

**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**

**May 17, 2012**

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Thursday, May 17, 2012**, in the **District Administrative Offices**: 1651 16<sup>th</sup> Street, Santa Monica, CA. The Board of Education will call the meeting to order at 4:30 p.m. in the Board Conference Room at the District Offices, at which time the Board of Education will move to Closed Session regarding the items listed below. The public meeting will reconvene at 6:00 p.m. in the Board Room.

**The public meeting will begin at 6:00 p.m.**

**Note:**

**Public Comments:** Persons wishing to address the Board of Education regarding an item scheduled for this meeting must submit the "Request to Address" card prior to consideration of that item. Persons wishing to address the Board of Education regarding an item 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 fifteen (15) minutes.

**I. CALL TO ORDER**

- A. Roll Call
- B. Pledge of Allegiance

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

Persons wishing to address the Board of Education regarding an item scheduled for closed session must submit the "Request to Address" card prior to the start of closed session.

**III. CLOSED SESSION (90)**

- Pupil Hearing pursuant to EC §48918(c) (*agenda item No. A.26*) (20)
- Public Employee Discipline/Dismissal/Release pursuant to GC §54954.5 (15)
- Public Employee Performance Evaluation pursuant to GC §54954.5 (Superintendent) (15)
- Conference with Labor Negotiators pursuant to GC §54957.6 (Superintendent, S.M.M.C.T.A.) (20)
- Conference with Labor Negotiators pursuant to GC §54957.6 (Superintendent, S.E.I.U.) (20)

**IV. BOARD OF EDUCATION – COMMENDATIONS / RECOGNITIONS (15)**

- Jeffe Huls – Choral Director, Santa Monica High School
- Angela Woo – Director of Instrumental Music, John Adams Middle School

**V. APPROVAL OF THE AGENDA**

**VI. APPROVAL OF MINUTES**

- A.01 May 3, 2012..... 1

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.

**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.

**Curriculum and Instruction**

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A.16 Accept Work as Completed for General Services Administration Contract – McKinley Elementary School Entry and Office Reconfiguration Project – Simplex – Measure BB..... 26  
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A.18 Approval of Lincoln Middle School – Replacement of Classroom Building C, Modernization and Site Improvements Project (Package 2) as a “Substantially Complex” Project – Measure BB..... 29-30  
A.19 Ratify Award of Bid #12.08.BB – Washington CDS – Modernization Project – To Best Contracting Services, Inc. – Measure BB..... 31

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.

A.20	Award and Approval of Lease Agreement of Modular Buildings to McGrath Rent Corporation (dba Mobile Modular, Inc.) for Malibu High School, Campus Improvement Project – Measure BB.....	32-33
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A.27	Appoint Member to the Measure BB Advisory Committee .....	45

**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 two (2) or three (3) minutes, depending on the number of speakers. The Brown Act (Government Code) states that Board members may not engage in discussion of issues raised during Public Comments, except to ask clarifying questions, make a brief announcement, make a brief report on his or her own activities, or to refer the matter to staff. This Public Comment section is limited to twenty (20) minutes. If the number of persons wishing to address the Board of Education exceeds the time limit, additional time will be provided in **Section XVI. CONTINUATION OF PUBLIC COMMENTS.**

**IX. COMMUNICATIONS (35)**

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 – Harry Keiley (5)**

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

**D. PTA Council – Kelly McMahon Pye (10)**

- Gerda Newbold – Roosevelt Elementary School PTA 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 (65)**

These items are considered to be of major interest and/or importance and are presented for **ACTION (A)** at this time. Many have been discussed by the Board at a previous meeting.

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.**

A.28	Revise BP 5145.9 and Adopt AR and Exhibit 5145.9 – Hate Motivated Behavior (30).....	46-52
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A.31	Adopt Resolution No. 11-35 - Classified School Employees Week: May 20-16, 2012 (5).....	56-57
A.32	Adopt Resolution No. 11-36 - Regarding the Release of Certificated Temporary Employees (5).....	58-60

**XII. DISCUSSION ITEMS (195)**

These items are submitted for discussion. Any action that might be required will generally be scheduled for the next regularly scheduled meeting of the Board.

7:00 pm

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

**XVI. CONTINUATION OF PUBLIC COMMENTS**

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

**XVII. BOARD MEMBER COMMENTS**

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

**XVIII. FUTURE AGENDA ITEMS**

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

**XIV. CLOSED SESSION**

The Board of Education will, if appropriate, adjourn to Closed Session to complete discussion on items listed under Section III (Closed Session) following the regular business meeting.

**XX. ADJOURNMENT**

This meeting will adjourn to a **special board meeting** scheduled for **Saturday, May 19, 2012**, at the District Office: 1651 16<sup>th</sup> Street, Santa Monica, CA. The next regular meeting is scheduled for **Thursday, June 7, 2012**, at the district office.

**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.**

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

Board of Education Meeting AGENDA: May 17, 2012

**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 <sup>st</sup> Thursday	2 <sup>nd</sup> Thursday	3 <sup>rd</sup> Thursday	4 <sup>th</sup> 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	
<b>Winter Break: December 21 – January 3</b>					
January through June 2012					
<b>Winter Break: December 21 – January 3</b>					
January			1/19 DO		
February	2/2 M		2/16 DO 2/18* DO		*Saturday, 2/18: special mtg
March	3/1 DO	3/8* DO	3/15 DO	<del>3/29* DO</del>	*Thursday, 3/8: special mtg *3/22 & 3/23: Stairway *3/29: 5 <sup>th</sup> Thursday
<b>Spring Break: April 2 – April 13</b>					
April	spring break	spring break	4/19 DO		
May	5/3 M		5/14*PDLC 5/17 DO 5/19* DO		*Monday, 5/14: special mtg *Saturday, 5/19: special mtg
June	6/7 DO			6/27* DO	Last day of school: 6/15 *Wednesday: 6/27

District Office (DO): 1651 16<sup>th</sup> Street, Santa Monica.  
 Malibu City Council Chambers (M): 23825 Stuart Ranch Road, Malibu, CA

If you will require accommodation to participate in the Board meeting, please notify the Superintendent's Office at vi  
 least one day prior to the meeting.  
 Board of Education Meeting AGENDA: May 17, 2012

**SMMUSD Board of Education Meeting Schedule 2012-2013**

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

July through December 2012					
Month	1 <sup>st</sup> Thursday	2 <sup>nd</sup> Thursday	3 <sup>rd</sup> Thursday	4 <sup>th</sup> Thursday	Special Note:
July			7/18* DO		*Wednesday, 7/18
August	8/1* M		8/15* DO		*Wednesday, 8/1 *Wednesday, 8/15 First day of school: 8/22
September	9/6 DO		9/20 DO		
October	10/4 M		10/18 DO		
November	11/1 M		11/15 DO		Thanksgiving: 11/22-23
December		12/13 DO		winter break	
<b>Winter Break: December 24 – January 4</b>					
January through June 2013					
<b>Winter Break: December 24 – January 4</b>					
January		1/17 DO			
February	2/7 M		2/21 DO		
March	3/7 DO		3/21 M	spring break	
<b>Spring Break: March 25 – April 5</b>					
April	spring break		4/18 DO		
May	5/2 M		5/16 DO		
June	6/6 DO			6/26* DO	Last day of school: 6/11 *Wednesday: 6/26

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

**Santa Monica-Malibu Unified School District  
Board of Education  
May 17, 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  
05/17/12

RECOMMENDATION NO. A.01

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

May 3, 2012

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



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## **CONSENT ITEMS**



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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.

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

<b>Contractor/ Contract Dates</b>	<b>Description</b>	<b>Site</b>	<b>Funding</b>
Maximus Consulting Services, Inc.  7/1/12 to 6/30/13  Not to exceed: \$15,900	To assist the District with SB-90 Mandate Reimbursement Services/prepare and file the eligible costs incurred in FY 11-12 actual cost reimbursement claims.	Fiscal Services	01-00000-0-00000-73100-5890-051-2510 (General Fund)
Goodwin Proctor, LLP  7/1/11-6/30/13  <i>Amend contract amount</i> Not to exceed: \$125,000 <del>\$100,000</del> (\$19,603.03: carry over from 2009-10; \$50,000: 12/9/10; \$50,000: 2/3/11)	General legal counsel services – property issues.	Business Services	01-00000-0-00000-73000-5820-050-1500 (General Fund)
Marjaneh Moghimi  7/1/11 – 6/30/12  <i>Amend contract amount</i> Not to exceed: \$3,000 <del>\$2,000</del> (Original BOE approval date 09/22/11)	To provide additional services to preschool children in Head Start due to the increase of children served.	Child Development Services	12-52101-0-85000-31400-5802-070-2700 (\$1,000 increase)
Lucas Capra  7/1/11 to 6/30/12  Amend Amount: not to exceed: \$24,000	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
Walter Hughes  1/19/12 to 6/30/12  Amend Amount: not to exceed: \$7,000.00	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 8/24/11 to 6/30/12 Amend Amount: not to exceed: \$14,500	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: \$19,000	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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT  
05/17/12

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	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>MAEZ, Jan</u> Business 01-00000-0-00000-73000-5220-050-1550 General Fund- Function: Business Services	May Revision Workshop Ventura, CA May 23, 2012	\$125
<u>SAM, Stuart</u> Measure BB 21-90500-0-00000-55000-5220-050-2600 Building Fund- Resource: BB Construction	Protecting Schools in an Environment of Changing State Policy Ontario, CA April 27, 2012	\$300

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

<b>Group Conference and Travel: In-State</b> * a complete list of conference participants is on file in the Department of Fiscal Services		
<u>CRUCE, Marae</u> <u>HOFFMAN, Ryan</u> Santa Monica High 01-70900-0-11100-10000-5226-015-4150 General Fund- Resource: Economic Impact Aid	AP Summer Institute-Statistics Palos Verdes, CA August 6 – 9, 2012	\$1,400 2012/2013 Budget
<u>DUNN, Margo</u> <u>MACK, Tammy</u> Point Dume Elementary No Cost to District	Field Trip to Sacramento and Gold Rush Country Sacramento, CA May 22 – 24, 2012	\$0
<u>HO, Pat</u> <u>+4 Additional Staff</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Fiscal Services	2011/2012 Year-End Closing Area Meetings Downey, CA 5/21/12, 5/24/12 & 5/29/12	\$145 Mileage Only

<u>LYON, Sandra</u> +2 Additional Staff District Office/Rogers Elementary 01-00000-0-00000-71500-5220-020-1200 General Fund- Function: Superintendent	California Conference on School Labor Management Collaboration Sacramento, CA April 25 – 26, 2012	\$1,050
<u>MAEZ, Jan</u> <u>CHOU, Sally</u> Business/Ed Services 01-00000-0-00000-73000-5220-050-1550 01-00000-0-19600-21000-4310-030-1300 General Fund- Function: Business/Supervision of Inst.	2012 Ed Source Symposium Anaheim, CA May 9, 2012	\$110
<u>PLACENCIA, Rachel</u> <u>GALVAN, Janine</u> McKinley Elementary 01-30100-0-11100-10000-5220-004-4040 General Fund- Resource: Title I	Preparing Our Children to be Mathematically Competitive Los Angeles, CA May 5, 2012	\$250

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

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

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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
Smash 7 <sup>th</sup> 26	Yosemite 1/13/13-1/18/13	J. Rische/ D. Mendinueto/ G. Hwang	\$600 per student paid by parents and fundraising	Science	Science Magnet Students will have firsthand experience with their environment, which they are learning about in class. This trip complements science curriculum for 7 <sup>th</sup> grade
Smash 6 <sup>th</sup> 26	Catalina Toyon Bay 10/8/12-10/10/12	J. Rische/ D. Mendinueto/ G. Hwang	\$320 per student paid by parents and fundraising	Science	Students will have the opportunity to learn experimental science dealing with the natural land and sea environment.
Smash 5 <sup>th</sup> 26	Astrocamp, Idyllwild, CA 2/20/13-2/22/13	J. Rische/ D. Mendinueto/ G. Hwang	\$320 per student paid by parents and fundraising	Science	Students will have an opportunity to participate in a series of hands-on, discovery oriented science seminars like geology, rocketry, and astronomy.

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

FROM: SANDY LYON / CHIUNG-SALLY CHOU / TOM WHALEY

RE: AMENDMENT OF PERMIT TO USE CIVIC AUDITORIUM FACILITIES

RECOMMENDATION NO. A.05

It is recommended that the Board of Education amend the approval of Permit #6683, agreement with the City of Santa Monica for the use of the authorized premises of the Santa Monica Civic Auditorium for a total fee not to exceed **\$16,100, and not \$16,000, as per board approval on 12/15/11**. This fee includes estimated equipment, labor and services provided by the Civic Auditorium and music staff parking.

FUNDING INFORMATION

Source: General Fund Restricted – Gifts  
Currently Budgeted: Yes  
Account Number: 01-90120-0-17300-10000-5630-030-1300  
Description: Lease-Rental/Stairway-Gift/Curriculum

BACKGROUND INFORMATION

This agreement is made between the City of Santa Monica (“the City”) and the Santa Monica-Malibu Unified School District (“Permittee”) for Stairway of the Stars event at the Civic Auditorium.

To use and occupy the authorized premises described below, on the date(s) and time(s) described, for the activities and at the rental described as follows:

Event Title: **STAIRWAY OF THE STARS**  
Authorized Premises: Main Hall, Lobby, and East Wing

DAY	DATE	TIME	ACTIVITY	RENTAL
Wednesday	3/21/12	12:00-8:00pm	Move-in/Rehearsal	Waived
Thursday	3/22/12	8:00-3:00pm	Rehearsal	Waived
Thursday	3/22/12	7:00-10:30pm	Event	Waived
Friday	3/23/12	7:00-10:30pm	Event	Waived
Friday	3/23/12	10:30pm-midnight	Move-out	Waived

**Total Base Rental** **\$0**

**Event Time:** Thursday and Friday, March 22 & 23, 2012 at 7:00 p.m.

A copy of contract is available at Superintendent’s Office, Fiscal Services, Insurance Office and Educational Services– Visual & Performing Arts Department.

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2011-2012

RECOMMENDATION NO. A.06

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

Amount Budgeted NPS 11/12				\$ 1,700,000
Prior Board Authorization as of 5/03/2012				\$ 2,434,171
			Balance	\$ -734,171
Positive Adjustment (See Below)				\$
				\$
Total Amount for these Contracts				\$ _____
			Balance	\$

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
Premiere Health Services, Inc.	Various	COTA	#110-SPED12193	\$22,320.00

Amount Budgeted NPA 11/12				\$ 900,000
Prior Board Authorization as of 5/03/2012				\$ 969,362
			Balance	\$ -69,362
Positive Adjustment (See Below)				\$ 0
				\$ -69,362
Total Amount for these Contracts				\$ 22,320
			Balance	\$ -91,682

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 5/03/2012		\$ -381,580
	Balance	\$ -181,580
Positive Adjustment (See Below)		\$ 0
		\$
		\$
Total Amount for these Contracts		\$
	Balance	\$ -181,580

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
Sandra Kaler RN PhD	10/01/03	Psycho Ed Eval	#62-SPED12190	\$4,200.00
Engel & Engel	6/12/02	Audit Assignment	#63-SPED12191	\$5,000.00
Woodsmall Law Group	5/10/93	Attorney Fees	#64-SPED12192	\$8,800.00

Amount Budgeted Non-Instructional Consultants 11/12		\$ 300,000
Prior Board Authorization as of 5/03/2012		\$ 443,083
	Balance	\$ -143,083
Positive Adjustment (See Below)		\$ 0
		\$ -143,083
Total Amount for these Contracts		\$ 18,000
	Balance	\$ -161,083

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 5/03/2012		200,000
	Balance	\$ 0
Adjustments for this period		\$ 100,000
		0
Total Amount for these Contracts		\$ 0
	Balance	\$ 300,000

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

05/17/12

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

RE: AWARD OF PURCHASE ORDERS – 2011-12

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from April 25, 2012, through May 8, 2012, for fiscal /12.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

## PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MAY 17, 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>					
125984	AARDVARK CLAY	INST SUP/ART CLASS HUMANITIES	JOHN ADAMS MIDDLE SCHOOL	579.11	R
125951	ACT INC	SUPPLIES FOR AVID CLASSES	JOHN ADAMS MIDDLE SCHOOL	1,000.00	R
126012	ALTA ENVIRONMENTAL	ASBESTOS & LEAD TESTING	CHILD DEVELOPMENT CENTER	3,587.50	CD
126021	AMECI PIZZA & PASTA	PIZZA FOR VIKES CAFE	FOOD SERVICES	13,000.00	F
125680	APPLE COMPUTER CORP	MACBOOK COMPUTER	SPECIAL EDUCATION REGULAR YEAR	28,202.96	R
125877	APPLE COMPUTER CORP	IPOD TOUCH	SPECIAL EDUCATION REGULAR YEAR	8,051.81	R
125936	ARROWHEAD MOUNTAIN SPRING	OPEN ORDER/DRINKING WATER	CHILD DEVELOPMENT CENTER	100.00	CD
125937	ARROWHEAD MOUNTAIN SPRING	OPEN ORDER/DRINKING WATER	CHILD DEVELOPMENT CENTER	300.00	CD
125938	ARROWHEAD MOUNTAIN SPRING	OPEN ORDER/DRINKING WATER	CHILD DEVELOPMENT CENTER	100.00	CD
125906	AT&T	SmartNet Maintence	INFORMATION SERVICES	117,975.65	U
125748	BARNES & NOBLE/SANTA MONICA	TEACHER RESOURCE MATERIALS	CURRICULUM AND IMC	180.73	R
125964	BARNES & NOBLE/SANTA MONICA	COUNSELING SUPPORT BOOKS	STUDENT SERVICES	114.06	U
125899	CALIFORNIA OFFICE SYSTEMS INC	3DRAWER LATERAL & PEDESTALS	FISCAL SERVICES	2,117.27	U
125997	CANON BUSINESS SOLUTIONS	REPROGRAPHICS	JOHN ADAMS MIDDLE SCHOOL	500.00	BB
125913	CANON BUSINESS SOLUTIONS-WEST	COPIER OVERAGE	PURCHASING/WAREHOUSE	200.00	U
125962	CARQUEST AUTO PARTS	VEHICLE PARTS & OIL	FACILITY MAINTENANCE	350.00	R
125983	CARQUEST AUTO PARTS	Open order for parts	TRANSPORTATION	700.00	R
125727	CDW-G COMPUTING SOLUTIONS	OFFICE SUPPLIES	PT DUME ELEMENTARY SCHOOL	358.97	U
125977	CDW-G COMPUTING SOLUTIONS	ADOBE AVL CS5.5 LICENSE	CURRICULUM AND IMC	14,198.59	R
125993	CDW-G COMPUTING SOLUTIONS	COMPUTER SUPPLIES	SANTA MONICA HIGH SCHOOL	294.21	R
125994	CHOURA EVENTS	TENT RENTAL	CHILD DEVELOPMENT CENTER	1,346.00	CD
125995	COASTAL DESIGN BUILD INC	STORY POLES	MALIBU HIGH SCHOOL	10,800.00	BB
125996	COASTAL DESIGN BUILD INC	SITE MAPPING	MALIBU HIGH SCHOOL	5,100.00	D
126009	CROWN DISPOSAL CO INC	OPEN ORDER GROUNDS TRASH CONT	FACILITY MAINTENANCE	646.78	U
125975	CRUZ JR., GERARDO	REIMBURSEMENT	CHILD DEVELOPMENT CENTER	55.00	CD
125844	DANNELLEY, BEKAH	MILEAGE REIMBURSEMENT: FISHER	SPECIAL EDUCATION REGULAR YEAR	2,000.00	R
125918	DAVIS LENORA	REIMBURSEMENT - FIRST AID REN	TRANSPORTATION	70.00	R
125925	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	29.84	CD
126016	DURHAM TRANSPORTATION	TRANSPORTATION FOR STAIRWAY	CURRICULUM AND IMC	1,383.77	R
125947	ENVIRO TEK CORPORATION	CUSTODIAL SUPPLIES	LINCOLN MIDDLE SCHOOL	220.53	R
125920	GALE SUPPLY CO	CUSTODIAL SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	108.38	U
125950	GALE SUPPLY CO	CUSTODIAL SUPPLY	WEBSTER ELEMENTARY SCHOOL	681.32	R
125989	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	677.68	CD
125999	GALE SUPPLY CO	CUSTODIAL SUPPLY	WEBSTER ELEMENTARY SCHOOL	263.94	R
126022	GALE SUPPLY CO	CUSTODIAL SUPPLY - INCREASE	WEBSTER ELEMENTARY SCHOOL	49.97	R
126007	GEORGE'S HARDWARE	OPEN ORDER GROUNDS SUPPLISE	FACILITY OPERATIONS	120.00	U
125930	HALDEMAN INC	EXHAUST FANS FOR SAMO POOL RM	FACILITY MAINTENANCE	10,176.38	DF
125959	HALDEMAN INC	DAMPERS FOR EXHAUST FANS	FACILITY MAINTENANCE	737.44	DF
125940	INSECT LORE PRODUCTS	INSTRUCTIONAL SUPPLY	GRANT ELEMENTARY SCHOOL	108.92	R
125759	INSTA-LEARN BY STEP INC	INSTA-LEARN BOARD COMPONENTS	ROOSEVELT ELEMENTARY SCHOOL	2,677.02	U
125556	INTELLI-TECH	COMPUTERS	SANTA MONICA HIGH SCHOOL	979.08	R
125675	INTELLI-TECH	COMPUTERS/SAMOHI	SPECIAL EDUCATION REGULAR YEAR	30,887.55	R
125676	INTELLI-TECH	NOTEBOOK COMPUTERS	SPECIAL EDUCATION REGULAR YEAR	24,859.12	R
125892	INTELLI-TECH	HEALTH SERVICES COMPUTER	HEALTH SERVICES	2,610.07	U
126000	KORADE & ASSOCIATE BUILDERS	ROOF DRAINAGE SAMOHI	FACILITY MAINTENANCE	1,487.00	R
125990	LAKESHORE	PARENT ACTIVITY/GRANT	CHILD DEVELOPMENT CENTER	150.00	CD
125979	LEE & LOW BOOKS INC.	TC ASSESSMENT ADD-ON-SETS	ROOSEVELT ELEMENTARY SCHOOL	342.72	U
125948	LRP PUBLICATION	SEC 504 COMPLIANCE MAGAZINE	STUDENT SERVICES	256.43	U

## PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MAY 17, 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	
125982	LYON, SANDRA	REIMBURSEMENT	BOE/SUPERINTENDENT	320.00	U
125917	MARTIN AUTOMOTIVE GROUP	Open order for parts/Transp.	TRANSPORTATION	50.00	R
125939	MASUNE/MEDCO SCHOOL FIRST AID	HEALTH/SAFETY	CHILD DEVELOPMENT CENTER	487.92	CD
125998	NETWORLD SOLUTIONS INC	TECH & COMMUNICATION SERVICES	SANTA MONICA HIGH SCHOOL	14,000.00	BB
126011	NETWORLD SOLUTIONS INC	TECH & COMMUNICATION PLANNING	MALIBU HIGH SCHOOL	18,000.00	BB
125952	NEXTEL OF CALIFORNIA INC	HOLSTERS	GROUNDS MAINTENANCE	52.42	R
125928	OLIVER WORLDCLASS LABS INC	NEC PROJECTOR	WEBSTER ELEMENTARY SCHOOL	861.99	R
125972	OLIVER WORLDCLASS LABS INC	STAND ALONE PROJECTORS	SANTA MONICA HIGH SCHOOL	1,013.92	R
125927	OLLIFF, ELIZABETH	REIMBURSEMENT	CHILD DEVELOPMENT CENTER	147.44	CD
125980	PATTONS PHARMACY	TB SOLUTION AND SYRINGES	HEALTH SERVICES	722.55	U
125588	PEARSON LEARNING GROUP	TEXTBOOKS	SANTA MONICA HIGH SCHOOL	16,166.70	R
124986	PREMIER SCHOOL AGENDAS	STUDENT PLANNERS	MCKINLEY ELEMENTARY SCHOOL	926.58	U
126010	REGENCY ENTERPRISES INC.	LIGHTING	WEBSTER ELEMENTARY SCHOOL	166.39	R
125957	REISS-WOZNAK MEDICAL CLINIC	Physicals/Transportation Dept	TRANSPORTATION	180.00	R
126017	RICOH BUSINESS SOLUTIONS	STAPLES FOR LD1110	PRINTING SERVICES	199.93	U
125882	RICOH U.S.	COPY MACHINE OVERAGES	FACILITY MAINTENANCE	91.42	R
125926	S & S ARTS & CRAFTS	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	162.04	CD
125854	S C A Q M D	SCAQMD OPERATING/EMISSION FEES	FACILITY MAINTENANCE	416.41	R
126004	SANTA MONICA FORD	OPERATIONS VEHICLES REPAIR	FACILITY OPERATIONS	32.85	U
125569	SEAN JAMES ENTERPRISES INC	INSTRUCTIONAL SUPPLIES	R O P	377.08	R
125241	SEHI COMPUTER PRODUCTS	NON-CAPITAL EQUIPMENT	BOE/SUPERINTENDENT	283.41	U
125553	SEHI COMPUTER PRODUCTS	PRINTERS	SANTA MONICA HIGH SCHOOL	775.68	R
125943	SEHI COMPUTER PRODUCTS	INK/TONER	CHILD DEVELOPMENT CENTER	1,199.67	CD
125981	SEHI COMPUTER PRODUCTS	PRINTERS	SANTA MONICA HIGH SCHOOL	1,163.51	R
125931	SEW WHAT? INC	REPAIR CURTAIN AT JAMS	THEATER OPERATIONS&FACILITY PR	150.00	R
125949	SIMPLEXGRINNELL	FIRE ALARMS REPAIRS	FACILITY MAINTENANCE	3,184.49	R
125942	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	CHILD DEVELOPMENT CENTER	28.41	CD
126003	SOUTHERN CAL TRACTOR SALES INC	OPERATIONS GROUNDS VEHICLES	FACILITY OPERATIONS	880.00	U
125945	STAPLES BUSINESS ADVANTAGE	GENERAL SUPPLIES/MATERIALS	BOE/SUPERINTENDENT	700.00	U
125946	SWRCB ACCOUNTING OFFICE	WATER BOARD ANNUAL PERMIT FEES	FACILITY MAINTENANCE	1,359.00	R
125921	TARGET STORES	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	105.00	CD
125935	TARGET STORES	OPEN ORDER/PARENT ACTIVITY	CHILD DEVELOPMENT CENTER	250.00	CD
125961	TRACTION HEAVY DUTY PARTS	Parts/ Transp. Dept.	TRANSPORTATION	50.00	R
125985	TUMBLEWEED TRANSPORTATION	TRANSPORTATION GIRLS SOCCER	MALIBU HIGH SCHOOL	397.06	R
125986	TUMBLEWEED TRANSPORTATION	CHARTER BUSES: LA ZOO 05/29	LINCOLN MIDDLE SCHOOL	800.00	R
125987	TUMBLEWEED TRANSPORTATION	CHARTER BUSES: GETTY VILLA 6/4	LINCOLN MIDDLE SCHOOL	650.00	R
125978	U S BANK (GOVT CARD SERVICES)	SOFTWARE MAC OS X VNC EDITION	LINCOLN MIDDLE SCHOOL	2,547.00	R
125621	VIRCO MFG CORP	CAFETERIA TABLES, CHAIRS/PERMIT	JOHN ADAMS MIDDLE SCHOOL	6,727.37	R
125760	VIRCO MFG CORP	CHAIRS 9000 CLASSIC SERIES	ROOSEVELT ELEMENTARY SCHOOL	305.46	U
125933	VONS MARKET-SANTA MONICA	OPEN ORDER/PARENT ACTIVITY	CHILD DEVELOPMENT CENTER	150.00	CD
125934	VONS MARKET-SANTA MONICA	OPEN ORDER/PARENT ACTIVITY	CHILD DEVELOPMENT CENTER	150.00	CD
125991	VONS MARKET-SANTA MONICA	OPEN ORDER/PARENT ACTIVITY	CHILD DEVELOPMENT CENTER	50.00	CD
125988	WAXIE SANITARY SUPPLY	CUSTODIAL	CHILD DEVELOPMENT CENTER	78.65	CD

\*\* NEW PURCHASE ORDERS 380,696.15



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

ACTION/CONSENT  
05/17/12

RECOMMENDATION NO. A.08

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$24,519.66 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 \$24,519.66 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](http://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
<b>JAMS</b> 01-90120-0-00000-00000-8699-011-0000	\$ 335.02	\$ -		Santa Monica Science Magnet	
<b>Adult Education</b> 11-90120-0-00000-00000-8699-090-0000					
<b>Alternative (SMASH)</b> 01-90120-0-00000-00000-8699-009-0000					
<b>Cabrillo</b> 01-90120-0-00000-00000-8699-017-0000	\$ 2,700.00 \$ 2,100.00 \$ 1,819.00 \$ 1,588.00 \$ 1,270.00 \$ 350.00	\$ - \$ - \$ - \$ - \$ - \$ -		Various Various Various Various Various Various	Field Trip Field Trip Field Trip Field Trip Field Trip Field Trip
<b>CDS</b> 12-90120-0-00000-00000-8699-070-0000					
<b>Edison</b> 01-90120-0-00000-00000-8699-001-0000					
<b>Franklin</b> 01-90120-0-00000-00000-8699-002-0000					
<b>Grant</b> 01-90120-0-00000-00000-8699-003-0000					
<b>Lincoln</b> 01-90120-0-00000-00000-8699-012-0000	\$ 6,479.00 \$ 5,675.00 \$ 130.00	\$ 150.00 \$ - \$ -		Various Parents Various Parents Various Parents	General Supplies and Materials Other Operating Expenses General Supplies and Materials
<b>Malibu High School</b> 01-90120-0-00000-00000-8699-010-0000	\$ 66.00	\$ -		Various	General Supplies and Materials
<b>McKinley</b> 01-90120-0-00000-00000-8699-004-0000					
<b>Muir</b> 01-90120-0-00000-00000-8699-005-0000					
<b>Olympic HS</b> 01-90120-0-00000-00000-8699-014-0000					
<b>Rogers</b> 01-90120-0-00000-00000-8699-006-0000	\$ 40.00	\$ -		Monica Berg	Field Trip
<b>Roosevelt</b> 01-90120-0-00000-00000-8699-007-0000	\$ 460.00	\$ -		Mary Catherine Donohue	Direct Cost Intrafund

BOE Date: 05/17/12

Current Gifts and Donations 2011/2012

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
<b>Samohi</b> 01-90120-0-00000-00000-8699-015-0000	\$ 1,357.64	\$ -		Cal Micro Recycling	General Supplies and Materials
<b>Barnum Hall</b> 01-91150-0-00000-00000-8699-000-0000					
<b>Pt. Dume Marine Science</b> 01-90120-0-00000-00000-8699-019-0000					
<b>Webster</b> 01-90120-0-00000-00000-8699-008-0000					
<b>Others:</b>					
<b><u>Superintendent's Office</u></b> 01-90120-0-00000-00000-8699-020-0000					
<b><u>Educational Services</u></b> 01-90120-0-00000-00000-8699-030-0000					
<b><u>Student &amp; Family Services</u></b> 01-90120-0-00000-00000-8699-040-0000					
<b><u>Special Education</u></b> 01-90120-0-00000-00000-8699-044-0000					
<b><u>Information Services</u></b> 01-90120-0-00000-0000-8699-054-0000					
<b><u>Food and Nutrition Services</u></b> 01-90120-0-00000-0000-8699-057-0000					
<b><u>District</u></b> 01-90120-0-00000-00000-8699-090-0000					
<b>TOTAL</b>	<b>\$ 24,369.66</b>	<b>\$ 150.00</b>	<b>\$ -</b>		

BOE Date: 05/17/12

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
<b>JAMS</b> 01-90120-0-00000-00000-8699-011-0000	\$ 45,925.38	\$ 335.02	\$ -	\$ 46,260.40			\$ -
<b>Adult Education</b> 11-90120-0-00000-00000-8699-090-0000				\$ -			\$ -
<b>Alternative (SMASH)</b> 01-90120-0-00000-00000-8699-009-0000				\$ -			\$ -
<b>Cabrillo</b> 01-90120-0-00000-00000-8699-017-0000	\$ 13,455.01	\$ 9,827.00	\$ -	\$ 23,282.01			\$ -
<b>CDS</b> 12-90120-0-00000-00000-8699-070-0000				\$ -			\$ -
<b>Edison</b> 01-90120-0-00000-00000-8699-001-0000	\$ 820.36		\$ -	\$ 820.36			\$ -
<b>Franklin</b> 01-90120-0-00000-00000-8699-002-0000	\$ 467.89		\$ -	\$ 467.89			\$ -
<b>Grant</b> 01-90120-0-00000-00000-8699-003-0000				\$ -			\$ -
<b>Lincoln</b> 01-90120-0-00000-00000-8699-012-0000	\$ 28,410.53	\$ 12,284.00	\$ 150.00	\$ 40,844.53			\$ -
<b>Malibu High School</b> 01-90120-0-00000-00000-8699-010-0000 <i>Malibu Shark Fund - Resource #90141</i>	\$ 38,785.42	\$ 66.00	\$ -	\$ 38,851.42			\$ -
<b>McKinley</b> 01-90120-0-00000-00000-8699-004-0000	\$ 26,273.13		\$ -	\$ 26,273.13			\$ -
<b>Muir</b> 01-90120-0-00000-00000-8699-005-0000	\$ 2,244.85		\$ -	\$ 2,244.85			\$ -
<b>Olympic HS</b> 01-90120-0-00000-00000-8699-014-0000	\$ 7,867.50		\$ -	\$ 7,867.50			\$ -
<b>Rogers</b> 01-90120-0-00000-00000-8699-006-0000	\$ 25,692.22	\$ 40.00	\$ -	\$ 25,732.22			\$ -
<b>Roosevelt</b> 01-90120-0-00000-00000-8699-007-0000	\$ 4,395.98	\$ 460.00	\$ -	\$ 4,855.98			\$ -
<b>Samohi</b> 01-90120-0-00000-00000-8699-015-0000	\$ 25,186.04	\$ 1,357.64	\$ -	\$ 26,543.68	\$ 11,185.69		\$ 11,185.69
<b>Barnum Hall</b> 01-91150-0-00000-00000-8699-000-0000	\$ 100,000.00		\$ -	\$ 100,000.00			
<b>Pt. Dume Marine Science</b> 01-90120-0-00000-00000-8699-019-0000				\$ -			\$ -



BOE Date: 05/17/12

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
<b>ALL OTHER LOCATIONS:</b>							
<b>Webster</b> 01-90120-0-00000-00000-8699-008-0000	\$ 5,000.00		\$ -	\$ 5,000.00			\$ -
<b>Superintendent's Office</b> 01-90120-0-00000-00000-8699-020-0000							
<b>Educational Services</b> 01-90120-0-00000-00000-8699-030-0000	\$ 90,934.74			\$ 90,934.74	\$ 2,350.00		\$ 2,350.00
<b>Student and Family Support Services</b> 01-90120-0-00000-00000-8699-041-0000				\$ -			\$ -
<b>Special Education</b> 01-90120-0-00000-00000-8699-044-0000				\$ -			\$ -
<b>Information Services</b> 01-90120-0-00000-00000-8699-054-0000				\$ -			\$ -
<b>District</b> 01-90120-00000-0-00000-8699-090-0000				\$ -			\$ -
<b>Food &amp; Nutrition Services</b> 01-90120-0-00000-00000-8699-070-0000				\$ -	\$ 379.90		\$ 379.90
<b>TOTAL GIFTS</b>	<b>\$ 415,459.05</b>	<b>\$ 24,369.66</b>	<b>\$ 150.00</b>	<b>\$ 439,978.71</b>	<b>\$ 13,915.59</b>	<b>\$ -</b>	<b>\$ 13,915.59</b>
<b>Total Cash Gifts for District:</b>		<b>\$ 24,369.66</b>	<b>Total Equity Fund 15% Contribs. \$ 150.00</b>		<b>Total In-Kind Gifts:</b>	<b>\$ -</b>	



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

FROM: SANDRA LYON / JANECE L. MAEZ / PAT HO

RE: TRANSFER OF FUNDS

RECOMMENDATION NO. A.09

It is recommended that the Board of Education approve the following transfer for the 2011-12 fiscal year.

- A. \$1,560,873 from the Special Reserve Fund for Capital Outlay Project (Fund 40) to the Unrestricted General Fund (Fund 01) for offsetting the Revenue Limit Adjustment for 2003-2006.

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

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: APPROVAL OF FEE INCREASE FOR THE INFANT TODDLER PROGRAM (ITC)  
AT SANTA MONICA HIGH SCHOOL

RECOMMENDATION NO. A.10

It is recommended that the Board of Education approve a fee increase for non-subsidized parents in the Infant Toddler Center Child Development program at SAMOHI effective this summer 2012.

COMMENT: Increase is needed to offset raising staff and materials costs. This is a six percent (6%) increase for infants and a five percent (5%) increase to toddler tuition. Fees were not increased for the 2011-2012 school year.

<b>Program</b>	<b>Current</b>		<b>New</b>
SAMOHI ITC	Infant	\$1,100	\$1,165
	Toddler	\$ 790	\$ 830

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: PARTIAL RELEASE OF RETENTION FOR BID #10.17.BB-03-112998 – SAMOHI  
REPLACEMENT OF THE EXISTING GRASS FOOTBALL FIELD WITH  
SYNTHETIC TURF AT SANTA MONICA HIGH SCHOOL – HELLAS  
CONSTRUCTION COMPANY – CCJUP

RECOMMENDATION NO. A.11

It is recommended that the Board of Education approve Partial Release of Retention (5%) for Bid #10.17.BB-03-112998 – Santa Monica High School – Replacement of the Existing Grass Football Field with Synthetic Turf Project, to Hellas Construction Company.

Funding Information

Budgeted: Yes  
Fund: 40  
Source: Building Fund  
Account Number: 40-90602-0-00000-85000-6200-015-2600  
DSA No.: 03-11343  
Budget Category: Hard Cost, Construction  
Project: Replacement of the Existing Grass Football Field with Synthetic Turf

COMMENT: Replacement of the Existing Grass Football Field with Synthetic Turf at Santa Monica High School Project was beneficially occupied on October 27, 2011. The Measure BB staff is working with Hellas on change order review, negotiation and administrative close-out.

Public Contract Code 9203 allows District to release Partial Retention if more than 50% of the scope of work is complete and is satisfactory. As the scope of work for the Replacement of the Existing Grass Football Field with Synthetic Turf Project is fully complete and all the areas of work are occupied by the school site, the District would like to request the Board of Education to release five percent of the total ten percent retention. This will allow the contractor to pay the subcontractors who have completed the project.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:





TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: PARTIAL RELEASE OF RETENTION FOR BID #10.40.BB-03-113674 –  
MCKINLEY ELEMENTARY SCHOOL – ENTRY AND MAIN OFFICE  
RECONFIGURATION PROJECT – FAST TRACK CONSTRUCTION  
CORPORATION – MEASURE BB

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve Partial Release of Retention (5%) for Bid #10.40.BB-03-113674 – McKinley Elementary School - Entry and Main Office Reconfiguration Project, to Fast Track Construction Corporation.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Building Fund  
Account Number: 21-90500-0-00000-85000-6200-004-2600  
DSA No.: 03-113674  
Budget Category: Hard Cost, Construction  
Project: Entry and Main Office Reconfiguration Project

COMMENT: McKinley Elementary School – Entry and Main Office Reconfiguration Project was beneficially occupied on September 16, 2011. The Measure BB staff is working with Fast Track Construction on change order review, negotiation and administrative close-out.

Public Contract Code 9203 allows District to release Partial Retention if more than 50% of the scope of work is complete and is satisfactory. As the scope of work for the Entry and Main Office Reconfiguration Project is fully complete and all the areas of work are occupied by the school site, the District would like to request the Board of Education to release five percent of the total ten percent retention. This will allow the contractor to pay the subcontractors who have completed the project.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: CONTRACT AMENDMENT #10 FOR ADDITIONAL TESTING AND SPECIAL INSPECTION SERVICES – MCKINLEY ELEMENTARY SCHOOL ENTRY & MAIN OFFICE RECONFIGURATION PROJECT – MTGL, INC. – MEASURE BB

RECOMMENDATION NO. A.13

It is recommended that the Board of Education approve Contract Amendment #10 with MTGL, Inc. for Additional Special Testing and Inspection Services at McKinley Elementary School in the amount of \$21,240 for a total contract amount of \$276,034.

Funding Information

Budgeted: No  
Fund: 21  
Source: Measure BB  
Account Number: 21-90500-0-00000-85000-5802-004-2600  
Budget Category: Soft Costs/ Testing & Inspection/Materials Lab

COMMENTS: Division of the State Architect (DSA) Testing and Special Inspection Services are required by code to ensure that school facilities are built from the DSA-approved plans and specifications. District staff requested a proposal from MTGL, Inc. to provide additional Testing and Special Inspection Services for the McKinley Elementary School Entry & Main Office Reconfiguration Project, DSA Application No. 03-113674.

The original proposal for services (CA #6, for \$5,650) was based on a preliminary project schedule, specifications and a mandatory site walk that projected about 50 hours for special testing and inspections. Once the contract for construction was awarded, the construction duration required construction in two phases to allow for early occupancy of the main office. These resulted in additional 50 hours for inspection. In addition, during the project construction, multiple unforeseen conditions required additional inspections. These resulted in additional 166 hours. Of the 166 hours, 72.50 hours will be back-charged to the general contractor for cancelled inspections due to uncompleted work.

Approval of Contract Amendment #10 in the amount of \$21,240.00 would result in a total contract amount of \$276,034. This is for a total addition of 216 hours to the inspection.

*(Continued on next page)*

Original Contract	(Grant ES, DSA A# 03-112845)	\$ 5,800
Contract Amendment #1	(Rogers, DSA A# 03-112998)	1,250
Contract Amendment #2	(Rogers Relo's, ELA, DSA A# 03-113389)	4,600
Contract Amendment #3	(Rogers-DSA Compliance, DSA A# 03-59916)	1,200
Contract Amendment #4	(Grant – Main Entry, DSA A# 03-112845)	468
Contract Amendment #5	(ELA Relo's, DSA A# 03-113389)	850
Contract Amendment #6	(McKinley Office & Entry DSA A# 03-113674)	5,650
Contract Amendment #7	(JAMS Mod & Site Improvements DSA A# 03-112808) (A.33)	4,684
Contract Amendment #9	(ELA, DSA A# 03-112999)	167,227
Contract Amendment #9	(ELA, DSA A# 03-112999)	63,065
Contract Amendment #10	(McKinley Office & Entry DSA A# 03-113674)	21,240
<b>Total Contract Amount</b>		<b>\$276,034</b>

Additional funding allocated from adjustments from program reserves. A Board item requesting for budget adjustment is also being presented at this Board Meeting.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: APPROVAL OF MEASURE BB CONSTRUCTION BUDGET INCREASE –  
MCKINLEY ELEMENTARY SCHOOL – MEASURE BB

RECOMMENDATION NO. A.14

It is recommended that the Board of Education approve an increase to the McKinley project budget by \$150,000. \$100,000 would be allocated to the construction budget and the remaining \$50,000 would be allocated to associated project soft costs. The current construction budget is \$522,000; the revised construction budget would be \$672,000. The \$150,000 would be re-allocated from available Program Reserves. The current Program Reserve is \$9,366,939. The revised Program Reserve would be \$9,216,939.

Funding Information

Budgeted: No  
Fund: 21  
Source: Building Fund  
Account Number: 21-90500-0-00000-85000-6200-004-2600  
DSA No.: 03-113674  
Budget Category: Hard Cost, Soft Costs  
Project: Entry and Main Office Reconfiguration Project

COMMENTS: An increase of \$150,000 in the project budget for the McKinley Elementary School Entry and Main Office Reconfiguration Project is needed to accommodate several unforeseen construction impacts and documents and related professional fees associated to the additional scope.

These construction cost increases were not part of the original project scope or budget and are projected to be at \$100,000. The remaining \$50,000 budget increase will accommodate the additional hard and soft costs for professional management, inspection and testing laboratory.

Of the \$150,000 budget increase, \$100,000 will be allocated for additional construction costs, and the remaining \$50,000 will be allocated to the other related soft costs (Inspection and Testing) needed to execute the work. Staff is currently negotiating these change orders with contractor and additional service requests with consultants.

It is proposed that these funds be reallocated from available program reserves. The program reserves were established for contingencies including unforeseen project scope increases and escalation.

The proposed budget increase was presented to the Measure BB Advisory Committee on 05/14/12.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: AMENDMENT TO CONTRACT FOR BID #10.40.BB-03-113674 – MCKINLEY  
ELEMENTARY SCHOOL – ENTRY AND MAIN OFFICE RECONFIGURATION  
PROJECT – FAST TRACK CONSTRUCTION CORPORATION – MEASURE BB

RECOMMENDATION NO. A.15

It is recommended that the Board of Education approve Change Order No. 4 for Bid #10.40.BB-03-113674 – McKinley Elementary School - Entry and Main Office Reconfiguration Project, to Fast Track Construction Corporation in the amount of \$19,939.33 for a total contract amount of \$508,279.90.

Funding Information

Budgeted: No  
Fund: 21  
Source: Building Fund  
Account Number: 21-90500-0-00000-85000-6200-004-2600  
DSA No.: 03-113674  
Budget Category: Hard Cost, Construction Contingency  
Project: Entry and Main Office Reconfiguration Project  
Friday Memo: 05/11/12

COMMENT: At the June 2, 2011, meeting of the Board of Education, Bid #10.40.BB-03-113674 – McKinley Elementary School – Entry and Main Office Reconfiguration was approved to Fast Track Construction Corporation, in the amount of \$461,500.

At the January 19, 2012, meeting of the Board of Education, Change Order No. 1 was approved in the amount of \$5,521.12

At the January 19, 2012, meeting the Board of Education, Change Order No. 2 was approved in the amount of \$13,128.29

At the February 16, 2012, meeting the Board of Education, Change Order No. 3 was approved in the amount of \$8,191.16

Change Order No. 4 includes the cost for all labor and materials for the additional required scope not included in the contract documents as well as approved credits for a total add of \$19,939.33 and 0 non-compensable contract day extension on the McKinley Elementary School – Entry and Main Office Reconfiguration Project. The revised contract total will be \$508,279.90. The contract duration remains unchanged at 121 days.

Change Order No. 4 includes the following changes to the terms of the contract:

Original Contract Amount:	\$461,500.00
Change Order No. 1:	5,521.12
Change Order No. 2:	13,128.29
Change Order No. 3:	8,191.16
<u>Change Order No. 4:</u>	<u>19,939.33</u>
Total Contract Amount:	\$508,279.90

Original Contract Duration	120 days
Change Order No. 1: (non-compensable)	0 days
Change Order No. 2: (non-compensable)	1 day
Change Order No. 3: (non-compensable)	0 days
Change Order No. 4: (non-compensable)	0 days
Total Contract Duration:	121 days

1. \$5,147.99 – Functional & Operational Enhancement – Increase counter height and add shelving at main office casework per request from site administration.
2. (\$1,313.06) – Credit – The signage was reduced from 3” thick hollow box channel letters to ¼” thick steel plate.
3. \$10,031.93 – Functional & Operational Enhancement – Provide a metal stud wall with cement plaster on top of a 6” curb behind new benches at front waiting area.
4. \$13,566.38 – Unforeseen Condition – Existing unforeseen plaster at walls of old restrooms had to be demolished to accommodate new fixture layout.
5. \$1,380.74 – Functional & Operational Enhancement – Installation of two access panels in the main office to allow access to Fire Alarm devices for maintenance.
6. \$2,947.00 – Functional & Operational Enhancement – Installation of new 11” high hollow metal frame to match existing doors.
7. \$7,257.58 – Functional & Operational Enhancement – Increased scope to slurry and restripe parking lot spaces and remove existing concrete to set truncated domes.
8. \$16,684.35 – Unforeseen Condition – Welding of exterior door frames to new C channel frames due to unforeseen hollow wall conditions.
9. (\$680.00) – Credit – Per request from site administration low wall swinging gate and post was removed from scope.
10. (\$30,000.00) – Credit – An allowance was established in the project which was not applied to any change order. This allowance is being credited back to the District.
11. (\$5,083.58) – Credit – Due to numerous inspections that were canceled and had to be rescheduled, Testing and Inspection Company MTGL had to perform additional inspections. These additional inspections are being back-charged to the contractor.

Additional funding allocated from adjustments from program reserves. A Board items requesting for budget adjustment is also being presented at this Board Meeting.

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: ACCEPT WORK AS COMPLETED FOR GENERAL SERVICES  
ADMINISTRATION CONTRACT– MCKINLEY ELEMENTARY SCHOOL ENTRY  
AND OFFICE RECONFIGURATION PROJECT – SIMPLEX – MEASURE BB

RECOMMENDATION NO. A.16

It is recommended that the Board of Education accept as completed all work contracted for GSA contract, Bid #10.40.BB-03-113674, McKinley Elementary School-Entry and Office Reconfiguration Project, to Simplex with the final contract amount of \$49,348.19.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Building Fund  
Account Number: 21-90500-0-00000-85000-6200-004-2600  
DSA No.: 03-113674  
Budget Category: Hard Cost, Construction  
Project: Entry and Main Office Reconfiguration Project

COMMENT: The contract with Simplex for fire and security equipment and appropriate services specified under contract #GS-07-0396M as applicable to McKinley Elementary School-Entry and Office Reconfiguration Project, Bid #10.40.BB-03-113674, has been completed. In order to facilitate the release of final payment, a Notice of Completion must be filed for thirty-five (35) days with the County of Los Angeles pending approval by the Board of Education.

<u>Original Contract Amount</u>	<u>\$49,348.19</u>
Final Contract Amount:	\$49,348.19

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: CONTRACT AMENDMENT #10 FOR GEOTECHNICAL OBSERVATION AND TESTING SERVICES – JOHN ADAMS MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDINGS E, F, & G, NEW ADMINISTRATION, MODERNIZATION AND SITE IMPROVEMENTS (PACKAGE 2B) – CONVERSE CONSULTANTS – MEASURE BB

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve Contract Amendment #10 with Converse Consultants to provide additional geotechnical observation and testing services for John Adams Middle School - Replacement of Classroom Buildings E, F & G, New Administration, Modernization and Site Improvements Project (Package 2B), in the amount of \$59,583.00, for a total contract amount of \$199,555.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Measure BB  
Account Number: 21-90500-0-00000-85000-5802-011-2600  
Budget Category: Soft Costs/Tests & Inspection/Materials Lab

COMMENTS: Converse is providing Geotechnical Observation and Testing Services for the John Adams Middle School - Replacement of Classroom Buildings E, F & G, New Administration, Modernization and Site Improvements Project (Package 2B). Contract amendment #9 was approved on April 6, 2011 for an amount for \$17,171.00 for this scope. This contract award was based on preliminary construction schedule. Construction contract was awarded in July 20, 2011 for the project. Following this award, contractor provided District with detailed construction schedule that indicated specifically the schedule for soil sampling and testing as it relates to the various grading activities and installation of earth tubes. This extended schedule has resulted in additional hours for testing.

Furthermore, during the course of the excavation and grading activities, additional contaminated soils were discovered which considerably increased the total amount of soils that required inspection, testing, remediation and disposal. Additionally soil moisture at various locations on site was excessively high and this required several attempts at re-compaction to establish a firm bottom. These unforeseen conditions have resulted in additional scope for the project which necessitated additional soils observation, inspection and testing.

These additional testing has resulted in a total add of \$59,583.00. Of this amount, \$40,998 is for unforeseen conditions. As this scope was not part of original project scope, these funds will be drawn upon by adjustments to program reserve. A budget adjustment for the project will be presented to the Board of Education at a later Board meeting once all costs including change orders to the contractor for unforeseen underground conditions are reviewed and negotiated. To ensure prompt payment to the consultant and to allow no interruption to required testing, we recommend that the Board of Education approve this amendment. The revised contract total will be \$199,555.

ORIGINAL CONTRACT – John Adams MS	\$ 26,950
ORIGINAL CONTRACT – Lincoln MS	28,250
CONTRACT AMENDMENT #1 (Adams testing)	8,545
CONTRACT AMENDMENT #2 (Additional Adams testing)	5,682
CONTRACT AMENDMENT #3 (Adams Field Investigation – parking lot)	2,930
CONTRACT AMENDMENT #4 (Adams Relos - geotech observ. & testing)	15,540
CONTRACT AMENDMENT #5 (Adams Green Fringe geotech observ testing)	11,040
CONTRACT AMENDMENT #6 (Lincoln Relos – geotech observ testing)	11,870
CONTRACT AMENDMENT #7 (Adams Green Fringe geotech observ testing sewer)	1,329
CONTRACT AMENDMENT #8 (Lincoln Relos Fire Water Main geotech observ)	10,665
CONTRACT AMENDMENT #9 (Adams New Const. & Mod. geotech observ)	17,171
CONTRACT AMENDMENT #10 (Adams Additional. geotech testing)	59,583
<b>TOTAL:</b>	<b>\$199,555</b>

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: APPROVAL OF LINCOLN MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDING C, MODERNIZATION AND SITE IMPROVEMENTS PROJECT (PACKAGE 2) AS A “SUBSTANTIALLY COMPLEX” PROJECT – MEASURE BB

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve Lincoln Middle School-Replacement of Classroom Building C, Modernization and Site Improvements Project to be “substantially complex.”

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Building Fund  
Account Number: 21-90500-0-00000-85000-6200-012-2600  
Budget Category: N/A  
Project: Classroom Building C, Modernization and Site Improvements Project  
Friday Memo: 05/11/12

COMMENTS: Senate Bill 293 (Chapter 700, Statutes of 2011) added Section 7201 to the Public Contract Code stating that the contract payment retention amount withheld by any public agency from the contractor shall not exceed five (5) percent. Districts may retain an amount greater than five (5) percent by defining that the project is substantially complex.

Defining a project as substantially complex requires approval from the Board of Education.

The Lincoln Middle School Classroom Building C, Modernization and Site Improvements Project is an approximately 33,000 square feet, two-story building that will house the new library, chorus room, six standard classrooms, and two science labs. The project scope also includes upgrades to existing fire alarm system campus wide and site improvements at main entry, courtyard, and parking areas. The construction is a combination of poured in place concrete, footings, structural steel, and concrete over high shear decking. The exterior skin is a combination of cement plaster, perforated aluminum panels, metal wall panels, and aluminum curtain wall system. Additionally, the new two-story construction is adjacent to existing two-story classroom building and also ties into existing buildings. The majority of the construction will happen when the school site is occupied.

*(Continued on next page)*

These various situations constitute a complex construction. To ensure prompt on-time completion of this project and to protect the District and the taxpayers, ten (10) percent retention from periodic construction pay applications is appropriate.

The Board of Education is requested to approve Lincoln Middle School Classroom Building C, Modernization and Site Improvements Project as “substantially complex,” thereby allowing ten (10) percent retention.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

5/17/12

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

RE: RATIFY AWARD OF BID #12.08.BB – WASHINGTON CDS – MODERNIZATION PROJECT – TO BEST CONTRACTING SERVICES, INC. – MEASURE BB

RECOMMENDATION NO. A.19

It is recommended that the Board of Education ratify the award of Bid #12.08.BB, Washington CDS – Modernization Project, to Best Contracting Services, Inc. the lowest responsive responsible bidder, in the amount of \$111,860.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Measure BB  
Account Number: 21-90500-0-00000-85000-6200-070-2600  
Project: Washington CDS (98007010)  
Budget Category: Hard costs\Construction Contracts

COMMENT: On December 9, 2010, the Board of Education approved Resolution No. 10-15 to enact informal bidding procedures under the Uniform Public Construction Cost Accounting Act. The Sealy Field Upgrades Project Bid #12.07.BB was bid under these enacted guidelines.

The project job walks were held on Thursday, February 9, 2012, at 10:00 AM, and on Tuesday, February 14, 2012, at 10:00 AM. Nine (9) bids were received on February 28, 2012, as follows:

<b>1. Best Contracting Services Inc.</b>	<b>\$111,860.00</b>	<b>Recommended</b>
2. Stone Roofing Co. Inc.	\$111,867.00	
3. Rite-Way Roof Corp.	\$117,140.00	
4. Cabral Roofing Corp.	\$117,417.00	
5. J Cab & Son's Roofing	\$127,086.00	
6. Alfa 26 w/Letner Roofing	\$138,706.00	
7. Eberhard	\$142,597.00	
8. F C and Sons Roofing Inc.	\$144,963.00	
9. Chapman Coast Roof Co. Inc	\$147,000.00	

It was determined by staff that the project scope is as intended at the job walk and that all prevailing labor rates will be observed. The Notice of intent was issued to Best Contracting Services, Inc. on 3/15/2015.

There is adequate budget to fund these expenses.

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





TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: AWARD AND APPROVAL OF LEASE AGREEMENT OF MODULAR BUILDINGS TO McGRATH RENT CORPORATION (dba MOBILE MODULAR, INC) FOR MALIBU HIGH SCHOOL, CAMPUS IMPROVEMENT PROJECT – MEASURE BB

RECOMMENDATION NO. A.20

It is recommended that the Board Of Education approve the leasing of four (4) units at Malibu High School for the term of forty (40) months plus the delivery, set-up, and removal fees in the amount of \$335,255.

Funding Information

Budgeted: Yes

Fund: 81

Source: Building Fund

Account Number: 81-90500-0-00000-85000-5630-010-2600

DSA No.: 03-113456

Budget Category: Hard Costs\Construction\Modulars

Project: MMHS: New Bldg and Modernization (98001010D)

COMMENTS: On 7/16/09, the Board of Education approved a contract for the leasing of modular classrooms with McGrath Rent Corporation (dba Mobile Modular, Inc.) for the Measure BB Bond Program, through a piggy back contract.

Malibu High School, Campus Improvement Project is the fourth of the four bond measure facilities which will need modular units for swing space during construction (Lincoln, Adams, and Edison). The relocatable units have been designed and are ready to be ordered.

Malibu High School, Campus Improvement Project will require four (4) units, three classrooms and a library. The estimated lease period is 32 to 36 months, and should not exceed 41 months. Fees are separated into three types, set-up charges, break-down and removal charges and monthly lease fees. Leasing will start in the second quarter of 2012. Site preparation and utilities will be bid with the main Measure BB scope of work at the campus.

*(Continued on next page)*

**3 - 24' x 40' Classroom Buildings**

3 units, Delivery, Set-Up, and First Month's Rent				\$21,957.00
Break-Down and Removal				\$11,436.00
Lease Fees ( <i>\$469 ea. Unit</i> )	40	Months	\$1,407.00	\$56,280.00
<b>Total Classroom Costs</b>				<b>\$89,673.00</b>

**48' x 40' Library Building**

Delivery and Set-Up with First Month's Rent				\$18,460.00
Break-Down and Removal				\$10,875.00
Lease Fees	40	Months	\$5,450.00	\$218,000.00
<b>Total Classroom Costs</b>				<b>\$247,335.00</b>

<b>Total Contract amount</b>				<b>\$337,008.00</b>
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These costs were anticipated for the project and there is available budget.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: CONTRACT AMENDMENT #19 FOR ADDITIONAL SERVICES FOR SANTA MONICA HIGH SCHOOL REPLACEMENT OF EXISTING FOOTBALL FIELD WITH SYTNEHTIC TURF PROJECT – R.L. BINDER FAIA ARCHITECTS, LLP – CCJUP

RECOMMENDATION NO. A.21

It is recommended that the Board of Education approve Contract Amendment #19 with R.L. Binder FAIA Architects, LLP, for the Santa Monica High School Replacement of Existing Football Field with Synthetic Turf Project, in an amount of \$3,910 for a total contract amount of \$7,133,249.

Funding Information

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

COMMENT: Additional services for a Storm Drain Connection Plan and relevant details for the off-site storm drain near the intersection of Pico Boulevard and 4th Street were approved in the amount of \$8,750 for Contract Amendment #18 at the 4/19/12 Board of Education meeting. However, R.L. Binder's proposal for Contract Amendment #18 included only engineering cost.

This Contract Amendment #19, for \$3,910, is for the architectural work associated with Contract Amendment #18, for the Santa Monica High School Replacement of Existing Football Field with Synthetic Turf Project/Off Site Storm Drain. The revised contract total will be \$7,133,249.

*(Continued on next page)*

ORIGINAL CONTRACT AMOUNT	\$1,209,688
CONTRACT AMENDMENTS #1 & 2 (Siting Study)	180,000
CONTRACT AMENDMENT #3 (Not issued)	0
CONTRACT AMENDMENT #4 (Programming additional services)	209,244
CONTRACT AMENDMENT #5 (DD/CD/CA)	4,878,954
CONTRACT AMENDMENT #6 (Fire protection design)	36,720
CONTRACT AMENDMENT #7 (Revisions to siting study)	11,000
CONTRACT AMENDMENT #8 (Mechanical cooling design)	25,300
CONTRACT AMENDMENT #9 (Geotech Revisions impacts)	54,720
CONTRACT AMENDMENT #10 (50% CD review comments) Study #1	3,120
CONTRACT AMENDMENT #11 (50% CD review comments) Study #2 & #3	31,333
CONTRACT AMENDMENT #12 (50% CD review comments) Study #4	61,800
CONTRACT AMENDMENT #13 (50% CD review comments) Study #5	127,975
CONTRACT AMENDMENT #14* (Siting Study II)	153,950
CONTRACT AMENDMENT #15* (CCJUP Siting Study 2)	0
CONTRACT AMENDMENT #16* (APEOP Synthetic Turf Field)	63,486
CONTRACT AMENDMENT #17 (1500 kW Transformer)	73,299
CONTRACT AMENDMENT #18 (CCJUP MOU#2 Storm Drain)	8,750
CONTRACT AMENDMENT #19 (CCJUP MOU#2 Storm Drain)	3,910
<b>TOTAL</b>	<b>\$7,133,249</b>

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  
 05/17/12

RECOMMENDATION NO. A.22

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

**ADDITIONAL ASSIGNMENTS**

**ADAMS MIDDLE SCHOOL**

Saling, David	1.75 hrs @\$40.46	3/27/12	<u>Est Hrly/\$71</u>
			TOTAL ESTABLISHED HOURLY \$71

Comment: Proctor for Make-Up Writing Assessments  
 01-Tier III Programs Cat Flex

Beeman-Solano, Amy	1 hr @\$40.46	4/30/12	Est Hrly/\$40
Loopesko, Lorna	1 hr @\$40.46	4/30/12	Est Hrly/\$40
Saling, David	1 hr @\$40.46	4/30/12	<u>Est Hrly/\$40</u>
			TOTAL ESTABLISHED HOURLY \$120

Comment: Language Arts Planning Meeting  
 01-Economic Impact Aid – SCE

Avedian, Ray	6 hrs @\$40.46	6/19/12	Est Hrly/\$243
Brown, Daniel	6 hrs @\$40.46	6/19/12	Est Hrly/\$243
Dresher, Pamela	6 hrs @\$40.46	6/19/12	Est Hrly/\$243
Jurewicz, Kristin	6 hrs @\$40.46	6/19/12	Est Hrly/\$243
Levin, Tracy	6 hrs @\$40.46	6/19/12	Est Hrly/\$243
Post, Joel	6 hrs @\$40.46	6/19/12	Est Hrly/\$243
Sever, Pamela	6 hrs @\$40.46	6/19/12	<u>Est Hrly/\$243</u>
			TOTAL ESTABLISHED HOURLY \$1,701

Comment: Science Department Planning Meeting  
 01-Tier III Programs Cat Flex

**EDISON ELEMENTARY SCHOOL**

Ellis, John	4 hrs @\$40.46	3/21/12-3/28/12	<u>Est Hrly/\$162</u>
			TOTAL ESTABLISHED HOURLY \$162

Comment: Parent Training Sessions  
 01-IASA: Title I Basic-LW Inc/Neg

**EDUCATIONAL SERVICES**

Boxer, Lorissa	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Brumer, Sandra	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Contreras, Luis	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Cueva, Martha	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Dworin, Jeanne	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Fullerton, Anabella	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Jimenez, Sylvia	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Kusion, Alex	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Maiztegui, Laura	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Martinez, Elizabeth	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Meade, Mary	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Melendez, Brisa	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Morales, Carlos	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Murcia, Constanza	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Naranjo, Rocio	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Rankin, Nancy	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Rodriguez, Judith	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Salmaggi, Aileen	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500

Tejeda de Leon, Katrina	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Valentiner, Katharina	37.1 hrs @\$40.46	8/29/11-6/18/12	Est Hrly/\$1,500
Williams, Alma	37.1 hrs @\$40.46	8/29/11-6/18/12	<u>Est Hrly/\$1,500</u>
TOTAL ESTABLISHED HOURLY			\$31,500

Comment: Bilingual Stipend  
01-Unrestricted Resource

LINCOLN MIDDLE SCHOOL

Duran-Contreras, Martha	1.5 hrs @\$40.46	4/17/12	Est Hrly/\$61
Preuss, Jennifer	1.5 hrs @\$40.46	4/17/12	Est Hrly/\$61
Stauffer, Aimee	1.5 hrs @\$40.46	4/17/12	<u>Est Hrly/\$61</u>
TOTAL ESTABLISHED HOURLY			\$183

Comment: Parent Transition Meeting – Lincoln to Santa Monica HS  
01-Gifts – Equity Fund

SANTA MONICA HIGH SCHOOL

Hinojosa-Rieseck, Judith	15.5 hrs @\$40.46	2/11/12-2/18/12	Est Hrly/\$627
Pulido, Maribel	11.0 hrs @\$40.46	2/11/12-2/18/12	<u>Est Hrly/\$445</u>
TOTAL ESTABLISHED HOURLY			\$1,072

Comment: Correcting Transcripts  
01-Economic Impact Aid - SCE

ADDITIONAL ASSIGNMENT – DEPARTMENT CHAIR ASSIGNMENTS

GRANT ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Croft, Susan	1.25 EDU	5 <sup>th</sup> Grade Outdoor Camp	11/12 SY	\$320
Donovan, Michael	2.50 EDU	5 <sup>th</sup> Grade Outdoor Camp	11/12 SY	\$640
Hynding, Sheri	1.25 EDU	5 <sup>th</sup> Grade Outdoor Camp	11/12 SY	\$320
Kooy, Tracy	3.00 EDU	Student Council	11/12 SY	\$768
Marek, Mallory	2.50 EDU	5 <sup>th</sup> Grade Outdoor Camp	11/12 SY	\$640
Martinez, Lorena	0.75 EDU	Latino Leadership Club	11/12 SY	\$192
Caamal-Murcia, Gabriela	0.75 EDU	Latino Leadership Club	11/12 SY	\$192
Smith, Shelley	2.00 EDU	5 <sup>th</sup> Grade Leadership Club	11/12 SY	<u>\$512</u>
TOTAL				\$3,584

PT DUME ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Dunn, Margo	5.0 EDU	Overnight Trips/Student Council	11/12 SY	\$1,280
Jennings, Kris	3.5 EDU	Overnight Trips/Student Council	11/12 SY	\$ 896
Mackey, Tammy	1.5 EDU	Overnight Field Trip	11/12 SY	<u>\$ 384</u>
TOTAL				\$2,560

ROGERS ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Contreras, Sitara	3 EDU	Outdoor Science School	11/12 SY	\$768
Contreras, Sitara	1 EDU	Student Council	11/12 SY	\$256
Schneider, Kirsten	3 EDU	Outdoor Science School	11/12 SY	\$768
Smith, Devon	3 EDU	Outdoor Science School	11/12 SY	\$768
Smith, Devon	1 EDU	Student Council	11/12 SY	\$256
Witt, Carl	1 EDU	Outdoor Science School	11/12 SY	<u>\$256</u>
TOTAL				\$3,072

ROOSEVELT ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Alexander, Lorie	1 EDU	Student Council	11/12 SY	\$256
Jauregui, Marissa	1 EDU	Student Council	11/12 SY	\$256

Levy, Amy	1 EDU	Student Council	11/12 SY	\$256
Mathewson, Stefanie	1 EDU	Student Council	11/12 SY	\$256
Schneider, Rhonda	1 EDU	Student Council	11/12 SY	\$256
Snow, Angela	1 EDU	Student Council	11/12 SY	<u>\$256</u>
			TOTAL	\$1,536

WEBSTER ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Cook, Kristina	2 EDU	Yosemite Field Trip	11/12 SY	\$512
Held, Pamela	1 EDU	Math Club	11/12 SY	\$256
Rose, Lori	1 EDU	AstroCamp	11/12 SY	\$256
Rose, Lori	2 EDU	Student Council	11/12 SY	\$512
Rubin, Theresa	1 EDU	AstroCamp	11/12 SY	\$256
Verham, Karen	2 EDU	Yosemite Field Trip	11/12 SY	\$512
Verham, Karen	1 EDU	Math Club	11/12 SY	<u>\$256</u>
			TOTAL	\$2,560

JOHN ADAMS MIDDLE SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Blanchard, Cecile	8.0 EDU	Choral Music	1/12-6/12	\$2,048
Brown, Dan	6.0 EDU	Jr. Honor Society	1/12-6/12	\$1,536
Daws, Tracy	3.0 EDU	AVID	1/12-6/12	\$ 768
Garcia, Apryl	8.0 EDU	Orchestra	1/12-6/12	\$2,048
Goldberg, Cori	3.0 EDU	ASB	1/12-6/12	\$ 768
Hale, Shannon	1.5 EDU	AVID	1/12-6/12	\$ 384
Jung, Parisa	1.0 EDU	AVID	1/12-6/12	\$ 256
McNamara, Jeanie	1.5 EDU	AVID	1/12-6/12	\$ 384
Perez, Lourdes	3.0 EDU	AVID	1/12-6/12	\$ 768
Saling, David	2.0 EDU	Cross Currents	1/12-6/12	\$ 512
Woo, Angela	8.0 EDU	Band	1/12-6/12	<u>\$2,048</u>
			TOTAL	\$11,520

LINCOLN MIDDLE SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Allstot, Sean	2.00 EDU	Yearbook	1/12-6/12	\$ 512
DeHope, Kathryn	5.00 EDU	Tutor Club	1/12-6/12	\$1,280
Diamond, Renee	0.50 EDU	Jr. Honor Society	1/12-6/12	\$ 128
Greenfield, Sarah	1.50 EDU	Writing Club	1/12-6/12	\$ 384
Hart, Sharon	2.00 EDU	Jr. Honor Society	1/12-6/12	\$ 512
Hunt, Mark	6.00 EDU	Jazz Band	1/12-6/12	\$1,536
Levy, Amanda	0.75 EDU	Friend League	1/12-6/12	\$ 192
O'Brien, Marianna	1.00 EDU	Science Night	1/12-6/12	\$ 256
O'Brien, Marianna	0.50 EDU	Science Workshop	1/12-6/12	\$ 128
O'Brien, Marianna	1.00 EDU	Robotics	1/12-6/12	\$ 256
O'Brien, Marianna	1.50 EDU	Travel Club	1/12-6/12	\$ 384
Seymour, Robert	2.50 EDU	ASB	1/12-6/12	\$ 640
Sherman, Wynn	3.00 EDU	Anime	1/12-6/12	\$ 768
Sinclair, Michele	0.50 EDU	Jr. Honor Society	1/12-6/12	\$ 128
Tolentino, Aimee	0.75 EDU	Friend League	1/12-6/12	\$ 192
Ventre, Vanessa	6.00 EDU	Madrigals	1/12-6/12	\$1,536
Wang, James	6.00 EDU	Electric Strings	1/12-6/12	<u>\$1,536</u>
			TOTAL	\$10,368

**TOTAL ESTABLISHED HOURLY AND EXTRA DUTY UNITS = \$ 70,009**

**CHANGE IN ASSIGNMENT** Effective

Palumbus Debeech, Elizabeth

8/20/12-6/11/13

Lincoln MS/Humanities

From: 100%/Teacher

To: 80%/Teacher

**LEAVE OF ABSENCE (with pay)**

Name/Location

Effective

Dunn, Glenda

3/1/12-4/30/12

Child Develop Svcs

[medical]

(Revision of dates from 4/19/12 Agenda)

O'Meara, Peggy

4/26/12-6/18/12

Roosevelt Elementary

[maternity]

Rowland, Christine

3/19/12-3/30/12

Cabrillo Elementary

[FMLA]

**RESIGNATION**

Name/Location

Effective

Foo, Angela

3/30/12

Child Develop Svcs

Marco, Miguel

5/15/12

Lincoln Middle School

**RETIREMENT**

Name/Location

Effective

Siegel, Marlene

6/30/12

Special Education

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  
 05/17/12

RECOMMENDATION NO. A.23

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.

**TEMP/ADDITIONAL ASSIGNMENTS**

		<b><u>EFFECTIVE DATE</u></b>
Curry, Kimberley Student Services	Administrative Asst [additional hours, as needed]	4/16/12-6/29/12
Flores, Henry Theater Ops/Facility Permits	Campus Security Officer [additional hours, as needed]	4/21/12-6/30/12
Gleason, Tim Rogers Elementary	Custodian [overtime, as needed for special events]	5/4/12-6/14/12
Martinez, Sonia Malibu High School	Inst Asst – Special Ed [additional hours, Fitgram Testing]	1/1/12-6/15/12
Vasquez, Graciela Adult Education	Campus Security Officer [overtime, as needed]	3/1/12-6/30/12
Venable, Mark Rogers Elementary	Custodian [overtime, as needed for special events]	5/4/12-6/14/12

**SUBSTITUTES**

		<b><u>EFFECTIVE DATE</u></b>
Flores, Henry Operations	Custodian	4/1/12-6/15/12

**VOLUNTARY TRANSFER**

		<b><u>EFFECTIVE DATE</u></b>
Benjamin, Jacquita Lincoln MS	Inst Asst – Special Ed 6 Hrs/SY Fr: 6 Hrs/SY/McKinley Elementary	5/2/12

**LEAVE OF ABSENCE (PAID)**

		<b><u>EFFECTIVE DATE</u></b>
Alvarez, Alicia Edison Elementary	Administrative Asst Maternity	4/12/12-6/29/12
Dodd, Jason Maintenance	Carpenter Medical	4/10/12-4/30/12
Holloway, Shirlene Food Services	Cafeteria Worker I Medical	4/18/12-4/23/12
Lopez, Victoria Santa Monica HS	Campus Security Officer Medical	4/3/12-7/16/12

**LEAVE OF ABSENCE (UNPAID)**

		<b><u>EFFECTIVE DATE</u></b>
Gonzalez, Gabrielle Grant Elementary	Inst Asst – Special Ed Personal	3/2/12-4/26/12

Treto, Sandra Grant Elementary	Inst Asst – Classroom Child Care	4/16/12-6/15/12
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**PROFESSIONAL GROWTH**

**EFFECTIVE DATE**

Cuevas, Jose Operations	Custodian	5/1/12
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Delgado, Eduardo Malibu High School	Inst Asst – Special Ed	5/1/12
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Mesrobian, Krikor Franklin Elementary	Inst Asst – Special Ed	5/1/12
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Walker, Louis Santa Monica HS	Custodian	5/1/12
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**WORKING OUT OF CLASS**

**EFFECTIVE DATE**

Williams, Steven Food Services	Stock Delivery Clerk Fr: Cafeteria Worker I	5/1/12-6/8/12
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**RESIGNATION**

**EFFECTIVE DATE**

Gaylor, Amanda Santa Monica HS	Inst Ass – Special Ed	5/11/12
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Jones, Victoria Special Education	Sr. Office Specialist	5/9/12
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Vilchez, Luisa Child Develop Svcs	Bilingual Community Liaison	5/31/12
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**RETIREMENT**

**EFFECTIVE DATE**

Boyd, Jacqueline SMASH	Inst Asst – Classroom	6/15/12
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Young, Wilbert Personnel Commission	Director, Classified Personnel	12/31/12
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MOTION MADE BY:  
SECONDED BY:  
STUDENT ADVISORY VOTE:  
AYES:  
NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT  
05/17/12  
FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / WILBERT YOUNG  
RE: CLASSIFIED PERSONNEL – NON-MERIT

RECOMMENDATION NO. A.24

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**

COOPER, TONI	SANTA MONICA HS	4/19/12-6/30/12
HACKETT, SHANE	SANTA MONICA HS	5/2/12-6/30/12
WILLIAMS, RENARD	SANTA MONICA HS	3/20/12-6/30/12

**NOON SUPERVISION AIDE**

NIXON, ROBERT	ROOSEVELT ELEMENTARY	4/20/12-6/15/12
RUIZ, ANTELMA	JOHN ADAMS MIDDLE SCHOOL	2/13/12-6/15/12

**TECHNICAL SPECIALIST – LEVEL II**

HYZIAK, MICHAEL	SMASH [Music Instruction, Jazz program] - Funding: Reimbursed by PTA	1/6/12-6/8/12
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MOTION MADE BY:  
SECONDED BY:  
STUDENT ADVISORY VOTE:  
AYES:  
NOES:



TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: STUDENT TEACHING AGREEMENT – AZUSA PACIFIC UNIVERSITY

RECOMMENDATION NO. A.25

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

INSTITUTION: Azusa Pacific University  
EFFECTIVE: July 1, 2012, through June 30, 2015  
PAYMENT: The University shall pay the District \$200.00 per secondary student teacher, and \$100.00 per elementary student teacher.

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

05/03/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: EXPULSION OF STUDENT (B/D 09/15/93)

RECOMMENDATION NO. A.26

It is recommended that the Board of Education expel student (B/D 09/15/93).

COMMENT: The Superintendent of Santa Monica-Malibu Unified School District has recommended the expulsion based on the student's violations of Education Code Sections 48900(a), 48915(a) (1):

Caused, attempted to cause, or threatened to cause physical injury to another person. Education code 48900(a)(1)

Causing serious physical injury to another person, except in self-defense

Additional findings: The presence of this student causes a continuing danger to the safety of students and staff.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:





TO: BOARD OF EDUCATION

ACTION/CONSENT

05/17/12

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

RE: CONSIDER APPOINTMENT TO MEASURE BB ADVISORY COMMITTEE

RECOMMENDATION NO. A.27

It is recommended that the Board of Education appoint Barbara Chiavelli to the Measure BB Advisory Committee.

COMMENT: There is currently one opening on the Measure BB Advisory Committee. The District announced this opening in January and received one application. The Measure BB Advisory subcommittee met and recommends the Board of Education appoint the following individual to fill the opening on the Measure BB Advisory Committee:

Barbara Chiavelli

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:



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## **MAJOR ITEMS**



TO: BOARD OF EDUCATION

ACTION/MAJOR

05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON /  
MAROLYN FREEDMAN

Postponed  
from 05/03/12

RE: REVISE BP 5145.9 AND ADOPT AR AND EXHIBIT 5145.9 – HATE  
MOTIVATED BEHAVIOR

RECOMMENDATION NO. A.28

It is recommended that the Board of Education revise BP 5145.9 and adopt AR and Exhibit 5145.9 – Hate Motivated Behavior and Administrative Regulations

COMMENTS: The Hate Motivated Behavior policy has been revised and updated to include a definition of Hate Motivated Behavior and to establish Administrative Regulations for this policy. The policy revisions and Administrative Regulations were developed in conjunction with district staff, Health and Safety District Advisory Ad Hoc Committee members, members of the community and SMMUSD Risk Manager.

These changes came forward for board discussion on March 15 (Item No. D.02).

The Administrative Regulations specifies the types of conduct that would constitute hate motivated and how hate motivated behavior should be determined by staff. It also specifies the following:

- How a student subjected or witnessing this behavior should report to staff
- Elements of an investigation
- Notification of the parents and guardian
- Disciplinary Measures
- Support for Students
- Training of staff and students
- Reporting to District Office and Risk Manager
- District Record Keeping
- Reporting to the Board of Education on a quarterly basis
- Consequences for staff have been removed and will be considered for a staff-related policy

Attachments:

- BP 5145.9, AR 5145.9, and E 5145.9 – Hate Motivated Behavior

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

**HATE-MOTIVATED BEHAVIOR**

The Board of Education affirms the right of every student to be protected from hate-motivated behavior. It is the intent of the Board to promote harmonious relationships that enable students to gain a true understanding of the civil rights and social responsibilities of people in our society. Behavior or statements that degrade an individual on the basis of his/her race, ethnicity, culture, heritage, gender, sexual orientation, physical/mental attributes, religious beliefs or practices shall not be tolerated.

**Definition of Hate Motivated Behavior**

Hate motivated behavior is an act, or attempted act, motivated by hostility toward a victim's actual or perceived race, ethnicity, national origin, immigrant status, gender, sexual orientation, religious belief, age, disability, or any physical or cultural characteristics.(California Ed. Code Section 200.3 and section 422.55 of the California Penal Code.)

Hate-motivated incidents include those actions that are motivated by bias, but do not meet the necessary elements required to prove a crime. This may include such behavior as non-threatening name-calling, using racial slurs or disseminating racist leaflets.

Any student who feels that he/she is a victim of hate-motivated behavior shall immediately contact the principal or designee. If the student believes that the situation has not been remedied by the principal or designee, he/she may file a complaint in accordance with district complaint procedures.

Staff who receive notice of hate-motivated behavior or personally observe such behavior shall immediately notify the principal, Superintendent or designee, and law enforcement, as appropriate. Students demonstrating hate-motivated behavior shall be subject to discipline in accordance with Board policy and administrative regulation.

In addition, the district shall provide counseling and appropriate ~~sensitivity~~ anti-bias training and diversity education for students exhibiting hate-motivated behavior. The district shall also provide counseling, guidance and support, as necessary, to those students who are the victims of hate-motivated behavior.

The Superintendent or designee shall ensure that staff receive appropriate training to recognize hate-motivated behavior and methods for handling such behavior in appropriate ways.

The district shall provide age-appropriate instruction to help promote understanding of and respect for human rights.

Each school will adopt a Student Code of Conduct to be followed by every student at school or at school-sponsored or school-related activities.

At the beginning of each school year, students and staff shall receive a copy of the district's policy on hate-motivated behavior. Additionally, Principals or designee shall visit each student's classroom at the beginning of each school year to discuss consequences of violating this policy.

The district shall develop and implement guidelines designed to raise the awareness and sensitivity of teachers, administrators, and school employees to potentially prejudicial and discriminatory behavior and to encourage the participation of these groups in these programs.

Each teacher shall create and foster an environment that encourages pupils to realize their full potential and that is free from discriminatory attitudes, practices, events, or activities, in order to prevent acts of hate-motivated behavior.

Legal Reference:

EDUCATION CODE

[200-262.4](#) Prohibition of discrimination on the basis of sex

[48900.3](#) Suspension for hate violence

PENAL CODE

[186.21](#) Street terrorism; legislative findings and declarations

[422.55-422.86](#) Hate Crimes

[11410-11414](#) Terrorism

[13023](#) Reports by law enforcement of crimes motivated by race, ethnicity, religion, sexual orientation or physical or mental disability

[13519.6](#) Hate crimes, training courses and guidelines

UNITED STATES CODE, TITLE 18

245 Federally protected activities

Management Resources:

CSBA PUBLICATIONS

*Protecting Our Schools: Governing Board Strategies to Combat School Violence, 1995*

ALAMEDA OFFICE OF EDUCATION & CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Hate-Motivated Behavior in Schools: Response Strategies for School Boards, Administrators, Law Enforcement and Communities, 1997*

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS & NATIONAL ASSOCIATION OF ATTORNEYS

GENERAL PUBLICATIONS

*Protecting Students from Harassment and Hate Crime: A Guide for Schools, 1999*

WEB SITES

CDE: <http://www.cde.ca.gov>

California Association of Human Relations Organizations: <http://www.cahro.org>

United States Department of Education, Office of Civil Rights: <http://www.ed.gov/offices/OCR/index.html>

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

**HATE MOTIVATED BEHAVIOR**

The Board of Education is committed to maintaining an educational environment that is free from harassment and discrimination of any kind.

**Definition of Hate Motivated Behavior**

Hate motivated behavior is an act, or attempted act, motivated by hostility toward a victim's actual or perceived race, ethnicity, national origin, immigrant status, gender, sexual orientation, religious belief, age, disability, or any physical or cultural characteristics.(California Ed. Code Section 200.3 and section 422.55 of the California Penal Code.)

Hate-motivated incidents include those actions that are motivated by bias, but do not meet the necessary elements required to prove a crime.

Types of conduct which are prohibited in the district and which may constitute hate motivated behavior targeted toward a victim's actual or perceived race, ethnicity, national origin, immigrant status, gender, sexual orientation, religious belief, age, disability, or any physical or cultural characteristics include, but are not limited to:

1. Graffiti containing offensive language
2. Threatening or intimidating conduct
3. Jokes, teasing, rumors or name calling
4. Slurs, negative stereotyping, and other hostile acts
5. Graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading the target
6. A physical act of aggression or assault
7. Threatening phone calls, hate mail, cyber or other electronic communication
8. Vandalism or destruction of religious symbols or images
9. Other kinds of aggressive conduct such as theft or damage to property.

The determination of hate motivated behavior should be made when the behavior is judged by a reasonable person of the same protected group as the target to be sufficiently severe or pervasive to have a negative impact on the student's academic environment.

**Investigation of Complaints Regarding Hate Motivated Behavior by Another Student**

1. Notice and Receipt of Complaint: Any student, parent/guardian, or staff who believes a student has been subjected to hate motivated behavior or who has witnessed hate motivated behavior shall report to the school principal or designee immediately. Reports may be either oral or written. The school shall assist the student in the writing of the complaint if necessary.
2. Initiation of Investigation: Principal or designee shall initiate an investigation of an allegation of hate motivated behavior within five school days of receiving notice of the incident, regardless of whether an informal or formal complaint has been filed.



The investigation at the school site shall include interviewing:

- The student who is complaining
- The person accused of harassment
- Anyone who witnessed the conduct complained of
- Anyone mentioned as having related information

Factors to consider may include, but not limited to the following:

- Nature and scope of the incident
- Impact on the target
- Impact on members of the target's group
- Age of the target
- Age of the perpetrator
- Context in which the incident occurred

The complainant or the target shall not be required or asked to meet with the alleged harasser or person suspected of hate motivated behavior.

Principal or designee shall activate the school Threat Assessment Team to determine the level of threat posed to the target and need for safety supports.

The school shall notify the parents/guardians of the following: the target/s, the student/s who made the report and the alleged perpetrator/s of the incident.

3. Reporting: The Principal or designee shall file an Incident Report to be submitted to the Risk Manager.

The principal or designee shall give the Director of Student Services a written report of the complaint and investigation. If the Principal or designee determines that hate motivated behavior has occurred, this report shall describe the actions taken to end the behavior including appropriate disciplinary action, addressing the effects of the behavior on the target, and preventing retaliation or further incidents.

### **Disciplinary Measures**

Any student who engages in hate motivated behavior toward anyone at school or at a school-sponsored or school-related activity is in violation of this policy and shall be subject to disciplinary action.

Students in grades 4-12 who engage in hate motivated behavior shall be subject to discipline including, but not limited to requiring a behavior contract, counseling, community service, suspension, expulsion, transfer to another school, transfer to an alternative program, or denial of participation in extracurricular or co-curricular activities in accordance with Board Policy and administrative regulation.

The Superintendent or designee shall notify local law enforcement as appropriate.

~~Any employee who engages in hate motivated behavior is in violation of this policy and shall be subject to disciplinary measures including but not limited to suspension, transfer to alternative job location, participation in counseling program, termination of employment.~~

### **Support for Students**

The Superintendent or designee shall take appropriate actions to provide support for students who have been subjected to or witnessed an act of hate motivated behavior.

1. The Principal or designee will make it clear to the affected student(s) and the parents/guardians that any form of retaliation or mistreatment of a student who complained will not be tolerated.
2. ~~In instances where there were substantiated findings that a student was subjected to hate motivated behavior by a district employee or volunteer, the district will offer, and upon the request of the parent/guardian, will assist the student in receiving counseling intervention support.~~
3. The principal or designee shall also **assist the target in receiving counseling intervention support and** advise the target and the parent/guardian of any other resources and supports that may be available.

### **Information and Training**

The Superintendent or designee shall ensure that all staff receive training and all district students receive age-appropriate instruction and information on following regarding hate motivated behavior as follows:

1. Acts and behavior which constitute hate motivated behavior;
2. Encouragement for those subject to, and witnesses of, hate motivated behavior to report incidents immediately, and assurance that they will be protected from retaliation.
3. Name(s) or title(s) of the person(s) to whom hate motivated behavior should be reported.

### **Notifications**

A copy of the district's hate motivated behavior policy and regulation shall:

1. Be summarized in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code [48980](#); 5 CCR [4917](#))
2. Appear in any school or district publication that sets forth the school's or district's comprehensive rules, regulations, procedures, and standards of conduct (Education Code [231.5](#))
3. Be summarized in the student handbook
4. Be provided to employees and employee organizations

### **Record Keeping**

All reports will be forwarded to the Director of Student Services for record keeping. **Records shall be maintained in Student Services for five years.**

**Each quarter (October, January, April, and June), the Superintendent shall inform the public via an Information Item in the Board Agenda regarding the number of reported student hate motivated behavior incidents for the prior quarter, with total number of reported cases by sites with those found to be violations of the policy and their respective resolutions.**

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

HATE MOTIVATED BEHAVIOR

Santa Monica-Malibu Unified School District
Behavior Report

Date and Time of Alleged Incident(s) School Site:

Student Target/s:

Alleged Perpetrator/:

Person Reporting the Incident :

Type of Harassment or Hate Motivated Behavior:

- Checkboxes for Race, Ethnicity, National Origin, Immigrant Status, Gender, Religious, Disability, Physical or Cultural Characteristics, Age, Sexual.

Describe the incident, including such things as specific types of behavior, any verbal or written statements (i.e. threats, requests, demands, etc.), any physical contact was involved. Attach additional pages as necessary.

Four horizontal lines for describing the incident.

List any witnesses:

Have there been any previous incidents? Attach additional pages as necessary.

Describe the actions the school has taken to end the behavior including appropriate disciplinary action, addressing the effects of the behavior on the target, and preventing retaliation or further incidents. (Attach additional pages as necessary.)

Two horizontal lines for describing school actions.

Law Enforcement Notified yes no Parent/Guardian Notified yes no

Investigating Administrator Date

Site Administrator Signature Date

District Office Only box containing fields for Report reviewed by, Date, and Summary of Investigation.



TO: BOARD OF EDUCATION  
FROM: SANDRA LYON / DEBRA MOORE WASHINGTON  
RE: CLASSIFIED LAYOFFS / REDUCTION IN HOURS

ACTION/MAJOR  
05/17/12

RECOMMENDATION NO. A.29

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

COMMENT: At the February 18, 2012, Budget Study Session, the Board of Education first received staff recommendations for reductions in both certificated and classified staffing. As a result, the district has already implemented reductions in certificated and administrative staffing.

The district is now focused on reductions in the classified work force due to lack of funds. The process for considering this layoff begins with notice to SEIU followed by Board action to reduce classified staffing.

Per Article 30.1.1. of the collective bargaining agreement, staff presented 45-day notice of possible reductions in Classified FTEs to SEIU-Local 99 on March 29, 2012. Within the 45-day period, discussions were held with members of the SEIU executive board. Following approval by the Board of Education, impacted employees will receive 45-day notice of Layoff/Reduction in Hours and the option to exercise displacement (bumping) rights, if available.

The list below illustrates the classifications to be reduced:

Reduce Accounting Technician	1.0 F.T.E.	
Reduce Sr. Office Specialist	3.0 F.T.E.	
Reduce Instructional Assistant, Special Ed	5.0 F.T.E.	
Reduce Human Resources Technician	0.5 F.T.E.	Human Resources
Reduce Human Resources Technician	<u>0.5 F.T.E.</u>	Personnel Commission
TOTAL CLASSIFIED F.T.E.	10.0 F.T.E.	

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



TO: BOARD OF EDUCATION

ACTION/MAJOR  
05/17/12

FROM: SANDRA LYON / JANECE L. MAEZ

RE: RECOMMENDATION FROM BOARD SUBCOMMITTEE OF APPOINTMENTS  
TO FILL VACANCIES ON THE FINANCIAL OVERSIGHT COMMITTEE (FOC)

RECOMMENDATION NO. A.30

After conducting a thorough application review and interview process, the Board subcommittee unanimously recommends that the Board of Education approve the appointments of Daniel McGee, Cynthia Torres, and David Vukadinovich to fill vacancies on the Financial Oversight Committee (FOC).

COMMENT: At the March 1, 2012, Board meeting, the Board voted to appoint a subcommittee comprised of Jose Escarce, Laurie Lieberman, and Nimish Patel (the current board liaisons to the FOC) to conduct interviews and make recommendations to the Board with respect to the three seats on the FOC wherein the terms of seated members expired on December 31, 2011. This recommendation represents the outcome of the subcommittee's process.

Prior to appointment of the Board subcommittee, the FOC's ad hoc Nominating Subcommittee had independently reviewed and ranked the twelve applications that had been received in response to the District's press release notifying the public of the impending vacancies. The FOC subcommittee had recommended re-appointment of the three sitting FOC members who were seeking re-appointment.

Subsequent to appointment of the Board subcommittee, Joan Chu Reese, one of the applicants for re-appointment to the FOC, submitted her resignation and withdrew her application, which the Board subcommittee deeply regrets. The Board subcommittee interviewed five applicants, two of whom are sitting members of the FOC (since Ms. Chu Reese had withdrawn). The Board subcommittee is unanimous in its recommendation that the Board appoint Daniel McGee, Cynthia Torres, and David Vukadinovich to terms ending December 31, 2014.

*(Continued on next page)*

As board liaisons to the FOC, the subcommittee members intend to work with the FOC going forward to review the FOC Statement of Purpose and to collaborate with the FOC on its charges for the upcoming year. The subcommittee is committed to improving what it believes to be an important relationship between the FOC and the Board.

<b>Term Ends 12/31/12</b>	<b>Term Ends 12/31/13</b>	<b>Term Ends 12/31/14</b>
Craig Hamilton	Patricia Hoffman	<b><i>Daniel McGee</i></b>
Gordon Lee	Paul Silvern	<b><i>Cynthia Torres</i></b>
Carrie Wagner	Shelly Slaugh Nahass	<b><i>David Vukadinovich</i></b>
Thomas Larmore	Craig Foster	

MOTION MADE BY:  
 SECONDED BY:  
 STUDENT ADVISORY VOTE: N/A  
 AYES:  
 NOES:



TO: BOARD OF EDUCATION

ACTION/MAJOR

05/17/12

FROM: SANDRA LYON / WILBERT YOUNG

RE: ADOPT RESOLUTION NO. 11-35 - CLASSIFIED SCHOOL EMPLOYEES  
WEEK, MAY 20-26, 2012

RECOMMENDATION NO. A.31

It is recommended that the Board of Education adopt Resolution No. 11-35 in recognition of Classified School Employees Week, May 20-26, 2012.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
BOARD OF EDUCATION AND PERSONNEL COMMISSION**

**RESOLUTION NUMBER 11-35  
CLASSIFIED SCHOOL EMPLOYEES WEEK  
MAY 20-26, 2012**

**WHEREAS**, Classified school employees provide valuable services to schools and students of the Santa Monica-Malibu Unified School District; and

**WHEREAS**, Classified school employees contribute to the establishment and promotion of a positive instructional environment in our classrooms for the students and teachers; and

**WHEREAS**, Classified school employees play a vital role in providing for the welfare and safety of the Santa Monica-Malibu Unified School District's students; and

**WHEREAS**, Classified school employees strive for excellence in all areas relative to the life-long learning educational communities of Santa Monica and Malibu;

**THEREFORE, BE IT HEREBY RESOLVED**, that the Santa Monica-Malibu Unified School District's Board of Education and Personnel Commission hereby recognize and wish to honor the contributions of all Classified school employees to quality education in the State of California and in the Santa Monica-Malibu Unified School District, and declare the week of May 20-26, 2012, Classified School Employee's Week in the Santa Monica-Malibu Unified School District.

**PASSED AND ADOPTED** on this 17<sup>th</sup> day of May 2012, by the Santa Monica-Malibu Unified School District Board of Education, and the 12<sup>th</sup> day of June 2012, by the Santa Monica-Malibu Unified School District's Personnel Commission.

\_\_\_\_\_  
Ben Allen, President

\_\_\_\_\_  
Laurie Lieberman, Vice-President

\_\_\_\_\_  
Oscar de la Torre, Member

\_\_\_\_\_  
Jose Escarce, Member

\_\_\_\_\_  
Maria Leon-Vazquez, Member

\_\_\_\_\_  
Ralph Mechur, Member

\_\_\_\_\_  
Nimish Patel, Member

\_\_\_\_\_  
Sandy Lyon, Superintendent

\_\_\_\_\_  
Shane McCloud, Commission Chair

\_\_\_\_\_  
Michael Sidley, Commission Vice-Chair

\_\_\_\_\_  
Barbara Inatsugu, Commissioner

TO: BOARD OF EDUCATION

ACTION/MAJOR  
05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ADOPT RESOLUTION NO. 11-36 – REGARDING THE RELEASE OF  
CERTIFICATED TEMPORARY EMPLOYEES

RECOMMENDATION NO. A.32

It is recommended that the Board of Education adopt Resolution No. 11-36 regarding the release of certificated temporary employees pursuant to Education Code Section 44954, effective June 2012.

COMMENT: The Board of Education is required to notify temporary certificated employees before the end of the school year of its decision to release the employees for the next succeeding school year.

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

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

**RESOLUTION NO. 11-36**

**RESOLUTION RELEASING CERTIFICATED TEMPORARY EMPLOYEES:**

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

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

**WHEREAS**, it is the Board's intent to not reemploy the employees listed below for the subsequent 2012-2013 school year, pursuant to Education Code Section 44954;

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

6509	8418	8687
3364	2857	

**BE IT FURTHER RESOLVED**, that the Superintendent or designee is directed to issue to the employees named in this Resolution the notice described in Section 44954, informing them that they will not be reemployed for the 2012-2013 school year, and to take such further and additional actions as may be necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 17<sup>th</sup> day of May 2012 by the following vote:

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

---

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

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 regular meeting held on May 17, 2012.

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



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## **DISCUSSION ITEMS**





TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

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

RE: MENTAL HEALTH SERVICES UPDATE

DISCUSSION ITEM NO. D.01

Staff will update the Board of Education regarding changes in the provision of mental health services to students with IEPs in the absence of AB 3632. As of June 30, 2012, the Los Angeles County Department of Mental Health (LACDMH) will no longer be providing these services. Staff will explain how the Tri-City SELPA will be providing mental health services beginning July 1, 2012.

BACKGROUND:

In 1984, the California State Legislature passed AB 3632 mandating that county Departments of Mental Health (DMH) work with school districts to provide services to students with IEPs who require mental health services. Specifically, AB 3632 provides for:

- Case management of students placed in residential treatment centers
- Payment of residential and therapeutic treatment cost of residentially placed students
- Provision of outpatient mental health services to students and their families
- Attendance at IEP meetings for students eligible for DMH services

In October 2010, outgoing Governor Schwarzenegger eliminated both the mandate and the funding for AB 3632. In November 2010, the California Department of Education approved the release to County Offices of Education \$76 million of federal funds for the short-term continuation of AB 3632 services. These funds were exhausted in mid-January 2011. Los Angeles County DMH agreed to continue to provide and pay for services through January 2011. Since school districts are "payers of last resort" for educational services, SMMUSD was required to begin paying for IEP-based mental health services effective February 1, 2011.

On June 30, 2011, Assembly Bill 114, Statute 2011, was signed into law. Under AB 114, several sections of Chapters 26.5 of the California Government Code were amended or rendered inoperative, thereby ending the state mandate on county mental health agencies to provide mental health services to students with disabilities. LACDMH received an increase in funds for 2011-12 to provide mental health services during this transitional school year. The Tri-City SELPA also received additional funds to provide these services. On October 6, 2012, the SMMUSD Board of Education approved a Memorandum of Understanding with LACDMH stating that DMH funding would be used until it was completely expended. Meanwhile, the Tri-City SELPA would develop and fund a program to provide the services when LACDMH no longer has funding.



TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

FROM: SANDRA LYON / CHIUNG-SALLY CHOU / PEGGY HARRIS

RE: AVID PROGRAM UPDATE

DISCUSSION ITEM NO. D.02

This report presents information about the Advancement Via Individual Determination (AVID) programs in SMMUSD schools. In SMMUSD, AVID is currently offered at John Adams and Lincoln Middle Schools and Santa Monica High School.

COMMENT: AVID is a highly regarded secondary college-preparatory program created for low-income, underserved students. It is designed to prepare first generation college-going students for eligibility for admission to a four-year university. It is estimated that the program reaches more than 250,000 students in approximately 3,500 U.S. schools in 45 states. AVID is also implemented in Canada, and 15 other countries.



TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

FROM: SANDRA LYON / CHIUNG-SALLY CHOU / AIDA DIAZ

RE: UPDATE ON SERVICES FOR ENGLISH LEARNERS / MASTER PLAN

DISCUSSION ITEM NO. D.03

This report presents information about the District's programs and services for English Learners (EL) in grades K-12. It also includes an update on the District's Master Plan for English Learners.

COMMENTS: There are currently 1,032 SMMUSD students in grades K-12 classified as English Learners. In compliance with state and federal statutes, this is a significant subgroup that requires specific programs and services to meet their academic and linguistic needs. According to CA Ed Code:

*EL 12: Each English learner receives a program of instruction in English Language Development in order to develop proficiency in English as rapidly and effectively as possible.*

*EL 13: Academic instruction for English learners is designed and implemented to ensure that they meet the district's content and performance standards for their respective grade levels in a reasonable amount of time.*

The programs and services that SMMUSD has designed and implemented are intended to provide English Learners with the core and supplementary supports needed and to fulfill the state mandates.



TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: CONSIDER REPLACING BP 5111 – ADMISSION

DISCUSSION ITEM NO. D.04

It is recommended that the Board of Education consider replacing BP 5111 – Admission.

COMMENTS: CSBA is recommending this policy update to make the timeline for students to enroll in the school in their attendance area consistent with the timeline for intradistrict open enrollment established pursuant to BP/AR 5116.1 – Intradistrict Open Enrollment. The policy also reflects new federal guidance clarifying that districts may not adopt enrollment procedures based on the actual or perceived citizenship or immigration status of students or their parents/guardians.

The revised policy is attached. (Changes to the administrative regulation can be found under Item No. I.01.)

**ADMISSION**

The Governing Board encourages the enrollment and appropriate placement of all school-aged children in school. The Superintendent or designee shall inform parents/guardians of students entering a district school at any grade level about admission requirements and shall assist them with enrollment procedures.

The Superintendent or designee shall verify the student's age, residency, and any other admission criteria specified in law and in Board policies and administrative regulations.

All resident students who are enrolling either in the school in their attendance area or in another district school shall be subject to the timelines established by the Board in BP/AR 5116.1 - Intradistrict Open Enrollment. Nonresident students may apply for interdistrict attendance in accordance with the timelines specified in applicable Board policies and administrative regulations.

The Superintendent or designee may admit to the ninth grade only those students who have graduated from eighth grade or who are recommended in writing by their eighth-grade principal as capable of profiting from high school instruction.

~~The Board of Education believes that all children should have the opportunity to receive educational services. Staff shall encourage parents/guardians to enroll all school-aged children in school.~~

~~The Superintendent or designee shall maintain procedures that provide for verification of all entrance requirements specified in law and in Board policies and regulations.~~

Legal Reference:**EDUCATION CODE**

46300 Computation of average daily attendance, inclusion of kindergarten and transitional kindergarten

46600 Agreements for admission of students desiring interdistrict attendance

48000 Minimum age of admission (kindergarten)

48002 Evidence of minimum age required to enter kindergarten or first grade

48010 Minimum age of admission (first grade)

48011 Admission from kindergarten or other school; minimum age

48050-48053 Nonresidents

48200 Children between ages of 6 and 18 years (compulsory full-time education)

48350-48361 Open Enrollment Act

48850-48859 Educational placement of foster youth

49076 Access to records by persons without written consent or under judicial order

49408 Information of use in emergencies

49700-49704 Education of children of military families

**HEALTH AND SAFETY CODE**

120325-120380 Education and child care facility immunization requirements

121475-121520 Tuberculosis tests for students

**CODE OF REGULATIONS, TITLE 5**

200 Promotion from kindergarten to first grade

201 Admission to high school

**CODE OF REGULATIONS, TITLE 17**

6000-6075 School attendance immunization requirements

**UNITED STATES CODE, TITLE 42**

11431-11435 McKinney Homeless Assistance Act



Management Resources:

**CSBA PUBLICATIONS**

*Transitional Kindergarten, Issue Brief, July 2011*

*OFFICE FOR CIVIL RIGHTS, U.S. DEPARTMENT OF EDUCATION PUBLICATIONS*

*Dear Colleague Letter, May 6, 2011*

**WEB SITES**

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

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

Office for Civil Rights, U.S. Department of Education: <http://www2.ed.gov/about/offices/list/ocr>

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



TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: CONSIDER REVISING BP 5131 – CONDUCT

DISCUSSION ITEM NO. D.05

It is recommended that the Board of Education consider revising BP 5131 – Conduct.

COMMENTS: CSBA is recommending this policy update to reflect new law (AB 9), which requires policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics and new law (AB 1156), which encourages the inclusion of bullying prevention strategies in comprehensive safety plans. Material on prevention and intervention of bullying and cyberbullying will be included in a new BP 5131.2 – Bullying. The policy also expands item #5 to clarify that the district is not responsible for students' personal belongings brought on campus or to a school activity, and adds referral to student success team or counseling services as possible consequences for violation of school rules.

The revised policy is attached.

**CONDUCT**

The Board of Education believes that all students have the right to be educated in a positive learning environment free from disruptions. Students shall be expected to exhibit appropriate conduct that does not infringe upon the rights of others or interfere with the school program while on school grounds, while going to or coming from school, while at school activities, and while on district transportation.

Conduct is considered appropriate when students are diligent in study, careful with school property, courteous, and respectful toward their teachers, other staff, students, and volunteers.

The Superintendent or designee shall ensure that each school site develops standards of conduct and discipline consistent with district policies and administrative regulations. Students and parents/guardians shall be notified of district and school rules related to conduct.

Prohibited student conduct includes, but is not limited to:

1. Conduct that endangers students, staff, or others including, but not limited to, physical violence, possession of a firearm or other weapon, and terrorist threats
2. Conduct that disrupts the orderly classroom or school environment
3. Discrimination, Harassment, intimidation, or bullying of students or staff, ~~such as bullying, including sexual harassment, hate motivated behavior, cyberbullying, intimidation, hazing or initiation activity, ridicule, extortion, or any other verbal, written, or physical conduct that causes or threatens to cause violence, bodily harm, or emotional suffering, or substantial disruption. in accordance with the section entitled "Bullying/Cyberbullying" below~~

~~"Cyberbullying" includes the transmission of communications, posting of harassing messages, direct threats, social cruelty, or other harmful texts, sounds, or images on the Internet, social networking sites, or other digital technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation or friendships.~~

4. Willful defiance of staff's authority
- 4 5. Damage to or theft of property belonging to students, staff, or the district

The district shall not be responsible for students' personal belongings which are brought on campus or to a school activity and are lost, stolen, or damaged.

5. Possession or use of a laser pointer, unless used for a valid instructional or other school-related purpose, ~~including employment~~

Prior to bringing a laser pointer on school premises for a valid instructional or school-related purpose, students shall first obtain permission from the principal or designee. The principal or designee shall determine whether the requested use of the laser pointer is for a valid instructional or other school-related purpose.

6. Use of profane, vulgar, or abusive language

7. Plagiarism or dishonesty in school work or on tests
8. Inappropriate attire
9. Tardiness or unexcused absence from school
10. Failure to remain on school premises in accordance with school rules
11. Possession, use, or being under the influence of tobacco, alcohol, or other prohibited drugs ~~drug in violation of school rules~~

Employees are expected to provide appropriate supervision to enforce standards of conduct and, if they observe or receive a report of a violation of these standards, to immediately intervene or call for assistance. If an employee believes a matter has not been resolved, he/she shall refer the matter to his/her supervisor or administrator for further investigation.

When a school official suspects that a search of a student or his/her belongings will turn up evidence of the student's violation of the law or school rules, such a search shall be conducted in accordance with BP/AR 5145.12 - Search and Seizure.

When a student uses any prohibited device, or uses a permitted device in any unethical or illegal activity, a district employee may confiscate the device. The employee shall store the item in a secure manner until an appropriate time.

Students who violate district or school rules and regulations may be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, referral to a student success team or counseling services, or denial of participation in extracurricular or cocurricular activities in accordance with Board policy and administrative regulation. The Superintendent or designee shall notify local law enforcement as appropriate.

Students also may be subject to discipline for any off-campus conduct during nonschool hours which poses a threat or danger to the safety of students, staff, or district property, or substantially disrupts the educational program of the district or any other district in accordance with law, Board policy, or administrative regulation.

### **Possession/Use of Cellular Phones and Other Mobile Communications Devices**

The Board recognizes that beepers, pagers, cellular phones and other electronic signaling devices have become commonplace in our community and that many families have come to rely on these devices as a means of communication.

Nevertheless, with two exceptions Education Code specifically prohibits the possession and/or use of any electronic signaling device that operates through the transmission or receipt of radio waves, including, but not limited to, paging and signaling equipment, by pupils of the school while the pupils are on campus, while attending school-sponsored activities, or while under the supervision and control of school district employees. The exceptions to this provision, which would allow students to possess and use such devices on campus, are cases in which a student or students have:

1. Prior consent of the principal or his/her designee, or
2. Written documentation by a licensed physician or surgeon who has determined that student possession and use of an electronic signaling device is essential for the health of the pupil and where use of such device is limited for purposes related to the health of

the student.

3. Written and/or verbal confirmation from the site Superintendent or designee that a state of emergency exists.

While electronic signaling devices of all types may be useful for communication purposes, the Board also recognizes the potential for distraction that these devices may cause in the classroom, on campus and at school activities. The Superintendent shall therefore establish procedures whereby the possession of electronic signaling devices in grades 9 through 12 is permitted, but use of such devices is restricted only to non-school hours. Under no circumstances shall the possession and/or use of any electronic signaling device be permitted on any school bus or at any time, if such possession and/or use is disruptive to the educational process.

Students who do possess an electronic signaling device under the terms of this policy, must either keep their device turned off while on school campus and during school activities.

The district and/or staff shall not be responsible or liable for the theft or loss of any electronic signaling device.

Students in grades K through 8 are not permitted to possess and/or use any electronic signaling device while on school campus unless the students meets one or both of the exceptions listed in the Education Code.

Students shall not use mobile communications devices, even in hands-free mode, while driving on school grounds or to or from a school-related activity.

A student who violates this policy may be prohibited from possessing a mobile communications device at school or school-related events and/or may be subject to further discipline in accordance with Board policy and administrative regulation.

### **Bullying/Cyberbullying**

The Board desires to prevent bullying by establishing a positive, collaborative school climate and clear rules for student conduct.

The district may provide students instruction, in the classroom or other educational settings, that promotes communication, social skills, and assertiveness skills and educates students about appropriate online behavior and strategies to prevent and respond to bullying and cyberbullying. This instruction may involve parents/guardians, staff, and community members.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies. Parents/guardians and students also may be provided with similar information.

Students may submit a verbal or written complaint of conduct they consider to be bullying to a teacher or administrator and may also request that their name be kept in confidence. The Superintendent or designee may establish other processes for students to submit anonymous reports of bullying. Complaints of bullying or harassment shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is suspected of or reported to be using electronic or digital communications to engage in cyberbullying against other students or staff or to threaten district property, the investigation shall include documentation of the activity, identification of the source, and a determination of the impact or potential impact on school activity or school attendance. Students

shall be encouraged to save and print any messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

Any student who engages in cyberbullying using district-owned equipment, on school premises, or off-campus in a manner that impacts a school activity or school attendance shall be subject to discipline in accordance with district policies and regulations. If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed. (Board Policy 5131.2 – Bullying)

Legal Reference:

**EDUCATION CODE**

200-262.4 Prohibition of discrimination

32261 Bullying

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Duty concerning conduct of students

48900-48925 Suspension or expulsion, especially:

48908 Duties of students

51512 Prohibition against electronic listening or recording device in classroom without permission

**CIVIL CODE**

1714.1 Liability of parents and guardians for willful misconduct of minor

**PENAL CODE**

288.2 Harmful matter with intent to seduce

313 Harmful matter

417.25-417.27 Laser scope

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

**VEHICLE CODE**

23124 Use of cellular phones provisional license holders

**CODE OF REGULATIONS, TITLE 5**

300-307 Duties of pupils

**UNITED STATES CODE, TITLE 42**

2000h-2000h6 Title IX, 1972 Education Act Amendments

**UNITED STATES CODE, TITLE 47**

254 Universal service discounts (e-rate)

**COURT DECISIONS**

*J.C. v. Beverly Hills Unified School District*, (2010) 711 F.Supp.2d 1094

*LaVine v. Blaine School District*, (2000, 9th Cir.) 257 F.3d 981

*Emmett v. Kent School District No. 415*, (2000) 92 F.Supp. 1088

*Bethel School District No. 403 v. Fraser*, (1986) 478 U.S. 675

*Tinker v. Des Moines Independent Community School District*, (1969) 393 U.S. 503

Management Resources:

**CSBA PUBLICATIONS**

*Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007*

**CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS**

*Bullying at School, 2003*

**NATIONAL SCHOOL BOARDS ASSOCIATION PUBLICATIONS**

*Digital Discipline: Off-Campus Student Conduct, the First Amendment and Web Sites, School Law in Review, 2001*

**NATIONAL SCHOOL SAFETY CENTER PUBLICATIONS**

*Bullying in School: Fighting the Bullying Battle, 2006*

**WEB SITES**

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education: <http://www.ed.gov>

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



TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: CONSIDER REVISING BP 5131.2 – BULLYING

DISCUSSION ITEM NO. D.06

It is recommended that the Board of Education consider revising BP 5131.2 – Bullying.

COMMENTS: CSBA is recommending this new policy to reflect new law (AB 9), which requires a policy prohibiting discrimination, harassment, intimidation, and bullying based on specified characteristics, new law (AB 1156), which encourages the inclusion of bullying prevention strategies in comprehensive safety plans, and new law (AB 746), which expands the definition of bullying committed by means of an electronic act to include posting of messages on social media networks. The policy also expands topics for related student education, adds strategies for supervision and security, and adds language re: reporting of incidents. This new policy contains material formerly in BP 5131 – Conduct regarding strategies for prevention and intervention of bullying.

The new policy is attached.

**BULLYING**

The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate, cyberbully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Cyberbullying includes the transmission of harassing communications, direct threats, or other harmful texts, sounds, or images on the Internet, social media, or other technologies using a telephone, computer, or any wireless communication device. Cyberbullying also includes breaking into another person's electronic account and assuming that person's identity in order to damage that person's reputation.

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

**Bullying Prevention**

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

**Intervention**

Students are encouraged to notify school staff when they are being bullied or suspect that another student is being victimized. In addition, the Superintendent or designee shall develop means for students to report threats or incidents confidentially and anonymously.

School staff who witness bullying shall immediately intervene to stop the incident when it is safe to do so. (Education Code 234.1)

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

### **Complaints and Investigation**

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5145.7 - Sexual Harassment.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyberbullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyberbullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

### **Discipline**

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

32282 Comprehensive safety plan

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:

CSBA PUBLICATIONS

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyberbullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITES

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

California Cybersafety for Children: <http://www.cybersafety.ca.gov>

California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/ls/ss>

Center for Safe and Responsible Internet Use: <http://cyberbully.org>

National School Boards Association: <http://www.nsba.org>

National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil Rights: <http://www.ed.gov/about/offices/list/ocr>

**Policy CSBA MANUAL MAINTENANCE SERVICE**  
**adopted: March 2012**

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

DISCUSSION  
05/17/12

DISCUSSION ITEM NO. D.07

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.



TO: BOARD OF EDUCATION

DISCUSSION

05/17/12

FROM: SANDRA LYON

RE: POTENTIAL CHANGES TO BOARD OF EDUCATION MEETING STRUCTURE AND TIMING

#### DISCUSSION ITEM NO. D.08

It is recommended that the Board of Education consider revising its regular meeting structure to improve upon discussion/presentation timing. If approved, these changes could go into effect July 1, 2012. The superintendent's office would conduct an extensive outreach campaign to inform district staff and the community of these changes.

In the **current structure**, a regular Board of Education meeting begins in closed session at 4:30pm, and then moves to open session at 6:00pm. Discussion items and presentations are the last items to come before the board, requiring non-senior cabinet staff as well as parents/ students involved in a presentation to stay late into the evening. Additionally, board members are often asked to consider/analyze information that is core to the district's mission at late hours.

In order to allow board members to hear presentations at an earlier hour, and also to allow non-senior cabinet staff an opportunity to go home at a reasonable time and prepare for the next work day, new board meeting structure and timing scenarios have been developed for review and input by board members.

In **Proposed Structure 1**, each meeting would begin in open session with roll call, the Pledge of Allegiance, approval of the agenda and previous meeting minutes, and then there would be a study session. Study session items would not require board action and could include, for example, the following topics:

- Annual Reports/Updates (e.g. Enrollment and Staffing [following the beginning weeks of school], Health Services, Student Achievement Data, Intensive Intervention Summer School, AVID Program, Head Start Training/Presentation, Response to Intervention Framework, etc.)
- Measure BB Project Updates
- Budget Planning Discussions

Study sessions could also include items on which the board would eventually take action, but which require discussion prior to board action. Such items could include:

- Policy Updates
- Measure BB Project Updates
- Budget Planning Discussions

**Proposed Structure 2** is identical to Proposal Structure 1, except the order of Major Items and Discussion Items has flipped. This proposed structure would further ensure that discussion items and presentations are heard by the Board of Education at a reasonable hour.

The following chart summarizes the Current Structure, Proposed Structure 1, and Proposed Structure 2.

<b>Current Structure</b>	<b>Proposed Structure 1</b>	<b>Proposed Structure 2</b>
<u>4:30-6:00pm</u> Closed Session	<u>4:00-5:00pm</u> Open Session	<u>4:00-5:00pm</u> Open Session
<u>6:00pm-?</u> Open Session	Roll Call	Roll Call
Roll Call	Pledge of Allegiance	Pledge of Allegiance
Pledge of Allegiance	Approve Agenda	Approve Agenda
Commendations	Approve Minutes	Approve Minutes
Approve Agenda	Study Session	Study Session
Approve Minutes	<u>5:00-6:30pm</u>	<u>5:00-6:30pm</u>
Consent Items	Closed Session	Closed Session
Public Comments	<u>6:30pm-?</u>	<u>6:30pm-?</u>
Communications	Open Session	Open Session
Major Items	Commendations	Commendations
Discussion Items	Consent Items	Consent Items
Information Items	Public Comments	Public Comments
Adjournment	Communications	Communications
	Major Items	<b>Discussion Items</b>
	Discussion Items	<b>Major Items</b>
	Information Items	Information Items
	Adjournment	Adjournment

Staff is requesting feedback from board members regarding a potential change in meeting structure. Do board members feel a change is necessary? If so, do board members prefer Proposed Structure 1 or 2, or do they have another scenario they would like to suggest?



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## **INFORMATION ITEMS**



TO: BOARD OF EDUCATION

INFORMATION

05/17/12

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: REVISION TO AR 5111 – ADMISSION

INFORMATION ITEM NO. I.01

This is to inform the Board of Education that a revision has been made to AR 5111 – Admission.

COMMENTS: CSBA is recommending this regulation update to reflect new law (SB 1381, 2010), which revises the age criterion for admission into kindergarten or first grade, moving up the birthdate that triggers enrollment eligibility one month each year between 2012-13 and 2014-15. Material regarding prekindergarten summer program deleted since the program was eliminated pursuant to SB 1381.

The revised regulation is attached. (Suggested changes to the policy can be found under Item No. D.04.)

**ADMISSION****Age of Admittance to Grades K-1**

A child shall be eligible for enrollment in kindergarten or first grade, at the beginning of the school year or at a later time in the same year, if the child has his/her fifth or sixth birthday, respectively, on or before one of the following dates: (Education Code 48000, 48010)

1. December 2 of the 2011-12 school year
2. November 1 of the 2012-13 school year
3. October 1 of the 2013-14 school year
4. September 1 of the 2014-15 school year and each school year thereafter

Any child who will have his/her fifth birthday between the date listed above for the applicable school year and December 2 shall be offered a transitional kindergarten program in accordance with law and Board policy. (Education Code 48000)

**Documentation of Age/Grade**

Evidence of the child's age may include: (Education Code 48002)

1. A certified copy of a birth certificate or a statement by the local registrar or county recorder certifying the date of birth
2. A duly attested baptism certificate
3. Passport

When none of the foregoing is obtainable, the parent/guardian may provide any other appropriate means of proving the age of the child. (Education Code 48002)

A student enrolling in a district school at any other grade level shall present records from his/her previous school district documenting his/her age and current grade level.

**Age of Admission**

~~Proof of age shall be required of all enrolling students. The legal evidences of age, in order of desirability, are a birth certificate, baptismal certificate, passport, immigration certificate, Bible record, or affidavit from the parent/guardian.~~

~~A child who will reach the age of five on or before December 2 of the school year shall be eligible for enrollment in kindergarten at the beginning of that school year or at any later time in the same year. (Education Code 48000)~~

~~A child who will reach the age of five on or before December 2 of the school year shall be eligible for enrollment in the district pre-kindergarten summer program. (Education Code 48000)~~

~~A child who will have reached the age of six years on or before December 2 of the current school year shall be eligible for enrollment in the first grade. (Education Code 48010)~~

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



TO: BOARD OF EDUCATION

INFORMATION

5/17/12

FROM: SANDY LYON / CHIUNG-SALLY CHOU / PEGGY HARRIS

RE: SUPPLEMENTAL TEXTBOOKS

INFORMATION ITEM NO. I.02

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

COMMENT: In accordance with the Board of Education policy, the textbooks(s) listed below will be on public display for the next two weeks in the Educational Services Department at 1638 – 17<sup>th</sup> Street, Santa Monica, CA 90404

**Wonder**, by R. J. Palacio for grade 4 core reading list at Franklin Elementary School. Adoption requested by Steve Cannell.

**The Wave**, by Susan Casey for summer reading list for grades 9 through 12 at Malibu High School. Adoption requested by Bonnie Thoreson.