153,192)
OTHER OUTGO	1,300,000	-	(1,300,000)
<b>TOTAL EXPENDITURES</b>	<b>1,556,192</b>	<b>-</b>	<b>(1,556,192)</b>
NET INCREASE (DECREASE)	(756,192)	620,000	
<b>PROJECTED FUND BALANCE</b>	<b>766,947</b>	<b>1,386,947</b>	<b>620,000</b>

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

	<b>2008-09</b>	<b>2009-10</b>	<b>CHANGES</b>
<b>BEGINNING BALANCE</b>	3,379,729	3,739,847	360,118
<b>REVENUES</b>			
REDEVELOPMENT	1,547,571	1,600,000	52,429
INTEREST	80,000	80,000	-
<b>TOTAL REVENUES</b>	<b>1,627,571</b>	<b>1,680,000</b>	<b>52,429</b>
<b>EXPENDITURES</b>			
SERVICES & OTHER OPERATING	122,000	102,000	(20,000)
CAPITAL OUTLAY	-	-	-
OTHER OUTGO	1,145,453	1,149,325	3,872
<b>TOTAL EXPENDITURES</b>	<b>1,267,453</b>	<b>1,251,325</b>	<b>(16,128)</b>
NET INCREASE (DECREASE)	360,118	428,675	
<b>PROJECTED FUND BALANCE</b>	<b>3,739,847</b>	<b>4,168,522</b>	<b>428,675</b>

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
2008-09 PROJECTED ENDING FUND BALANCE AS OF JUNE 30, 2009**

	FUND	PROJECTED END FUND BALANCE AS OF 6/30/09
01	GENERAL FUND UNRESTRICTED RESTRICTED	 \$19,701,321 1,679,900
11	ADULT EDUCATION	228,508
12	CHILD DEVELOPMENT FUND	336,434
13	CAFETERIA FUND	275,558
14	DEFERRED MAINTENANCE FUND	2,095,613
20	SPECIAL RESERVE FUND FOR POSTEMPLOYMENT BENEFITS	1,716,077
21	BUILDING FUND	4,488,187
25	CAPITAL FACILITIES FUND	766,947
40	SPECIAL RESERVE FUND FOR CAPITAL OUTLAY PROJECTS	3,739,847
56	DEBT SERVICES FUND	1,253

---

## **DISCUSSION ITEMS**



TO: BOARD OF EDUCATION

DISCUSSION

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / LAUREL SCHMIDT

RE: ANNUAL REVIEW OF INTRADISTRICT TRANSFERS AND  
INTERDISTRICT PERMITS

DISCUSSION ITEM NO. D.01

At the request of the Board, information is provided each June on intradistrict transfers and interdistrict permit requests.

Attached is the following information:

- A chart listing all intradistrict transfers for the 2009-2010 school year, indicating grade level, school of origin, and the new school to which students were assigned by lottery.
- A chart indicating the total number of interdistrict permit requests, total number of priority requests, and the distribution of requests by priority group.
- Charts showing the distribution of all new interdistrict permit requests by school and grade level.
- A summary of the selection protocol for Edison Language Academy and SMASH.

Regarding concerns about the impact of economic hardship on continued enrollment in the district, our current policy states that:

*Involuntary loss of housing resulting from: apartments being removed from the rental market (Ellis Act), buildings being red-tagged, or evictions to accommodate owner-occupancy should not interfere with a child completing his/her education in the Santa Monica-Malibu Unified School District. The permit office will require the applicant to obtain verification from the Rent Control Department or other appropriate legal agency. These students will be allowed to remain in their schools for the remainder of the year in which their housing has been lost. In addition, they will be allowed to remain in SMMUSD as permit students in subsequent years provided they meet all the conditions of students attending SMMUSD on permit, and they reapply annually. The Ellis Act allows California apartment owners to evict tenants if the landlords intend to withdraw their units from the rental market.*

*SMMUSD students in good standing who were residents of Santa Monica or Malibu ~~during the 2001-2002 school year~~, and subsequently move to another city, will be allowed to remain in the Santa Monica-Malibu School district as permit students, upon receiving a permit from their district of residence and meeting all the conditions of students attending Santa Monica-Malibu Unified School District on a permit.*

**\*\*\*\*\*           \*\*\*\*\*           \*\*\*\*\*           \*\*\*\*\*           \*\*\*\*\*           \*\*\*\*\***

*Mr. Allen suggested removing the school year date from the economic hardship language, as reflected above. The board members agreed. Dr. Escarce requested to see data regarding the race data of the students who are applying for intradistrict permits. Mr. de la Torre asked about the possibility of giving priority for intradistrict permit requests to African American students. Ms. Schmidt said she would look into that. Mr. de la Torre asked to see data regarding how many applications were received total for intradistrict permits.*

**2009/2010 INTRADISTRICT PERMITS  
GRANTED BY LOTTERY**

<b>STUDENT</b>	<b>GRADE</b>	<b>GRANTED SCHOOL</b>	<b>HOME SCHOOL</b>	<b><u>PLACED?</u></b>	
				<b>YES</b>	<b>NO</b>
Male	K	Cabrillo	Pt. Dume	X	
Female	1st	Cabrillo	Webster	X	
Male	4th	Cabrillo	Webster	X	
Female	5th	Cabrillo	Webster	X	
Male	K	Grant	John Muir	X	
Male	K	Grant	McKinley	X	
Male	K	Grant	Will Rogers	X	
Male	K	Grant	Will Rogers	X	
Female	K	Grant	McKinley	X	
Male	K	Grant	McKinley	X	
Female	K	Grant	Will Rogers	X	
Female	K	Grant	John Muir	X	
Female	K	Grant	Will Rogers	X	
Male	2nd	Grant	John Muir	X	
Male	2nd	Grant	Will Rogers	X	
Female	2nd	Grant	Will Rogers	X	
Female	2nd	Grant	John Muir	X	
Male	3rd	Grant	McKinley	X	
Male	5th	Grant	Will Rogers	X	
Male	2nd	McKinley	Grant	X	
Female	2nd	McKinley	Will Rogers	X	
Female	3rd	McKinley	Will Rogers	X	
Female	4th	McKinley	Franklin	X	
<del>Female</del>	<del>4th</del>	<del>Muir</del>	<del>Grant</del>	<del>X</del>	
Male	K	Point Dume	Cabrillo	X	
Male	K	Point Dume	Webster	X	
Female	K	Point Dume	Webster	X	
Male	K (Sibling)	Point Dume	Cabrillo	X	
Male	1st	Point Dume	Cabrillo	X	
Male	1st	Point Dume	Cabrillo**	X	
Female	K	Will Rogers	John Muir	X	
Female*	1st	Will Rogers	John Muir	X	
Female	2nd	Will Rogers	Grant	X	
Female	3rd	Will Rogers	Grant	X	
Female*	4th	Will Rogers	John Muir	X	
Male	4th	Will Rogers	Grant	X	
Female	5th	Will Rogers	Franklin**	X	
Female	1st	Webster	Cabrillo	X	
Male	3rd	Webster	Cabrillo	X	

*\* Continuing Students*

*\*\* School of Record*

**2009/2010 INTRADISTRICT PERMITS  
GRANTED BY LOTTERY**

<b>STUDENT</b>	<b>GRADE</b>	<b>GRANTED SCHOOL</b>	<b>HOME SCHOOL</b>	<b><u>PLACED?</u></b>	
				<b>YES</b>	<b>NO</b>
Female	8th	Malibu M ( <i>Sib@Roos</i> )	Lincoln	X	
Female	9th	Malibu H	Samohi	X	
Male	9th	Malibu H	Samohi	X	
Male	9th	Malibu H	Samohi	X	
Male	9th	Malibu H ( <i>Sib@Lin</i> )	Samohi	X	
Male	9th	Malibu H	Samohi	X	
Male	11th	Malibu H ( <i>Sib@Lin</i> )	Samohi	X	
Female	11th	Malibu H ( <i>Sib@Lin</i> )	Samohi	X	
Female	12th	Malibu H	Samohi	X	

**INTERDISTRICT PERMIT REQUEST INFORMATION**  
**JUNE 2009**

**Total number of New Interdistrict Permit Requests: 122**

**Total number of Requests in Priority Categories: 42**

**Distribution of**  
**Priority Interdistrict Permit Requests by Category & Grade Levels**

Category	K	1-5	6-8	9-12
District Employee	11	3	2	3
Sibling	12	1	2	1
City	2		3	
SM College	1		1	
Alumni				

**Distribution of**  
**All New Interdistrict Permit Requests by School & Grade Levels**

*Santa Monica*

Elementary Schools	K	1	2	3	4	5
Edison	9					
Franklin	8	2				
Grant	8		1		1	
McKinley	7	1				
Muir	3					
Rogers	9					2
Roosevelt	6	2	2	2		
SMASH	7	1				

*Malibu*

Elementary Schools	K	1	2	3	4	5
Cabrillo	8		1			
Point Dume						
Webster	5		2		2	

*Santa Monica/Malibu*

Middle Schools	6	7	8
Adams	15		
Lincoln	9	1	
Malibu	1	4	
SMASH			

*Santa Monica/Malibu*

High Schools	9	10	11	12
SAMOH	2*			
Malibu	1*			
Olympics				

*\*District Employee*

## **SELECTION PROTOCOL FOR EDISON LANGUAGE ACADEMY**

*(This information appears on Edison's website.)*

### **Enrollment**

In making admissions decisions, Edison is guided by a series of enrollment priorities, consistent with SMMUSD's permit policies. Edison also considers whether or not placement in a dual language program seems appropriate for a student, given their needs and the kinds of special support services available here. It is extremely important that information on applications be complete and truthful.

Our first enrollment priority is to enroll appropriate numbers of Spanish-dominant and English-dominant students for adequate peer language models in both languages. When possible, we find that enrolling slightly more Spanish-dominant children than English-dominant children is beneficial to both groups. When offering enrollment to children in each language group, Edison uses the following priorities for Kindergarten enrollment:

1. Students within the immediate Edison attendance area receive first priority enrollment.
2. Siblings of Edison students receive the next priority in enrollment.
3. Students from other neighborhoods in the district are encouraged to apply, and receive the next level of priority, as do SMMUSD and City of Santa Monica and City of Malibu employees. Final enrollment of non-neighborhood students is contingent upon the procurement of the appropriate intra-district permit.
4. When space is available in either language group, Edison also admits students from other school districts. Final enrollment for out- of-district students is contingent upon the procurement of the appropriate inter-district permit, as specified by the district permit policy and the special education policy regarding permits.

Inter-district permits are granted for the general education program and are renewable annually. These permits are not transferable to other elementary schools within SMMUSD. The number of students accepted at any given grade level is contingent upon the enrollment profile of the entire school. If more students apply to Edison Language Academy than the school can admit, a waiting list is created. Subsequent openings are filled with students from this list.

Enrollment beyond Kindergarten occurs on a space available basis and each application is evaluated individually. Students entering in 1st grade (if vacancies are available) are screened by the teaching staff to evaluate language skills. Enrollment beyond 1st grade requires that students be proficient Spanish speakers, and demonstrate some literacy skills in Spanish.

## **SELECTION PROTOCOL FOR SMASH**

*(This information appears on SMASH's website.)*

### **Applications**

Applications may be picked up in the school office, at our school tour, or online. Applications are due on March 31<sup>st</sup> for Kindergarten applicants and on May 31<sup>st</sup> for grades 1 through 8. Applications received after the lottery deadlines will be honored as spaces are available. Applications are valid for one school year only.

### **Student Selection**

Siblings of current SMASH students are given automatic admission to the school if there is a vacancy in their age grouping. Students who have to leave due to family member's sabbatical leave will be given sibling status for one year. Staff members who wish to send their children to SMASH will also be given sibling status.

New students will be selected through a lottery. The first lottery will be limited to children of families who reside within or work for the Santa Monica-Malibu Unified School District. If space is available, a second lottery will be held for children residing outside of the Santa Monica-Malibu Unified School District.

Kindergarten lottery is conducted in the first week of April.

Lottery for grades 1-8 is conducted in the first week of June.

TO: BOARD OF EDUCATION

DISCUSSION

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / PEGGY HARRIS

RE: STAFF RESPONSE TO THE RECOMMENDATIONS FROM THE  
TASK FORCE ON THE ACHIEVEMENT OF STUDENT OF COLOR

DISCUSSION ITEM NO. D.02

Earlier this year, the Board of Education received a report from the Task Force on the Achievement of Students of Color. The Task Force was formed by the Superintendent to make recommendations to address the gap in achievement that exists between underrepresented students and their higher achieving counterparts in SMMUSD schools. Following the presentation of the Task Force's Report to the Board, District staff was directed to generate a response to the Report's recommendations. This item reflects district staff's work in this area.

Further information will be provided at the board meeting.

\*\*\*\*\*

*Ms. Harris's presentation can be found under Attachments at the end of these minutes.*

Public Comments:

- *Richard McKinnon, a member of the community, addressed the board regarding this item.*

*Ms. Maria Leon-Vazquez suggested asking for a plan of action from Dr. Pedroza. Ms. Harris said meeting the goals of a plan could be incorporated into performance evaluations. Ms. Leon-Vazquez also suggested a mentorship program.*

*Mr. Mechur would like this to come back in August.*

*Mr. Cuneo said that staff will apply these recommendations to the transition plans at Samohi.*



TO: BOARD OF EDUCATION

DISCUSSION

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU

RE: REVISE POLICY 6146.11 - ALTERNATIVE CREDITS TOWARD  
GRADUATION

DISCUSSION ITEM NO. D.03

It is recommended that that Board of Education revise Board  
Policy 6146.11 - Alternative Credits toward Graduation.

COMMENTS: Attached is the policy for discussion and  
administrative regulation for information.

The revised policy had been discussed at several broad  
meetings during the 2007-08 school year. The Board  
recommended the addition of online courses as a way to  
earn alternative credits toward graduation. The  
current revised board policy and administrative  
regulations were reviewed by the ad hoc High School  
Task Force members.

\*\*\*\*\*

*The board agreed to move this item to next week's special  
meeting on July 1, 2009.*

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
6146.11	Instruction	Alternative Credits toward Graduation		
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>	
	X			

#### DETAIL

In order to meet individual student needs and encourage all students to complete their high school education, the Board of Education desires to provide flexibility in the completion of prescribed courses in accordance with law.

With the active involvement parents/guardians, administrators, teachers, and students, the Board shall adopt alternative means for students to complete the prescribed course of study required for high school graduation. These alternative means shall be made available to students, parents/guardians, and the public. (Education Code 51225.3)

Students may fulfill any course requirement for graduation through the following:

1. Supervised work experience or other outside school experience in accordance with Education Code 51760.3 and 5 CCR 1635 (Education Code 51225.3)
2. Career technical education classes offered in high school (Education Code 51225.3)
3. Courses offered by regional occupational centers or programs (ROP) (Education Code 51225.3)
4. Interdisciplinary Study (Education Code 51225.3)
5. Independent study (Education Code 51225.3)
6. Credit earned at a postsecondary institution (Education Code 48800, 51225.3)
7. Private instruction in accordance with 5 CCR 1631
8. Correspondence instruction from a California university or college accredited for teacher training in accordance with 5 CCR 1633 (Education Code 51740-51741)
9. Military service and training in accordance with 5 CCR 1634 (Education Code 51440)
10. For credit toward the district's physical education requirement, participation in district interscholastic athletic programs carried on wholly or partially after regular school hours (Education Code 51242)

A student shall be eligible to satisfy graduation requirements in this manner only if the interscholastic program entails a comparable amount of time and physical activity.

11. For credit toward the district's foreign language requirement, foreign language studies successfully completed in a private school in accordance with 5 CCR 1362 (Education Code 51243)

12. Credits earned through courses that are delivered over the Internet or provided through a set curriculum via software

Upon receiving advance, written application by the student or his/her parent/guardian, the Superintendent or designee shall determine whether completion of the proposed alternative means would satisfy course requirements for graduation and what documentation shall be required, if any, to verify the student's successful completion. The Superintendent or designee shall make the final determination as to whether the student's completion of an alternative means is sufficient to satisfy the district's graduation requirements.

As appropriate, the Superintendent or designee shall determine the grade to be assigned to students for the completion of any of the above alternative means. When a grade is assigned by a private school, postsecondary institution, or other educational institution for completion of coursework, that same grade shall be awarded by the district provided that the Superintendent or designee has determined the alternative course to be substantially equivalent to a district course.

**Legal Reference:**

EDUCATION CODE

35160 Authority of governing boards  
35160.1 Broad authority of school districts  
48412 Certificate of proficiency  
48645.5 Course credit, juvenile court schools  
48800-48802 Attendance at community college; advanced education  
51220 Areas of study; grades 7-12  
51225.3 Requirements for graduation  
51240-51246 Exemptions from requirements  
51420-51427 General Education Development text  
51440 Veteran's education, evaluation and credit toward high school graduation  
51740-51741 Authority to provide instruction by correspondence  
51745-51749.3 Independent Study  
51760-51769.5 Work experience education  
52300-52499.66 Career technical education

VEHICLE CODE

12814.6 Teen driver's act

CODE OF REGULATIONS, TITLE 5

1600-1635 Alternative credit  
10070-10075 Work experience education  
11500-11508 Regional occupational centers and programs  
11520-11523 Proficiency examination and certificate  
11700-11703 Independent study

UNITED STATES CODE, TITLE 20

2301-2414 Carl D. Perkins Career and Technical Education Act of 2006

**Management Resources:**

WEB SITES

California Department of Education: <http://www.cde.ca.gov>

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
6146.11	Instruction	Alternative Credits toward Graduation		
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>	
		X		

Alternative means specified by the district for completing the prescribed course of study shall be made available to students, parents/guardians, and the public. (Education Code 51225.3)

### **Definitions**

A *semester period* is one period of 40 to 60 minutes of instructional time per week throughout one semester of at least 17 weeks, or a minimum of 12 clock hours of instructional time provided during the academic year or in summer school. While the content to be covered is planned within these time frames, a student may be granted one semester period of credit even though the student spends less than the aforementioned amount of time in completing the necessary work. (5 CCR 1600)

### **Private Instruction**

A student who is regularly enrolled and in attendance at a high school shall receive credit toward high school graduation for private instruction under the following conditions: (5 CCR 1631)

1. The instruction entails fields and subjects included in the high school's courses of study and curricula.
2. The student demonstrates his/her capabilities at the beginning and at the end of the period of private instruction by examination(s) given under the school's supervision, thereby showing that he/she has made progress in learning satisfactory to the school.

### **Correspondence Instruction**

The district shall grant credit for correspondence instruction under the following conditions: (Education Code 51740; 5 CCR 1633)

1. The correspondence instruction is provided by the University of California, or other university or college in California accredited for teacher training, in subjects included within or related to the student's course of study.
2. The student is, for good reason, unable to take the course of study offered in the school.
3. The Superintendent or designee determines the number of semester periods to be credited for successful completion of a particular correspondence course.
4. No more than 40 semester periods of correspondence instruction are credited to a student towards graduation.

## **Military Service and Training**

Credit toward graduation shall be granted for military service and training received while in the military service of the United States, within the maximum limits established in 5 CCR 1634. A person is eligible for this credit if he/she is either. (Education Code 51440; 5 CCR 1634)

1. A former member of the Armed Forces who is a California resident and who has received an honorable discharge
2. A member of the Armed Forces who is a California resident and was a California resident on the date he/she entered the Armed Forces

The Superintendent or designee shall keep a permanent record of the credit allowed for military service or training (5 CCR 1634)

## **Private Foreign Language Instruction**

The district shall grant credit for foreign language studies successfully completed in a private school and shall apply the credit toward meeting any foreign language requirement prescribed for grades 9-12, provided that all of the following conditions are met: (Education Code 51243-51245; 5 CCR 1632)

1. The courses are in languages designated in Education Code 51244.
2. The student is regularly enrolled or applying to the district in grades 9-12.
3. The student or his/her parent/guardian applies in writing for the credit, specifies the private school attended and the amount and level of credit requested, and submits a transcript or other documents from the private school showing that the student successfully completed the course.
4. The amount of credit sought equals at least one semester's work.
5. The principal or designee determines that the student's achievement is equivalent to that expected of a student of comparable ability taking the same or similar instruction in district schools. This determination shall be based upon the private school's report of a test developed by the private school in cooperation with the district or, if the private school is located outside the district, the principal or designee may use a test given by a public school or other evidence which he/she deems appropriate.

## **Online Course Instruction**

Students may participate in web-based courses delivered over the Internet or provided through a set curriculum via software either as alternative credits toward graduation or as a course eligible for concurrent enrollment for "make-ups", "acceleration" and/or "enrichment." In order for students to earn credits via online course instruction, students must obtain

signed pre-approval for any online course or program from the school principal or designee.

The principal shall evaluate the quality and effectiveness of online course offerings and determine which online courses shall be accepted for high school credit. The principal shall certify that the course is comparable to college-preparatory curriculum and ensures that the course and associated grades and credits are listed on the student's transcript.

In order to provide students with online educational opportunities, the following are guidelines for implementation of online courses:

1. All online courses may be offered in a blended learning model that may include both face-to-face and online delivery
2. The online courses shall meet the academic rigor of the California State standards and meet the CSU/UC "a-g" requirements with the exception of a limited number of non-"g" elective courses approved by the District
3. The Principal or designee shall ensure student-testing integrity for online classrooms and ensure the accountability of active engagement of students participating in the courses provided via the Internet
4. Participating students shall strictly adhere to the policies and procedures set forth by the entity offering the online courses
5. The Principal or designee shall seek guidance from District staff to evaluate the quality and effectiveness of online course offerings
6. Teachers/Counselors/Advisors shall be trained in the facilitation of online learning and shall participate in e-learning training
7. Students enrolling in the online courses shall follow the same process as concurrent enrollment at the community colleges, District's alternative educational setting, or a four-year college/university
8. The high schools, in accordance with the District's policies, shall grant credits earned after verification of student work
9. Students shall follow the guidelines established by the District including obtaining prior approval from site administration before enrolling in the program to receive credits
10. No students shall be denied the opportunity of taking an online course due to financial hardship as determined by free and reduced lunch eligibility, or enrollment in home/hospital instruction

Access to technology utilized by online courses imposes certain responsibilities and obligations for both students and teachers:

1. The appropriate use of the online learning opportunity is both ethical and honest, and demonstrates respect for physical and intellectual property, system security protocols, course provider procedures, an individual's right to privacy and to freedom from intimidation, harassment, and unwarranted annoyance
2. The students utilizing online courses shall adhere to the District's Acceptable Use Policy
3. All policies relating to academic honesty, participation, and attendance shall be applied to online learning

The Superintendent or designee shall determine whether a student has satisfactorily met course requirements through any of the above alternative means.

TO: BOARD OF EDUCATION

DISCUSSION

06/25/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU

RE: REVISE POLICY 6154 - HOMEWORK/MAKE UP WORK (FORMERLY  
KNOWN AS HOMEWORK POLICY K-12)

DISCUSSION ITEM NO. D.04

It is recommended that that Board of Education revise Board Policy 6154 - Homework/Make Up Work (formerly known as Homework Policy K-12).

COMMENTS: Attached is the policy for discussion and administrative regulation for information.

Recommendations from the Board and suggested policy language from the California School Board Association (CSBA) were utilized to revise the current board policy and administrative regulation. An ad hoc committee was formed to gather input and craft the board policy and administrative regulation. The committee members were parents, principals, and other district administrators. The drafts were forwarded to PTA Council leadership, SMMCTA leadership, principals, and committee members for additional review and input after ad hoc committee meetings. Meetings were also held with PTA Council leadership and SMMCTA leadership.

\*\*\*\*\*

*The board agreed to hear public comments, but then move the board discussion to next week's special meeting on July 1, 2009.*

Public Comments:

- *Patricia Nolan, a member of the community, addressed the board regarding this item.*



## THIS IS A REVISED POLICY

Strike through = deletion

Underline = addition

<b><u>NUMBER</u></b> 6154	<b><u>ARTICLE</u></b> Instruction	<b><u>TITLE</u></b> Homework/Makeup Work <del>Policy k-12</del>	
<b><u>SUBTOPIC</u></b> Instructional Arrangements	<b><u>POLICY</u></b> X	<b><u>REGULATION</u></b>	<b><u>EXHIBIT</u></b>

### **DETAIL**

~~Homework should be a natural outgrowth of an individual child's needs, and should be used as a constructive tool in the teaching-learning process. As students learn new skills, homework can be used for independent practice and applied in a variety of contexts to foster transfer of learning. It can also lay the foundation for students to take responsibility for their own learning. The value of the program depends on active pupil involvement in homework which has meaning for them, and on the cooperation of parents in supporting the program.~~

~~Parents need to provide an appropriate time and setting for the child to complete the assigned homework. If a child consistently is unable to complete the assigned work in the maximum number of minutes allowed, the parent should contact the teacher.~~

~~It is anticipated that students will have some form of homework Monday through Thursday evenings, whether or not there is a required written assignment. Students should be instructed to plan accordingly. Since homework is generally a daily requirement for students, parents should be urged to avoid family plans that will interfere with this schedule.~~

~~Homework assignments may be requested by parents if the absence is anticipated to be three days or more. Each school site will design its own plan.~~

~~I. Homework may be assigned in order to:-~~

~~A. Reinforce and strengthen basic skills  
Reinforce study habits and organizational skills  
Extend and enrich classroom learning  
Develop initiative, responsibility, and self-direction  
Stimulate independent thinking  
Increase range and scope of interests  
Foster worthwhile use of time~~

~~II. Some suggested types of homework:-~~

~~A. Completing classwork  
Practice in the basic skills of reading and mathematics~~

~~Solving problems similar to those studied in class~~  
~~Preparing for tests~~  
~~Reading for book reports or research~~  
~~Using library or home reference books to gather information for class discussion~~  
~~Preparing a current events report in social studies, science, or communications~~  
~~Summarizing a historical event, a story, or a science procedure~~  
~~Collecting or classifying materials~~  
~~Constructing a model or doing an experiment~~  
~~Preparing a science research project~~  
~~Reading additional materials~~  
~~Written assignments to include expository, creative writing and a term paper at appropriate grade level~~

The Board of Education supports an effective partnership among teachers, parents, and students to ensure that homework is meaningful and supports the learning experiences of all students. Homework is any activity or assignment directed by the teacher to be performed outside the classroom that may include practicing skills learned in class, reading, studying, projects, or completion of assignments. Homework shall be activities or assignments that students can complete independently, and is connected to grade level/subject matter curriculum and class instruction. Homework shall be purposeful, and relevant. Schools shall provide resources and assistance to students and teachers to ensure that every student has an equal opportunity to complete homework successfully.

The latest research demonstrates that an optimal amount of homework has a positive impact on student achievement. The optimal amount of time students should spend on homework begins with 10 minutes a day in the first grade and increases by ten minutes per grade level, not to exceed a total of 120 minutes a day in the 12<sup>th</sup> grade for all classes combined. Research indicates that excessive homework may have a negative impact on students' health and well-being. In particular, studies show that the health of students through 12<sup>th</sup> grade is compromised when there is insufficient time for at least nine hours of sleep and one hour of physical activity daily.

When teachers design homework, they shall consider their students' special needs and developmental levels. Homework shall be used as a constructive tool in the teaching-learning process. Homework may be assigned Monday through Thursday to include reading, or being read to, for pleasure. Weekends and holidays are primarily reserved for family time. Students may elect to use the weekends to review materials, make up work, complete projects, and enjoy recreational reading. High school students may receive additional work to be completed over the weekend but not to exceed the time recommended weekday time limit.

Effective implementation of this policy is vital to its success. The Superintendent or designee shall ensure that administrators implement an effective homework plan at each school site. To ensure that students receive the optimal amount of homework, implementation of this policy shall be monitored and evaluated at each school via year-round surveys (both online and paper/pencil). Educational Services Department will extrapolate data quarterly to be published to the schools. Principals shall inform parents regarding the availability of the surveys and survey results.

If a child consistently is unable to complete the assigned work, the parent should contact the teacher first for support and modifications as necessary. The teacher should also contact the parents if a child consistently is unable to complete the assigned work. When necessary, the parents and the teacher shall meet together to develop an appropriate plan or modification. If the issue persists, parents or teacher may contact the principal to request a Student Success Team (SST) meeting to further investigate resolutions.

School sites shall make homework assistance available to students.

### **Makeup Work**

Homework assignments may be requested by parents if the absence is anticipated to be three days or more. Each school site will design its own plan.

Students who miss school work because of an excused absence shall be given the opportunity to complete all assignments and tests that can be reasonably provided. As determined by the teacher, the assignments and tests shall be reasonably equivalent to, but not necessarily identical to, the assignments and tests missed during the absence. Students shall receive full credit for work satisfactorily completed within a reasonable period of time.

Students who miss school work because of unexcused absences may be given the opportunity to make up missed work for full or reduced credit. Teachers shall assign such make up work as necessary to ensure academic progress, not as a punitive measure.

Students suspended from school shall be given assignments to complete. The teacher of any class from which a student is suspended may require the student to complete tests missed during the suspension.

**REFERENCE****EDUCATION CODE**

48205 Absences for personal reasons

48913 Completion of work missed by suspended students

48980 Parental notifications

58700 - 58702 Tutoring and homework assistance programs; summer school  
apportionment credit

**MANAGEMENT RESOURCES:****SBE POLICIES**

Parent Involvement in the Education of Their Children, 1994

Policy Statement on Homework, 1995

Synthesis of Research on Homework and Achievement (Cooper, 2006)

**ADOPTED**

July 24, 1989

**REVISED****CSBA DATE**

2/99

**THIS IS A REVISED ADMINISTRATIVE REGULATION**

Strike through = deletion

Underline = addition

<b><u>NUMBER</u></b> 6154	<b><u>ARTICLE</u></b> Instruction	<b><u>TITLE</u></b> Homework/Makeup Work <del>Policy k-12</del>	
<b><u>SUBTOPIC</u></b> Instructional Arrangements	<b><u>POLICY</u></b>	<b><u>REGULATION</u></b> X	<b><u>EXHIBIT</u></b>

~~SUBJECT: HOMEWORK POLICY K-12~~

~~ISSUED BY: SUPERINTENDENT~~

~~I. EFFECTIVE DATE: July 24, 1989~~

~~II. AUTHORITY: Board Policy 6154~~

~~III. PROCEDURES:~~

Consistent with Board of Education Policy 6154, site principals are to review annually with assigned staff the following homework ~~procedures~~ expectations:

1. Teachers shall review, discuss, and return, if collected, homework in a timely manner.
2. Whenever possible, teachers shall communicate and coordinate assignments so that students do not receive an overload of homework.
3. Teachers shall ~~clearly~~ explain homework assignments to the students prior to the assignment. Teachers shall communicate homework assignments to students in at least one of the following ways: send a packet home, write the assignment on the board, require students to record it, and/or make it available through emails, websites, or hotlines. The use of a variety of communication strategies is strongly encouraged.
4. Teachers and parents shall coordinate efforts to teach techniques that can help students allocate their time wisely, meet their deadlines, and develop good personal study habits.
5. Teachers and staff shall identify the access that students will have to:
  - a. Materials for projects and other homework assignments, taking into account affordability,
  - b. Resource materials from the library media center,
  - c. Assistance and/or tutoring through teachers, volunteers, peer mentors, and/or after-school centers, and
  - d. Technology resources and instruction.
6. Teachers shall communicate with parents/guardians to inform them about:
  - a. Homework expectations, policies, and procedures,

- b. The extent to which homework influences the student's overall grades, and
  - c. Ways in which parents can best assist their children in doing homework independently.
7. Parents shall have the responsibility of providing a quiet space and basic materials for homework completion to the extent possible and shall be encouraged to monitor time management and productivity.
8. Teachers and parents shall communicate with each other at the earliest possible opportunity once the child has demonstrated consistent inability to complete homework.
9. Parents shall contact the principal if they cannot reach accommodation with the teacher regarding homework; if there are still unresolved problems, the parents can contact the site supervisor of their school at the District Office.
10. Parents shall contact the principal if they cannot reach accommodation with the teacher regarding homework; if there are still unresolved problems, the parents can contact the site supervisor of their school at the District Office

### **Makeup Work**

The Superintendent or designee shall notify parents/guardians that no student may have his or her grade reduced or lose academic credit for any excused absence when missed assignments and tests are satisfactorily completed within a reasonable period of time.

Students who miss school work because of unexcused absences may be given the opportunity to make up missed work for full or reduced credit. Teachers shall assign such make up work as necessary to ensure academic progress, not as a punitive measure.

The teacher of any class from which a student is suspended may require the student to complete any assignments and tests missed during the suspension.

### ~~SUGGESTED TIME ALLOTMENTS~~

#### TIMING, SCHEDULING, AND QUALITY OF HOMEWORK

The following is the recommended timing, scheduling, and quality of homework subject to the Board Policy and the expectations included in this regulation. It is understood that the teacher has the ultimate authority to assign homework.

#### ~~A. Kindergarten homework should:~~

- ~~1. Build a positive relationship between school and home.~~
- ~~2. Require positive interaction between parent and child.~~
- ~~3. Be non-frustrating. If child becomes frustrated parent should stop immediately. If this is consistent the teacher should be consulted.~~

- ~~4. Be no more than 5 to 10 minutes a day or 20 to 40 minutes per week.~~

A. Grades ~~1~~ K - 5:

Homework for kindergarten students shall be based on individual needs for reinforcement as identified by the classroom teacher. Families are encouraged to engage in early learning activities such as playing, talking, and reading together. Teachers may provide resources to support home-based early learning activities.

There is a strong connection between student achievement and daily reading. The purpose of the homework should be clearly articulated and, if necessary, differentiated for individual children. If assigned, homework may be for completion, practice, preparation, or extension of class work. Homework may be given Monday through Thursday. Weekends and holidays are primarily reserved for family time. The following are the recommended time allotments and shall not be exceeded for Grades 1 - 5:

- ~~1. Grades 1 - 5 homework may be given Monday through Thursday. Appropriate weekend homework may be given.~~
1. Kindergarten - 10 minutes daily
2. 1st - ~~10 to~~ 20 minutes daily or ~~40 to~~ 80 minutes per week.
3. 2nd - ~~20 to~~ 30 minutes daily or ~~80 to~~ 120 minutes per week.
4. 3rd - ~~30 to~~ 40 minutes daily or ~~120 to~~ 160 minutes per week.
5. 4th - ~~40 to~~ 50 minutes daily or ~~160 to~~ 200 minutes per week.
6. 5th - ~~45 to~~ 60 minutes daily or ~~180 to~~ 240 minutes per week.

B. Middle School:

Completion of homework for middle school age students can contribute to improved student achievement. Homework assignments for completion, practice, preparation, or extension shall be clearly articulated and carefully planned in partnership among core subject teachers. Middle school homework may be given Monday through Thursday. Weekends and holidays are primarily reserved for family time. Assignments ~~should~~ shall be designed so that the typical student can complete ~~the~~ all homework (including time for studying and preparation for exams) in ~~an~~ the average ~~of the~~ number of minutes below. In addition, students shall be encouraged to read for pleasure. ~~for each academic subject.~~ The following are the recommended time allotments and shall not be exceeded for Grades 6 - 8:

1. Grade 6 - ~~about 1 hour total or 15 to 20 minutes per class.~~ 60 70 minutes daily.
2. Grade 7 - ~~about 1 hour, 30 minutes total or 20 to 30 minutes per class~~ 70 80 minutes daily.

3. Grade 8 - ~~about 2 hours total or 30 to 40 minutes per class.~~ 90 minutes daily.

5. ~~Appropriate weekend homework may be given.~~

C. High School:

~~1. Grades 9 to 12 — two or three hours daily.~~

2. According to research, completion of homework can be particularly valuable in the high school years. Homework assignments shall be for completion, practice, preparation, or extension and shall be clearly articulated and carefully planned. High School homework may be given Monday through Thursday. Weekends and holidays are primarily reserved for family time. Assignments should be designed so that the typical student can complete the all homework in an average of thirty minutes for each academic subject. The following are the recommended time allotments and shall not be exceeded for grades 9 - 12:

1. Grade 9 - ~~90~~ 100 minutes daily

2. Grade 10 - ~~100~~ 110 minutes daily

3. Grade 11 - ~~110~~ 120 minutes daily

4. Grade 12 - 120 minutes daily

5. Appropriate weekend homework may be given. Holiday weekend and vacation assignments may be given with consideration to time for family activities.

D. All Grade Levels:

~~1. Teachers should assign only as much work as can be.~~

1. Students shall receive informative feedback on homework in a timely manner.

2. The teacher ~~should~~ shall define the role of homework in the grading policy.

3. Students shall not be assigned disciplinary consequences for incomplete or missed assignment unless the teacher has first provided additional assistance such as afterschool tutorial, homework assistance center, homework club and contacted parents.

IV. APPROVAL

~~SUPERINTENDENT Gene Tucker DATE 8/8/89~~



TO: BOARD OF EDUCATION

DISCUSSION

06/25/09

FROM: TIM CUNEO

Previously

06/04/09

RE: REVIEW BOARD POLICY SERIES 0000 and 1000

DISCUSSION ITEM NO. D.05

It is recommend that the Board of Education review Board Policy Articles 0000 (Philosophies, Goals, Objectives, and Comprehensive Plans) and 1000 (Community Relations) for adoption at a subsequent Board of Education meeting.

At that subsequent meeting, staff will recommended that the Board delete all current policies, administrative regulations in these articles and adopt those reviewed and recommended for Board adoption today and that these actions will be effective August 1, 2009.

COMMENT: The District embarked on a process of reviewing and updating all its policies, administrative regulations and related exhibits. It was agreed that California School Boards Association Board policies would serve as an example for that comparative review and in November a series of workshops were conducted with appropriate staff and a consultant from CSBA to review each District Policy, administrative regulation and exhibit along side those of CSBA and make recommended changes to the Board. Previous revisions made to policies that reflect the specific interests of SMMUSD have not been altered (as long as those revisions are compliant with state and federal law). Attached is a matrix of staff recommendations for deletion and adoption of policies and administrative regulations for these articles that was sent to CSBA and produced the policies and administrative regulations before you today.

A Board of Education meeting is scheduled for July 16, 2009, to continue this process with Articles 3000 (Business and Non-Instructional Operations) and 5000 (Students).

Additionally, staff recommended and the Board approved after the new policies are adopted they would be returned to CSBA for uploading to their computers and be linked to our web site for public and staff access and printing.

CSBA issues updates in March, July, and November of each year that reflect recent changes in Federal and state statute, law, Education Code and case law. When

received these changes will be reviewed and appropriate recommendations made to the board.

In this manner, the District can maintain its policies and administrative regulations that will keep the District in full compliance.

Attachments:

Article 0000 - Philosophies, Goals, Objectives, and  
Comprehensive Plans  
Article 1000 - Community Relations

\*\*\*\*\*

*The board agreed to move this item to next week's special meeting on July 1, 2009.*

---

## **ATTACHMENTS**

ATTACHED ARE THE FOLLOWING DOCUMENTS:

- SMMCTA Report
- Document: "Policy Update Series 6000" (associated with Item No. A.39)
- Document: "Policy Update Series 9000" (associated with Item No. A.39)
- Presentation: "Measure BB Program: Series B General Obligation Bonds & 2009 Bond Anticipation Notes" (associated with Item No. A.44)
- Document: "Resolution of Necessity Declaration" (associated with Item No. A.45)
- Presentation: "2009-10 Budget Adoption" (associated with Item No. A.54)
- Document: "District Staff Response to the Recommendations of The Students of Color Task Force" (associated with Item No. D.02)

To: SMMUSD Board of Education  
From: SMMCTA Board of Directors  
Date: June 24, 2009  
Re: Budget

Almost all school districts are facing hard choices and many are dealing with the current budget crisis responsibly. Unfortunately, some districts are using this historic recession as an opportunity to gain long-term concessions from classroom teachers and their leaders. This strategy is deeply flawed and will have long lasting negative consequences for districts, which employ such a shortsighted approach.

This memo outlines the following: a) Specific sacrifices made by teachers for the 2009-10 school year, b) Specific suggestions for additional budgetary reductions which have no direct impact on students or programs, c) Specific suggestions for increasing future year reserves and d) Suggestions for potential "big ticket" revenue sources.

#### **SACRIFICES BEING MADE BY TEACHERS**

1. Reducing the number of teachers by twenty-four will result in larger class sizes and increased workloads for teachers. The estimated savings for the district is \$1.9 million. (The number of teachers has been reduced by 63 since 2003)
2. The elimination of the (2) professional development – buy back days. This shall reduce the annual income for all teachers by \$540 in 2009-10 and redirects more than \$300,000 into the General Fund.

#### **ADDITIONAL BUDGET REDUCTIONS**

1. Offer an Early Retirement Incentive in 2010. Estimated Savings – \$300k to \$500k. An ERI will also save jobs! Impact on students – none.
2. Make additional reductions to the line item for consultants paid for from the General Fund. Estimated Savings - \$500k to \$1 million. Impact on students – none.
3. Place an immediate moratorium on all travel outside of the district. Estimated savings - \$200k. Impact on students – none.
4. Reduce the Communications line item to \$100k. Estimated savings - \$200k. Impact on students – none.

5. Renegotiate the superintendent contract. Eliminate housing allowance, car allowance, (25) paid vacation days annually and reduce the base pay by 10%. Estimated savings - \$100k. (The superintendent salary would still be approximately \$200,000 annually.) Impact on students – none.
  6. Eliminate district testing and professional development. Estimated savings - \$100k. Impact on students – Limited to none.
  7. Suspend all district paid cell phones, car allowances and contributions to 401k or Tax Shelter Annuities. Estimated savings - \$50,000. Impact on students – none.
  8. Renegotiate all contracts with district legal firms. Estimated savings - \$50,000. Impact on students – none.
  9. Reduce work year for district office administrators by a minimum of (10) days during the months of July and August. Estimated savings - \$100,000. (In the fall, the Board increased the work year for SAMO Principals by 5 days) Impact on students – none.
- Or
- Reduce all administrators work year by (2) days. (Comparable to the loss of 2 buy back days for teachers) Estimated savings - \$100,000.
10. Total Potential savings - **\$1.5 million - \$2.3million.**

#### **BUDGET ACTIONS TO BUILD OUTER YEAR RESERVES**

1. Defer purchasing the new student information system and redirect \$1 million to build future year reserves. Pass a resolution, which commits the BOE to update the student information system when the fiscal position of the district improves.
2. Reduce by \$1.2 million the funds in the Post Employment Benefits Account. Maintain a balance of \$500,000 and redirect \$1.2 million to build future year reserves. Pass a resolution, which commits the BOE to redirect funds into the OPEB account when the fiscal position of the district improves.
3. Total funds to be used to enhance future year reserves - **\$2.2 million.**
4. **Impact on students –minimal to none!**

#### **POTENTIAL ADDITIONAL REVENUE SOURCES TO EXPLORE**

1. Research the possibility of re-negotiating all district lease agreements.
2. Research the sale of the Madison Site and Double Tree Hotel Site. An independent financial analysis should explore the current contracts, the value of the properties and the benefits, if any, of selling the properties. Potential buyers could include the current tenants, real estate investors, the City of SM or institutional investors.

3. Engage city officials in a discussion about selling the current district office property to the City of SM. The district property is adjacent to Memorial Park/Fisher Lumber, which could be appealing to the City of SM. Clearly, this discussion would need to include the relocation options for the district offices.
4. Parcel Tax – Should the future budget projections materialize, the voters will need to answer some critical questions. What type of public schools/programs does the community want? Is the public willing to pay for high quality public schools?
5. Increase enrollment over the next two years by two hundred students.
6. **Why not pursue these discussions/ideas and seek an independent analysis of the sale of district properties?**

### **CONCLUSION**

Democratic leaders in Sacramento are proposing a budget solution, which requires the state to repay the more than \$9 billion in cuts to education, starting in 2011. What impact will a repayment plan have on future district budgets?

Finally, it's important to acknowledge SMMUSD budgetary trends. Historically, the district has used very conservative revenue estimates and very aggressive expenditure projections in formulating multi year budgets. With a budget of more than \$100 million, a modest 2% adjustment on revenues and expenditures will significantly change multi year reserve levels.

Should you have any questions about this communication or any other budgetary questions, please call Harry Keiley

## Policy Updates Series 6000

~~Strike out~~ – deletions

Underline – additions

### **BP 6143**                      **Courses of Study**

Page AR 6143(b)

d. ~~Venereal disease~~ Sexually transmitted disease

2 ~~(1) Mexicans~~ Latinos/Hispanics

Page AR 6143(c)

8. Applied arts: consumer and homemaking education, financial literacy, industrial arts, ...

Page AR 6143(d)

11. d. ~~Venereal disease~~ Sexually transmitted disease

### **BP 6142.6**                      **Visual and Performing Arts Education**

Page BP 6142.6(b)

#### **Arts for All Plan**

In order to improve the program offerings in Visual and Performing Arts Education, the Board of Education adopted the District's Arts for All Plan on February 3, 2005. The plan called for the development of a new standards-based curriculum, defining the roles and responsibilities of all staff to provide access to arts education for all students in the district, providing the necessary training to teachers and administrators to foster their knowledge and instructional strategies regarding the new state standards for Visual and Performing Arts, developing new partnerships and collaborating with current partners, identifying funding sources associated with the implementation of the plan, improving the facilities that support arts education, and evaluation of the District's arts education.

### **BP 6153**                      **School-Sponsored Trips**

Page AR 6152(e)

Field Trip Supervision Guidelines

4. Chaperones who are not school staff are deemed as volunteers, thus must follow the District's BP and AR 1240 *Volunteer Assistance* to meet the required qualifications of volunteers including fingerprinting and TB testing.

### **BP 6164.4**                      **Identification and Evaluation for Special Education**

Page AR 6164.4(h)

Upon request by a parent, District staff shall notify the school staff and for the school staff to provide

The said independent evaluation assessor shall not be the provider of private services to students they have assessed.



**COURSES OF STUDY** (continued)

The adopted course of study shall provide instruction at the appropriate grade levels and subject areas in: (Education Code 51202)

- a. Personal and public safety and accident prevention, including instruction in emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available
- b. Fire prevention
- c. The protection and conservation of resources, including the necessity for the protection of our environment
- d. ~~Veneral disease~~ Sexually transmitted disease
- e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body
- f. Prenatal care
- g. Violence as a public health issue
7. Physical education, with emphasis on physical activities conducive to health and vigor of body and mind (Education Code 51210)
8. Career awareness exploration

**Grades 7-12**

Courses of study for grades 7 through 12 shall include the following:

1. English: knowledge and appreciation of literature, language and composition, and the skills of reading, listening, and speaking (Education Code 51220)
2. Social sciences: age-appropriate instruction drawing upon the disciplines of anthropology, economics, geography, history, political science, psychology and sociology, with instruction in: (Education Code 51220)
  - a. The history, resources, development, and government of California and the United States, including:
    - (1) Early California history, and the role and contributions of both men and women, black Americans, American Indians, ~~Mexicans~~, Latinos/Hispanics, Asians, Pacific Island people and other ethnic groups to the economic, political and social development of California and the nation, with particular emphasis on the role of these groups in contemporary society (Education Code 51204.5)

**COURSES OF STUDY** (continued)

- (2) World War II and the American role in that war and the Vietnam War, including the "Secret War" in Laos and role of Southeast Asians in that war
  - b. The American legal system, the operation of the juvenile and adult criminal justice systems, and the rights and duties of citizens under the criminal and civil law and the state and federal constitutions
- This course may include participation in a teen court or peer court program. (Education Code 51220.2)
- c. The development of the American economic system, including the role of the entrepreneur and labor
  - d. The relations of persons to their human and natural environments, including the wise use of natural resources (Education Code 51221)
  - e. Eastern and western cultures and civilizations
  - f. Human rights issues, with particular attention to the study of the inhumanity of genocide, slavery, and the Holocaust
  - g. Contemporary issues
- 3. Foreign language(s): understanding, speaking, reading, and writing, beginning not later than grade 7 (Education Code 51220)
  - 4. Physical education: with emphasis on physical activities conducive to health and vigor of body and mind, as required by Education Code 51222 (Education Code 51220)
  - 5. Science: physical and biological aspects; emphasis on basic concepts, theories, and processes of scientific investigation and on the place of humans in ecological systems; appropriate applications of the interrelation and interdependence of the sciences (Education Code 51220)
  - 6. Mathematics: mathematical understandings, operational skills and problem-solving procedures; algebra (Education Code 51220, 51224.5)
  - 7. Visual and performing arts: dance, music, theatre, and visual arts, with emphasis upon development of aesthetic appreciation and creative expression (Education Code 51220)  
financial literacy,
  - 8. Applied arts: consumer and homemaking education, industrial arts, general business education, or general agriculture (Education Code 51220)

**COURSES OF STUDY** (continued)

9. Career technical/vocational-technical education: in the occupations and in the numbers appropriate to the personnel needs of the state and community served and relevant to the career desires and needs of students (Education Code 51220)
10. HIV/AIDS prevention (Education Code 51934)
11. Personal and public safety, accident prevention and health, including instruction in: (Education Code 51202, 51203)
  - a. Emergency first aid, hemorrhage control, treatment for poisoning, resuscitation techniques, and cardiopulmonary resuscitation when appropriate equipment is available
  - b. Fire prevention
  - c. The protection and conservation of resources, including the necessity for the protection of our environment
  - d. ~~Venereal disease~~ Sexually transmitted disease
  - e. The effects of alcohol, narcotics, drugs, and tobacco upon the human body and upon prenatal development
  - f. Prenatal care
  - g. Violence as a public health issue

In addition, the course of study for grade 7 and/or 8 may include parenting skills and education that address at least all of the following: (Education Code 51220.5)

1. Child growth and development
2. Parental responsibilities
3. Household budgeting
4. Child abuse and neglect issues
5. Personal hygiene
6. Maintenance of healthy relationships
7. Teen parenting issues

## **VISUAL AND PERFORMING ARTS EDUCATION (continued)**

The Superintendent or designee shall regularly evaluate and report to the Board regarding the implementation of arts education at each grade level and program effectiveness in enabling students to meet academic standards.

### **Arts and Music Block Grants**

Any state funding received through arts and music block grants shall be used only for hiring additional staff, purchasing new materials, books, supplies, and equipment, and/or implementing or increasing staff development opportunities as needed to support standards-aligned arts and music instruction. (SB 77, Item 6110-265-0001, Statutes of 2007)

The Board shall distribute block grant funds to all district schools on the basis of an equal amount per student or the minimum school site allocation specified in the state budget, whichever is greatest. (SB 77, Item 6110-265-0001, Statutes of 2007)

However, the Board may allocate block grant funds for districtwide expenditures that support program purposes on behalf of all district schools. If the Board elects to do so, it shall adopt a resolution at a public meeting which specifies how the funds will be allocated among schools and for districtwide purposes and the reasons for those allocations. Prior to the public meeting, the Board shall inform school site councils, schoolwide advisory groups, or school support groups, as applicable, of the content of the proposed resolution and of the time and location where the resolution is proposed to be adopted. (SB 77, Item 6110-265-0001, Statutes of 2007)

*Legal Reference: (see next page)*

### **Arts for All Plan**

In order to improve the program offerings in Visual and Performing Arts education, the Board of Education adopted the District's Arts for All Plan on February 3, 2005. The plan called for the development of a new standards-based curriculum, defining the roles and responsibilities of all staff to provide access to arts education for all students in the district, providing the necessary training to teachers and administrators to foster their knowledge and instructional strategies regarding the new state standards for Visual and Performing Arts, developing new partnerships and collaborating with current partners, identifying funding sources associated with the implementation of the plan, improving the facilities that support arts education, and evaluation of the District's arts education.

**SCHOOL-SPONSORED TRIPS** (continued)

- (4) Upon return to school, the adult in charge will notify the parents/guardians and the school principal of the missing students.

**Supervision**

Students on school-sponsored trips are under the jurisdiction of the district and shall be subject to district and school rules and regulations.

The Superintendent or designee shall ensure that adequate supervision is provided on all school-sponsored trips and that there is an appropriate ratio of adults to students present on the trip. If the trip involves water activities, this ratio shall be revised as necessary.

**Field Trip Supervision Guidelines**

Field trips may create situations that require unique supervision requirements. The school principal shall assess the supervision requirements for each field trip request and shall ensure appropriate supervision.

Chaperones who assist in supervision must be briefed beforehand of their responsibilities and be willing to take direction from the district employee who has been placed in charge of the excursion.

A field trip chaperone must meet the following minimum requirements:

1. Be a parent/guardian of an enrolled student or recommended by an employee or PTA member
2. Be at least 21 years of age
3. Sign the district's assumption of risk for waiving all claims against the district for any injury or damages. (Education Code 35330-35332)

**Parent/Guardian Permission**

Before a student can participate in a school-sponsored trip, the teacher shall obtain parent/guardian permission for the trip. Whenever a trip involves water activities, the parent/guardian shall provide specific permission for his/her child to participate in the water activities. The district shall provide an alternative educational experience for students whose parents/guardians do not wish them to participate in a trip.

4. Chaperones who are not school staff are deemed as volunteers, thus must follow the District's BP and AR 1240 "Volunteer Assistance" to meet the required qualifications of volunteers, including fingerprinting and TB testing.

## IDENTIFICATION AND EVALUATION OF INDIVIDUALS FOR SPECIAL EDUCATION (continue)

### Independent Educational Evaluation

The parents/guardians of a student with a disability have the right to obtain an independent educational evaluation at public expense under the same criteria that the district uses for a district-initiated assessment. An *independent educational evaluation* is an assessment conducted by a qualified examiner who is not employed by the district. *Public expense* means the district either pays for the full cost of the independent educational evaluation or ensures that the assessment is otherwise provided at no cost to the parent/guardian. (34 CFR 300.502; Education Code 56329)

The parent/guardian is entitled to only one independent educational evaluation at public expense each time the district conducts an assessment with which the parent/guardian disagrees. (34 CFR 300.502)

If a parent/guardian has requested an independent educational evaluation, the district may ask for a reason that he/she objects to the district's assessment. However, the parent/guardian is not required to provide the reason to the district. (34 CFR 300.502)

Upon receiving the request for an independent educational evaluation, the district shall, without unnecessary delay, either: (34 CFR 300.502)

1. File a due process complaint to request a hearing to show that its assessment is appropriate
2. Ensure that an independent evaluation is provided at public expense, unless the district can later demonstrate at a hearing that the assessment obtained by the parent/guardian did not satisfy the district's criteria

Upon request by a parent, District staff shall notify the school staff and for the school staff to provide timely access of sufficient duration to the parent and/or their own designated independent evaluator/educational consultant to observe the child's current classroom placement and any placement continuum (including both academic and non-academic components) proposed by any member of the IEP team. District and school staff shall provide access to the parent and/or the designated independent evaluator/educational consultant to observe the child's current classroom. The District and school shall ensure the students' safety and confidentiality are preserved.

If a due process hearing decision determines that the district's assessment is appropriate, then the parent/guardian may obtain an independent evaluation but not at public expense. (34 CFR 300.502)

The results of an independent evaluation obtained by the parent/guardian, whether at public or private expense, shall be considered by the district if it meets district criteria in any decision made with respect to FAPE and may be presented as evidence at a hearing on a due process complaint. (34 CFR 300.502)

The said independent evaluation assessor shall not be the provider of private services to students they have assessed.



## Policy Updates Series 9000

~~Strike out~~ – deletions

Underline – additions

### **BP 9100                      Organization**

Page BP 9100

### **BP 9121                      President**

Page BP 9121(a)

4. Subject to Board approval, appointing and dissolving all Board appointed committees

### **BP 9220                      Governing Board Elections**

Page BP 9220(a)

Tie Votes in Board Member Elections

~~Before each election, the Board shall establish whether a potential tie is to be resolved by lot or with a runoff election.~~ Tie votes will be resolved by lot. (Education Code 5016)

Page BP 9220(b)

~~After an election for which the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law.~~ (Education Code 5016)

### **BP 9320                      Meetings and Notices**

Page 9320(a)

Regular Meetings

Additionally, four or five regular Board meetings scheduled for the first Thursday of the month will be held in Malibu, for the purpose of uniting the communities. Actual dates and locations are to be determined yearly by members of the Board.

Page 9320(b)

~~Beginning with school year 2001/02, six Board meetings scheduled for the third Thursday of the month will be held in the Santa Monica City Council Chambers at 1685 Main Street in Santa Monica, for the purpose of being televised live. Actual dates are to be determined yearly by members of the Board. Additionally, beginning with the school year 2001/02, six Board meetings scheduled for the first Thursday of the month will be held in Malibu, for the purpose of uniting the communities. Actual dates and locations are to be determined yearly by members of the Board.~~

### **BP 9322                      Agenda/Meeting Materials**

Page 9322 (c)

The agenda or agenda packet will be posted on the District web site and will be available for downloading and printing remotely.

## ORGANIZATION

### Annual Organizational Meeting

The Board of Education shall hold an annual organizational meeting within the time limits prescribed by law. (Education Code 35143)

At this meeting the Board shall:

1. Elect a president and ~~a clerk and/or~~ vice president from its members
2. Appoint a secretary to the Board
3. Authorize signatures
4. Develop a schedule of regular meetings for the year
5. Develop a Board calendar for the year
6. Designate Board representatives

### Election of Officers

The Board shall each year elect one of its members to be vice president.

#### *Legal Reference:*

##### EDUCATION CODE

5017 *Term of Office*

35143 *Annual organizational meeting date, and notice*

35145 *Public meetings*

##### GOVERNMENT CODE

54953 *Meetings to be open and public; attendance*

##### ATTORNEY GENERAL OPINIONS

68 *Ops.Cal.Atty.Gen.* 65 (1985)

59 *Ops.Cal.Atty.Gen.* 619, 621-622 (1976)



**PRESIDENT**

The Board of Education shall elect a president from among its members to provide leadership on behalf of the Board and the educational community it serves.

The president shall preside at all Board meetings. He/she shall:

1. Call the meeting to order at the appointed time
2. Announce the business to come before the Board in its proper order
3. Enforce the Board's policies relating to the conduct of meetings and help ensure compliance with applicable requirements of the Brown Act
4. Recognize persons who desire to speak, and protect the speaker who has the floor from disturbance or interference
5. Explain what the effect of a motion would be if it is not clear to every member
6. Restrict discussion to the question when a motion is before the Board
7. Rule on issues of parliamentary procedure
8. Put motions to a vote, and state clearly the results of the vote
9. Be responsible for the orderly conduct of all Board meetings

The president shall perform other duties in accordance with law and Board policy including, but not limited to:

1. Signing all instruments, acts and orders necessary to carry out state requirements and the will of the Board
2. Consulting with the Superintendent or designee on the preparation of the Board's agendas
3. Working with the Superintendent to ensure that Board members have necessary materials and information
4. Subject to Board approval, appointing and dissolving all <sup>Board appointed</sup> committees
5. Calling such meetings of the Board as he/she may deem necessary, giving notice as prescribed by law
6. Representing the district as governance spokesperson, in conjunction with the Superintendent

**GOVERNING BOARD ELECTIONS**

Any person is eligible to be a member of the Board of Education, without further qualifications, if he/she is 18 years of age or older, a citizen of the state, a resident of the school district, a registered voter, and not legally disqualified from holding civil office. (Education Code 35107)

A district employee elected to the Board shall resign his/her position before being sworn in or shall have his/her employment automatically terminated upon being sworn into office. (Education Code 35107)

Whenever possible, the Board shall consolidate Board elections with the local municipal or statewide primary or general election. Board election procedures shall be conducted in accordance with state and federal law.

**Campaign Conduct**

In order to help protect the public's trust in the electoral process as well as the public's confidence in the Board and district, the Board encourages all candidates to sign and adhere to the principles in the Code of Fair Campaign Practices pursuant to Elections Code 20440.

**Statement of Qualifications**

The district shall assume no part of the cost of printing, handling, translating, or mailing of candidate statements filed pursuant to Elections Code 13307. As a condition of having candidate statements included in the voter's pamphlet, the district may require candidates to pay their estimated pro rata share of these costs to the district in advance pursuant to Elections Code 13307.

On the 125<sup>th</sup> day prior to the day fixed for the general district election, the Board secretary or his/her designee shall deliver a notice, bearing the secretary's signature and district seal, to the county elections official describing both of the following: (Elections Code 10509)

1. The elective offices of the district to be filled at the general election and which offices, if any, are for the balance of an unexpired term
2. Whether the district or the candidate is to pay for the publication of a statement of qualifications pursuant to Elections Code 13307

Candidate statements shall be limited to no more than 200 words. (Elections Code 13307)

**Tie Votes in Board Member Elections**

~~Before each election, the Board shall establish whether a potential tie is to be resolved by lot or with a runoff election. (Education Code 5016)~~

Tie votes will be resolved by lot.

**GOVERNING BOARD ELECTIONS** (continued)

After an election for which the Board has decided to resolve a tie by lot, the Board shall immediately notify the candidates who received the tie votes of the time and place where the candidates or their representatives should appear before the Board. The Board at that time shall determine the winner by lot. (Education Code 5016)

~~After an election for which the Board has decided to resolve a tie with a runoff election, the Board shall schedule the runoff election in accordance with law. (Education Code 5016)~~

*Legal Reference:*EDUCATION CODE

1006 *Qualifications for holding office, county board of education*

5000-5033 *Elections*

5220-5231 *Elections*

5300-5304 *General provisions (conduct of elections)*

5320-5329 *Order and call of elections*

5340-5345 *Consolidation of elections*

5360-5363 *Election notice*

5380 *Compensation (of election officer)*

5390 *Qualifications of voters*

5420-5426 *Cost of elections*

5440-5442 *Miscellaneous provisions*

7054 *Use of district property*

35107 *Eligibility; school district employees*

35177 *Campaign expenditures or contributions*

35239 *Compensation of governing board member of districts with less than 70 ADA*

ELECTIONS CODE

1302 *Local elections, school district election*

2201 *Grounds for cancellation*

4000-4004 *Elections conducted wholly by mail*

10400-10418 *Consolidation of elections*

10509 *Notice of election by secretary*

10600-10604 *School district elections*

13307 *Candidate's statement*

13309 *Candidate's statement, indigency*

20440 *Code of Fair Campaign Practices*

GOVERNMENT CODE

1021 *Conviction of crime*

1097 *Illegal participation in public contract*

12940 *Nondiscrimination, Fair Employment and Housing Act*

81000-91014 *Political Reform Act*

PENAL CODE

68 *Bribes*

74 *Acceptance of gratuity*

424 *Embezzlement and falsification of accounts by public officers*

661 *Removal for neglect or violation of official duty*

*Legal Reference continued: (see next page)*

**MEETINGS AND NOTICES**

Meetings of the Board of Education are conducted for the purpose of accomplishing district business. In accordance with state open meeting laws (Brown Act), the Board shall hold its meetings in public and shall conduct closed sessions during such meetings only as authorized by law. To encourage community involvement in the schools, Board meetings shall provide opportunities for questions and comments by members of the public. All meetings shall be conducted in accordance with law and the Board's bylaws, policies, and administrative regulations.

A Board meeting exists whenever a majority of Board members gather at the same time and place to hear, discuss, or deliberate upon any item within the subject matter jurisdiction of the Board or district. (Government Code 54952.2)

A majority of the Board shall not, outside of an authorized meeting, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item that is within the subject matter jurisdiction of the Board. However, an employee or district official may engage in separate conversations with Board members in order to answer questions or provide information regarding an item within the subject matter jurisdiction of the Board, as long as that employee or district official does not communicate the comments or position of any Board members to other Board members. (Government Code 54952.2)

In order to help ensure participation in the meeting by disabled individuals, the Superintendent or designee shall provide appropriate disability-related accommodations or modifications upon request in accordance with the Americans with Disabilities Act. (Government Code 54953.2, 54954.1)

Meeting notices and agendas shall specify that any individual who requires disability-related accommodations or modifications, including auxiliary aids and services, in order to participate in the Board meeting should contact the Superintendent or designee. (Government Code 54954.2)

Each agenda shall also list the address(es) designated by the Superintendent or designee for public inspection of agenda documents that are distributed to the Board less than 72 hours before the meeting. (Government Code 54957.5)

**Regular Meetings**

The Board shall hold at least one regular meeting each month. Regular meetings shall be held at 4:00 p.m. on the first and/or third Thursday of each month at the District Office, 1651 16th Street, Santa Monica, CA. ↑

At least 72 hours prior to a regular meeting, the agenda shall be posted at one or more locations freely accessible to members of the public. (Government Code 54954.2)

Additionally, four or five regular Board meetings scheduled for the first Thursday of the month will be held in Malibu, for the purpose of uniting the communities. Actual dates and locations are to be determined yearly by members of the Board.

## MEETINGS AND NOTICES (continued)

~~Beginning with school year 2001/02, six Board meetings scheduled for the third Thursday of the month will be held in the Santa Monica City Council Chambers at 1685 Main Street in Santa Monica, for the purpose of being televised live. Actual dates are to be determined yearly by members of the Board. Additionally, beginning with the school year 2001/02, six Board meetings scheduled for the first Thursday of the month will be held in Malibu, for the purpose of uniting the communities. Actual dates and locations are to be determined yearly by members of the Board.~~

### Special Meetings

Special meetings of the Board may be called at any time by the presiding officer or a majority of the Board members. (Government Code 54956)

Written notice of special meetings shall be delivered personally or by any other means to all Board members and the local media who have requested such notice in writing. The notice shall be received at least 24 hours before the time of the meeting. The notice shall also be posted at least 24 hours before the meeting in a location freely accessible to the public. The notice shall specify the time and place of the meeting and the business to be transacted or discussed. No other business shall be considered at this meeting. (Education Code 35144; Government Code 54956)

Any Board member may waive the 24-hour written notice requirement prior to the time of the meeting by filing a written waiver of notice with the clerk or secretary of the Board or by being present at the meeting at the time it convenes. (Government Code 54956)

Every notice of a special meeting shall provide an opportunity for members of the public to directly address the Board concerning any item that has been described in the meeting notice, before or during the item's consideration. (Government Code 54954.3)

### Emergency Meetings

In the case of an *emergency situation* for which prompt action is necessary due to the disruption or threatened disruption of public facilities, the Board may hold an emergency meeting without complying with the 24-hour notice and/or 24-hour posting requirement for special meetings pursuant to Government Code 54956. The Board shall comply with all other requirements for special meetings during an emergency meeting. (Government Code 54956.5)

**AGENDA/MEETING MATERIALS** (continued)

If a document is distributed to the Board less than 72 hours prior to a meeting, the Superintendent or designee shall make the document available for public inspection at the time the document is distributed to a majority of the Board provided that the document is a public record under the Public Records Act and relates to an agenda item for an open session of a regular Board meeting. The Superintendent or designee may also post the document on the district's web site in a position and manner that makes it clear that the document relates to an agenda item for an upcoming meeting. (Government Code 54957.5)

Any documents prepared by the district or the Board and distributed during a public meeting shall be made available for public inspection at the meeting. Any documents prepared by another person shall be made available for public inspection after the meeting. These requirements shall not apply to a document that is exempt from public disclosure under the Public Records Act. (Government Code 54957.5)

Upon request, the Superintendent or designee shall make the agenda, agenda packet, and/or any writings distributed at the meeting available in appropriate alternative formats to persons with a disability, as required by the Americans with Disabilities Act. (Government Code 54954.1)

Any request for mailed copies of agendas or agenda packets shall be in writing and shall be valid for the calendar year in which it is filed. Written requests must be renewed following January 1 of each year. (Government Code 54954.1)

Persons requesting mailing of the agenda or agenda packet shall pay an annual fee, as determined by the Superintendent or designee, not to exceed the cost of providing the service.

*Legal Reference: (see next page)*

The agenda or agenda packet will be posted on the District web site and will be available for downloading and printing remotely.



June 25, 2009

## **Santa Monica-Malibu Unified School District**

Measure BB Program

(Series B General Obligation Bonds & 2009 Bond Anticipation Notes)

Tony Hsieh, Partner  
tony.hsieh@keygentcorp.com  
(310) 546-1910



# Measure BB Issuance Options

---

The District has multiple options available to it as it issues the next \$80 million of Measure BB proceeds

- ◆ Traditional tax-exempt general obligation bonds (“GOBs”)
- ◆ Bond anticipation notes (“BANs”)
- ◆ Build America Bonds (“BABs”)
- ◆ Combination of all three items above



# Base Scenario – GOBs Only

---

## Issue \$80 million in traditional GOBs

- ◆ Combination of current interest bonds and capital appreciation bonds (zero-coupon bonds) will be needed to stay within the voter-approved tax rate cap
  - Current interest bonds (2010 to 2034)
  - Capital appreciation bonds (2034 to 2044)
- ◆ Interest rates
  - Current interest bonds in 2010 to 2034 currently carry rates of 1.00% to 5.07%
  - Capital appreciation bonds have higher interest rates; in 2034 to 2044 rates of 6.50% to 6.71%
    - Capital appreciation bonds currently carry an additional premium of 1.00% to 1.50% over current interest bonds
    - Prior to the credit crisis, the additional premium was approximately 0.40% to 0.60%
- ◆ Prepayment provisions
  - Current interest bonds are typically subject to prepayment after ten years
  - Capital appreciation bonds will be non-callable per Los Angeles County guidelines

# Base Scenario – Est. GOBs Debt Service Schedule

Date	Current Interest Bonds					Capital Appreciation Bonds				
	Principal	Coupon	Yield	Interest	Debt Service	Principal	Coupon	Yield	Interest	Debt Service
8/1/2010	4,665,000	2.00%	1.00%	2,481,161	7,146,161					
8/1/2011	355,000	2.00%	1.50%	2,581,005	2,936,005					
8/1/2012	195,000	2.00%	1.90%	2,573,905	2,768,905					
8/1/2013	310,000	3.00%	2.20%	2,570,005	2,880,005					
8/1/2014	435,000	3.00%	2.50%	2,560,705	2,995,705					
8/1/2015	570,000	3.00%	2.70%	2,547,655	3,117,655					
8/1/2016	710,000	3.30%	2.90%	2,530,555	3,240,555					
8/1/2017	920,000	3.00%	3.15%	2,507,125	3,427,125					
8/1/2018	1,085,000	3.00%	3.35%	2,479,525	3,564,525					
8/1/2019	1,255,000	4.00%	3.53%	2,446,975	3,701,975					
8/1/2020	1,450,000	4.00%	3.70%	2,396,775	3,846,775					
8/1/2021	1,660,000	4.00%	3.85%	2,338,775	3,998,775					
8/1/2022	1,880,000	4.00%	4.00%	2,272,375	4,152,375					
8/1/2023	2,120,000	4.00%	4.12%	2,197,175	4,317,175					
8/1/2024	2,375,000	4.70%	4.23%	2,112,375	4,487,375					
8/1/2025	2,660,000	5.00%	4.35%	2,000,750	4,660,750					
8/1/2026	2,980,000	5.00%	4.47%	1,867,750	4,847,750					
8/1/2027	3,320,000	5.00%	4.56%	1,718,750	5,038,750					
8/1/2028	3,680,000	5.00%	4.65%	1,552,750	5,232,750					
8/1/2029	4,075,000	5.00%	4.73%	1,368,750	5,443,750					
8/1/2030	4,490,000	5.00%	5.07%	1,165,000	5,655,000					
8/1/2031	4,940,000	5.00%	5.07%	940,500	5,880,500					
8/1/2032	5,415,000	5.00%	5.07%	693,500	6,108,500					
8/1/2033	8,065,000	5.00%	5.07%	422,750	8,487,750					
8/1/2034	390,000	5.00%	5.07%	19,500	409,500	1,693,340	-	6.50%	6,906,660	8,600,000
8/1/2035						2,040,349	-	6.52%	9,019,651	11,060,000
8/1/2036						2,037,262	-	6.55%	9,517,738	11,555,000
8/1/2037						1,979,969	-	6.56%	10,030,031	12,010,000
8/1/2038						1,923,418	-	6.57%	10,556,582	12,480,000
8/1/2039						1,869,049	-	6.58%	11,105,951	12,975,000
8/1/2040						1,815,351	-	6.59%	11,669,649	13,485,000
8/1/2041						1,751,875	-	6.62%	12,263,125	14,015,000
8/1/2042						1,690,120	-	6.65%	12,879,880	14,570,000
8/1/2043						1,628,913	-	6.68%	13,511,087	15,140,000
8/1/2044						1,570,249	-	6.71%	14,174,751	15,745,000
Total	60,000,000			48,346,091	108,346,091	19,999,893			121,635,107	141,635,000

# Consideration 1 – Bond Anticipation Notes

---

BANs are used by California school districts as a bridge to future bond issues and can provide SMMUSD with added flexibility in the current weakened municipal bond and real estate markets

- ♦ Minimize the use of non-callable capital appreciation bonds and the high premium in the current market
  - Capital appreciation bond rates have improved (decreased) between 0.40% to 0.50% over the past 3 months, but remain high relative to current interest bond rates and historical capital appreciation bond rates
- ♦ Minimize the use of non-callable debt during the weakened real estate market
  - If assessed value assumptions change, this debt cannot be restructured accordingly
- ♦ Take advantage of low short-term interest rates for highly-rated entities such as SMMUSD

# Consideration 1 – Financing Plan

---

Issue a combination of GOBs and BANs for a total \$80 million

- ◆ Issuing BANs will avoid/minimize the use of capital appreciation bonds in current market
- ◆ \$60 million GOBs financing composed of current interest bonds only
- ◆ Concurrently with GOBs, issue \$20 million of BANs with a one-year maturity
- ◆ Interest rates
  - GOBs in 2010 to 2034 currently carry rates of 1.00% to 5.07%
  - BANs with a one-year maturity currently carry rates of 0.50% to 0.75%
- ◆ Prepayment provisions
  - GOBs would be subject to prepayment after ten years
  - BANs would be paid off after one year from future GOBs proceeds

# Consideration 1 – Est. GOBs Debt Service Schedule

Date	Principal	Coupon	Yield	Interest	Debt Service
8/1/2010	4,665,000	2.00%	1.00%	2,481,161	7,146,161
8/1/2011	355,000	2.00%	1.50%	2,581,005	2,936,005
8/1/2012	195,000	2.00%	1.90%	2,573,905	2,768,905
8/1/2013	310,000	3.00%	2.20%	2,570,005	2,880,005
8/1/2014	435,000	3.00%	2.50%	2,560,705	2,995,705
8/1/2015	570,000	3.00%	2.70%	2,547,655	3,117,655
8/1/2016	710,000	3.30%	2.90%	2,530,555	3,240,555
8/1/2017	920,000	3.00%	3.15%	2,507,125	3,427,125
8/1/2018	1,085,000	3.00%	3.35%	2,479,525	3,564,525
8/1/2019	1,255,000	4.00%	3.53%	2,446,975	3,701,975
8/1/2020	1,450,000	4.00%	3.70%	2,396,775	3,846,775
8/1/2021	1,660,000	4.00%	3.85%	2,338,775	3,998,775
8/1/2022	1,880,000	4.00%	4.00%	2,272,375	4,152,375
8/1/2023	2,120,000	4.00%	4.12%	2,197,175	4,317,175
8/1/2024	2,375,000	4.70%	4.23%	2,112,375	4,487,375
8/1/2025	2,660,000	5.00%	4.35%	2,000,750	4,660,750
8/1/2026	2,980,000	5.00%	4.47%	1,867,750	4,847,750
8/1/2027	3,320,000	5.00%	4.56%	1,718,750	5,038,750
8/1/2028	3,680,000	5.00%	4.65%	1,552,750	5,232,750
8/1/2029	4,075,000	5.00%	4.73%	1,368,750	5,443,750
8/1/2030	4,490,000	5.00%	5.07%	1,165,000	5,655,000
8/1/2031	4,940,000	5.00%	5.07%	940,500	5,880,500
8/1/2032	5,415,000	5.00%	5.07%	693,500	6,108,500
8/1/2033	8,065,000	5.00%	5.07%	422,750	8,487,750
8/1/2034	390,000	5.00%	5.07%	19,500	409,500
Total	60,000,000			48,346,091	108,346,091

## Consideration 2 – Build America Bonds

---

Build America Bonds (“BABs”) give school districts an alternative to GOBs in calendar years 2009 and 2010

- ◆ Under the BABs program, a district issues taxable bonds and receives a subsidy from the federal government equal to 35% of the interest cost
  - Subsidy can be received as a cash payment or tax credit
- ◆ Use of BABs is determined by the relationship between taxable and tax-exempt rates at the time of bond sale
  - Does a taxable rate less a 35% subsidy produce a lower cost of borrowing than a tax-exempt rate?
  - A combination of BABs and traditional tax-exempt bonds will likely be used
- ◆ BABs are counted against the District’s total Measure BB authorization
- ◆ Only current interest bonds are eligible for subsidy

## Consideration 2 – Financing Plan

---

Issue a combination of GOBs, BANs and BABs for a total \$80 million

- ◆ Issue \$60 million in bonds with a combination of GOBs and BABs
  - \$12 million of GOBs (current interest bonds only)
  - \$48 million of BABs (current interest bonds only)
- ◆ Concurrently with GOBs/BABs, issue \$20 million of BANs with a one-year maturity
- ◆ Prepayment provisions
  - GOBs would be subject to prepayment after ten years
  - BABs would be subject to prepayment after ten years
  - BANs would be paid off after one year from future GOBs proceeds

## Consideration 2 – Interest Rate Comparison <sup>(1)</sup>

In the current interest rate environment, the District would benefit from BABs in years 2021 to 2034

Date	Tax-Exempt Bonds		Build America Bonds		Difference
	Coupon	Yield to Maturity	Yield to Maturity	Tax-Exempt Equ. Yield	
8/1/2010	4.000%	1.000%	2.500%	1.625%	0.625%
8/1/2011	4.250%	1.500%	2.900%	1.885%	0.385%
8/1/2012	4.250%	1.900%	3.350%	2.178%	0.278%
8/1/2013	4.250%	2.200%	3.800%	2.470%	0.270%
8/1/2014	4.250%	2.500%	4.300%	2.795%	0.295%
8/1/2015	4.300%	2.700%	4.600%	2.990%	0.290%
8/1/2016	4.300%	2.900%	5.000%	3.250%	0.350%
8/1/2017	4.000%	3.150%	5.250%	3.413%	0.263%
8/1/2018	4.000%	3.350%	5.500%	3.575%	0.225%
8/1/2019	4.000%	3.530%	5.700%	3.705%	0.175%
8/1/2020	4.000%	3.722%	5.800%	3.770%	0.048%
8/1/2021	5.000%	3.871%	5.900%	3.835%	-0.036%
8/1/2022	5.000%	4.000%	6.000%	3.900%	-0.100%
8/1/2023	5.000%	4.120%	6.100%	3.965%	-0.155%
8/1/2024	5.000%	4.353%	6.200%	4.030%	-0.323%
8/1/2025	5.000%	4.538%	6.625%	4.306%	-0.232%
8/1/2026	5.000%	4.638%	6.625%	4.306%	-0.332%
8/1/2027	5.000%	4.710%	6.625%	4.306%	-0.404%
8/1/2028	5.000%	4.777%	6.625%	4.306%	-0.471%
8/1/2029	5.000%	4.833%	6.625%	4.306%	-0.527%
8/1/2030	5.000%	5.070%	6.625%	4.306%	-0.764%
8/1/2031	5.000%	5.070%	6.625%	4.306%	-0.764%
8/1/2032	5.000%	5.070%	6.625%	4.306%	-0.764%
8/1/2033	5.000%	5.070%	6.625%	4.306%	-0.764%
8/1/2034	5.000%	5.070%	6.625%	4.306%	-0.764%

(1) Interest rates as of May 22, 2009. Assumes 'AA' rating with 10-year par call.



## Consideration 2 – Est. GOBs/BABs Debt Service Schedule

Tax-Exempt Bonds						Build America Bonds					
Date	Principal	Coupon	Yield	Interest	Debt Service	Date	Principal	Coupon	Yield	Interest	Debt Service
8/1/2010	3,720,000	4.00%	1.00%	453,066	4,173,066	8/1/2010				2,907,047	2,907,047
8/1/2011	410,000	4.25%	1.50%	339,535	749,535	8/1/2011				3,133,344	3,133,344
8/1/2012	260,000	4.25%	1.90%	322,110	582,110	8/1/2012				3,133,344	3,133,344
8/1/2013	385,000	4.25%	2.20%	311,060	696,060	8/1/2013				3,133,344	3,133,344
8/1/2014	515,000	4.25%	2.50%	294,698	809,698	8/1/2014				3,133,344	3,133,344
8/1/2015	660,000	4.30%	2.70%	272,810	932,810	8/1/2015				3,133,344	3,133,344
8/1/2016	810,000	4.30%	2.90%	244,430	1,054,430	8/1/2016				3,133,344	3,133,344
8/1/2017	1,035,000	4.00%	3.15%	209,600	1,244,600	8/1/2017				3,133,344	3,133,344
8/1/2018	1,210,000	4.00%	3.35%	168,200	1,378,200	8/1/2018				3,133,344	3,133,344
8/1/2019	1,395,000	4.00%	3.53%	119,800	1,514,800	8/1/2019				3,133,344	3,133,344
8/1/2020	1,600,000	4.00%	3.70%	64,000	1,664,000	8/1/2020				3,133,344	3,133,344
8/1/2021						8/1/2021	1,720,000	5.900%	5.900%	3,133,344	4,853,344
8/1/2022						8/1/2022	1,960,000	6.000%	6.000%	3,031,864	4,991,864
8/1/2023						8/1/2023	2,195,000	6.100%	6.100%	2,914,264	5,109,264
8/1/2024						8/1/2024	2,450,000	6.200%	6.200%	2,780,369	5,230,369
8/1/2025						8/1/2025	2,720,000	6.625%	6.625%	2,628,469	5,348,469
8/1/2026						8/1/2026	3,020,000	6.625%	6.625%	2,448,269	5,468,269
8/1/2027						8/1/2027	3,345,000	6.625%	6.625%	2,248,194	5,593,194
8/1/2028						8/1/2028	3,685,000	6.625%	6.625%	2,026,588	5,711,588
8/1/2029						8/1/2029	4,055,000	6.625%	6.625%	1,782,456	5,837,456
8/1/2030						8/1/2030	4,445,000	6.625%	6.625%	1,513,813	5,958,813
8/1/2031						8/1/2031	4,865,000	6.625%	6.625%	1,219,331	6,084,331
8/1/2032						8/1/2032	5,310,000	6.625%	6.625%	897,025	6,207,025
8/1/2033						8/1/2033	7,920,000	6.625%	6.625%	545,238	8,465,238
8/1/2034						8/1/2034	310,000	6.625%	6.625%	20,538	330,538
Total	12,000,000			2,799,309	14,799,309	Total	48,000,000			61,430,243	109,430,243

# Debt Service Comparison

GOBs Only				GOBs & BABs								
2009 \$60MM Tax-Exempt GO Bond				2009 \$12MM Tax-Exempt GO Bond			2009 \$48MM Build America GO Bond				Savings Analysis	
Date	Principal	Interest	Debt Service	Principal	Interest	Debt Service	Principal	Interest	Federal Subsidy	Debt Service	Debt Service	PV @ 5%
8/1/2010	4,665,000	2,481,161	7,146,161	3,720,000	453,066	4,173,066	-	2,907,047	(1,017,466)	1,889,580	1,083,514	1,034,989
8/1/2011	355,000	2,581,005	2,936,005	410,000	339,535	749,535	-	3,133,344	(1,096,670)	2,036,673	149,797	136,193
8/1/2012	195,000	2,573,905	2,768,905	260,000	322,110	582,110	-	3,133,344	(1,096,670)	2,036,673	150,122	129,912
8/1/2013	310,000	2,570,005	2,880,005	385,000	311,060	696,060	-	3,133,344	(1,096,670)	2,036,673	147,272	121,305
8/1/2014	435,000	2,560,705	2,995,705	515,000	294,698	809,698	-	3,133,344	(1,096,670)	2,036,673	149,334	117,076
8/1/2015	570,000	2,547,655	3,117,655	660,000	272,810	932,810	-	3,133,344	(1,096,670)	2,036,673	148,172	110,567
8/1/2016	710,000	2,530,555	3,240,555	810,000	244,430	1,054,430	-	3,133,344	(1,096,670)	2,036,673	149,452	106,149
8/1/2017	920,000	2,507,125	3,427,125	1,035,000	209,600	1,244,600	-	3,133,344	(1,096,670)	2,036,673	145,852	98,600
8/1/2018	1,085,000	2,479,525	3,564,525	1,210,000	168,200	1,378,200	-	3,133,344	(1,096,670)	2,036,673	149,652	96,294
8/1/2019	1,255,000	2,446,975	3,701,975	1,395,000	119,800	1,514,800	-	3,133,344	(1,096,670)	2,036,673	150,502	92,175
8/1/2020	1,450,000	2,396,775	3,846,775	1,600,000	64,000	1,664,000	-	3,133,344	(1,096,670)	2,036,673	146,102	85,168
8/1/2021	1,660,000	2,338,775	3,998,775				1,720,000	3,133,344	(1,096,670)	3,756,673	242,102	134,330
8/1/2022	1,880,000	2,272,375	4,152,375				1,960,000	3,031,864	(1,061,152)	3,930,711	221,664	117,064
8/1/2023	2,120,000	2,197,175	4,317,175				2,195,000	2,914,264	(1,019,992)	4,089,271	227,904	114,560
8/1/2024	2,375,000	2,112,375	4,487,375				2,450,000	2,780,369	(973,129)	4,257,240	230,135	110,107
8/1/2025	2,660,000	2,000,750	4,660,750				2,720,000	2,628,469	(919,964)	4,428,505	232,245	105,763
8/1/2026	2,980,000	1,867,750	4,847,750				3,020,000	2,448,269	(856,894)	4,611,375	236,375	102,457
8/1/2027	3,320,000	1,718,750	5,038,750				3,345,000	2,248,194	(786,868)	4,806,326	232,424	95,889
8/1/2028	3,680,000	1,552,750	5,232,750				3,685,000	2,026,588	(709,306)	5,002,282	230,468	90,501
8/1/2029	4,075,000	1,368,750	5,443,750				4,055,000	1,782,456	(623,860)	5,213,597	230,153	86,022
8/1/2030	4,490,000	1,165,000	5,655,000				4,445,000	1,513,813	(529,834)	5,428,978	226,022	80,408
8/1/2031	4,940,000	940,500	5,880,500				4,865,000	1,219,331	(426,766)	5,657,565	222,935	75,488
8/1/2032	5,415,000	693,500	6,108,500				5,310,000	897,025	(313,959)	5,893,066	215,434	69,433
8/1/2033	8,065,000	422,750	8,487,750				7,920,000	545,238	(190,833)	8,274,404	213,346	65,447
8/1/2034	390,000	19,500	409,500				310,000	20,538	(7,188)	323,349	86,151	25,154
Total	60,000,000	48,346,091	108,346,091	12,000,000	2,799,309	14,799,309	48,000,000	61,430,243	(21,500,585)	87,929,658	5,617,124	3,401,052

# Next Steps

---

- ◆ Receive credit ratings on June 15
- ◆ Board to adopt resolution to issue BANs in an amount not to exceed \$30 million at June 25 meeting
  - \$30 million cap provides flexibility to increase the BANs issuance amount with a corresponding decrease in GOBs/BABs issuance amount
  - In no case will the aggregate issuance of GOBs, BABs, and BANs exceed \$80 million
- ◆ Receive assessed value information from Los Angeles County by June 30
- ◆ Finalize preliminary official statement by mid July
- ◆ Sell financings to investment community in late July
- ◆ Settlement – District receives funds by early August

## **RESOLUTION OF NECESSITY DECLARATION**

The proposed Edison Language Academy Project is the expansion and reconstruction of the Edison Language Academy. The Resolution of Necessity, if approved, would authorize the condemnation of two properties that abut the Edison Language Academy. Those properties are identified as 2508 and 2512 Virginia Avenue. 2508 Virginia Avenue is owned by Shinobu Maruyama. 2512 Virginia Avenue is owned by the Mary Hernandez Revocable Trust, c/o Mary Hernandez, the Trustee.

Pursuant to Code of Civil Procedure section 1240.030, the power of eminent domain may be exercised to acquire property for a proposed project only if all of the following are established:

The public interest and necessity require the Project (Code Civ. Proc. Section 1240.030(a)).  
The Project is planned or located in the manner that will be most compatible with the greatest public good and least private injury (Code Civ. Proc. Section 1240.030(b)).  
The property sought to be acquired is necessary for the Project (Code Civ. Proc. Section 1240.030(c)).

Prior to the hearing of the Resolution of Necessity, the district was required to notify each person whose property is to be acquired by eminent domain, and whose name and address appears in the last equalized county assessment roll, of his/her right to appear and be heard on the matters identified in Code of Civil Procedure section 1240.030. Notices were mailed on May 29, 2009, by first-class mail, to Shinobu Maruyama and Mary Hernandez, on behalf of Mary Hernandez Revocable Trust. Within fifteen days of mailing the notices, Shinobu Maruyama and counsel for the Mary Hernandez Revocable Trust, Jeffrey Horowitz, submitted written requests to appear and be heard, as required by Code of Civil Procedure section 1245.235. Ms. Maruyama and Ms. Hernandez, or Ms. Hernandez's attorney, will be given an opportunity to be heard on this issue tonight.

The board must consider the testimony of the property owners, as well as evidence presented to them by staff to determine if the requirements set forth in Code of Civil Procedure section 1240.030 are satisfied. If the board is inclined to make the necessary findings and adopt the Resolution of Necessity, a 2/3 vote of the board is required.

Staff and the district's counsel recommend adoption of the Resolution of Necessity.

# Santa Monica Malibu Unified School District

2009-10 Budget Adoption  
June 25, 2009

## 2009-10 SMMUSD Budget Development

- Unprecedented budgetary shortfalls at the State level (in excess of 22 million dollars) have created the need for significant local budget adjustments
- SMMUSD expects to lose in excess of 10% of State funding from 2008-09 through 2009-10
- Revenues were reduced by over \$560 per student in the May revision
- Board had regular budget discussions at Board meetings
- Board conducted 3 Budget Workshops since February with the Financial Oversight Committee to discuss strategies to balance the budget

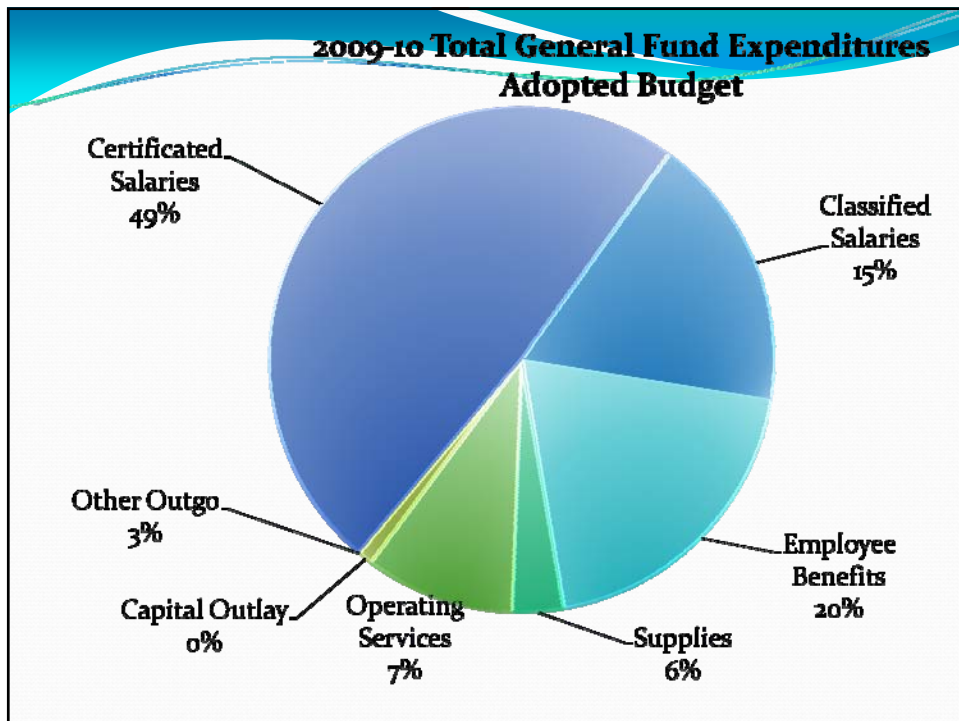
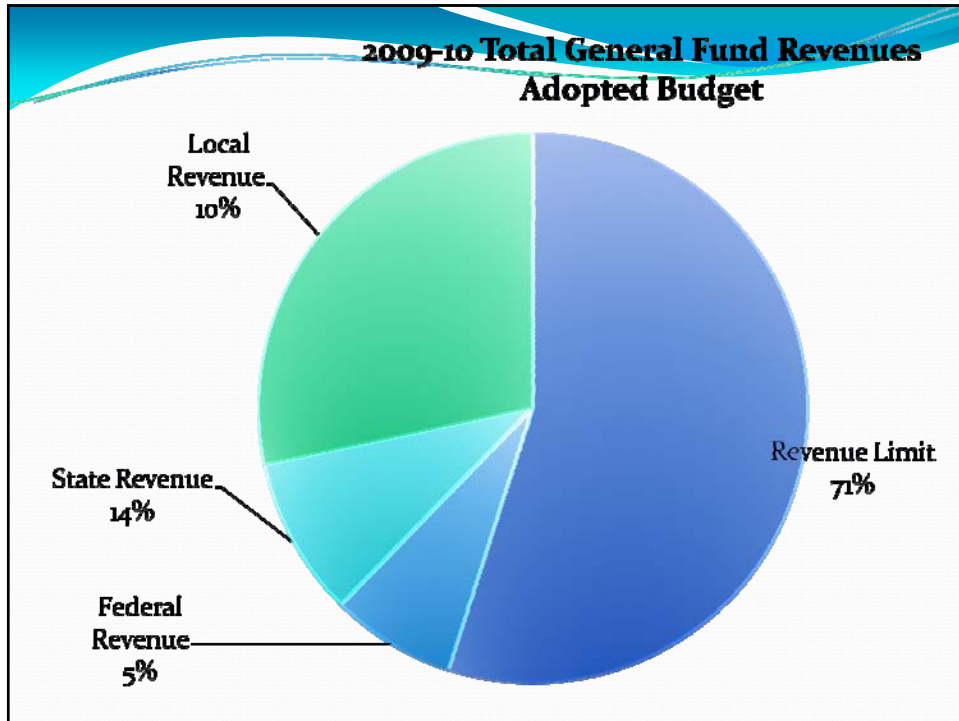


## 2009-10 SMMUSD Budget Development

- SMMUSD budget includes:
  - 2007-08 Year End Sweeps
  - Tier III Flexibility
  - Federal Stimulus Funds
  - Board Approved Reductions
    - Contracts 300,000
    - District Administration 250,000
    - SAMOHI Reorganization 480,000
    - Special Ed Realignment 700,000
    - Class Size/Staffing Ratio 1,906,788
    - Tier III 1,000,000

## 2009-10 SMMUSD Budget Development

- Loss of 24 teaching or certificated support positions – all through attrition – no layoffs
- Loss of 4.2 management positions – plus work year reductions
- Loss of 2 classified positions
- No transfer to Deferred Maintenance Funds or Retiree Benefit Funds
- Will spend 8.5 million dollars more than we receive
- Reduce the reserves of the District by 43.5%




## 2009-10 SMMUSD Budget Development

- Will need to make reductions in the range of 8 to 12 million dollars over the next three years
- Discussions with the FOC and Superintendent's Budget Advisory Committee have already begun– will be bringing recommendations to Board
- Will have to consider drastic changes affecting expenditures in areas such as:
  - Class Size/Staffing Ratios
  - Employee Salaries and Benefits
  - Programs
    - Counselors
    - Elementary PE
    - Music
    - Nursing
    - Reading Specialists
  - Support Services
    - Custodial/Grounds/Maintenance/Clerical
  - School Configurations – closures
- Revenue enhancements will also be considered

### MultiYear Projection Combined General Fund

	2009-10	2010-11	2011-12
Revenue before Changes	108,696,657.15	106,969,068.00	108,661,694.00
Increase(Decrease)	-	-	-
SACS Report Projection	108,696,657.15	106,969,068.00	108,661,694.00
Expenditures before Changes	117,275,804.00	119,912,461.20	121,915,478.87
Increase(Decrease)	-	(8,880,153.20)	(8,978,309.56)
SACS Report Projection	117,275,804.00	111,032,308.00	112,937,169.31
Net Increase(Decrease) of			
Fund Balance before Changes	(8,579,146.85)	(12,943,393.20)	(13,253,784.87)
Change	-	8,880,153.20	8,978,309.56
SACS Report Projection	(8,579,146.85)	(4,063,240.00)	(4,275,475.31)
Fund Balance before Change	12,802,074.79	(141,318.41)	(13,395,103.28)
Change	-	8,880,153.20	17,858,462.76
SACS Report Projection	12,802,074.79	8,738,834.79	4,463,359.48





## Reductions Included as Part of the MultiYear Budget Projection

2010-11	<p><b>\$ 8,880,153.20</b></p> <p>Equivalent of 60 - 65 teaching/administrative positions and 40 - 45 classified positions</p> <p>About 1 staff position for every 100 students or for example – at a school of 500 students – 5 positions</p>
2011-12	<p><b>\$ 8,978,309.56</b></p> <p>An additional 2-3 teaching, administrative or classified positions</p>

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
Educational Services

**District Staff Response to the Recommendations of  
The Students of Color Task Force**

**Introduction/ Background** – After the Students of Color Task Force presented its report to the Board of Education, a group of district staff developed responses to, and action plans for the recommendations found in the report. Participating in the group were, Kim Nao, Maureen Bradford, Aida Diaz, Rosa Serratore, Cindy Kratzer, and Peggy Harris. Dr. Sylvia Rousseau served as a resource to the group and contributed greatly to the foundational thinking of the responses.

Following you will find staff's responses to the Task Force Report recommendations that were developed as the result of this process. For your convenience, the responses are presented in two formats, narrative and schematically. The narrative portion of the responses is structured so that the Recommendation and the accompanying explanation found in the Task Force Report are excerpted in their entirety. Staff's response to each recommendation follows each excerpted item. It is provided to you in this format to provide a context for the response. Please note that Recommendations #1 and #3 are treated as a single recommendation because of their interconnectedness, and overlap of content, focus, and responses required.

The schematic portion of this document, lists for each recommendation: 1) the actions to be taken, 2) a proposed implementation timetable, 3) key strategies to accomplish the actions, and 4) the lead contact person responsible for implementation.

Staff supports the position that the features of effective programs geared towards supporting a college going culture, identified by Gandara and Bial, should be at the core of the work of this initiative. Not only were these elements present in the programs analyzed by the two researchers, they are also consistent with the characteristics of other recognized effective programs such as Advancement Via Individual Determination (AVID) and the Meyerhoff Project. These features appear to be so vital to successful efforts to enhance the achievement of students of color, that staff believes they form fundamental tenets around which this work must develop. Therefore they have been utilized throughout the proposed actions to be taken, and referenced frequently in this document as "tenets." The features include:

- 1) Students enjoy personalization and caring relationships with teachers;
- 2) Students are viewed from an asset-based perspective;
- 3) School is a place where all students can "be somebody;"
- 4) Relevance of curriculum and instructional practice(s) is a source of connection for all students;
- 5) There is support for all students to have their psycho-social needs met;
- 6) The connection between culture and cognition is understood;

- 7) School is viewed as a place of community;
- 8) Staff is cognizant of the formation of students' self images, and the role that they play in that formation;
- 9) The development of students' identities, particularly a college going identity, is addressed;
- 10) There is true meaningful partnering with parents;
- 11) The school maintains an intellectual climate in which ideas are connected to diversity and equity;
- 12) Instruction is rigorous, engages a broad range of students, and supports achievement;
- 13) Students are explicitly taught how to navigate school.

Staff looks forward to supporting the work set forth in this initiative.

### **Recommendation #1**

*“Take a thematic and focused approach to utilizing current teacher professional development programs and teacher assessment strategies to ensure that teachers enhance their ability to meet the needs of all students in their classrooms.*

Much work is currently being done to provide teachers both with the philosophy of educating all students effectively, as well as the tools necessary to achieve this goal. Teachers are also held accountable and are given incentives to develop and grow as professionals. National Board Certification service hours, BTSA training, learning walks, and Lesson Link provide the means for teachers to create engaging curricula, reflect on day-to-day practice, and enhance teaching strategies that reach students in rich and meaningful ways. These approaches are also supported by incentives for teacher participation such as professional development credit, pay increases or supplements, etc. But such approaches are often disjointed, unrelated, and impact small groups of teachers at a time, and seldom targeted at specifically addressing the needs of students of color. Further, these programs often only provide a “one shot deal” ending once the teachers have met the requirements for successful completion of the program. These approaches to developing teacher proficiency, or ones like them, should be aligned with the principles stated above and focused thematically on creating and implementing ongoing strategies and pedagogical practices tied to ensuring a nurturing learning environment that creates the conditions for a college going culture in students of color. It is imperative that the district supports the current programs that enhance teacher learning and provide opportunities for teachers to develop, implement, and reflect on meaningful pedagogical practices; but it is equally important that we take what is best in each of these programs and focus these elements on student achievement for diverse groups.”

### **Recommendation #3**

*“As educators, we should revisit, enforce, and prioritize the State Standards for the Teaching Profession since these standards are aligned with the principles stated above.*

The state of California has created and disseminated standards for the teaching profession. The standards were developed specifically to address the diversity of the state’s student population and that of the teaching profession. The language in the standards is very specific with regard to the state’s position on teaching in a diverse environment. “There is a critical need for teachers who are responsive to the diverse cultural, linguistic, and socioeconomic backgrounds of all students. The California Standards for the Teaching Profession support the creation of inclusive classrooms in which diverse students of varying abilities are engaged and challenged as learners” (CSTP Report, p. 1). One such standard is that all teachers must “engage and support all students in learning.” To this end, the district should develop and implement a comprehensive professional development plan for teachers and administrators that includes training in professional learning communities, culturally responsive practices and teaching students to succeed in a diverse and global society. Teachers should be trained in instructional practices that connect to a wider range of students. The district

should also train staff to analyze multiple sources of data and track specific students' progress overtime so that they may develop specific curricular interventions for students who are not meeting academic and/or social goals."

#### **STAFF RESPONSE:**

**Staff agrees that the most effective way to enhance teachers' abilities to meet the needs of a broader range of students is to embed professional development related to this goal in existing programs and initiatives. Staff has identified the following actions to be taken in the district to implement these recommendations:**

- 1) Utilize the tenets/ features of this initiative as a screen for all practices with all stakeholders in the district.**
- 2) Audit structures currently utilized for delivering Professional Development in the district to determine how to enhance their work through this initiative.**
- 3) Principals and administrators responsible for PD share audit findings with staffs.**
- 4) Principals and administrators responsible for PD align the use of structures to support the tenets of this initiative. Site administrators also utilize this process with their staffs to realign the use of both professional development structures and services within the school day to enhance the achievement of students of Latino and African-American students.**
- 5) Administrators use the staff evaluation process as a vehicle for both professional development in and accountability for implementation of the features of this work.**
- 6) District staff will provide information to sites related to specific best practices that are effective in supporting the mastery of a rigorous curriculum by a wider range of students. Included in these practices will be research on the need for, and impact of relationship building with students of color.**

#### **Recommendation #2**

*"Teachers should receive incentives and rewards for innovative and effective work that adheres to the principles stated above.*

There are currently teachers in the district who ascribe to the principles stated above, and should be rewarded for the work that they do to advance them. Others would be encouraged to support the principles if the district provided incentives for work that consciously attempts to meet the stated goals of the Task Force principles. The district could support such work by offering grants and other funding that explicitly set requirements that adhere to the principles. Equity funds, Education Foundation grants, PTSA grants all currently lay down specific uses for the money gifted to teachers and programs that are awarded. The district could align monies with the principles to demonstrate its support of programs that show a clear commitment to educating all students and most directly students who currently are not meeting our stated goals of college readiness and high achievement."

**STAFF RESPONSE:**

Staff agrees that providing teachers with incentives to incorporate the research-based features outlined in the Task Force Report is potentially a useful tool in the implementation process. They have identified the following actions to be taken in the district to realize this recommendation:

- 1) Develop a plan for recognizing innovative and exemplary practices and programs. The Plan could include strategies such as, but not limited to, press releases, website information, award recognition for innovation and effectiveness, and public acknowledgement at Board Meetings.
- 2) Recognize exemplary practices and programs on an on-going basis.

**Recommendation #4**

*At the district level, there should be a diversity ombudsperson with a diversity team that assesses and evaluates diversity initiatives across sites and develops and enforces a means of evaluating district staff on their level of implementation of the stated principles.*

The district should create a rubric that accounts for the performance of district staff to show a demonstrated commitment to and implementation of the goal of creating the optimal conditions for the achievement of students of color. The diversity team should ensure that the pedagogical practices and policy practices of teachers, administrative staff, and the district superintendent meet the needs of a wide range of students by creating an accountability system that monitors the implementation of programs and strategies as well as interactions with students, families, and colleagues. Aside from holding stakeholders accountable the diversity ombudsperson and team should examine and modify curricula so that it reflects people of color in powerful prestigious ways and is culturally responsive to the student population.

**STAFF RESPONSE:**

Staff considers this recommendation to be key to the success of this initiative because they recognize the need for a single expert person to support and coordinate the implementation of tasks. While it is true that efforts that will take place as the result of the Task Force's recommendations is to be owned and furthered by everyone who works on behalf on children in the district, there must be nevertheless, someone who takes the lead in making certain that all aspects of the initiative are being addressed. Staff has identified the following action steps for this recommendation:

- 1) Identify funding for the position
- 2) Develop job description
- 3) Post position (First internally)
- 4) Hire
- 5) Should additional funding not be available for this position, the Board may wish to consider identifying an existing staff person who has expertise in this area, and redefining his/her role so that he/she may serve in this critical capacity.

### **Recommendation #5**

*Students should be assessed on their ability to meet the rigors of state standards, but beyond that they should be assessed on their ability to meet the demands of thriving in a community that values diversity. They should be able to apply these lessons to their every day lives.*

Students should experience curricula that are culturally responsive, life affirming, and empowering and should be assessed on measures that go beyond CST scores, high GPAs, and performance on AP exams. The demands advocated by this task force extend to the real world day-to-day contingencies of living and thriving in a diverse, global society. The district should assess for student competencies that are aligned with the stated goals. These assessments need not take the traditional model of standardized tests, but could instead take the form of cumulative projects and portfolios that showcase the desired competencies. Teachers should ensure that class assignments and homework have a clear purpose and that students are rewarded for effort and for non-traditional demonstrations of intelligence. Assessment of student competencies could have the added purpose of placing a higher value on the skills that students bring to the classroom—skills that are traditionally devalued or seen as deficits. The ability to converse, read, and write in a language other than English is an asset upon which teachers can draw to enhance classroom curriculum rather than viewing bilingual students as possessing obstacles to learning in standard academic English. The value placed on cultural competencies such as bilingualism results in several positive outcomes aside from competency in two languages. As reported on the California state description of Two Way Bilingual Programs, Lindholm-Leary (2000) found that students who experience Immersion Programs whose goal it is to provide bilingual instruction while emphasizing multicultural competency also demonstrate “high levels of self-esteem, high academic competence and motivation, and positive multicultural competencies.”<sup>1</sup>

### **STAFF RESPONSE:**

**Staff believes that creating a learning community in which the valuing of diversity is not only a belief, but rather a way of life, that requires intentional purposeful actions. Among these actions is developing in our students cultural competencies that are life long skills. To support this recommendation staff has identified the following action steps:**

- 1) Establish criteria and mechanisms/ processes through which students demonstrate their achievement in this area. Because staff and the Task Force understand the value of building upon existing structures, staff suggests that the district incorporate this work into current practices such as the middle school student interview work at John Adams and Lincoln. Additional strategies to consider at the high school level might be portfolios, or senior projects.**

---

<sup>1</sup> <http://www.cde.ca.gov/sp/el/ip/twowyimmersion.asp>

- 2) Implement the criteria/ process with students with a focus on evaluating their ability to define and communicate their identities as individuals, scholars, and members of the broader community.**

#### **Recommendation #6**

*Review the district and site level discipline practices and analyze patterns of referrals, suspensions, and expulsions to ensure that discipline creates meaningful and sustained intervention rather than practices that are merely punitive and dismissive.*

Creating the conditions for high achievement goes beyond content curriculum and teacher accountability. Students and families must perceive district discipline practices as fair, equitable and effective. The district should review discipline practices to determine which students are most often referred and by whom, the nature of offenses for which students are referred, and the consequences meted out once students are referred. Teachers and administrators should understand how to use referrals and other disciplinary actions as a means of maintaining, to the extent possible, a positive relationship with and between students and families. If specific students are pinpointed as having frequent discipline and/or academic issues then sites should provide comprehensive, effective, early intervention including wrap-around services for target families as well as the necessary academic support. If teachers or administrators are pinpointed as issuing excessive referrals or suspensions, then it is necessary to assess the reasons for such excesses and to provide support and training that assures the appropriate use of discipline measures.”

#### **STAFF RESPONSE:**

**Staff has identified the following action steps to be taken to address this recommendation:**

- 1) District staff works annually with sites to audit and analyze disciplinary patterns. The analysis will determine which students are most often referred and by whom, the nature of offenses for which students are referred, and the consequences imposed once students are referred.**
- 2) Analyze and determine to what extent actions taken with students is “meaningful and sustained intervention,” and identify strategies for improvement as needed.**
- 3) Build in comprehensive supports for struggling students.**

#### **Recommendation #7**

*The district should show a concerted effort to hire, retain, support, and mentor teachers and administrators of color.*

Hiring within the SMMUSD school district does not currently reflect the diversity of its student population. For the 2007-2008 school year, 70.7% of California’s teachers were white, 4.4% were African American, 16.1% were Latino, and 5.1% were Asian or Pacific Islander. The district’s demographics for its 595 teachers were similar to this profile with



72.4% white, 3.9 African American, 15.3% Latino, and 4.5 Asian or Pacific Islander. Yet in that same year, the student enrollment for whites in the district was 56.35%, 7.06% African Americans, 26.9% Latino, and 6.27% for Asians/Pacific Islander. The district only listed 4 African Americans and 14 Latinos as holding administrative positions in the district.<sup>2</sup> When one considers that these teachers and administrators are spread throughout a district whose student enrollment is just fewer than 12,000 students, the numbers tell an interesting story. For example, at Santa Monica High School, which serves over 3000 students, there are only 8 African American teachers. Eight of the district's elementary schools reported that they had no African American teachers. It is possible for a student to go through his or her entire academic career without encountering a teacher or administrator of color. This is a detriment not only to students of color who should see themselves reflected in leadership positions throughout the district and encounter teachers who understand and relate to their experiences as people of color, but these discrepancies in representation also send powerful messages to all students about who holds expertise and who does not, and who holds power and prestige and who does not. The district should exert special energy and attention to aggressively seeking out teaching and administrative candidates of color for positions in which they are currently underrepresented. These teachers and administrators should be given practical and consistent mentoring and support as necessary to keep them in the positions to which they are appointed. They should be trained where weaknesses emerge, and their assets should be utilized to the fullest. This should take place not as favor to individual teachers and staff, but as a commitment to the students of the district to provide role models and skilled and highly educated professionals who contribute to the creation of an environment where all students can imagine possibilities for themselves as adults.

#### **STAFF RESPONSE:**

**Staff has identified the following action steps in response to this recommendation:**

- 1) Identify best practices in recruiting and retaining target staff.**
- 2) Expand recruitment.**
- 3) Develop interview questions anchored in the tenets of this initiative.**
- 4) Equip new and existing staff with strategies to understand and effectively address district "codes of power." There should be both formal and informal opportunities for mentoring staff in this area. Much of this work can be done through the district's Teacher Academy, BTSA, Administrative Retreat, and coaching sessions.**
- 5) Deliver administrative professional development on how to support teachers and administrators of color early on, and increase their awareness of barriers to success.**
- 6) Conduct exit interviews of non-returning staff to inform and refine our practices in the area of hiring and support**

---

<sup>2</sup> The statistics are from the California Department of Education. The state lists Asians, Pacific Islanders, and Filipinos separately but those categories were condensed for this report. Native Americans were not included as their numbers were not statistically significant.

**Recommendation #8**

*The district should take a viral approach to implementing programs and initiatives that adhere to the task force recommendations.*

The most wide-ranging means of implementing these recommendations is through taking what we refer to as a “viral approach” to the process of creating effective change in district practices. By this we mean that the principles should be enforced throughout the district at all sites and at all levels. All stakeholders, from the superintendent to teachers and administrators and students and families should be aware of the principles and the district’s commitment to them. These principles should shape district policy and even beyond the district to interactions with community partners and city officials. A viral approach infuses the district with the goals of providing a high achieving, college going culture for *all* students and intervening where those conditions are not met.

**STAFF RESPONSE:**

**The notion that the work of this initiative should be embedded in everything that is done in SMMUSD, offers the most promising possibility of true systemic change for students of color. Therefore, to promote implementation of this recommendation, staff has identified the following actions steps:**

- 1) Develop evaluation components to measure and monitor the alignment of programs with the tenets of this initiative. A model for this process could be the Description of Practice, (DOP) of the California Standards for the Teaching Profession.**
- 2) The entire administrative team clearly communicates to, and monitors with staff the expectation that all programs will use and respond to this equity evaluative component.**
- 3) Schools and departments utilize information acquired through this process to inform practice.**
- 4) District staff creates strategies to “brand” the initiative, to support its becoming an identifiable viable component of our work in SMMUSD.**

**Recommendation #9**

*The district should hire an Equity and Access Coordinator for Santa Monica High School to support that site’s work in closing the achievement gap.*

Santa Monica High School has the largest numbers of students of color of any of our schools, and as a high school, student performance is directly tied to college admission. Although it is true that the road to college begins much earlier than high school, there is much that could and should be done at the high school level to increase students’ access to college. The Equity and Access Coordinator position would be responsible for keeping students and staff engaged in this very important effort.

**STAFF RESPONSE:**

Staff has identified the following actions to be taken to support this recommendation:

- 1) Create the job description for the position.

- 2) Develop interview questions that are anchored in the tenets of the initiative.
- 3) Hire coordinator.
- 4) Refine the roles and responsibilities of the Student Outreach Specialists and align them with the tenets. The Outreach Specialists could be important support for equity and access at Santa Monica High.

Santa Monica-Malibu Unified School District  
Educational Services Department

**Overview of District Staff Response to the Recommendations of  
The Students of Color Task Force**

RECOMMENDATION	ACTION TO BE TAKEN (WHAT)	IMPLEMENTATION TIMETABLE (WHEN)	KEY STRATEGIES (HOW)	LEAD CONTACT (WHO)
#1 Utilize current teacher professional development programs to ensure that teachers enhance their ability to meet the needs of all students.	<ul style="list-style-type: none"> <li>Audit current PD structures, and investigate if and how to enhance their work through this initiative</li> <li>Principals share audit findings with staff</li> <li>Realign the use of structures within the school day to support students: honors/AP; D/F</li> </ul>	<ul style="list-style-type: none"> <li>Year 1 During: <ul style="list-style-type: none"> <li>IPC meetings</li> <li>Admin. Retreat</li> <li>Site bank time for the volunteer groups</li> </ul> </li> <li>End of Year 1</li> <li>Year 2:</li> </ul>	<p>Utilize the list of tenets/ features of this initiative that the district holds up as a screen for all practices with all stakeholders</p> <p>Administrators use evaluation system—PD for admin for assessing teachers’ accountability</p>	<p>IPC: teacher leaders, dept chairs, house principals</p> <p>Grade level coordinators</p> <p>BTSA/Teacher Academy</p> <p>Volunteer groups of teachers to create buy-in/”buzz” (be invested) and a critical mass</p>
#3 Use the State Standards for the Teaching Profession to reinforce this work	<p>Promote teacher practices that are effective in supporting mastery of a rigorous curriculum by a wide range of students</p> <p>Offer opportunities to build buy-in, at middle and high school levels first</p> <p>Pilot monthly “book/inquiry groups” anchored in classroom practice (13 features) and teacher led with expectation of share out to rest of staff product= practices that can be incorporated in the school/district as a whole</p> <p>Address relationship building with students of color.</p>	<ul style="list-style-type: none"> <li>Year 1: <ul style="list-style-type: none"> <li>--Semester 1 audit, facilitator training, and collecting resources = setting the stage for semester 2</li> <li>--Semester 2</li> </ul> </li> <li>Semester 2</li> </ul>	<p>Ombudsman/ facilitator accumulates research/articles/ ideas</p> <p>Use of lesson study-co-constructing lessons/student work</p> <p>Use of learning walks to look for evidence</p>	<p>Working groups with a facilitator whose mission is anchored to the 13 features (Gandara and Bial)</p> <p>Critical friend to assist teachers in looking at various perspectives and to push thinking</p> <p>Ombudsperson/ Facilitators TBD</p>
#2 Teachers should receive	• Develop plan for recognizing	• Beginning of Year 2	Press releases	Ombudsman, district, and

RECOMMENDATION	ACTION TO BE TAKEN (WHAT)	IMPLEMENTATION TIMETABLE (WHEN)	KEY STRATEGIES (HOW)	LEAD CONTACT (WHO)
<i>incentives and rewards for innovative and effective work that adhere to the initiative's principles.</i>	innovative and exemplary practices and programs.  <ul style="list-style-type: none"> <li>• Recognize exemplary practices and programs</li> </ul>	<ul style="list-style-type: none"> <li>• End of Year 2 and ongoing</li> </ul>	Website info  Award recognition for innovation  Public acknowledgement at Board Meetings  Intentionally seek out “quality”	site administrators
<i>#4 Hire a district level diversity ombudsman to coordinate and support diversity initiatives.</i>	<ul style="list-style-type: none"> <li>• Identify funding for the position</li> <li>• Develop job description</li> <li>• Post position (first internally)</li> <li>• Hire Ombudsperson</li> </ul>	<ul style="list-style-type: none"> <li>• by mid July</li> <li>• by mid July</li> <li>• by mid July</li> <li>• by end of August at the latest</li> </ul>	Choose credible, respected person with intellectual heft and expertise; Consider internal candidates first.	Peggy Harris/HR
<i>#5 Students should be accountable for meeting academic standards, but also for mastering skills needed to thrive in a diverse community.</i>	<ul style="list-style-type: none"> <li>• Establish criteria and mechanisms/processes through which students demonstrate their achievement in this area.</li> <li>• Implement with students</li> </ul>	<ul style="list-style-type: none"> <li>• Year 2</li> <li>• Year 3 implementation</li> </ul>	Build onto existing structures such as: - LMS/JAMS type plan: 6 <sup>th</sup> grade What is a good student? 7 <sup>th</sup> grade What is a worthwhile life? 8 <sup>th</sup> grade What is a good citizen of the community?  Additional possibilities: - Portfolios - Senior projects - Extending themes addressed in Freshmen Seminar to 10 <sup>th</sup> and 11 <sup>th</sup> grade curriculum	Working groups  Implementation overseen at sites with support from ombudsman
<i>#6 Review district and site</i>	<ul style="list-style-type: none"> <li>• Analyze patterns of student</li> </ul>	<ul style="list-style-type: none"> <li>• Year 1 admin retreat and</li> </ul>	Audit existing and analyze	Laurel Schmidt's office

<b>RECOMMENDATION</b>	<b>ACTION TO BE TAKEN (WHAT)</b>	<b>IMPLEMENTATION TIMETABLE (WHEN)</b>	<b>KEY STRATEGIES (HOW)</b>	<b>LEAD CONTACT (WHO)</b>
<i>level discipline practices and analyze patterns to ensure that discipline creates meaningful sustained intervention.</i>	referrals, focusing which students, by whom, and consequences imposed <ul style="list-style-type: none"> <li>Analyze to what extent referrals/suspensions are “meaningful and sustained intervention,” and identify strategies for improvement as needed.</li> <li>Implement identified strategies</li> <li>Build in comprehensive supports for struggling students</li> </ul>	ongoing	pattern	with Site data reporters
#7 The District should show a concerted effort to hire, retain, support, and mentor teachers and administrators of color.	<ul style="list-style-type: none"> <li>Identify best practices in recruiting and retaining target staff</li> <li>Expand recruitment</li> <li>Develop interview questions anchored in the tenets from the 13 features</li> <li>Equip new and existing staff with strategies to understand, and effectively address district “codes of power”</li> <li>Deliver admin PD on how best to support teachers and admin of color early on and increase their awareness of barriers to success</li> </ul>	<p>Year 1</p> <p>• Year 2</p> <p>• Year 2-3 and ongoing</p>	<p>Tenets = part of interviewing process</p> <p>Exit interviews of non-returning staff to inform</p> <p>HR works in conjunction with ombudsperson</p> <p>Use teacher academy, BTSA, and staff PD/admin retreat and coaching sessions</p> <p>Buddy system</p>	<p>Ombudsperson</p> <p>HR/ Administrators/ Principals</p> <p>District staff with support of consultants</p> <p>District staff with support of consultants</p>
#8 Take a viral approach to	• Develop evaluation components to	• Year 1	Use tenets/statements as part of	Ombudsperson working

RECOMMENDATION	ACTION TO BE TAKEN (WHAT)	IMPLEMENTATION TIMETABLE (WHEN)	KEY STRATEGIES (HOW)	LEAD CONTACT (WHO)
<i>implementing programs and initiatives that adhere to the recommendations.</i>	measure and monitor the alignment with of programs and practices with the initiative's tenets (a la CSTP DOPs)		evaluation, PD, hiring  Evaluation components used with all program evaluation <ol style="list-style-type: none"> <li>1. Reflections done at sites with a summary and next steps</li> <li>2. Synthesis of the data done at district level to note trends/profiles</li> <li>3. Future district emphasis for support based on synthesis (e.g. PD, resources, systems)</li> </ol>	with LACOE coordinator for Equity and Access
	• Share expectations for applying the equity eval. component	• Year 2		District Administrators
	• Schools/departments utilize information acquired through this process to inform practice	• Year 3	Develop logo/mantra to be used as a tool to institutionalize the initiative	District Administrators
	• Branding of the initiative	• Year 1		Ed Services
#9 Hire an Equity and	• Create job description for Equity	• Year 1	Use targeted interview questions	HR/ Working with Ed

RECOMMENDATION	ACTION TO BE TAKEN ( <i>WHAT</i> )	IMPLEMENTATION TIMETABLE ( <i>WHEN</i> )	KEY STRATEGIES ( <i>HOW</i> )	LEAD CONTACT ( <i>WHO</i> )
<i>Access Coordinator for Santa Monica High School.</i>	<p>and Access Coordinator.</p> <ul style="list-style-type: none"> <li>• Develop interview questions that are anchored to the tenets.</li> <li>• Hire coordinator</li> <li>• Refine roles and responsibilities of Outreach Specialists and align them with the tenets</li> </ul>	<ul style="list-style-type: none"> <li>• Year 1</li> <li>• Year 2</li> <li>• Year 1</li> </ul>	when hiring staff (such as the ones used for the Equity and Access Coordinator)	<p>Services</p> <p>District and site administrators</p>



## Santa Monica-Malibu Unified School District



Staff Response to the Recommendations of the  
Students of Color Task Force  
June 25, 2009

### Overview

---

- The Responses are built on the belief that this work must be:
  - Embedded in all that we do- It can't be an "add-on;"
  - Infused into existing structures and services - It can't be "something new."
- The features of effective programs identified in the Task Force Report are referred to, and used as core tenets in staff's responses. They are the foundation for the actions and changes in practice that will take place through this initiative.

## The Tenets Include:

---

- ▣ Students experience personalization and caring relationships with teachers/ adults; (From homeless to Harvard)
- ▣ Students are viewed from an asset-based perspective;
- ▣ School is a place where all students can "be somebody;"
- ▣ Relevance of curriculum and instructional practice is a source of connection for all students;

## Tenets Continued

---

- ▣ There is support for the psycho-social needs of students;
- ▣ The connection between culture and cognition is understood;
- ▣ School is viewed as a place of community;
- ▣ Staff is cognizant of the formation of of students' self images, and the role that they play in the formation of it. (Obama or Osama)

## Tenets Continued

---

- ▣ The development of students' identities, particularly a college going identity is addressed;
- ▣ There is true meaningful partnering with parents;
- ▣ The school maintains an intellectual climate in which ideas are connected to diversity and equity;
- ▣ Instruction is rigorous, engages a broad range of students, and supports achievement. (Rigor without support often leads to failure)
- ▣ Students are explicitly taught how to navigate school.

## What are some examples of concrete changes that could/should emerge from anchoring practices in the tenets?

---

- ▣ More targeted duties for advisers and outreach specialists. In alignment with the goal of the initiative they would:
  - Meet frequently and regularly with the students of color they have been assigned to "check-in" on progress;
  - Meet with the students and their teachers to discuss progress and how it could be enhanced;
  - Monitor via Pinnacle how their assigned students are doing bi-weekly. Immediately put into place supports such as tutoring, conferences with students and teachers, working with teachers, etc. when there is a need.

**What are some examples of concrete changes that could/should emerge from anchoring practices in the tenets?**

---

- ❑ Specific systems for timely support and intervention are in place and utilized. Students are not allowed to get so far behind in a class that they can't pass the class.
- ❑ School staff continuously review class enrollment patterns of students, and implement strategies to outreach to, and support underrepresented students in classes and programs that enhance their college going future.

**What are some examples of concrete changes that could/should emerge from anchoring practices in the tenets?**

---

- ❑ Professional development, including summer school, administrative retreats, the Teacher Academy address issues of equity and achievement of students of color.
- ❑ As part of the evaluation process, administrators engage the educators that they are evaluating in conversations about the achievement of the students of color in their charge, strategies used with them, and implementation of the tenets.

## Getting Started...

---

- ▣ The work has already begun!
  - Summer School Inservice
  - Connect For Success Program
  - Conversations with AVID Coordinators

## What's Needed Immediately?

---

- ▣ Branding the Initiative
- ▣ A Designated Leader

## The Task Force asked...

---

*If not here where? If not now when?*

Staff couldn't agree more!

## Notes

---

---

---

---

---

---

---

---

---

---