

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

February 2, 2012

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Thursday, February 2, 2012**, in the **Malibu City Council Chambers**: 23825 Stuart Ranch Road, Malibu, CA. The Board of Education will call the meeting to order at 4:30 p.m. in the upstairs Conference Room at the Malibu City Council Chambers, at which time the Board of Education will move to Closed Session regarding the items listed below. The public meeting will reconvene at 6:00 p.m. in the Council Chambers.

The public meeting will begin at 6:00 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)

- Receipt of recommendation for approval of the proposed settlement cases pursuant to GC §54956.9 (b), as cited in the Brown Act (10):
DN-1005-11/12
- Conference with Superintendent regarding 2011-12 Strategies for Negotiations with S.M.M.C.T.A. pursuant to GC §54957.6 as cited in the Brown Act. (5)
- Conference with Superintendent regarding 2011-12 Strategies for Negotiations with S.E.I.U. pursuant to GC §54957.6 as cited in the Brown Act. (5)
- Closed session with legal counsel concerning anticipated litigation pursuant to GC §54956.9(b)(1) as cited in the Brown Act (2 cases). (30)
- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC§54957, as cited in the Brown Act (Certificated Employees: ID #US4954650) (20)
- Closed Session, Superintendent's performance evaluation pursuant to GC §54957, as cited in the Brown Act. (20)

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

V. APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

December 15, 2011

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: February 2, 2012

VII. CONSENT CALENDAR (30)

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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Considerations and Mitigation Monitoring and Reporting
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Feasibility of an Emergency Funding Measure and Future Capital
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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

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

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)

Brontë Burnette – Santa Monica High School

Yasi Afsharnive – Malibu High School

Chynna Summers – Olympic High School

B. SMMCTA Update – Liz Cowgill (5)

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

D. PTA Council – Kelly McMahon Pye (5)

Kerry Hernandez – Point Dume marine Science School PTSA President

X. SUPERINTENDENT’S REPORT (5)

MAJOR and DISCUSSION Items

As a general rule, items under MAJOR and DISCUSSION will be listed in an order 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 (5)

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.

A.20 Adopt Resolution No. 11-07 – In Honor of Black History Month (5)..... 45-47

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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.

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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

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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 next regular meeting, which is scheduled for **Thursday, February 16, 2012**, in the District Administrative Offices: 1651 16th Street, Santa Monica, CA.

**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 2011-2012

Closed Session begins at 4:30pm
Public Meetings begin at 6:00pm

July through December 2011					
Month	1 st Thursday	2 nd Thursday	3 rd Thursday	4 th Thursday	Special Note:
July			7/20* DO	7/23* DO 7/26* DO	*Wednesday, 7/20 *Saturday, 7/23: retreat *Wednesday, 7/26: special mtg
August		8/10* DO		8/24* DO	*Wednesday, 8/10 *Wednesday, 8/24 First day of school: 8/30
September	9/8 DO			9/22 DO	
October	10/6 M		10/20 DO	10/22* DO	*Saturday, 10/22: retreat
November	11/3 M		11/17 DO	11/29* DO	Thanksgiving: 11/24-25 *Tuesday, 11/29: special mtg
December			12/15 DO	winter break	
Winter Break: December 21 – January 3					
January through June 2012					
Winter Break: December 21 – January 3					
January			1/19 DO		
February	2/2 M		2/16 DO 2/18* DO		*Saturday, 2/18: special mtg
March	3/1 DO		3/15 DO	3/29* DO	*3/22 & 3/23: Stairway *3/29: 5 th Thursday
Spring Break: April 2 – April 13					
April	spring break	spring break	4/19 DO		
May	5/3 M		5/17 DO		
June	6/7 DO			6/27* DO	Last day of school: 6/15 *Wednesday: 6/27

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

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 Board of Education Meeting AGENDA: February 2, 2012

**Santa Monica-Malibu Unified School District
Board of Education
February 2, 2012**

I. CALL TO ORDER

A. Roll Call

Ben Allen – President
Laurie Lieberman – Vice President
Oscar de la Torre
Jose Escarce
Maria Leon-Vazquez
Ralph Mechur
Nimish Patel

Student Board Members

B. Pledge of Allegiance

II. CLOSED SESSION

TO: BOARD OF EDUCATION
FROM: SANDRA LYON
RE: APPROVAL OF MINUTES

ACTION
02/02/12

RECOMMENDATION NO. A.01

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

December 15, 2011

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

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / 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 2011-2012 budget.

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

Contractor/ Contract Dates	Description	Site	Funding
County of Los Angeles Sheriff Department 8/30/11 to 6/30/12 Not to exceed: \$8,158.59	To provide educational program to middle school students regarding drugs, alcohol, peer pressure and decision making.	Malibu High	01-90141-0-10000-5802-010-4100 (The Shark Fund)
The Artist Collective (Robert Gilliam) 2/06/12 to 6/30/12 Not to exceed: \$10,830	To provide contemporary dance workshop/classes with Malibu Middle and High School Students.	Malibu High	01-9083-0-17000-5802-010-4100 (SMMEF)
Lucas Capra 7/1/11 to 6/30/12 Amend Amount: not to exceed: \$16,000 (\$12,000: BOE 1/19/12)	To perform specialized technical theatre support for Theatre Operations rentals in Barnum Hall and other District Theaters.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5802-046-2460
Walter Hughes 01/20/12 to 6/30/12 Not to exceed: \$4,000	To perform specialized technical theatre support for Theatre Operations rentals in Barnum Hall and other District Theaters.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5802-046-2460
Greville Kellett 7/1/11 to 6/30/12 Amend Amount: not to exceed: \$12,000 (\$8,000: BOE 1/19/12)	To perform specialized technical theatre support for Theatre Operations rentals in Barnum Hall and other District Theaters.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5802-046-2460

Lewis Stout 7/1/11 to 6/30/12 Amend Amount: not to exceed: \$12,000 (\$3,000: BOE 6/3/11 & \$8,000: BOE 10/6/11)	To perform specialized technical theatre support for Theatre Operations rentals in Barnum Hall and other District Theaters.	Business Services: Theater Operations & Facility Permits	01-91180-0-81000-54000-5802-046-2460
Angela Chan <i>Amend dates</i> 10/3/11 to 5/31/12 Amend Not to exceed: \$10,000 (\$2,000: BOE 1/19/12)	To provide professional development for elementary teachers in the area of mathematics.	Educational Services	01-90180-0-11100-10000-5802-030-1300 (RGK)
Ajay Mohindra 1/16/12 to 6/30/12 Not to exceed: \$30,000	To assist the Fiscal Department, including payroll.	Business Services	01-00000-0-00000-73100-5802-051-2510
Ballroom Madness 9/15/11 – 2/2/12 Not to exceed \$5000	Coordination and Implementation of ballroom dance for the fifth grade students	Edison	01-90100-0-11100-10000-5802-001-4010
Richard Straus Spirit Series 1/17/12 – 5/20/12 Not to exceed \$4,000	Spirit Series will facilitate and implement “Buddha Walks’ and “Socrates” units for all 6 th grade students. This will be the 10 th consecutive year Spirit Series has been providing these services for Lincoln Middle School.	Lincoln	01-90150-0-11100-10000-5802-012-4120 (PTSA)

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / 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>AME</u> <u>SITE</u> Account Number Fund – Resource Number	<u>CONFERENCE NAME</u> <u>LOCATION</u> <u>DATE (S)</u>	<u>COST</u> <u>ESTIMATE</u>
<u>BRADFORD, Maureen</u> Ed Services 01-00000-0-19510-31600-5220-030-1300 General Fund- Function: Pupil Testing Services	UCLA Center X West Los Angeles, CA 1/31/12, 3/6/12 and 6/5/12	\$150
<u>CASILLAS, Veronica</u> Santa Monica High No Cost	“Attack of Teenage Brain” Understanding Adolescent Brain Development Los Angeles, CA January 18, 2012	\$0
<u>HOLSMSTROM, Toni</u> Rogers Elementary 01-56400-0-00000-39000-5220-043-1400 General Fund- Resource: Medi-Cal	American Speech-Language Hearing Association National Convention San Diego, CA November 17- 19, 2011	\$400
<u>KORVIN, Karin</u> Santa Monica High 01-90140-0-11100-41000-5220-015-4150 General Fund- Resource: Reimbursed by ASB	AP Conference Santa Ana, CA March 3, 2012	\$205
<u>MOORE WASHINGTON, Debra</u> Human Resources 01-00000-0-00000-74000-5220-025-1250 General Fund- Function: Personnel/Human Resources	African-American Student Achievement Downey, CA 1/31/12, 3/6/12 and 6/5/12	\$75
<u>RIZK, Rizk</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Fiscal Services	B-Tables (LACOE Training) Downey, CA January 11, 2012	\$50
<u>RIZK, Rizk</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Fiscal Services	District Benefits Downey, CA February 10, 2012	\$40

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

Group Conference and Travel: In-State * a complete list of conference participants is on file in the Department of Fiscal Services		
NONE		

Out-of-State Conferences: Individual		
NONE		

Out-of-State Conferences: Group		
NONE		

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / CHIUNG-SALLY CHOU / MAUREEN BRADFORD

RE: OVERNIGHT FIELD TRIP(S) 2011-2012

RECOMMENDATION NO. A.04

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2011-2012 school year. No child will be denied due to financial hardship.

School Grade # students	Destination Dates of Trip	Principal/ Teacher	Cost Funding Source	Subject	Purpose Of Field Trip
Samohi 9 th – 12 th 12	National High School Cheerleading Championship, Orlando, FL 2/9/12 – 2/14/12	L. Fretz/ A. Meadors/ L. Thatchor/ N. Maxwell	\$950 / student paid by parents & fundraising	PE	Cheer students will be competing at the national High School Cheerleading Championship in Orlando, Fl.
Samohi 9 th – 12 th 16	Western States Color Guard Championships, University of San Diego 3/24/12 – 3/25/12	L. Fretz/ M. Corrigan/ T. Sakow	\$100 / student paid by parents & fundraising	PE	Color guard will participate in the Western States Color Guard Championships.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / CHIUNG-SALLY CHOU / JUDY ABDO

RE: HEAD START – RECOMPETITION SURVEY OF DELEGATE AGENCIES

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the submission of the Recompensation Survey which requests information regarding Santa Monica-Malibu Unified School District, Child Development Services. The completed survey must be signed by the Board and Policy Committee chairs, acknowledging their agreement to partner with Los Angeles County Office of Education in the service area currently served by our program.

COMMENT: This year Los Angeles County Office of Education (LACOE) will have to re-compete for the grant. This survey will facilitate the comprehensive development of LACOE's re-competition application.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / CHIUNG-SALLY CHOU / JUDY ABDO

RE: AMENDMENT TO EARLY HEAD START/HEAD START/STATE PRESCHOOL CONTRACT

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the amendment to the existing contract C12890 for Early Head Start/Head Start/State Preschool with Los Angeles County Office of Education (LACOE).

COMMENT: Exhibit E – has been deleted and replaced with Revised Exhibit E-1 to add a new section to “45 CFR part 1307 -- Redesignation Notifications.” Delegate agencies and child care partners must notify LACOE within 24 hour whenever any one (1) or more of five (5) potential incidents occur. These incidents include:

- (1) Designation of “deficiency” by a Federal, State or local regulatory agency,
- (2) Probation and/or Revocation of a license to operate a program by a Federal, State or local regulatory agency,
- (3) Suspension or Head Start, Early Head Start or State Preschool by a Federal, State or local regulatory agency,
- (4) Debarment by the Federal, State governments or a local agency or Disqualification from the Child and Adult Care Food Program (CACFP),and;
- (5) Agency has been identified as being at risk of failing to continue functioning as a going concern by a Federal, State or local regulatory agency or by an independent audit.

Any dates set forth in the original contract and/or prior amendments (s) shall be deemed updated/revised, if necessary, to be compatible with this Amendment. All other terms and conditions of the original Contract and/or prior Amendments (s) shall remain the same.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDY LYON / CHIUNG-SALLY CHOU / SARA WOOLVERTON

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2011-2012

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2011-2012 as follows:

NPS

2011-2012 Budget 01-65000-0-57500-11800-5125-043-1400

Nonpublic School/Agency	SSID	Service Description	Contract Number	Cost Not to Exceed
Cathedral Home for Children	12/15/94	Residential	#99-SPED12167	13,680

Amount Budgeted NPS 11/12		\$ 1,700,000
Prior Board Authorization as of 1/19/2012		\$ 2,494,337
	Balance	\$ -794,337
Positive Adjustment (See Below)		\$
Total Amount for these Contracts		\$ 13,680
	Balance	\$ - 808,017

Adjustment					
NPS Budget 01-65000-0-57500-11800-5125-043-1400					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

NPA

2011-2012 Budget 01-65000-0-57500-11800-5126-043-1400

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

Amount Budgeted NPA 11/12		\$ 900,000
Prior Board Authorization as of 1/19/2012		\$ 936,021
	Balance	\$ -36,021
Positive Adjustment (See Below)		\$ 0
		\$ -36,021
Total Amount for these Contracts		\$ 220,580
	Balance	\$ -256,601

Adjustment					
NPA Budget 01-65000-0-57500-11800-5126-043-1400					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Instructional Consultants

2011-2012 Budget 01-65000-0-57500-11900-5802-043-1400

Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consultants 11/12		\$ 200,000
Prior Board Authorization as of 1/19/2012		<u>\$ -378,875</u>
	Balance	\$ -178,875
Positive Adjustment (See Below)		<u>\$ 0</u>
		\$ -178,875
Total Amount for these Contracts		<u>\$ 23,080</u>
	Balance	\$ -181,255

Adjustment					
Instructional Consultants Budget 01-65000-0-57500-11900-5802-043-1400					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Non-Instructional Consultants

2011-2012 Budget 01-65000-0-57500-11900-5890-043-1400

Non-Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed
Frances Moogan	12/15/94	Transportation	#52-SPED12165	1,200
West Shield Adolescent Services	12/15/94	Escort to Placement	#53-SPED12166	3,500

Amount Budgeted Non-Instructional Consultants 11/12		\$ 300,000
Prior Board Authorization as of 1/19/2012		<u>\$ 318,033</u>
	Balance	\$ -18,033
Positive Adjustment (See Below)		<u>\$ 0</u>
		\$ -18,033
Total Amount for these Contracts		<u>\$ 4,700</u>
	Balance	\$ -22,733

Adjustment					
Non-Instructional Consultants Budget 01-65000-0-57500-11900-5890-043-1400					
Non- Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Legal

2011-2012 Budget 01-65000-0-57500-11900-5820-043-1400

Legal Contractor	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Legal Services 11/12		\$ 200,000
Prior Board Authorization as of 1/19/2012		<u>200,000</u>
	Balance	\$ 0
Adjustments for this period		<u>\$ 0</u>
		0
Total Amount for these Contracts		<u>\$ 0</u>
	Balance	\$ 0

Adjustment				
Legal Services Budget 01-65000-0-57500-11900-5820-043-1400				
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

02/0212

FROM: SANDRA LYON / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: AWARD OF PURCHASE ORDERS – 2011-12

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from January 10, 2012, through January 24, 2012, for fiscal /12.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF FEBRUARY, 2012

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>					
123927	A 1 LAWMOWER	OPERATIONS GROUNDS EQUIPMENT	GROUNDS MAINTENANCE	1,075.54	R
123771	AAA ELECTRIC MOTOR SALES	MOTOR SALES & SERVICES	FACILITY MAINTENANCE	1,500.00	R
123748	AARDVARK CLAY	INST SUP/ART CLASSES/TIER III	JOHN ADAMS MIDDLE SCHOOL	813.02	U
123813	ACADEMIC SUPERSTORE	MICROSOFT OFFICE MAC	SAINT ANNE'S PRIVATE SCHOOL	357.80	R
123795	AMECI PIZZA & PASTA	INSERVICE SUPPLIES	CURRICULUM AND IMC	300.00	U
123891	AMECI PIZZA & PASTA	MEETING SUPPLIES/STRWY	CURRICULUM AND IMC	800.00	R
123960	AMECI PIZZA & PASTA	FOOD/STUDENT FORUM	CURRICULUM AND IMC	250.00	R
123111	APPLE COMPUTER CORP	IPAD	SPECIAL EDUCATION REGULAR YEAR	1,260.32	R
123794	APPLE COMPUTER CORP	MacBook Pro	CURRICULUM AND IMC	2,430.91	U
123812	APPLE COMPUTER CORP	MACBOOK PRO	SAINT ANNE'S PRIVATE SCHOOL	2,659.24	R
123833	APPLE COMPUTER INC.	COMPUTER SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	31.68	U
123879	APPLE COMPUTER INC.	RECHARGEABLE BATTERY	WILL ROGERS ELEMENTARY SCHOOL	126.73	R
123892	ARGO FLEET SERVICES	Repair Parts/Transp. Dept.	TRANSPORTATION	103.79	R
123885	AT&T	SMARTNET Maintenance	INFORMATION SERVICES	117,975.65	U
123757	ATLANTIC EXPRESS OF LA INC	school bus provided by skirbal	GRANT ELEMENTARY SCHOOL	340.00	R
123849	BARRETT'S APPLIANCE	REPAIR	CHILD DEVELOPMENT CENTER	140.52	CD
123791	BRODART COMPANY	Library Supplies	LINCOLN MIDDLE SCHOOL	180.03	U
123782	CALIFORNIA OFFICE SYSTEMS INC	OPEN ORDER/INST SUP/TEAM/MATH	JOHN ADAMS MIDDLE SCHOOL	117.00	U
123788	CALIFORNIA OFFICE SYSTEMS INC	OPEN ORDER/OFFICE SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	500.00	U
123859	CALIFORNIA OFFICE SYSTEMS INC	OPEN ORDER FOR OFFICE SUPP.	TRANSPORTATION	300.00	R
123874	CALIFORNIA OFFICE SYSTEMS INC	INSERVICE SUPPLIES	STATE AND FEDERAL PROJECTS	231.35	R
123860	CANON BUSINESS SOLUTIONS-WEST	STAPLES FOR COPIER	MALIBU HIGH SCHOOL	445.15	U
123104	CDW-G COMPUTING SOLUTIONS	IPAD SHIELD	SPECIAL EDUCATION REGULAR YEAR	88.27	R
123851	CDW-G COMPUTING SOLUTIONS	HP REPLACEMENT BATTERY	CHILD DEVELOPMENT CENTER	147.35	CD
123883	CDW-G COMPUTING SOLUTIONS	Open Supplies	INFORMATION SERVICES	1,000.00	U
123907	CITY OF SANTA MONICA	WATER METER RELOCATION PERMIT	SANTA MONICA HIGH SCHOOL	9,274.01	BB
123756	CPI/CRISIS PREVENTION INST INC	ANNUAL MEMBERSHIP:SINFIELD	SPECIAL EDUCATION REGULAR YEAR	125.00	R
123900	D & B POWER ASSOCIATES INC	Service Plan UPS	INFORMATION SERVICES	1,779.00	U
123890	DANIELS TIRE SERVICE	open order for tire purchases	TRANSPORTATION	4,000.00	R
123902	DIAGNOSTICS DIRECT INC	CHANGING TABLE ROLLS	CHILD DEVELOPMENT CENTER	546.14	CD
123899	E.G. BRENNAN & CO LLC	Maintenance	INFORMATION SERVICES	428.54	U
123763	EDUCATIONAL INNOVATIONS INC	OWL PELLETS AND BONE SORTING	WEBSTER ELEMENTARY SCHOOL	75.86	R
123753	EDUCATIONAL TESTING SERVICE	STAR PRE-ID TEST ORDER	CURRICULUM AND IMC	5,370.00	U
123105	ENABLING DEVICES/TOYS FOR	SENSORY DEVICES	SPECIAL EDUCATION REGULAR YEAR	438.28	R
123106	EPS/SCHOOL SPECIALTY	OT SUPPLIES/OCKNER	SPECIAL EDUCATION REGULAR YEAR	100.87	R
123110	EPS/SCHOOL SPECIALTY	OT SUPPLIES	SPECIAL EDUCATION REGULAR YEAR	43.43	R
123755	EVALUMETRICS INC	FITGRAM SCANTRON TESTING	CURRICULUM AND IMC	1,344.42	U
123929	EWING IRRIGATION PRODUCTS	OPERATIONS IRRIGATION SUPPLIES	GROUNDS MAINTENANCE	2,500.00	R
123939	FOLLETT EDUCATIONAL SERVICES	ENGLISH NOVELS	MALIBU HIGH SCHOOL	295.96	R
123831	FUN AND FUNCTION LLC	STUDENT SENSORY ACCESSORIES	SPECIAL EDUCATION REGULAR YEAR	95.20	R
123731	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	798.02	CD
123779	GALE SUPPLY CO	CUSTODIAL SUPPLIES/PERMIT	JOHN ADAMS MIDDLE SCHOOL	502.55	R
123817	GALE SUPPLY CO	CUSTODIL SUPPLIES	WEBSTER ELEMENTARY SCHOOL	2,846.21	R
123823	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	573.02	CD
123850	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	835.87	CD
123854	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CHILD DEVELOPMENT CENTER	443.39	CD
123862	GALE SUPPLY CO	CUSTODIAL SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	679.81	U
123922	GALE SUPPLY CO	Open order for supplies	TRANSPORTATION	500.00	R
123772	GBC/EDUCATION DEPARTMENT	LAMINATING FILM FOR WORKROOM	EDISON ELEMENTARY SCHOOL	204.54	U

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 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	
123750	GOLD COAST TOURS	OPEN ORDER/BUSES FOR YOSEMITE	JOHN ADAMS MIDDLE SCHOOL	13,470.00	R
123751	GOLDEN STAR TECHNOLOGY INC	SMARTBOARD SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	381.28	U
123834	GOLDEN STAR TECHNOLOGY INC	Replacement bulbs	FRANKLIN ELEMENTARY SCHOOL	1,807.92	U
123904	HASLER INC	RATE/STRUCTURE INSURANCE	PURCHASING/WAREHOUSE	273.08	U
123539	HAWTHORNE EDUCATION SERVICE	PRESCHOOL EVAL KIT	SPECIAL EDUCATION REGULAR YEAR	277.50	R
123825	HOME DEPOT- L.A.	Custodial Supply	FRANKLIN ELEMENTARY SCHOOL	435.91	R
123912	IBI SYNERGY INC	NURSE SUPPLIES	SANTA MONICA HIGH SCHOOL	229.20	U
123773	INFOGRIP INC	ASSISTIVE TECH, STUDENT EQUIP.	SPECIAL EDUCATION REGULAR YEAR	118.06	R
123694	INTELLI-TECH	COMPUTERS FOR OFFICE ADMIN	PT DUME ELEMENTARY SCHOOL	3,213.65	R
123778	INTELLI-TECH	NON CAPITAL EQUIPMENT	BOE/SUPERINTENDENT	1,124.58	U
123882	INTELLI-TECH	Software Licenses	INFORMATION SERVICES	3,990.00	U
123894	INTELLI-TECH	Warranty	INFORMATION SERVICES	1,392.00	U
123803	INTERNATIONAL PAPER	PAPER FOR OFFICE	ROOSEVELT ELEMENTARY SCHOOL	1,130.85	U
123809	INTERNATIONAL PAPER	COPY PAPER	SANTA MONICA HIGH SCHOOL	233.42	U
123872	INTERNATIONAL PAPER	xerox paper for school/office	GRANT ELEMENTARY SCHOOL	2,500.00	R
123913	JOSTENS/DIPLOMAS	DIPLOMA COVERS	OLYMPIC CONTINUATION SCHOOL	540.19	U
123739	KORADE & ASSOCIATE BUILDERS	Painting Barnum Room 20	THEATER OPERATIONS&FACILITY PR	990.00	R
123780	L & J AUTO BODY AND PAINT	BUS REPAIRS #6	TRANSPORTATION	2,277.75	R
123783	LAKESHORE	OPEN ORDER/INST SUP/MATH	JOHN ADAMS MIDDLE SCHOOL	61.00	R
123856	LAKESHORE	classroom supplies	GRANT ELEMENTARY SCHOOL	75.00	U
123858	LAKESHORE	classroom supplies	GRANT ELEMENTARY SCHOOL	75.00	U
123915	LAKESHORE	INSTRUCTIONAL SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	300.00	U
123863	LEE & LOW BOOKS INC.	TEACHERS COLLEGE BOOK SETS	ROOSEVELT ELEMENTARY SCHOOL	1,028.15	U
123829	MACMALL/PC MALL	STUDENT EQUIP ACCESSORIES:A/T	SPECIAL EDUCATION REGULAR YEAR	270.65	R
123824	MASUNE/MEDCO SCHOOL FIRST AID	HEALTH/SAFETY	CHILD DEVELOPMENT CENTER	215.64	CD
123877	MAXPOWERSOFT, LLC	Software Reporting licenses	INFORMATION SERVICES	358.20	U
123790	MEDCO SUPPLY CO	Nursing Supplies	CABRILLO ELEMENTARY SCHOOL	76.38	U
123802	MICRO BIO-MEDICS/ORDERS	NURSE'S SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	200.79	U
123847	NETWORLd SOLUTIONS INC	DISTANCE LEARNING CONSULTING	CURRICULUM AND IMC	5,000.00	U
123805	PLUMBMASTER INC	PLUMBING REPAIR PARTS	FACILITY MAINTENANCE	4,000.00	R
122377	PRO-ED	TESTING MATERIALS	SPECIAL EDUCATION REGULAR YEAR	221.81	R
123830	QUARTERMASTER	SECURITY UNIFORMS	SANTA MONICA HIGH SCHOOL	291.87	U
123781	REES ELECTRONICS OFFICE	COPIER REPAIR	SANTA MONICA HIGH SCHOOL	85.00	U
123864	REGENCY ENTERPRISES INC.	FLOURESCENT LIGHTS	WEBSTER ELEMENTARY SCHOOL	72.43	R
123777	RICOH BUSINESS SOLUTIONS	overages for copies/MP9000	GRANT ELEMENTARY SCHOOL	343.71	R
123840	RICOH BUSINESS SOLUTIONS	charges for copy overages	GRANT ELEMENTARY SCHOOL	443.83	R
123919	SANTA MONICA MUN BUS LINES	TOKENS & PASSES FOR FARM. MRKT	FOOD SERVICES	770.00	F
123914	SCHOOL NUTRITION SERVICES	SAFETY & SANITATION PROGRAM	FOOD SERVICES	9,195.00	F
123742	SCSBOA	JUDGING FEES	LINCOLN MIDDLE SCHOOL	300.00	R
123754	SCSBOA	FESTIVAL FEES/GIFT/INST MUSIC	JOHN ADAMS MIDDLE SCHOOL	300.00	R
123766	SEHI COMPUTER PRODUCTS	PRINTER INK	PERSONNEL SERVICES	620.98	U
123789	SEHI COMPUTER PRODUCTS	TONER CARTRIDGE	OLYMPIC CONTINUATION SCHOOL	92.10	U
123814	SEHI COMPUTER PRODUCTS	TONER CARTRIDGE	OLYMPIC CONTINUATION SCHOOL	330.81	R
123935	SEHI COMPUTER PRODUCTS	HP LASERJET P3015DN PINTER	ROOSEVELT ELEMENTARY SCHOOL	740.92	R
123941	SEHI COMPUTER PRODUCTS	INK CARTRIDGES	SANTA MONICA HIGH SCHOOL	3,726.83	U
123946	SEHI COMPUTER PRODUCTS	OFFICE SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	214.35	U
123811	SHAR PRODUCTS COMPANY	OPEN ORDER: SUPPLIES	LINCOLN MIDDLE SCHOOL	2,500.00	R
123875	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	PERSONNEL SERVICES	56.81	U
123940	SIR SPEEDY PRINTING #0245	DISTRICT LETTERHEAD	PRINTING SERVICES	267.66	U
123852	SMART & FINAL	OPEN ORDER/SUPPLIES	CHILD DEVELOPMENT CENTER	100.00	CD

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
123950	SMART & FINAL	REFRESHMENTS	OLYMPIC CONTINUATION SCHOOL	200.00	R
123743	SOUTHWEST SCHOOL SUPPLY	classroom supplies	GRANT ELEMENTARY SCHOOL	45.00	U
123758	SOUTHWEST SCHOOL SUPPLY	butcher paper for school	GRANT ELEMENTARY SCHOOL	483.45	R
123810	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES	EDISON ELEMENTARY SCHOOL	700.00	U
123895	SPEEDO ELECTRIC CO	Tach charts	TRANSPORTATION	95.18	R
123733	STAPLES BUSINESS ADVANTAGE	SUPPLIES	CHILD DEVELOPMENT CENTER	1,900.00	CD
123734	STAPLES BUSINESS ADVANTAGE	SUPPLIES	CHILD DEVELOPMENT CENTER	4,600.00	CD
123787	STAPLES BUSINESS ADVANTAGE	INST SUPPLIES/TEAM	JOHN ADAMS MIDDLE SCHOOL	52.21	U
123853	STAPLES BUSINESS ADVANTAGE	classroom supplies	GRANT ELEMENTARY SCHOOL	200.00	U
123958	STATE WATER RESOURCES	ANNUAL STORM WATER PERMIT FEE	SANTA MONICA HIGH SCHOOL	659.00	BB
123799	STENHOUSE PUBLISHERS	MATH FLIPBOOKS	STATE AND FEDERAL PROJECTS	76.01	R
123955	STRESS LESS ENVIRONMENTAL LLC	WASTE DISPOSAL	FACILITY MAINTENANCE	600.00	U
123776	STUDENT SUPPLY	supplies for 5th grade class	GRANT ELEMENTARY SCHOOL	148.75	R
123647	TANDUS US INC	carpet for Fac Permits office	THEATER OPERATIONS&FACILITY PR	2,937.04	R
123896	TARGET STORES	OPEN ORDER/SUPPLIES	CHILD DEVELOPMENT CENTER	1,500.00	CD
123827	TEXTBOOK WAREHOUSE INC.	TEXTBOOKS	SANTA MONICA HIGH SCHOCL	278.30	U
123691	TOBII ATI	STUDENT EQUIPMENT: ASSTV TECH	SPECIAL EDUCATION REGULAR YEAR	12,895.13	R
123747	TUMBLEWEED TRANSPORTATION	TRANSPORTION	SANTA MONICA HIGH SCHOOL	401.00	U
123889	U S BANK (GOVT CARD SERVICES)	CREDIT CARD USAGE	INFORMATION SERVICES	310.18	U
123841	VEGAS, KRIS	MILEAGE REIMBURSEMENT: VEGAS	SPECIAL EDUCATION REGULAR YEAR	550.00	R
123933	VIRCO MFG CORP	CAFETERIA TABLE	THEATER OPERATIONS&FACILITY PR	84.31	R
123897	VONS MARKET-SANTA MONICA	OPEN ORDER/SUPPLIES	CHILD DEVELOPMENT CENTER	250.00	CD
123784	VONS STORE #2262	STAFF DEV. SNACKS	CURRICULUM AND IMC	400.00	R
123785	VONS STORE #2262	MEETING SUPPLIES	STATE AND FEDERAL PROJECTS	200.00	R
123901	VONS STORE #2262	MEETING SUPPLIES/VAPA	CURRICULUM AND IMC	400.00	R
123928	WALKER MOTOR CO.	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	1,000.00	R
123930	WALTERS WHOLESALE ELECTRIC CO	OPERATIONS CUSTODIAL SUPPLIES	FACILITY OPERATIONS	997.85	U
123760	WAXIE SANITARY SUPPLY	CUSTODIAL SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	92.79	U
123822	WAXIE SANITARY SUPPLY	CUSTODIAL	CHILD DEVELOPMENT CENTER	314.57	CD
123836	WAXIE SANITARY SUPPLY	CLEANING SUPPLIES	WEBSTER ELEMENTARY SCHOOL	538.97	R
123816	WILSON & VALLELY TOWING	Towing charges/Transport.	TRANSPORTATION	114.00	R
123865	WILSON & VALLELY TOWING	MAINT. VEHICLE TOWING	FACILITY MAINTENANCE	73.00	R
123762	WITT COMPANY	ANNUAL COPIER CONTRACT	WILL ROGERS ELEMENTARY SCHOOL	322.29	U
123888	WITT COMPANY	COPIER OVERAGES	WILL ROGERS ELEMENTARY SCHOOL	451.85	R
123728	YOUNG PS ACQUISITIONS LLC	TOOTH BRUSH/PASTE	CHILD DEVELOPMENT CENTER	336.79	CD
				** NEW PURCHASE ORDERS	270,989.45

** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES **

123804	NETWORLD SOLUTIONS INC	PRINTER DEPLOYMENT	JOHN ADAMS MIDDLE SCHOOL	9,750.00	BB
123838	RICOH U.S.	OPEN P.O. FOR SUPPLIES	BUSINESS SERVICES	2,000.00	BB
				** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES	11,750.00

TO: BOARD OF EDUCATION
FROM: SANDRA LYON / JANECE L. MAEZ / PAT HO
RE: ACCEPTANCE OF GIFTS – 2011/2012

ACTION/CONSENT
02/02/12

RECOMMENDATION NO. A.09

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$24,726.29 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 2011-2012 income and appropriations by \$24,726.29 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 2011/2012

School/Site Account Number		Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
JAMS 01-90120-0-00000-00000-8699-011-0000	\$ 7,344.48 \$ 2,125.00 \$ 100.00	\$ - \$ 375.00 \$ -		Santa Monica Science Magnet Deborah Lerner and Peter Sinsheimer Robert Brown and Diane Reynolds	Field Trip Language Arts Student Support General Supplies and Materials
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	\$ 257.00	\$ -		Various	Field Trip
CDS 12-90120-0-00000-00000-8699-070-0000					
Edison 01-90120-0-00000-00000-8699-001-0000					
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	\$ 7,122.45 \$ 153.00	\$ 374.55 \$ 27.00		Various Parents Various Parents	Field Trip General Supplies and Materials
Malibu High School 01-90120-0-00000-00000-8699-010-0000	\$ 440.00	\$ -		Various Parents	General Supplies and Materials
McKinley 01-90120-0-00000-00000-8699-004-0000					
Muir 01-90120-0-00000-00000-8699-005-0000					
Olympic HS 01-90120-0-00000-00000-8699-014-0000	\$ 342.50	\$ -		Santa Monica-Malibu Education Foundation	General Supplies and Materials
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 2,169.00 \$ 1,940.00 \$ 358.00	\$ - \$ - \$ -		Various Various Various	Field Trip Field Trip Field Trip
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 170.00	\$ 30.00		Pascal and Pauline Ladreyt	General Supplies and Materials

Current Gifts and Donations 2011/2012

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 1,191.00 \$ 85.00 \$ 57.21	\$ - \$ 15.00 \$ 10.10		Various Wells Fargo Community Support Program Wells Fargo Community Support Program	General Supplies and Materials General Supplies and Materials General Supplies and Materials
Barnum Hall 01-91150-0-00000-00000-8699-000-0000					
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	\$ 23,854.64	\$ 831.65	\$ -		

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	\$ 34,694.84	\$ 9,603.48	\$ 381.00	\$ 44,679.32			\$ -
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	\$ 8,359.01	\$ 257.00	\$ -	\$ 8,616.01			\$ -
CDS 12-90120-0-00000-00000-8699-070-0000				\$ -			\$ -
Edison 01-90120-0-00000-00000-8699-001-0000	\$ 820.36			\$ 820.36			\$ -
Franklin 01-90120-0-00000-00000-8699-002-0000	\$ 405.49			\$ 405.49			\$ -
Grant 01-90120-0-00000-00000-8699-003-0000				\$ -			\$ -
Lincoln 01-90120-0-00000-00000-8699-012-0000	\$ 19,589.23	\$ 7,275.45	\$ 401.55	\$ 27,266.23			\$ -
Malibu High School 01-90120-0-00000-00000-8699-010-0000 <i>Malibu Shark Fund - Resource #90141</i>	\$ 23,066.69	\$ 440.00	\$ -	\$ 23,506.69			\$ -
McKinley 01-90120-0-00000-00000-8699-004-0000	\$ 15,547.13			\$ 15,547.13			\$ -
Muir 01-90120-0-00000-00000-8699-005-0000	\$ 2,244.85			\$ 2,244.85			\$ -
Olympic HS 01-90120-0-00000-00000-8699-014-0000	\$ 6,525.00	\$ 342.50	\$ -	\$ 6,867.50			\$ -
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 2,729.56	\$ 4,467.00	\$ -	\$ 7,196.56			\$ -
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 3,841.00	\$ 170.00	\$ 30.00	\$ 4,041.00			\$ -
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 19,188.73	\$ 1,333.21	\$ 25.10	\$ 20,547.04	\$ 11,185.69		\$ 11,185.69
Barnum Hall 01-91150-0-00000-00000-8699-000-0000	\$ 100,000.00			\$ 100,000.00			
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000				\$ -			\$ -

BOE Date: 02/02/12

Current Gifts and Donations 2011/2012

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:							
Webster 01-90120-0-00000-00000-8699-008-0000	\$ 5,000.00			\$ 5,000.00			\$ -
Superintendent's Office 01-90120-0-00000-00000-8699-020-0000							
Educational Services 01-90120-0-00000-00000-8699-030-0000	\$ 15,860.01			\$ 15,860.01	\$ 2,350.00		\$ 2,350.00
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				\$ -	\$ 379.90		\$ 379.90
TOTAL GIFTS	\$ 257,871.90	\$ 23,888.64	\$ 837.65	\$ 282,598.19	\$ 13,915.59	\$ -	\$ 13,915.59
			Total Equity Fund 15% Contribs.				
Total Cash Gifts for District:		\$ 23,888.64	\$ 837.65		Total In-Kind Gifts:	\$ -	

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #30 FOR ADDITIONAL ARCHITECTURAL SERVICES FOR DESIGN – DISTRICT OFFICE – DATA CENTER PROJECT – DLR GROUP WWCOT – MEASURE BB

RECOMMENDATION NO. A.10

It is recommended that the Board of Education approve Contract Amendment #30 with DLR Group WWCOT to provide architectural and engineering services for the Data Center Project at the District Office in the amount of \$59,903 for a total contract amount of \$4,147,593.

Funding Information

Budgeted: Yes
Fund: 21
Source: Measure BB
Account Number: 21-90503-0-00000-85000-5802-054-2600
Project Name: Data Center - BB Project (98015411)
Data Center Districtwide Technology (98005411S)
Budget Category: Design \ Architects

COMMENTS: After the original design was completed and DSA approved, it was determined that the District's needs for the Data Center had grown substantially since the original schematic design was completed. In order to insure that the new Data Center meets the District's long-term needs, a portion of the project should be redesigned to meet those needs. These revisions will enlarge the size of the server room to incorporate additional server racks, and provide additional general storage space.

Contract Amendment, #30 in the amount of \$59,903, is for the additional design and engineering services needed to complete the redesign work and to complete the DSA approval process for those design changes. The revised contract total will be \$4,147,593.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT (Prog./Schematic Design)	\$ 936,032
CONTRACT AMENDMENT #1 (McKinley SDC, Roosevelt Preschool)	131,663
CONTRACT AMENDMENT #2 (Data Center)	99,420
CONTRACT AMENDMENT #3 (DD/CD/CA Lincoln)	2,195,078
CONTRACT AMENDMENT #4 (Roosevelt Revised Design)	70,435
CONTRACT AMENDMENT #5 (Data Center structural revisions)	6,925
CONTRACT AMENDMENT #6 (McKinley Safety Proj.)	168,697
CONTRACT AMENDMENT #7 (Lincoln MS Revised Design)	92,592
CONTRACT AMENDMENT #8 (Lincoln Fire Protection)	17,538
CONTRACT AMENDMENT #9 (Landscape and Planting Standards)	30,245
CONTRACT AMENDMENT #10 (Addt'l Landscape Standards)	5,200
CONTRACT AMENDMENT #11 (PV Standard Specs)	26,100
CONTRACT AMENDMENT #12 (Lincoln Interim housing)	31,755
CONTRACT AMENDMENT #13 (Lincoln sewer line)	15,569
CONTRACT AMENDMENT #14 (Lincoln sprinklers at E)	54,933
CONTRACT AMENDMENT #15 (Data Center fire protection)	7,913
CONTRACT AMENDMENT #16 (Lincoln trash enclosure design)	14,989
CONTRACT AMENDMENT #17 (Lincoln additional hydrant)	3,989
CONTRACT AMENDMENT #18 (Data Center, Fire Protection, existing District Office building)	49,036
CONTRACT AMENDMENT #19 (Data Center, Previous DSA Application Certification Study)	13,181
CONTRACT AMENDMENT #20 (Lincoln carpet revisions)	2,264
CONTRACT AMENDMENT #21 (Lincoln hydrant revisions for relocatables)	5,100
CONTRACT AMENDMENT #22 (Data Center, Prev. DSA Appl. Certification Phase 2)	28,005
CONTRACT AMENDMENT #23 (Lincoln science lab revisions – new building)	11,198
CONTRACT AMENDMENT #24 (Lincoln science lab revisions - modernization)	11,198
CONTRACT AMENDMENT #25 (Data Center, Prev. DSA Appl. Certification Phase 2 Add)	13,077
CONTRACT AMENDMENT #26 (Lincoln, Previous DSA Application Certification Study)	24,440
CONTRACT AMENDMENT #27 (Data Center Design Revisions)	9,331
CONTRACT AMENDMENT #28 (Lincoln, Relocatables, site plan revisions, structural)	4,039
CONTRACT AMENDMENT #29 (Lincoln New Construction, SWPPP)	7,748
CONTRACT AMENDMENT #30 (District Office, Data Center, Design Revisions)	59,903
TOTAL CONTRACT AMOUNT	\$4,147,593

A Friday memorandum accompanies this item.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #31 FOR ADDITIONAL ARCHITECTURAL SERVICES FOR THE MALIBU HIGH SCHOOL STADIUM LIGHTING PROJECT – HMC ARCHITECTS – CAPITAL FACILITIES FUND

RECOMMENDATION NO. A.11

It is recommended that the Board of Education approve Contract Amendment No. 31 to HMC Architects, to provide architectural design services for the proposed Stadium Lighting project at Malibu HS in the amount of \$56,260 for a total contract amount of \$6,554,747.

Funding Information

Budgeted: Yes
Fund: 25
Source: Capital Facilities Fund
Account Number: 25-90124-0-00000-85000-5802-010-2600
Project: Stadium Lighting Project
Budget Category: Design Services \ Architects

COMMENTS: On October 5, 2011, the California Coastal Commission (CCC) approved an amendment to the Malibu Local Coastal Plan, presented by the City of Malibu, allowing lighting at the Malibu High School athletic field. The project being proposed is to install permanent lighting at the athletic field. Under this amendment, HMC will provide the services listed below which are required to complete the project:

- Complete the necessary design and construction documents for the project
- Prepare the DSA submittal package, and complete the DSA approval process for the project
- Prepare the Coastal Development Permit submittal package and complete the CDP approval process
- Provide construction phase architectural administrative services
- Provide close-out phase architectural administrative services

On January 19, 2012 the Board of Education approved budget for these expenses.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT (Programming/Schematic Design)	\$ 961,327
CONTRACT AMENDMENT #1 (Cabrillo SDC-IS)	87,995
CONTRACT AMENDMENT #2 (FF&E Standards)	92,400
CONTRACT AMENDMENT #3 (DD/CD/CA Malibu Project)	3,562,894
CONTRACT AMENDMENT #4 (Pt. Dume/Webster Safety)	157,588
CONTRACT AMENDMENT #5 (Malibu Project Public Meetings/EIR)	25,144
CONTRACT AMENDMENT #6 (Cabrillo Safety Project)	10,304
CONTRACT AMENDMENT #7 (Webster Parking Safety Project)	62,344
CONTRACT AMENDMENT #8 (Cabrillo Septic Study)	21,647
CONTRACT AMENDMENT #9 (Malibu right turn lane study)	68,256
CONTRACT AMENDMENT #10 (Malibu fire protection)	25,991
CONTRACT AMENDMENT #11 (Malibu field renderings)	8,046
CONTRACT AMENDMENT #12 (Malibu wastewater study)	62,037
CONTRACT AMENDMENT #13 (Malibu electrical)	34,428
CONTRACT AMENDMENT #14 (Malibu EIR, Traffic, Parking)	372,321
CONTRACT AMENDMENT #15 (Webster fire alarm)	9,090
CONTRACT AMENDMENT #16 (Malibu, Additional Scope)	228,405
CONTRACT AMENDMENT #17 (Malibu, Parking Lot "A")	57,340
CONTRACT AMENDMENT #18 (Cabrillo, Additional scope)	9,690
CONTRACT AMENDMENT #19 (OWTS, Webster)	57,330
CONTRACT AMENDMENT #20 (OWTS, Pt. Dume)	57,330
CONTRACT AMENDMENT #21 (Malibu HS, OWTS Construction Documents & CA)	245,375
CONTRACT AMENDMENT #22 (Structural investigation and design, Point Dume ES)	19,840
CONTRACT AMENDMENT #23 (CDP Exemption and Waivers, Malibu HS)	12,520
CONTRACT AMENDMENT #24 (DSA submittal for Access Review, Cabrillo ES Fencing)	3,700
CONTRACT AMENDMENT #25 (Separate Malibu FA into separate DSA & Bid Package)	69,210
CONTRACT AMENDMENT #26 (Additional Security Fencing, Gates & Erosion Control at Malibu MHS)	83,090
CONTRACT AMENDMENT #27 (Cabrillo fencing and gate revisions)	7,065
CONTRACT AMENDMENT #28 (Webster, Parking and Drop-Off)	73,280
CONTRACT AMENDMENT #29 (Malibu, Campus Improvement)	8,000
CONTRACT AMENDMENT #30 (Malibu, Campus Improvement, EIR lighting study)	4,500
CONTRACT AMENDMENT #31 (Malibu, Stadium Lighting, Architectural Services)	56,260
TOTAL CONTRACT AMOUNT:	\$6,554,747

A Friday Memo accompanies this Item.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR
02/02/12

FROM: SANDRA LYON / JANECE L. MAEZ / STUART A. SAM

RE: ADOPT RESOLUTION NO. 11-06 – CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT, FINDINGS, ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVAL OF THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS IMPROVEMENTS PROJECT– MEASURE BB

RECOMMENDATION NO. A.21

It is recommended that the Board of Education (“Board”) adopt Resolution No. 11-06 to certify the Final Environmental Impact Report (“EIR”), make certain findings, adopt a Mitigation Monitoring and Reporting Program (“MMRP”) and Statement of Overriding Considerations, and approve the Malibu Middle and High School Campus Improvements Project (“Proposed Project”).

DISCUSSION:

The Santa Monica-Malibu Unified School District (“District”) developed the Proposed Project to improve the Malibu Middle and High School (“MMHS”) to meet current educational facility standards, maximize the learning environment for the school’s student body, enhance student safety, and provide additional recreational opportunities for students and the community. Once the Proposed Project was developed, the District engaged Atkins to conduct an environmental review of the Proposed Project under the California Environmental Quality Act (“CEQA”). Atkins determined that the Proposed Project could potentially cause significant environmental impacts that could not be feasibly mitigated. As a result, Atkins proceeded to prepare an EIR that discloses the components of the Proposed Project; evaluates and analyzes the potential environmental impacts; presents feasible mitigation measures to reduce certain significant environmental impacts to less than significant; discloses that certain significant environmental impacts cannot be feasibly mitigated, but certain benefits of the Proposed Project have overriding considerations that outweigh the unavoidable significant impacts; and evaluates a reasonable range of alternatives.

On September 12, 2008, the District issued a Notice of Preparation of a Draft EIR and the Proposed Project’s Initial Study for public review and comment. The comment period ended on October 27, 2008 (a total of 45 days). Thirty-two comment letters/emails were received that raised concerns with traffic, parking, biological resources, environmentally sensitive area, aesthetics (views), night lighting, and water quality. In addition, District staff held a public scoping meeting on September 24, 2008. Fifteen members of the public commented on the same topics as in the comment letters. Atkins and District staff considered all of these comments in preparing the Proposed Project’s Draft EIR. Further, the District removed the athletic field lighting component from further consideration after the California Coastal Commission determined that such lighting was prohibited in the Local Coastal Program (“LCP”).

On July 12, 2011, the District issued a Notice of Availability and the Proposed Project’s Draft EIR for public review and comment. The Notice of Availability was published in the Malibu Surfside News; posted at the City of Malibu City Hall, the District website, and the Los Angeles County Clerk; and provided to all residences within 500 feet of the MMHS campus, as well as any individual, organization, or agency that had attended one of the several community meetings on the Proposed Project and provided their addresses. The Draft EIR was made available at District’s office, the MMHS Library, the City of Malibu Planning Counter, the City of Malibu Public Library, District website, and the City of Malibu website. The comment period for the Draft EIR ended on September 13, 2011 (a total of 60 days). On July 28, 2011, District staff

and Atkins conducted a community presentation on the Proposed Project and the Draft EIR. Comment cards were received at the presentation.

Thirty comment letters and cards on the Draft EIR were received during the comment period from the six public agencies, two private organizations, and twenty-two individuals. Although numerous areas were commented on, the key issues concerned (1) the cumulative impacts from the California Coastal Commission's recent approval of the City of Malibu's LCP Amendment that would allow the use of lights at the main athletic field for eighteen evening football and other games; (2) moving the new 150-space parking lot; (3) construction worker parking along Morning View Drive; and (4) construction dust analysis and mitigation.

LCP Amendment. Although not technically a project since the LCP Amendment requires the District to obtain a new coastal development and conditional use permits from the City of Malibu, the Final EIR reports the California Coastal Commission's findings that there are no significant cumulative impacts to aesthetics and biological resources. Further, the Final EIR includes additional studies supporting these findings and that the Proposed Project would not create a cumulatively considerable impact on traffic since existing afternoon games would shift to evening games. The additional studies and analysis for the LCP Amendment required three months to complete and incorporate into the final EIR.

150-Space Parking Lot. Commenters suggested relocating the 150-Space Parking Lot to another location on the campus because of concerns with the lot interfering with views. As discussed in the Final EIR, the limitations of the campus topography, the need to keep the parking lot close to the developed portion of the campus and to provide emergency access to the athletic field all preclude relocating this lot. Further, the Draft EIR and as elaborated in the response to comments of the Final EIR, the view impact would be less than significant.

Construction Worker Parking. A number of comments focused on the concern that allowing construction workers to park along Morning View Drive would create significant traffic and safety impacts. The Final EIR revised the traffic mitigation measure to prohibit construction worker parking along Morning View Drive and the use of a shuttle and offsite parking for construction workers.

Dust Analysis. The South Coast Air Quality Management District commented that the dust analysis needed modification and suggested additional mitigation measures. Atkins performed the modified analysis that is included in the Final EIR that still comes to the same conclusion that even with the suggested mitigation measures, the impact would be still be significant. The suggested mitigation measures are included in the Final EIR.

On January 20, 2012, proposed responses to public agency comments were delivered to each respective agency.

None of the comments identified a new significant or cumulatively considerable environmental impact, an increase in the severity of a significant or cumulatively considerable environmental impact, a feasible alternative to the Proposed Project or mitigation measures considerably different from others previously analyzed that would clearly lessen a significant environmental impact, or a feasible way to mitigate the two unavoidable significant impacts that the Proposed Project may cause. Further, the new information contained in the Final EIR merely clarifies or amplifies and makes insignificant changes to the Draft EIR. Accordingly, the Draft EIR is adequate and need not be recirculated for additional public review and comment.

CEQA requires that the District make certain formal findings before it approves or carries out the Proposed Project. Atkins prepared proposed Findings, which are attached as Exhibit 1. Additionally, CEQA requires the District to approve of the MMRP to ensure that all significant and cumulatively considerable impacts are feasibly mitigated and that a program be adopted to

ensure that mitigation measures are properly implemented. Atkins prepared the proposed MMRP, which is included in Exhibit 1.

The Proposed Project would cause two unavoidable significant impacts: construction dust and sky glow from the lights at the 150-Space Parking Lot and access road. Since no feasible mitigation is available for these two significant impacts, CEQA requires that the District adopt a Statement of Overriding Considerations, which is included in Exhibit 1, explaining that certain economic, legal, social, technological, or other benefits of the Proposed Project outweigh the unavoidable significant environmental impacts, which make them nonetheless acceptable. The Proposed Project will provide many generations of students with safe and secure facilities that maximize their learning environment. This long-term social benefit outweighs these two unavoidable significant environmental impacts.

For the Final EIR, pursuant to CEQA, the Board must certify that: (1) the Final EIR has been completed in compliance with CEQA; (2) the Final EIR was presented to the Board and that the Board has reviewed and considered the information contained in the Final EIR prior to approving the Proposed Project; and (3) the Final EIR reflects the Board's independent judgment and analysis.

Should the Board adopt the Resolution, the Proposed Project will be approved and District staff will file a Notice of Determination with the Los Angeles County Clerk and the State Clearinghouse.

A Friday Memo accompanies this Item.

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

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

RESOLUTION 11-06

CERTIFICATION OF FINAL ENVIRONMENTAL IMPACT REPORT, FINDINGS, ADOPTION OF STATEMENT OF OVERRIDING CONSIDERATIONS AND MITIGATION MONITORING AND REPORTING PROGRAM, AND APPROVAL OF THE MALIBU MIDDLE AND HIGH SCHOOL CAMPUS IMPROVEMENTS PROJECT- MEASURE BB

WHEREAS, the Santa-Monica Malibu Unified School District (“District”) engaged Atkins to conduct the environmental review of the Malibu Middle and High School Campus Site Improvements Project (“Proposed Project”);

WHEREAS, Atkins analyzed and determined that the Proposed Project may potentially create a significant or cumulatively considerable environmental impact and that the appropriate environmental document would be an Environmental Impact Report (“EIR”);

WHEREAS, on September 12, 2008, the District issued a Notice of Preparation of a Draft EIR and the Proposed Project’s Initial Study for public review and comment. The comment period ended on October 27, 2008. Thirty-two comment letters/emails were received that raised concerns with traffic, parking, biological resources, environmentally sensitive area, aesthetics (views), night lighting, and water quality;

WHEREAS, on September 24, 2008, District staff held a public scoping meeting on Proposed Project and the Draft EIR. Fifteen members of the public commented on the same topics as in the comments letters. Atkins and District staff considered all of these comments in preparing the Proposed Project’s Draft EIR;

WHEREAS, on July 12, 2011, the District issued a Notice of Availability of a Draft EIR and the Proposed Project’s Draft EIR for public review and comment. The Notice of Availability was published in the Malibu Surfside News; posted at the City of Malibu City Hall, the District website, and the Los Angeles County Clerk; and provided to all residences within 500 feet of the MMHS campus, as well as any individual, organization, or agency that had attended one of the several community meetings on the Proposed Project and provided their addresses. The Draft EIR was made available at District’s office, the MMHS Library, the City of Malibu Planning Counter, the City of Malibu Public Library, District website, and the City of Malibu website. The public review and comment period for the Draft EIR ended on September 13, 2011. Thirty comment letters and cards on the Draft EIR were received during the comment period;

WHEREAS, on July 18, 2011, District staff conducted a community presentation on the Proposed Project and the Draft EIR. Comment cards were accepted; and

WHEREAS, on January 20, 2012, proposed responses to public agency comments were delivered to each respective agency.

NOW, THEREFORE, BE IT RESOLVED, that the Santa Monica-Malibu Unified School District Board of Education (“Board”) hereby finds as follows:

1. None of the comments identified a new significant or cumulatively considerable environmental impact, an increase in the severity of a significant or cumulatively considerable environmental impact, a feasible alternative to the Proposed Project or mitigation measure considerably different from others previously analyzed that would clearly lessen a significant environmental impact, or a feasible way to mitigate the

two unavoidable significant impacts that the Proposed Project may cause. Further, the new information contained in the Final EIR merely clarifies or amplifies and makes insignificant changes to the Draft EIR. Accordingly, the Draft EIR is adequate and need not be recirculated for additional public review and comment.

2. The proposed Findings attached in Exhibit 1 and prepared by Atkins are the findings of this Board.
3. The proposed Mitigation Monitoring and Reporting Program (“MMRP”) included in Exhibit 1 contains feasible mitigation measures that will mitigate those identified significant or cumulatively considerable impacts to less than significant.
4. The Proposed Project would cause two unavoidable significant impacts: construction dust and sky glow. Since no feasible mitigation is available for these two significant impacts, the proposed Statement of Overriding Considerations included in Exhibit 1 and prepared by Atkins is the Board’s Statement of Overriding Considerations. The Proposed Project will provide many generations of students with safe and secure facilities that maximize their learning environment and expand recreational opportunities. These long-term social benefits outweigh the unavoidable significant impacts of the Proposed Project.
5. A reasonable range of Proposed Project alternatives is evaluated in the Final EIR.
6. The Draft EIR, Final EIR, Responses to Comments, Findings, MMRP, Statement of Overriding Considerations, the Board Item, all other referenced documents, the whole of the record of proceedings, and this Resolution wholly reflect the Board’s independent judgment and analysis.
7. The requirements of CEQA have been fulfilled for the Proposed Project.
8. The Assistant Superintendent, Janece L. Maez, is the custodian of the documents and other materials which constitute the record of proceedings upon which the Board’s decision is based. The record of proceedings shall be maintained at the District’s offices located at 1651 Sixteenth Street, Santa Monica, California 90404.

BE IT FURTHER RESOLVED that the Board hereby certifies that:

1. The Proposed Project’s Final EIR has been completed in compliance with CEQA;
2. The Final EIR was presented to the Board and that the Board has reviewed and considered the information contained in the Final EIR prior to approving the Proposed Project; and
3. The Final EIR reflects the Board’s independent judgment and analysis.

BE IT FURTHER RESOLVED that the Board hereby adopts:

1. The proposed MMRP (Exhibit 1); and
2. The proposed Statement of Overriding Considerations (Exhibit 1).

BE IT FURTHER RESOLVED that the Board hereby approves the Proposed Project.

PASSED AND ADOPTED by the Santa Monica-Malibu Unified School District of Los Angeles County at its regularly scheduled meeting held on this 2nd day of February 2012.

AYES:

NOES:

ABSTENTIONS:

ABSENT:

Ben Allen, President
Board of Education

I, Sandra Lyon, 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 special meeting held on February 2, 2012.

Sandra Lyon, Superintendent
Santa Monica-Malibu
Unified School District

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #9 – AMENDMENT TO CONTRACT FOR
PROGRAM MANAGEMENT AND CONSTRUCTION MANAGEMENT SERVICES
– PARSONS/CCM – CIVIC CENTER JOINT USE PROJECT (CCJUP)

RECOMMENDATION NO. A.13

It is recommended that the Board of Education approve Contract Amendment #9 for Program Management services for the amount of \$1,450,000 and Construction Management services for the amount of \$1,250,000 for a total contract amount of \$27,892,931.

Funding Information

Budgeted: Yes
Fund: 40
Source: CCJUP MOU#2
Account Number: 40-90602-0-00000-85000-5802-015-2600
Budget Category: Consultant Services

COMMENTS: In 2009, the City of Santa Monica Redevelopment Agency (RDA) budgeted \$57 million for the Civic Center Joint Use Project (CCJUP). To advance the CCJUP, the City in June 2010 budgeted \$1,084,423 to begin the first year of the required Environmental Impact Report (EIR) for the Full Buildout (Scope 3: \$234 million). MOU #1 in the amount of \$1,084,000 and MOU#2 in the amount of \$56,000,000 were approved by the District and the City on January 24, 2011 and June 28, 2011 respectively.

Construction Management (CM) services were anticipated, but not included in the original program management service agreement. Parson's forecast of May 6, 2010 included a program and construction management fee at \$27,740,063. A detailed explanation of this forecast and its components was presented at the Board Workshop on April 27, 2010 and included recommendation of the BBAC and BOC. It was previously noted that multiple Board items would be required for the Construction Management services.

This Contract Amendment #9, for \$1,450,000 for Program Management services and \$1,250,000 for Construction Management services is in support of the overall programming, planning, and construction management services of the CCJUP buildings, athletic fields and site improvements planned at Santa Monica High School. The total contract amount will be \$27,892,931.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT (Revised in CA#8)	\$14,700,000
Revised Contract Amendment #1 (General CM)	1,839,561
Contract Amendment #2 (Safety/Security projects)	1,191,662
Contract Amendment #3 (Edison New construction)	2,416,159
Contract Amendment #4 (JAMS Modernization) DSA #03-112808	1,580,390
Contract Amendment #5 (Lincoln MS)	
New Building - DSA #03-112865	
Modular Classroom & Library - DSA #03-112987	
Modernization of Main Building - DSA #03-113031	2,230,321
Contract Amendment #6 (Samohi Science & Tech, Fields) DSA #03-113433)	2,366,741
Contract Amendment #7 (Malibu Campus Improvement) DSA #03-113456)	2,068,097
Contract Amendment #8 (Original Contract Amount Reduced to \$11,500,000)	(3,200,000)
Contract Amendment #9 (CCJUP)	
CCJUP Project Management Services	1,450,000
CCJUP Construction Management Services	1,250,000
TOTAL CONTRACT AMOUNT	\$27,892,931

A Friday Memo accompanies this Item.

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

TO: BOARD OF EDUCATION
 FROM: SANDRA LYON / DEBRA MOORE WASHINGTON
 RE: CERTIFICATED PERSONNEL – Elections, Separations

ACTION/CONSENT
 02/02/12

RECOMMENDATION NO. A.14

Unless otherwise noted, all items are included in the 2011-2012 approved budget.

ADDITIONAL ASSIGNMENTS

JOHN ADAMS MIDDLE SCHOOL

Cole, Debra	1.75 hrs @\$40.46	3/6/12	Est Hrly/\$71
Kilpatrick, Genevieve	1.75 hrs @\$40.46	3/6/12	Est Hrly/\$71
Rajabali, Jahan	1.75 hrs @\$40.46	3/6/12	Est Hrly/\$71
Sever, Pamela	1.75 hrs @\$40.46	3/6/12	<u>Est Hrly/\$71</u>
TOTAL ESTABLISHED HOURLY			\$284

Comment: Proctor 7th Grade Writing Assessment
 01-Tier III Programs Cat Flex

Alexopoulos, Ashley	9.87 hrs @\$40.46	2/3/12-2/5/12	Est Hrly/\$400
Brown, Daniel	9.87 hrs @\$40.46	2/3/12-2/5/12	Est Hrly/\$400
Jurewicz, Kristin	9.87 hrs @\$40.46	2/3/12-2/5/12	<u>Est Hrly/\$400</u>
TOTAL ESTABLISHED HOURLY			\$1,200

Comment: 8th Grade Science Magnet Trip
 01-Tier III Programs Cat Flex

Avedian, Ray	14.82 hrs @\$40.46	1/22/12-1/27/12	Est Hrly/\$600
Dresher, Pamela	14.82 hrs @\$40.46	1/22/12-1/27/12	Est Hrly/\$600
Post, Joel	14.82 hrs @\$40.46	1/22/12-1/27/12	Est Hrly/\$600
Sever, Pamela	14.82 hrs @\$40.46	1/22/12-1/27/12	Est Hrly/\$600
Valentiner, Katharina	14.82 hrs @\$40.46	1/22/12-1/27/12	<u>Est Hrly/\$600</u>
TOTAL ESTABLISHED HOURLY			\$3,000

Comment: 7th Grade Science Magnet Trip
 01-Tier III Programs Cat Flex

BB PROJECTS

Levy, Amanda	6 hrs @\$40.46	11/7/11	Est Hrly/\$243
Marcos, Eric	6 hrs @\$40.46	11/7/11	Est Hrly/\$243
Moazzez, Rozita	6 hrs @\$40.46	11/7/11	Est Hrly/\$243
Utzingler, Sara	6 hrs @\$40.46	11/7/11	Est Hrly/\$243
Vanderveen, Ken	6 hrs @\$40.46	11/7/11	Est Hrly/\$243
Vieira, Ron	6 hrs @\$40.46	11/7/11	<u>Est Hrly/\$243</u>
TOTAL ESTABLISHED HOURLY			\$1,458

Comment: Classroom move due to construction
 01-Unrestricted Resource

EDUCATIONAL SERVICES

Kusion, Mary	94 hrs @\$82.77	1/23/12-6/18/12	<u>Own Hrly/\$7,780</u>
TOTAL OWN HOURLY			\$7,780

Comment: 6th Period Assignment – 2nd Semester (at John Adams MS)
 01-Economic Impact Aid – LEP

MCKINLEY ELEMENTARY SCHOOL

King, Keri	60 hrs @\$40.46	1/4/12-6/15/12	<u>Est Hrly/\$2,428</u>
TOTAL ESTABLISHED HOURLY			\$2,428

Comment: Coordinate Student Council and GATE programs
 01-Reimbursed by PTA

ROGERS ELEMENTARY SCHOOL

Klein, Joan 6 hrs @\$40.46 2/7/12 Est Hrly/\$243
TOTAL ESTABLISHED HOURLY \$243

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

SANTA MONICA HIGH SCHOOL

Alvarado, Robert 94 hrs @\$57.89 1/23/12-6/18/12 Own Hrly/\$5,442
Boyd, Bryn 94 hrs @\$50.05 1/23/12-6/18/12 Own Hrly/\$4,705
Dreier, Holly 94 hrs @\$65.19 1/23/12-6/18/12 Own Hrly/\$6,128
Fulcher, Nathan 94 hrs @\$50.72 1/23/12-6/18/12 Own Hrly/\$4,768
Jimenez, Jaime 94 hrs @\$82.77 1/23/12-6/18/12 Own Hrly/\$7,780
Petronis, Ken 94 hrs @\$56.23 1/23/12-6/18/12 Own Hrly/\$5,286
Schlenker, Heather 94 hrs @\$64.51 1/23/12-6/18/12 Own Hrly/\$6,064
Skaggs, Debbie 94 hrs @\$68.74 1/23/12-6/18/12 Own Hrly/\$6,462
Song, Kate 94 hrs @\$64.51 1/23/12-6/18/12 Own Hrly/\$6,064
Walker, Megan 94 hrs @\$56.90 1/23/12-6/18/12 Own Hrly/\$5,349
TOTAL OWN HOURLY \$58,048

Comment: 6th Period Assignment – 2nd Semester
01-Unrestricted Resource

HOURLY TEACHERS

EDUCATIONAL SERVICES

Gutierrez, Carolina 126 hrs @\$40.46 1/9/12-6/15/12 Est Hrly/\$5,098
TOTAL ESTABLISHED HOURLY \$5,098

Comment: English Language Learner Coach at Muir Elementary
01-Economic Impact Aid - LEP

ADULT EDUCATION

DeCew, Garth 126 hrs @\$45.34 1/17/12-6/15/12 Est Hrly/\$5,713
TOTAL ESTABLISHED HOURLY \$5,713

Comment: ESL Classes
11-PL105-22 Engl Literacy/Civics - 90%
11-Unrestricted Resource - 10%

TOTAL ESTABLISHED HOURLY, AND OWN HOURLY = \$ 85,252

ELECTIONS

SUBSTITUTE TEACHERS

Effective

LONG-TERM SUBSTITUTES

(@\$210.00 Daily Rate)

Healey, Raphael 1/4/12-2/15/12
Kircos, Cindy 1/4/12
Pawling, Sean 12/15/11

PREFERRED SUBSTITUTES

(@\$162.00 Daily Rate)

Pawling, Sean 1/13/12

REGULAR DAY-TO-DAY SUBSTITUTES

(@\$138.00 Daily Rate)

McCullen, Ian 1/13/12

CHILD DEVELOPMENT SERVICES

(@\$16.19 Hourly Rate)

Rodgers, Rodney 12/21/11

LEAVE OF ABSENCE (with pay)

<u>Name/Location</u>	<u>Effective</u>
Cox, Shannon Santa Monica HS	1/9/12-2/21/12 [maternity]
Hammer, Chloe Malibu High School	1/21/12-4/30/12 [medical]
Haendel, Erin SMASH	2/4/12-3/30/12 [maternity]
Langus, Jocelyn Special Education	1/17/12-3/8/12 [maternity]
Mansour, Carolyn Special Education	2/1/12-3/31/12 [maternity]

LEAVE OF ABSENCE (without pay)

<u>Name/Location</u>	<u>Effective</u>
Cox, Shannon Santa Monica HS	2/21/12-4/13/12 [CFRA]
Hammer, Chloe Malibu High School	5/1/12-6/18/12 [personal]
Mansour, Carolyn Special Education	4/1/12-5/7/12 [CFRA]

RESIGNATION

<u>Name/Location</u>	<u>Effective</u>
Daanish, Daaim Child Develop Svcs	11/21/11

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

TO: BOARD OF EDUCATION
 FROM: SANDRA LYON / WILBERT YOUNG
 RE: CLASSIFIED PERSONNEL – MERIT

ACTION/CONSENT
 02/02/12

RECOMMENDATION NO. A.15

It is recommended that the following appointments for Classified Personnel (merit system) be approved and/or ratified. All personnel will be properly elected in accordance with District policies and salary schedules.

<u>ELECTION</u>		<u>EFFECTIVE DATE</u>
Barnett, Julia Santa Monica HS	Inst Asst – Music 3 Hrs/SY/Range: 20 Step: A	1/9/12
Brown, Lincoln Child Develop Svcs	Children Center Asst 3.5 Hrs/SY/Range: 18 Step: A	1/4/12
Capitano, Angela John Adams MS	Inst Asst – Special Ed 5 Hrs/SY/Range: 20 Step: A	1/17/12
Ebner, Lori Special Education	Administrative Asst 8 Hrs/!2 Month/Range: 29 Step: A	1/11/12
Gonzalez, Monica Special Education	Inst Asst – Specialized 6 Hrs/SY/Range: 26 Step: A	1/4/12
King, Anthony Cabrillo Elementary	Inst Asst – Special Ed 6 Hrs/SY/Range: 20 Step: D	1/4/12
Rubin, Jakob Santa Monica HS	Inst Asst – Special Ed 6 Hrs/SY/Range: 20 Step: A	1/12/12
Stewart, April Special Education	Inst Asst – Specialized 6 Hrs/SY/Range: 26 Step: A	1/4/12
Thobe, James Franklin Elementary	Inst Asst – Classroom 3.8 Hrs/SY/Range: 18 Step: A	1/4/12
Vasquez, Melvin Special Education	Inst Asst – Specialized 4.5 Hrs/SY/Range: 26 Step: A	1/4/12
<u>PROMOTION</u>		<u>EFFECTIVE DATE</u>
Garcia, Mayra Santa Monica HS	Inst Asst – Special Ed (Bil) 6 Hrs/SY/Range: 20 Step: B Fr: Cafeteria Worker I; 3 Hrs/SY	1/11/12
James, Carolin Facility Permits/Theater Op	Administrative Asst 8 Hrs/12 Mo/Range: 29 Step: E Fr: Sr. Office Specialist; 8 Hrs/12 Mo	1/17/12
Plascencia, Henry Operations	Utility Worker 8 Hrs/12 Mo/Range: 27 Step: D Fr: Custodian; 8 Hrs/12 Mo	1/17/12
<u>APPOINTMENT OF COMISSIONER-RENEWAL</u>		<u>EFFECTIVE DATE</u>
Brady, Pam Personnel Commission	Personnel Commissioner	12/1/11-3/31/12

TEMP/ADDITIONAL ASSIGNMENTS

		<u>EFFECTIVE DATE</u>
Buchanon, Timothy Operations	Custodian [overtime, as needed]	12/1/11-6/30/12
Do Thu Hong Special Education	Inst Asst – Special Ed [additional hours, riding bus with student]	12/20/11
Hurtado, renee Special Education	Inst Asst – Developmental Health [additional hours, riding bus with student]	12/15/11-12/20/11
Martin, Italo Santa Monica HS	Cafeteria Worker I [additional hours, Vike's Inn]	10/1/11-10/31/11
Perez-Madera, Salomon Special Education	Inst Asst – Specialized [additional hours, riding bus with student]	12/19/11
Rising, Robert Operations	Custodian [overtime, as needed]	12/1/11-6/30/12
Rodriguez, Sara Rogers Elementary	Inst Asst – Classroom [additional hours, after-school intervention]	1/9/12-6/15/12
Shannon, Sea Rogers Elementary	Inst Asst – Classroom [additional hours, after-school intervention]	1/9/12-6/15/12

SUBSTITUTES

		<u>EFFECTIVE DATE</u>
Badillo, Abraham Personnel Commission	Inst Asst – Physical Ed	1/12/12-6/15/12
Burnham, Evelyn Food Services	Cafeteria Worker I	12/15/11-6/18/12
Cosio, Rocio Rogers Elementary	Inst Asst – Classroom	1/6/12-6/30/12
Cruz, Julia Food Services	Cafeteria Worker I	1/12/12-6/18/12
Drayton, Brandon Special Education	Inst Asst – Special Ed	1/12/12-6/30/12
Rams, Florencia Grant Elementary	Bilingual Community Liaison	1/12/12-6/15/12
Guerrero, Yadira Food Services	Cafeteria Worker I	1/12/12-6/18/12
Martinez, Daniel Special Education	Inst Asst – Special Ed	12/1/11-6/30/12
Moore, Tenisha Grant Elementary	Inst Asst – Classroom	1/13/12-6/30/12
Patterson, Stephon Transportation	Bus Driver	1/10/12-6/30/12
Rivera, Angie Special Education	Inst Asst – Special Ed	1/12/12-6/30/12

Schierman, John Personnel Commission	Inst Asst – Physical Ed	1/12/12-6/15/12
Sebastiani, Guido Operations	Custodian	1/9/12-6/15/12
Tate, Alia Webster Elementary	Inst Asst – Classroom	1/4/12-6/15/12
Taylor, Alicia Food Services	Cafeteria Worker I	12/14/11-6/18/12
Thatcher, Laura Rogers Elementary	Inst Asst – Classroom	1/6/12-3/21/12
Thomas, Craig Special Education	Inst Asst – Special Ed	1/12/12-6/30/12
Vasquez, Amelia Food Services	Cafeteria Worker I	1/12/12-6/18/12
Williams, Rodney Food Services	Cafeteria Worker I	1/12/12-6/18/12
Winick, Paul Operations	Custodian	12/15/11-6/15/12
<u>INVOLUNTARY TRANSFER</u>		<u>EFFECTIVE DATE</u>
Batthey, Leticia Child Develop Svcs	Children Center Asst 3.5 Hrs/SY/McKinley Elementary Fr: 3.5 Hrs/SY/Pine Street	1/4/12
<u>CHANGE IN ASSIGNMENT</u>		<u>EFFECTIVE DATE</u>
Beaman, Shareen Pt Dume Elementary	Inst Asst – Classroom 3 Hrs/SY Fr: 2.4 Hrs/SY	9/1/09
Fuller, Terry Santa Monica HS	Inst Asst – Special Ed 6 Hrs/SY Fr: 4.5 Hrs/SY	1/11/12
<u>LEAVE OF ABSENCE (PAID)</u>		<u>EFFECTIVE DATE</u>
Davis, Jeff Maintenance	Carpenter FMLA (Partial)	12/2/11-3/12/12
Padilla, Ramiro Operations	Equipment Operator Medical	1/1/12-2/6/12
Smith, Zekaia Child Develop Svcs	Children Center Asst Medical	2/1/12-2/28/12
Treto, Sandra Grant Elementary	Inst Asst – Classroom Maternity	1/9/12-3.31.12
Zaldivar, Guadalupe Food Services	Cafeteria Worker I Medical	1/4/12-1/31/12
Zibahalat, Haide Franklin Elementary	Inst Asst – Special Ed Medical	1/9/12-1/31/12

LEAVE OF ABSENCE (UNPAID)

Karels, Kloie Franklin Elementary	Inst Asst – Special Ed Personal	<u>EFFECTIVE DATE</u> 1/25/12-5/18/12
Marshall, Kimberly McKinley Elementary	Inst Asst – Classroom Personal	1/23/12-6/15/12

PROFESSIONAL GROWTH

Adams, Daryl Webster Elementary	Physical Activities Specialist	<u>EFFECTIVE DATE</u> 2/1/12
Casillas, Veronica Santa Monica HS	Student Outreach Specialist	2/1/12
Flores, Albert Franklin Elementary	Inst Asst – Classroom	2/1/12
Islas, Haydee Child Develop Svcs	Children Center Asst	2/1/12

WORKING OUT OF CLASS

Lopez, Jose Grounds	Equip Operator/Tree Trimmer Fr: Gardener	<u>EFFECTIVE DATE</u> 12/21/11-12/23/11
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RESIGNATION

Cosio, Rocio Food Services	Cafeteria Worker I	<u>EFFECTIVE DATE</u> 12/7/11
Lopez, Ricardo Fiscal Services	Fiscal Supervisor	1/31/12
Mendoza, Valetta Roosevelt Elementary	Inst Asst – Classroom	2/10/12
Zullo, Kirstin Child Develop Svcs	Children Center Asst	1/20/12

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

TO: BOARD OF EDUCATION ACTION/CONSENT
02/02/12
FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / WILBERT YOUNG
RE: CLASSIFIED PERSONNEL – NON-MERIT

RECOMMENDATION NO. A.16

It is recommended that the following be approved and/or ratified for Classified Personnel (Non-Merit). All personnel assigned will be properly elected on a temporary basis to be used as needed in accordance with District policies and salary schedules.

COACHING ASSISTANT

FARINA, PETER MALIBU HIGH SCHOOL 1/19/12-6/30/12

TECHNICAL SPECIALIST – LEVEL I

MOUL, GREG MUIR ELEMENTARY 1/10/12-6/22/12
[Computer Lab Assistance]
- Funding: Reimbursed by PTA

TECHNICAL SPECIALIST – LEVEL II

RAFFA-LEAL, DAVIDA GRANT ELEMENTARY 1/9/12-6/15/12
[Ceramic Instruction]
- Funding: Reimbursed by PTA

EDUCATIONAL SPECIALIST – LEVEL II

MARTINEZ, FRANCISCO ROOSEVELT ELEMENTARY 1/1/12-6/18/12
[Dance Instruction]
- Funding: Reimbursed by PTA

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: STUDENT TEACHING AGREEMENT – CALIFORNIA STATE UNIVERSITY,
NORTHRIDGE

RECOMMENDATION NO. A.17

It is recommended that the Board of Education enter into a Student Teaching Agreement between California State University, Northridge and the Santa Monica-Malibu Unified School District.

INSTITUTION: California State University, Northridge
EFFECTIVE: July 1, 2011 through June 30, 2014
PAYMENT: The University shall pay the District \$25.00
per semester unit, not to exceed \$5,000.00.

COMMENT: The District participates with university teacher training institutions in providing classroom teaching situations under the supervision of a master teacher.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON

RE: CONSIDER APPOINTMENT TO THE CITIZENS' COMMITTEE TO EXAMINE
THE FEASIBILITY OF AN EMERGENCY FUNDING MEASURE AND FUTURE
CAPITAL IMPROVEMENT BOND MEASURE

RECOMMENDATION NO. A.18

It is recommended that the Board of Education appoint the PTA Council President or a designee to serve on the Citizen's Committee to Examine the Feasibility of an Emergency Funding Measure and Future Capital Improvement Bond Measure.

COMMENT: Following this appointment, there will be twenty-three members on the committee

Joel Brand
Neil Carrey
Lauri Crane
Shari Davis
Bill Dawson
Ralph Erickson
Rochelle Fanali
Anthony Fuller
Don Girard
Craig Hamilton
Chris Harding
Seth Jacobson
Rebecca Kennerly
Tom Larmore
Debbie Mulvaney
Kelly Pye (if approved)
Michael Sidley
Paul Silvern
Elizabeth Stearns
Bruce Ira Sultan
Sonya Fox Sultan
Tony Vazquez
Ted Winterer

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

02/02/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: REPLACE BP 4020 AND ADOPT AR 4020 – DRUG AND ALCOHOL-FREE
WORKPLACE

RECOMMENDATION NO. A.19

It is recommended that the Board of Education replace BP 4020 and adopt AR 4020 – Drug and Alcohol Free Workplace.

COMMENT: This item first came forward for board discussion on October 6, 2011. During that discussion, Board Member Lieberman said she would work with Ms. Washington to reorder the paragraphs before it came back for discussion again. During this revision process, it was determined that the CSBA sample policy should replace SMMUSD's policy. This came back for board review at the January 19, 2012, board meeting.

This mandated policy revision from CSBA more accurately reflects the assurances that districts must make to the CDE, including the provision of a drug-free workplace, notifications to employees about the district's policy, action that will be taken in the event an employee has violated the prohibition, and the requirement that employees abide by the policy and notify the district if convicted. Language regarding specific discipline that will be taken against an employee has been deleted, as this material is covered in other policies.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

DRUG AND ALCOHOL-FREE WORKPLACE

The Board of Education believes that the maintenance of a drug- and alcohol-free workplace is essential to staff and student safety and to help ensure a productive and safe work and learning environment. An employee shall not unlawfully manufacture, distribute, dispense, possess, or use any controlled substance in the workplace. (Government Code 8355; 41 USC 701)

Employees are prohibited from being under the influence of controlled substances or alcohol while on duty. For purposes of this policy, *on duty* means while an employee is on duty during both instructional and noninstructional time in the classroom or workplace, at extracurricular or cocurricular activities, or while transporting students or otherwise supervising them. *Under the influence* means that the employee's capabilities are adversely or negatively affected, impaired, or diminished to an extent that impacts the employee's ability to safely and effectively perform his/her job.

The Superintendent or designee shall notify employees of the district's prohibition against drug use and the actions that will be taken for violation of such prohibition. (Government Code 8355; 41 USC 701)

In accordance with law and the district's collective bargaining agreements, the Superintendent or designee shall take appropriate disciplinary action, up to and including termination, against an employee for violating the terms of this policy and/or shall require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state, or local public health or law enforcement agency or other appropriate agency.

~~The Board of Education believes that the maintenance of drug- and alcohol-free workplaces is essential to school and district operations.~~

~~No employee shall unlawfully manufacture, distribute, dispense, possess, use or be under the influence of any alcoholic beverage, drug or controlled substance as defined in 21 USC 81 at any school-district workplace. These prohibitions apply before, during and after school hours. A school-district workplace is any place where school-district work is performed, any school-owned or school-approved vehicle used to transport students to and from school or school activities; any off-school sites when accommodating a school-sponsored or school-approved activity or function where students are under district jurisdiction; or during any period of time when an employee is supervising students on behalf of the district or otherwise engaged in district business.~~

~~The Superintendent or designee shall notify employees of these prohibitions. (Government Code 8355; 41 USC 702)~~

~~An employee shall abide by the terms of this policy and notify the district, within five days, of any criminal drug or alcohol statute conviction which he/she receives for a violation occurring in the workplace. (41 USC 702)~~

~~The Superintendent or designee shall notify the appropriate federal granting or contracting agencies within 10 days after receiving notification, from an employee or otherwise, of any conviction for a violation occurring in the workplace. (41 USC 701)~~

~~The Board may not employ or retain in employment persons convicted of a controlled substance offense as defined in Education Code 44011. If any such conviction is reversed and the person~~

~~acquitted in a new trial or the charges dismissed, his/her employment is no longer prohibited. A plea or verdict of guilty, a finding of guilt by a court in a trial without a jury, or a conviction following a plea of nolo contendere shall be deemed to be a conviction. (Education Code 44836, 45123)~~

~~A classified employee may be reemployed after conviction of such an offense if the Board determines, from the evidence presented, that the person has been rehabilitated for at least five years. (Education Code 45123)~~

~~The Board may take appropriate disciplinary action, up to and including termination, or require the employee to satisfactorily participate in and complete a drug assistance or rehabilitation program approved by a federal, state or local health, law enforcement or other appropriate agency.~~

~~The Superintendent or designee shall establish a drug- and alcohol-free awareness program to inform employees about: (Government Code 8355)~~

- ~~1. The dangers of drug and alcohol abuse in the workplace~~
- ~~2. The district policy of maintaining drug- and alcohol-free workplaces~~
- ~~3. Any available drug and alcohol counseling, rehabilitation, and employee assistance programs~~
- ~~4. The penalties that may be imposed on employees for drug and alcohol abuse violations~~

Legal Reference:

EDUCATION CODE

44011 Controlled substance offense

44425 Conviction of controlled substance offenses as grounds for revocation of credential

44836 Employment of certificated persons convicted of controlled substance offenses

44940 Compulsory leave of absence for certificated persons

44940.5 Procedures when employees are placed on compulsory leave of absence

45123 Employment after conviction of controlled substance offense

45304 Compulsory leave of absence for classified persons

GOVERNMENT CODE

8350-8357 Drug-free workplace

UNITED STATES CODE, TITLE 20

7111-7117 Safe and Drug Free Schools and Communities Act

UNITED STATES CODE, TITLE 21

812 Schedule of controlled substances

UNITED STATES CODE, TITLE 41

701-707 Drug-Free Workplace Act

CODE OF FEDERAL REGULATIONS, TITLE 21

1308.01-1308.49 Schedule of controlled substances

COURT DECISIONS

Cahoon v. Governing Board of Ventura USD, (2009) 171 Cal.App.4th 381

Ross v. RagingWire Telecommunications, Inc., (2008) 42 Cal.4th 920

Management Resources:

WEB SITES

California Department of Alcohol and Drug Programs: <http://www.adp.ca.gov>

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

U.S. Department of Labor: <http://www.dol.gov>

**Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted/revised:**

DRUG AND ALCOHOL-FREE WORKPLACE

It is a violation of district policy and/or state law for any employee, while on duty and/or on district property, to possess, use, or be under the influence of any illegal drugs, illegal narcotics, marijuana or alcohol.

Supervisors and managers have an obligation to monitor employees to ensure that district policy and state laws are enforced.

The following procedures are a guide for supervisors and managers to effectively address suspected alcohol and/or drug use by district employees:

1. If any supervisor or manager has reasonable suspicion to believe that an employee is inhibited in the proper and/or safe performance of his/her job because he or she is under the influence of either drugs or alcohol, the employee shall immediately be relieved of duty and the supervisor(s) or manager(s) shall immediately notify the Assistant Superintendent of Human Resources for further direction. Reasonable suspicion is a belief based on objective fact sufficient to lead a supervisor(s) or manager(s) to suspect that staff is under the influence of drugs and/or alcohol. Observations that may lead to reasonable suspicion include, but are not limited to, the following: slurred speech, alcohol odor on breath, unsteady walking and movement, an accident involving district property, serious accident causing injury, physical or verbal altercation, unusual behavior, possession of alcohol and/or drugs, or failure to pass field sobriety test. Reasonable suspicion may also be based on reports from reliable witnesses.
2. When employees are relieved of duty, the appropriate supervisor or manager shall make certain that arrangements for their transportation home are made. Examples of appropriate transportation are: spouse or other family member, friend, or taxi. If the employee refuses transportation home and indicates he/she plans to drive his/her motor vehicle, the supervisor shall give the employee a direct order to accept the transportation. If the employee continues to refuse transportation, the supervisor is to document the refusal and contact law enforcement.
3. When employees are relieved of duty because of their inability to properly and/or safely perform the duties of their job as a result of probable alcohol or drug use, the absence shall be charged to accumulated sick leave, if available. If sick leave is not available, the absence shall be charged as leave without pay.
4. If any employee suspected of alcohol or drug use refuses to leave district property as directed or becomes abusive or combative, a Campus Security Officer shall be immediately called for assistance.
5. If alcoholic beverages are found on district property and/or are being used on district property, the Assistant Superintendent of Human Resources and/or law enforcement shall be notified immediately.
6. If illegal drugs, narcotics or marijuana are found on district property and/or are being used on district property, the Assistant Superintendent of Human Resources and/or law enforcement shall be notified immediately.
7. The supervisor, appropriate manager, or the Assistant Superintendent of Human Resources, may require any employee suspected of using alcohol and/or drugs or of

having alcohol and/or drugs in their system during working hours or while performing any district function to submit to physical or psychological examination which may include a preliminary presumptive breathalyzer test administered by law enforcement and/or submit to a medical examination, including laboratory tests, conducted by a facility selected by the district.

8. Whenever these procedures are implemented, the supervisor(s) or manager(s) and any witnesses shall file a written report to the Assistant Superintendent of Human Resources. The report shall describe the specific behavior/s exhibited by the employee that suggests there was reasonable suspicion that the employee was unable to properly and/or safely perform the duties of his/her job.

Drug-Free Workplace Act; State Contractors and Grantees – GC 8355

Every person or organization awarded a contract or a grant for the procurement of any property or services from any state agency shall certify to the contracting or granting agency that it will provide a drug-free workplace by doing all of the following:

1. Publishing a statement notifying employees that the unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited in the person's or organization's workplace and specifying the actions that will be taken against employees for violations of the prohibitions.
2. Establishing a drug-free awareness program to inform employees about all of the following:
 - a. The dangers of drug abuse in the workplace.
 - b. The person's or organization's policy of maintaining a drug-free workplace.
 - c. Any available drug counseling, rehabilitation, and employees assistance programs.
 - d. The penalties that may be imposed upon employees for drug abuse violations.
- 3) Requiring that each employee engaged in the performance of the contract or grant be given a copy of the statement required and that, as a condition of employment on the contract or grant, the employee agrees to abide by the terms of the statement.

**Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted:**

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

02/02/12

FROM: SANDRA LYON

RE: ADOPT RESOLUTION NO. 11-07 – IN HONOR OF BLACK HISTORY MONTH

RECOMMENDATION NO. A.20

It is recommended that the Board of Education adopt Resolution No. 11-07 – In Honor of Black History Month.

COMMENTS: In 1976, February was designated as Black History Month. This resolution honors the achievements and contributions of African-American citizens in the United States.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

**Santa Monica-Malibu Unified School District
Board of Education**

**Resolution No. 11-07
In Honor of Black History Month**

Whereas, Carter G. Woodson, noted Black scholar, historian and son of former slaves, founded the Association for the Study of Negro Life and History in 1915, which was later renamed the Association for the Study of African American Life and History; and

Whereas, Dr. Woodson initiated Black History Week on February 12, 1926 and which for many years was celebrated by Black people in the United States on the 2nd week of February (chosen so as to coincide with the birthdays of Frederick Douglass and Abraham Lincoln); and

Whereas, in 1976, as part of the nation's Bicentennial, Black History Week was expanded and February was established as Black History Month, and is now widely observed; and

Whereas, it is important to understand the different origins, cultures and heritages of all Americans, and recognize that the history of African Americans in this country is part of our shared collective American story; and

Whereas, Black History month is a time to recognize and honor the many achievements of Black Americans and to acknowledge the scope of their contributions to the United States of America, as well as the important and vital roles this group has played in our Nation's development and history; and

Whereas, it is entirely fitting that society should develop a full appreciation of the innumerable accomplishments of African-Americans, and public education can work to achieve this by committing students to a full review and assessment of the great contributions by African Americans to the arts, sciences, literature, economic development, education, exploration, defense and leadership and growth of this Nation; and

Whereas, even as civil rights laws have given legal consequences to overt discriminatory practices and racial intolerance, only through education can attitudes be changed and ignorance eliminated; and

Whereas, Black History Month seeks to bridge the gap wherein American history failed to accurately portray and record the achievements of Black Americans; and

Whereas, learning from the struggles and accomplishments of others helps strengthen our bond as a national family:

NOW, THEREFORE, BE IT RESOLVED that the Santa Monica-Malibu Unified School District Board of Education does hereby adopt this Resolution to encourage: the celebration of BLACK HISTORY MONTH; the instruction to our students on the achievements and contributions of Black citizens; fostering in our students a greater understanding of the roles African Americans have played throughout the history of our Nation; and helping all students understand their responsibilities in protecting and preserving the humanity of all people.

Passed and Adopted this 2nd day of February 2012 by the Santa Monica-Malibu Unified School District Board of Education by the following vote:

AYES:
NOES:
ABSTAIN:
ABSENT:

Ben Allen
Board President

Sandra Lyon
Superintendent

DISCUSSION ITEMS

TO: BOARD OF EDUCATION

DISCUSSION

02/02/12

FROM: SANDRA LYON

RE: MALIBU REQUEST FOR AN ADVISORY POSITION ON THE BOARD OF EDUCATION

DISCUSSION ITEM NO. D.01

The Board of Education asked for an investigation into the request, made by Malibu citizens, for an advisory seat on the SMMUSD Board of Education. Legal counsel provided the district input regarding the issue of providing the residents of Malibu an advisory position to the Board, at the dais, such as we have with our Student Board Members. While there is no legal prohibition on the creation of an advisory position on the Board, there is also no specific statutory provision that authorizes the Board to create such a position such as there is with the student advisory position. (EC 35012)

To create such a position for the purpose of allowing Malibu residents an advisory role to the Board at the dais would arguably be engaging in a discriminatory act, according to the advice of counsel. Allowing Malibu, a specific segment of our community, to have a greater influence on elected officials opens the Board of Education to charges of discrimination. Our legal counsel asserts that allowing Malibu representation on the Board not provided to other arguably underrepresented groups could be seen as a circumvention of the intent of the legislation of the California Voting Rights Act (EC 14025-14032). Additionally, it could be seen as a violation of our own Board Policy and Administrative Regulation 1220, which states in part:

“Every effort shall be made to select committee members in a manner which ensures that the committee represents a cross section of qualified people throughout the district. A reasonable balance of males and females, socio-economic status, ethnic representation and geographic location shall be sought in the composition of each committee, except in those cases where a committee is established to address the needs of a particular segment of the school population or community, in which case additional criteria specific to the committee shall be approved by the Board. The selection process should also aim to obtain a mix of parents from all grade levels, staff members, and community members who could contribute to the committee. The Board shall review this balance before making final the appointments of committee members.”

The AR says in part:

“Being aware that the schools belong to the people who created them by taxation and consent; ...all residents and taxpayers of the district attendance area, all parents of children enrolled in its schools, and school employees as stipulated in these guidelines shall be eligible for membership and participation, a prerequisite being solely an unselfish interest in public schools, the community and every child.”

This Board Policy applies to District Advisory Committees; however, it could be relevant to a Board advisory position as well. If the Board created such a position, BP/AR 1220 should apply. Therefore, if the Board created an advisory position, limited only to Malibu residents, it would violate the requirements that all residents of the District are eligible and that such positions be filled in a manner that provides reasonable geographic, socioeconomic, and ethnic representation.

Due to the above reasons, legal counsel advises us that creating such a unique advisory position could result in unintended but serious legal complications and advises us to explore other options.

While creating an advisory position to the Board for Malibu is not recommended, it is important to be responsive to the needs of Malibu community members, who feel that the concerns unique to the geographic area of Malibu are not fully considered by the Board and district, particularly when there is no elected Board member from Malibu serving on the Board of Education.

I recommend that the Board consider the creation of a Malibu District Advisory Committee, subject to BP/AR 1220. This DAC would have a district liaison and Board liaison, who would meet monthly with committee members, allowing for regular, ongoing input from Malibu residents to district staff and Board members. All processes for soliciting committee members as delineated in BP/AR 1220 would be followed.

TO: BOARD OF EDUCATION

DISCUSSION

02/02/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ENROLLMENT PROJECTIONS REPORT – DECISIONINSITE

DISCUSSION ITEM NO. D.02

The Board of Education continues to authorize a detailed study of enrollment projections by DecisionInsite, a private company specializing in this area. The board will hear a presentation on enrollment projections for the 2012-13 school year, which are based not only on enrollment in prior years, but on outside factors related to census data.

Staff will be using the projection data for staffing allocations for the 2012-2013 school year, and will soon begin sharing the enrollment projections and initial staffing recommendations with schools.

A full report, written by the DescisionInsite company, is available in the Superintendent's Office. District staff and Dr. Dean Waldfogel, Vice President of DecisionInsite, will be available for questions and discussion at the meeting.

TO: BOARD OF EDUCATION
FROM: SANDRA LYON / JANECE L. MAEZ
RE: BUDGET UPDATE

DISCUSSION
02/02/12

DISCUSSION ITEM NO. D.03

As the District continues to receive information regarding the State budget, as it relates to the development of our budget, Staff will regularly update the Board. These updates will be scheduled at each regular meeting of the Board until the District budget is adopted in June. These updates may include: new statewide projections, proposed changes to the district budget, enrollment projections, staffing ratios, and other budget-related details.

Staff will present preliminary information to prepare the Board for the budget workshop on February 18, 2012.

TO: BOARD OF EDUCATION

DISCUSSION

02/02/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: REVISE AND REVIEW POLICY 5117 – INTERDISTRICT ATTENDANCE

DISCUSSION ITEM NO. D.04

It is recommended that the Board of Education consider revising BP 5117 – Interdistrict Attendance. Revisions to AR 5117 (which do not require board approval) can be found in Information Item No. I.02.

It is recommend that the board consider a policy revision to clarify that students currently on an interdistrict permit do not have to annually renew an interdistrict permit. Staff is recommending that instead of submitting a permit renewal, continuing students annually submit a verification of continuing enrollment. Last year, the board revised this policy to comply with the new California law, AB 2444, which states that students who have obtained an interdistrict permit no longer need to reapply annually for a release from their resident school district.

It is also recommended that the Board of Education consider revising the current cut-off date of 2001-2002 (Section A), enabling SMMUSD students in good standing who were residents of Santa Monica or Malibu and subsequently move to another city, to be allowed to remain in the Santa Monica-Malibu School district as permit students.

In response to queries from board members and staff regarding the permit policy and the relationship to enrollment capacity, staff recommends that we raise the total number of new interdistrict permits that will be accepted and approved for the 2012-13 school year from 200 to 300 (Section E4). Staff recommends raising enrollment capacity over time by increasing the number of student permits granted at the kindergarten and 6th grade level and modifying the moratorium currently in place for secondary schools to open permits up to grades 7 through 11, with enrollment priority given to siblings of current permit students, children of Santa Monica City College and Santa Monica City employees, and international high school students on a case by case basis (Sections E1 and F3g).

Attachments:

- BP 5117 – Interdistrict Attendance

Interdistrict Attendance

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

~~Beginning with the 2005-06 school year permits will be issued on a year-to-year basis. Parents must reapply to SMMUSD and be accepted for continued attendance each year. must submit verification of continuing enrollment annually. Students enrolled prior to the 2005-06 school year on a PERT or DERT permit will not be affected by this change.~~

Involuntary loss of housing resulting from: apartments being removed from the rental market (Ellis Act), buildings being red-tagged, or evictions to accommodate owner-occupancy should not interfere with a child completing his/her education in the Santa Monica-Malibu Unified School District. The permit office will require the applicant to obtain verification from the Rent Control Department or other appropriate legal agency. These students will be allowed to remain in their schools for the remainder of the year in which their housing has been lost. In addition, they will be allowed to remain in SMMUSD as permit students in subsequent years provided they meet all the conditions of students attending SMMUSD on permit, and they reapply annually. The Ellis Act allows California apartment owners to evict tenants if the landlords intend to withdraw their units from the rental market.

SMMUSD students in good standing who were residents of Santa Monica or Malibu during the 2001-2002 school year, and subsequently move to another city, will be allowed to remain in the Santa Monica-Malibu School district as permit students, upon receiving a permit from their district of residence and meeting all the conditions of students attending Santa Monica-Malibu Unified School District on a permit.

- B. Permits of this type are to be initiated by the student's parent or guardian who attests to the fact or shows evidence that the permit would be in the student's best interests. Cancellation of the permit shall occur if certain provisions are not adhered to by the student or parent/guardian, or if overcrowding should occur at the school of acceptance.
- C. The Board is committed to providing a quality education for all District students legally enrolled and will provide fair and consistent treatment for students and parent/guardians regardless of their residence or permit status. All applications for a permit will be treated in a fair and consistent manner.
- D. Final approval of permits for all students, including students needing specialized programs, such as GATE, special education, ELL, etc., shall rest at the District and shall be contingent upon space, budget and staff availability. The District will not pay excess costs to provide specialized services to students on permit.
- E. Except for the conditions listed below, effective September 2002, there will be a moratorium on the receipt of all new interdistrict attendance permits for schools in the Santa Monica-Malibu Unified School District. This moratorium shall continue through the 2014-15 school year with the following exceptions:

1. The District will accept applications for interdistrict permits to attend schools in the City of Santa Monica for grades K through 6 in order to stabilize the current number of interdistrict permit students in the District. Permits will be granted per the language of section D above. Regarding interdistrict permit applications for children of SMMUSD employees, please refer to section F2.
 2. Requests for new interdistrict permits will be accepted for all schools in the City of Malibu. Permits will be granted per the language of section D. above.
 3. No permits will be granted to attend Olympic High School.
 4. The total number of all new interdistrict permits that will be accepted and approved for the 2011-12 school year will not exceed ~~200~~ 300 for the District. Permits will be granted per the language of section D. above.
 5. All students currently attending on an interdistrict permit will be allowed to remain in the District until they leave or graduate, assuming that they submit a verification of continuing enrollment annually ~~reapply for a permit annually and comply with all the application requirements;~~ and uphold appropriate standards of behavior, attendance, and academic effort. ~~and that the conditions under which the current initial permit was granted have not changed.~~ Interdistrict attendance permits for 11th and 12th graders may not be rescinded although 11th and 12th. ~~graders must reapply for these permits annually.~~
 6. Guidelines previously applied to SMASH, Edison, including the immersion program through Grade 8, and our preschools will remain in effect.
- F. Requests for new permits will be received (granted) in the following order (Based on the timelines identified in Administrative Regulations 5117):
1. Intradistrict permits allowing children who are residents of the cities of Santa Monica and/or Malibu to attend a school other than their neighborhood school;

It is the intention of the District to provide same-school placement for all siblings in a family once an intradistrict permit has been granted, except in cases where students need a specialized program which is only available on another campus.
 2. Interdistrict permits for children of employees of the Santa Monica-Malibu Unified School District [certificated, classified, management, full and part-time (a minimum of 15 hours per week)];

It is the intention of the District to provide a seat in a District school (K-12) to all children of District employees who have requested a new interdistrict permit, with the understanding that Section D will be considered. Staff will do its best to accommodate requests for a specific school but will not guarantee requested placement. On-going permit holders are not affected and will continue in the home school being currently attended.
 3. If space, staffing and budget allow, interdistrict permits for:
 - a. Those students "in good standing" who have been attending school/s within SMMUSD as a resident of the District, for a minimum period of three complete school years, and subsequently relocate outside the boundaries of SMMUSD. Permits will be granted per the language of section D above.

- b. Siblings (of current interdistrict permit holders) who will be entering Kindergarten, 1st, 6th, or 9th Grade. If a permit is received (granted) there is no guarantee of same-school placement. On-going permit holders are not affected and will continue in the home school being currently attended.
- c. Children of employees of the cities of Malibu or Santa Monica.
- d. Children of full-time, permanent employees of Santa Monica College enrolling in grades K-8 for the 2011-12 school year.
- e. Children of alumni of Santa Monica High School, Malibu High School, or Olympic High School. Parent must attach a copy of graduation diploma to the permit application.
- f. Children of individuals working within the boundaries of SMMUSD.
- g. International High School students on a case-by-case basis.

Legal Reference:

EDUCATION CODE

41020 Annual district audits

46600-46611 Interdistrict attendance agreements

48204 Residency requirements for school attendance

48300-48316 Student attendance alternatives, school district of choice program

48350-48361 Open Enrollment Act

48915 Expulsion; particular circumstances

48915.1 Expelled individuals: enrollment in another district

48918 Rules governing expulsion procedures

48980 Notice at beginning of term

52317 Regional Occupational Center/Program, enrollment of students, interdistrict attendance

ATTORNEY GENERAL OPINIONS

87 Ops.Cal.Atty.Gen. 132 (2004)

84 Ops.Cal.Atty.Gen. 198 (2001)

COURT DECISIONS

Crawford v. Huntington Beach Union High School District, (2002) 98 Cal.App.4th 1275

Management Resources:

WEB SITES

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

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

**Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted: January 27, 1994 Santa Monica, California
revised: February 17, 2005; February 20, 2003; March 3, 2011**

INFORMATION ITEMS

TO: BOARD OF EDUCATION

INFORMATION

02/02/12

FROM: SANDRA LYON

RE: REVISION TO AR 1340 – ACCESS TO DISTRICT RECORDS

INFORMATION ITEM NO. I.01

This item is to inform the Board of Education that a revision has been made to AR 1340 – Access to District Records.

The revision clarifies the process by which a member of the public can request a copy or inspection of any district record that is open to the public and not exempt from disclosure. Members of the public shall submit a completed “Request for Access to or Copies of District Records” form to the Superintendent or designee. These forms can be found online or at the district office. (Government Code Section 6253.4 states that public agencies “may adopt regulations stating the procedures to be followed when making its records available.”)

ACCESS TO DISTRICT RECORDS**Definitions**

Public records include any writing containing information relating to the conduct of the district's business prepared, owned, used, or retained by the district regardless of physical form or characteristics. (Government Code [6252](#))

Writing means any handwriting, typewriting, printing, photostating, photographing, transmitting by electronic mail or facsimile, and every other means of recording upon any tangible thing any form of communication or representation, including letters, words, pictures, sounds, or symbols or combinations thereof, and any record thereby created, regardless of the manner in which the record has been stored. (Government Code [6252](#))

A member of the public includes any person, except a member, agent, officer, or employee of the district acting within the scope of his/her office or employment. Board of Education members shall have the ability to access public records permitted by law in the administration of their duties. Notwithstanding, members of the Board are entitled to access to district public records on the same basis as any other person. (Government Code [6252](#), [6252.5](#))

Public Records

Records to which the public shall have access include, but are not limited to:

1. Proposed and approved budgets and annual audit of the district (Government Code [6252](#); Education Code [41020](#), [42103](#))
2. Statistical compilations (Government Code [6252](#))
3. Reports and memoranda (Government Code [6252](#))
4. Notices and bulletins (Government Code [6252](#))
5. Minutes of public meetings (Government Code [6252](#))
6. Meeting agendas (Government Code [6252](#), [54957.5](#))
7. Official communications between governmental branches (Government Code [6252](#))
8. School-based program plans (Education Code [52850](#))
9. Information and data relevant to the evaluation and modification of district plans
10. Initial proposals of exclusive employee representatives and of the district (Government Code [3547](#))
11. Tort claims filed against the district and records pertaining to pending litigation which predate the filing of the litigation, unless protected by some other provision of law (Government Code [6254.25](#); Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))
12. Statements of economic interests required by the Conflict of Interest Code (Government Code [81008](#))

13. Contracts of employment and settlement agreements (Government Code [53262](#))

The Superintendent or designee shall ensure that any record containing personal information is redacted to ensure that such information, including, but not limited to, an employee's home address or social security number, is not disclosed to the public.

Confidential Records

Records to which the general public shall not have access include, but are not limited to:

1. Preliminary drafts, notes, interdistrict or intradistrict memoranda which are not retained by the district in the ordinary course of business, provided that the public interest in withholding these records clearly outweighs the public interest in disclosure (Government Code [6254](#))
2. Records specifically prepared for litigation to which the district is a party or to respond to claims made against the district pursuant to the Tort Claims Act are confidential, until the pending litigation or claim has been finally adjudicated or otherwise settled, unless the records are protected by some other provision of law (Government Code [6254](#), [6254.25](#); Fairley v. Superior Court; 71 Ops.Cal.Atty.Gen. 235 (1988))
3. Personnel records, medical records, student records, or similar materials, the disclosure of which would constitute an unwarranted invasion of personal privacy (Government Code [6254](#))

The home addresses and home telephone numbers of employees may be disclosed only as follows: (Government Code [6254.3](#))

- a. To an agent or a family member of the individual to whom the information pertains
 - b. To an officer or employee of a state agency or another school district or county office of education when necessary for the performance of official duties
 - c. To an employee organization pursuant to regulations and decisions of the Public Employment Relations Board, unless the employee performs law enforcement-related functions or requests in writing that the information not be disclosed
 - d. To an agent or employee of a health benefit plan providing health services or administering claims for health services to district employees and their enrolled dependents, for the purpose of providing the health services or administering claims for employees and their enrolled dependents
4. Test questions, scoring keys, and other examination data except as provided by law (Government Code [6254](#))
 5. Without affecting the law of eminent domain, the contents of real estate appraisals or engineering or feasibility estimates and evaluations made for or by the district relative to the acquisition of property, or to prospective public supply and construction contracts, until all of the property has been acquired or all of the contract agreement obtained (Government Code [6254](#))
 6. Information required from any taxpayer in connection with the collection of local taxes that is received in confidence and the disclosure of the information to other persons

would result in unfair competitive disadvantage to the person supplying the information (Government Code [6254](#))

7. Library circulation records kept for the purpose of identifying the borrower of items available in the library (Government Code [6254](#))
8. Records for which the disclosure is exempted or prohibited pursuant to state or federal law, including, but not limited to, provisions of the Evidence Code relating to privilege (Government Code [6254](#))
9. Documents prepared by or for the district to assess its vulnerability to terrorist attack or other criminal acts intended to disrupt district operations and that are for distribution or consideration in closed session (Government Code [6254](#))
10. Recall petitions or petitions for the reorganization of school districts (Government Code [6253.5](#))
11. Minutes of Board meetings held in closed session (Government Code [54957.2](#))
12. Computer software developed by the district (Government Code [6254.9](#))
13. Written instructional textbooks or other materials which, when providing a copy, would infringe a copyright or would constitute an unreasonable burden on the operation of the district (65 Ops.Cal.Atty.Gen. 186 (1981))
14. Records that contain individually identifiable health information, including records that may be exempt pursuant to physician-patient privilege, the Confidentiality of Medical Information Act, and the Health Insurance Portability and Accountability Act (Government Code [6254](#), [6255](#))
15. Any other records listed as exempt from public disclosure in the California Public Records Act or other statutes
16. Records for which the district can demonstrate that, based on the particular facts of the case, the public interest served by not making the record public clearly outweighs the public interest served by disclosure of the record (Government Code [6255](#))

Inspection of Records and Requests for Copies

Every person may request a copy or inspection of any district record that is open to the public and not exempt from disclosure. (Government Code [6253](#))

Persons requesting a copy or inspection of any district record that is open to the public and not exempt from disclosure shall submit a completed "Request for Access to or Copies of District Records" form to the Superintendent or designee. The forms shall be available to members of the public online or at the district office.

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

In unusual circumstances, the Superintendent or designee may extend the 10-day limit for up to 14 days by providing written notice to the requester and setting forth the reasons for the

extension and the date on which a determination is expected to be made. Unusual circumstances include the following, but only to the extent reasonably necessary to properly process the request: (Government Code [6253](#))

1. The need to search for and collect the requested records from field facilities or other establishments that are separate from the office processing the request
2. The need to search for, collect, and appropriately examine a voluminous amount of separate and distinct records which are demanded in a single request
3. The need for consultation, which shall be conducted with all practicable speed, with another agency (e.g., a state agency or city) having a substantial interest in the determination of the request or among two or more components of the district (e.g., two different school sites) with substantial interest in the request
4. In the case of electronic records, the need to compile data, write programming language or a computer program, or construct a computer report to extract data

If the Superintendent or designee determines that the request seeks disclosable public records, the determination shall state the estimated date and time when the records will be made available. (Government Code [6253](#))

Public records are open to inspection at all times during district office hours. Any reasonably segregable portion of a record shall be made available for inspection by every person requesting the record after deletion of the portions that are exempted by law. (Government Code [6253](#))

Upon request for a copy that reasonably describes an identifiable record, an exact copy shall be promptly provided unless it is impracticable to do so. (Government Code [6253](#))

Copies shall be furnished at a cost of \$0.25 per page. Written requests to waive the fee shall be submitted to the Superintendent or designee. Computer data shall be provided in a form determined by the Superintendent.

If any person requests a public record be provided in an electronic format, the district shall make that record available in any electronic format in which it holds the information. The district shall provide a copy of the electronic record in the format requested as long as the requested format is one that has been used by the district to create copies for its own use or for use by other agencies. (Government Code [6253.9](#))

The cost of duplicating an electronic record shall be limited to the direct cost of producing a copy of the record in electronic format. However, the requester shall bear the cost of producing the copy of the electronic record, including the cost to construct the record and the cost of programming and computer services necessary to produce the copy, under the following circumstances: (Government Code [6253.9](#))

1. The electronic record is one that is produced only at otherwise regularly scheduled intervals
2. The request would require data compilation, extraction, or programming to produce the record

Assistance in Identifying Requested Records

If the Superintendent or designee denies a request for disclosable records, he/she shall assist the requester in making a focused and effective request that reasonably describes an identifiable record. To the extent reasonable under the circumstances, the Superintendent or designee shall do all of the following: (Government Code [6253.1](#))

1. Assist in identifying records and information responsive to the request or the purpose of the request, if specified

If, after making a reasonable effort to elicit additional clarifying information from the requester to help identify the record, the Superintendent or designee is still unable to identify the information, this requirement shall be deemed satisfied.

2. Describe the information technology and physical location in which the records exist
3. Provide suggestions for overcoming any practical basis for denying access to the records or information sought

Provisions of the Public Records Act shall not be construed so as to delay access for purposes of inspecting records open to the public. Any notification denying a request for public records shall state the name and title of each person responsible for the denial. (Government Code [6253](#))

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

TO: BOARD OF EDUCATION

INFORMATION

02/02/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: REVISION TO AR 5117 – INTERDISTRICT ENROLLMENT

INFORMATION ITEM NO. I.02

This item is to inform the Board of Education that a revision has been made to AR 5117 – Interdistrict Attendance.

The revisions reflect a change that clarifies that students currently on an interdistrict permit do not have to annually renew an interdistrict permit. Staff is recommending that instead of submitting a permit renewal, continuing students annually submit a verification of continuing enrollment. Last year, the board revised this policy to comply with the new California law, AB 2444, which states that students who have obtained an interdistrict permit no longer need to reapply annually for a release from their resident school district. The change to the BP can be found under Item No. D.04.

INTERDISTRICT ATTENDANCE

Interdistrict Attendance Procedures (transfers between districts):

General Guidelines

1. The permit office is responsible for processing interdistrict permits.
2. The request for a permit is initiated by the parent at their child's district of residence.
3. The parents/guardians of the child must be informed that the acceptance of their child is contingent upon the parent/guardian and the child assuming full responsibility for:
 - a. Satisfactory attendance
 - b. Satisfactory behavior
 - c. Satisfactory academic effort
 - d. Any necessary documentation requested regarding and including child care, employment, doctor's recommendations and guardianship documentation.
 - e. Understanding that the receiving school has the right to rescind any prior approved interdistrict permit if the parent/guardian or student does not fulfill the responsibilities listed in 3.a & b above.
- ~~4. The interdistrict permit shall be valid for only the current school year.~~
54. It is the responsibility of each school to ensure that nonresident students accepted and registered without a valid permit be returned to the school of residence.

Conditions for Accepting Interdistrict Attendance Permits

The school site designee and the Superintendent or designee shall approve or deny applications for transfers. The acceptance of interdistrict permits for students from other school districts to attend classes within the district shall be subject to the following:

1. The student seeking an initial interdistrict permit enrollment in the district must submit an SMMUSD permit application and present a permit authorizing his/her release from the school district of residence.
2. A release from the school district of residence is required for the initial permit application only and not required for permit renewal.
3. The student must be eligible to attend elementary school, middle school, or senior high school classes maintained by the Santa Monica-Malibu Unified School District and there must be an existing opening in the class, grade level, and school to which the student seeking the interdistrict permit would be initially enrolled.
4. All students currently attending on an interdistrict permit will be allowed to remain in the District until they leave or graduate, assuming that they: reapply annually to annually submit a verification of continuing enrollment to SMMUSD to renew their permit and comply with all the SMMUSD application requirements; uphold appropriate standards of behavior, attendance, and academic effort. ~~and that the conditions under which the current initial permit was granted have not changed.~~

5. Interdistrict attendance permits for 11th and 12th graders may not be rescinded although 11th and 12th graders. ~~must reapply for these permits annually.~~

Conditions for Cancellation of Interdistrict Permits

The receiving school or district has the right to revoke any previously approved interdistrict permit for the following reasons:

1. Falsification or misrepresentation of information
2. Enrollment fluctuation
3. Unsatisfactory behavior
4. Unsatisfactory attendance
5. Unsatisfactory academic effort/achievement
6. A change in childcare arrangements
7. Inappropriate guardianship documentation
8. Reason for the original issuance of the permit by the school district of residence is no longer valid
9. Student becomes eligible for a program or class other than the one to which he/she was admitted and there is no available space in the new program or class.
10. A parent requests a transfer to another district school instead of the school his/her child was admitted.

Appeal Procedures

1. Interdistrict transfer requests that are denied by the district at the school level may be appealed by the parent/guardian to the Superintendent or designee within two weeks from the day the request for acceptance of permit is denied.
2. The appeal is to be in writing and must provide all information and detail as to why the denial is being appealed.
3. The Superintendent or designee shall review the permit appeal based on Board policy and regulations, state law, and in consultation with school site(s), parents/guardians and the appropriate district staff as necessary.
4. If the permit continues to be denied, the parent/guardian may within 30 calendar days of the denial, appeal to the County Board of Education
5. There is no appeal process to the County Board for interdistrict permits that are revoked.

Annual Report

The Board will receive a report on permits by February 28 of each year.

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