

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

June 3, 2010

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Thursday, June 3, 2010**, in the **District Administrative Offices**: 1651 16th Street, Santa Monica, CA. The Board of Education will call the meeting to order at 4:00 p.m. in the Board Conference Room at the District Offices, at which time the Board of Education will move to Closed Session regarding the items listed below. The public meeting will reconvene at 5:30 p.m. in the Board Room.

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

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

Time Certain Items: Those items listed for a specified time (marked in the margin) are so noted to give the public an indication of when the Board will hear that item. However, if it is prudent to do so, the Board may adjust the time stamp to complete an item currently on the floor, but will not delay the time stamped item for more than 15 minutes.

I. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

II. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

III. CLOSED SESSION (90)

- 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. (20)
- 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. (20)
- Closed session with legal counsel concerning anticipated litigation pursuant to GC §54956.9 as cited in the Brown Act (1 case). (10)
- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC§54957, as cited in the Brown Act (House Principal, Assistant Principal, Assistant Superintendent for H.R.) (30)
- Closed Session, Superintendent's performance evaluation pursuant to GC §54954.5 as cited in the Brown Act. (0)

IV. BOARD OF EDUCATION – COMMENDATIONS / RECOGNITIONS (65)

- Recognition of Retirees (30)
- Measure A Campaign Committee and SMMUSD PTA (15)
- Recognition of the Contribution of PS Arts to SMMUSD's Fine Arts (10)
- Outgoing Student Board Members – Pyoung Kim (Samohi), Roya Sahafi (Malibu HS), and Emily Yeskel (Olympic HS) (10)

V. APPROVAL OF THE AGENDA

If you will require accommodation to participate in the Board meeting, please notify the Superintendent's Office at least one day prior to the meeting.

Board of Education Meeting AGENDA: June 3, 2010

VI. APPROVAL OF MINUTES

VII. CONSENT CALENDAR (5)

As agreed by the President, Vice President, and Superintendent during agenda planning, consent agenda items are considered routine, require no discussion, and are normally approved all at once by the Board of Education. However, members of the Board of Education, staff, or the public may request an item be moved from the consent agenda to Section XI (Major Items) for clarification and/or discussion.

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A.10 Award of Bid #10.14.BB-03-112630 Green Fringe & 03-113013 Relocatables – John Adams Middle School – Replacement of Classroom Buildings E, F, & G, New Administration, Modernization and Site Improvements Project – Site Improvements at Perimeter of Athletic Fields (Green Fringe) (Package 1) (03-112630) & Relocatables (Package 2A) (03-113013) – R&H Industries DBA Best Electric – Measure BB..... 18-19
A.11 Award of Bid #10.16.BB-03-112845 – Grant Elementary School Main Entry Reconfiguration Project – ALFA 26 Construction Company – Measure BB 20
A.12 Award of Bid #10.15.BB-03-112987 – Lincoln Middle School – Replacement of Classroom Building C, Modernization and Site Improvements Project – Relocatables (Package 1A) Project – Y & M Construction, Inc. – Measure BB 21-22
A.13 Award of Bid #10.17.BB-03-112998 – Will Rogers Learning Community New Entry Gate and Main Office Reconfiguration Project – Lowest Responsive Bidder – Measure BB 23
A.14 Award of Contract for Inspection Services – Grant Elementary School Main Entry Reconfiguration Project – The IOR Group, Inc. – Measure BB 24
A.15 Award of Contract for Inspection Services – Will Rogers Learning Community Entry and Main Office Reconfiguration Project – BPI Inspection Services – Measure BB 25
A.16 Contract Amendment #1 for Inspection Services – Modular Classroom Buildings – Will Rogers Learning Community & Edison Language Academy Project – BPI Inspection Service – Measure BB 26
A.17 Contract Amendment #1 for Inspection Services – Lincoln Middle School – Replacement of Classroom Building C, Modernization and Site Improvements – Relocatables (Package 1A) – The IOR Group – Measure BB 27
A.18 Contract Amendment #14 for Additional Geotechnical Investigation & Report Services – Grant Elementary School – Main Entry Reconfiguration Project – Leighton Consulting, Inc. – Measure BB 28

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VIII. PUBLIC COMMENTS

Public Comments is the time when members of the audience may address the Board of Education on items not scheduled on the meeting's agenda. All speakers are limited to three (3) minutes. When there is 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 twenty (20) minutes. If the number of persons wishing to address the Board of Education exceeds the time limit, additional time will be provided in **Section XVI. CONTINUATION OF PUBLIC COMMENTS.**

IX. COMMUNICATIONS (30)

The Communications section provides an opportunity for the Board of Education to hear reports from the individuals or committee representatives 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 (15)**
 - Pyoung Kim – Santa Monica High School
 - Roya Sahafi – Malibu High School
 - Emily Yeskel – Olympic High School
- B. SMMCTA Update – Mr. Harry Keiley (5)**
- C. S.E.I.U. Update – Ms. Keryl Cartee-McNeely (5)**
- D. PTA Council – Shari Davis (5)**

X. SUPERINTENDENT'S REPORT (5)

MAJOR and DISCUSSION Items

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

XI. MAJOR ITEMS (95)

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 Section XII (Discussion Items) of the agenda.

7:30pm

- A.27 Reappointment of Members to the Measure BB Citizens' Bond Oversight Committee (30)..... 43
- A.28 Preliminary Approval for City of Santa Monica Ocean Park Green Street Project – Los Amigos Park Storm Water Retention Project – Muir E.S./SMASH (15)..... 44-45
- A.29 Declaration of Indefinite Salaries for Represented Bargaining Unit members and Unrepresented Senior Management, Management, Supervisory, and Confidential Employees for 2010-11 (10)..... 46
- A.30 Adopt Resolution No. 09-44 - Certificated Administrator Release and Reassignment (5)..... 47-49
- A.31 Classified Employee Layoffs / Reduction in Hours (5)..... 50-51
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These items are submitted for information (FIRST READING) and discussion. Action will generally be considered at the next regularly scheduled meeting of the Board.

8:00pm

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- D.02 Santa Monica-Malibu Unified School District Education Foundation Funding Update (15)..... 55
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- D.05 Consider Revising AR 4112.23 – Special Education Staff (10)..... 66-70
- D.06 Consider Revising AR 4112.4 – Health Examinations (10)..... 71-74
- D.07 Consider Adopting BP 4127 – Temporary Athletic Team Coaches (10)..... 75-77
- D.08 Consider Replacing AR 4154 / 4254 / 4354 – Health and Welfare Benefits with Updated CSBA AR 4154 / 4254 / 4354 (10)..... 78-83
- D.09 Consider Revising AR 4161.8 / 4261.8 / 4361.8 – Family Care and Medical Leave (10) 84-95

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- I.01 List of Colleges Seniors Will Be Attending in the Fall (0) 96-100
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English Language Learners DAC

XIV. BOARD MEMBER ITEMS (0)

These items are submitted by individual board members for information or discussion, as per Board Policy 9322.

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

A board member or member of the public may request that a matter within the jurisdiction of the board be placed on the agenda of a regular meeting, as per Board Policy 9322. The request shall be in writing and be submitted to the superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. The board president and superintendent shall decide whether a request is within the subject matter jurisdiction of the board. Items not within the subject matter jurisdiction of the board may not be placed on the

agenda. In addition, the board president and superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

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 report on his/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 under Section III (Closed Session) following the regular business meeting.

XX. ADJOURNMENT

This meeting will adjourn to the regularly scheduled meeting on **Friday, June 18, 2010**, at 5:30 p.m. at the District Offices: 1651 16th Street, Santa Monica, CA.

**Meetings held at Santa Monica City Hall are broadcast live – City TV2, Cable Channel 16.
Meetings held at the District Office and in Malibu are taped and rebroadcast
in Santa Monica on CityTV2, Cable Channel 20 – Check TV listing.
Meetings are rebroadcast in Malibu on Government Access Ch. 3 every Saturday at 8pm.**

SMMUSD Board of Education Meeting Schedule 2009-2010

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

July through December 2009					
Month	1 st Thursday	2 nd Thursday	3 rd Thursday	4 th Thursday	Special Note:
July	7/1* DO		7/16 DO		*7/1: Special Meeting
August	8/4* DO		8/20 8/19 DO		*8/4: Special Closed Session
September	9/3 DO		9/17 DO	9/21* DO	First day of school: 9/9 *9/21: Special Closed Session
October	10/1 M		10/15 DO	10/26* DO	*10/26: Special Meeting
November	11/5 M		11/19 DO	11/21* DO	*11/21: Special Meeting Thanksgiving: 11/26-27
December		12/10 DO		winter break	
December 20 – 31: Winter Break					
January through June 2010					
January 1 – 2: Winter Break					
January	1/4* DO	1/14 DO		1/30* DO	*1/4: Special Meeting *1/30: Special Meeting
February	2/1* DO 2/4 M		2/18 DO	2/24* DO	*2/1: Special Meeting *2/24: Special Closed Session
March	3/4 DO		3/18 DO		*Stairway: 3/25 & 3/26
March 29 – April 9: Spring Break					
April	spring break	spring break	4/14* DO	4/22* DO 4/26* DO 4/27* DO	*4/14: Special Meeting *4/22: Open session 6:30pm *4/26: Special Meeting *4/27: Special Meeting
May	5/6 M	5/10* DO	5/20 DO	*5/26-27 DO	*5/10: Special Meeting *5/20: Cancelled *5/26-27: Special Meeting
June	6/3 DO		6/18* DO		*6/18: Friday, June 18 Last day of school: 6/18

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

SMMUSD Board of Education Meeting Schedule 2010-2011

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

July through December 2010					
Month	1 st Thursday	2 nd Thursday	3 rd Thursday	4 th Thursday	Special Note:
July			7/14* DO		*Wednesday, 7/14
August			8/18* DO		*Wednesday, 8/18
September	9/2 DO			9/23 DO	First day of school: 9/8
October	10/7 M		10/21 DO		
November	11/4 M		11/18 DO		Thanksgiving: 11/25-26
December		12/9 DO		winter break	
December 18 – 31: Winter Break					
January through June 2011					
January 1 – 2: Winter Break					
January		1/13 DO			
February	2/3 M		2/17 DO		
March	3/3 DO		3/17 DO	3/31 (5 th Thurs.)	
April 16 – May 1: Spring Break					
April	4/6* DO	4/14 DO	spring break	spring break	*Wednesday, 4/6 (rescheduled from 4/14) *Stairway: 4/7 & 4/8
May	5/5 M		5/19 DO		
June	6/2 DO		6/16 DO		Last day of school: 6/22

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

**Santa Monica-Malibu Unified School District
Board of Education
June 3, 2010**

I. CALL TO ORDER

A. Roll Call

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

Student Board Members

B. Pledge of Allegiance

II. CLOSED SESSION

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

ACTION
06/03/10

RECOMMENDATION NO. A.01

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

There are no minutes available for approval.

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

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / JANECE L. MAEZ / PEGGY HARRIS /
STUART SAM

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 2009-2010 budget.

Contractor/ Contract Dates	Description	Site	Funding (Measure BB)
NONE			

Contractor/ Contract Dates	Description	Site	Funding
The Artist Collective 2/3/10 to 6/30/10 Not to exceed: \$10,830	Urban contemporary dance with middle and high school students	Malibu High	01-90830-0-17000-10000-5802-010-4100 (SMMEF Dream Winds)
The Artist Collective 4/12/10 to 6/30/10 Not to exceed: \$2,500	Teach contemporary dance to high school students	Olympic High	01-90830-0-17000-1000-5802-014-4140 (Ed. Foundation Grant)
Jon Monastero 5/18/10 to 6/03/10 Not to exceed: \$2,250	Civil War Living History Presentations to 8 th grade classes.	Lincoln Middle	01-90150-0-11100-10000-5802-012-4120 (PTA Reimbursement)
Michael E. Hill 7/1/09 to 6/30/10 <u>Amend contract:</u> Additional 112 hours needed through 6/30/10 Not to exceed \$14,000 (\$72,000 approved on 6/25/09)	Coordination with City of Santa Monica on RDA/Civic Center Joint Use Project.	District	40-00000-0-00000-81000-5802-050-1500 (Capital Outlay Project)
Carola Matera 6/1/10 to 6/30/10 Not to exceed: \$10,000	To develop Dual Language Policy, to visit and observe classrooms dual language, and staff development.	Child Development Services	60%: 12-52101-0-10000-31400-5802-070-2700 40%: 12-52105-0-10000-31400-5802-070-2700 (Head Start Basic/ Training and Technology Assistance)

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

<u>NAME</u> <u>SITE</u> Account Number Fund – Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>BRYANT, Cheryl</u> Human Resources 01-00000-0-00000-74000-5220-025-1250 General Fund- Function: Personnel/Human Resources	Disability Retirement Workshop Glendale, CA June 10, 2010	\$23
<u>DUNN, Margo</u> Point Dume Elementary No Cost	Sacramento Field Trip Sacramento, CA May 25 – 27, 2010	\$0
<u>TANIOS, Elhamy</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Fiscal Services	2009-2010 Year-End Closing Workshop Downey, CA June 2, 2010	\$40

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

Group Conference and Travel: In-State <i>* a complete list of conference participants is on file in the Department of Fiscal Services</i>		
<u>CUNEO, Tim</u> <u>+3 Board Members</u> District Office 01-00000-0-00000-71500-5220-020-1200 General Fund- Function: Superintendent	California Distinguished School Awards Ceremony Anaheim, CA June 4, 2010	\$400 Total
<u>DUNN, Margo</u> <u>JENNINGS, Kris</u> Point Dume Elementary No Cost	Catalina Island Marine Institute Catalina Island October 6 – 8, 2010	\$0

<u>LARIOS, Carmen</u> <u>PLATZ, Leyla</u> Human Resources 01-00000-0-00000-74000-5220-025-1250 General Fund- <u>Function:</u> Personnel/Human Resources	Employee ID Implementation Downey, CA June 4, 2010	\$49 Total Mileage Only
<u>LARIOS, Carmen</u> <u>PLATZ, Leyla</u> Human Resources 01-00000-0-00000-74000-5220-025-1250 General Fund- <u>Function:</u> Personnel/Human Resources	Furlough Days and Salary Reduction Workshop Downey, CA June 15, 2010	\$49 Total Mileage Only
<u>MOWRY, Kristen</u> <u>CONTRERAS, Concepcion</u> McKinley Elementary 01-30100-0-11100-10000-5220-004-4040 General Fund- Resource: Title I	2010 Distinguished School Awards Reception Anaheim, CA June 4, 2010	\$200 Total

Out-of-State Conferences: Individual		

Out-of-State Conferences: Group		

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / PEGGY HARRIS

RE: TEXTBOOKS

RECOMMENDATION NO. A.04

It is recommended that the textbooks listed below be adopted for the Santa Monica-Malibu Unified School District.

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

On Writing, by Stephen King for grade 10-12 Creative Writing at Malibu High. Adoption requested by Bonnie Thomson and Eric Carrier.

The 3 A.M. Epiphany by Brian Kiteley for grade 10-12 Creative Writing at Malibu High. Adoption requested by Bonnie Thomson and Eric Carrier.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / PEGGY HARRIS

RE: SUPPLEMENTAL TEXTBOOKS

RECOMMENDATION NO. A.05

It is recommended that the textbooks listed below be adopted for the Santa Monica-Malibu Unified School District.

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

A Long Way Gone, by Ishmael Beah for grades 9 – 12 summer reading at Santa Monica High School. Adoption requested by Meredith Louria.

Collected Stories, by Gabriel Garcia Marquez for grade 10CP & 10HP English class set of ancillary materials at Malibu High. Adoption requested by Bonnie Thomson.

Fifty Great Short Stories, edited by Milton Crane for grade 9CP & 9HP English class set of ancillary materials at Malibu High. Adoption requested by Bonnie Thomson.

Into The Wild, by Jon Krakauer for grade 12CP English at Malibu High. Adoption requested by Bonnie Thomson.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / SARA WOOLVERTON

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2009-2010

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2009-2010 as follows:

NPS

2009-2010 Budget 01-65000-0-57500-11800-5125-043-1400

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

Amount Budgeted NPS 09/10		\$ 1,500,000
Prior Board Authorization as of 05/26/10		\$ 1,975,998
	Balance	\$ -475,998
Positive Adjustment (See Below)		\$ 0
		\$ -475,998
Total Amount for these Contracts		\$ 0
	Balance	\$ -475,998

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 2009-10 in the amount of \$0 as of 06/03/10					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

NPA

2009-2010 Budget 01-65000-0-57500-11800-5126-043-1400

Nonpublic School/Agency	SSID	Service Description	Contract Number	Cost Not to Exceed
Julia Hobbs Speech Pathology – contract increase	4119528780	Speech	#8-SPED10063	\$ 600

Amount Budgeted NPA 09/10		\$ 860,000
Prior Board Authorization as of 05/26/10		\$ 848,285
	Balance	\$ 11,715
Positive Adjustment (See Below)		\$ 0
		\$ 11,715
Total Amount for these Contracts		\$ 600
	Balance	\$ 11,115

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 2009-10 in the amount of \$ 1,000 as of 06/03/10					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

NPS/ NPA PRE SCHOOL

2009-2010 Budget 01-65000-0-57300-11800-5126-043-1400

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

Amount Budgeted NPA Pre School 09/10		\$ 140,000
Prior Board Authorization as of 05/26/10		\$ 0
	Balance	\$ 140,000
Total Amount for these Contracts		\$ 0
	Balance	\$ 140,000

Instructional Consultants

2009-2010 Budget 01-65000-0-57500-11900-5802-043-1400

Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consultants 09/10		\$ 380,000
Prior Board Authorization as of 05/26/10		\$ 568,261
	Balance	\$ -188,261
Positive Adjustment (See Below)		\$ 0
		-188,261
Total Amount for these Contracts		\$ 0
	Balance	\$ -188,261

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 2009-10 in the amount of \$ as of 06/03/10.					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Instructional Consultants -INFANT

2009-2010 Budget 01-65000-0-57100-11900-5802-043-1400

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

Amount Budgeted Instructional Consult-Infants 09/10		\$ 20,000
Prior Board Authorization as of 05/26/10		\$ 15,450
	Balance	\$ 4,550
Total Amount for these Contracts		\$ 0
	Balance	\$ 4,550

Instructional Consultants -PRE SCHOOL

2009-2010 Budget 01-65000-0-57300-11900-5802-043-1400

Nonpublic School/Agency	SSID	Service Description	Contract Number	Cost Not to Exceed
Samantha Fogel – contract increase	DOB 12/29/04	Speech Assessment	#3-SPED10197	\$ 320

Amount Budgeted Instruct Consult- Preschool 09/10		\$ 100,000
Prior Board Authorization as of 05/26/10		\$ 2,300
	Balance	\$ 97,700
Total Amount for these Contracts		\$ 320
	Balance	\$ 97,380

Adjustment					
Instructional Consultants- Pre School Budget 01-65000-0-57300-11900-5802-043-1400					
There has been a reduction in authorized expenditures of Instructional Consultants – Pre School contracts for FY 2009-10 in the amount of \$ 0 as of 06/03/10					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Non-Instructional Consultants

2009-2010 Budget 01-65000-0-57500-11900-5890-043-1400

Non-Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed
Parent Reimbursement	6172839494	Speech	#23-SPED10208	\$ 13,300

Amount Budgeted Non-Instructional Consultants 09/10		\$ 299,000
Prior Board Authorization as of 05/26/10		\$ 301,211
	Balance	\$ -2,211
Positive Adjustment (See Below)		\$ 0
		\$ - 2,211
Total Amount for these Contracts		\$ 13,300
	Balance	\$ -15,511

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 2009-10 in the amount of \$ 0 as of 06/03/10.					
Non- Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Legal

2009-2010 Budget 01-65000-0-57500-11900-5820-043-1400

Legal Contractor	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Legal Services 09/10		\$ 700,000
Prior Board Authorization as of 4/2210		<u>105,720</u>
	Balance	\$ 594,280
Adjustments for this period		<u>\$ 0</u>
		594,280
Total Amount for these Contracts		<u>\$ 30,011</u>
	Balance	\$ 564,269

Adjustment				
Legal Services Budget 01-65000-0-57500-11900-5820-043-1400				
There has been a reduction in authorized expenditures of Legal Services contracts for FY 2009-10 in the amount of \$ 0 as of 06/03/10.				
Legal Contractor	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

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 recommendations for these severely handicapped students are made by the District IEP Teams in accordance with State and Federal laws. The mandates of IDEA require non-public school services be provided at no expense to parents if there is not an appropriate public school program available. Funding to come from a SELPA-wide non-public school/non-public agency reserve account.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF PURCHASE ORDERS – 2009-2010

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from May 11, 2010, through May 25, 2010, for fiscal /10.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF JUNE, 2010

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	
<u>*** NEW PURCHASE ORDERS ***</u>					
106406	AQUARIUM OF THE PACIFIC	ADMISSION FOR AQUARIUM OF PAC.	JOHN ADAMS MIDDLE SCHOOL	400.00	R
106363	ATLANTIC EXPRESS OF LA INC	PAY INVOICE FOR TRANSP.	SANTA MONICA HIGH SCHOOL	385.00	U
106417	ATLANTIC EXPRESS OF LA INC	ATHLETIC TRANSPORTATION	MALIBU HIGH SCHOOL	2,000.00	R
106474	ATLANTIC EXPRESS OF LA INC	CHARTER BUS SERVICES	SANTA MONICA HIGH SCHOOL	1,155.00	U
106438	BALLARD & TIGHE INC	INSTRUCTIONAL/ASSESSMENT ITEMS	STATE AND FEDERAL PROJECTS	8,341.02	R
106387	BAY CITIES	FOOD FOR EETT TRAINING	STATE AND FEDERAL PROJECTS	300.00	R
106371	BISHOP COMPANY	OPERATIONS GROUNDS SUPPLIES	GROUNDS MAINTENANCE	794.09	R
106405	BOURGET BROS	MAINTENANCE SUPPLIES	FACILITY MAINTENANCE	1,000.00	R
106462	BUCKEYE INTERNATIONAL INC.	CLEANING SUPPLIES, WAX	GROUNDS MAINTENANCE	821.53	R
106430	CALIFORNIA NEWSPAPER SERVICE	PUBLIC HEARING-2009/10 BUDGET	BUSINESS SERVICES	200.00	U
106420	CALIFORNIA OFFICE SYSTEMS INC	INSTRUCTIONAL SUPPLIES	R O P	130.00	R
106433	CALIFORNIA SCIENCE CENTER	FIELD TRIP TICKETS	WILL ROGERS ELEMENTARY SCHOOL	383.50	R
106421	CANON BUSINESS SOLUTIONS-WEST	COPIER COUNT Overage CHARGE	MALIBU HIGH SCHOOL	1,207.71	U
106409	CDW-G COMPUTING SOLUTIONS	WIRELESS METER	INFORMATION SERVICES	2,123.83	U
106471	CHEVRON U.S.A. INC.	GAS CHARGES	SANTA MONICA HIGH SCHOOL	574.32	U
106494	CINTAS CORPORATION	MECHANIC'S UNIFORMS/TOWELS	TRANSPORTATION	500.00	R
106434	COPYLAND INC	Color Photocopies For ROP	R O P	350.00	R
106379	DALY MOVERS INC	EDISON DISPLACEE-SHINOBU MARUY	EDISON ELEMENTARY SCHOOL	9,993.40	
106380	DALY MOVERS INC	DISPLACEE: MARY HERNANDEZ 2512	EDISON ELEMENTARY SCHOOL	12,572.60	
106386	DISCOUNT SCHOOL SUPPLY	YARD EQUIPMENT/GAMES	CHILD DEVELOPMENT CENTER	122.04	CD
106425	DURHAM TRANSPORTATION	CHARTER BUS TO SCIENCE CAMP	JOHN MUIR ELEMENTARY SCHOOL	598.14	R
106477	DURHAM TRANSPORTATION	TRANSPORTATION FOR SCI TRIP	MALIBU HIGH SCHOOL	589.94	R
106476	DYNAVOX SYSTEMS LLC	SOFTWARE	SPECIAL EDUCATION REGULAR YEAR	361.08	R
106467	FISHER HARDWARE INC	HVAC SUPPLIES	FACILITY MAINTENANCE	500.00	R
106461	FOOTHILL SOILS	GROUNDS SUPPLIES SOIL	GROUNDS MAINTENANCE	757.28	R
106439	FRANKLIN COVEY	PLANNER REFILLS	STATE AND FEDERAL PROJECTS	106.68	R
106306	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	428.79	CD
106315	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	546.88	CD
106316	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	382.15	CD
106317	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	681.66	CD
106319	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	381.82	CD
106320	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	324.09	CD
106335	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	517.58	CD
106336	GALE SUPPLY CO	SUMMER/CUSTODIAL	CHILD DEVELOPMENT CENTER	493.77	CD
106390	GALE SUPPLY CO	TO PAY GALE SUPPLY INVOICES	SANTA MONICA HIGH SCHOOL	2,619.29	U
106392	GALE SUPPLY CO	PAY INVOICES FOR SUPPLIES	SANTA MONICA HIGH SCHOOL	82.31	U
106393	GALE SUPPLY CO	CUSTODIAL SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	332.32	U
106419	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CHILD DEVELOPMENT CENTER	349.88	CD
106441	GALE SUPPLY CO	FACIAL TISSUE	SANTA MONICA HIGH SCHOOL	102.51	U
106466	GALE SUPPLY CO	CUSTODIAL SUPPLIES	PT DUME ELEMENTARY SCHOOL	1,418.52	U
106338	HATCH INC	COMPUTER LEARNING CENTER	CHILD DEVELOPMENT CENTER	25,626.63	CD
106470	HERNANDEZ, MARY	REIMBURSEMENT, MOVING EXPENSES	EDISON ELEMENTARY SCHOOL	3,247.00	
106478	HOLT RINEHART & WINSTON	TEACHERS MANUAL	MALIBU HIGH SCHOOL	63.47	R
106404	HOWARD INDUSTRIES	MAINTENANCE, HVAC SUPPLIES	FACILITY MAINTENANCE	1,500.00	R
106424	INTELLI-TECH	COMPUTER FOR ASB ACCOUNTANT	FISCAL SERVICES	890.59	U
106442	INTELLI-TECH	BUSINESS OFFICE PRINTER	BUSINESS SERVICES	2,020.85	R
106492	INTERNATIONAL PAPER	RECYCLED PAPER ORDER	PURCHASING/WAREHOUSE	362.18	U
106472	KELEHER, DARCI	MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	300.00	R

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF JUNE, 2010

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	
106457	KORADE & ASSOCIATE BUILDERS	GATE REMOVAL AND RELOCATION	CHILD DEVELOPMENT CENTER	1,488.00	CD
106458	KORADE & ASSOCIATE BUILDERS	ROCK REMOVAL	CHILD DEVELOPMENT CENTER	988.00	CD
106418	LAKESHORE (PICK UP ONLY)	INSTRUCTIONAL MATERIALS	CHILD DEVELOPMENT CENTER	110.00	CD
106298	MAD SCIENCE OF LOS ANGELES	SUMMER/COASTAL KIDS	CHILD DEVELOPMENT CENTER	596.00	CD
106449	MARTIN, CHRISTINE	EDUCATIONAL, HANDS-ON PROGRAMS	CHILD DEVELOPMENT CENTER	250.00	CD
106459	MARTIN, CHRISTINE	FIELD TRIP	CHILD DEVELOPMENT CENTER	250.00	CD
106194	MIND RESEARCH INSTITUTE	MATH SOFTWARE AND LICENSES	SAINT ANNE'S PRIVATE SCHOOL	49,387.50	R
106491	MIRACLE PLAYGROUND SALES OF	FOR ROOSEVELT PLAYGROUND EQUIP	FACILITY MAINTENANCE	812.44	R
106493	MISSION SAN JUAN CAPISTRANO	FOURTH GRADE FIELD TRIP	MCKINLEY ELEMENTARY SCHOOL	425.00	R
106479	MONARCH BUS. FORMS/STRATACOM	GRADUATION TICKETS & PROGRAMS	MALIBU HIGH SCHOOL	1,589.57	U
106473	MORGAN, JENNIFER	MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	300.00	R
105767	OLIVER WORLDCLASS LABS INC	CLASSROOM EQUIPMENT	MCKINLEY ELEMENTARY SCHOOL	10,939.46	R
106218	OLIVER WORLDCLASS LABS INC	COMPUTER LAB - SMART BOARD	SAINT ANNE'S PRIVATE SCHOOL	3,502.01	R
106385	ORIENTAL TRADING CO INC	INSTRUCTIONAL DESIGN PRODUCT	CHILD DEVELOPMENT CENTER	52.67	CD
106388	PAVILLIONS STORE #2231	FOOD/COOKING ITEMS, PICK-UP	CHILD DEVELOPMENT CENTER	180.00	CD
106395	PRIORITY MAILING SYSTEMS INC	INK CART. FOR POSTAGE MACHINE	PURCHASING/WAREHOUSE	267.61	U
106412	PRO-ED	NORM-REFERENCED KITS	SPECIAL EDUCATION REGULAR YEAR	312.55	R
106456	REFRIGERATION SUPPLIES	MAINTENANCE HVAC SUPPLIES	FACILITY MAINTENANCE	100.00	R
106432	RIGBY EDUCATION/HARCOURT	VARIOUS LIBRARY BOOKS	JOHN MUIR ELEMENTARY SCHOOL	3,000.00	R
106452	RX FOR READING	READING PROGRAM PARTICIPATION	SAINT ANNE'S PRIVATE SCHOOL	9,159.66	R
106484	SAMARGE, SUSAN	REIMBURSEMENT, DELI PURCHASES	CURRICULUM AND IMC	339.89	R
106451	SANTA MONICA MUN BUS LINES	BUS TOKENS - PICK-UP	CHILD DEVELOPMENT CENTER	1,375.00	CD
106381	SANTA MONICA PIER AQUARIUM	SUMMER FIELD TRIP	CHILD DEVELOPMENT CENTER	150.00	CD
106453	SANTA MONICA PIER AQUARIUM	SUMMER FIELD TRIP	CHILD DEVELOPMENT CENTER	600.00	CD
106436	SCHOOL INNOVATONS	ATTENDANCE SERVICES	BUSINESS SERVICES	77,500.00	R
106440	SEHI COMPUTER PRODUCTS	INK CARTRIDGES	SANTA MONICA HIGH SCHOOL	2,454.23	R
106495	SHELL FLEET CARD SERVICES	FUEL CHARGES	TRANSPORTATION	4,000.00	R
106469	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	GRANT ELEMENTARY SCHOOL	28.54	U
106384	SMART & FINAL	FOOD/SUPPLIES, PICK-UP	CHILD DEVELOPMENT CENTER	250.00	CD
106416	SMART & FINAL - FOOD SVCS ONLY	GROCERIES	FOOD SERVICES	500.00	F
106468	SO CALIFORNIA AIR CONDITIONING	HVAC SUPPLIES	FACILITY MAINTENANCE	250.00	R
106431	STAPLES INC & SUBSIDIARIES INC	COPY PAPER	FRANKLIN ELEMENTARY SCHOOL	900.00	R
106294	STAPLES/P-U/VENICE/LINCOLN BL	FIRST AID CABINET	CHILD DEVELOPMENT CENTER	1,635.28	CD
106429	STAPLES/P-U/VENICE/LINCOLN BL	MEASURE R MAILING SUPPLIES	BUSINESS SERVICES	500.00	U
106460	STOVER SEED CO	OPERATIONS GROUNDS SUPPLIES	GROUNDS MAINTENANCE	2,085.25	R
106450	TARGET STORES	MISC INSTRUCTIONAL - PICK-UP	CHILD DEVELOPMENT CENTER	204.14	CD
106423	TAYLOR ENGINEERING INC.	WATER PIPE BURST AT MALIBU HI	FACILITY MAINTENANCE	550.00	R
106245	TOM JOHN TOWING	TOWING CHARGES - BUS #11	TRANSPORTATION	487.50	R
106400	TOSHIBA	INK/TONER	CHILD DEVELOPMENT CENTER	111.02	CD
106485	TROXELL COMMUNICATIONS	PROJECTOR	BOE/SUPERINTENDENT	712.28	U
106464	UNIT CHEMICAL	FLOOR/WALL CLEANER-ALL SITES	GROUNDS MAINTENANCE	1,683.07	R
106437	URIAS,REBECCA	REIMBURSEMENT/TESTING FEE	STATE AND FEDERAL PROJECTS	303.00	R
106487	US BANK (GOVT CARD SERVICES)	AMTRAK RESERVATION, FIELD TRIP	MCKINLEY ELEMENTARY SCHOOL	785.00	R
106383	VONS MARKET-SANTA MONICA	FOOD/SUPPLIES, PICK-UP	CHILD DEVELOPMENT CENTER	250.00	CD
106402	VONS MARKET-SANTA MONICA	FOOD/SUPPLIES, PICK UP	CHILD DEVELOPMENT CENTER	90.58	CD
106389	VONS STORE #2262	FOOD ITEMS, PICK-UP	CHILD DEVELOPMENT CENTER	120.00	CD
106415	VONS STORE #2262	OPEN ORDER FOR EETT COMP.	STATE AND FEDERAL PROJECTS	150.00	R

** NEW PURCHASE ORDERS 270,664.70

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF JUNE, 2010

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	
** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES **					
106422	AT&T	AT&T-VOIP/DISTRICT-WIDE	BUSINESS SERVICES	45,543.51	BB
106504	AT&T	INSTALL NETWORK STATION OUTLET	EDISON ELEMENTARY SCHOOL	5,930.00	BB
106397	ATLANTECH RESELLERS INC	DISTRICT WIDE UNIVERSAL LOCK'G	BUSINESS SERVICES	1,830.00	BB
106376	CITY OF SANTA MONICA	LINCOLN/PLAN CK/PERMIT APP #1A	LINCOLN MIDDLE SCHOOL	7,525.54	BB
106377	CITY OF SANTA MONICA	LINCOLN/SITE REPLACEMENT PKG 2	LINCOLN MIDDLE SCHOOL	7,525.54	BB
106378	CITY OF SANTA MONICA	LINCOLN PLAN CK/PERMIT APP#1B	LINCOLN MIDDLE SCHOOL	8,194.66	BB
106448	CITY OF SANTA MONICA	ADAMS OFF-SITE IMPROVEMENT	JOHN ADAMS MIDDLE SCHOOL	11,034.29	BB
106500	CITY OF SANTA MONICA	FIRE HYDRANT FLOW TEST-SAMOHI	SANTA MONICA HIGH SCHOOL	467.01	BB
106396	LEIGHTON CONSULTING INC	GEOTECHNICAL & TESTING SERVICE	WILL ROGERS ELEMENTARY SCHOOL	1,500.00	BB
106375	STATE OF CALIFORNIA	WEBSTER ALTERATION TO 2 CLASS	WEBSTER ELEMENTARY SCHOOL	630.00	BB
106475	STATE OF CALIFORNIA	CABRILLO DSA COMPLIANCE	CABRILLO ELEMENTARY SCHOOL	500.00	BB
106481	STATE OF CALIFORNIA	BOYS & GIRLS CLUB DSA FEES	JOHN ADAMS MIDDLE SCHOOL	1,833.45	X
106501	STATE OF CALIFORNIA	MALIBU CAMPUS IMPROVEMENTS	MALIBU HIGH SCHOOL	178,531.28	BB
106502	STATE OF CALIFORNIA	BLDG/SITE IMPROVEMENTS-SAMOHI	SANTA MONICA HIGH SCHOOL	314,596.00	BB
** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES				585,641.28	

TO: BOARD OF EDUCATION
FROM: TIM CUNEO / JANECE L. MAEZ / PAT HO
RE: ACCEPTANCE OF GIFTS – 2009/2010

ACTION/CONSENT
06/03/10

RECOMMENDATION NO. A.08

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$10,192.28 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 2009-2010 income and appropriations by \$10,192.28 as described on the attached listing.

This report details only gifts of cash or non-cash items. It includes all contributions made by individuals or companies and some of the contributions made by our PTA's. Contributions made by a PTA in the form of a commitment and then billed are reported in a different resource. A final report that compiles all gift, PTA and Equity Fund contributions is prepared and available annually.

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.

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

Current Gifts and Donations 2009/2010

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
JAMS 01-90120-0-00000-00000-8699-011-0000					
Adult Education 11-90120-0-00000-00000-8699-090-0000					
Alternative (SMASH) 01-90120-0-00000-00000-8699-009-0000					
Cabrillo 01-90120-0-00000-00000-8699-017-0000	\$ 1,232.00 \$ 120.00	\$ - \$ -		Various Parents Sagri Lopez (Parent)	General Supplies and Materials Field Trip
CDS 12-90120-0-00000-00000-8699-070-0000					
Edison 01-90120-0-00000-00000-8699-001-0000	\$ 106.29	\$ 18.75		AT & T United Way Employee Giving	General Supplies and Materials
Franklin 01-90120-0-00000-00000-8699-002-0000					
Grant 01-90120-0-00000-00000-8699-003-0000					
Lincoln 01-90120-0-00000-00000-8699-012-0000					
Malibu High School 01-90120-0-00000-00000-8699-010-0000	\$ 2,000.00	\$ -		MHS Booster Club	Coach, Hourly
McKinley 01-90120-0-00000-00000-8699-004-0000	\$ 1,679.00	\$ -		Various	Field Trip
Muir 01-90120-0-00000-00000-8699-005-0000	\$ 642.40 \$ 530.84	\$ - \$ -		Vision Trust Wells Fargo	General Supplies and Materials Field Trip
Olympic HS 01-90120-0-00000-00000-8699-014-0000	\$ 500.00	\$ -		SMM Council of PTA	General Supplies and Materials
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 2,997.00	\$ -		Various Parents	Field Trip
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 62.00	\$ -		Various Parents	Field Trip

BOE Date: 06/03/10

Current Gifts and Donations 2009/2010

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 304.00	\$ -		Various	General Supplies and Materials
Barnum Hall 01-91150-0-00000-00000-8699-015-0000					
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000					
Webster 01-90120-0-00000-00000-8699-008-0000					
Others:					
Superintendent's Office 01-90120-0-00000-00000-8699-020-0000					
Educational Services 01-90120-0-00000-00000-8699-030-0000					
Student & Family Services 01-90120-0-00000-00000-8699-040-0000					
Special Education 01-90120-0-00000-00000-8699-044-0000					
Information Services 01-90120-0-00000-0000-8699-054-0000					
Food and Nutrition Services 01-90120-0-00000-0000-8699-057-0000					
District 01-90120-0-00000-00000-8699-090-0000					
TOTAL	\$ 10,173.53	\$ 18.75	\$ -		

BOE Date: 06/03/10

Current Gifts and Donations 2009/2010

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
JAMS 01-90120-0-00000-00000-8699-011-0000	\$ 68,938.39			\$68,938.39	.		\$ -
Adult Education 11-90120-0-00000-00000-8699-090-0000				\$ -			\$ -
Alternative (SMASH) 01-90120-0-00000-00000-8699-009-0000				\$ -			\$ -
Cabrillo 01-90120-0-00000-00000-8699-017-0000	\$ 23,023.24	\$ 1,352.00	\$ -	\$24,375.24			\$ -
CDS 12-90120-0-00000-00000-8699-070-0000	\$ 3,500.00			\$ 3,500.00	\$ 125.00		\$ 125.00 \$ -
Edison 01-90120-0-00000-00000-8699-001-0000	\$ 2,028.02	\$ 106.29	\$ 18.75	\$ 2,153.06			\$ -
Franklin 01-90120-0-00000-00000-8699-002-0000	\$ 1,246.04			\$ 1,246.04			\$ -
Grant 01-90120-0-00000-00000-8699-003-0000				\$ -			\$ -
Lincoln 01-90120-0-00000-00000-8699-012-0000	\$ 222.04			\$ 222.04			\$ -
Malibu High School 01-90120-0-00000-00000-8699-010-0000 <i>Malibu Shark Fund - Resource #90141</i>	\$ 28,589.60	\$ 2,000.00	\$ -	\$30,589.60			\$ -
McKinley 01-90120-0-00000-00000-8699-004-0000	\$ 10,421.36	\$ 1,679.00	\$ -	\$12,100.36			\$ -
Muir 01-90120-0-00000-00000-8699-005-0000	\$ 1,417.16	\$ 1,173.24	\$ -	\$ 2,590.40			\$ -
Olympic HS 01-90120-0-00000-00000-8699-014-0000	\$ 882.00	\$ 500.00	\$ -	\$ 1,382.00			\$ -
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 19,815.87	\$ 2,997.00	\$ -	\$22,812.87			\$ -
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 1,965.45	\$ 62.00	\$ -	\$ 2,027.45			\$ -
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 21,418.71	\$ 304.00	\$ -	\$21,722.71	\$ 4,271.30		\$ 4,271.30
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000	\$ 1,450.00			\$ 1,450.00			\$ -
Webster 01-90120-0-00000-00000-8699-008-0000				\$ -			\$ -

BOE Date: 06/03/10

Current Gifts and Donations 2009/2010

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
ALL OTHER LOCATIONS:							
Superintendent's Office 01-90120-0-00000-00000-8699-020-0000				\$ -			\$ -
Educational Services 01-90120-0-00000-00000-8699-030-0000	\$ 71,522.07			\$71,522.07	\$ 1,935.00		\$ 1,935.00
Student and Family Support Services 01-90120-0-00000-00000-8699-041-0000				\$ -			\$ -
Special Education 01-90120-0-00000-00000-8699-044-0000				\$ -			\$ -
Information Services 01-90120-0-00000-00000-8699-054-0000				\$ -			\$ -
District 01-90120-00000-0-00000-8699-090-0000				\$ -			\$ -
Food & Nutrition Services 01-90120-0-00000-00000-8699-070-0000				\$ -			\$ -
TOTAL GIFTS	\$ 256,439.95	\$ 10,173.53	\$ 18.75	\$266,632.23	\$ 6,331.30	\$ -	\$ 6,331.30
			Total Equity Fund 15% Contribs.				
Total Cash Gifts for District:		\$ 10,173.53	\$ 18.75		Total In-Kind Gifts:	\$ -	

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: TRANSFER OF FUNDS

RECOMMENDATION NO A.09

It is recommended that the Board of Education approve the following transfers for the 2009-2010 fiscal year.

- A. \$75,000 from the General Fund (Fund 01) to the Child Development Fund (Fund 12) for the cost of child care for the minimum school days.
- B. \$108,335 from the Child Development Fund (Fund 12) to the Unrestricted General Fund (Fund 01) for the deficit spending in 2008-09.

COMMENTS: The Los Angeles County Office of Education (LACOE) requires Board approval to make transfers between Funds.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF BID #10.14.BB-03-112630 GREEN FRINGE & 03-113013 RELOCATABLES – JOHN ADAMS MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDINGS E, F, & G, NEW ADMINISTRATION, MODERNIZATION AND SITE IMPROVEMENTS PROJECT – SITE IMPROVEMENTS AT PERIMETER OF ATHLETIC FIELDS (GREEN FRINGE) (PACKAGE 1) (03-112630) & RELOCATABLES (PACKAGE 2A) (03-113013) – R&H INDUSTRIES DBA BEST ELECTRIC – MEASURE BB

RECOMMENDATION NO. A.10

It is recommended that the Board of Education award Bid #10.14.BB-03-112630 Green Fringe & 03-113013 Relocatables, John Adams Middle School – Replacement of Classroom Buildings E, F & G, New Administration, Modernization and Site Improvements Project - Site Improvements at Perimeter of Athletic Fields (Green Fringe) (Package 1) and Relocatables (Package 2A), to R&H Industries dba Best Electric, in an amount not to exceed \$1,029,250.

Funding Information

Budgeted: Yes
Fund: 21
Source: Building Fund
Account Number: 21-00000-0-00000-85000-6200-011-2600
Description: Construction Services
DSA #: 03-112630, 03-113013

COMMENTS: The bidding opportunity for the John Adams Middle School – Green Fringe and Relocatables projects was advertised in the Daily Breeze on 3/31 & 4/07; bid solicitations were email and fax blasted and published in The Bluebook of Construction. Ten (10) contractors attended the mandatory job walk held on April 13, 2010. Four (4) submitted bids, three (3) were responsive and one (1) was non-responsive, as follows:

H.C. Olsen Construction	\$1,340,044.00
Minako America Corp. dba Minco	\$1,032,000.00
R&H Industries dba Best Electric	\$1,029,250.00 (recommended)
Y&M Construction, Inc.	\$864,000.00 (non-responsive)

A post bid interview was conducted with Y&M Construction, Inc. to review their bid and the scope of the project. At that time they indicated that they had made a technical error in the preparation of their bid. The District has determined that the bid submitted was non-responsive.

A post bid interview was held with the next lowest responsive bidder, R&H Industries dba Best Electric, to review their bid and the scope of the project. It was determined by staff that the project scope is as intended at the job walk and that all prevailing labor rates will be adhered to.

It is recommended that R&H Industries dba Best Electric being found to be the lowest responsive responsible bidder, be awarded the contract in an amount not to exceed \$1,029,250.00. Contract duration from NTP is 124 calendar days. The contract amount is within the total construction budget for this project:

Package	Cost Estimate/ Forecast	Cost Estimate/ Forecast	06/03/10 BOE Agenda Item Contract Award
Parking Lot			
	Construction Cost (Actual Cost to Date)		\$607,987.00
Green Fringe (Package 1)			
	Construction Cost (Contract Award)		\$639,050.00
\$639,050.00			
Relocatables (Package 2A)			
	Construction Cost (Contract Award)	\$390,200.00	
\$390,200.00			
	Modular (lease)	\$316,000.00	
	Other Hard Costs	\$30,000.00	
	Subtotal		\$736,200.00
New Construction & Modernization (Package 2B)			
	Construction Cost	\$10,571,620.00	
	Other Hard Costs	\$296,638.00	
	Subtotal		\$10,868,258.00
TOTAL CONTRACT AWARD			\$1,029,250.00
TOTAL PROJECTED CONSTRUCTION COSTS			\$12,851,495.00
TOTAL CONSTRUCTION BUDGET			\$12,930,000.00

Note: Construction contingency is budgeted separately.

ORIGINAL CONTRACT AMOUNT (Award of Bid #10.14.BB-03-112630 & 03-113013)	\$1,029,250
TOTAL CONTRACT AMOUNT	\$1,029,250

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF BID #10.16.BB-03-112845 – GRANT ELEMENTARY SCHOOL MAIN ENTRY RECONFIGURATION PROJECT – ALFA 26 CONSTRUCTION COMPANY – MEASURE BB

RECOMMENDATION NO. A.11

It is recommended that the Board of Education award Bid #10.16.BB-03-112845, Grant Elementary School Main Entry Reconfiguration project, to ALFA 26 Construction Company, in an amount not to exceed \$244,000.

Funding Information

Budgeted: Yes
Fund: 21
Source: Building Fund
Account Number: 21-00000-0-00000-85000-6200-003-2600
Description: Construction Services
DSA #: 03-112845

COMMENTS: The bidding opportunity for the Grant Elementary School Main Entry Reconfiguration project was advertised in the Daily Breeze on 4/12 & 4/19; bid solicitations were email and fax blasted and published in The Bluebook of Construction. Seven (7) contractors attended the mandatory job walk held on April 22, 2010. Four (4) submitted bids, three (3) were responsive and one (1) was non-responsive, as follows:

Jenn/Matt Inc.	\$719,627.00
Swinerton Builders	\$295,051.00 (non-responsive)
Y&M Construction, Inc.	\$284,300.00
ALFA 26 Construction Company	\$244,000.00 (recommended)

A post bid interview was conducted with ALFA 26 to review their bid and the scope of the project. It was determined by staff that the project scope is as intended at the job walk and that all prevailing labor rates will be adhered to.

It is recommended that ALFA 26 Construction Company, being found to be the lowest responsive responsible bidder, be awarded the contract in an amount not to exceed \$244,000. Contract duration from NTP is 94 calendar days. The project construction budget is \$250,000.

Note: Construction contingency is budgeted separately.

<u>ORIGINAL CONTRACT AMOUNT</u> (Award of Bid #10.16.BB-03-112845)	<u>\$244,000</u>
TOTAL CONTRACT AMOUNT	\$244,000

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF BID #10.15.BB-03-112987 – LINCOLN MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDING C, MODERNIZATION AND SITE IMPROVEMENTS PROJECT – RELOCATABLES (PACKAGE 1A) PROJECT – Y & M CONSTRUCTION, INC. – MEASURE BB

RECOMMENDATION NO. A.12

It is recommended that the Board of Education award Bid #10.15.BB-03-112987, Lincoln Middle School – Replacement of Classroom Building C, Modernization and Site Improvements Project - Relocatables (Package 1A) project, to Y & M Construction, Inc., in an amount not to exceed \$388,300.

Funding Information

Budgeted: Yes
Fund: 21
Source: Building Fund
Account Number: 21-00000-0-00000-85000-6200-012-2600
Description: Construction Services
DSA #: 03-112987

COMMENTS: The bidding opportunity for the Lincoln Middle School - Relocatables project was advertised in the Daily Breeze on 4/14 & 4/21; bid solicitations were email and fax blasted and published in The Bluebook of Construction. Thirteen (13) contractors attended the mandatory job walk held on April 26, 2010. Four (4) submitted bids, four (4) were responsive, zero (0) were non-responsive and one (1) was withdrawn for an inadvertent clerical error, as follows:

H.C. Olsen Construction	\$568,841.00
Jenn/ Matt Inc.	\$523,362.00
Y&M Construction, Inc.	\$388,300.00 (recommended)
Swinerton Builders	\$224,265.00 (withdrawn)

A post bid interview was conducted with Y & M Construction, Inc. to review their bid and the scope of the project. It was determined by staff that the project scope is as intended at the job walk and that all prevailing labor rates will be adhered to.

It is recommended that Y & M Construction, Inc. being found to be the lowest responsive responsible bidder, be awarded the contract in an amount not to exceed \$388,300. Contract duration from NTP is 84 calendar days. The contract amount is within the total construction budget for this project:

Package	Cost Estimate/ Forecast	Cost Estimate/ Forecast	06/03/10 BOE Agenda Item Contract Award
Relocatables (Package 1A)			
	Construction Cost (Contract Award)	\$388,300.00	\$388,300.00
	Modular (lease)	\$275,060.00	
	Other Hard Costs	\$40,000.00	
	Subtotal		\$703,360.00
Modernization (Package 1B)			
	Construction Cost (Contract Award)	\$2,312,248.00	
	Other Hard Costs	\$228,258.00	
	Subtotal		\$2,540,506.00
New Construction and Site Improvements (Package 2A)			
	Construction Cost	\$12,639,039.00	
	Other Hard Costs	\$484,360.00	
	Subtotal		\$13,133,399.00
TOTAL CONTRACT AWARD			\$388,300.00
TOTAL PROJECTED CONSTRUCTION COSTS			\$16,377,265.00
TOTAL CONSTRUCTION BUDGET			\$17,524,000.00

Note: Construction contingency is budgeted separately.

<u>ORIGINAL CONTRACT AMOUNT</u> (Award of Bid #10.15.BB-03-112987)	\$388,300
<u>TOTAL CONTRACT AMOUNT</u>	\$388,300

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF BID # 10.17.BB-03-112998 – WILL ROGERS LEARNING
COMMUNITY NEW ENTRY GATE AND MAIN OFFICE RECONFIGURATION
PROJECT – LOWEST RESPONSIVE BIDDER – MEASURE BB

RECOMMENDATION NO. A.13

It is recommended that the Board of Education award Bid #10.17.BB-03-112998, Will Rogers Learning Community New Entry Gate and Main Office Reconfiguration project, to the lowest responsive bidder, in an amount not to exceed \$161,346.

Funding Information

Budgeted: Yes
Fund: 21
Source: Building Fund
Account Number: 21-00000-0-00000-85000-6200-006-2600
Description: Construction Services
DSA #: 03-112998

COMMENTS: The bidding opportunity for the Will Rogers Learning Community New Entry Gate and Main Office Reconfiguration project was advertised in the Daily Breeze on 4/29 & 5/6 and also in the Santa Monica Daily Press on 5/5 and 5/7; bid solicitations were email and fax blasted and published in The Bluebook of Construction. Total of nine (9) contractors attended the mandatory job walks held on May 11, 2010 and May 13, 2010. Two (2) submitted bid, as follows on May 27, 2010:

Jenn/Matt Inc.	\$161,346
Fast-Track Construction Corporation	\$153,500

The team is currently evaluating the bids listed above to select the lowest responsive bidder. To ensure that the project starts on June 21, we are requesting that the Board approve the contract award.

An agenda item will be presented at the June 18, 2010, board meeting ratifying the contract award to one of the two bidders listed above, as determined to be the lowest responsive bidder.

The board approved construction budget is \$96,000. Once the contract award amount is determined, BOE is also requested to adjust the construction budget to the contract award amount. An action was taken on May 17, 2010, by the BBAC approving this project scope and anticipated budget adjustment.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF CONTRACT FOR INSPECTION SERVICES – GRANT
ELEMENTARY SCHOOL MAIN ENTRY RECONFIGURATION PROJECT – THE
IOR GROUP, INC – MEASURE BB

RECOMMENDATION NO. A.14

It is recommended that the Board of Education award Inspection Services to The IOR Group, Inc. at Grant Elementary School for the Grant Elementary School Main Entry Reconfiguration Project, in the amount of \$20,000.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-003-2600
Description: Independent Contractor/Consultant

Comments: 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 The IOR Group, Inc. to provide Inspection Services for the Grant ES Main Entry Reconfiguration project, DSA Application No. 03-112845.

This award of Contract, for \$20,000, is for Inspection Services for the Grant ES Main Entry Reconfiguration Project, with a construction value of \$250,000. This cost was anticipated in the budget.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: AWARD OF CONTRACT FOR INSPECTION SERVICES – WILL ROGERS
LEARNING COMMUNITY ENTRY AND MAIN OFFICE RECONFIGURATION
PROJECT – BPI INSPECTION SERVICE – MEASURE BB

RECOMMENDATION NO. A.15

It is recommended that the Board of Education award inspection services to BPI Inspection Service for Will Rogers Learning Community Entry and Main Reconfiguration Project, in the amount of \$16,000.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-006-2600
Description: Independent Contractor/Consultant

Comments: 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 BPI to provide Inspection Services for Will Rogers Learning Community Entry and Main Reconfiguration Project, DSA Application No. 03-112998. The contract award for this project is scheduled to be submitted to the Board for approval in June 2010.

This award of contract, for \$16,000, is for Inspection Services for the Will Rogers Learning Community Entry and Main Reconfiguration Project. This cost was anticipated in the budget.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #1 FOR INSPECTION SERVICES – MODULAR CLASSROOM BUILDINGS – WILL ROGERS LEARNING COMMUNITY & EDISON LANGUAGE ACADEMY PROJECT – BPI INSPECTION SERVICE – MEASURE BB

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve Contract Amendment #1 with BPI Inspection Service for Inspection Services for Modular Classroom Buildings at Will Rogers Learning Community as part of the Edison Language Academy Project, in the amount of \$2,600, for a total contract amount of \$18,600.

Funding Information

Budgeted: Yes
Fund: 81
Source: State School Building Fund
Account Number: 81-00000-0-00000-85000-6200-001-2600
Description: Independent Contractor/Consultant

Comments: 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. During the construction of the new Edison Language Academy project, the pre-school at Edison is to be relocated to Will Rogers Learning Community for the duration of construction. District staff requested a proposal from BPI to provide Inspection Services for Modular Classroom Buildings at Will Rogers Learning Community as part of the Edison Language Academy Project, DSA Application No. 03-113389. The contract award for this project is scheduled to be submitted to the Board for approval in June 2010.

This Contract Amendment #1, for \$2,600, is for Inspection Services for the Modular Classroom Buildings at Will Rogers Learning Community as part of the Edison Language Academy Project with a construction value of \$252,570 combined. The revised contract total will be \$18,600, inclusive of relocatables and site adapt. This cost was anticipated in the budget.

ORIGINAL CONTRACT (Rogers, DSA A#03-112998)	\$16,000
Contract Amendment #1 (Rogers Relo's, ELA, DSA A#03-113389)	2,600
TOTAL CONTRACT AMOUNT	\$18,600

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #1 FOR INSPECTION SERVICES – LINCOLN MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDING C, MODERNIZATION AND SITE IMPROVEMENTS – RELOCATABLES (PACKAGE 1A) – THE IOR GROUP, INC – MEASURE BB

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve Contract Amendment #1 with The IOR Group, Inc. to provide Inspection Services for Lincoln Middle School - Replacement of Classroom Building C, Modernization and Site Improvements Project – Relocatables (Package 1A), in the amount of \$10,000, for a total contract amount of \$30,000.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-012-2600
Description: Independent Contractor/Consultant

Comments: 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 The IOR Group, Inc. to provide Inspection Services for the Lincoln Middle School -Relocatables Project, DSA Application No. 03-112987.

This Contract Amendment #1, for \$10,000, is for Inspection Services for the Lincoln Middle School - Replacement of Classroom Building C, Modernization and Site Improvements Project – Relocatables (Package 1A), with a construction value of \$627,363, inclusive of relocatables and site adapt. The revised contract total will be \$30,000. This cost was anticipated in the budget.

ORIGINAL CONTRACT (Grant ES, A#03-112845)	\$20,000
<u>Contract Amendment #1 (Lincoln MS, A#03-112987)</u>	<u>10,000</u>
TOTAL CONTRACT AMOUNT	\$30,000

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #14 FOR ADDITIONAL GEOTECHNICAL INVESTIGATION & REPORT SERVICES – GRANT ELEMENTARY SCHOOL – MAIN ENTRY RECONFIGURATION PROJECT – LEIGHTON CONSULTING, INC. – MEASURE BB

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve Contract Amendment #14 to Leighton Consulting for the Geotechnical Observation and Testing Services for Grant Elementary School –Main Entry Reconfiguration Project in the amount of \$5,010, for a total contract amount of \$148,210, Measure BB projects.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-003-2600
Description: Consultant Services

COMMENTS: The Board of Education previously approved Leighton as one of the three (3) pre-qualified Geotechnical consultants on the cities of Santa Monica and Malibu. The firms are being assigned projects as the need arises and depending on their familiarity with and availability for the assignment. Geotechnical observation and testing services are required during construction.

This Contract Amendment No. 14 for \$5,010 is for the Geotechnical Observation and Testing Services during grading activities for the Main Entry Reconfiguration Project at Grant Elementary School.

CONTRACT AMENDMENT #1 (Edison)	\$ 19,000
CONTRACT AMENDMENT #2 (Edison)	5,000
CONTRACT AMENDMENT #3 (Edison)	7,000
CONTRACT AMENDMENT #4 (Edison)	5,000
CONTRACT AMENDMENT #5 (Malibu)	50,500
CONTRACT AMENDMENT #6 (Malibu)	3,000
CONTRACT AMENDMENT #7 (Webster)	9,400
CONTRACT AMENDMENT #8 (Malibu)	12,400
CONTRACT AMENDMENT #9 (Olympic)	21,600
CONTRACT AMENDMENT #10 (Olympic)	3,000
CONTRACT AMENDMENT #11 (Olympic)	1,300
CONTRACT AMENDMENT #12 (Rogers)	1,500
CONTRACT AMENDMENT #13 (Adams Parking lot)	4,500
<u>CONTRACT AMENDMENT #14 (Grant Main Entry)</u>	<u>5,010</u>
TOTAL:	\$148,210

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #1 FOR TESTING AND SPECIAL INSPECTION SERVICES – WILL ROGERS LEARNING COMMUNITY ENTRY AND MAIN OFFICE RECONFIGURATION PROJECT – MTGL, INC. – MEASURE BB

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve Contract Amendment #1 with MTGL, Inc. for Testing and Special Inspection Services for Will Rogers Learning Community Entry and Main Reconfiguration Project, in the amount of \$1,250 for a total contract amount of \$7,050.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-006-2600
Description: Independent Contractor/Consultant

Comments: Division of the State Architect (DSA) Testing and Special 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 MTGL, Inc. to provide Testing and Special Inspection Services for Will Rogers Learning Community Entry and Main Reconfiguration Project, DSA Application No. 03-112998. The contract award for this project is scheduled to be submitted to the Board for approval in June 2010.

This Contract Amendment #1, for \$1,250, is for Testing and Special Inspection Services for the Will Rogers Learning Community Entry and Main Reconfiguration Project. The revised contract total will be \$7,050. This cost was anticipated in the budget.

ORIGINAL CONTRACT (Grant ES, DSA A#03-112845)	\$5,800
<u>Contract Amendment #1 (Rogers, DSA A#03-112998)</u>	<u>1,250</u>
TOTAL CONTRACT AMOUNT	\$7,050

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #2 FOR TESTING AND SPECIAL INSPECTION SERVICES – MODULAR CLASSROOM BUILDINGS – WILL ROGERS LEARNING COMMUNITY AND EDISON LANGUAGE ACADEMY PROJECT – MTGL, INC. – MEASURE BB

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve Contract Amendment #2 with MTGL, Inc. for Testing and Special Inspection Services for Modular Classroom Buildings at Will Rogers Learning Community as part of the Edison Language Academy Project, in the amount of \$4,600, for a total contract amount of \$11,650.

Funding Information

Budgeted: Yes
Fund: 81
Source: State School Building Fund
Account Number: 81-00000-0-00000-85000-6200-001-2600
Description: Independent Contractor/Consultant

Comments: Division of the State Architect (DSA) Testing and Special Inspection Services are required by code to ensure that school facilities are built to the DSA approved plans and specifications. During the construction of the new Edison Language Academy project, the pre-school at Edison is to be relocated to Will Rogers Learning Community for the duration of construction. District staff requested a proposal from MTGL, Inc. to provide Testing and Special Inspection Services for Modular Classroom Buildings at Will Rogers Learning Community as part of the Edison Language Academy Project, DSA Application No. 03-113389. The contract award for this project is scheduled to be submitted to the Board for approval in June 2010.

This Contract Amendment #2, for \$4,600, is for Testing and Special Inspection Services for the Modular Classroom Buildings at Will Rogers Learning Community as part of the Edison Language Academy Project with a construction value of \$252,570 combined. The revised contract total will be \$11,650, inclusive of relocatables and site adapt. This cost was anticipated in the budget.

ORIGINAL CONTRACT (Grant ES, DSA A#03-112845)	\$5,800
Contract Amendment #1 (Rogers, DSA A#03-112998) (A.19)	1,250
<u>Contract Amendment #2 (Rogers Relo's, ELA, DSA A#03-113389) (A.20)</u>	<u>4,600</u>
TOTAL CONTRACT AMOUNT	\$11,650

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #3 FOR TESTING AND SPECIAL INSPECTION SERVICES FOR DSA CERTIFICATION OF PRIOR DSA APPLICATION – WILL ROGERS LEARNING COMMUNITY – MTGL, INC. – MEASURE BB

RECOMMENDATION NO. A.21

It is recommended that the Board of Education approve Contract Amendment #3 with MTGL, Inc. for Testing and Special Inspection Services as related to close-out without certification of a prior DSA application at Will Rogers Learning Community, in the amount of \$1,200, for a total contract amount of \$12,850.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5890-006-2600
Description: Independent Contractor/Consultant

Comments: The Division of State Architect (DSA) is mandating that all previous applications on a project scope area be certified before new approval is issued. It has been determined that Will Rogers Learning Community has a prior application on file with DSA (A# 03-59916) which has been closed without certification. District staff requested a proposal from MTGL, Inc. to provide Testing and Special Inspection Services to verify existing conditions provide the required documentation to DSA.

This Contract Amendment #3, for \$1,200, is for Testing and Special Inspection Services for Will Rogers Learning Community DSA Compliance project. The revised contract total will be \$12,850.

ORIGINAL CONTRACT (Grant ES, DSA A#03-112845)	\$5,800
Contract Amendment #1 (Rogers, DSA A#03-112998) (A.19)	1,250
Contract Amendment #2 (Rogers Relo's, ELA, DSA A#03-113389) (A.20)	4,600
<u>Contract Amendment #2 (Rogers-DSA Compliance, DSA A#03-59916) (A.21)</u>	<u>1,200</u>
TOTAL CONTRACT AMOUNT	\$12,850

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #31 FOR SITE UTILITY INVESTIGATION SERVICES – JOHN ADAMS MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDINGS E, F, & G, NEW ADMINISTRATION, MODERNIZATION AND SITE IMPROVEMENTS – RELOCATABLES (PACKAGE 2A) – MEASURE BB

RECOMMENDATION NO. A.22

It is recommended that the Board of Education award Contract Amendment #31 to PSOMAS/AST for on-site utility investigation and mapping for water and sewer lines for the John Adams Middle School - Replacement of Classroom Buildings E, F & G, New Administration, Modernization and Site Improvements - Relocatables Project, in the amount of \$6,296 for a total contract amount of \$1,165,033.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-011-2600
Description: Independent Contractor / Consultant

COMMENTS: During the initial planning phases for the Measure BB project, it was assumed that the temporary nurse's office could use the staff restroom at the adjacent Building A. After DSA approval of the relocatables, the site determined that it would be preferable to accommodate a restroom immediately adjacent to the nurse's office. Additional survey detail is required in order to locate the nearest existing underground sewer and waterlines to support the installation of the restroom at this location.

AST will be performing the utility investigation under the Psomas Contract. Psomas has not included any additional mark-up to their services.

This Contract Amendment #31, for \$6,296 is for on-site utility detection services at the portion of site adjacent to the location of the relocatables. This work is required to determine the depths and locations of existing site utilities at John Adams MS for the installation of a restroom at the temporary nurse's office. The total contract amount will be \$1,165,033.

(Continued on next page)

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)	7,500
Contract Amendment #11 (Lincoln survey)	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)	8,379
Contract Amendment #17 (MMHS design survey)	29,246
Contract Amendment #18 (PDES survey)	23,574
Contract Amendment #19 (Samohi)	24,232
Contract Amendment #20 (MMHS)	6,795
Contract Amendment #21 (Webster)	22,081
Contract Amendment #22 (MMHS)	2,560
Contract Amendment #23 (Samohi)	17,048
Contract Amendment #24 (JAMS confirmation survey)	2,500
Contract Amendment #25 (JAMS underground sewer survey)	21,556
Contract Amendment #26 (ELA design survey)	10,848
Contract Amendment #27 (JAMS revised survey)	1,496
Contract Amendment #28 (Rogers Survey for Relos)	11,646
Contract Amendment #29 (Rogers Utility Detection for Relos)	15,556 13,056
Contract Amendment #30 (JAMS Underground utilities)	2,170
Contract Amendment #31 (JAMS utility investigation - rels)	6,296
TOTAL CONTRACT AMOUNT	\$ 1,165,033

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CONTRACT AMENDMENT #5 FOR GEOTECHNICAL INVESTIGATION AND REPORT – WASHINGTON CHILD DEVELOPEMNT SERVICES MODERNIZATION PROJECT – MACTEC – MEASURE BB

RECOMMENDATION NO. A.23

It is recommended that the Board of Education approve Contract Amendment #5 with MACTEC for Geotechnical Investigation and Report Services for the Washington Child Development Services Modernization Project, in an amount of \$9,675 for a total contract amount of \$72,305.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number 21-00000-0-00000-85000-5802-070-2600
Description: Independent Contractor / Consultant

COMMENTS: The Board of Education previously approved MACTEC as one of the three (3) pre-qualified Geotechnical consultants for the Measure BB projects. The firms are being assigned projects as the need arises and depending on their familiarity with and availability for the assignment.

This Contract Amendment #5, for \$9,675 is to conduct geotechnical exploration and to prepare geotechnical recommendations for the Washington Child Development Services Modernization project. The revised contract total will be \$72,305.

ORIGINAL CONTRACT AMOUNT	\$ 31,600
Contract Amendment#1 (Add'l borings)	5,000
Contract Amendment#2 (Percolation tests)	18,030
Contract Amendment#3 (Ground motion analysis revision)	2,000
Contract Amendment#4 (Samohi-DSA Compliance)	6,000
<u>Contract Amendment#5 (Washington CDS)</u>	<u>9,675</u>
TOTAL CONTRACT AMOUNT	\$72,305

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

TO: BOARD OF EDUCATION
 FROM: TIM CUNEO / MICHAEL D. MATTHEWS
 RE: CERTIFICATED PERSONNEL – Elections, Separations

ACTION/CONSENT
 06/03/10

RECOMMENDATION NO. A.24

Unless otherwise noted, all items are included in the 2009/2010 approved budget.

ADDITIONAL ASSIGNMENTS

ADAMS MIDDLE SCHOOL

Brown, Dan	24.71 hrs @\$40.46	9/4/09-6/18/10	Est Hrly/\$1,000
Levin, Tracy	12.35 hrs @\$40.46	9/4/09-6/18/10	Est Hrly/\$ 500
Post, Joel	12.35 hrs @\$40.46	9/4/09-6/18/10	<u>Est Hrly/\$ 500</u>
		TOTAL ESTABLISHED HOURLY	\$2,000

Comment: Grade Level Science Magnet Coordinator
 01-Tier III Programs Cat Flex

Jurewica, Kristin	4.94 hrs @\$40.46	9/4/09-6/18/10	<u>Est Hrly/\$200</u>
		TOTAL ESTABLISHED HOURLY	\$200

Comment: HAM Radio Supervisor
 01-Tier III Programs Cat Flex

HUMAN RESOURCES

Brooks, Ursula	5 days @\$381.67	5/15/10-6/12/10	Own Daily/\$1,908
Buck, Kathryn	5 days @\$496.54	5/15/10-6/12/10	Own Daily/\$2,483
Jeffries, Jane	5 days @\$487.08	5/15/10-6/12/10	Own Daily/\$2,435
Talt, Leslie	5 days @\$487.08	5/15/10-6/12/10	<u>Own Daily/\$2,435</u>
		TOTAL OWN DAILY	\$9,261

Comment: Additional Assignment per SMMCTA/SMMUSD Tentative Agreement
 01-Unrestricted Resource

MCKINLEY ELEMENTARY

Franklin, Judy	5 hrs @\$40.46	5/1/10-5/29/10	<u>Est Hrly/\$202</u>
		TOTAL ESTABLISHED HOURLY	\$202

Comment: Administrator at IEP
 01-IASA: Title I Basic-LW Inc/Neg

Macon, Tristen	10 hrs @\$40.46	5/1/10-6/18/10	<u>Est Hrly/\$405</u>
		TOTAL ESTABLISHED HOURLY	\$405

Comment: Math Support
 01-IASA: Title I Basic-LW Inc/Neg

ADDITIONAL ASSIGNMENT – EXTRA DUTY UNITS

ADAMS MIDDLE SCHOOL

Name	Rate	Assignment	Effective	Not to Exceed
Blanchard, Cecile	8 EDU	Music	2/10-6/10	\$2,048
Brown, Dan	4 EDU	NJHS	2/10-6/10	\$1,024
Daws, Tracy	2 EDU	AVID	2/10-6/10	\$ 512
Dipley, Jeri	4 EDU	Student Council	2/10-6/10	\$1,024
Garcia, Apryl	8 EDU	Music	2/10-6/10	\$2,048
Hart, Matthew	2 EDU	Surf Club	2/10-6/10	\$ 512
Perez, Lourdes	2 EDU	AVID	2/10-6/10	\$ 512
Murphy, Leticia	2 EDU	AVID	2/10-6/10	\$ 512
Ransom, Barbara	2 EDU	AVID	2/10-6/10	\$ 512
Saling, David	2 EDU	Literary Magazine	2/10-6/10	\$ 512
Silvers, Larry	2 EDU	NJHS	2/10-6/10	\$ 512
Woo, Angela	8 EDU	Music	2/10-6/10	<u>\$2,048</u>
		TOTAL EDUS		\$11,776

EDISON ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Morales, Carlos	2 EDU	5 th Grade Trip	9/09-6/10	\$512
Murcia, Constanza	2 EDU	5 th Grade Trip	9/09-6/10	\$512
			TOTAL EDUS	\$1,024

SMASH

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Barba-Castro, Graciela	1 EDU	Student/Family Nights	9/09-6/10	\$256
Berens, Candis	1 EDU	Student Art Fair	9/09-6/10	\$256
Field, Bailey	1 EDU	Outdoor Learning Trips	9/09-6/10	\$256
Holland, Kurt	1 EDU	Outdoor Learning Trips	9/09-6/10	\$256
Holland, Kurt	1 EDU	Service Learning	9/09-6/10	\$256
Kulsrud, Kelly	1 EDU	Outdoor Learning Trips	9/09-6/10	\$256
Mugalian, Tamara	3 EDU	Student Council	9/09-6/10	\$768
Mugalian, Tamara	1 EDU	Student Art Fair	9/09-6/10	\$256
Sherman, Laura	1 EDU	Student/Family Nights	9/09-6/10	\$256
Wold, Jayme	2 EDU	Student Council	9/09-6/10	\$512
			TOTAL EDUS	\$3,328

SANTA MONICA HIGH SCHOOL – 2nd Semester Academic

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Boyd, Bryn	5 EDU	Sr. Advisor	2/10-6/10	\$1,280
Chapman, Amy	6 EDU	Year Book	2/10-6/10	\$1,536
Corrigan, Michael	13 EDU	Band	2/10-6/10	\$3,328
De la Cruz, Gilda	4 EDU	AVID	2/10-6/10	\$1,024
Faas, Kathleen	6 EDU	Newspaper	2/10-6/10	\$1,536
Forrer, Brooke	5 EDU	Sr. Advisor	2/10-6/10	\$1,280
Gaida, Ingo	13 EDU	Academic Decathlon	2/10-6/10	\$3,328
Garcia-Hecht, Veronica	12 EDU	Student Activities	2/10-6/10	\$3,072
Gatell, Frank	6 EDU	Scholarship Advisor	2/10-6/10	\$1,536
Honda, Julie	7 EDU	Scholarship Advisor	2/10-6/10	\$1,792
Hovis, Daryl	13 EDU	Drama Director	2/10-6/10	\$3,328
Huls, Jeffe	10 EDU	Vocal Music	2/10-6/10	\$2,560
Kariya, Emily	4 EDU	Jr. Advisor	2/10-6/10	\$1,024
Lacy, Norm	13 EDU	Athletic Director	2/10-6/10	\$3,328
Meadors, Amy	12 EDU	Pep Squad	2/10-6/10	\$3,072
Morse, Kevin	5 EDU	Sr. Advisor	2/10-6/10	\$1,280
Sakow, Terry	13 EDU	Band Director	2/10-6/10	\$3,328
Swenson, Joni	13 EDU	Orchestra	2/10-6/10	\$3,328
			TOTAL EDUS	\$40,960

SANTA MONICA HIGH SCHOOL – Spring Season

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Fischer, Tania	13 EDU	Var Track	2/10-5/10	\$3,328
Flanders, Matthew	13 EDU	Var Swimming	2/10-5/10	\$3,328
Henderson, Luke	12 EDU	JV Baseball	2/10-5/10	\$3,072
Kim, Doug	12 EDU	JV Baseball	2/10-5/10	\$3,072
Meadors, Amy	2 EDU	Cheerleading	2/10-5/10	\$ 512
Sato, Liane	13 EDU	Var Boys Volleyball	2/10-5/10	\$3,328
Sato, Glenn	12 EDU	JV Boys Volleyball	2/10-5/10	\$3,072
Skaggs, Debbie	13 EDU	Var Softball	2/10-5/10	\$3,328
			TOTAL EDUS	\$23,040

HOURLY TEACHERS

ROGERS ELEMENTARY SCHOOL

Hanson-Booker, Denise 10 days @\$487.08

5/10/10-6/18/10

Own Daily/\$4,871

TOTAL ESTABLISHED HOURLY \$4,871

Comment: Reading Instruction
01-IASA: Title I Basic-LW Inc/Neg

TOTAL ESTABLISHED HOURLY, AND OWN DAILY = \$ 97,067

ELECTIONS

SUBSTITUTE TEACHERS

Effective

PREFERRED SUBSTITUTES

(@\$162.00 Daily Rate)

Light, Lindsay

5/12/10

REGULAR DAY-TO-DAY SUBSTITUTES

(@\$138.00 Daily Rate)

Tinker, Kathy

5/20/10

CHANGE IN ASSIGNMENT

Effective

Jimenez, Sylvia

9/7/10

Edison Elementary/Teacher

From: 100% Cotzen Fellowship

To: 100% Teacher

Williams, Alma

9/7/10-6/22/11

Edison Elementary/Teacher

From: 50%

To: 100%

LEAVE OF ABSENCE (with pay)

Name/Location

Effective

Frost, Millicent

4/19/10-6/25/10

Educational Services

[medical]

Hynding, Sheri

9/3/10-9/18/10

Grant Elementary

[CFRA]

Romano Perry, Marisa

3/29/10-6/2/10

Special Education

[maternity]

LEAVE OF ABSENCE (without pay)

Name/Location

Effective

Berman-Baker, Wendy

9/7/10-6/22/11

Webster Elementary

[20% - personal]

Contreras, Sitara

4/29/10-5/13/10

Rogers Elementary

[personal]

Garcia, Veronica

9/7/10-6/22/11

Santa Monica HS

[20% - personal]

Hynding, Sheri

9/19/10-10/15/10

Grant Elementary

[CFRA]

Jaroch, Katherine Lincoln Middle School	9/7/10-6/22/11 [child care]
Kinsinger, Julie Rogers Elementary	5/7/10-5/10/10 [catastrophic]
Maccani, Elizabeth Webster Elementary	6/2/10-6/18/10 [CFRA]
Murdock, Sheryl Webster Elementary	9/7/10-6/22/11 [60% - personal]
Romano Perry, Marisa Special Education	6/3/10-6/30/10 [child care]

RESIGNATION

<u>Name/Location</u>	<u>Effective</u>
Murray, Brian Special Education	6/30/10

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

TO: BOARD OF EDUCATION
 FROM: TIM CUNEO / WILBERT YOUNG
 RE: CLASSIFIED PERSONNEL - MERIT

ACTION/CONSENT
 06/03/10

RECOMMENDATION NO. A.25

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>
Carillo, Ivan Muir Elementary	Inst Asst – Classroom 3.5 Hrs/SY/Range: 18 Step: A	5/19/10

<u>TEMP/ADDITIONAL ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
Avila, Alfredo Educational Services	Student Outreach Specialist	2/1/10-2/16/10

Bechkovski, Stephan Facility Permits	Lifeguard	4/15/10-6/30/10
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Gold, Kathy Special Education	Tech Support Assistant	4/24/10
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Gutierrez, Yoly Special Education	Community Liaison	4/24/10
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McCabe, Pete Special Education	Inst Asst – Special Ed	4/24/10
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Michel, Amelia Muir Elementary	Inst Asst – Classroom	4/13/10-6/18/10
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Molina, Maria Ed Services	Inst Asst – Classroom	4/12/10-4/30/10
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Morales, Ismael Ed Services	Inst Asst – Classroom	4/12/10-4/30/10
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Nao, Kim Santa Monica HS	Student Outreach Specialist	11/1/09-3/30/10
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Oyenoki, Elizabeth McKinley Elementary	Sr. Office Specialist	5/1/10-6/18/10
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Zheng, Jin Special Education	Inst Asst – Special Ed	4/24/10
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<u>SUBSTITUTES</u>		<u>EFFECTIVE DATE</u>
Hansberry, Angie Special Education	Office Specialist	5/3/10-6/18/10

Hansberry, Angie Rogers Elementary	Office Specialist	4/20/10-4/23/10
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Murillo, Selin Operations	Custodian	5/13/10-6/30/10
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Murphy, Georgia Food Services	Cafeteria Worker I	5/12/10-6/25/10
Nahas, Brian Olympic High School	Inst Asst – Special Ed	5/17/10-6/18/10
Seymour, Georgia Human Resources	Office Specialist	5/5/10-6/30/10
Seymour, Georgia Fiscal Services	Office Specialist	5/10/10-5/12/10
Smart, Howard Human Resources	Campus Security Officer	4/23/10-6/30/10
Smith, Denise Human Resources	Office Specialist	5/3/10-6/18/10
Vazquez, Arturo Operations	Custodian	5/13/10-6/30/10

INVOLUNTARY TRANSFER

Walker, DeShayne Roosevelt Elementary	Inst Asst – Special Ed 6 Hrs/SY Fr: 6 Hrs/SY/McKinley Elementary	<u>EFFECTIVE DATE</u> 3/19/10
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AMERICAN DISABILITIES ACT (ADA) ACCOMODATION

Yashar, Azita McKinley Elementary	Inst Asst – Special Ed 6 Hrs/SY Fr: 6 Hrs/SY/Rogers Elementary	<u>EFFECTIVE DATE</u> 4/27/10
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LEAVE OF ABSENCE (PAID)

Bell, Michael Maintenance	Equipment Operator Military	<u>EFFECTIVE DATE</u> 5/28/10-6/30/10
Hernandez, Maira Child Develop Svcs	Children Center Asst Medical	5/3/10-6/25/10
Laird, Rosemary Human Resources	Office Specialist Catastrophic	5/6/10-5/23/10
Laird, Rosemary Human Resources	Office Specialist Medical	5/24/10-5/31/10

LEAVE OF ABSENCE (UNPAID)

Ramirez, Kristina Special Education	Inst Asst – Specialized Child Care	<u>EFFECTIVE DATE</u> 4/13/10-6/25/10
Walker, Dashayne McKinley Elementary	Inst Asst – Special Ed Personal	4/26/10-6/15/10

PROFESSIONAL GROWTH

Flores, Ana Marcela Santa Monica HS	Inst Assistant – Special Ed	<u>EFFECTIVE DATE</u> 6/1/10
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Torres, Kennia Santa Monica HS	Inst Asst – Special Ed	6/1/10
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WORKING OUT OF CLASS

Lopez, Jose Operations	Equipment Operator/Tree Trimmer Fr: Gardner	<u>EFFECTIVE DATE</u> 3/29/10-4/9/10
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Orozco, Abel Operations	Equipment Operator/Tree Trimmer Fr: Gardner	3/29/10-4/9/10
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SUSPENSION WITHOUT PAY

3646-012-09 Lincoln Middle School		<u>EFFECTIVE DATE</u> 6/7/10
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RESIGNATION

Forsland, Jake Franklin Elementary	Inst Asst – Classroom	<u>EFFECTIVE DATE</u> 5/10/10
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Grindle, Arianna Pt Dume Elementary	Inst Asst – Classroom	6/18/10
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O’Niel, James Malibu High School	Inst Asst – Special Ed	6/18/10
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Thomas, William Pt Dume Elementary	Inst Asst – Special Ed	6/18/10
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Tinker, Kathy Olympic High School	Campus Security Officer	5/4/10
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MOTION MADE BY:
SECONDED BY:
STUDENT ADVISORY VOTE:
AYES:
NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

06/03/10

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

RE: CLASSIFIED PERSONNEL – NON-MERIT

RECOMMENDATION NO. A.26

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.

STUDENT WORKER – WORKABILITY

CARMENDY, FRANCES	SPECIAL EDUCATION	4/12/10-6/30/12
DUNDEE, ALEX	SPECIAL EDUCATION	2/25/10-6/30/12
ELLROD, KRISTINA	SPECIAL EDUCATION	4/27/10-6/30/12

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

MAJOR ITEMS

TO: BOARD OF EDUCATION
FROM: TIM CUNEO / JANECE L. MAEZ
RE: REAPPOINTMENT OF MEMBERS TO THE MEASURE BB CITIZENS' BOND
OVERSIGHT COMMITTEE

ACTION/MAJOR
06/03/10

RECOMMENDATION NO. A.27

It is recommended that the Board of Education reappoint the following members of the Measure BB Citizens Bond Oversight Committee: Neil Carrey, Jeffrey Jarow, Laurie Charchut, Jerry Nickelsburg, and Robert Tompkins.

COMMENT: Each of these appointees has served diligently on the Measure BB Citizens Bond Oversight Committee (BOC) since appointed, and their terms end 6/30/10. At the first meeting of the Committee on 4/9/08, members drew lots to select a minimum of two members to serve for initial one-year terms with the remaining members to serve for two-year terms, as provided for in the *Citizens Bond Oversight Committee Bylaws*, Section 5.4 Term. These were the members who drew the two-year slots at that first meeting. The bylaws of the Committee allow for members to serve a second two-year term. On 7/16/09, the Board approved reappointment of two-year terms for Mr. Ralph Erickson and Mr. Steven Rodman, who both had initial one-year terms.

Each of these appointees has expressed the desire to remain on the Committee for another term. Staff suggests that each member whose term expires on 6/30/10 be reappointed for another two-year term ending on 6/30/12. Upon approval by the Board, following are the terms for all Measure BB Citizens BOC members:

Name	Term Length	Term Ending Date
Neil Carrey	2 years	6/30/12
Laurie Charchut	2 years	6/30/12
Ralph Erickson	2 years	6/30/11
Jeffrey Jarow	2 years	6/30/12
Jerry Nickelsburg	2 years	6/30/12
Steven Rodman	2 years	6/30/11
Robert Tompkins	2 years	6/30/12

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/03/10

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

7:30pm

RE: PRELIMINARY APPROVAL FOR CITY OF SANTA MONICA OCEAN PARK
GREEN STREET PROJECT – LOS AMIGOS PARK STORM WATER
RETENTION PROJECT – MUIR E.S./SMASH

RECOMMENDATION NO. A.28

It is recommended that the Board of Education approve preliminary authorization for the City of Santa Monica to continue with design work of the Storm Water Retention Project on the Los Amigos Park facility.

Funding Information – No cost to the District

History: The City of Santa Monica has been developing a strategy for the Ocean Park Blvd. Green Street Project since March 2008. The Ocean Park Blvd Green Street project is currently in the schematic design phase. As part of the program, the team is looking at incorporating low impact development strategies within the project limits (along the street) to help reduce urban runoff and improve storm water quality along the boulevard.

District staff from various departments have been involved in discussions with the City as it continues to identify the scope of this work, as both the Muir/SMASH and Olympic High School facilities fall within the project area. In an effort to maximize the environmental benefits, the project team has evaluated the Los Amigos Park property for a potential storm water quality improvement project. The opportunity exists to capture storm water from a 5th Street storm drain, route it into a simple containment feature under the Los Amigos Park fields, treat and use it for irrigation at the park, or allow the water to percolate and recharge the groundwater.

Project Benefits

- Reduction of urban runoff from a 34-acre area by at least 650,000 gallons per rain event (potentially 6-7 million gallons per year)
- Reduction of pollution in Santa Monica Bay and improvement of recreational experiences at the Santa Monica beaches
- Reduction of potable water usage resulting in the conservation of almost 2 million gallons per year
- Ground water recharge (if storm water use for irrigation is not feasible due to regulatory limitations)
- Reduction in electricity consumption for the existing irrigation system
- Renovation of the sports field as part of the project and installation of a new solar power operated irrigation system

Potential Impacts to School Grounds

- An area of about 100' x 300' will be excavated for installation of the retention feature.
- The sport field will be out of commission for about 3-4 weeks.
- Work would be scheduled around school activities, preferably in the summer months.

Responsibilities of the City

- Cover 100% of the costs for project management, design, construction, construction management.
- Restore the sport fields to their original condition prior to construction.
- Provide City staff or provide funding of District staff for any necessary maintenance.
- Obtain regulatory approvals to use storm water for irrigation purposes

- Coordinate with the School District's designated staff to study the feasibility of incorporating other landscaped areas on the school grounds.
- Coordinate with the School District's designated staff to incorporate the project with future schematic design proposals on the campus.

Responsibilities of the School District

- Provide approval for construction of the project on the property once reviewed for feasibility by District staff.

Action

The City has evaluated the site for a potential Storm Water Retention Project. The Board of Education needs to provide the City with a preliminary approval to build the proposed project on school ground if determined to be feasible.

Future Steps

The Board of Education will be presented with the findings and design of the project and be asked for final approval prior to the start of any construction on the facility.

Should the project move forward, it is anticipated that the project would begin the summer of 2011.

A brief overview of the project will be presented by Mr. Rick Valte, City of Santa Monica, Watershed Program Manager in a Power Point presentation to the Board of Education.

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

TO: BOARD OF EDUCATION
FROM: TIM CUNEO / JANECE L. MAEZ

ACTION/MAJOR
06/03/10

RE: DECLARATION OF INDEFINITE SALARIES FOR REPRESENTED BARGAINING UNIT MEMBERS AND UNREPRESENTED SENIOR MANAGEMENT, MANAGEMENT, SUPERVISORY, AND CONFIDENTIAL EMPLOYEES FOR 2010-2011

RECOMMENDATION NO. A.29

It is recommended that the Board declare salaries as indefinite for bargaining unit members and unrepresented senior management, management, supervisory, and confidential employees for the 2010/2011 school year.

COMMENT: Because salaries for represented bargaining unit members and unrepresented senior management, management, supervisory and confidential employees are set by the Board of Education, if the Board of Education declares, in advance of the new fiscal year, that salaries for its employees are indefinite, whether subject to future review, negotiations, financial condition, or other factors, such action will suffice to permit retroactive salary adjustments back to the beginning of the new year.

This action meets the requirements specified in Education Code Section 45032.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 09-44 - CERTIFICATED ADMINISTRATOR
RELEASE AND REASSIGNMENT

RECOMMENDATION NO. A.30

It is recommended that the Board of Education approve the attached Resolution No. 09-44, Certificated Administrator Release and Reassignment of pursuant to Education Code Section 44951 as indicated on the Resolution, effective June 2010.

COMMENT: As required, the Board of Education notified certificated administrators on or before March 15 of its decision that the employee shall be released from an administrative position and reassigned to a teaching position for the next succeeding school year. This resolution finalizes that action.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

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

RESOLUTION NO. 09-44

**RESOLUTION REGARDING RELEASE AND REASSIGNMENT OF CERTIFICATED
ADMINISTRATIVE EMPLOYEE PURSUANT TO EDUCATION CODE 44951**

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

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

WHEREAS, California Education Code Section 44896 states that whenever a person employed in an administrative or supervisory position is transferred to a teaching position, the Board of Education of the school district shall give each employee, when requested by him or her, a written statement of the reasons for such transfer; and,

WHEREAS, the employees listed below is currently employed by the Santa Monica-Malibu Unified School District in a position requiring an administrative credential;

WHEREAS, the Board and Superintendent have considered, on an individual basis, the performance of the employees listed below and the anticipated needs of the District and have determined that he or she should be released from his or her administrative assignment.

NOW THEREFORE BE IT RESOLVED AND ORDERED, the Board of Education has determined, upon consideration on an individual basis, that the individuals listed below, who are certificated employees, shall be released from his or her administrative position and its respective salary placement at the end of the 2009-2010 school year to a teaching position and its respective salary placement for the 2010-2011 school year, and the Superintendent, or designee, is hereby authorized to give written notice of this action.

EMPLOYEE NUMBER

6029

5743

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 3rd day of June 2010 by the following vote:

Ayes: _____
Noes: _____
Absent: _____

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

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on June 3, 2010.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CLASSIFIED EMPLOYEE LAYOFFS / REDUCTION IN HOURS

RECOMMENDATION NO. A.31

It is recommended that the Board of Education approve the Classified employee Layoffs/Reduction in Hours indicated below, and instruct staff to proceed with lay-off procedures.

COMMENT: Per Article 30.1.1. of the collective bargaining agreement, staff presented 45-day notice of possible reductions in Classified FTEs to SEIU-Local 99 on April 12, 2010. Within the 45-day period, discussions were held with members of the SEIU executive board. Following approval by the Board of Education, impacted employees will receive 45-days notice of Layoff and the option to exercise bumping rights, if available.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

<u>LAYOFF</u>		<u>EFFECTIVE DATE</u>
4042-043-09 District Office	1.00 FTE; Sr. Office Specialist	7/19/10
7627-010-09 Malibu HS	1.00 FTE; Library Assistant I	7/19/10
7927-011-09 John Adams MS	1.00 FTE; Library Assistant I	7/19/10
9546-012-09 Lincoln MS	0.75 FTE; Library Assistant I	7/19/10
0266-061-09 Maintenance	1.00 FTE; Painter	7/19/10
5949-002-09 Franklin Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
1071-007-09 Roosevelt Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
9070-006-09 Rogers Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
3187-005-09 Muir Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
2833-009-09 SMASH	0.25 FTE; Elementary Library Coordinator	7/19/10
1832-001-09 Edison Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
6625-008-09 Webster Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
5287-017-09 Cabrillo Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
2810-019-09 Pt Dume Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
8732-004-09 McKinley Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10
3337-003-09 Grant Elementary	0.875 FTE; Elementary Library Coordinator	7/19/10

TO: BOARD OF EDUCATION

ACTION/MAJOR

06/03/10

FROM: TIM CUNEO

RE: AMEND CHARGES TO THE LOCAL FUNDING MEASURE AND CAPITOL
BOND FEASIBILITY COMMITTEE

RECOMMENDATION NO. A.32

It is recommended that the Board of Education amend the charges to the Local funding Measure Feasibility Committee.

COMMENT: At its August 19, 2009, meeting, the Board of Education established and appointed members to the Emergency/Temporary Parcel Tax Feasibility Committee. The purpose of the committee was to examine the feasibility of an emergency and temporary parcel tax to offset all or a portion of the budget deficit due to the state budget crisis.

At its January 14, 2010, meeting, the Board of Education accepted the recommendations from the Emergency/Temporary Parcel Tax Feasibility Committee to take action to notify Los Angeles County that the district will place a parcel tax on the ballot for a special all-mail election on May 25, 2010. At its February 1, 2010, meeting the Board of Education adopted Resolution No. 09-19 – A Special Emergency, Temporary Parcel Tax Measure be Submitted for Approval by Voters in the Cities of Santa Monica and Malibu at Special Mail-In Ballot on May 25, 2010.

The parcel tax, named Measure A, received a 63% approval rate, but required a 66% approval rate for passage. At its meeting of May 26, 2010, the Board of Education requested that staff bring back an item amending the charges of the committee to examine the feasibility of placing another measure on the November ballot. Below are the amended charges:

The amended committee charge:

- The committee will be charged with the following goals:
 - Phase I: Report to the Board of Education with: 1) an analysis of the outcome of Measure A and 2) a recommendation regarding the feasibility of a future local funding measure.
 - Determine a budget and timing for Phase I.
 - Phase II: Determine the feasibility of a capitol improvement bond measure to continue the school modernization projects.
 - Determine a budget and timing for Phase II.
 - Provide report for Phase I at October 7, 2010, board meeting.

(Continued on next page)

Committee Members:

Richard Bencivengo
Joel Brand
Neil Carrey
Brian Chase
Lauri Crane
Shari Davis
Bill Dawson
Ralph Erickson
Thelma Felstiner
Rochelle Finali
Karen Gardner
Bruce Gilbert
Craig Hamilton
Chris Harding
Christopher Jimenez y West
Ted Kahan
Rebecca Kennerly
Tom Larmore
Laurie Lieberman
Debbie Mulvaney
Nimish Patel
Paul Silvern
Elizabeth Stearns
Bruce Ira Sultan
Susan Tellem
Ted Winterer
Tony Vazquez
Dennis Zane
SMC representative – TBD
City of Santa Monica representative – TBD
City of Malibu representative – TBD
SMMCTA representative – TBD
SEIU representative – TBD
Pico Neighborhood representative – TBD

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

DISCUSSION ITEMS

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / JANECE L. MAEZ

8:00pm

RE: JOINT MEETING WITH THE FINANCIAL OVERSIGHT COMMITTEE

DISCUSSION ITEM NO. D.01

As part of the requirements associated with the annual funds given to the School District from the City of Santa Monica, the Financial Oversight Committee (*FOC*) was appointed as an independent oversight committee regarding the financial matters of the District. This includes an annual report from the FOC to the School Board, reviewing the past year and offering its observations about the District's financial matters.

In addition, the FOC's charge was amended at the June 5, 2008 Board meeting (Item A.22) to include responsibilities associated with the Measure R parcel tax, approved by the voters at the February 2008 Special Election. Measure R requires that an Independent Citizens Oversight Committee monitor proposed and actual parcel tax expenditures each year.

Therefore, in compliance with the foregoing, the Board of Education will convene a joint session with the Financial Oversight Committee on June 3, 2010, at 7:00 p.m. for the purpose of addressing the following items:

- I. Report from the FOC as presented by Chair Cynthia Torres
 - A. Introduction
 - B. Summary of FOC Activities During FY 2009-10
 - C. Report on Measure R Expenditures
 - D. Views on the Proposed 2010-11 District Budget
 - E. Proposed FOC Focus for FY 2010-11
- II. Discussion between the Board of Education and the FOC

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / EDUCATION FOUNDATION

RE: SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT EDUCATION
FOUNDATION FUNRAISING UPDATE

DISCUSSION ITEM NO. D.02

The Director of the SMMUSD Education Foundation will provide the Board of Education with an update regarding the progress of the foundation's fundraising activities and goals for the 2010-11 school year.

COMMENT: Established in 1982 in response to devastating federal and state education budget cuts, the Education Foundation was organized by a dedicated group of parent, business and community leaders to enhance and supplement the curriculum of the district. The SMMUSD Ed Found funds programs in the Arts, Academics, and Athletics. It has accomplished this through the establishment of permanent endowment funds, special events, and fundraising campaigns

The Ed Found's mission is to ensure equity and access to a vibrant educational experience for all students. The money it raises is distributed equitably throughout the entire district. As a trusted steward of the community's donations, the Ed Found strategizes with the school district to allocate funds in a way that results in the greatest impact.

The Ed Found firmly believes it is its collective obligation to ensure that each and every young person is equipped to thrive and succeed in our world. The foundation must provide SMMUSD's children with an education that empowers, instills a sense of purpose, and leads to the recognition of unlimited opportunities

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER REVISING AR 1240 – VOLUNTEER ASSISTANCE

DISCUSSION ITEM NO. D.03

It is recommended that the Board of Education consider revising AR 1240 - Volunteer Assistance.

COMMENTS: CSBA is recommending this regulation update to reflect new law (AB 1025), which, beginning July 1, 2010, requires any volunteer who supervises, directs, or coaches a student activity program sponsored by or affiliated with the district to obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing (CTC). The AR revision also clarifies prohibitions against registered sex offenders serving as volunteers and reflects new law (AB 307), which expands the circumstances under which registered sex offenders must disclose their status.

Because this is an AR, it will not need to return for board approval.

VOLUNTEER ASSISTANCE

Duties of Volunteers

Volunteers may assist certificated personnel in the performance of their duties, in the supervision of students, and in instructional tasks which, in the judgment of the certificated personnel to whom the instructional aide is assigned, may be performed by a person not licensed as a classroom teacher. These duties shall not include assignment of grades to students. (Education Code 45343, 45344, 45349)

A volunteer is defined as a parent, community member, or other adult who assists at a school site or program on a regular or semi-regular basis, usually with an assigned schedule. A volunteer provides his/her time to the district without pay. Individuals who are at the school to attend or help at a one-time special event involving no unsupervised contact with children are not considered volunteers.

Volunteers may supervise students during lunch and/or breakfast periods or may serve as nonteaching aides under the immediate supervision and direction of certificated personnel to perform noninstructional work which assists certificated personnel in the performance of teaching and administrative responsibilities. (Education Code 35021, 44814, 44815)

Volunteers may work on short-term facilities projects pursuant to Board of Education policy and administrative regulation. There are two levels of volunteers:

1. Level 1 - Volunteers working under the constant direct supervision of a certificated employee

These volunteers serve during and after school hours to work in classrooms, on the campus, or in special school programs. Examples would include: lunch assistant, playground supervision, classroom aide or helper, assisting in the library, and assisting at lunch or after school club or school activity.

2. Level 2 - Volunteers working under the supervision of certificated employees but occasionally unsupervised while working with students

Examples would include athletic coaches, performing arts coaches, tutors, chaperones on overnight trips, and volunteers who drive vehicles transporting students other than their own child on field trips or other activities.

Qualifications of Volunteers

Volunteers providing supervision or instruction of students pursuant to Education Code 45349 shall give evidence of basic skills proficiency. (Education Code 45344.5, 45349)

Beginning July 1, 2010, any volunteer who supervises, directs, or coaches a student activity program shall be required to obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing. Student activity programs include, but are not limited to, scholastic programs, interscholastic programs, and extracurricular activities sponsored by the district or a school booster club, such as cheer team, drill team, dance team, and marching band. This requirement shall not apply to volunteer supervisors for breakfast, lunch or other nutritional periods or to volunteer non-teaching aides under the immediate supervision and direction of certificated personnel pursuant to Education Code 35021 (Education Code 49024).

A person who is required to register as a sex offender pursuant to Penal Code 290 shall not serve as a volunteer instructional aide or as a volunteer nonteaching aide under the direct supervision of a certificated employee. (Education Code 35021)

The Superintendent or designee shall verify by reasonable means that persons serving as volunteer instructional aides and nonteaching volunteer aides are not required to register as a sex offender pursuant to Penal Code 290.

No volunteer shall be assigned to provide supervision or instruction of students unless he/she has submitted evidence of an examination within the past 60 days to determine that he/she is free of active tuberculosis. Volunteers who test negative shall thereafter be required to take a tuberculosis test every four years in accordance with Education Code 49406. (Education Code 45106, 45347, 45349, 49406)

The Superintendent or designee may exempt from tuberculosis testing requirements those volunteers who serve less than a school year and whose functions do not require frequent or prolonged contact with students. (Education Code 49406)

Volunteers engaged in the performance of any service to the district are considered an employee of the district for the purpose of Workers' Compensation Insurance.

The following will be a guide to the application requirements for volunteers.

Requirements for Volunteers

Requirements for Level 1 volunteers who are under the constant, direct supervision of a certificate employee and assist: with lunch supervision, with playground supervision, as a classroom aid or helper, in the library, with lunch or with an after school club or other activity assistance shall:

1. Complete a volunteer application
2. Pass a TB test every four years
3. Be subject to a Megan's law check annually
4. Be approved by the site administrator
5. Be issued and wear a site-issued ID badge

Requirements for Level II volunteers who are under supervision of a certificated employee but who are occasionally unsupervised while working with students and assist as: athletic coaches, performing arts coaches, tutors, chaperones on overnight trips, and volunteers who drive vehicles transporting students other than their own child on field trips or other activities shall:

1. Complete a volunteer application
2. Pass a TB test every four years
3. Be subject to a Megan's law check annually
4. Be approved by the site administrator
5. Be approved by the district's human resources administrator
6. Be issued and wear a district-issued badge
7. Be fingerprinted
8. When appropriate, obtain an Activity Supervisor Clearance Certificate from the Commission on Teacher Credentialing.

The school site is responsible for receiving, approving and maintaining Level I volunteer applications. Level 2 applications must be approved by the assistant superintendent, human resources after fingerprint clearance. The district will continue to provide TB testing and cover the cost (about \$5) for volunteers. If a chest x-ray is required, the district does not provide that service and will not cover that cost. The district will cover the cost of fingerprinting (about \$50). Any volunteers who would like to make a donation to cover those costs may certainly do so. The volunteer must cover the cost of the Activity Supervisor Clearance Certificate, and all associated costs, if it is required.

Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
approved: August 19, 2009 Santa Monica, California

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER REPLACING BP 4030 – NONDISCRIMINATION IN EMPLOYMENT
WITH UPDATED CSBA BP 4030, AND DELETING AR 4030

DISCUSSION ITEM NO. D.04

It is recommended that the Board of Education consider replacing BP 4030 – Nondiscrimination in Employment with updated CSBA BP 4030, and deleting AR 4030.

COMMENTS: CSBA is recommending this extensive policy updated to reflect new federal law (P.L. 110-233), which prohibits employers from discriminating against employees and job applicants on the basis of "genetic information," as defined. Policy also contains new note reflecting new EEOC guidance regarding religious discrimination in the workplace. CSBA has deemed the AR unnecessary and therefore it has been deleted. Material formerly in the AR regarding filing of complaints, trainings, and notification has been moved to the BP. Material regarding other remedies has been moved to AR 4031 – Complaints Concerning Discrimination in Employment.

This policy will return for approval at the June 18, 2010, board meeting.

NONDISCRIMINATION IN EMPLOYMENT

The Governing Board prohibits discrimination against and/or harassment of district employees and job applicants at any district site or activity on the basis of actual or perceived race, religion, color, national origin, ancestry, age, marital status, pregnancy, physical or mental disability, medical condition, genetic information, veteran status, gender, sex, or sexual orientation.

Prohibited discrimination or harassment consists of unwelcome conduct, whether verbal, physical, or visual, based on any of the prohibited categories of discrimination listed above that it is so severe and pervasive that it adversely affects an individual's employment opportunities or has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile, or offensive work environment.

The Board also prohibits retaliation against any district employee or job applicant who complains, testifies, assists, or in any way participates in the district's complaint procedures instituted pursuant to this policy.

Any district employee who engages or participates in prohibited discrimination or harassment, or who aids, abets, incites, compels, or coerces another to engage or attempt to engage in such behavior, shall be in violation of this policy and shall be subject to disciplinary action, up to and including dismissal.

The Board designates the following position(s) as Coordinator(s) for Nondiscrimination in Employment:

Assistant Superintendent, Human Resources
Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404
310-450-8338

Any employee or job applicant who believes that he/she has been or is being discriminated against or harassed in violation of district policy or regulation should immediately contact his/her supervisor, the Coordinator, or the Superintendent who shall advise the employee or applicant about the district's procedures for filing, investigating, and resolving any such complaints.

Complaints regarding employment discrimination or harassment shall immediately be investigated in accordance with AR 4031 - Complaints Concerning Discrimination in Employment.

Any supervisory or management employee who observes or has knowledge of an incident of prohibited discrimination or harassment shall report the incident to his/her supervisor, the Coordinator, or Superintendent as soon as practical after the incident. All other employees are encouraged to report such incidents to their supervisor immediately.

Training and Notifications

The Superintendent or designee shall provide training to employees about how to recognize harassment and discrimination, how to respond appropriately, and components of the district's policies and regulations regarding discrimination.

The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin, or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)

The district's policy shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)

Policy CSBA MANUAL MAINTENANCE SERVICE
adopted: March 2010

NONDISCRIMINATION IN EMPLOYMENT

~~The Board of Education prohibits unlawful discrimination against and/or harassment of district employees and job applicants on the basis of actual or perceived race, color, national origin, ancestry, religion, age, marital status, pregnancy, physical or mental disability, medical condition, veteran status, gender, sex, or sexual orientation at any district site and/or activity. The Board also prohibits retaliation against any district employee or job applicant who complains, testifies or in any way participates in the district's complaint procedures instituted pursuant to this policy.~~

~~Any district employee who engages or participates in unlawful discrimination, or who aids, abets, incites, compels or coerces another to discriminate, is in violation of this policy and is subject to disciplinary action, up to and including dismissal.~~

~~Any district employee who observes or has knowledge of an incident of unlawful discrimination or harassment shall report the incident to the principal, district administrator or Superintendent as soon as practical after the incident. Failure of a district employee to report discrimination or harassment may result in disciplinary action.~~

~~The Superintendent or designee shall regularly publicize, within the district and in the community, the district's nondiscrimination policy and the availability of complaint procedures. Such publication shall be included in each announcement, bulletin or application form that is used in employee recruitment. (34 CFR 100.6, 106.9)~~

~~The district's policy and administrative regulation shall be posted in all schools and offices including staff lounges and student government meeting rooms. (5 CCR 4960)~~

~~The Board designates the following position as Coordinator for Nondiscrimination in Employment:~~

~~Assistant Superintendent, Human Resources
Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404
310-450-8338~~

~~Other Remedies~~

~~An employee may, in addition to filing a discrimination complaint with the district, file a complaint with either the California Department of Fair Employment and Housing (DFEH) or the Equal Employment Opportunity Commission (EEOC). The time limits for filing such complaints are as follows:~~

- ~~1. To file a valid complaint with DFEH, the employee must file his/her complaint within one year of the alleged discriminatory act(s), unless an exception exists pursuant to Government Code 12960. (Government Code 12960)~~
- ~~2. To file a valid complaint directly with EEOC, the employee must file his/her complaint within 180 days of the alleged discriminatory act(s). To file a valid complaint with EEOC after filing a complaint with DFEH, the employee must file the complaint within 300 days of the alleged discriminatory act(s) or within 30 days after the termination of proceedings by DFEH, whichever is earlier. (42 USC 2000e-5)~~

Employees wishing to file complaints with the DFEH and EEOC should contact the nondiscrimination coordinator for more information.

~~Legal Reference:~~

~~CIVIL CODE~~

~~51.7 Freedom from violence or intimidation~~

~~GOVERNMENT CODE~~

~~11135 Unlawful discrimination~~

~~12900-12996 Fair Employment and Housing Act~~

~~PENAL CODE~~

~~422.56 Definitions, hate crimes~~

~~CODE OF REGULATIONS, TITLE 2~~

~~7287.6 Terms, conditions and privileges of employment~~

~~CODE OF REGULATIONS, TITLE 5~~

~~4900-4965 Nondiscrimination in elementary and secondary education programs receiving state financial assistance~~

~~UNITED STATES CODE, TITLE 20~~

~~1681-1688 Discrimination based on sex or blindness, Title IX~~

~~UNITED STATES CODE, TITLE 29~~

~~794 Section 504 of the Rehabilitation Act of 1973~~

~~UNITED STATES CODE, TITLE 42~~

~~2000d-2000d-7 Title VI, Civil Rights Act of 1964~~

~~2000e-2000e-17 Title VII, Civil Rights Act of 1964 as amended~~

~~2000h-2-2000h-6 Title IX, 1972 Education Act Amendments~~

~~12101-12213 Americans with Disabilities Act~~

~~CODE OF FEDERAL REGULATIONS, TITLE 28~~

~~35.101-35.190 Americans with Disabilities Act~~

~~CODE OF FEDERAL REGULATIONS, TITLE 34~~

~~100.6 Compliance information~~

~~104.8 Notice~~

~~106.8 Designation of responsible employee and adoption of grievance procedures~~

~~106.9 Dissemination of policy~~

~~COURT DECISIONS~~

~~Carter v. California Department of Veterans Affairs (2003) 2003 Cal.LEXIS 5694~~

~~Shephard v. Loyola Marymount (2002) 102 CalApp.4th 837~~

~~Management Resources:~~

~~EQUAL EMPLOYMENT OPPORTUNITY COMMISSION~~

~~Enforcement Guidance: Vicarious Employer Liability for Unlawful Harassment by Supervisors, June 1999~~

~~Enforcement Guidance: Reasonable Accommodation and Undue Hardship under the Americans with Disabilities Act, March, 1999~~

~~U.S. DEPARTMENT OF EDUCATION, OFFICE OF CIVIL RIGHTS~~

~~Notice of Non-Discrimination, January, 1999~~

~~WEB SITES~~

~~EEOC: <http://www.eeoc.gov>~~

~~OCR: <http://www.ed.gov/offices/OCR>~~

~~DFEH: <http://www.dfeh.ca.gov>~~

~~Policy — SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted: June 25, 2009 — Santa Monica, California~~

NONDISCRIMINATION IN EMPLOYMENT

Unlawful discrimination or harassment of an individual includes:

1. ~~Slurs, epithets, threats or verbal abuse~~
2. ~~Derogatory or degrading comments, descriptions, drawings, pictures or gestures~~
3. ~~Unwelcome jokes, stories, teasing or taunting~~
4. ~~Any other verbal, written, visual or physical conduct against the individual which:

 - a. ~~Adversely affects his/her employment opportunities, or~~
 - b. ~~Has the purpose or effect of unreasonably interfering with his/her work performance or creating an intimidating, hostile or offensive work environment~~~~

~~Any employee or job applicant who feels that he/she has been or is being unlawfully discriminated against or harassed should immediately contact his/her supervisor, the nondiscrimination coordinator or the Superintendent in order to obtain procedures for reporting a complaint. Such complaints shall be filed in accordance with AR 4031 – Complaints Concerning Discrimination in Employment. An employee may bypass his/her supervisor when the supervisor is the alleged offender.~~

~~(cf. 4031 – Complaints Concerning Discrimination in Employment)~~

~~(cf. 4119.11/4219.11/4319.11 – Sexual Harassment)~~

~~Any supervisor who receives a discrimination/harassment complaint shall immediately notify the nondiscrimination coordinator or the Superintendent, who shall ensure that the complaint is appropriately investigated in accordance with district policy and regulations.~~

~~The Superintendent or designee shall ensure that annual training is provided to all employees regarding the issues of discrimination.~~

Regulation ~~SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT~~
 approved: June 25, 2009 ~~Santa Monica, California~~

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER REVISING AR 4112.23 – Special Education Staff

DISCUSSION ITEM NO. D.05

It is recommended that the Board of Education consider revising AR 4112.23 – Special Education Staff.

COMMENTS: CSBA is recommending this mandated regulation update to reflect new Title 5 regulations, which (1) expand the added authorizations available for special education credential holders, including an autism authorization, and (2) establish the special education limited assignment teaching permit, which allows a special education credential holder to serve outside his/her specialty area while completing the coursework for an added authorization in special education or an additional full specialty area in another special education area. The AR revision also reflects new law (AB 239), which authorizes holders of special education district internship credentials to provide classroom instruction to students with disabilities, not limited to students with mild and moderate disabilities. The material on caseloads has been expanded and moved into a new section.

Because this is an AR, it will not need to return for board approval.

SPECIAL EDUCATION STAFF

Any teacher assigned to serve students with disabilities shall possess a credential that authorizes him/her to teach the primary disability of the students within the program placement recommended in the students' individualized education programs (IEP). (5 CCR 80046.5)

Special education teachers who teach core academic subjects shall possess the qualifications required by the No Child Left Behind Act. (20 USC 1401, 6319, 7801; 34 CFR 200.55-200.57, 300.18; 5 CCR 6100-6126)

The Superintendent or designee may request the Commission on Teacher Credentialing (CTC) to issue a special education limited assignment teaching permit to authorize a qualified special education teacher, with his/her written consent, to serve outside the specialty area of his/her credential. In so doing, the district shall submit a Declaration of Need for Fully Qualified Educators that satisfies the requirements of 5 CCR 80026. If the teacher has not yet obtained permanent status, the Superintendent or designee shall assign one or more experienced educators in the special education subject area(s) of the permit, who have at least three years of full-time teaching experience in each of the subject area(s) of the permit, to provide guidance and assistance to the permit holder. (5 CCR 80027.1)

Note: Pursuant to Education Code 44325, the CTC issues special education district internship credentials, valid for up to three years, which authorize classroom instruction to students with disabilities. As amended by AB 239 (Ch. 316, Statutes of 2009), Education Code 44325 no longer limits this authorization to instruction of students with mild and moderate disabilities. For requirements pertaining to internship programs, see BP/AR 4112.21 - Interns.

The district may employ a person with an appropriate district internship credential to provide classroom instruction to students with disabilities, provided he/she has met the subject matter requirement specified in Education Code 44325 and receives guidance, supervision, and professional development through an established district internship program. (Education Code 44325, 44326, 44830.3)

~~The Superintendent or designee shall ensure that caseloads for special education teachers are within the maximum caseloads established by law, collective bargaining agreement, and/or the comprehensive plan of the Special Education Local Plan Area (SELPA) in which the district participates.~~

Resource Specialists

The Board of Education shall employ certificated resource specialists to provide services for students with disabilities which shall include, but not be limited to: (Education Code 56362)

1. Providing instruction and services to students whose needs have been identified in an IEP and who are assigned to regular classroom teachers for a majority of the school day

A student shall not be enrolled in a resource specialist program for a majority of a school day without approval by the student's IEP team.

2. Providing information and assistance to students with disabilities and their parents/guardians
3. Providing consultation, resource information, and material regarding students with disabilities to their parents/guardians and regular education staff members
4. Coordinating special education services with the regular school programs for each student with disabilities enrolled in the resource specialist program
5. Monitoring student progress on a regular basis, participating in the review and revision of IEPs as appropriate, and referring students who do not demonstrate sufficient progress to the IEP team
6. At the secondary school level, emphasizing academic achievement, career and vocational development, and preparation for adult life

The district's resource specialist program shall be under the direction of a resource specialist who possesses the qualifications specified in Education Code 56362 and 5 CCR 80070.8. (Education Code 56362)

~~The district's resource specialist program shall be under the direction of a resource specialist who possesses: (Education Code 56362)~~

- ~~1. A special education credential or clinical services credential with a special class authorization~~
- ~~2. Three or more years of teaching experience, including both regular and special education teaching experience~~
- ~~3. The demonstrated competencies required for a resource specialist as established by the Commission on Teacher Credentialing in 5 CCR 80070.8~~

~~No resource specialist shall have a caseload which exceeds 28 students. As necessary and with the agreement of the resource specialist, the Board may request a waiver from the State Board of Education to increase the caseload to no more than 32 students, provided that an individual resource specialist does not have a caseload exceeding 28 students for more than two school years and has the assistance of an instructional aide at least five hours daily during the period of the waiver. (Education Code 56362, 56362.1; 5 CCR 3100)~~

Resource specialists shall not simultaneously be assigned to serve as resource specialists and to teach regular classes. (Education Code 56362)

Teachers of Students with Autism

A teacher whose preliminary Level I education specialist credential or other previously issued credential authorizes him/her to provide instruction to students with mild and moderate disabilities may be assigned to provide instruction to students with autism, provided that the teacher consents to the assignment and satisfies either of the following criteria prior to the assignment: (Education Code 44265.1)

1. The teacher has provided full-time instruction for at least one year prior to September 1, 2007, in a special education program that serves students with autism in accordance with their IEP and received a favorable evaluation or recommendation from the district or school to teach students with autism.

2. The teacher has completed a minimum of three semester units of coursework in the subject of autism offered by a regionally accredited institution of higher education.

The Superintendent or designee shall report teachers assigned under the above conditions to the county office of education as part of the annual assignment monitoring pursuant to Education Code 44258.9. (Education Code 44265.1)

The Superintendent or designee may employ and assign a teacher to provide instruction to students age 3-4 who are diagnosed with autism if the teacher holds a valid preliminary Level I or clear Level II education specialist credential, is authorized to provide instruction to

students with autism, and satisfies either of the criteria listed in items #1 and 2 above, except that the prior service shall have been with autistic students age 3-4 or the completed coursework shall have been in the subject of special education related to early childhood education. (Education Code 44265.2)

Verification of experience or coursework for any teacher of autistic students shall be maintained on file in the district or school office. (Education Code 44265.1, 44265.2)

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

44250-44279 Credentials, especially:

44256 Credential types, specialist instruction

44258.9 Assignment monitoring

44265-44265.99 Special education credential

44268 Clinical and rehabilitative services credential

56000-56865 Special education, especially:

56195.8 Adoption of policies

56361 Program options

56362 Resource specialist program

56362.1 Caseload

56362.5 Resource specialist certificate of competence

56362.7 Bilingual-crosscultural certificate of assessment competence

56363.3 Average caseload limits

56441.7 Maximum caseload, students age 3-5

CODE OF REGULATIONS, TITLE 5

3051.1 Language, speech and hearing development and remediation; appropriate credential

3100 Waivers of maximum caseload for resource specialists

6100-6126 Teacher qualifications, No Child Left Behind Act

80046-80046.1 Adapted physical education specialist

80046.5 Credential holders authorized to serve students with disabilities

80048-80048.6 Credential requirements and authorizations

80070.1-80070.8 Resource specialist certificate of competence

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities Education Act, especially:

1401 Definition of highly qualified special education teacher

6319 Highly qualified teachers

7801 Definitions, highly qualified teacher

CODE OF FEDERAL REGULATIONS, TITLE 34

200.55-200.57 Highly qualified teachers

300.8 Definition of autism

300.18 Highly qualified special education teachers

300.156 Special education personnel requirements

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Handbook on Developing and Implementing Early Childhood Special Education Programs and Services, 2001

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

08-13 Alternative Route to Provide Special Education Services to Students with Autism Ages Three and 4, October 9, 2008

08-10 Alternative Route to Provide Special Education Services to Students with Autism, July 7, 2008

COMMISSION ON TEACHER CREDENTIALING PUBLICATIONS

Standards of Quality and Effectiveness for Education Specialist Credential Programs (including University Internship Options) and Clinical Rehabilitative Services Programs, 1996

WEB SITES

California Association of Resource Specialists and Special Education Teachers: <http://www.carsplus.org>

California Department of Education, Special Education: <http://www.cde.ca.gov/sp/se>

California Speech-Language-Hearing Association: <http://www.csha.org>

Commission on Teacher Credentialing: <http://www.ctc.ca.gov>

Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

approved: June 25, 2009 Santa Monica, California

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER REVISING AR 4112.4 – HEALTH EXAMINATIONS

DISCUSSION ITEM NO. D.06

It is recommended that the Board of Education consider revising AR 4112.4 – Health Examinations.

COMMENTS: CSBA is recommending this regulation update to update the section entitled "Medical Certification for Communicable Diseases for Certificated Employees" to reflect new law (SB 171), which expands the list of individuals authorized to issue the required medical certification to potential employees to include physician assistants, registered nurses, and commissioned medical officers.

Because this is an AR, it will not need to return for board approval.

HEALTH EXAMINATIONS

Tuberculosis Tests

No applicant shall be initially employed in a classified or certificated position unless he/she has submitted to an intradermal or other tuberculin test licensed by the Food and Drug Administration within the past 60 days and, if that test was positive, has subsequently obtained an X-ray of the lungs. The applicant shall submit to the district a certificate signed by the examining licensed physician indicating that he/she is free of active tuberculosis. (Education Code 49406; 5 CCR 5503)

The cost of the pre-employment tuberculosis examination shall be paid by the applicant.

An applicant who was previously employed in another California school district may fulfill the tuberculosis examination requirement by either producing a certificate showing that he/she was examined within the last four years and found to be free of active tuberculosis or by having his/her previous school district employer verify that it has on file a certificate which contains that evidence. (Education Code 49406)

Once hired by the district, employees who test negative on the initial intradermal or other tuberculin test shall undergo a tuberculosis examination at least once every four years, or more often if so directed by the Board of Education upon recommendation of the county health officer, for as long as the employee's test remains negative. An employee with a documented positive test for tuberculosis infection shall no longer be required to submit to the examination and shall be referred to the county health officer within 30 days of the examination to determine the need for follow-up care. (Education Code 49406)

Tuberculosis tests for employees shall be provided by the district or at district expense. (Education Code 44839, 45122, 49406)

If an employee's religious belief prevents him/her from undergoing a tuberculosis examination, the employee shall file an affidavit stating that he/she adheres to the faith or teachings of a well-recognized religious sect, denomination, or organization and, in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion and that to the best of his/her knowledge or belief he/she is free from active tuberculosis. In order to exempt the individual, the Board shall determine by resolution, after a hearing, that the health of students would not be jeopardized. (Education Code 49406)

The Superintendent or designee may exempt from the tuberculosis testing requirement classified employees who are employed for less than a school year if their functions do not require frequent or prolonged contact with students. (Education Code 49406)

The Superintendent or designee may exempt a pregnant employee from the requirement that a positive tuberculin test be followed by an X-ray of the lungs, for a period not to exceed 60 days following termination of the pregnancy. (Education Code 49406)

Medical Certification for Communicable Diseases for Certificated Employees

The Board shall not fill a position requiring certification with an applicant who has not previously been employed in a certificated position in California or a retirant who has not been employed as a retirant, unless the district has on file a medical certification completed and submitted by a physician, physician assistant, registered nurse, or commissioned medical officer. (Education Code 44839 and 44839.5)

The medical certification shall certify that the applicant or retirant is free from any disabling disease which would render him/her unfit to instruct or associate with children. The medical examination referred to in the certificate must have been conducted within six months of the date that the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)

Applicants and retirants shall pay for the cost of obtaining the medical certification. (Education Code 44849, 44839.5)

~~When a new employee in a position requiring certification has not previously been employed in such a position in California or a retirant has not previously been employed as a retirant, he/she shall have a medical certificate on file with the district stating that he/she is free from any disabling disease which would render him/her unfit to instruct or associate with children. The certificate shall be completed by a licensed physician and returned to the district by the physician. The medical examination referred to in the certificate must have been conducted within six months of the time when the certificate is filed. (Education Code 44839, 44839.5; 5 CCR 5503)~~

~~Applicants and retirants shall pay for the cost of obtaining the medical certification. (Education Code 44849, 44839.5)~~

~~The Board may require a certificated employee or retirant to undergo a periodic medical examination by a physician to determine that the employee is free from any communicable disease making him/her unfit to instruct or associate with children. This periodic medical examination shall be at district expense. (Education Code 44839, 44839.5)~~

Mental Examination for Certificated Employees

A certificated employee may be suspended or transferred to other duties if the Board has reasonable cause to believe that the employee is suffering from mental illness of such a degree as to render him/her incompetent to perform his/her duties. In such a case, the district shall follow the process specified in Education Code 44942 and the district's collective bargaining agreement, including the opportunity for the employee to be examined by a panel of psychiatrists or psychologists.

Legal Reference: (see next page)

Legal Reference:

EDUCATION CODE

44839 Medical certificate; periodic medical examination

44839.5 Requirements for employment of retirant

44932 Grounds for dismissal of permanent employee

44942 Suspension or transfer of certificated employee on ground of mental illness, psychiatric examination; mandatory sick leave

45122 Physical examinations

49406 Examination for tuberculosis

CODE OF REGULATIONS, TITLE 5

5502 Filing of notice of physical examination for employment of retired persons

5503 Physical examination for employment of retired persons

5504 Medical certification procedures

COURT DECISIONS

Raven v. Oakland Unified School District (1989) 213 Cal.App.3d 1347

Management Resources:

WEB SITES

California Department of Public Health: <http://www.cdph.ca.gov>

Centers for Disease Control and Prevention: <http://www.cdc.gov>

Public Health Institute: <http://www.phi.org>

U.S. Food and Drug Administration: <http://www.fda.gov>

Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
approved: June 25, 2009 Santa Monica, California

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER ADOPTING BP 4127 / 4227 / 4327 – TEMPORARY ATHLETIC
TEAM COACHES

DISCUSSION ITEM NO. D.07

It is recommended that the Board of Education consider adopting CSBA BP 4127 / 4227 / 4327 – Temporary Athletic Team Coaches.

COMMENTS: CSBA is recommending this policy revision to reflect new law (AB 1025) which, beginning July 1, 2010, requires any noncertificated or volunteer athletic team coach to obtain an Activity Supervisor Clearance Certificate from the CTC. The revision also reflects Title 5 regulations regarding employment of athletic team coaches as temporary employees and to clarify law giving certificated employees a hiring advantage if they meet required qualifications.

This policy will return for approval at the June 18, 2010, board meeting.

TEMPORARY ATHLETIC TEAM COACHES

The Governing Board desires to employ highly qualified coaches for the district's sports and interscholastic athletic programs in order to enhance the knowledge, skills, motivation, and safety of student athletes.

The Superintendent or designee may employ a certificated or noncertificated employee, other than a substitute employee, to supervise or instruct interscholastic athletic activities as a temporary employee in a limited assignment capacity. (5 CCR 5590)

When hiring a person to fill a position as a temporary athletic team coach, the position shall first be made available to qualified certificated teachers currently employed by the district. (Education Code 44919)

The Superintendent or designee shall establish qualification criteria for all athletic coaches in accordance with law and district standards. These criteria shall ensure that coaches possess the proper credential or Activity Supervisor Clearance Certificate and an appropriate level of competence, knowledge, and skill.

All coaches shall be subject to Board policies, administrative regulations, and California Interscholastic Federation bylaws and codes of ethical conduct.

Noncertificated coaches have no authority to give grades to students. (5 CCR 5591)

Legal Reference: (see next page)

TEMPORARY ATHLETIC TEAM COACHES (continued)

Legal Reference:

EDUCATION CODE

35179-35179.7 Interscholastic athletics

44010 Sex offense

44011 Controlled substance offense

44258.7 Credential types; Activity Supervisor Clearance Certificate

44332-44332.5 Temporary certificates

44424 Conviction of a crime

44808 Liability when students are not on school property

44919 Classification of temporary employees

49024 Activity Supervisor Clearance Certificate

49030-49034 Performance-enhancing substances

CODE OF REGULATIONS, TITLE 5

5531 Supervision of extracurricular activities

5590-5596 Duties of temporary athletic team coaches

COURT DECISIONS

CTA v. Rialto Unified School District, (1997) 14 Cal. 4th 627

San Jose Teachers Association, CTA, NEA v. Barozzi, (1991) 230 Cal.App.3d 1376

Management Resources:

CSBA PUBLICATIONS

Steroids and Students: What Boards Need to Know, Policy Brief, July 2005

A School Board Member's Guide to CIF and Interscholastic Sports, 1997

CALIFORNIA INTERSCHOLASTIC FEDERATION PUBLICATIONS

Pursuing Victory with Honor, 1999

California Interscholastic Federation Constitution and Bylaws

COMMISSION ON TEACHER CREDENTIALING CODED CORRESPONDENCE

09-19 Implementation of Assembly Bill 1025 Concerning the Activity Supervisor Clearance Certificate (ASCC), December 2, 2009

WEB SITES

CSBA: <http://www.csba.org>

California Athletic Trainers' Association: <http://www.ca-at.org>

California Department of Education: <http://www.cde.ca.gov>

California Interscholastic Federation: <http://www.cifstate.org>

National Athletic Trainers' Association: <http://www.nata.org>

Policy CSBA MANUAL MAINTENANCE SERVICE
adopted: March 2010

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER REPLACING AR 4154 / 4254 / 4354 – HEALTH AND WELFARE
BENEFITS WITH UPDATED CSBA AR 4154 / 4254 / 4354

DISCUSSION ITEM NO. D.08

It is recommended that the Board of Education consider replacing AR 4154 / 4254 / 4354 – Health and Welfare Benefits with updated CSBA AR 4154 / 4254 / 4354.

COMMENTS: CSBA is recommending this regulation update (section on "Temporary Subsidized Premium for COBRA/Cal-COBRA") to reflect new federal law (P.L. 111-144), which extends eligibility for the subsidized COBRA/Cal-COBRA premium to include employees (1) who were involuntarily terminated (other than by reason of gross misconduct) between September 1, 2008, and March 31, 2010, or (2) whose COBRA eligibility was caused by a reduction in hours and who subsequently experienced an involuntary termination between March 2, 2010, and March 31, 2010. The AR revision also reflects new federal law (P.L. 111-118), which extends the period of the subsidy to 15 months.

Because this is an AR, it will not need to return for board approval.

Retired Certificated Employees

Any former certificated employee who retired from the district under any public retirement system and his/her spouse/domestic partner shall be permitted to enroll in the health and welfare and/or dental care benefit plan currently provided for certificated employees. The plan also shall be available to any surviving spouse/domestic partner of a former certificated employee who either retired from the district or was, at the time of death, employed by the district and a member of the State Teachers' Retirement System. (Education Code 7000)

A retired certificated employee or surviving spouse/domestic partner shall be allowed to enroll in the coverage within 30 days of losing active employee coverage. (Education Code 7000)

COBRA/Cal-COBRA Continuation Coverage

Covered district employees and their qualified beneficiaries shall be offered the opportunity to continue health and disability insurance coverage when they otherwise would lose coverage due to one of the following qualifying events: (Health and Safety Code 1366.21, 1366.23, 1373; Insurance Code 10128.51, 10128.53, 10277; 26 USC 4980B; 26 CFR 54.4980B-4)

1. Death of the covered employee
2. Termination or reduction in hours of the covered employee's employment, other than termination by reason of the employee's gross misconduct
3. Divorce or legal separation of the covered employee
4. Covered employee's becoming entitled to Medicare benefits
5. A dependent child ceasing to be a dependent child of the covered employee

Continuation health coverage shall be the same as provided to similarly situated individuals under the group benefit plan. (Health and Safety Code 1366.23; Insurance Code 10128.53; 26 USC 4980B)

The Superintendent or designee shall notify the health care service plan administrator of a qualifying event listed in item #1, 2, or 4 above, within 30 days of the event. A covered employee or qualified beneficiary shall notify the service plan administrator of a qualifying event listed in item #3 or 5 above within 60 days of the event or of the date that the beneficiary would lose coverage, whichever is later. (26 USC 4980B; 29 USC 1163, 1166; 26 CFR 54.4980B-6)

Continuation coverage shall be terminated in accordance with the district's insurance plan and federal and state law. (26 USC 4980B; 26 CFR 54.4980B-6; Health and Safety Code 1373.621; Insurance Code 10116.5)

Temporary Subsidized Premium for COBRA/Cal-COBRA

Under either of the following circumstances, a former employee and his/her qualified beneficiaries shall pay 35 percent of the premium amount they would otherwise be required to pay for health care continuation coverage: (26 USC 139C, 6432 Note; Health and Safety Code 1366.25; Insurance Code 10128.55)

1. The employee is involuntarily terminated, other than by reason of gross misconduct, between September 1, 2008 and March 31, 2010, or a later date if extended by law
2. The employee's eligibility for continuation coverage is due to a reduction in hours and he/she subsequently experiences an involuntary termination between March 2, 2010 and March 31, 2010, or a later date if extended by law

The district shall seek reimbursement of district payments toward the normal employee share of the premium as allowed by law. (26 USC 139C, 6432; Health and Safety Code 1366.25; Insurance Code 10128.55)

The premium reduction shall apply until one of the following dates, whichever comes first: (26 USC 6432 Note)

1. Fifteen months after the first day of the first month for which the premium reduction applies to the assistance eligible individual
2. The first date that the assistance eligible individual becomes eligible for Medicare coverage or other group health plan coverage, with certain exceptions specified in law
3. The date the assistance eligible individual ceases to be eligible for continuation coverage for other reasons as noted in the section "Continuation of Coverage" above

Because the premium reduction will be offset by an increase in income tax liability for individuals who earn more than \$125,000 for the tax year (or \$250,000 for married couples filing a joint federal income tax return), such individuals may choose to permanently waive their right to the subsidy. (26 USC 6432)

Disability Insurance

The Superintendent or designee shall give notice of disability insurance rights and benefits to each new employee and each employee leaving work due to pregnancy, nonoccupational illness or injury, or the need to provide care for any sick or injured family member, or the need to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption. (Unemployment Insurance Code 2613)

When disabled by an injury resulting from a violent act sustained while performing duties within the scope of employment and performing creditable employment, a certificated or classified employee may continue in the district health and dental care plans upon meeting criteria specified by law. The employee shall pay all employer and employee premiums and related administrative costs. (Education Code 7008)

HEALTH AND WELFARE BENEFITS

Retired Certificated Employees

~~Any former certificated employee who retired from the district under any public retirement system and his/her spouse/domestic partner shall be permitted to enroll in the health and welfare and/or dental care benefit plan currently provided for certificated employees. The plan also shall be available to any surviving spouse/domestic partner of a former certificated employee who either retired from the district or was, at the time of death, employed by the district and a member of the State Teachers' Retirement System. (Education Code 7000)~~

~~A retired certificated employee or surviving spouse/domestic partner shall be allowed to enroll in the coverage within 30 days of losing active employee coverage. (Education Code 7000)~~

~~If a retired certificated employee or surviving spouse/domestic partner fails to enroll during the initial enrollment period, further opportunity to do so shall be denied. A person who has previously received but then voluntarily terminated coverage also shall be excluded from obtaining further coverage.~~

COBRA/Cal-COBRA Continuation Coverage

~~Covered district employees and their qualified beneficiaries shall be offered the opportunity to continue health and disability insurance coverage when they otherwise would lose coverage due to one of the following qualifying events: (Health and Safety Code 1366.21, 1366.23, 1373; Insurance Code 10128.51, 10128.53, 10277; 26 USC 4980B; 26 CFR 54.4980B-4)~~

- ~~1. — Death of the covered employee~~
- ~~2. — Termination or reduction in hours of the covered employee's employment, other than termination by reason of the employee's gross misconduct~~
- ~~3. — Divorce or legal separation of the covered employee~~
- ~~4. — Covered employee's becoming entitled to Medicare benefits~~
- ~~5. — A dependent child ceasing to be a dependent child of the covered employee~~

~~Continuation health coverage shall be the same as provided to similarly situated individuals under the group benefit plan. (Health and Safety Code 1366.23; Insurance Code 10128.53; 26 USC 4980B)~~

~~The Superintendent or designee shall notify the health care service plan administrator of a qualifying event listed in item #1, 2, or 4 above, within 30 days of the event. A covered employee or qualified beneficiary shall notify the service plan administrator of a qualifying event listed in item #3 or 5 above within 60 days of the event or of the date that the beneficiary would lose coverage, whichever is later. (26 USC 4980B; 29 USC 1163, 1166)~~

~~Continuation coverage shall be terminated in accordance with the district's insurance plan and in accordance with 26 USC 4980B and 26 CFR 54.4980B-6.~~

~~Continuation coverage shall be terminated in accordance with the district's insurance plan and in accordance with Health and Safety Code 1366.22 and 1366.27 and Insurance Code 10128.52 and 10128.57.~~

~~However, a former employee who, prior to January 1, 2005, worked for the district for at least five years and who was age 60 or older on the date employment ended, or his/her qualified beneficiaries which includes dependent children or spouse/former spouse/domestic partner, may continue benefits until the earlier of any of the following events: (Health and Safety Code 1373.621; Insurance Code 10116.5)~~

- ~~1. The date the individual reaches age 65~~
- ~~2. The date the individual is covered under any other group health plan not maintained by the district, regardless of whether that coverage is less valuable~~
- ~~3. The date the individual becomes entitled to Medicare benefits~~
- ~~4. For a qualified beneficiary, five years from the date on which continuation coverage was scheduled to end for the qualified beneficiary~~
- ~~5. The date on which the district terminates its agreement with the health service plan and ceases to provide coverage for any active employees through that plan, in which case the former employee and/or his/her qualified beneficiary shall have a right to a conversion plan~~

~~The Superintendent or designee shall notify covered employees and qualified beneficiaries of the availability of conversion and continuation coverage. This notification shall include the statement in Labor Code 2800.2 encouraging individuals to examine their options carefully before declining such coverage. (Labor Code 2800.2)~~

Temporary Subsidized Premium for COBRA/Cal-COBRA

~~Employees whose employment is involuntarily terminated, other than by reason of gross misconduct, between September 1, 2008 and December 31, 2009, and their qualified beneficiaries shall pay 35 percent of the premium amount they would otherwise be required to pay for health care continuation coverage, with the remainder to be subsidized through the American Recovery and Reinvestment Act. (26 USC 6432; Health and Safety Code 1366.25; Insurance Code 10128.55)~~

~~The premium reduction shall apply until one of the following dates, whichever comes first: (26 USC 6432 Note)~~

- ~~1. Nine months after the first day of the first month for which the premium reduction applies to the assistance eligible individual~~
- ~~2. The first date that the assistance eligible individual becomes eligible for Medicare coverage or other group health plan coverage, with certain exceptions specified in law~~
- ~~3. The date the assistance eligible individual ceases to be eligible for continuation coverage for other reasons as noted in the section "Continuation of Coverage" above~~

~~Because the premium reduction will be offset by an increase in income tax liability for individuals who earn more than \$125,000 for the tax year (or \$250,000 for married couples filing a joint federal income tax return), such individuals may choose to permanently waive their right to the subsidy. (26 USC 139C)~~

~~The Superintendent or designee shall, within 14 days of receiving notice of the qualifying event, notify assistance-eligible individuals of the availability of the subsidy and the option to enroll in different coverage if the district permits assistance-eligible individuals to elect enrollment in different coverage. Assistance-eligible individuals shall have 60 days from the date the notice is provided to elect coverage. (26 USC 6432 Note; Health and Safety Code 1366.24, 1366.25; Insurance Code 10128.55)~~

~~In order to receive reimbursement of district payments toward the normal employee share of the premium as allowed by law, the Superintendent or designee shall maintain records regarding assistance-eligible individuals and the amounts paid by the district in accordance with 26 USC 6432.~~

Disability Insurance

~~The Superintendent or designee shall give notice of disability insurance rights and benefits to each new employee and each employee leaving work due to pregnancy, nonoccupational illness or injury, or the need to provide care for any sick or injured family member, or the need to bond with a minor child within the first year of the child's birth or placement in connection with foster care or adoption. (Unemployment Insurance Code 2613)~~

~~When disabled by an injury resulting from a violent act sustained while performing his/her job duties, a certificated or classified employee may continue in the district health and dental care plans upon meeting criteria specified by law. The employee shall pay all employer and employee premiums and related administrative costs. (Education Code 7008)~~

Regulation — **SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**
approved: June 25, 2009 — Santa Monica, California

TO: BOARD OF EDUCATION

DISCUSSION

06/03/10

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CONSIDER REVISING AR 4161.8 / 4261.8 / 4361.8 – FAMILY CARE AND
MEDICAL LEAVE

DISCUSSION ITEM NO. D.09

It is recommended that the Board of Education consider revising AR 4161.8 / 4261.8 / 4361.8 – Family Care and Medical Leave.

COMMENTS: CSBA is recommending this regulation update to reflect new federal law (P.L. 111-84), which expands eligibility for both military caregiver leave and military family leave due to qualifying exigencies. The revision also reflects new federal law (P.L. 110-233) prohibiting the collection of an employee or family member's genetic information, as defined, except as necessary to comply with a certification requirement for family care and medical leave.

Because this is an AR, it will not need to return for board approval.

Personnel

AR 4161.8

4261.8

Family Care And Medical Leave

4361.8

Definitions

Child means a biological, adopted, or foster child; a stepchild; a legal ward; or a child of a person standing in loco parentis as long as the child is under 18 years of age or an adult dependent child. (29 USC 2611; Government Code 12945.2)

Eligible employee means an employee who has at least 12 months of service with the district and who has at least 1,250 hours of service with the district during the previous 12-month period. Full-time teachers are deemed to meet the 1,250 hours of service requirement. (29 USC 2611; 29 CFR 825.110; Government Code 12945.2)

Full-time teacher means an employee whose principal function is to teach and instruct students in a class, a small group, or individual setting. (29 CFR 825.800)

Parent means a biological, foster, or adoptive parent; a stepparent; a legal guardian; or another person who stood in loco parentis to the employee when the employee was a child. (29 USC 2611; Government Code 12945.2)

Serious health condition means an illness, injury, impairment, or physical or mental condition that involves either of the following: (29 USC 2611; 29 CFR 825.114; Government Code 12945.2)

1. Inpatient care in a hospital, hospice, or residential health care facility
2. Continuing treatment or continuing supervision by a health care provider, including one or more of the following:
 - a. A period of incapacity of more than three consecutive days
 - b. Any period of incapacity or treatment for such incapacity due to a chronic serious health condition
 - c. For purposes of leave under the Family and Medical Leave Act (FMLA), any period of incapacity due to pregnancy or for prenatal care

Eligibility

The district shall grant family care and medical leave to eligible employees for the following reasons: (29 USC 2612; Family Code 297.5; Government Code 12945.2)

1. Because of the birth of a child of the employee or placement of a child with the employee in connection with the adoption or foster care of the child by the employee.
2. To care for the employee's child, parent, spouse, registered domestic partner, or child of a registered domestic partner with a serious health condition.

3. Because of the employee's own serious health condition that makes him/her unable to perform one or more essential functions of his/her position. However, for purposes of leave under the California Family Rights Act (CFRA), this does not include leave taken for disability on account of pregnancy, childbirth, or related medical conditions.

The district shall not interfere with, restrain, or deny the exercise of any right provided to an eligible employee under the law. Also, the district shall not discharge or discriminate against any employee for opposing any practice made unlawful by, or because of, his/her involvement in any inquiry or proceeding related to the family care and medical leave. (29 USC 2615; Government Code 12945.2)

Terms of Leave

An eligible employee shall be entitled to a total of 12 work weeks of leave during any 12-month period, except in the case of leave to care for a covered service member as provided under "Military Caregiver Leave" below. (29 USC 2612; Government Code 12945.2)

This 12-month period shall coincide with the fiscal year. (29 CFR 825.200)

Leave taken pursuant to the CFRA shall run concurrently with leave taken pursuant to the FMLA, except in the following circumstances:

1. Leave taken to care for a registered domestic partner or a child of a domestic partner. Such leave shall count as leave under the CFRA. (Family Code 297.5)
2. Leave taken under the FMLA for disability on account of pregnancy, childbirth, or related medical conditions. In addition to family care and medical leave, an employee may be entitled to take pregnancy disability leave of up to four months. During the otherwise unpaid portion of pregnancy disability leave, the employee may use any accrued vacation, sick time, or other paid leave. Such FMLA leave shall run concurrently with any pregnancy disability leave taken by the employee, except that CFRA leave shall not commence until the expiration of the pregnancy disability leave. (Government Code 12945, 12945.2; 2 CCR 7297.6)

Leave taken for the birth or placement of a child must be concluded within the 12-month period beginning on the date of the birth or placement of the child. Such leave does not have to be taken in one continuous period of time. The basic minimum duration of the leave for birth or placement of a child shall be two weeks. However, the district shall grant a request for leave of less than two weeks' duration on any two occasions. (29 USC 2612; 2 CCR 7297.3)

If both parents of a child work for the district, their family care and medical leave related to the birth or placement of the child shall be limited to a total of 12 weeks. This restriction shall apply whether the parents are married, registered domestic partners, or not married. (29 USC 2612; Government Code 12945.2)

During the period of family care and medical leave, the employee may elect to use his/her accrued vacation leave, other accrued time off, or any other paid or unpaid time off negotiated with the district. If the leave is because of the employee's own serious medical condition, the employee may use accrued sick leave pursuant to collective bargaining agreements and/or Board policy. (29 USC 2612; Government Code 12945.2)

Intermittent Leave/Reduced Leave Schedule

Leave related to the serious health condition of the employee or his/her child, parent, spouse, or registered domestic partner may be taken intermittently or on a reduced leave schedule when medically necessary, as determined by the health care provider of the person with the serious medical condition. However, the district may limit leave increments to the shortest period of time that the district's payroll system uses to account for absences or use of leave. (29 USC 2612; 2 CCR 7297.3)

If an employee needs intermittent leave or leave on a reduced work schedule that is foreseeable based on planned medical treatment for the employee or a family member, the district may require the employee to transfer temporarily to an available alternative position. This alternative position must have equivalent pay and benefits, the employee must be qualified for the position, and the position must better accommodate recurring periods of leave than the employee's regular job. Transfer to an alternative position may include altering an existing job to better accommodate the employee's need for intermittent leave or a reduced leave schedule. (29 USC 2612; 2 CCR 7297.3)

Request for Leave

~~If an employee's need for leave is foreseeable, the employee shall provide the district with reasonable advance notice for the leave. If an employee's need for leave is foreseeable due to a planned medical treatment or supervision, the employee shall make a reasonable effort to schedule the treatment or supervision to avoid disruption of district operations. This scheduling shall be subject to the health care provider's approval. (Government Code 12945.2)~~

An employee shall provide at least verbal notice sufficient to make the district aware that he/she needs family care and medical leave and the anticipated timing and duration of the leave. The employee need not expressly assert or mention FMLA/CFRA to satisfy this requirement; however, he/she must state the reason the leave is needed (e.g., birth of child, medical treatment). If more information is necessary to determine whether the employee is eligible for family care and medical leave, the Superintendent or designee shall inquire further and obtain the necessary details of the leave to be taken. (2 CCR 7297.4)

Based on the information provided by the employee, the Superintendent or designee shall designate the leave, paid or unpaid, as FMLA/CFRA qualifying leave and shall give notice of such designation to the employee. (2 CCR 7297.4)

When the need for the leave is foreseeable based on an expected birth, placement for adoption or foster care, or planned medical treatment for a serious health condition of the employee or a family member, the employee shall provide the district with at least 30 days advance notice before the leave. The employee shall consult with the district and make a reasonable effort to schedule, subject to the health care provider's approval, any planned medical treatment or supervision so as to minimize disruption to district operations. (Government Code 12945.2; 2 CCR 7297.4)

When the 30 days notice is not practicable because of a lack of knowledge of approximately when leave will be required to begin, a change in circumstances, or a medical emergency, the employee shall provide the district with notice as soon as practicable. (2 CCR 7297.4)

Certification of Health Condition

A request by an employee for family care and medical leave for his/her serious health condition, or to care for a child, parent, spouse, registered domestic partner, or child of a registered domestic partner with a serious health condition, shall be supported by a certification from the health care provider of the employee or such other person as applicable. The certification shall include the following: (29 USC 2613; Government Code 12945.2; 2 CCR 7297.0)

1. The date on which the serious health condition began
2. The probable duration of the condition
3. If the employee is requesting leave to care for a child, parent, spouse, registered domestic partner, or child of a registered domestic partner with a serious health condition, the health care provider's certification of both of the following:
 - a. Estimated amount of time the health care provider believes the employee needs to care for the child, parent, spouse, registered domestic partner, or child of the registered domestic partner
 - b. Statement that the serious health condition warrants the participation of a family member to provide care during a period of the treatment or supervision of the child, parent, spouse, registered domestic partner, or child of a registered domestic partner
4. If the employee is requesting leave because of his/her own serious health condition, a statement that due to the serious health condition, he/she is unable to work at all or to perform one or more essential functions of his/her job
5. If the employee is requesting leave for intermittent treatment or is requesting leave on a reduced leave schedule for planned medical treatment, a statement of the medical necessity for the leave, the dates on which treatment is expected to be given, the duration of such treatment, and the expected duration of the leave

If the district doubts the validity of a certification that accompanies a request for leave, the Superintendent or designee may require the employee to obtain a second opinion from a district-approved health care provider, at district expense. If the second opinion is contrary to the first, the Superintendent or designee may require the employee to obtain a third medical opinion from a third health care provider approved by both the employee and the district, again at district expense. The opinion of the third health care provider shall be final and binding. (29 USC 2613; Government Code 12945.2)

If additional leave is needed when the time estimated by the health care provider expires, the district may require the employee to provide recertification in the manner specified in items #1-5 above. (29 USC 2613; Government Code 12945.2)

Fitness for Duty

~~Employees who take family care and medical leave for their own serious health conditions shall present certification from their health care provider to the effect that they are able to resume work.~~

Upon expiration of leave taken for his/her own serious health condition, an employee shall present certification from his/her health care provider that he/she is able to resume work.

The certification from the employee's health care provider shall address the employee's ability to perform the essential functions of his/her job.

Rights to Reinstatement and Maintenance of Benefits

Upon granting an employee's request for family care and medical leave, the Superintendent or designee shall guarantee to reinstate the employee in the same or a comparable position when the leave ends. (29 USC 2614; Government Code 12945.2)

The district may refuse to reinstate an employee returning from leave to the same or a comparable position if all of the following apply: (29 USC 2614; Government Code 12945.2)

1. The employee is a salaried "key employee" who is among the highest paid 10 percent of those district employees who are employed within 75 miles of the employee's worksite.
2. The refusal is necessary to prevent substantial and grievous economic injury to district operations.
3. The district informs the employee of its intent to refuse reinstatement at the time it determines that the refusal is necessary, and the employee fails to immediately return to service.

An employee who takes leave has no greater right to reinstatement than if he/she had been continuously employed during the leave period. If the district reduces its work force during the leave period and the employee is laid off for legitimate reasons at that time or if the employee is terminated for reasons unrelated to the leave, he/she is not entitled to reinstatement, provided the district has no continuing obligations under a collective bargaining agreement or otherwise. (29 CFR 825.216)

During the period when an employee is on family care and medical leave, he/she shall maintain his/her status with the district and the leave shall not constitute a break in service for purposes of longevity, seniority under any collective bargaining agreement, or any employee benefit plan. (29 USC 2614; Government Code 12945.2)

For a period of 12 weeks, the district shall continue to provide an eligible employee on family care and medical leave the group health plan coverage that was in place before he/she took the leave. The employee shall reimburse the district for premiums paid during the family care and medical leave when he/she fails to return to district employment after the expiration of the leave and the failure is for any reason other than the continuation, recurrence, or onset of a serious health condition, or other circumstances beyond his/her control. (29 USC 2614; 29 CFR 825.213; Government Code 12954.2)

In addition, during the period when an employee is on family care and medical leave, he/she shall be entitled to continue to participate in other employee benefit plans including life, short-term or long-term disability, or accident insurance, pension and retirement plans, and supplemental unemployment benefit plans to the same extent and under the same conditions as apply to an unpaid leave taken for any other purpose. However, for purposes of pension and retirement plans, the district shall not be required to make plan payments for an employee during the leave period and the leave period shall not be counted for purposes of time accrued under the plan. (Government Code 12945.2)

Notifications

The Superintendent or designee shall post notices about federal and state law related to family care and medical leave in a conspicuous place. Information about employee rights and obligations related to such leaves shall also be included in employee handbooks. (29 USC 2619; 2 CCR 7297.9)

At least the first time in each six-month period that an employee requests family care and medical leave, the Superintendent or designee shall provide written notice detailing specific expectations and obligations, and explaining any consequences of a failure to meet these obligations. The notice shall include: (29 CFR 825.301)

1. A statement that the leave will be counted against the employee's annual family care and medical leave entitlement
2. Any requirements for the employee to furnish medical certification of a serious health condition and the consequences of failing to provide the notice
3. The employee's right to substitute paid leave, conditions related to any substitution, and whether the district requires this substitution
4. Health benefit arrangements
5. If applicable, the employee's status as a "key employee" and information related to restoration of that status
6. The employee's right to restoration to the same or an equivalent job
7. The employee's potential liability for health benefits should the employee not return to service
8. The district's requirement that the employee, upon return, present medical certification to the effect that he/she is able to resume work

Military Family Leave Resulting from Qualifying Exigencies

An eligible employee may take up to 12 work weeks of unpaid leave during the 12-month period established by the district while a covered military member is on covered active duty or call to covered active duty status for one or more qualifying exigencies. (29 USC 2612)

Covered military member means an employee's spouse, son, daughter, or parent on covered active duty or call to covered active duty status. (29 CFR 825.126)

Covered active duty means duty during the deployment of a member of the regular Armed Forces to a foreign country or duty during the deployment of a member of the National Guard or Reserves to a foreign country under a call or order to active duty. (29 USC 2611)

Qualifying exigencies include time needed to: (29 CFR 825.126)

1. Address issues arising from short notice deployment (up to seven calendar days from the date of receipt of call or order of short notice deployment)

2. Attend military events and related activities, such as any official ceremony or family assistance program related to the active duty or call to active duty status
3. Arrange childcare or attend school activities arising from the active duty or call to active duty, such as arranging for alternative childcare, enrolling or transferring a child to a new school, or attending meetings
4. Make or update financial and legal arrangements to address a covered military member's absence
5. Attend counseling provided by someone other than a health care provider
6. Spend time (up to five days of leave per instance) with a covered military member who is on short-term temporary rest and recuperation leave during deployment
7. Attend to certain post-deployment activities, such as arrival ceremonies or reintegration briefings
8. Address any other event that the employee and district agree is a qualifying exigency

The employee shall provide the Superintendent or designee with notice of the need for the qualifying exigency leave as soon as practicable, regardless of how far in advance such leave is foreseeable. (29 CFR 825.302)

An employee who is requesting such leave for the first time shall provide the Superintendent or designee with a copy of the covered military member's active duty orders, or other documentation issued by the military, and the dates of the service. In addition, the employee shall provide the Superintendent or designee with certification of the qualifying exigency necessitating the leave. The certification shall contain the information specified in 29 CFR 825.309.

The employee's qualifying exigency leave may be taken on an intermittent or reduced leave schedule basis. (29 CFR 825.302)

During the period of qualified exigency leave, the district's rule regarding an employee's use of his/her accrued vacation leave and any other accrued paid or unpaid time off, as specified in "Use/Substitution of Paid Leave" above, shall apply.

Military Caregiver Leave

The district shall grant up to a total of 26 work weeks of leave during a single 12-month period, measured forward from the first date of leave taken, to an eligible employee to care for a covered servicemember with a serious illness or injury. In order to be eligible for such military caregiver leave, an employee must be the spouse, son, daughter, parent, or next of kin of the covered servicemember. This 26-week period is not in addition to, but rather is inclusive of, the 12 work weeks of leave that may be taken for other FMLA qualifying reasons. (29 USC 2611, 2612; 29 CFR 825.127)

Covered servicemember may be either: (29 USC 2611)

1. A member of the Armed Forces, including a member of the National Guard or Reserves, who is undergoing medical treatment, recuperation, or therapy; is otherwise in outpatient status; or is otherwise on the temporary disability retired list for a serious injury or illness

2. A veteran who, within the five years preceding his/her undergoing of medical treatment, recuperation, or therapy for a serious injury or illness, was a member of the Armed Forces, including the National Guard or Reserves

Son or daughter of a covered servicemember means the biological, adopted, or foster child, stepchild, legal ward, or a child of any age for whom the covered servicemember stood in loco parentis. (29 CFR 825.127)

Parent of a covered servicemember means the covered servicemember's biological, adopted, step or foster parent, or any other individual who stood in loco parentis to the covered servicemember (except "parents in law"). (29 CFR 825.127)

Next of kin means the nearest blood relative to the covered servicemember, or as designated in writing by the covered servicemember. (29 USC 2611, 2612)

Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611; 29 CFR 825.127)

Serious injury or illness means: (29 USC 2611; 29 CFR 825.127)

1. For a member of the Armed Forces, an injury or illness incurred or aggravated by the member's service in the line of duty while on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating

2. For a veteran, an injury or illness incurred or aggravated by the member's service in the line of duty on active duty in the Armed Forces, including the National Guard or Reserves, that manifested itself before or after the member became a veteran

The employee shall provide reasonable and practicable notice of the need for the leave in accordance with the procedures in the section entitled "Request for Leave" above.

An employee requesting leave to care for a covered servicemember with a serious injury or illness shall provide the Superintendent or designee with certification from an authorized health care provider of the servicemember that contains the information specified in 29 CFR 825.310.

The leave may be taken intermittently or on a reduced schedule when medically necessary. An employee taking military caregiver leave in combination with other leaves pursuant to this administrative regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)

During the period of military caregiver leave, the district's rule regarding an employee's use of his/her accrued vacation leave and other accrued paid or unpaid time off, as specified in "Use/Substitution of Paid Leave" above, shall apply.

Notifications

The Superintendent or designee shall provide the following notifications about state and federal law related to FMLA/CFRA:

1. General Notice: Information explaining the provisions of the FMLA/CFRA and employee rights and obligations shall be posted in a conspicuous place on district premises, or electronically, and shall be included in employee handbooks. (29 USC 2619; 2 CCR 7297.9)

The general notice shall also explain an employee's obligation to provide the Superintendent or designee with at least 30 days notice of the need for the leave, when the need for the leave is reasonably foreseeable. (2 CCR 7297.4)

2. Eligibility Notice: When an employee requests leave or when the Superintendent or designee acquires knowledge that an employee's leave may be for an FMLA/CFRA qualifying reason, the Superintendent or designee shall, within five business days, provide notification to the employee of his/her eligibility to take such leave. (29 CFR 825.300)

3. Rights and Responsibilities Notice: Each time the eligibility notice is provided to an employee, the Superintendent or designee shall provide written notification explaining the specific expectations and obligations of the employee, including any consequences for a failure to meet those obligations. Such notice shall include, as appropriate: (29 CFR 825.300)

a. A statement that the leave may be designated and counted against the employee's annual FMLA/CFRA leave entitlement and the appropriate 12-month entitlement period, if qualifying

b. Any requirements for the employee to furnish medical certification of a serious health condition, serious injury or illness, or qualifying exigency arising out of active duty or call to active duty status and the consequences of failing to provide the certification

c. The employee's right to substitute paid leave, whether the district will require substitution of paid leave, conditions related to any substitution, and the employee's entitlement to take unpaid leave if the employee does not meet the conditions for paid leave

d. Any requirements for the employee to make any premium payments to maintain health benefits, the arrangement for making such payments, and the possible consequences of failure to make payments on a timely basis

e. If applicable, the employee's status as a "key employee," potential consequence that restoration may be denied following the FMLA leave, and explanation of the conditions required for such denial

f. The employee's right to maintenance of benefits during the leave and restoration to the same or an equivalent job upon return from leave

g. The employee's potential liability for health insurance premiums paid by the district during the employee's unpaid FMLA leave should the employee not return to service after the leave

Any time the information provided in the above notice changes, the Superintendent or designee shall, within five business days of his/her receipt of an employee's first notice of need for leave, provide the employee with a written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

4. Designation Notice: When the Superintendent or designee has information (e.g., sufficient medical certification) to determine whether the leave qualifies as FMLA/CFRA leave, he/she shall, within five business days, provide written notification designating the leave as FMLA/CFRA qualifying or, if the leave will not be so designated, the reason for that determination. (29 CFR 825.300)

If the amount of leave needed is known, the notice shall include the number of hours, days, or weeks that will be counted against the employee's FMLA/CFRA entitlement. If it is not possible to provide that number at the time of the designation notice, notification shall be provided of the amount of leave counted against the employee's entitlement upon request by the employee and at least once in every 30-day period if leave was taken in that period. (29 CFR 825.300)

If the district requires paid leave to be substituted for unpaid family care and medical leave, the notice shall so specify. If the district requires an employee to present a fitness-for-duty certification that addresses the employee's ability to perform the essential functions of the job, the notice shall also specify that requirement.

Any time the information provided in the designation notice changes, the Superintendent or designee shall, within five business days, provide the employee with written notice referencing the prior notice and describing any changes to the notice. (29 CFR 825.300)

Records

The Superintendent or designee shall maintain records pertaining to an individual employee's use of family care and medical leave in accordance with law.

Servicemember Family Leave

~~The district shall grant up to a total of 26 work weeks of leave during a single 12-month period to an employee to care for a covered servicemember who is his/her spouse, child, parent, or next of kin. (29 USC 2611, 2612)~~

~~Covered servicemember means a member of the Armed Forces, including a member of the National Guard or Reserves, who has suffered a serious injury or illness and who is undergoing medical treatment, recuperation, or therapy, is otherwise in outpatient status, or is otherwise on the temporary disability retired list for that injury or illness. (29 USC 2611, 2612)~~

~~Next of kin means the nearest blood relative to that individual. (29 USC 2611, 2612)~~

~~Outpatient status means the status of a member of the Armed Forces assigned to a military medical treatment facility as an outpatient or a unit established for the purpose of providing command and control of members of the Armed Forces receiving medical care as outpatients. (29 USC 2611)~~

~~Serious injury or illness means an injury or illness incurred by the member in the line of duty on active duty in the Armed Forces that may render the member medically unfit to perform the duties of the member's office, grade, rank, or rating. (29 USC 2611)~~

~~The employee shall provide reasonable and practicable notice of the need for the leave when the necessity for the leave is foreseeable. (29 USC 2612)~~

~~The leave can be taken intermittently or on a reduced schedule when medically necessary. An employee taking servicemember leave in combination with other leaves pursuant to this regulation shall be entitled to a combined total of 26 work weeks of leave during a single 12-month period. When both spouses work for the district and both wish to take such leave, the spouses are limited to a maximum combined total of 26 work weeks during a single 12-month period. (29 USC 2612)~~

~~During the period of servicemember leave, the employee may elect to use his/her accrued vacation leave, other accrued time off, or any other paid or unpaid time off negotiated with the district. (29 USC 2612)~~

Legal Reference:

FAMILY CODE

297-297.5 Rights, protections and benefits under law; registered domestic partners

GOVERNMENT CODE

12940 Unlawful employment practices

12945 Pregnancy; childbirth or related medical condition; unlawful practice

12945.1-12945.2 California Family Rights Act

CODE OF REGULATIONS, TITLE 2

7291.2-7291.16 Sex discrimination: pregnancy and related medical conditions

7297.0-7297.11 Family care leave

UNITED STATES CODE, TITLE 29

2601-2654 Family and Medical Leave Act of 1993, as amended

CODE OF FEDERAL REGULATIONS, TITLE 29

825.100-825.800 Family and Medical Leave Act of 1993

COURT DECISIONS

Tellis v. Alaska Airlines, (9th Cir., 2005) 414 F.3d 1045

Management Resources:

WEB SITES

California Department of Fair Employment and Housing: <http://www.dfeh.ca.gov>

U.S. Department of Labor, Compliance Assistance, FMLA: <http://www.dol.gov/esa/whd/fmla>

Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
approved: June 25, 2009 Santa Monica, California

INFORMATION ITEMS

TO: BOARD OF EDUCATION

INFORMATION

06/03/10

FROM: TIM CUNEO

RE: LIST OF COLLEGES SENIORS WILL BE ATTENDING IN THE FALL

INFORMATION ITEM NO. I.001

Board Members requested to see a list of colleges that high school seniors will be attending in Fall 2010. Below is the information seniors have provided thus far.

SANTA MONICA HIGH SCHOOL

	College/University	Students
1	Allegheny College	1
2	Amherst College	2
3	Arizona State University	4
4	Army National Guard	1
5	Art Institute of Chicago	1
6	Bard College	2
7	Barnard College	2
8	Berklee College of Music	3
9	Boston College	2
10	Boston University	4
11	Brandeis University	1
12	Brigham Young University	3
13	Brown University	2
14	Bucknell University	1
15	California Institute of the Arts	2
16	Caltech	1
17	Citrus College	1
18	College of the Canyons	1
19	College of the Desert	2
20	Columbia University	3
21	Cornell College	1
22	Cornish College of the Arts	1
23	CSU Chico	1
24	CSU Dominguez Hills	4
25	CSU East Bay (Hayward)	2
26	CSU Fullerton	2
27	CSU Humboldt	5
28	CSU Long Beach	3
29	CSU Northridge	34
30	CSU Poly San Luis Obispo	4
31	CSU Sacramento	1
32	CSU San Bernardino	3
33	CSU San Diego	2
34	CSU San Francisco	12
35	CSU San Jose	3
36	CSU Sonoma	3
37	Cuesta College	1
38	El Camino College	8

39	Emerson College	1
40	Emory University	1
41	Fashion Institute of Design	2
42	Fordham University	1
43	George Washington University	1
44	Georgetown University	3
45	Georgia Institute of Technology	1
46	Hamilton College	1
47	Harvard University	3
48	Howard University	1
49	Indiana University	1
50	Johnson and Wales University	1
51	Kalamazoo College (Mandelle Hall)	1
52	Long Beach City College	1
53	Los Angeles Harbor College	1
54	Louisiana State University A&M (Baton Rouge)	1
55	Loyola Marymount University	7
56	Maryland Institute College of Art	1
57	McGill University	1
58	Menlo College	2
59	Middlebury College	1
60	Mount Holyoke College	1
61	Mount St. Mary's College	1
62	Musician's Institute	1
63	New Mexico State University	1
64	New York University	5
65	Northern Arizona University	2
66	Northwestern University	3
67	Occidental College	2
68	Orange Coast College	1
69	Oregon State University	2
70	Otis College of Art and Design	1
71	Parsons School of Design	1
72	Pennsylvania State University	1
73	Pitzer College	2
74	Pratt Institute of Visual Arts	1
75	Princeton University	2
76	Purdue University	2
77	Reed College	1
78	Rice University	1
79	Saint Olaf College	1
80	Salve Regina University	1
81	San Joaquin Delta College (CA)	1
82	Santa Barbara City College	3
83	Santa Monica College	157
84	Sarah Lawrence College	1
85	School of the Art Institute of Chicago	1
86	Stanford University	1
87	Swarthmore College	1
88	Syracuse University	2
89	Tennessee State University	1
90	Texas Christian University	1
91	Trinity College (CT)	1

92	Tufts University	1
93	Tulane University	3
94	UC Berkeley	26
95	UC Davis	6
96	UC Irvine	9
97	UC Los Angeles	21
98	UC Merced	2
99	UC Riverside	5
100	UC San Diego	10
101	UC Santa Barbara	10
102	UC Santa Cruz	19
103	University of Arizona	6
104	University of Chicago	2
105	University of Colorado (Boulder)	4
106	University of Denver	1
107	University of Hawaii (Manoa)	3
108	University of Iowa	1
109	University of Kansas	2
110	University of Maryland	1
111	University of Michigan	7
112	University of Montana-Missoula	3
113	University of Nevada (Reno)	1
114	University of New Mexico	2
115	University of Notre Dame	1
116	University of Oregon	4
117	University of Pennsylvania	3
118	University of Queensland	1
119	University of Redlands	2
120	University of San Diego	2
121	University of San Francisco	1
122	University of Southern California	1
123	University of Texas (Austin)	2
124	University of Wisconsin (Madison)	2
125	Vidal Sassoon	1
126	Villanova University	1
127	Washington University at St. Louis	1
128	Wesleyan University	1
129	West Los Angeles College	3
130	Williams College	1
131	WyoTech	1
132	Yale College	1
Total Students Reporting		539

MALIBU HIGH SCHOOL

	College/University	Students
1	Academy of Art University	2
2	American University of Paris	1
3	Barnard College	1
4	Boston University	1
5	Brandeis University	1
6	Brigham Young University-Hawaii	1
7	Brown University	2
8	California Lutheran University	1
9	California Polytechnic State University, San Luis Obispo	3
10	California State University, Channel Islands	4
11	California State University, Long Beach	2
12	California State University, Monterey Bay	1
13	California State University, Northridge	3
14	Chapman University	1
15	Claremont McKenna College	1
16	Cornell University	2
17	Drexel University	2
18	Emerson College	2
19	Emory University	1
20	Eugene Lang College The New School for Liberal Arts	1
21	Georgetown University	1
22	Humboldt State University	3
23	Lesley University	1
24	Loyola Marymount University	1
25	Manhattanville College	1
26	Massachusetts Institute of Technology	1
27	Michigan State University	1
28	MiraCosta College	1
29	Moorpark College	6
30	Mount Holyoke College	1
31	New York University	11
32	Northwestern State University of Louisiana	1
33	Orange Coast College	1
34	Oxnard College	3
35	Pace University, New York City	1
36	Pepperdine University	4
37	Pierce College	1
38	Portland Community College	1
39	Portland State University	2
40	Reed College	1
41	San Diego Mesa College	1
42	San Francisco Art Institute	1
43	San Francisco State University	7
44	Santa Barbara City College	2
45	Santa Monica College	34
46	Seattle University	1
47	Skidmore College	1
48	Sonoma State University	3
49	Stanford University	1
50	Suffolk University	1

51	Texas Christian University	1
52	The American Musical and Dramatic Academy	1
53	The Culinary Institute of America	1
54	The George Washington University	1
55	The University of Arizona	1
56	The University of Montana, Missoula	1
57	The University of Texas, Austin	2
58	University of California at Berkeley	3
59	University of California at Irvine	1
60	University of California at Los Angeles	6
61	University of California at San Diego	2
62	University of California at Santa Barbara	3
63	University of California at Santa Cruz	7
64	University of Colorado at Boulder	8
65	University of Hawaii at Manoa	1
66	University of Liverpool	1
67	University of Oregon	3
68	University of Oxford	1
69	University of Redlands	1
70	University of San Francisco	1
71	University of Southern California	3
72	University of Toronto	1
73	University of Utah	1
74	Ventura College	2
75	Washburn University of Topeka	1
76	Washington University in St. Louis	1
77	Yale University	1
OTHER PLANS:		
1	Travel, then apply to college	2
2	Military	1
3	Full time employment	3
4	Mission trip for church	1
5	Special education transition	4
6	Unspecified plans	2
7	No plans or no response	15
Total Students Reporting		212

OLYMPIC HIGH SCHOOL

	College/University	Students
1	Santa Monica College	10
2	JCC	3
3	L.A. Trade Tech and West L.A. College	3
4	Everest College	1
Total Students Reporting		17

TO: BOARD OF EDUCATION

INFORMATION

06/03/10

FROM: TIM CUNEO

RE: DISTRICT ADVISORY COMMITTEES END-OF-YEAR REPORTS

INFORMATION ITEM NO. I.02

Attached is the End-of-Year report for the English Learners DAC.

In order to make the information provided by the DACs in the end-of-year reports more meaningful, highlight the work of the DACs, and provide the time for thoughtful discussion, there will be a new format for how the reports will be delivered to the board.

The written reports will first be included in the board agendas as information items. Then, as a discussion item at the July meeting, each DAC will: 1) present its end-of-year report and 2) have a discussion with the board regarding goal-setting for the new school year. During this discussion item in July, each DAC will have fifteen to twenty minutes.

Below is the schedule for when the end-of-year written reports will come forward under Information:

<u>District Advisory Committee</u>	<u>Date of Information Item</u>
Community Health and Safety	May 6, 2010 (Malibu)
Visual & Performing Arts	May 6, 2010 (Malibu)
English Learners Advisory	June 3, 2010 (District Office)
Special Education	June 18, 2010 (District Office)
Child Care and Development	June 18, 2010 (District Office)

**District Advisory Committee
Board of Education Annual End-of-Year Report
2009-10**

ENGLISH LEARNERS DISTRICT ADVISORY COMMITTEE

Chair: Consuelo Perez

Staff Liaison: Aida Diaz

Charges:

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.

Accomplishments to date / Highlights to date:

Meeting

DELAC complied with state requirements and included the following presentations.

Month	DELAC Requirements	Presentations
October	<ul style="list-style-type: none"> • Purpose of DELAC • Goals and Objectives of the District programs and services for English Learners 	<ul style="list-style-type: none"> • State Exams and their significance • District Strategic Goals for 2009-2010
November	<ul style="list-style-type: none"> • Survey of Topics for 2009-2010 	<ul style="list-style-type: none"> • Successful Parent/Teacher Conferences
January	<ul style="list-style-type: none"> • English Learner Progress-CELDT, AMAO 	<ul style="list-style-type: none"> • Parent Rights and Responsibilities
February	<ul style="list-style-type: none"> • CELDT students reports and parent notification • Reclassification Procedure • Report Cards 	<ul style="list-style-type: none"> • Dr. Bonafina: Adolescents
March	<ul style="list-style-type: none"> • 	<ul style="list-style-type: none"> • What is Special Education? • Samohi House Principals and counselors
April	<ul style="list-style-type: none"> • Language Census Report (R-30) • Input on the Accomplishments and Recommendations for the End-of-Year Report 	<ul style="list-style-type: none"> • Are Latino and English Learners closing the Achievement Gap?
May	<ul style="list-style-type: none"> • Drafting of the Board Report 	

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)	56
Early Intermediate (EI)	86
Intermediate (IN)	363
Early Advanced (EA)	471
Advanced (AD)	277
TOTAL	1253

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	2008-09 Target	District Percentage Meeting Target
Percent of Students Making Annual Progress in Learning English	51.0%	68.4%
Percent of Students Attaining English Proficiency-CELDT	30.6%	44.0%
Adequate Yearly Progress for the English Learner Subgroup at the LEA level for English-Language Arts Mathematics		

Staff Development:

California Education code requires that teachers that possess specific training and authorization instruct English Learners in English Language Development (ELD) and content classes. By hiring teachers with appropriate authorization 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.

Teachers with authorization to instruct English Learners

2007-2008	2008-2009	2009-2010
225	270	421

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 Federal and State categorical funding for English Learners.

	2007-2008	2008-09	2009-10
Number of English Learners who are in a Structured English Immersion setting supported by an authorized teacher.	301	372	446
Number of English Learners reclassified as Fluent-English Proficient (FEP).	181	210	207

	2007-2008	2008-2009	2009-2010
ELs Receiving English Language Development (ELD) Services	13	16	14
ELs Receiving (ELD) and Specially Designed Academic Instruction in English (SDAIE)	424	533	513
ELs Receiving ELD and SDAIE with Primary Language (L1) Support	145	82	136
ELs Receiving ELD and Academic Subjects through the Primary Language (L1)	237	230	209
ELs Receiving Other EL Instructional Services	195	247	348
ELs not Receiving any EL Instructional Services	349	198	6
Total ELs District Totals	1363	1306	1226

Instructional Materials

Inside and *Edge* Reading/Language programs were adopted and purchased for the middle and high schools. These programs are designed for English Learners and Struggling Readers. They have a full reading and writing curriculum designed to accelerate students to grade-level performance. Secondary ELD teachers received basic training for the implementation of this new adoption.

Additional Bilingual Aide placed at Samohi

Classroom aides play an integral part in the academic support that is given to English Learners especially those at the Beginning – Intermediate proficiency levels. An additional bilingual aide was placed at Samohi to assist students in core class such as science, mathematics, chemistry classes.

Attendance at the DELAC and ELAC meetings

The meetings are educational and filled with information that helps parents support the education of their children. The meetings focus on educating the parents and increase the communication and understanding between parents and children. In addition they emphasize parent participation that is essential for the academic success of our students.

Parent participation

There is increased parent participation in school activities. Parents are motivated and more involved in helping their children which is essential in improving the education of all our students. There was notable parent participation at the SMMUSD Budget and Strategic plan meetings. A special Strategic Plan Open House targeting the Spanish speaking community was held at Virginia Park

Suggested direction for 2010-11:

DELAC is aware that the District faces many difficult financial decisions as a result of the current budget crisis. However, the DELAC parent want to make certain that the District continues to implement the strategies, interventions, and programs needed to accelerate the achievement of our English Learners. English Learners is subgroup whose progress is the focus of many of the accountability targets set by the State. These targets are documented in the Title III English Language Proficiency Annual Measurable Achievement Objectives (AMAOs). As mentioned above many of our English Learners meet the percentage target of achievement required by the State in the AMAOs. However, there remains a significant number of English Learners who are not meeting these targets. Therefore, there continue to be 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. Additionally, there are state mandates regarding services to English Learners to which the District is require to adhere. Consequently, English Learners form a critical group that is central to the district efforts of reducing the achievement gap, and their unique academic needs should be taken into account when making program cuts due to budget reductions.

DELAC parents view 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 urge the District to:

1. Offer 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: 1) are targeted to the student's English proficiency level, 2) utilize high quality materials and instructional methodologies, and 3) sequentially provide for the linguistic needs of students acquiring English. Combining classes to include students at the Beginning – Intermediate levels does not allow for the effective implementation of an instructional program that will provide the scope, sequence and structure necessary for their specific proficiency level. This is even more imperative when and where Sheltered English (SE) classes are not offered.

2. Offer Sheltered English (SE) 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 must respond to the need to provide English Learners with the access to the content areas by offering sheltered classes when there is an identified need. Without the SE classes, English Learners will be in mainstream classes in which their access to the curriculum would be greatly affected by their low English proficiency levels. This will have an adverse affect on closing the achievement gap.

3. Provide additional elementary classroom aides

We often hear that elementary is crucial to the student's success as they move on to middle school. If that is the case, then we need to do everything we can to make sure that ALL students leave their elementary schools prepared to meet the challenges of middle school and beyond. Classroom aides are essential in working with teachers to provide instructional support that students need to be academically successful. Their role and providing additional aides is to be considered especially as classroom size increases.

4. **Offer parent education workshops**
The DELAC and ELAC meetings given by district staff and outside presenters provide us with information that helps us to better support our children's learning. Funding should be allocated to continue bringing experts for parent education.
5. **Support conference attendance**
Conferences provide parents an opportunity to participate in parent workshops that focuses on their needs. CABE is a conference that we would like to attend as it focuses on English Learners.
6. **Increase English Language Development (ELD) teacher time at all school sites.**
The ELD teachers are necessary to provide the linguistic and academic support that our English Learners need as they acquire English. English Learners need to meet the language and academic targets set for them, and just as importantly be able to compete with their peers. In order to continue meeting the AMAO targets our students and teachers need ELD support provided by the ELD teachers.
7. **Increase Translation Assistance**
The translation support that the Community Liaisons provide is invaluable, without them our parents would be at a greater disadvantage. However, more bilingual personnel are needed to facilitate the communication between parents, teachers, school and district staff. Parents often hesitate or do not go to school/district because they feel intimidated and do not feel welcome. Having personnel will help with communication.
8. **Provide Additional Aides at the Middle School level**
It is noted that the number of ELs at the lower English Proficiency levels is small but important. The classroom aides are instrumental in helping ELs in mainstream classrooms have access to the curriculum. This is especially crucial since the only Sheltered English class currently being offered is Social Studies. Our students with low English proficiency levels have to struggle in learning English and understanding the core classes simultaneously.
9. **Offer Language Acquisition workshops for teachers.**
Teachers need to support the importance of maintaining the primary home language. If teachers discourage speaking the home language the communication between parent and child will be greatly diminished. The ability to communicate with their children is essential for their academic, social and emotional development. Research shows that if a student develops literacy in their primary language this will facilitate learning a second language. Do not limit our ability to speak with our children.
10. **Provide Cultural Workshops for teachers**
Our students come from many different cultural and social backgrounds. Teachers need to familiarize themselves better with who are their students and families. Working together with better understanding of all of the children they serve, teachers will be better prepared to address the complete education needs of the children they serve.
11. **Conduct forums and informative meetings in separate languages**
The district's effort to include the Spanish Speaking parents in forums and informative meetings by providing translation is appreciated. It would be more effective if separate sessions are provided where the presentations are given in only one language, as seen in the Budget and Virginia Part Strategic Open House. The translators do a very good job at the simultaneous translations; however, there a lot is lost in translation. Furthermore, many parents feel uncomfortable using the headphones.

12. Provide early intervention beginning in Kindergarten.

Data shows that our students are not doing well in English Language Arts and Mathematics. However, many intervention programs begin in third grade and summer school is offered only for students who will enter 3rd, 4th and 5th grade. There are many students who start falling behind as early as grades K, 1 and 2. DO NOT wait until third grade to identify them and offer intervention at that point. Intervention should begin early- as early as K. This will have a positive effect on closing the achievement gap. Remember the road to college begins in Kindergarten, not middle or high school. A strong academic foundation at the elementary level will result in easier and successful transitions to the other school levels.

13. Close the Achievement Gap

The focus has been on reducing the achievement gap and while there may have been gains in some areas, our students are still lagging behind. Students need to be identified and provided with instructional support to address their specific academic needs and the need for intervention will be reduced. It is not acceptable to have high school students who are not at grade level in math and English.

Budgetary Implications:

The district uses State and Federal funds to provide supplementary support to English Learners such as ELD teacher time, some Bilingual aides and materials. 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. However, please note that many of the recommendations listed above do not require additional funding from district general funds. 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. Once again, we urge the District to provide the financial support that secondary schools need to provide these specialized classes and other support services that will have a positive and direct impact on closing the Achievement Gap.