

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

**August 24, 2011**

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Wednesday, August 24, 2011**, 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.**

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

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

**I. CALL TO ORDER**

- A. Roll Call
- B. Pledge of Allegiance

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

**III. CLOSED SESSION (90)**

- Closed session with legal counsel concerning anticipated litigation pursuant to GC §54956.9 as cited in the Brown Act (2 cases). (40)
- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC§54957, as cited in the Brown Act (Principal, Certificated Employee ID #CQ3077214, Classified Employee ID #UX1822540) (40)
- Closed Session, Superintendent's performance evaluation pursuant to GC §54954.5 as cited in the Brown Act. (10)

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

6:21 pm **V. APPROVAL OF THE AGENDA**

It was moved by Ms. Leon-Vazquez, seconded by Mr. de la Torre, and voted 7/0 to approve the agenda with the update.

6:21 pm **VI. APPROVAL OF MINUTES**

August 10, 2011

6:22 pm **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**

A.02 Approval of Independent Contractors.....2-3  
A.03 Approval of Special Education Contracts – 2010-2011 ..... 4  
A.04 Approval of Special Education Contracts – 2011-2012 .....5-7

**Business and Fiscal**

A.05 Award of Purchase Orders – 2011-2012.....8-8f

**Measure “BB”**

A.06 Amendment to Contract for Bid #10.33.BB-03-113031 –  
Modernization of Building E (Package 1B) Project – Lincoln  
Middle School – Icon West, Inc. – Measure BB ..... 9  
A.07 Acceptance of Work Completed for Bid #10.38.BB – Trenchless  
Gas Piping Replacement Project – Point Dume Elementary  
School – Jenn/Matt Inc. – Measure BB ..... 10  
A.08 Contract Amendment #22 for Additional Geotechnical Investigations –  
Malibu High School Campus Improvement Project – Leighton  
Consulting, Inc. – Measure BB ..... 11-12  
A.09 Award of Rental of Temporary Office Trailer to McGrath Rent  
Corporation (dba Mobil Modular, Inc.) – Malibu High School  
Campus Improvement Project – Measure BB ..... 13  
A.10 Award of Bid #12.02.BB – Membrane Bioreactor Wastewater  
Equipment – Malibu High School Campus Improvement Project –  
Lowest Responsive Responsible Bidder – Measure BB ..... 14-15

**Personnel**

A.11 Certificated Personnel – Elections, Separations ..... 16-22  
A.12 Classified Personnel – Merit.....23-37  
A.13 Classified Personnel – Non-Merit..... 38  
A.14 Administrative Appointment..... 39  
*Principal, Point Dume Marine Science School*

**General**

A.15 Reopen Application Process to fill Vacancies on the Measure BB  
Advisory Committee ..... 40  
A.16 Revise BP 3270 – Sale and Disposal of Books, Equipment, and  
Supplies.....41-43  
A.17 Revise BP 3280 – Sale or Lease of District-Owned Real Property .....44-47  
A.18 Revise BP 3314.2 – Revolving Funds .....48-49  
A.19 Revise BP 3320 – Claims and Actions Against the District ..... 50-52  
A.20 Revise BP 3515.2 – Disruptions..... 53-55  
A.21 Revise BP 3516.5 – Emergency Schedules..... 56-57  
A.22 Adopt BP 3555 – Nutrition Program Compliance ..... 58-61  
A.23 Revise BP 3580 – District Records ..... 62-64

6:29 pm

**VIII. PUBLIC COMMENTS**

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

- *Carolyn Underbrink and Alex Komisaruk expressed their concern about children with IEPs who attended Kindergarten at one school, but must now return to their home school for first grade. Ms. Komisaruk said she had spoken with the*

*superintendent and received clarification, but thanked the board for hearing the parents' concerns.*

**IX. COMMUNICATIONS (15)**

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 – none were present**

6:33 pm

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

*Mr. Keiley report that he attended the new teacher workshop last week. He said it was interesting to hear why the twenty new teachers decided to enter the profession; many said it was because of an event that took place in their lives or a teacher who had an impact on their lives. He discovered that hundreds of teachers applied for one open English teacher position at Samohi, which is a sign of the times. He commented that this is the time of year when staff examines class size. SMMCTA would like to see class sizes as low as possible while being sensitive to managing the district's finances. Mr. Keiley said he spoke with Ms. Lyon about this yesterday. On behalf of SMMCTA, Mr. Keiley congratulated Ms. Rebecca Johnson on her new assignment as the principal at Point Dume Marine Science School.*

6:37 pm

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

*Ms. Cartee-McNeely, who missed the last board meeting, welcomed Ms. Lyon to SMMUSD. The classified bargaining unit looks forward to working with her. She acknowledged classified staff who worked so hard during the summer to get schools ready and process new staff. She welcomed all staff members back.*

6:38 pm

**D. PTA Council – Kelly McMahon Pye (5)**

*Ms. Pye said she was excited to begin the new school year. The next PTA Council meeting will be September 20 at Virginia Ave. Park. The keynote speakers will be Jonathan Moody and Superintendent Lyon. The PTA will also be planning for the 2011-12 year. PTA Vice President Lisa Balfus reported that during the summer, PTA and the district have been responding to the wrestling incident that occurred at Samohi in the spring. James Williams III from the Department of Justice has been facilitating meetings with district staff and parents to promote dialogues on race and the establishment of a steering committee and subcommittees to establish goals with measurable outcomes. Ms. Pye thanked Ms. Lyon for her support of this process and thanked Ms. Harris for her tireless assistance in this matter.*

6:24 pm

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

*Superintendent Lyon said the district is waiting for the sheriff's report regarding the wrestling incident at Samohi. The district is planning an independent investigation to determine how well staff followed policies and procedures, and if additional policies need to be considered. The Educational Services Department and Samohi administration are working with a parent steering committee to define the next steps for the school and district. Samohi Principal Laurel Fretz is working with the Department of Justice's Community Relations Service branch to bring the Spirit Program to campus, and staff is looking into reestablishing the Intercultural DAC. During its professional development retreat last week, the management team worked under a theme of Building Respectful Communities. The district is trying to schedule a dialogue on race event for the community on a future Saturday.*

Yesterday, Ms. Lyon held a Coffee with Media gathering, during which she and the reporters who attended discussed communications between the district and the local media. The Superintendent has met with or will be meeting with the district's advisory committees as part of her ninety-day entry plan. She reported that everyone is excited and getting ready for beginning of school.

**MAJOR and DISCUSSION Items**

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

**XI. MAJOR ITEMS (70)**

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

- 7:08 pm A.24 Authorization to Continue to Offer Non-Fat Chocolate Milk in  
Elementary and Secondary Schools (60)..... 65-66
- 6:50 pm A.25 Consider Appointment to District Advisory Committees (DACs) (10)..... 67-69  
Early Child Care DAC  
Health & Safety DAC  
Special Education DAC  
Visual & Performing Arts DAC

**XII. DISCUSSION ITEMS (120)**

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

- 10:36 pm D.01 District Advisory Committees: Discuss End-of-Year Reports for  
2010-11 and Direction for 2011-12 (20)..... 70-76
- Postponed D.02 Consider Revising BP and Adopting AR 5131.61 – Controlled  
Substances (60)..... 77-87
- 11:08 pm D.03 Consider Adopting BP and AR 5145.10 – Disability Harassment (15)..... 88-98
- 6:54 pm D.04 Consider Revising BP 3513.3 – Tobacco-Free Schools (5)..... 99-100
- 6:57 pm D.05 Consider Replacing BP 5022 – Student and Family Privacy  
Rights (5)..... 101-103
- 6:58 pm D.06 Consider Revising BP 5116.1 – Intradistrict Open Enrollment (5) ..... 104-106
- 6:59 pm D.07 Consider Revising BP 5131.62 – Tobacco (5)..... 107-109
- 7:03 pm D.08 Consider Revising BP 6163.1 – Library Media Centers (5)..... 110-113

**XIII. INFORMATIONAL ITEMS (0)**

- 11:35 pm I.01 Revision to AR 3311 – Bids..... 114-120
- I.02 Revision to AR 3513.3 – Tobacco-Free Schools..... 121-122
- I.03 Revision to AR 3516.3 – Earthquake Emergency Procedure  
System..... 123-126
- I.04 Revision to AR 5022 – Student and Family Privacy Rights..... 127-130
- I.05 Replacement of E 5145.6 – Parental Notifications ..... 131-140
- I.06 Revision to AR 7214 – General Obligation Bonds..... 141-144

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

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

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

A board member or member of the public may request that a matter within the jurisdiction of the board be placed on the agenda of a regular meeting, as per Board Policy 9322. The request

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

**XVI. CONTINUATION OF PUBLIC COMMENTS**

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

**XVII. BOARD MEMBER COMMENTS**

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

- *Mr. Allen announced that parents who are looking for space to enroll their preschoolers should contact the Child Development Services Department.*

**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**

It was moved by Mr. de la Torre, seconded by Ms. Leon-Vazquez, and voted 7/0 to adjourn the meeting at 11:40 p.m. in memory of Santa Monica activist Mildred "Millie" Rosenstein, who championed the rights of the elderly. The next regular meeting is scheduled for **Thursday, September 8, 2011**, at 6:00pm at the district office: 1651 16<sup>th</sup> Street, Santa Monica, CA.

Approved: 9-8-11

  
\_\_\_\_\_  
President

  
\_\_\_\_\_  
Superintendent

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

**SMMUSD Board of Education Meeting Schedule 2011-2012**

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

July through December 2011					
Month	1 <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		
November	11/3 M		11/17 DO		Thanksgiving: 11/24-25
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		
March	3/1 DO		3/15 DO	3/29* DO	*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		5/17 DO		
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): 23815 Stuart Ranch Road, Malibu, CA

**Santa Monica-Malibu Unified School District  
Board of Education  
August 24, 2011**

**I. CALL TO ORDER**

A. Roll Call

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

4:41pm  
4:42pm  
6:20pm

Student Board Members

B. Pledge of Allegiance

*Led by Mr. de la Torre*

**II. CLOSED SESSION**

*In closed session, the board took action to approve a separation agreement and general release effecting the termination of a permanent certificated employee, identified by #CQ3077214. The roll call was as follows:*

*Ayes: 6  
Nays: 0  
Abstentions: 0  
Absent: 1*

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

ACTION  
08/24/11

RECOMMENDATION NO. A.01

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

August 10, 2011

MOTION MADE BY: Mr. Mechur  
SECONDED BY: Ms. Leon-Vazquez  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6)  
NOES: None (0)  
ABSTAIN: One (1) (Ms. Lieberman)



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## **CONSENT ITEMS**



TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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>
Smith Emery 6/30/11 - 7/31/12  (Contract amount not to exceed \$27,554 approved on 05/26/10)	Provide testing and special inspection services	Measure BB/ Capital Improvements/ JAMS, Lincoln	21-90500-0-00000-85000-5802-011-2600 21-90500-85000-5802-012-2600
Topanga Underground Extension of Contract: 6/30/11 - 7-31-12  (Contract amount not to exceed \$370,686 approved on 05/26/10)	Provide on-site wastewater system investigation	Measure BB/ Capital Improvements/ Malibu, Webster, Pt. Dume	21-90500-0-00000-85000-5802-010-2600 21-90500-0-00000-85000-5802-008-2600 21-90500-0-00000-85000-5802-019-2600
Kendall Planning & Design  8/1/11 - 7/31/12  Not to Exceed: \$54,700	Provide Transportation Demand Management Coordination	Measure BB/ Capital Improvements	21-90500-0-00000-85000-5802-050-2600

<b>Contractor/ Contract Dates</b>	<b>Description</b>	<b>Site</b>	<b>Funding</b>
David Fisher 08/25/11 to 6/30/12  Not to exceed: \$3,000 (on an as-needed basis)	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 (Barnum Hall)
Greville Kellett 08/25/11 to 6/30/12  Not to exceed: \$3,000 (on an as-needed basis)	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 (Barnum Hall)
Angela Chan 09/8/11 – 06/18/12  Not to exceed: \$5,000	Ongoing consultation meetings with Principal and Roosevelt Math Focus Group to support CGI across grades K-3.	Roosevelt	01-00010-0-11100-10000-5800-007-4070 (Tier III )
Ballroom Madness 9/8/10 – 5/30/12  Not to exceed \$10,000	Provides an incredible arts-in-education program, designed for 5th grade students to learn how to Social/Ballroom Dance.	Roosevelt	01-90150-0-11100-10000-5802-007-4070 (PTA)

SOL-LA Music Academy 1/1/12 – 6/18/12 Not to exceed \$10,000	Vocal music to our K-2 grade students	Roosevelt	01-90150-0-11100-10000-5802-007-4070 (PTA)
Francisco Martinez 1/1/12 – 6/18/12 Not to exceed \$10,100	Dance instruction to our 3 <sup>rd</sup> grade students.	Roosevelt	01-90150-0-11100-10000-2917-007-1501 (PTA)
Davida Raffa 10/8/11 – 3/9/12 Not to exceed \$6,000	Ceramics training for grades 1-2	Roosevelt	01-90150-0-11100-10000-2917-007-1501 (PTA)
Lynn Robb 1/21/12 – 6/18/12 Not to exceed \$5,000	Art instruction for our 4 <sup>th</sup> grade students	Roosevelt	01-90150-0-11100-10000-2917-007-1501 (PTA)
Stephanie Demery 9/1/11 – 6/18/12 Not to exceed \$3,000	Conduct social skills groups on an ongoing basis for various grade levels	Roosevelt	01-90150-0-11100-10000-2917-007-1501 (PTA)
Cathy Cass 9/1/11 – 6/18/12 Not to exceed \$3,200	Dance instruction on an ongoing basis for various grade levels	Roosevelt	01-90150-0-11100-10000-2917-007-1501 (PTA)

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2010-2011

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2010-2011 as follows:

**Non-Instructional Consultants**

2010-2011 Budget 01-65000-0-57500-11900-5890-043-1400

<b>Non-Instructional Consultant</b>	<b>SSID</b>	<b>Service Description</b>	<b>Contract Number</b>	<b>Cost Not to Exceed</b>
Parent Reimbursement – contract increase		Swimming	#24-SPED11135	\$ 24,150

Amount Budgeted Non-Instructional Consultants 10/11		\$ 200,000
Prior Board Authorization as of 8-10-11		\$ <u>407,282</u>
	Balance	\$ -207,282
Positive Adjustment (See Below)		\$ <u>0</u>
		\$ -207,282
Total Amount for these Contracts		\$ <u>24,150</u>
	Balance	\$ -231,432

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: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2011-2012

RECOMMENDATION NO. A.04

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
Heritage School		NPS	#4-SPED12024	\$ 21,000

Amount Budgeted NPS 11/12		\$ 1,700,000
Prior Board Authorization as of 08-10-11		\$ 522,016
	Balance	\$ 1,177,984
Positive Adjustment (See Below)		\$ 0
		\$ 1,177,984
Total Amount for these Contracts		\$ 21,000
	Balance	\$ 1,156,984

Adjustment					
NPS Budget 01-65000-0-57500-11800-5125-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2011-2012 in the amount of \$ 0 as of 8/24/11					
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
WAPADH	2983493507	FC Consultation	#4-SPED12025	\$ 3713
Autism Spectrum Therapy	5183843152	Behavior Intervention	#5-SPED12026	\$ 87,300
Pasadena Child Development Associates	DOB 4/25/07	IEE Assessment	#6-SPED12028	\$ 400
EBS Staffing	Various	SLP staffing	#7-SPED12030	\$ 436,800
Center for Autism and Related Disorders	3183840797	Behavior Therapy	#8-SPED12031	\$ 3,600

Amount Budgeted NPA 11/12		\$ 900,000
Prior Board Authorization as of 08-10-11		\$ 135,448
	Balance	\$ 764,552
Positive Adjustment (See Below)		\$ 0
		\$ 764,552
Total Amount for these Contracts		\$ 531,813
	Balance	\$ 232,739

Adjustment					
NPA Budget 01-65000-0-57500-11800-5126-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2011-2012 in the amount of \$ 0 as of 8/24/11					
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
The Speech Therapy Group	DOB 8/16/95	Speech Therapy	#3-SPED12019	\$ 3,600
Pyramid Educational Consultants		FC Consultation	#4-SPED12027	\$ 41,000
Advanced Pediatric Therapy	6168093794		#5-SPED12029	\$ 9,600

Amount Budgeted Instructional Consultants 11/12		\$ 200,000
Prior Board Authorization as of 08-10-11		\$ 120,360
	Balance	\$ 79,640
Positive Adjustment (See Below)		\$ 0
		79,640
Total Amount for these Contracts		\$ 54,200
	Balance	\$ 25,440

Adjustment					
Instructional Consultants Budget 01-65000-0-57500-11900-5802-043-1400					
There has been a reduction in authorized expenditures of Instructional Consultants contracts for FY 2011-2012 in the amount of \$0 as of 8/24/11.					
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

Amount Budgeted Non-Instructional Consultants 11/12		\$ 300,000
Prior Board Authorization as of 08-10-11		\$ 2,400
	Balance	\$ 297,600
Positive Adjustment (See Below)		\$ 0
		\$ 297,600
Total Amount for these Contracts		\$ 0
	Balance	\$ 297,600

Adjustment					
Non-Instructional Consultants Budget 01-65000-0-57500-11900-5890-043-1400					
There has been a reduction in authorized expenditures of Non-Instructional Consultants contracts for FY 2011-2012 in the amount of \$ 0 as of 8/24/11.					
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 08-10-11		<u>200,000</u>
	Balance	\$ 200,000
Adjustments for this period		<u>\$ 0</u>
		200,000
Total Amount for these Contracts		<u>\$ 0</u>
	Balance	\$ 0

Adjustment				
Legal Services Budget 01-65000-0-57500-11900-5820-043-1400				
There has been a reduction in authorized expenditures of Legal Services contracts for FY 2011-2012 in the amount of \$ 0 as of 8/24/11.				
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: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)



TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: AWARD OF PURCHASE ORDERS – 2011-12

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from August 2, 2011, through August 16, 2011, for fiscal /12.

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*Mr. Mechur asked about the purchase order for Crown Disposal. Ms. Maez said she could provide clarifying information in the Friday packet.*

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

## PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF AUGUST 24, 2011

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>					
121123	A A EQUIPMENT RENTALS CO INC	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	500.00	R
121185	A Z BUS SALES INC	open order for bus repairs	TRANSPORTATION	8,000.00	R
121044	A. G. LAYNE INC	MAINTENANCE VEHICLES	FACILITY MAINTENANCE	200.00	R
121127	A. G. LAYNE INC	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	250.00	R
121183	AAA FLAG & BANNER MFG	NEW SYNTHETIC TURF BANNERS	SANTA MONICA HIGH SCHOOL	450.66	SR
121224	AAA FLAG & BANNER MFG. -L.A.	US AND CALIF STATE FLAGS	JOHN MUIR ELEMENTARY SCHOOL	205.20	U
121110	AAC TECH CONNECT INC.	ASSISTIVE TECHNOLOGY TOOLKIT	SPECIAL EDUCATION REGULAR YEAR	5,000.00	R
121230	ACE ATTORNEY SERVICE INC	OTHER OPERATING EXPENSES	BOE/SUPERINTENDENT	900.00	U
121245	ACSA REG XIV SUPERINTENDENTS	DUES/MEMBERSHIPS	BOE/SUPERINTENDENT	75.00	U
121310	ACSA'S FOUNDATION FOR	DR WOOLVERTON:ACSA SY11/12	SPECIAL EDUCATION REGULAR YEAR	1,168.67	R
121311	ACTIVE DATA EXCHANGE INC	Annual Maintenance	INFORMATION SERVICES	1,020.00	U
121135	ACTIVEFOREVER	SPECIAL NEEDS ACCESSORIES: PT	SPECIAL EDUCATION REGULAR YEAR	202.61	R
121308	ADAGER CORPORATION	Maintenance	INFORMATION SERVICES	605.00	U
121124	ADVANCE LANDAU TOPS	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	250.00	R
121126	ADVANCED BATTERY SYSTEMS	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	250.00	R
121047	AGENCIES TOOL CENTER	MAINT. DEPT VEHICLE TOOLS	FACILITY MAINTENANCE	500.00	R
121048	ALL STAR GLASS	VEHICLE GLASS REPLACEMENT	FACILITY MAINTENANCE	100.00	R
121137	APPLE COMPUTER CORP	DESKTOP: SP ED COORDINATOR: VH	SPECIAL EDUCATION REGULAR YEAR	1,393.29	R
121317	APPLE COMPUTER CORP	Open Supplies/Repair	INFORMATION SERVICES	3,000.00	U
121369	ARGONAUT,THE	ROP ADVERTISING	R O P	1,500.00	R
121234	ASR FOOD DISTRIBUTORS INC	PRODUCE FOR SUMMER PROGRAMS	FOOD SERVICES	2,915.00	F
121344	AT&T	DISTANCE LEARNING EQUIPMENT	CURRICULUM AND IMC	25,224.80	U
120979	ATKINSON ANDELSON LOYA RUDD	LEGAL SERVICES	EMPLOYEE RELATIONS	299,729.33	U
121095	ATKINSON ANDELSON LOYA RUDD	LEGAL SERVICES	SPECIAL EDUCATION REGULAR YEAR	199,979.05	R
121097	ATKINSON ANDELSON LOYA RUDD	LEGAL SERVICES	BOE/SUPERINTENDENT	5,000.00	U
121103	AUDIOMETRICS	CALIBRATION SERVICE	HEALTH SERVICES	680.00	U
121099	BEREZOWSKY, LISA B	ESY 2011 STIPEND: BEREZOWSKY	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121169	BISHOP COMPANY	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	500.00	R
121082	BISHOP,SHANNON	ESY 2011 REIMBURSEMENT: BISHOP	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121164	BOURGET BROS	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	500.00	R
121168	BUSY BEE HARDWARE	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	500.00	R
120980	CALIFORNIA OFFICE SYSTEMS INC	FURNITURE FOR RELOCATABLES	JOHN ADAMS MIDDLE SCHOOL	1,775.06	BB
121165	CALIFORNIA OFFICE SYSTEMS INC	CLASSROOM/OFFICE SUPPLIES	OLYMPIC CONTINUATION SCHOOL	347.36	R
121293	CALIFORNIA OFFICE SYSTEMS INC	SP ED OFFICE SUPPLIES	SPECIAL EDUCATION REGULAR YEAR	305.77	R
121024	CANON BUSINESS SOLUTIONS-WEST	MAINTENANCE AGREEMENT	CDC: CCTR	655.20	CD
121025	CANON BUSINESS SOLUTIONS-WEST	MAINTENANCE AGREEMENT	CDC: CCTR	315.00	CD
121108	CANON BUSINESS SOLUTIONS-WEST	MAINTENANCE AGREEMENT	CDC: CCTR	1,702.28	CD
121330	CDW-G COMPUTING SOLUTIONS	Open Supplies	INFORMATION SERVICES	3,000.00	U
121045	CHEVRON U.S.A. INC.	Open order for fuel purchases	TRANSPORTATION	15,000.00	R
121162	CHEVRON U.S.A. INC.	OPEN ORDER OPERATIONS GASOLINE	FACILITY OPERATIONS	5,000.00	U
121318	CHEVRON U.S.A. INC.	Open Fuel	INFORMATION SERVICES	3,000.00	U
121325	CITY OF SANTA MONICA	Annual Fiber Maintenance	INFORMATION SERVICES	20,710.00	U
121253	CITY OF SANTA MONICA-ACCTG OFF	CITY DUMP FEES	FACILITY MAINTENANCE	6,000.00	U
121353	CITY OF SANTA MONICA-ACCTG OFF	CUPA FEES	FACILITY MAINTENANCE	6,575.00	R
121064	COGAN,LISA	ESY 2011 REIMBURSEMENT: COGAN	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121118	COGNITOPIA SOFTWARE LLC	ASSISTIVE TECHNOLOGY SOFTWARE	SPECIAL EDUCATION REGULAR YEAR	452.43	R
121144	COHN,JEFFREY	SY11/12 MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	2,000.00	R
121098	COLLINS,LAURA	ESY 2011 REIMBURSEMENT: COLLIN	SPECIAL EDUCATION REGULAR YEAR	75.00	R
120379	COMPLETE BUSINESS SYSTEMS	MAINTENANCE	MCKINLEY ELEMENTARY SCHOOL	750.00	U

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
121113	CPI/CRISIS PREVENTION INST INC	CRISIS PREVENTION TRAINING:HYB	SPECIAL EDUCATION REGULAR YEAR	3,219.75	R
121335	CROWN DISPOSAL CO INC	YEARLY CONTRACT TRASH REMOVAL	FACILITY MAINTENANCE	158,526.00	U
121328	D & B POWER ASSOCIATES INC	APC MAintenance	INFORMATION SERVICES	2,011.00	U
121198	DAILY BREEZE,THE	OPEN PO FOR ADVERTISING	EDISON ELEMENTARY SCHOOL	15,900.00	BB
121050	DANIELS TIRE SERVICE	MAINT DEPT VEHICLE SERVICE	FACILITY MAINTENANCE	750.00	R
121129	DANIELS TIRE SERVICE	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	500.00	R
121073	DAVIES,MIKE	ESY 2011 REIMBURSEMENT: DAVIES	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121081	DEGREGORIO,DANA	ESY 2011 STIPEND: DEGREGORIO	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121066	DESHAUTELLE,ANNA	ESY 2011 STIPEND: DESHAUTELLE	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121233	DIRECT SOURCE COMMUNICATIONS	DATA & ELECTRICAL FOR SAMOHI	PRINTING SERVICES	4,000.00	U
121303	DIRECT SOURCE COMMUNICATIONS	Structure Network Cabling	INFORMATION SERVICES	2,885.18	U
121100	DISCOUNT SCHOOL SUPPLY	SUMMER SUPPLIES	CHILD DEVELOPMENT CENTER	425.80	CD
121090	DOALL INDUSTRIAL SUPPLY	OPERATIONS CUSTODIAL SUPPLIES	FACILITY OPERATIONS	1,000.00	U
121277	DOUBLETREE GUEST SUITES-SM	SITE LEADERSHIP MEETING	STATE AND FEDERAL PROJECTS	4,376.40	R
121149	ENGLER BROS MOTOR PARTS	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	200.00	R
121115	EVERAGE, ASKIA	ESY 2011 MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	436.56	R
121094	EWING IRRIGATION PRODUCTS	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	5,000.00	R
121060	FEDERAL EXPRESS	FEDERAL EXPRESS OPEN PO: SP ED	SPECIAL EDUCATION REGULAR YEAR	500.00	R
121295	FISHER HARDWARE INC	SUPPLIES FOR THEATER OPERATION	THEATER OPERATIONS&FACILITY PR	500.00	R
121061	FLIEGEL,LOIS	ESY 2011 STIPEND: FLIEGEL	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121055	FOLLETT EDUCATIONAL SERVICES	CLASSROOM BOOKS	STATE AND FEDERAL PROJECTS	10,922.27	R
121119	FOOTHILL SOILS	OPERATIONS GROUNDS SOIL	GROUNDS MAINTENANCE	2,309.60	R
121076	FRANKLIN, JUDY	ESY 2011 STIPEND: FRANKLIN	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121190	FRY'S ELECTRONICS	ELECTRONIC MATERIALS	FACILITY MAINTENANCE	400.00	R
121321	FRY'S ELECTRONICS	Open Supplies & Repair	INFORMATION SERVICES	2,000.00	U
120994	GALE SUPPLY CO	CUSTODIAL SUPPLIES	MALIBU HIGH SCHOOL	2,500.00	U
121069	GALE SUPPLY CO	CUSTODIAL SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	2,115.08	U
121093	GALE SUPPLY CO	OPEN ORDER CUSTODIAL SUPPLIES	FACILITY OPERATIONS	5,000.00	U
120381	GBC - MAINTENANCE AGREEMENTS	MAINTENANCE	MCKINLEY ELEMENTARY SCHOOL	428.40	U
121315	GBC/EDUCATION DEPARTMENT	Laminating Rolls	FRANKLIN ELEMENTARY SCHOOL	186.15	U
121163	GEORGE'S HARDWARE	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	500.00	R
121116	GOLDEN STAR TECHNOLOGY INC	PROJECTORS:ASSISTIVE TECH DEPT	SPECIAL EDUCATION REGULAR YEAR	1,059.00	R
121354	GOLDEN STAR TECHNOLOGY INC	HP LAPTOPS FOR NURSES	HEALTH SERVICES	3,057.88	U
121370	GOLDEN STAR TECHNOLOGY INC	SmartBoard Projector	PT DUME ELEMENTARY SCHOOL	730.14	R
121270	GONSALVES, DIANE	ESY11 REIMBURSEMENT: GONSALVES	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121071	GONZALEZ,GABRIELA	ESY 2011 STIPEND: GONZALEZ	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121348	GREENFIELD LEARNING INC	LEXIA READING LICENSE	GRANT ELEMENTARY SCHOOL	3,247.00	U
121107	HAWTHORNE EDUCATION SERVICE	PSYCH PROTOCOL/TEST MATERIALS	SPECIAL EDUCATION REGULAR YEAR	138.33	R
121171	HILLYARD FLOOR CARE SUPPLY	OPERATIONS CUSTODIAL SUPPLIES	FACILITY OPERATIONS	65.54	U
121122	HOME DEPOT- L.A.	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	500.00	R
121291	HOME DEPOT- L.A.	SUPPLIES FOR THEATER OPERATION	THEATER OPERATIONS&FACILITY PR	1,000.00	R
120993	HOUGHTON MIFFLIN	Workbooks	CABRILLO ELEMENTARY SCHOOL	2,593.82	R
120917	HOUGHTON MIFFLIN HARCOURT	TEXTBOOKS	STATE AND FEDERAL PROJECTS	8,406.55	R
120919	HOUGHTON MIFFLIN HARCOURT	TEXTBOOKS	STATE AND FEDERAL PROJECTS	12,334.04	R
120925	HOUGHTON MIFFLIN HARCOURT	TEXTBOOKS	STATE AND FEDERAL PROJECTS	5,127.75	R
121305	IDEAL COMPUTER SOUTH	Maintenance	INFORMATION SERVICES	17,700.00	U
121117	INSPIRATION SOFTWARE INC.	INSPIRATION SOFTWARE: AT DEPT	SPECIAL EDUCATION REGULAR YEAR	357.75	R
121051	INSTA-TUNE	MAINT. DEPT VEHICLE SERVICE	FACILITY MAINTENANCE	1,000.00	R
121130	INSTA-TUNE	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	250.00	R
121176	INTERNATIONAL PAPER	PAPER	ADULT EDUCATION CENTER	72.75	A
121300	INTERNATIONAL PAPER	OPEN ORDER/PAPER	CHILD DEVELOPMENT CENTER	1,000.00	CD

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
121301	INTERNATIONAL PAPER	OPEN ORDER/PAPER	CDC: CCTR	1,000.00	CD
121359	INTERNATIONAL PAPER	recycled paper for office	GRANT ELEMENTARY SCHOOL	1,500.00	U
121307	IPSWITCH INC	Iemail Premium Maintenance	INFORMATION SERVICES	2,154.60	U
120392	JOHNSTON, CINDY	REIMBURSEMENT CLASS SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	700.00	U
121172	JOSTENS/DIPLOMAS	DIPLOMAS/COVERS	ADULT EDUCATION CENTER	487.47	A
121079	KILPATRICK, GENEVIEVE	ESY 2011 STIPEND: KILPATRICK	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121080	KITTEL, GINA	ESY 2011 REIMBURSEMENT: KITTEL	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121031	KORADE & ASSOCIATE BUILDERS	MOD'S TO CSLRM FOR MOVE	LINCOLN MIDDLE SCHOOL	10,170.00	BB
121225	KORADE & ASSOCIATE BUILDERS	WINDOWS AT GRANT OFFICE	FACILITY MAINTENANCE	681.00	R
121229	KORADE & ASSOCIATE BUILDERS	ROOSEVELT STORAGE AREA ROOF	FACILITY MAINTENANCE	685.00	R
121254	KORADE & ASSOCIATE BUILDERS	SMART BOARD REMOVAL/RM REPAIRS	FRANKLIN ELEMENTARY SCHOOL	4,855.00	R
121201	LA OPINION NEWSPAPER	OPEN PO FOR ADVERTISING	EDISON ELEMENTARY SCHOOL	1,175.00	BB
121170	LAB SAFETY SUPPLY INC	OPEN ORDER OPERATIONS SUPPLIES	FACILITY OPERATIONS	250.00	U
121142	LACOE:ACCOUNTS RECEIVABLE UNIT	ADMIN TRAINING LACOE	STATE AND FEDERAL PROJECTS	3,800.00	U
121237	LACSTA	DUES & MEMBERSHIPS	BOE/SUPERINTENDENT	140.00	U
121157	LAKESHORE (PICK UP ONLY)	OPEN ORDER/SUMMER SUPPLIES	CHILD DEVELOPMENT CENTER	150.00	CD
121363	LAKESHORE (PICK UP ONLY)	classroom supplies	GRANT ELEMENTARY SCHOOL	325.00	U
121139	LASERED PICS	ASSISTIVE TECH ACCESSORIES	SPECIAL EDUCATION REGULAR YEAR	83.08	R
121121	LAW FIRE PROTECTION SERVICES	OPEN ORDER FIRE EXTINGUISHER	FACILITY OPERATIONS	9,500.00	U
121114	MAKARIAN, TENI	ESY 2011 MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	103.75	R
121240	MALIBU CHAMBER OF COMMERCE	DUES & MEMBERSHIPS	BOE/SUPERINTENDENT	250.00	U
121102	MANSOUR, CAROLYN COLLINS	ESY 2011 STIPEND: MANSOUR	SPECIAL EDUCATION REGULAR YEAR	71.78	R
121333	MARBLESOFT SIMTECH	ASSISTIVE TECH SWITCH GAMES	SPECIAL EDUCATION REGULAR YEAR	187.37	R
121067	MARSHALL, SUSAN	ESY 2011 STIPEND: MARSHALL	SPECIAL EDUCATION REGULAR YEAR	71.92	R
121161	MARYLAND MATERIALS LLC	PLAYGROUND PARTS	FACILITY MAINTENANCE	200.00	R
121332	MARYLAND MATERIALS LLC	PLAYGROUND PARTS	FACILITY MAINTENANCE	100.00	R
121178	MASUNE/MEDCO SCHOOL FIRST AID	MEDICAL SUPPLIES	CHILD DEVELOPMENT CENTER	4,312.95	CD
121338	METRO TRUCK BODY INC	AUTO REPAIR	FOOD SERVICES	1,300.00	F
121267	NELI'S INC	INSERVICE SUPPLIES	SAINT ANNE'S PRIVATE SCHOOL	400.00	R
121256	NICK RAIL MUSIC	INSTRUMENT REPAIR-MUSIC	CURRICULUM AND IMC	35,000.00	U
121281	NICK RAIL MUSIC	MUSIC INSTRUCTIONAL SUPPLIES	CURRICULUM AND IMC	2,512.75	U
121371	OLIVER WORLDCCLASS LABS INC	UF65 Projector Retrofit Kit	PT DUME ELEMENTARY SCHOOL	2,436.44	R
121166	P O BAHN & SONS	OPEN ORDER GROUNDS SUPPLIES	GROUNDS MAINTENANCE	1,000.00	R
121329	PARIS LASER PRINTER REPAIR INC	Printer Repair & Supplies	INFORMATION SERVICES	3,000.00	U
121054	PEARSON EDUCATION	CLASSROOM BOOKS	STATE AND FEDERAL PROJECTS	9,741.25	R
121057	PEARSON EDUCATION	CLASSROOM BOOKS	STATE AND FEDERAL PROJECTS	11,095.78	R
121058	PEARSON EDUCATION	CLASSROOM BOOKS	STATE AND FEDERAL PROJECTS	12,339.39	R
121148	PEARSON EDUCATION	enVISION MATH BOOKS	STATE AND FEDERAL PROJECTS	13,434.34	R
121200	PEARSON EDUCATION	enVISION MATH CONSUMABLES	STATE AND FEDERAL PROJECTS	9,792.22	R
121202	PEARSON EDUCATION	enVISION MATH CONSUMABLES	STATE AND FEDERAL PROJECTS	5,344.95	R
121203	PEARSON EDUCATION	enVISION MATH CONSUMABLES	STATE AND FEDERAL PROJECTS	4,439.61	R
121206	PEARSON EDUCATION	enVISION MATH CONSUMABLES	STATE AND FEDERAL PROJECTS	5,920.93	R
121207	PEARSON EDUCATION	enVISION MATH CONSUMABLES	STATE AND FEDERAL PROJECTS	4,568.57	R
121212	PEARSON EDUCATION	SOCIOLOGY BOOKS	STATE AND FEDERAL PROJECTS	3,805.29	R
121227	PEARSON EDUCATION	enVISION MATH	STATE AND FEDERAL PROJECTS	626.75	R
121258	PEARSON EDUCATION	enVISION MATH	STATE AND FEDERAL PROJECTS	1,018.46	R
121259	PEARSON EDUCATION	enVISION MATH	STATE AND FEDERAL PROJECTS	313.37	R
121004	PEARSON EDUCATION #1	Workbooks	CABRILLO ELEMENTARY SCHOOL	5,445.43	U
121070	PIONEER CHEMICAL CO	OPERATIONS CUSTODIAL SUPPLIES	FACILITY OPERATIONS	5,000.00	U
121255	PROFESSIONAL UNIFORMS INC	APRONS FOR CAFETERIA STAFF	FOOD SERVICES	222.87	F

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
121181	PROQUEST INFORMATIN & LEARNING	eLIBRARY RENEWAL SUBSCRIPTION	CURRICULUM AND IMC	55,500.00	U
121105	PSYCHOLOGICAL ASSESS	PYCHS PROTOCOLS/TEST MATERIALS	SPECIAL EDUCATION REGULAR YEAR	510.39	R
121309	QSS	QSS Maintenance	INFORMATION SERVICES	39,405.00	U
121326	QSS	QSSUg Maintenance	INFORMATION SERVICES	300.00	U
121288	REDWOOD PRESS INC	ADDRESS LABELS	PERSONNEL SERVICES	108.16	U
121062	REILLY MAUREEN	ESY 2011 REIMBURSEMENT: REILLY	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121306	RIKOH BUSINESS SOLUTIONS	Maintenance Agreement	FRANKLIN ELEMENTARY SCHOOL	9,319.82	R
121316	RIKOH BUSINESS SOLUTIONS	Open PO for copier supplies	FRANKLIN ELEMENTARY SCHOOL	750.00	U
121084	RIEDMILLER,JILL	ESY 2011 STIPEND: RIEDMILLER	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121106	RIVERSIDE PUBLISHING COMPANY	PSYCH PROTOCOLS/TEST MATERIALS	SPECIAL EDUCATION REGULAR YEAR	830.88	R
121242	SANTA MONICA CHAMBER OF	DUES & MEMBERSHIPS	BOE/SUPERINTENDENT	365.00	U
121056	SANTA MONICA DAILY PRESS	ADVERTISEMENTS	OLYMPIC CONTINUATION SCHOOL	149.20	U
121199	SANTA MONICA DAILY PRESS	OPEN PO FOR ADVERTISING	EDISON ELEMENTARY SCHOOL	5,175.00	BB
121052	SANTA MONICA FORD	MAINT. VEHICLE SERVICE	FACILITY MAINTENANCE	1,000.00	R
121147	SANTA MONICA FORD	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	200.00	R
121175	SANTA MONICA MIRROR	ADVERTISING	ADULT EDUCATION CENTER	228.33	A
121366	SANTA MONICA MIRROR	ROP Advertising	R O P	1,500.00	R
121368	SANTA MONICA STAR	ROP ADVERTISING	R O P	1,000.00	R
121077	SCHNEIDER, RHONDA	ESY 2011 STIPEND: SCHNEIDER	SPECIAL EDUCATION REGULAR YEAR	74.84	R
120388	SCHOOL SPECIALTY INC	SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	1,993.00	R
121134	SCHOOL SPECIALTY INC	SPECIAL NEEDS ACCESSORIES: PT	SPECIAL EDUCATION REGULAR YEAR	89.42	R
121249	SCHOOLYARD COMMUNICATIONS	OTHER OPERATING EXPENSES	BOE/SUPERINTENDENT	11,882.57	U
121263	SEA CLEAR POOLS	MALIBU POOL MONITORING	FACILITY MAINTENANCE	1,360.00	R
121298	SEA CLEAR POOLS	DRAIN MALIBU POOL	FACILITY MAINTENANCE	21,172.03	R
121351	SEFAC INC.	Scheduled Service Aggr./Trans.	TRANSPORTATION	525.00	R
120810	SEHI COMPUTER PRODUCTS	Printer for Lab	INFORMATION SERVICES	833.58	U
121266	SEHI COMPUTER PRODUCTS	printer supplies for FacPerm	THEATER OPERATIONS&FACILITY PR	899.67	R
121313	SEHI COMPUTER PRODUCTS	Open PO for ink	FRANKLIN ELEMENTARY SCHOOL	1,000.00	U
121264	SEMBER,JUDY	REIMBURSEMENT GRAPHIC ARTWORK	WILL ROGERS ELEMENTARY SCHOOL	109.09	U
121109	SIEGEL, JULIE	ESY 2011 REIMBURSEMENT: SIEGEL	SPECIAL EDUCATION REGULAR YEAR	75.00	R
120976	SIR SPEEDY PRINTING #0245	STATIONARY	PERSONNEL SERVICES	187.91	U
121010	SIR SPEEDY PRINTING #0245	MIDDLE SCHOOL SPIRIT TICKETS	MALIBU HIGH SCHOOL	316.83	U
121015	SIR SPEEDY PRINTING #0245	MALIBU HIGH STATIONARY	MALIBU HIGH SCHOOL	386.75	U
121158	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	CHILD DEVELOPMENT CENTER	28.41	CD
121182	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	CHILD DEVELOPMENT CENTER	28.41	CD
121320	SIR SPEEDY PRINTING #0245	PRINTING SUPPLIES	FACILITY MAINTENANCE	500.00	R
121324	SIR SPEEDY PRINTING #0245	Blueprints for shade project	CHILD DEVELOPMENT CENTER	150.00	CD
121334	SIR SPEEDY PRINTING #0245	PRINTING-VAPA PROGRAMS	CURRICULUM AND IMC	2,000.00	U
121268	SMART & FINAL #315	INSERVICE SUPPLIES	SAINT ANNE'S PRIVATE SCHOOL	200.00	R
121280	SMART & FINAL #315	INSERVICE SUPPLIES	STATE AND FEDERAL PROJECTS	200.00	R
121167	SMITH PIPE & SUPPLY INC.	OPEN ORDER IRRIGATION SUPPLIES	GROUNDS MAINTENANCE	2,500.00	R
121112	SMITH,ANGELIQUE	ESY 2011 MILEAGE REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	71.35	R
121074	SO CAL TRACTOR SALES	OPEN ORDER GROUNDS VEHICLES	GROUNDS MAINTENANCE	100.00	R
121294	SO CAL TRACTOR SALES	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	900.00	R
121236	SPARKLETTS WATER CO	GENERAL SUPPLIES/MATERIALS	BOE/SUPERINTENDENT	900.00	U
121136	SPECIALTY MEDICAL SUPPLY	SPECIAL NEEDS ACCESSORIES: PT	SPECIAL EDUCATION REGULAR YEAR	154.97	R
121111	SPECTRA/SHAW CONTRACT FLOORING	LINCOLN FLOOR	FACILITY MAINTENANCE	13,220.00	R
121341	SPECTRASYSTEMS INC	PLAYGROUD TURF MATERIALS	FACILITY MAINTENANCE	681.03	R
121356	SPEEDO ELECTRIC CO	Repairs - Bus #10 tachograph	TRANSPORTATION	450.06	R
121188	STANLEY PEST CONTROL	PEST CONTROL FOR KITCHENS	FOOD SERVICES	4,000.00	F
121357	STANLEY PEST CONTROL	PEST CONTROL MANAGEMENT	GROUNDS MAINTENANCE	14,058.00	R

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF AUGUST 24, 2011

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	
121194	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	MCKINLEY ELEMENTARY SCHOOL	500.00	R
121214	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	ADULT EDUCATION CENTER	150.00	A
121216	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	TRANSPORTATION	1,500.00	R
121218	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	INSURANCE SERVICES	546.25	U
121219	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	CHILD DEVELOPMENT CENTER	1,500.00	CD
121220	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	CHILD DEVELOPMENT CENTER	1,334.48	CD
121221	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	PRINTING SERVICES	8,000.00	U
121222	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	CURRICULUM AND IMC	101.70	R
121276	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	PERSONNEL COMMISION	256.41	U
121278	STAPLES BUSINESS ADVANTAGE	SUPPLIES FOR VAPA PROGRAM	CURRICULUM AND IMC	900.00	U
121283	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY ORDERS	FOOD SERVICES	1,427.97	F
121284	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY ORDERS	FISCAL SERVICES	4,896.95	U
121285	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY ORDERS	ADULT EDUCATION CENTER	58.19	A
121286	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY ORDERS	PURCHASING/WAREHOUSE	1,650.45	U
121287	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY ORDERS	CHILD DEVELOPMENT CENTER	1,713.59	CD
121299	STAPLES BUSINESS ADVANTAGE	OPEN ORDER/SUPPLIES	CHILD DEVELOPMENT CENTER	100.00	CD
121319	STAPLES BUSINESS ADVANTAGE	Open Supplies	INFORMATION SERVICES	2,500.00	U
121337	STAPLES BUSINESS ADVANTAGE	Open Supplies	INFORMATION SERVICES	2,000.00	U
121290	STAPLES/P-U/VENICE/LINCOLN BL	OFFICE SUPPLIES	THEATER OPERATIONS&FACILITY PR	500.00	R
121364	STAPLES/P-U/WLA/CUST#240174490	classroom supplies	GRANT ELEMENTARY SCHOOL	325.00	U
121184	STATE OF CALIFORNIA	CA TOXIC SUBSTANCE CONTROL	FACILITY MAINTENANCE	5,030.00	R
121072	STOVER SEED CO	OPERATIONS GROUNDS SUPPLIES	GROUNDS MAINTENANCE	1,037.88	R
121350	SULLIVAN, JAMES C	SAMOHI KILN SERVICE	FACILITY MAINTENANCE	200.00	R
121322	TEACHERS' CURRICULUM INSTITUTE	TEXBOOKS - ECONOMICS & GOV'T	STATE AND FEDERAL PROJECTS	18,939.94	R
120778	THE PROPHET CORP	INST SUP-PE	JOHN ADAMS MIDDLE SCHOOL	743.55	R
120386	TOSHIBA	SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	2,000.00	R
121078	TURF STAR INC	OPEN ORDER GROUNDS VEHICLES	GROUNDS MAINTENANCE	200.00	R
121120	TURF TEAM INC.	OPERATIONS GROUNDS SUPPLIES	GROUNDS MAINTENANCE	3,920.00	R
121265	ULINE SHIPPING SUPPLIES	OFFICE SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	106.68	U
121091	UNIT CHEMICAL CORP	OPERATIONS CUSTODIAL SUPPLIES	FACILITY OPERATIONS	1,483.07	U
121331	UNITED PARCEL SERVICE	Open Postage	INFORMATION SERVICES	300.00	U
121342	UNIVERSAL ASPHALT CO. INC.	ADD'L FUNDS MCKINLEY ASPHALT	FACILITY MAINTENANCE	750.00	R
121365	UNIVERSAL ASPHALT CO. INC.	SAMOHI ASPHALT	FACILITY MAINTENANCE	1,600.00	R
121327	UNIVERSAL PRINTWORKS INC.	Paper Report Cards	INFORMATION SERVICES	2,373.28	U
121269	USTATION, TINA	ESY11 REIMBURSEMENT: USTATION	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121146	VALLEY BRAILLE SERVICE INC.	SPECIAL NEEDS: BRAILLE TXTBOOK	SPECIAL EDUCATION REGULAR YEAR	1,832.40	R
121083	VONDERLEITH,JADEANE	ESY 2011 STIPEND: VONDERLIETH	SPECIAL EDUCATION REGULAR YEAR	75.00	R
121355	VONS STORE #2262	PROF. DEVELOPMENT SUPPLIES	CURRICULUM AND IMC	500.00	U
121049	WALKER MOTOR CO.	MAINT DEPT VEHICLE REPAIR	FACILITY MAINTENANCE	1,000.00	R
121128	WALKER MOTOR CO.	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	280.00	R
121372	WALKER MOTOR CO.	VEHICLE SERVICE	FACILITY MAINTENANCE	1,038.71	R
121053	WARREN DISTRIBUTING INC.	MAINT. VEHICLE SERVICE	FACILITY MAINTENANCE	1,500.00	R
121150	WARREN DISTRIBUTING INC.	OPEN ORDER OPERATIONS VEHICLES	GROUNDS MAINTENANCE	200.00	R
121017	WESTLAKE VILLAGE COSTCO #117	PHOTOGRAPHY SUPPLIES	MALIBU HIGH SCHOOL	750.00	R
121174	ZEE MEDICAL INC	MAINT & OPS FIRST AID KITS	FACILITY MAINTENANCE	1,023.28	R

\*\* NEW PURCHASE ORDERS 1,371,816.25

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF AUGUST 24, 2011

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>** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES **</u>					
120959	CANON BUSINESS SOLUTIONS	COPIER FOR MALIBU CONSTRUCTION	MALIBU HIGH SCHOOL	9,308.23	BB
121204	CANON BUSINESS SOLUTIONS	ONE YEAR SERVICE AGREEMENT	MALIBU HIGH SCHOOL	1,549.50	BB
121193	CROWN DISPOSAL CO INC	OPEN PO FOR HAULING OF DEBRIS	MCKINLEY ELEMENTARY SCHOOL	216,648.31	BB
121195	MALIBU SURFSIDE NEWS	OPEN PO FOR MALIBU ADVERTISING	WEBSTER ELEMENTARY SCHOOL	1,750.00	BB
121197	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	BUSINESS SERVICES	5,000.00	BB
121032	STATE OF CALIFORNIA	RE-EXAMIN.FEE FRO PRIOR CERT.	CABRILLO ELEMENTARY SCHOOL	500.00	BB
				<b>** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES</b>	<b>234,756.04</b>

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: AMENDMENT TO CONTRACT FOR BID #10.33.BB-03-113031–  
MODERNIZATION OF BUILDING E (PACKAGE 1B) PROJECT – LINCOLN  
MIDDLE SCHOOL – ICON WEST, INC. – MEASURE BB

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve Change Order No. 1 for Bid #10.33.BB-03-113031 – Lincoln Middle School – Modernization of Building E (Package 1B), to Icon West, Inc. in the amount of \$30,098.08 for a total contract amount of \$1,805,098.08.

Funding Information:

Budgeted: Yes  
Fund: 82 – Building Fund  
Account Numbers: 82-90500-0-00000-85000-6200-012-2600  
Description: Construction Services  
DSA #: 03-113031  
Description: Building Improvement

COMMENTS: At the April 6, 2011, meeting of the Board of Education, Bid #10.33.BB-03-113031 - Lincoln Middle School – Modernization of Building E (Package 1B), was approved to Icon West, Inc., in the amount of \$1,775,000.

Change Order No. 1 includes the following changes to the terms of the contract:

Original Contract Amount:	\$1,775,000.00
<u>Change Order No. 1:</u>	<u>\$30,098.08</u>
Total Contract Amount:	\$1,805,098.08
Original Contract Duration	210 days
<u>Change Order No. 1:</u>	<u>+8 days</u>
Total Contract Duration:	218 days

Change Order 1 includes the cost for all labor and materials for the additional contract scope summarized as unforeseen and listed as:

1. PCO No. 003: Miscellaneous demolition work: \$3,459.23
2. PCO No. 007: New Plumbing wall in Science Classrooms: \$17,479.55
3. PCO No. 013 : Reinforce existing ceiling framing: \$5,941.61
4. PCO No. 014 : Insulation at un-insulated exterior walls: \$2,817.70
5. PCO No. 018: Sewer video inspection: \$400.00

This Change Order No.1, for a total add of \$30,098.08, is for change orders listed above on the Lincoln Middle School – Modernization of Building E (Package 1B). The revised contract total will be \$1,805,098.08. These construction funding adjustments will not impact budget. No budget increase required.

A Friday memorandum will accompany this item.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)



TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/2011

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

RE: ACCEPTANCE OF WORK COMPLETED FOR BID # 10.38.BB – TRENCHLESS GAS PIPING REPLACEMENT PROJECT – POINT DUME ELEMENTARY SCHOOL – JENN/MATT INC. – MEASURE BB

RECOMMENDATION NO. A.07

It is recommended that the Board of Education accept as completed all work contracted for Bid #10.38.BB-Point Dume Elementary School-Trenchless Gas Piping Replacement Project, Jenn/Matt, Inc. with the final contract amount of \$49,434.00.

Funding Information:

Budgeted: Yes  
Fund: 21  
Source: Building Fund  
Account Numbers: 21-9500-0-00000-85000-6200-019-2600  
Description: Trenchless Gas Piping Replacement

COMMENTS: The contract with Jenn/Matt, Inc. Bid #10.38.BB Point Dume Elementary School-Trenchless Gas Piping Replacement Project, has been completed. In order to facilitate the release of the retention being held by the District, a Notice of Completion must be filed for thirty-five (35) days with the County of Los Angeles pending approval by the Board of Education.

August 1, 2011 was established as the effective contract completion date, which is the effective warranty commencement date.

Original Contract Amount:	<u>\$49,434.00</u>
Total Contract Amount:	\$49,434.00

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: CONTRACT AMENDMENT #22 FOR ADDITIONAL GEOTECHNICAL INVESTIGATIONS – MALIBU HIGH SCHOOL CAMPUS IMPROVEMENT PROJECT – LEIGHTON CONSULTING, INC. – MEASURE BB

RECOMMENDATION NO. A.08

It is recommended that the Board of Education approve Leighton Consulting, Inc. Contract Amendment #22, for additional geotechnical investigations on the Malibu High School Campus Improvement Project in the amount of \$10,000 for a total contract amount of \$353,266, Measure BB projects.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: State Building Fund  
Account Number: 21-00000-0-00000-85000-5802-010-2600  
Project: Campus Improvement Project (New Building)  
Description: Environmental Tests, Geotechnical and Soils

COMMENTS: The project is under review at the Division of the State Architect (DSA). This additional soil investigation is for a slope stability analysis for work occurring at the slope South of the football field and East of the outdoor amphitheater. This work consists of a set of stairs and an accessible ramp leading to the new parking lot and existing field from the main campus level.

This slope stability analysis is a specific study for this area of the site that was not part of the previous geotechnical work completed by Leighton for the project. The slope analysis report is needed by the Architect and Structural Engineer to finalize the design and by DSA to complete their review of this area of the work.

*(Continued on next page)*

CONTRACT AMENDMENT #1 (Edison)	\$ 19,000
CONTRACT AMENDMENT #2 (Edison)	5,000
CONTRACT AMENDMENT #3 (Edison)	7,000
CONTRACT AMENDMENT #4 (Edison)	5,000
CONTRACT AMENDMENT #5 (Malibu)	50,500
CONTRACT AMENDMENT #6 (Malibu)	3,000
CONTRACT AMENDMENT #7 (Webster)	9,400
CONTRACT AMENDMENT #8 (Malibu)	12,400
CONTRACT AMENDMENT #9 (Olympic)	21,600
CONTRACT AMENDMENT #10 (Olympic)	3,000
CONTRACT AMENDMENT #11 (Olympic)	1,300
CONTRACT AMENDMENT #12 (Rogers)	1,500
CONTRACT AMENDMENT #13 (JAMS Pkg. lot)	4,500
CONTRACT AMENDMENT #14 (Grant Main Entry)	5,010
CONTRACT AMENDMENT #15 (JAMS Parking Lot)	10,700
CONTRACT AMENDMENT #16 (JAMS Parking Lot)	5,000
CONTRACT AMENDMENT #17 (JAMS)	61,656
CONTRACT AMENDMENT #18 (Malibu HS EIR)	3,000
CONTRACT AMENDMENT #19 (Edison soil testing)	101,500
CONTRACT AMENDMENT #20 (Samohi CCJUP Synthetic field)	13,200
CONTRACT AMENDMENT #21 (Contract Extension)	\$0
CONTRACT AMENDMENT #22 (Malibu HS)	\$10,000
<b>TOTAL:</b>	<b>\$353,266</b>

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: AWARD OF RENTAL OF TEMPORARY OFFICE TRAILER TO McGRATH RENT CORPORATION (dba MOBIL MODULAR, INC.) – MALIBU HIGH SCHOOL CAMPUS IMPROVEMENT PROJECT – MEASURE BB

RECOMMENDATION NO. A.09

It is recommended that the Board of Education award the rental of a 10' x 24' temporary construction office trailer to McGrath Rent Corporation (dba Mobil Modular, Inc.) for the Malibu High School, Campus Improvement Project, Measure BB bond program. This rental would not exceed 40 months in time or a cost of \$10,000.

Funding Information

Budgeted: Yes

Fund: 21

Source: State Building Fund

Account Number: 21-00000-0-00000-85000-5630-010-2600

Project: Campus Improvement Project (Parking Lot, Interim Housing)

Description: Construction, Interim Housing (Lease/Rental Expenses)

COMMENT: The on-site Management team for Malibu High School requires temporary office space for their operations.

The Fire Alarm project is ongoing through the Summer of 2012 and the main building project is scheduled to start in the first quarter of 2012.

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

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: AWARD OF BID #12.02.BB – MEMBRANE BIOREACTOR WASTEWATER EQUIPMENT – MALIBU HIGH SCHOOL CAMPUS IMPROVEMENT PROJECT – LOWEST RESPONSIVE RESPONSIBLE BIDDER – MEASURE BB

RECOMMENDATION NO. A.10

It is recommended that the Board of Education award Bid #12.02.BB, Membrane Bioreactor Wastewater Equipment, for the Malibu High School Campus Improvement Project to the lowest responsive responsible bidder, in an amount not to exceed \$430,112, which includes up to six (6) alternates.

Funding Information

Budgeted: Yes  
Fund: 21  
Source: Building Fund  
Account Number: 21-90500-0-00000-85000-6200-010-2600  
Project No: 21-0-010-01  
Budget Category: Equipment  
DSA #: 113456

COMMENTS: The Award of this equipment is required to establish the system to be installed and acquire the vendor's design drawings that need to be submitted to DSA for review and approval. Upon award, the District will issue a Notice to Proceed (NTP) for the design of the system only. Purchase of the equipment can be deferred, assigned to the installing contractor, or cancelled at the District's discretion.

The bidding opportunity for Bid #12.02.BB, Membrane Bioreactor (Wastewater Equipment), was advertised in the Daily Breeze on 6/11/2011 and 6/18/2011. Direct invitations were solicited to vendors capable of providing the required equipment.

This equipment includes a pre-assembled, factory tested package membrane bioreactor system and other components needed to ensure proper performance of the Onsite Wastewater Treatment System that may be required for the Malibu HS Campus Improvement Project.

*(Continued on next page)*

The Membrane Bioreactor (Wastewater Equipment) was submitted as a Request for Proposal (RFP) with very specific criteria. Qualified responses to the RFP were required to demonstrate that their proposed solution would meet the criteria established in the RFP. Two qualified responses were received and evaluated by the team. The team is asking for a range that includes the alternates. The base bids were as follows:

Siemens Industry, Inc.		\$369,843
GE Water & Power	\$381,384	

An agenda item will be presented at the next Board meeting ratifying the contract award to the lowest responsive responsible bidder.

These costs were anticipated, and the budget for this work is part of the main project's approved budget.

A Friday memo will accompany this Board Item.

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*Ms. Maez clarified that this item allows for design preparation in case the district is required to meet the requirements of the Water Quality Control Board. If the district does not need to meet the requirements, the district will only need to pay for the drawings aspect of this board item.*

MOTION MADE BY: Mr. Mechur  
SECONDED BY: Ms. Leon-Vazquez  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)  
NOES: None (0)

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

ACTION/CONSENT  
 08/24/11

RECOMMENDATION NO. A.11

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

**ADDITIONAL ASSIGNMENTS**

EDUCATIONAL SERVICES

Drymon, Cheryl	3 hrs @\$31.18	8/10/11-8/11/11	Own Hrly/\$94
Enriquez, Maria	3 hrs @\$29.49	8/10/11-8/11/11	<u>Own Hrly/\$88</u>
		TOTAL OWN HOURLY	\$182

Comment: Smartboard Educators Academy  
 01-Gifts

Posey, Steve	2.5 hrs @\$40.46	8/10/11-8/11/11	<u>Est Hrly/\$101</u>
		TOTAL ESTABLISHED HOURLY	\$101

Comment: Smartboard Educators Academy  
 01-ARRA-EEDT

Allstot, Sean	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Barnes, Allan	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Contreras, Luis	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Duane, Janeen	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Gottlieb, David	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Honda, Julie	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Hylind, Amy	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Joyce-West, Jennifer	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Jung, Parisa	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Kay, Benjamin	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Kemp, Anita	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Lipetz, Sarah	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Marken, Ari	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Moe, Rosalynn	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Montanez, Joe	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Mulligan, Michael	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Murphy, Tony	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Pitts, Gregory	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Pomatti, Katherine	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Ruetschle, Valita	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Segesman, Timothy	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Sherman, Wynn	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Ventre, Vanessa	3 hrs @\$40.46	8/1/11-8/31/11	Est Hrly/\$121
Verdugo, Marty	3 hrs @\$40.46	8/1/11-8/31/11	<u>Est Hrly/\$121</u>
		TOTAL ESTABLISHED HOURLY	\$2,904

Comment: Student Information System Teacher Training  
 01-ARRA-EEDT

Badt, Amy	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Beltran, Susan	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Berens, Candis	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Berman, Laura	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Braff, Sara	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Carey, Ann	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Cedillo, Sofia	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Handelman, Catherine	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Herman, Melissa	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Jauregui, Marissa	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Lipson, Jenny	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012

Mendelson, Karen	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Scholder, Holly	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Scrifres, Mary	25 hrs @\$40.46	8/29/11-6/30/12	Est Hrly/\$1,012
Thatcher, Cindy	25 hrs @\$40.46	8/29/11-6/30/12	<u>Est Hrly/\$1,012</u>
		TOTAL ESTABLISHED HOURLY	\$15,180

Comment: Pre-K Articulation/Transition Workshop  
01-IASA: Title II Teacher Quality

FACILITY PERMITS

Gutierrez, Laurie	3 hrs @\$40.46	6/28/11	Est Hrly/\$ 121
Gutierrez, Laurie	45 hrs @\$40.46	6/30/11-8/18/11	<u>Est Hrly/\$1,821</u>
		TOTAL ESTABLISHED HOURLY	\$1,942

Comment: Site Representative for Permit Event  
01-Permits

SANTA MONICA HIGH SCHOOL

Bart-Bell, Dana	11 hrs @\$40.46	7/1/11-8/29/11	Est Hrly/\$445
Chacon, Martha	11 hrs @\$40.46	7/1/11-8/29/11	Est Hrly/\$445
Cierra, Jorge	11 hrs @\$40.46	7/1/11-8/29/11	Est Hrly/\$445
Gasparino, Jenna	11 hrs @\$40.46	7/1/11-8/29/11	<u>Est Hrly/\$445</u>
		TOTAL ESTABLISHED HOURLY	\$1,780

Comment: Service Learning Project  
01-IASA: Title II Teacher Quality

SMASH

Haendel, Erin	80 hrs @\$40.46	8/29/11-6/18/12	<u>Est Hrly/\$3,237</u>
		TOTAL ESTABLISHED HOURLY	\$3,237

Comment: Humanities Classes  
01-Reimbursed by PTA

SPECIAL EDUCATION

Kleis, Heidi	10 hrs @\$40.46	6/29/11-8/12/11	<u>Est Hrly/\$405</u>
		TOTAL ESTABLISHED HOURLY	\$405

Comment: ESY – Extra Hours  
01-Special Education

Langus, Jocelyn	80 hrs @\$61.20	6/29/11-8/12/11	<u>Own Hrly/\$4,896</u>
		TOTAL OWN HOURLY	\$4,896

Comment: Preschool Assessments  
01-Special Education

Kilpatrick, Genevieve	22 hrs @\$81.18	6/29/11-8/12/11	<u>Own Hrly/\$1,786</u>
		TOTAL OWN HOURLY	\$1,786

Comment: ESY – Reading Instruction  
01-Special Education

Levy, Amanda	2 hrs @\$40.46	7/20/11	<u>Est Hrly/\$81</u>
		TOTAL ESTABLISHED HOURLY	\$81

Comment: Additional Hours – IEP  
01-Special Education

Drosdick, Danielle	6 hrs @\$40.46	6/28/11	<u>Est Hrly/\$243</u>
		TOTAL ESTABLISHED HOURLY	\$243

Comment: ESY Staff Development  
01-Special Education  
[09-10 Budget]



## HOURLY TEACHERS

### ADULT EDUCATION

Bushin, Gregory	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
Gonzalez, Joseph	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
Lauchenauer, Evelyn	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
Levin, Peri	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
Murphy, Leticia	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
Thobe, Christie	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
Zax, Kelly	\$40.46, as needed	8/30/11-6/15/12	Est Hrly/\$----
TOTAL ESTABLISHED HOURLY			\$----

Comment: Adult Education Substitute  
11-Unrestricted Resource

### ROP

Just Daire, Meiko	6 hrs @\$45.34	6/28/11-8/22/11	Est Hrly/\$ 272
Suhd, Mike	60 hrs @\$45.34	7/1/11-8/21/11	Est Hrly/\$2,720
TOTAL ESTABLISHED HOURLY			\$5,712

Comment: ROP Instruction  
01-ROP-Classroom/Program

Kemp, Anita	30 hrs @\$70.32	6/27/11-8/21/11	Own Hrly/\$2,110
TOTAL OWN HOURLY			\$2,110

Comment: ROP Instruction  
01-ROP-Classroom/Program

Jones, Teresa	183 hrs @\$68.74	8/29/11-6/18/12	Own Hrly/\$12,579
TOTAL OWN HOURLY			\$12,579

Comment: Student Store Manager/Santa Monica HS  
01-Unrestricted Resource

**TOTAL ESTABLISHED HOURLY, AND OWN HOURLY = \$ 53,138**

## ELECTIONS

### ADMINISTRATIVE CONTRACTS

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Brisky, Perla Multi-Site Supervisor Child Development Services	100%	8/25/11
Huff, Brianne Behavior Intervention Specialist Special Education	100%	8/25/11
Shekhtmeyster, Zhanna School Psychologist Special Education	100% - Temp	8/25/11-6/30/12

### PROBATIONARY CONTRACTS

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Alexopoulos, Ashley/Teacher/Math John Adams MS	100%	8/29/11
Becker, Jennifer/Spec Ed/Life Skills Cabrillo Elementary	100%	8/29/11
Cheng, Kenny/Teacher/Biology Santa Monica HS	100%	8/29/11

Elledge, Rachel/Spec Ed/Preschool McKinley Elementary	100%	8/29/11
Hoffman, Ryan/Teacher/Statistics Santa Monica HS	100%	8/29/11
LaTeria, Jordan/Spec Ed/SAI Math Santa Monica HS	100%	8/29/11
MacDonald, Andrea/Speech Path Special Education	100%	8/29/11
Maynard, Elizabeth/Spec Ed/SAI Eng Santa Monica HS	100%	8/29/11
Nardoni, Taylor/Speech Path Special Education	100%	8/29/11
Nu-Man, Malukah/Spec Ed/SAI Life Skills Santa Monica HS	100%	8/29/11
Soller, Katheryne/Teacher/Theater-English Santa Monica HS	100%	8/29/11
Swift, Jessica/Teacher/Elem Music Educational Svcs	100%	8/29/11
Wang, Jim/Teacher/Orchestra Lincoln Middle School	100%	8/29/11
Young, Cerenity/Spec Ed/PBS Santa Monica HS	100%	8/29/11
<u>TEMPORARY CONTRACTS</u>		
<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Battung, Jason/Teacher/PE Santa Monica HS	100%	8/29/11-6/18/12
Blair, Susy/Spec Ed/SAI Webster Elementary	100%	8/29/11-6/18/12
Chi, Ah Young/College Counselor Malibu High School	100%	8/1/11-6/18/12
Khem, Chamnauch/Teacher/Latin Santa Monica HS	60%	8/29/11-6/18/12
Lambert, Daniel/Teacher/ISP Malibu HS	100%	8/29/11-6/18/12
Nieves, Melissa/Teacher/OCLC Olympic HS	100%	8/29/11-6/18/12
Rosa, Jose/Teacher/Art Olympic HS	60%	8/29/11-6/18/12
Rowe, Ritsuko, Teacher/Japanese Santa Monica HS	100%	8/29/11-6/18/12

Seals, Michael/Teacher/English Santa Monica HS	100%	8/29/11-6/18/12
Sorensen, Justine/Teacher/English Santa Monica HS	100%	8/29/11-6/18/12
Strauss, Susan/Teacher/English John Adams MS	100%	8/29/11-6/18/12
Thomas, Kate/Spec Ed/SAI Math John Adams MS	100%	8/29/11-6/18/12
Tickler, Brian/Teacher/Soc Studies Santa Monica HS	100%	8/29/11-6/18/12
Vasquez, Martha/Teacher/Kindergarten Rogers Elementary	100%	8/29/11-6/18/12
Webb, Kitaro/Teacher/English Santa Monica HS	100%	8/29/11-6/18/12
Yumori, Nicole/Teacher/Math Santa Monica HS	100%	8/29/11-6/18/12

**SUBSTITUTE TEACHERS**  
**CHILD DEVELOPMENT SERVICES**  
 (@\$16.19 Hourly Rate)  
 Rodgers, Rodney

Effective  
 7/25/11-8/26/11

**CHANGE IN ASSIGNMENT**

Beeman-Solano, Amy  
 JAMS/Lang Arts  
From: Santa Monica HS  
To: JAMS

Effective  
 8/29/11

Breceda, Brenda  
 JAMS/Lang Arts  
From: 100%  
To: 80%

8/29/11-6/18/12

Fliegel, Lois  
 JAMS/Special Ed  
From: Rogers Elementary  
To: John Adams MS

8/29/11

Frost, Millicent  
 Ed Svcs/ELD  
From: 100%  
To: 60%

8/29/11-6/18/12

Garden, Sarah  
 Grant/Special Ed  
From: Pine Street  
To: Grant Elementary

8/29/11

Hammer, Chloe Malibu HS/Special Ed <u>From:</u> French <u>To:</u> Special Ed, SAI	8/29/11
Hernandez, Rafael Malibu HS/Spanish <u>From:</u> 80% <u>To:</u> 100%	8/29/11
Hobkirk, Carl Santa Monica HS/Soc Studies <u>From:</u> Asst Principal/Lincoln MS <u>To:</u> Teacher/Santa Monica HS	8/29/11
Hong, Le Rogers/1 <sup>st</sup> Grade <u>From:</u> Grant Elementary <u>To:</u> Rogers Elementary	8/29/11
Norodom, Pachapor McKinley/CDS Teacher <u>From:</u> 100% <u>To:</u> 80%	8/30/11-6/18/12
O'Meara, Peggy Roosevelt/Special Ed <u>From:</u> Grant Elementary <u>To:</u> Roosevelt Elementary	8/29/11
Turner, Amy Rogers/Kindergarten <u>From:</u> Returning from LOA <u>To:</u> Rogers Elementary	8/29/11

**LEAVE OF ABSENCE (with pay)**

<u>Name/Location</u>	<u>Effective</u>
Baum, Rena Santa Monica HS	8/1/11-12/20/11 [medical]
Robinson, Elaine Franklin Elementary	8/29/11-10/27/11 [maternity]

**LEAVE OF ABSENCE (without pay)**

<u>Name/Location</u>	<u>Effective</u>
Garcia, Veronica Santa Monica HS	8/29/11-6/18/12 [20% - personal leave rescinded] (change in leave status from 5/19/11 Board agenda)
Haenschke, Kristine Santa Monica HS	8/29/11-6/18/12 [personal]
Magnuson, Ruth Santa Monica HS	1/24/12-6/18/12 [child care]
Reilly, Lise Special Education	8/29/11-6/18/11 [personal]

Robinson, Elaine  
Franklin Elementary

10/28/11-11/13/11  
[CFRA]

**RESIGNATION**

Name/Location

Kim, Chi  
Pt Dume Elementary

Effective

8/31/11

**RETIREMENT**

Name/Location

Bixler, William  
Malibu High School

Effective

6/23/11

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

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

ACTION/CONSENT  
 08/24/11

RECOMMENDATION NO. A.12

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.

<b><u>ELECTION</u></b>		<b><u>EFFECTIVE DATE</u></b>
Bechkovski, Stefan Facility Permits	Swimming Instructor/Lifeguard 4 Hrs/SY/Range: 21 Step: A	8/29/11
Burton, Jerome Roosevelt Elementary	Custodian 8 Hrs/12 Mo/Range: 22 Step: A	8/1/11
<b><u>PROVISIONAL ASSIGNMENT</u></b>		<b><u>EFFECTIVE DATE</u></b>
Barumen, Theodore Purchasing	Sr. Buyer	8/1/11-10/31/11
<b><u>SUMMER ASSIGNMENTS</u></b>		<b><u>EFFECTIVE DATE</u></b>
Brotman, Esther Special Education	Inst Asst – Special Ed	6/30/11-8/12/11
Cornejo, Natalie Santa Monica HS	Campus Security Officer	6/30/11-8/12/11
Cornish, Glen Educational Svcs	Media Services Coord	7/1/11-8/31/11
Elie, Latrice Transportation	Bus Driver	8/2/11-8/22/11
Gauntt, Deborah Transportation	Bus Driver	7/29/11-8/22/11
Hall, Ana Special Education	Developmental Health Asst	6/30/11-8/12/11
Johnson, Kerri Special Education	Inst Asst – Special Ed	6/30/11-8/12/11
Mangum, Don Santa Monica HS	Campus Security Officer	6/30/11-8/12/11
Pegues, Forrest Transportation	Bus Driver	7/29/11-8/22/11
Riley, Martelle Transportation	Bus Driver	7/29/11-8/22/11
Santiago, Lauren Special Education	Inst Asst – Special Ed	6/30/11-8/12/11
Smith, Brian Transportation	Bus Driver	7/29/11-8/22/11

Smith, Luz-Stella Special Education	Translator	6/28/11-7/30/11
Turner-Rogers, Ericka McKinley Elementary	Inst Asst – Classroom	8/1/11-8/19/11
Yates-Lomax, Kathy Transportation	Bus Driver	8/2/11-8/22/11

**TEMP/ADDITIONAL ASSIGNMENTS**

**EFFECTIVE DATE**

Alba, Raul Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Alba, Raul Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Alvarez, Jose Operations	Gardener [overtime, as needed]	7/1/11-6/30/12
Anderson, Bruno Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Anderson, Bruno Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Anderson, Michael Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Anderson, Michael Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Asriyan, Aramais Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Asriyan, Aramais Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Avitia-Quintana, Hector Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Avitia-Quintana, Hector Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Beavers, Marcus Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Beavers, Marcus Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Beavers, Marcus Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Bechkovski, Stefan Facility Permis	Swim Instructor/Lifeguard [additional hours, as needed]	7/1/11-6/30/12
Bolan, Anette Facility Permits	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Bolan, Anette Theater Operations	Administrative Asst [overtime, as needed]	7/1/11-6/30/12

Boyd, Katherine Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Boyd, Katherine Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Brackett, Kimberly Facility Permits	Children Center Asst [additional hours as site rep, as needed]	7/1/11-6/30/12
Brown, Murphy Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Brown, Murphy Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Buchanan, Timothy Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Buchanan, Timothy Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Burrell, Catherine Facility Permits	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Burrell, Catherine Theater Operations	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Burton, Jerome Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Burton, Jerome Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Colvin, Lovell Jr. Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Colvin, Lovell Jr. Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Cooper, Raymond Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Cooper, Raymond Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Cornejo, Natalie Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Cornejo, Natalie Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Cueva, Felipe Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Cueva, Felipe Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Cuevas, Jose Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12



Cuevas, Jose Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Custodio, Thelma Santa Monica HS	Inst Asst – Special Ed [additional hours]	9/2/10-10/18/10
Davis, Katherine Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Davis, Katherine Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Davis, Stevie Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Davis, Stevie Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Doty, Kenneth Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Doty, Kenneth Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Durbin, Muriel Santa Monica HS	Inst Asst – Special Ed [additional hours]	9/2/10-10/18/10
Durham, Michael Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Durham, Michael Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Gallegos-Martin, Agustin Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Gallegos-Martin, Agustin Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Gleason, Tim Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Gleason, Tim Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Goldberg, Hayden Facility Permits	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Goldberg, Hayden Theater Operations	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Gonzalez, Arthur Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Gonzalez, Arthur Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Gonzalez, Hector Operations	Custodian [overtime, as needed]	7/1/11-6/30/12

Green, Joseph Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Green, Joseph Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Greene, Milton Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Greene, Milton Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Hanson, Margaret Student Services	Administrative Asst [input health records into student system]	7/1/11-6/30/12
Harris, Kenneth Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Harris, Kenneth Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Harris, Tracey Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Harris, Tracey Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Harris, Tracey Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Heiderman, Daniel Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Heiderman, Daniel Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Herrada, Joe Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Herrada, Joe Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Hornsby, Jeff Purchasing	Buyer [transition with new employee]	7/1/11-8/2/11
Jackson, Mitchell Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Jackson, Mitchell Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Jaramillo, Guido Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Jaramillo, Guido Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Johnson, Debrah Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12

Johnson, Debrah Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Johnson, Ira Santa Monica HS	Inst Asst – Special Ed [additional hours]	9/2/10-10/18/10
Jones, Chancy Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Jones, Chancy Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Lombero, Julio Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Lombero, Julio Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Lopez, Jose Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Lopez, Victoria Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Lopez, Victoria Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Mangum, Don Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Mangum, Don Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Martin, Charles Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Martin, Charles Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Martin, Eric Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Martin, Eric Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Martinez, Santiago Facility Permits	Technology Support Asst [set-up for permit event at JAMS]	6/23/11
McAlpin, Michael Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
McAlpin, Michael Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
McArthur, Sean Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
McArthur, Sean Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12

McCrum, David Facility Permits	Technical Theater Director [overtime, as needed]	7/1/11-6/30/12
McCrum, David Theater Operations	Technical Theater Director [overtime, as needed]	7/1/11-6/30/12
McGee, Leslee Facility Permits	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
McGee, Leslee Theater Operations	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
McKinley, Tyrone Facility Permits	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
McKinley, Tyrone Theater Operations	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Morris, Terry Facility Permits	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Morris, Terry Theater Operations	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Moton, Wilson Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Moton, Wilson Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Murray, April Facility Permits	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Murray, April Theater Operations	Swim Instructor/Lifeguard [overtime, as needed]	7/1/11-6/30/12
Nunez, Sherry Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Nunez, Sherry Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
O'Rourke, Thomas Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
O'Rourke, Thomas Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Odom, Lamont Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Odom, Lamont Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Omari, Saleem Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Omari, Saleem Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12

Orozco, Javier Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Orozco, Javier Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Part, Brian Facility Permits	Sports Facilities Coordinator [overtime, as needed]	7/1/11-6/30/12
Part, Brian Theater Operations	Sports Facilities Coordinator [overtime, as needed]	7/1/11-6/30/12
Patterson, Pete Facility Permits	Technology Support Asst [overtime, as needed]	7/29/11-6/30/12
Patterson, Pete Theater Operations	Technology Support Asst [overtime, as needed]	7/29/11-6/30/12
Peoples, Jeffrey Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Peoples, Jeffrey Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Perez, Graciela Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Perez, Graciela Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Perez, Maria Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Perez, Maria Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Plascencia, Henry Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Plascencia, Henry Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Porter, Joe Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Porter, Joe Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Preciado, Daniel Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Preciado, Daniel Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Preciado, Iris Edison Elementary	Sr. Office Specialist [additional hours for K registration]	8/1/11-8/22/11
Ramirez, Phillip Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12

Ramirez, Phillip Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Rising, Robert Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Rising, Robert Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Segura, Bethel Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Segura Bethel Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Smith, Dunell Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Smith, Dunell Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Smithfield, Dawn Business Services	Office Specialist [Processing of Measure R exemptions]	8/6/11-8/15/11
Spalding, James Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Spalding, James Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Strnad, Jan Facility Permits	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Strnad, Jan Theater Operations	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Suaste, Eduardo Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Suaste, Eduardo Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Taylor, Candice Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Taylor, Candice Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Vasquez, Graciela Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Vasquez, Graciela Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Vazquez-Gomez, Miguel Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Vazquez-Gomez, Miguel Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12

Velasquez, Jose Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Velasquez, jose Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Venable, Mark Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Venable, Mark Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Walker, Louis Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Walker, Louis Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Ward, Victor Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Ward, Victor Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Washington, Chanee Facility Permits	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Washington, Chanee Theater Operations	Administrative Asst [overtime, as needed]	7/1/11-6/30/12
Watkins, Ernest Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Watkins, Ernest Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
West, Malcolm Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
West, Malcolm Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
West, Malcolm Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Widner, Kim Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Widner, Kim Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Wilson, Stanley Facility Permits	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Wilson, Stanley Theater Operations	Campus Security Officer [overtime, as needed]	7/1/11-6/30/12
Wishart, William Facility Permits	Media Services Coordinator [overtime, as needed]	7/1/11-6/30/12

Wishart, William Theater Operations	Media Services Coordinator [overtime, as needed]	7/1/11-6/30/12
Ybarra, Angel Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Ybarra, Angel Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
Ybarra, Jose Facility Permits	Custodian [overtime, as needed]	7/1/11-6/30/12
Ybarra, Jose Theater Operations	Custodian [overtime, as needed]	7/1/11-6/30/12
<b><u>SUBSTITUTES</u></b>		<b><u>EFFECTIVE DATE</u></b>
Alex, Milton Operations	Custodian	7/1/11-6/30/12
Alex, Milton Facility Permits	Custodian	7/1/11-6/30/12
Alvarez, Jose Operations	Custodian	7/1/11-6/30/12
Alvarez, Jose Facility Permits	Custodian	7/1/11-6/30/12
Amao, Dora Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Ascencio, Johanna Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Azaditabar-Carlson, Azam Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Atashbar, Malouk Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Bahkyt, Said Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Bolan, Anette Facility Permits	Campus Security Officer	7/1/11-6/30/12
Bolan, Anette Theater Operations	Campus Security Officer	7/1/11-6/30/12
Bracamonte, Jorge Operations	Custodian	7/1/11-6/30/12
Bracamonte, Jorge Facility Permits	Custodian	7/1/11-6/30/12
Burleigh, David Facility Permits	Campus Security Officer	7/1/11-6/30/12
Burleigh, David Theater Operations	Campus Security Officer	7/1/11-6/30/12



Burns, Robert Operations	Custodian	7/1/11-6/30/12
Burns, Robert Facility Permits	Custodian	7/1/11-6/30/12
Burton, Jerome Operations	Custodian	7/1/11-6/15/12
Cage, Joann Operations	Custodian	7/1/11-6/30/12
Cage, Joann Facility Permits	Custodian	7/1/11-6/30/12
Cunningham, Troy Operations	Custodian	7/1/11-6/30/12
Cunningham, Troy Facility Permits	Custodian	7/1/11-6/30/12
Curtis, Kathleen Facility Permits	Campus Security Officer	7/1/11-6/30/12
Curtis, Kathleen Theater Operations	Campus Security Officer	7/1/11-6/30/12
Dickerson, Babette Child Develop Svcs	Children Center Asst	7/25/11-8/26/11
Douglas, Lamont Facility Permits	Campus Security Officer	7/1/11-6/30/12
Douglas, Lamont Theater Operations	Campus Security Officer	7/1/11-6/30/12
Dunnam, Stephanie Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Eule, Carole Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Fairchild, Kathleen Facility Permits	Campus Security Officer	7/1/11-6/30/12
Fairchild, Kathleen Theater Operations	Campus Security Officer	7/1/11-6/30/12
Gardner II, Rodney Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Gear, Lynn Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Gomez, Jack Operations	Custodian	7/1/11-6/30/12
Gomez, Jack Operations	Custodian	7/1/11-6/30/12

Guzman, Yelena Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Hatcher, Aaron Operations	Custodian	7/1/11-6/30/12
Hatcher, Aaron Facility Permits	Custodian	7/1/11-6/30/12
Hutchinson, Joan Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Lockett, Tyrone Operations	Custodian	7/1/11-6/30/12
Lockett, Tyrone Facility Permits	Custodian	7/1/11-6/30/12
Lockett, Tyrone Facility Permits	Campus Security Officer	7/1/11-6/30/12
Lockett, Tyrone Theater Operations	Campus Security Officer	7/1/11-6/30/12
Lopez, Manuel Facility Permits	Campus Security Officer	7/1/11-6/30/12
Lopez, Manuel Theater Operations	Campus Security Officer	7/1/11-6/30/12
Lopez, Mayra Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Lyons, Robert Operations	Custodian	7/1/11-6/30/12
Lyons, Robert Facility Permits	Custodian	7/1/11-6/30/12
Malik, Richa Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Martin, Anthony Facility Permits	Campus Security Officer	7/1/11-6/30/12
Martin, Anthony Theater Operations	Campus Security Officer	7/1/11-6/30/12
Miller, Melvyn Facility Permits	Campus Security Officer	7/1/11-6/30/12
Miller, Melvyn Theater Operations	Campus Security Officer	7/1/11-6/30/12
Morris, Sean Operations	Custodian	7/1/11-6/30/12
Morris, Sean Facility Permits	Custodian	7/1/11-6/30/12

Nunez, Sheri Adult Education	Campus Security Officer	8/30/11-6/15/12
Orozco, Rosa Operations	Custodian	8/1/10-6/30/11
Plascencia, Beatriz Facility Permits	Campus Security Officer	7/1/11-6/30/12
Plascencia, Beatriz Theater Operations	Campus Security Officer	7/1/11-6/30/12
Rabbani, Susan Special Education	Inst Asst – Special Education	7/1/11-6/30/12
Rose, Jason Special Education	Inst Asst – Special Education	7/1/11-6/30/12
Rowe, Russell Operations	Custodian	7/1/11-6/30/12
Row, Russell Facility Permits	Custodian	7/1/11-6/30/12
Saad, Metias Operations	Custodian	7/1/11-6/30/12
Saad, Metias Facility Permits	Custodian	7/1/11-6/30/12
Sadeghpour, Mojdeh Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Sadjadpour, Sarah Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Sargent, Darren Facility Permits	Campus Security Officer	7/1/11-6/30/12
Sargent, Darren Theater Operations	Campus Security Officer	7/1/11-6/30/12
Shamsian, Dalia Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Simonian, Patty Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Singer, Elisa Special Education	Inst Asst – Special Ed	7/1/11-6/30/12
Wolff, Amy Special Education	Inst Asst – Special Ed	7/1/11-6/30/12

**LEAVE OF ABSENCE (PAID)**

Rodriguez, Cecilia  
Child Develop Svcs

Children Center Asst  
Maternity

**EFFECTIVE DATE**

8/29/11-9/30/11

**PROFESSIONAL GROWTH**Burton, Lisa  
Fiscal Services

Accounting Tech

**EFFECTIVE DATE**

9/1/11

**RESIGNATION**Bernard, Gregory  
Olympic HS

Inst Asst – Special Ed

**EFFECTIVE DATE**

6/22/11

Coles, Roxanne  
Special Education

Inst Asst – Specialized

8/11/11

Licassi, Juliana  
Lincoln MS

Inst Asst – Special Ed

7/29/11

Makarian, Teni  
Special Education

Physical Therapist

7/29/11

Romo, Valerie  
Food Services

Cafeteria Worker I

6/25/11

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION ACTION/CONSENT  
08/24/11  
 FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / WILBERT YOUNG  
 RE: CLASSIFIED PERSONNEL – NON-MERIT

RECOMMENDATION NO. A.13

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**

BLUE, VAL	MALIBU HIGH SCHOOL	7/1/11-6/30/12
BUTTE, MEREDITH	MALIBU HIGH SCHOOL	7/1/11-6/30/12
GRAY, CARLOS	MALIBU HIGH SCHOOL	7/1/11-6/30/12
HUMPHREY, REGENCE	MALIBU HIGH SCHOOL	7/1/11-6/30/12
JOHNSTONE, JOHN	MALIBU HIGH SCHOOL	7/1/11-6/30/12
SYKES, EUGENE	MALIBU HIGH SCHOOL	7/1/11-6/30/12
YOUNG, BRUCE	MALIBU HIGH SCHOOL	7/1/11-6/30/12

**ADMINISTRATIVE SPECIALIST – LEVEL II**

RIVERA, NANCY	CHILD DEVELOP SVCS [Train CDS Fiscal Supervisor] - Funding: Head Start Basic – 75% LA Universal Preschool – 25%	7/1/11-9/30/11
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MOTION MADE BY: Mr. Mechur  
 SECONDED BY: Ms. Leon-Vazquez  
 STUDENT ADVISORY VOTE: N/A  
 AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)  
 NOES: None (0)

TO: BOARD OF EDUCATION  
FROM: SANDRA LYON / DEBRA MOORE WASHINGTON  
RE: ADMINISTRATIVE APPOINTMENTS

ACTION/CONSENT  
08/24/11

RECOMMENDATION NO. A.14

It is recommended that the Board of Education approve the following administrative appointments

**CERTIFICATED APPOINTMENT**

**Effective**

Rebecca Johnson  
Principal, Pt Dume Elementary School

TBD

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

*Ms. Lyon introduced Ms. Johnson, who thanked the board for this opportunity. She remarked that Point Dume is an amazing school and with an amazing population of students and parents who are engaged in learning. She said she looked forward to continuing the excellence Ms. Kim established at that site.*

MOTION MADE BY: Mr. Mechur  
SECONDED BY: Ms. Leon-Vazquez  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)  
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

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

RE: REOPEN APPLICATION PROCESS TO FILL VACANCIES ON THE MEASURE  
BB ADVISORY COMMITTEE

RECOMMENDATION NO. A.15

It is recommended the Board of Education direct staff to reopen the application process to fill two vacancies on the Measure BB Advisory Committee.

COMMENTS: On August 10, 2011, the board appointed Bruce Ochmanek to fill one of two open slots on the BB Committee; however, he has since informed the Facilities Improvements Department that a recent development in his work schedule will prevent him from attending meetings. Mr. Ochmanek's resignation results in two vacancies on the committee.

A press release will be distributed and emails will be sent to SMMUSD families announcing these openings. Every effort will be made to encourage membership from Malibu.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISE BP 3270 – SALE AND DISPOSAL OF BOOKS, EQUIPMENT, AND SUPPLIES

RECOMMENDATION NO. A.16

It is recommended that the Board of Education revise BP 3270 – Sale and Disposal of Books, Equipment, and Supplies.

COMMENT: This is a mandated revision by CSBA that revises and expands sample criteria for determining when instructional materials are obsolete or unusable, including adding nonalignment with the district's academic standards or course of study.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting. (Revisions to the AR were in the August 10 agenda under Information Items.)

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)



**SALE AND DISPOSAL OF BOOKS, EQUIPMENT AND SUPPLIES**

When district-owned books, equipment and supplies become unusable, obsolete, or no longer needed, the Superintendent or designee shall identify these items to the Board of Education, together with their estimated value and a recommendation that they be sold or disposed of by one of the methods prescribed in law and administrative regulations. With Board approval, the Superintendent or designee shall arrange for the sale or disposal of these items.

Instructional materials may be considered obsolete or unusable when they:

- ~~1. Contain information rendered inaccurate or incomplete by new discoveries or technologies~~
- ~~2. Have been replaced by more recent versions or editions of the same material and are of no foreseeable value in other instructional areas~~
- ~~3. Contain demeaning, stereotyping or patronizing references to either sex, members of racial, ethnic, religious, vocational or cultural groups, or persons with physical or mental disabilities~~
- ~~4. Have been inspected and discovered to be damaged beyond use or repair~~
1. Have been replaced by more recent editions or new materials selected by the Board and have no foreseeable value in other instructional areas
2. Are not aligned with the district's academic standards or course of study
3. Contain information rendered inaccurate or incomplete by new research or technologies
4. Contain demeaning, stereotyping, or patronizing references to any group of persons protected against discrimination by law or Board policy
5. Are damaged beyond use or repair

The Superintendent or designee shall establish procedures to be used when selling equipment for which the federal government has a right to receive all or part of the proceeds. These procedures shall ensure a reasonable amount of competition so as to result in the highest possible revenue.

Legal Reference:

**EDUCATION CODE**

[17540-17542](#) Sale or lease of personal property by one district to another

[17545-17555](#) Sale of personal property

[42291.5](#) Temporary school bus designation

[42303](#) School bus sale to another district

[60500](#) Determination of obsolescence

[60510-60511](#) Donation or sale

[60520-60521](#) Disposition of sale proceeds

[60530](#) Methods of destruction

**GOVERNMENT CODE**

[25505](#) District property; disposition; proceeds

**UNITED STATES CODE, TITLE 40**

484 Surplus property

**CODE OF FEDERAL REGULATIONS, TITLE 34**

[80.32](#) Equipment acquired under a grant or subgrant

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISE BP 3280 – SALE OR LEASE OF DISTRICT-OWNED REAL  
PROPERTY

RECOMMENDATION NO. A.17

It is recommended that the Board of Education revise BP 3280 – Sale or Lease of District-Owned Real Property.

COMMENT: CSBA is recommending this policy update to reflect new law (ABX4 2), which authorizes districts, until January 1, 2012, to use the proceeds from the sale of surplus property for any one-time general fund purpose.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

**SALE OR LEASE OF DISTRICT-OWNED REAL PROPERTY**

The Board of Education believes that the district should utilize its facilities and resources in the most economical and practical manner. To that end, the Superintendent or designee shall periodically study the current and projected use of all district facilities in order to ensure the efficient utilization of space and the effective delivery of instruction in order to maximize student learning.

Upon determination that district property is no longer needed or may not be needed until some future time, the Board shall offer to sell or lease district-owned real property in accordance with priorities and procedures specified in law, including, but not limited to, Education Code 17230, 17464, 17485-17500, and Government Code 54222.

When required by law, the Board shall appoint a district advisory committee to advise the Board in the development of policies and procedures governing the use or disposition of schools or school building space which is not needed for school purposes. (Education Code 17388)

Before ordering the sale or lease of any real property, the Board shall adopt a resolution by a two-thirds vote of all of its members at a regular, open meeting. The resolution shall describe the property proposed to be sold or leased in such a manner as to identify it, specify the minimum price or rent, describe the terms upon which it will be sold or leased, and specify the commission or rate, if any, which the Board will pay to a licensed real estate broker out of the minimum price or rent. The resolution shall fix a time, not less than three weeks thereafter, for a public meeting, held at the Board's regular meeting place, at which sealed proposals to purchase or lease will be received and considered. (Education Code 17466)

The Superintendent or designee shall provide notice of the adoption of the resolution and of the time and place of the meeting by posting copies of the resolution, signed by the Board, in three public places not less than 15 days before the date of the meeting. In addition, the notice shall be published at least once a week for three successive weeks before the meeting, in a newspaper of general circulation published in the county in which the district is located, if such a paper exists. (Education Code 17469)

At the public meeting specified in the resolution, the Board shall open, examine, and declare all sealed bids. Before accepting any written proposal, the Board shall call for oral bids in accordance with law. The Board may reject any and all bids, either written or oral, and withdraw the properties from sale when the Board determines that rejection is in the best public interest. (Education Code 17472, 17473)

Of the proposals submitted by responsible bidders which conform to all terms and conditions specified in the resolution of intention to sell or lease, the Board shall finally accept the highest bid after deducting the commission, if any, to be paid to a licensed real estate broker, unless the Board accepts a higher oral bid or rejects all bids. (Education Code 17472)

The final acceptance of the bid may be made either at the same meeting specified in the resolution or at any adjourned/continued meeting held within 10 days. Upon acceptance of the bid, the Board may adopt a resolution of acceptance that directs the Board president, or any other Board member, to execute the deed or lease and to deliver the document upon performance and compliance by the successful bidder of all of the terms and conditions of the contract. (Education Code 17472-17478)

The Superintendent or designee shall ensure that proceeds from the sale, or lease with an option to purchase, of district surplus property are used in accordance with law. (Education Code 17462; 2 CCR 1700)

Until January 1, 2012, the district may expend proceeds from the sale of surplus real property, along with the proceeds from any personal property located on that real property, for any one-time general fund purpose(s). Prior to exercising this authority, the Board shall certify to the State Allocation Board that: (Education Code 17463.7)

1. The district has no major deferred maintenance requirements not covered by existing capital outlay resources.
2. The sale of real property pursuant to Education Code 17463.7 does not violate the provisions of a local bond act.
3. The real property is not suitable to meet projected school construction needs for the next 10 years.

Prior to exercising this authority, the Superintendent or designee shall present to the Board, at a regularly scheduled meeting, a plan for expending these one-time resources. The plan shall identify the source and use of the funds and shall describe the reasons that the expenditure shall not result in ongoing fiscal obligations for the district. (Education Code 17463.7)Legal

Legal Reference:

EDUCATION CODE

17219-17224 Acquisition of property not utilized as school site; nonuse payments; exemptions

17230-17234 Surplus property

17385 Conveyances to and from school districts

17387-17391 Advisory committees for use of excess school facilities

17400-17429 Leasing property

17430-17447 Leasing facilities

17453 Lease of surplus district property

17455-17484 Sale or lease of real property, especially:

17463.7 Proceeds for general fund purposes

17485-17500 Surplus school playground (Naylor Act)

17515-17526 Joint occupancy

17527-17535 Joint use of district facilities

33050 Request for waiver

38130-38139 Civic Center Act

GOVERNMENT CODE

54220-54232 Surplus land, especially:

54222 Offer to sell or lease property

54950-54963 Brown Act, especially:

54952 Legislative body, definition

PUBLIC RESOURCES CODE

21000-21177 California Environmental Quality Act

CODE OF REGULATIONS, TITLE 2

1700 Definitions related to surplus property

COURT DECISIONS

*San Lorenzo Valley Community Advocates for Responsible Education v. San Lorenzo Valley Unified School District, (2006) 139 Cal.App. 4th 1356*

Management Resources:

CSBA PUBLICATIONS

*Maximizing Opportunities for Physical Activity Through Joint Use of Facilities, Policy Brief, September 2009*

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

*Closing a School Best Practices Guide*

OFFICE OF PUBLIC SCHOOL CONSTRUCTION PUBLICATIONS

*Unused Site Program Handbook, May 2008*

WEB SITES

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

California Department of Education, School Facilities Planning Division: <http://www.cde.ca.gov/ls/fa>

Coalition for Adequate School Housing: <http://www.cashnet.org>

Office of Public School Construction: <http://www.opsc.dgs.ca.gov>

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

TO: BOARD OF EDUCATION  
FROM: SANDRA LYON / JANECE L. MAEZ  
RE: REVISE BP 3314.2 – REVOLVING FUNDS

ACTION/CONSENT  
08/24/11

RECOMMENDATION NO. A.18

It is recommended that the Board of Education revise BP 3314.2 – Revolving Funds.

COMMENT: CSBA is recommending this policy update to reflect new language specifying that such funds are subject to the district's internal control procedures established for the purpose of fraud prevention and financial impropriety and must be maintained in accordance with the California School Accounting Manual.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting.

MOTION MADE BY: Mr. Mechur  
SECONDED BY: Ms. Leon-Vazquez  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)  
NOES: None (0)

**REVOLVING FUNDS****District Revolving Fund**

The Governing Board has a fiduciary responsibility to effectively manage and safeguard the district's assets and resources. All revolving cash funds shall be subject to the internal control procedures established by the district to prevent and detect fraud, financial impropriety, or irregularity and shall be maintained in accordance with law and the California School Accounting Manual.

The Board of Education has established by resolution a revolving cash fund for use by the Superintendent or designee in paying for goods, services and other charges determined by the Board, including supplemental payments required to correct any payroll errors. (Education Code [42800-42806](#), [45167](#))

At the request of the Board, County Auditor or County Superintendent of Schools, the Superintendent or designee shall give an account of the fund. (Education Code [42804](#))  
The funds shall be deposited in a bank doing business locally, whose deposits are insured by FDIC. The Superintendent or designee shall be responsible for all payments into the account as well as expenditures from the account subject to the restrictions established by the Board.

The Board shall review and revise fund usage as appropriate.

The chief accounting officer shall be covered by an individual bond or insurance in the amounts specified in law. He/she shall ensure that payments from the fund are for services or materials that are a legal charge against the district and that a receipt is obtained setting forth the date, payee, purpose of the expenditure, and amount expended. (Education Code 41021, 42801, 42801.5, 42804)

The Board may at any time reduce or discontinue the revolving cash fund. (Education Code 42805)

*Legal Reference:**EDUCATION CODE*

[35160](#) Authority of governing boards

[41020](#) Audits of all district funds

[42238](#) Local taxation by school districts

[42800-42806](#) Revolving cash fund

[42810](#) Revolving cash funds; use; administrators

[45167](#) Error in salary

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISE BP 3320 – CLAIMS AND ACTIONS AGAINST THE DISTRICT

RECOMMENDATION NO. A.19

It is recommended that the Board of Education revise BP 3320 – Claims and Actions Against the District.

COMMENT: CSBA is recommending this policy update to add language regarding the claims management functions performed by the district's Joint Powers Authority (JPA) or insurance carrier, including reviewing the claim for sufficiency and requiring the Superintendent to forward all claims to the JPA.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting. (Revisions to the AR were in the August 10 agenda under Information Items.)

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

**CLAIMS AND ACTIONS AGAINST THE DISTRICT**

The Board of Education intends that the district's operations minimize risk, protect district resources, and promote the safety of students, staff, and the public. ~~Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with Board policy and administrative regulation.~~ Any and all claims for money or damages against the district shall be presented to and acted upon in accordance with law, Board policy, and administrative regulation as well as the district's Joint Powers Authority (JPA) agreement or insurance coverage.

Claims for money or damages not governed by the Government Claims Act (Government Code [810-996.6](#)) or excepted by Government Code [905](#) shall be presented consistent with the manner and time limitations in the Government Claims Act, unless a procedure for processing such claims is otherwise provided by state or federal law. ~~Such compliance is a prerequisite to any court action consistent with the provisions of Government Code 945.4.~~ Upon notice to the district of a claim, the Superintendent or designee shall take all necessary steps to protect the district's rights under any applicable contractual agreements, including the right to indemnification from its insurance or other coverage provider.

~~The Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less. (Government Code 935.4)~~ In accordance with Government Code 935.4, the Board delegates to the Superintendent the authority to allow, compromise, or settle claims of \$50,000 or less pursuant to any conditions of coverage in the district's JPA agreement or insurance.

This policy is intended to apply retroactively to any existing causes of action and/or claims for money and/or damages.

**Roster of Public Agencies**

The Superintendent or designee shall file the information required for the Roster of Public Agencies with the Secretary of State and the County Clerk. Any changes to such information shall be filed within 10 days after the change has occurred. (Government Code [53051](#))

This information shall include the name of the school district, the mailing address of the Board, and the names and addresses of the Board presiding officer, the Board clerk or secretary, and other members of the Board. (Government Code [53051](#))

Legal Reference:

EDUCATION CODE

[35200](#) Liability for debts and contracts

[35202](#) Claims against districts; applicability of Government Code

CODE OF CIVIL PROCEDURE

[340.1](#) Damages suffered as result of childhood sexual abuse

GOVERNMENT CODE

[800](#) Cost in civil actions

[810-996.6](#) Claims and actions against public entities

[53051](#) Information filed with secretary of state and county clerk

PENAL CODE

[72](#) Fraudulent claims

COURT DECISIONS

*City of Stockton v. Superior Court, (2007) 42 Cal. 4th 730*

*Connelly v. County of Fresno, (2006) 146 Cal.App. 4th 29*

*CSEA v. South Orange Community College District, (2004) 123 Cal.App.4th 574*

*CSEA v. Azusa Unified School District, (1984) 152 Cal.App.3d 580*

Management Resources:

WEB SITES

California Secretary of State's Office: <http://www.sos.ca.gov>

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

TO: BOARD OF EDUCATION  
FROM: SANDRA LYON / JANECE L. MAEZ  
RE: REVISE BP 3515.2 – DISRUPTIONS

ACTION/CONSENT  
08/24/11

RECOMMENDATION NO. A.20

It is recommended that the Board of Education revise BP 3515.2 – Disruptions.

COMMENT: CSBA is recommending this policy update to reflect new law (AB 1390), which requires the principal to inform law enforcement when anyone possesses a firearm or explosive or sells or furnishes a firearm on school grounds, and new law (AB 870), which prohibits razor blades and box cutters on school grounds or at school activities.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting. (Revisions to the AR were in the August 10 agenda under Information Items.)

MOTION MADE BY: Mr. Mechur  
SECONDED BY: Ms. Leon-Vazquez  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)  
NOES: None (0)

**DISRUPTIONS**

~~In order to help maintain an educational environment that provides for student safety, the Board of Education is committed to keeping the schools free from disruptions and to keeping unauthorized persons from entering school grounds. The Superintendent or designee shall provide for the prompt removal of any individual from school grounds who disrupts or threatens to disrupt normal school operations, threatens the health and safety of students or staff, or threatens to cause property damage in accordance with law, Board policy, or administrative regulation.~~

The Governing Board is committed to providing a safe environment for district students, staff, and others while they are on district property or engaged in school activities.

The Superintendent or designee shall remove any individual who, by his/her presence or action, disrupts or threatens to disrupt normal district or school operations, threatens the health or safety of anyone on district property, or causes or threatens to cause damage to district property or to any property on school grounds.

The Superintendent or designee shall establish a plan describing actions to be taken, including staff responsibilities, when an individual is causing a disruption. In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention in the event of a disruption.

The Superintendent or designee shall provide training to school staff on how to identify and respond to actions or situations that may constitute a disruption.

Any employee who believes that a disruption may occur shall immediately contact the principal. The principal or designee shall notify law enforcement in accordance with Education Code 48902 and 20 USC 7151 and in other situations, as appropriate.

**Safe School Zone**

Possession of a firearm within 1000 feet of any district school is prohibited except when authorized by law. (Penal Code 626.9)

Possession of any other unauthorized weapon or dangerous instrument is prohibited on school grounds or buses and at school-related or school-sponsored activities without the written permission of school authorities.

~~School staff shall be trained to recognize when an individual has committed acts that constitute a disruption in violation of Board policy or administrative regulation. Staff who believe that a disruption may occur shall immediately contact the principal.~~

**Gun-Free School Zone**

~~Possession of unauthorized firearms, weapons, or other dangerous instruments is prohibited within 1,000 feet of school grounds without the written permission of school authorities. (Penal Code 626.9, 626.10)~~

Legal Reference:

EDUCATION CODE

[322.10](#) Willful disturbance of public school or meeting, misdemeanor  
[322.11](#) Threatened disruption or interference with classes; misdemeanor  
[35160](#) Authority of governing boards  
[448.10](#) Willful interference with classroom conduct  
[448.11](#) Disruption of classwork or extracurricular activities  
[515.12](#) Prohibited use of electronic listening or recording device

PENAL CODE

[243.5](#) Assault or battery on school property  
[415.5](#) Disturbance of peace of school  
[626-626.11](#) Schools, crimes, especially:  
[626.7](#) Failure to leave campus or facility; wrongful return; penalties; notice; exceptions  
[626.8](#) Disruptive presence at schools  
[626.81](#) Misdemeanor for registered sex offender to come onto school grounds  
[626.9](#) Gun Free School Zone Act  
[627-627.10](#) Access to school premises  
[653b](#) Loitering about schools or public places

COURT DECISIONS

Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652  
In Re Joseph F., (2000) 85 Cal.App.4th 975  
In Re Jimi A., (1989) 209 Cal. App.3d 482  
In Re Oscar R., (1984) 161 Cal. App 3d 770  
ATTORNEY GENERAL OPINIONS  
79 Ops.Cal.Atty.Gen. 58 (1996)

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001  
U.S. DEPARTMENT OF EDUCATION PUBLICATIONS  
Practical Information on Crisis Planning: A Guide for Schools and Communities, May 2003

WEB SITES

CSBA: <http://www.csba.org>  
California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/l/s/ss>  
U.S. Department of Education, Emergency Planning: <http://www.ed.gov/admins/lead/safety/emergencyplan>

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISE BP 3516.5 – EMERGENCY SCHEDULES

RECOMMENDATION NO. A.21

It is recommended that the Board of Education revise BP 3516.5 – Emergency Schedules.

COMMENT: CSBA is recommending this policy update to add language regarding seeking full average daily attendance reimbursement when an emergency situation prevents the district from meeting legal requirements for the minimum number of instructional days or minutes. The policy also adds examples of methods that may be used to notify students and parents/guardians of an emergency schedule.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting. (Revisions to the AR were in the August 10 agenda under Information Items.)

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

**EMERGENCY SCHEDULES**

In order to provide for the safety of students and staff, the Board of Education authorizes the Superintendent or designee to close a school site, to change the regular school day schedule, or to take any necessary action when adverse weather conditions or other emergencies warrant.

When an emergency condition causes a school closure, reduction in attendance, or change in schedule pursuant to Education Code 41422 or 46392, thereby preventing the district from complying with the minimum number of instructional days or minutes required by law, the Superintendent or designee shall complete and submit to the Superintendent of Public Instruction the necessary forms for obtaining approval of the days of the closure, reduction in attendance, or change in schedule. The Superintendent or designee shall submit other relevant district records as may be required.

The Superintendent or designee shall establish a system for informing students and parents/guardians when school buses are not operating or when the school day schedule is changed or the school is closed. The district's notification system shall include, but is not limited to, notifying local television and radio stations, posting on district web site(s), sending email and text messages, and/or making telephone calls.

In the event that students arrive at school when the school day schedule changes or the schedule changes after school has begun, the Superintendent or designee shall ensure that supervision is provided in accordance with the procedures specified in the district's emergency and disaster preparedness plan.

The Superintendent or designee may provide a means to compensate for lost instructional time later during the year. Students and parents/guardians shall receive timely advanced notice of any resulting changes in the school calendar or school day schedule.

Legal Reference:

**EDUCATION CODE**

*41422 Schools not maintained for 175 days*

*46010 Total days of attendance*

*46100-46192 Attendance; maximum credit; minimum day*

*46390 Calculation of ADA in emergency*

*46392 Decreased attendance in emergency situation*

**VEHICLE CODE**

*34501.6 School buses; reduced visibility*

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



TO: BOARD OF EDUCATION

ACTION/CONSENT

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: ADOPT BP 3555 – NUTRITION PROGRAM COMPLIANCE

RECOMMENDATION NO. A.22

It is recommended that the Board of Education adopt BP 3555 – Nutrition Program Compliance.

COMMENT: CSBA is recommending this new mandated policy, which reflects state and federal law prohibitions against discrimination in the National School Lunch Program, School Breakfast Program, Special Milk Program, and other child nutrition programs as well as recent enforcement activities of CDE's Nutrition Services Division based on U.S. Department of Agriculture's Food and Nutrition Service instructions.

The new policy is attached. The board discussed it at the August 10, 2011, board meeting.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)

NOES: None (0)

**NUTRITION PROGRAM COMPLIANCE**

The Governing Board recognizes the district's responsibility to comply with state and federal nondiscrimination laws as they apply to the district's nutrition programs. The district shall not deny any individual the benefits or service of any nutrition program or discriminate against him/her because of his/her race, color, national origin, gender, sex, sexual orientation, disability, or any other basis prohibited by law, in its implementation of such a program.

**Coordinator**

The Board designates the compliance officer specified in AR 1312.3 - Uniform Complaint Procedures as coordinator of the district's efforts to comply with the laws governing its nutrition programs and to investigate any related complaints. Any complaint concerning the district's nutrition programs shall be investigated using the process identified in the section entitled "Procedures" in the district's AR 1312.3 - Uniform Complaint Procedures.

The coordinator shall provide training on the laws, regulations, procedures, and directives related to the district's nutrition programs to district employees involved in administering them. The coordinator also shall develop procedures and systems that do not restrict the participation of individuals in the district's nutrition programs, based on their race, ethnicity, or disability, and that prevent district employees from incorrectly denying the applications for participation submitted by such individuals.

The coordinator shall develop and maintain a system for collecting racial and ethnic data of participants in the district's nutrition programs and shall, at least annually, report to the Board on whether the district's nutrition programs are effectively reaching eligible individuals and whether and where additional outreach may be needed.

When a significant number of participants or potential participants in the district's nutrition programs are only non-English speakers, the coordinator shall make an appropriate language translation available.

The coordinator also shall ensure that the district's nutrition programs accommodate the special dietary needs of any individual with a disability who has on file a medical statement that restricts his/her diet because of his/her disability.

**Notifications**

The coordinator shall ensure that the U.S. Department of Agriculture's "And Justice for All" or other approved Nutrition Programs Civil Rights posters are displayed in areas visible to the district's nutrition program participants, such as food service areas and school offices.

Annually, the coordinator shall notify all students, parents/guardians, and employees of program requirements and the procedures for filing a complaint, through the district's usual means of notification.

In addition, the coordinator shall ensure that every informational release, publication, or poster concerning the district's nutrition programs and/or activities includes, in a prominent location, the following statement:

"In accordance with federal law and U.S. Department of Agriculture policy, this institution is prohibited from discriminating on the basis of race, color, national origin, sex, age, religion, political beliefs, or disability. In addition, California law prohibits discrimination on any basis identified in Government Code 12940.

To file a complaint of discrimination, write USDA, Director, Office of Civil Rights, 1400 Independence Avenue, S.W., Washington, D.C. 20250-9410 or call (800) 795-3272 (voice) or (202) 720-6382 (TTY). USDA is an equal opportunity provider and employer."

However, if the document is no more than one page and there is no room to print the full nondiscrimination statement, the district may instead use the statement "This institution is an equal opportunity provider" in the same print size as the rest of the text.

When a complaint is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:

1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 1500, Sacramento, CA 95814-2342 or call 916-445-0850 or 800-952-5609
2. Office of Civil Rights, USDA, Western Region, 90 Seventh Street, Suite 10-100, San Francisco, CA 94103 or call 415-705-1336 or fax 415-705-1364 or email [Joe.Torres@fns.usda.gov](mailto:Joe.Torres@fns.usda.gov)
3. USDA, Director, Office of Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410 or call 800-795-3272 or 202-720-6382 (TTY)

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.55 Definition of hate crime

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

106.1-106.61 Discrimination on the basis of sex, effectuating Title IX, especially:

106.9 Dissemination of policy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION, NUTRITION SERVICES DIVISION PUBLICATIONS

Civil Rights and Complaint Procedures for Child Nutrition Programs, March 2010

U.S. DEPARTMENT OF AGRICULTURE, FOOD AND NUTRITION SERVICE PUBLICATIONS

Civil Rights Compliance and Enforcement - Nutrition Programs and Activities, FNS Instruction 113-1, November 2005

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

Protecting Students from Harassment and Hate Crime, January 1999

Notice of Non-Discrimination, January 1999

WEB SITES

California Department of Education, Nutrition Services Division: <http://www.cde.ca.gov/ls/nu>

U.S. Department of Agriculture, Food and Nutrition Services: <http://www.fns.usda.gov>

U.S. Department of Agriculture, Office for Civil Rights: <http://www.ascr.usda.gov>

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

**Policy CALIFORNIA SCHOOL BOARDS ASSOCIATION**

**issued: July 2010**

TO: BOARD OF EDUCATION  
FROM: SANDRA LYON / JANECE L. MAEZ  
RE: REVISE BP 3580 – DISTRICT RECORDS

ACTION/CONSENT  
08/24/11

RECOMMENDATION NO. A.23

It is recommended that the Board of Education revise BP 3580 – District Records.

COMMENT: CSBA is recommending this policy update to reflect new law (AB 5), which creates the California Electronic Discovery Act to make the procedural rules requiring disclosure of documents to the opposing party in litigation applicable to electronically stored information. The policy directs the Superintendent to consult with staff to create a document management system that includes a process for the storage and destruction of electronic materials, including a response to "litigation hold" requests.

The revised policy is attached. The board discussed these changes at the August 10, 2011, board meeting. (Revisions to the AR were in the August 10 agenda under Information Items.)

MOTION MADE BY: Mr. Mechur  
SECONDED BY: Ms. Leon-Vazquez  
STUDENT ADVISORY VOTE: N/A  
AYES: Six (6) (Mr. de la Torre recused himself from voting on the consent items due to a conflict of interest on one of the items)  
NOES: None (0)

**DISTRICT RECORDS**

~~District records shall be developed, maintained, and disposed of in accordance with law and California Department of Education regulations.~~

~~The Superintendent or designee shall establish regulations that define records which are permanent, optional, and disposable and specify how each type of record is to be maintained or destroyed. Any photographic, microfilm, or electronic copies of original records shall be permanently retained.~~

The Governing Board recognizes the importance of securing and retaining district documents. The Superintendent or designee shall ensure that district records are developed, maintained, and disposed of in accordance with law, Board policy, and administrative regulation.

The Superintendent or designee shall consult with district legal counsel, site administrators, district information technology staff, personnel department staff, and others as necessary to develop a secure document management system that provides for the storage, retrieval, archiving, and destruction of district documents, including electronically stored information such as email. This document management system shall be designed to comply with state and federal laws regarding security of records, record retention and destruction, response to "litigation hold" discovery requests, and the recovery of records in the event of a disaster or emergency.

The Superintendent or designee shall ensure the confidentiality of records as required by law and shall establish regulations to safeguard data against damage or loss.

**Safe at Home Program**

District public records shall not include the actual addresses of students, parents/guardians, or employees when a substitute address is designated by the Secretary of State pursuant to the Safe at Home program. (Government Code 6206, 6207)

When a substitute address card is provided pursuant to this program, the confidential, actual address may be used only to establish district residency requirements for enrollment and for school emergency purposes.

Legal Reference:

**EDUCATION CODE**

35145 Public meetings

35163 Official actions, minutes and journal

35250-35255 Records and reports

44031 Personnel file contents and inspection

49065 Reasonable charge for transcripts

**GOVERNMENT CODE**

6205-6211 Confidentiality of addresses for victims of domestic violence, sexual assault or stalking

6252-6265 Inspection of public records

12946 Retention of employment applications and records for two years

**PENAL CODE**

11170 Retention of child abuse reports

**CODE OF REGULATIONS, TITLE 5**

432 Varieties of pupil records

16020-16022 Records-general provisions

16023-16027 Retention of records

Management Resources:

**SECRETARY OF STATE PUBLICATIONS**

Letter re: California Confidential Address Program Implementation (SB 489), August 27, 1999

**WEB SITES**

California Secretary of State: <http://www.ss.ca.gov/safeathome>

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





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## **MAJOR ITEMS**



TO: BOARD OF EDUCATION

ACTION/MAJOR

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ / ORLANDO GRIEGO

7:00 p.m.

RE: AUTHORIZATION TO CONTINUE TO OFFER NON-FAT CHOCOLATE MILK IN  
ELEMENTARY AND SECONDARY SCHOOLS

RECOMMENDATION NO. A.24

It is recommended that the Board of Education authorize the district to continue to offer non-fat chocolate milk on a daily basis in SMMUSD elementary and secondary schools.

COMMENTS: As directed by the board, staff is returning the issue of non-fat chocolate milk to the board for additional discussion and action. This first came to the board on July 20, 2011.

Staff recognizes the high level of interest surrounding the issue of offering and serving non-fat chocolate milk in SMMUSD schools and has presented the board with research, data, and opinions regarding this issue. After considering the input of many sources over past two weeks, staff recommends continuing to serve non-fat chocolate milk in the district. Although there are differing opinions on this subject, well-respected, national experts and organizations in the field of child nutrition – including the U.S. Surgeon General, the American Academy of Pediatrics, and the American Dietetic Association – have concluded that milk provides essential nutrition to children, and specifically recommend offering non-fat chocolate milk to promote milk consumption.

An 8-oz. serving of the non-fat chocolate milk offered in SMMUSD contains 20g of sugar (total), 120 calories, and no high fructose corn syrup (only naturally occurring sucrose). The district no longer serves non-fat chocolate milk at breakfast, nor does it serve strawberry flavored milk during any meal.

It is also recommended that the Board of Education direct staff to undertake a comprehensive review of beverage and food offerings throughout the district to ensure they align with the Wellness Policy.

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Public Comments:

- *Dr. Morris Salem, Fred Zimmerman, Evelyn Salem, Christine Goddard, Tess Goddard, Jessica Tuck, Alana Witting, Lori Beckwith, Lev Ricanati, Beth Ricanati, William McCarthy, Krista Blide, Sara Greenfield, Bob Seldon, Pat Nolan, Ben Kay, and Fiona Angus did not support the recommendation.*
- *Lisa Balfus, Lauri Crane, Marina Brennan, Soniya Perl, Dori Coetzee, Michael Dubin, Rochelle Fanali, Tom Belin, Lori Whitesell, and Mayer Davidson were in favor of the recommendation.*

*Ms. Maez's statement can be found under Attachments at the end of these minutes. Dr. Escarce said he read that parents at another district can indicate whether or not they wanted their child to have flavored milk; he wondered if SMMUSD could do that. Mr. Griego said the cafeteria computer system could help the cashiers monitor this, although the logistics would need to be figured out and principals consulted. Mr. de la Torre asked if the school lunch menus contained nutritional information. Mr. Griego said that information was on the district's website, but staff could examine putting that information at the sites. Mr. Patel asked for the reasoning behind not serving non-fat chocolate milk during breakfast. Mr. Griego said it was removed because the district does not sell many breakfasts, and even fewer milk cartons are*

*sold. Ms. Lieberman asked what percentage of students qualify for the free and reduced meal program. Mr. Griego said the district average was 27.2%.*

*Dr. Escarce argued that this was an evidence-based decision, and he quoted several national sources that recommend non-fat chocolate milk as a means for increasing milk intake among children. Ms. Lieberman agreed with him. Mr. Patel argued in favor of modifying the flavored milk offering and educating students and families on the importance of white milk. He supported the idea of giving parents the choice of whether or not their child can take non-fat chocolate milk. Mr. de la Torre agreed with Mr. Patel and would like the district to send a letter to vendors urging them to reduce the amount of sugar in their products. He also asked the medical professionals in the audience to help the district educate the community on healthy eating habits. Ms. Leon-Vazquez supported staff's recommendation, but also wanted to increase education for students and families about healthy eating and exercise. She was also interested in grants that could fund scratch cooking in the cafeterias. Mr. Mechur supported changing the chocolate milk offering as well as examining menu options. He suggested using the green living workshops as a model for educating families.*

Dr. Escarce MOVED to support staff's recommendation with a parental opt-out option in the first year, as well as an educational campaign to promote white milk. Mr. de la Torre added that staff identify those food/beverage menu items that offer the least nutritional value. Mr. Allen added that staff examine food/beverage product placement in the cafeterias.  
SECONDED BY: Ms. Lieberman

Mr. Patel made a SUBSTITUTE MOTION that included all of Dr. Escarce's points, with the exception that parents would have the option to opt their child IN for non-fat chocolate milk.  
SECONDED BY: Mr. Mechur  
STUDENT ADVISORY VOTE: N/A  
AYES: Two (2) (Mr. Patel & Mr. Mechur)  
NOES: Five (5) (Dr. Escarce, Mr. Allen, Ms. Lieberman, Ms. Leon-Vazquez, Mr. de la Torre)  
Mr. Patel's substitute motion did not pass.

The vote returned to Dr. Escarce's original motion.  
STUDENT ADVISORY VOTE: N/A  
AYES: Five (5) (Dr. Escarce, Mr. Allen, Ms. Lieberman, Ms. Leon-Vazquez, Mr. de la Torre)  
NOES: Two (2) (Mr. Patel & Mr. Mechur)  
Dr. Escarce's motion passed.

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/24/11

FROM: SANDRA LYON

RE: CONSIDER APPOINTMENTS TO DISTRICT ADVISORY COMMITTEES (DACs)

RECOMMENDATION NO. A.25

It is recommended that the Board of Education approve the below appointments to the district advisory committees.

COMMENT: Each DAC had members whose terms expired on June 30, 2011. This item is to fill openings on the committees prior to the beginning of school starting.

The superintendent's office conducted extensive outreach to announce openings on the DACs in the following ways: contacted expiring members twice and encouraged them to reapply, sent out a press release on June 9 announcing openings on the DACs, emailed all SMMUSD families (in English and Spanish) using Blackboard Connect on June 17, urged DAC staff liaisons and chairs to enlist the help of their entire committee to recruit new members, and asked principals and the PTA council to help spread the word.

The following charts how many openings are on each DAC, how many re-applications and new applications were received, and where members should be placed on the term expiration chart to maintain a balance of membership.

**Early Child Care & Development DAC**

Terms Expire			
6/30/2012	6/30/2013	6/30/2014	6/30/2015
Amber Rojas	Jeff Jarrow	Fran Chasen	
Amanda Rosen-Prinz	Russ Purtell	Julie Taren	

Current Members (as of July 1, 2011): 6

Openings (as of July 1, 2011): 13

Note: If all applicants approved, randomly assign 1 applicant to 6/30/2013 column, 1 applicant to 6/30/2014 column, and 2 applicants to 6/30/2015 column for balance

Received Reapplications from:

1. Gleam Davis
2. Jennifer Kennedy

Received New Applications from:

3. Patricia Godon-Tann
4. Jie (Jessie) Zeng

*(Continued on next page)*

**Health & Safety DAC**

<b>Terms Expire</b>			
<b>6/30/2012</b>	<b>6/30/2013</b>	<b>6/30/2014</b>	<b>6/30/2015</b>
Debbie Bernstein	Kristine Keever	Leslie Butchko	
Rita Kachru	Hiep Le	Robert Forster	
Pat Nolan	Francine Lyness	Lora Morn	
Idalia Rodriguez	Victoria Rueda	Nandini Rudra-Ganguly	

Current Members (as of July 1, 2011): 12

Openings (as of July 1, 2011): 7

Note: If all applicants approved, should assign all to 6/30/2015 column for balance

Received Reapplications from:

1. Suzanne Post

Received New Applications from:

2. Clarinda Ross Gress (appointed 4/6/11 to a two-month term, but was never informed of board action, so she is considered a new applicant)
3. Peter Getoff
4. Sion Roy
5. Leesl Herman

**Special Education**

<b>Terms Expire</b>			
<b>6/30/2012</b>	<b>6/30/2013</b>	<b>6/30/2014</b>	<b>6/30/2015</b>
Neal Abramson	Chris Chandler	Gina Frazier	
Tricia Crane	Meredith Hight	Lee Jones	
Claudia Landis	Janet McKeithen	Colette O'Connell	
Monte Perez	Debrah Shepherd	Karen Paris	

Current Members (as of July 1, 2011): 12

Openings (as of July 1, 2011): 7

Note: If all applicants approved, randomly assign 1 applicant to 6/30/2014 column and 5 applicants to 6/30/2015 column for balance

Received Reapplications from:

1. Nancy Geshke
2. Rodney Osburn
3. Clara Sturak
4. Heather Zakson

Received New Applications from:

5. Leann Levine (board postponed appointment on 5/5/11)
6. Brandi Lockhart

*(Continued on next page)*

**Visual & Performing Arts**

Terms Expire			
6/30/2012	6/30/2013	6/30/2014	6/30/2015
Pamela Foust	Deborah Berek	Scott Ferguson	
Janis Gabbert	David Davidson	Kathryn Kert Green	
Zina Josephs	Paul G. Ryan	Bambi Martins	
Jennifer Joyse-West			

Current Members (as of July 1, 2011): 10

Openings (as of July 1, 2011): 9

Note: If all applicants approved, randomly assign 1 applicant to 6/30/2013 column, 1 applicant to 6/30/2014 column, and 4 applicants to 6/30/2015 column for balance

Received Reapplications from:

1. Lori Nafsun

Received New Applications from:

2. Allison Diftler (board postponed appointment on 5/5/11)
3. Jennifer Schab
4. Alisa Facchini
5. D'Lynn Waldron, Ph.D.
6. Rebecca Witjas

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

*Mr. Mechur suggested postponing this item until the next meeting to allow the committee board liaisons to examine the applications for the DACs to which they are assigned.*

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





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## **DISCUSSION ITEMS**



TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON

RE: DISTRICT ADVISORY COMMITTEES: DISCUSS END-OF-YEAR REPORTS  
FOR 2010-11 AND DIRECTION FOR 2011-12

DISCUSSION ITEM NO. D.01

Attached is the end-of-year report for the English Learners DAC.

At the June 30, 2011, board meeting, each DAC had five minutes under Communications to summarize its report and answer clarifying questions from the Board of Education. On July 20, each DAC had twenty minutes to finish presenting its end-of-year report and have a discussion with the board regarding goal-setting for 2011-12. The DAC chairs were then directed to relay this feedback from the board to their DACs at the first committee meetings of the school year. (A representative from DELAC was unable to attend the July 20 board meeting.)

As per AR 1220, the board will approve the district advisory committees' goals for 2011-12 no later than the board's first meeting in October.

\*\*\*\*\*

*Ms. Aida Diaz, staff liaison to the DELAC, conveyed the committee chair's main points: Support for the 2010-11 DELAC recommendations; provide teacher professional development focusing on low income students to achieve academically and reduce the achievement gap; and to support the WASC Samohi findings to increase student achievement. Mr. Mechur asked about funding for the ELD class mandates. Dr. Chou and Ms. Diaz explained the funding for these classes. Mr. Mechur suggested integrating Mandate E with what the district is doing regarding cultural sensitivity training. Mr. de la Torre asked about translating the web sites for schools with large Spanish-speaking populations. He requested CAHSEE passage rate data for English learners, specifically comparing those students who had been in SMMUSD for years versus those who were relatively new to the district and still considered ELs. He requested similar data regarding drop-out rates. The board wondered if budget cuts and the reduction in sheltered classes have affected graduation rates and student achievement for ELs. Dr. Escarce requested CST score data for ELs who had taken sheltered classes for those subjects, versus ELs who were in a regular class but with aids assisting them.*

**District Advisory Committee  
Board of Education Annual End-of-Year Written Report  
2010-11**

**ENGLISH LEARNERS ADVISORY COMMITTEE**

**Chair: Consuelo Pérez**

**Staff Liaison: Aida Diaz**

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

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

**Charges:**

The committee advises (reviews and comments) the district governing board on at least the following:

- A timetable for development and revision of a district master plan of education programs and services for English learners, taking into consideration the school site master plans.

Comment:

- The Master Plan for English Learners will be reviewed/updated during the 2011-2012 school year

- A district wide needs assessment on a school-by-school basis.

Comment:

- Each year DELAC has a survey to determine what the needs are. This year parents consider the following recommendations essential for their children's academic success, and fulfillment of the charge given by the state of California as reflected in the California Education Code is urging the district. Some recommendations are the same as last year because they are essential to academic success of students in English:

**A. Offer quality English Language Development (ELD) at the secondary level:**

A fundamental component of the services to English Learners are the ELD classes that: 1) are targeted to the student's English proficiency level, 2) utilize high quality materials and instructional methodologies, and 3) sequentially provide for the linguistic needs of students acquiring English. These classes are even more imperative when and where Sheltered English (SE) classes are not offered.

***Recommendation:** Although the number of English Learners is decreasing, we must insist that the ELD classes be offered regardless of the number of students. This is the only class that focused on helping ELs with the acquisition of English necessary to succeed in other classes. Below are the projected numbers of continuing students needing ELD classes.*

<b>LINCOLN</b>		<b>JAMS</b>		<b>SAMOHI</b>	
<b>Course</b>	<b># of Students</b>	<b>Course</b>	<b># of Students</b>	<b>Course</b>	<b># of Students</b>
ELD Beginning	6	ELD Intermediate	3	ELD Beginning	0
ELD Intermediate	4			ELD Intermediate	4

- B. Offer Sheltered English (SE) content classes at the secondary level:  
 Sheltered content classes provide grade level academic instruction that gives English Learners access to the core curriculum while teaching English vocabulary and English grammatical structures. Secondary sites must respond to the need to provide English Learners to have access to content areas by offering sheltered classes when there is an identified need. Without the SE classes, English Learners will be in mainstream classes where access to the curriculum would be greatly affected by their low English proficiency levels and will have adverse affect on closing the achievement gap.  
*Recommendation:* We are aware that the number of English learners is decreasing and offering Sheltered classes may be fiscally difficult. We believe that if there are 6 or more students who need the same class it should be offered. Where the numbers are less then 6, students, should be grouped in cohorts with teachers who have the appropriate authorization and their class size should be reduced. Below are the projected numbers and courses for continuing English Learners:

SAMOHI	
Course	# of students
English 10 SE	10 (possibly 15)
English 11 SE	10 (possibly 20)
Algebra II SE	14
Chemistry SE	13
Geometry SE	5
Pre-Calc/Trig SE	6
Science SE (?)	10
US History SE	14
World History SE	10
Govt/Econ SE	13

- C. Increase English Language Development (ELD) teacher time at elementary school sites:  
 The ELD teachers at the elementary school sites are necessary to provide the linguistic and academic support that our English Learners need as they acquire English. English Learners need to meet the language and academic targets set for them, and just as importantly to be able to compete with their peers. In order to continue meeting the AMAO targets our students and teachers need ELD support provided by the ELD teachers.  
*Recommendation:* Increase the time for ELD teachers in elementary schools.
- D. Offer parent education workshops:  
 The DELAC and ELAC meetings provide us with information that helps us to better support our children’s learning. This information is given through outside experts and district staff.  
*Recommendation:* Continue allocation of funds to bring experts and parent education workshops to DELAC and ELAC meetings -in the language of the parents.
- E. Provide Cultural Workshops for teachers:  
 Our students come from many different cultural and social backgrounds. Teachers need to familiarize themselves better with who are their students and families. Working together with better understanding of all of the children they serve, teachers will be better prepared to address the complete education needs of the children they serve.  
*Recommendation:* Training for administrators, teachers, classroom aides on cultural sensitivity and the importance of maintaining the home language.
- F. Continue supporting the Bilingual Community Liaisons:

The translation support that the Community Liaisons provide is invaluable, without them our parents would be at a greater disadvantage. Parents often hesitate or do not go to school/district because they feel intimidated and do not feel welcome. Having personnel like the community liaisons will help with communication and increase parent involvement.

*Recommendation: Continue support of the Community Liaisons and increase time at schools where they are only part time.*

G. Provide additional elementary classroom aides:

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

*Recommendation: Provide additional assistants and the time they assist in classrooms. Sometimes they are only an hour in individual classes, and that's not enough time to support English learners.*

H. Provide Additional classroom Aides at the Middle School level:

It is noted that the number of ELs at the lower English Proficiency levels is small but important. The classroom aides are instrumental in helping ELs in mainstream classrooms have access to the curriculum. This is especially crucial since the only Sheltered English class currently being offered is Social Studies. Our students with low English proficiency levels have to struggle in learning English and understanding the core classes simultaneously. Currently the aides follow students that are grouped into some of their core classes.

*Recommendation: Keep the classroom assistants because they are an integral part of the academic support given to the ELs.*

I. Support for Literature Classes:

The literature support classes are of great benefit to our middle and high school English Learners – especially those who have not yet met the criteria to be reclassified.

*Recommendation: Continue to provide support classes in literature and if possible offer two sections, one for lower English proficiency levels and one for long-term English learners who need to support to meet the reclassification requirements.*

J. Intervention Programs:

Intervention programs are critical. Summer programs and intervention programs during or after school are seen as one of the best ways to support student learning. These programs give ELs the opportunity to receive additional support that they need in the acquisition of English and access to core curriculum which leads to academic achievement.

*Recommendation: Continue after school and summer intervention programs. Furthermore, that the focus be on math, reading and writing. Our students need every opportunity to improve their skills especially in reading.*

K. Translation:

*Recommendation: Provide translations during all school events in order to keep families informed and connected.*

- **Establishment of district program, goals, and objectives for programs and service for English learners:**

Comment:

- The district provides services to English Learners to ensure that they are acquiring English Language proficiency. The goal is to reduce the learning gap and although there have been gains in some areas, many of our students are still lagging behind.
- The following Title III Annual Measurable Achievement Objectives (AMAOs) data indicates that our district and individual schools continue reaching and surpassing two of the objectives for English Learners

AMAO	2010 Target	District percentage meeting target
#1 - Percentage of Students Making Annual Growth in English Language	53.1%	72.8%
#2 - Percentage of Students Achieving Proficiency on the CELDT	< 5 years = 17.4% ≥ 5 years = 41.3 %	44.7% 69.2%
#3 - AYP for the Sub Group level LEA English Language Arts Mathematics	56.0% 56.4%	54.8% 55.3%

*Recommendation: Identify students who are not meeting the AMAOs and provide the academic support they need which may also reduce the need for intervention.*

- **Development of a plan to ensure compliance with any applicable teacher and/or teacher aide requirements:**

Comment:

- The California Education Code requires that English Learners be instructed in English Language Development (ELD) and content areas for teachers with specific training and authorization. The current authorization is required by the State certificate of Language and Academic Development Cross Cultural (CLAD) is obtained by taking courses and passing the test California Teachers of English Learners (CTEL).

Through the district efforts the number of teachers with this authorization has increased each year. Following is a chart teacher information:

Number of District teachers	With Authorization	% With Authorization
527	421	80%

*Recommendation: Continue the practice of hiring teachers with CLAD in order to comply with the required state and federal government mandates to address the needs of our English Learners.*

- **Administration of the annual language census (e.g. procedures and forms):**

Comment:

- The R-30 is the annual data collection report at school level that contains the count of English Learners enrolled and the program/services provide. Furthermore, the number of ELs, as reflected in the R-30, determines the state and federal categorical funds received by the district. The following is information reported in the R-30 report:

	2010-2011
Number of English Learners who are in a Structured English Immersion setting supported by an authorized teacher.	335
Number of English Learners reclassified as Fluent- English Proficient (FEP).	198

	2010-2011
ELs Receiving (ELD) and Specially Designed Academic Instruction in English (SDAIE)	516
ELs Receiving ELD and SDAIE with Primary Language (L1) Support	49
ELs Receiving ELD and Academic Subjects through the Primary Language (L1)	227
ELs Receiving Other EL Instructional Services	295
ELs not Receiving any EL Instructional Services	17
<b>Total ELs District Totals</b>	<b>1104</b>

- **Review and comment on the district reclassification procedures established pursuant to Education Code Section 52164.6:**  
Comment:
  - We are pleased with requirements that students must meet to be reclassified. According to the data shared, CAHSEE and the CST-ELA, our reclassified students (R-FEP) are succeeding
- **Review and comment on the written parent notification of initial school enrollment required in Title 5, CCR Section 11303(a):**  
Comment:
  - New district families whose children are assessed receive a letter indicating the results of assessments and classification of their child-EL, FEP or EO. It also includes program placement and description
- **Review and comment on any waiver request affecting program and services for English learners:**  
Comment:
  - Parents are informed in the Initial Parent Notification Letter of their right to request an alternative program by completing the Request for Exception Form (Application for Alternative Program). Also, parents who do not want their son/daughter to receive additional ELD support must complete a "Request for English Language Mainstream."

**Summary of Recommendations:**

DELAC is aware that the District faces many difficult financial decisions as a result of the continuing budget crisis. However, DELAC would like to make certain that the District continues to implement the strategies, interventions, and programs needed to accelerate the achievement of our English Learners.

English Learners is subgroup whose progress is the focus of many of the accountability targets set by the State. These targets are documented in the Title III English Language Proficiency Annual Measurable Achievement Objectives (AMAOs). As mentioned above many of our English Learners meet the percentage target of achievement required by the State in the AMAOs. However, there remains a significant number of English Learners who are not meeting these targets. Therefore, there continues to be a need to refine our ability to provide effective services to each English Learner, particularly those who have yet to meet the State target levels of achievement. Additionally, there are state mandates regarding services to English Learners to which the District is required to adhere. Consequently, English Learners form a critical group that is central to the district efforts of



reducing the achievement gap, and their unique academic needs should be taken into account when making program cuts due to budget reductions.

**Budgetary Implications:**

The district receives state and federal funds, based on the R-30 report, to provide supplemental support for students who are learning English i.e ELD teachers, classroom aides, literature support classes, materials, parent training etc. The recommendations do not require additional money from the district's general fund. The only exception are the ELD and Sheltered English classes that due to the guidelines and restrictions categorical funding cannot be used to offer them. We urge the district to provide financial support to secondary schools that need to offer ELD and Sheltered Classes.

**DELAC Meetings:**

<b>Month</b>	<b>DELAC Requirements</b>	<b>Presentations</b>
October 14 -General Mtg.	-Purpose of DELAC -Goals and Objectives of the District programs and services for English Learners -Survey of presentation topics	-State Exams Results and their significance
October 28 -DELAC Rep Mtg.	DELAC/ELAC Training	
November 4 -General Mtg.	Initial Notification	"Effective Teacher/ Parent Conferences"
January 26 -Special presentation		"How Education Empowers to Fulfill Your Dreams" - Dr. Reza
February 17 -General Mtg.	-Report Cards -CELDT Student Reports -Reclassification Criteria/Data	<b>"Overcoming Difficult times: Supporting your son / daughter"- Audra Langley, Ph.D.</b>
March 24 -DELAC Rep Mtg.	-Cover DELAC Requirements -Input on the Accomplishments and Recommendations for the End-of-Year Report	
May 13 -General Mtg.	- Language Census Report (R-30) - Review of Board Report Recommendation	"Math at Home" –Rosa Serratore, District Math Coordinator
June 16 -DELAC Rep Mtg.	-Finalize	

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON /  
MAROLYN FREEDMAN

RE: CONSIDER REVISING BP 5131.61 AND ADOPTING AR 5131.61 –  
CONTROLLED SUBSTANCES

DISCUSSION ITEM NO. D.02

It is recommended that the Board of Education consider revising BP 5131.61 – Controlled Substances. It is also recommended that the board consider adopting a new AR 5131.61 to accompany BP 5131.61.

COMMENTS: At the May 5, 2011, board meeting, Board Member Lieberman requested that a discussion regarding BP 5131.61 be placed on the May 9, 2011, special meeting agenda. During the discussion on May 9 (Item No. D.02), the board discussed Ms. Lieberman's proposed changes, the philosophy of discipline, and agreed to take action to temporarily revise the policy at the May 19, 2011, board meeting (that action was postponed to June 6, 2011).

On June 6, 2011, the board took action (Item No. A.20) to temporarily revise BP 5131.61 and directed the Superintendent to form an ad hoc committee to examine SMMUSD's discipline policies, beginning with this one. As a result of this direction, Marolyn Freedman, Director of Student Services, researched CSBA recommendations on a controlled substance BP and AR, as well as what other districts have in place. She convened a committee of principals, who met four times to discuss the policy. She received feedback from the PTA Council Parent Education Chair, the PTA Council Safety Chairs, and the Health and Safety DAC Chair. They concluded that many of the elements listed in the current BP belonged in an AR, which the district did not possess, and the BP did not address the philosophy and reasoning behind discipline in controlled substance incidents. The attached BP and AR are the result of this research, discussion, and feedback. Additionally, the revisions reflect one of the goals of the Strategic Plan: SMMUSD graduates will be able to "participate in civic life, exercising their rights and responsibilities of citizenship." The progressive discipline approach laid out in the AR allows students who have violated this policy to be held accountable for and learn from their mistakes, demonstrate their willingness to make amends in good faith and therefore earn their place as responsible citizens, and pursue a substance-free lifestyle through the support of the district and its counseling partnerships.

The following changes have been made to the board policy:

- States the board's philosophy regarding discipline in this matter.
- Acknowledges that there are psycho-educational implications related to the possession/substance abuse at school.
- Includes responsibility of the school site to provide drug prevention education curriculum and multiple interventions.

*(Continued on next page)*

The following changes have been included in a new administrative regulation:

- Students are no longer prohibited from participation in co-curricular activities, but they must provide documentation that they have begun to meet the requirements of academic probation, including counseling and community service. They must continue to provide periodic documentation of their ongoing compliance for the duration of academic probation.
- They may not participate in extracurricular activities during the probation period (dances, etc.).
- Students are no longer automatically excluded from graduation or promotion ceremonies, but they must provide proof of progress toward compliance with the academic probation contract in order to participate.
- Students with a second offense are no longer required to be put up for expulsion, but expulsion may be considered if the principal believes it is appropriate.
- Community services requirement has been reduced from 40 hours to 24 hours.

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*The board postponed this item to September 8, 2011.*

**CONTROLLED SUBSTANCE POLICY**

~~Unlawfully p~~ossessing, using, selling, being under the influence of or otherwise furnishing to others a controlled substance or alcoholic beverage, or intoxicant of any kind, or related paraphernalia, at any school activity or on any school district or adjacent property, is considered to be a threat to the educational process. For the offenses indicated, the student, under guidelines indicated below, may be subject to suspension, transfer to another school, expulsion and an obligation to complete the district counseling requirement.

Possession or use of drugs or alcohol on a school campus suggests a significant risk factor for any student. The Board desires to keep District schools free of alcohol, intoxicants and other drugs and believes that every effort should be made to inform the student of risk factors inherent in substance abuse.

School administrator shall use a variety of interventions to address substance abuse such as drug prevention education, counseling, parent meetings and discipline.

Drug and alcohol education is a critical aspect of prevention. The school administrator and/or designee shall implement curriculum and supports to prevent, discourage and eliminate the use or possession of drugs, alcohol or tobacco on campus and at school activities. These programs should be based on student needs and educationally sound and legally acceptable education practices. Additionally, these programs should be developmentally and culturally appropriate instruction.

All secondary schools should include substance abuse support for students along with their drug education program. This student support program should identify, assist and when appropriate, refer students with substance abuse problems to counseling and/or community resources.

The initial administrative response to drug offenses shall be to address the psychoeducational needs of the students. Parent conferences, Student Study Team and referrals to school-based or community-based programs shall be considered.

Students possessing, using or selling a controlled substance, alcohol, intoxicant or related paraphernalia at school, at any school activity or on any school district or adjacent property shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy and administrative regulations. Students shall also be placed on academic probation, referred to a counseling program, and/or be restricted from extracurricular activities, including athletics. Students may also be transferred to an alternative placement.

**Definitions of Evidence****1. ~~Hard Evidence:~~**

- ~~a. An admission by the student of unlawfully possessing, using, selling, being under the influence of, or otherwise furnishing to others a controlled substance or alcoholic beverage, or intoxicant of any kind.~~
- ~~b. Discovery of the controlled substance and/or alcoholic beverage, or intoxicant of any kind, on the student's person or in possessions such as lockers or backpacks under the student's control.~~

- c. ~~Eyewitness testimony of any school personnel of the actual unlawful possession, sale, use or furnishing to others.~~
- d. ~~Eyewitness testimony of two or more students of the actual unlawful possession, sale, use or furnishing to others.~~

2. ~~Soft Evidence:~~

~~Soft evidence is more subjective; it involves all other forms of evidence and usually based on observation of student behavior.~~

**Discipline and Counseling Procedures for Governing Use, Possession, Being Under the Influence of a Controlled Substance (Grades 1-12)**

1. ~~Hard Evidence: First Offence:~~

~~If the Superintendent or designee determines, in the presence of hard evidence, that the student unlawfully possessed, used, sold, was under the influence of or otherwise furnished to others a controlled substance or alcoholic beverage, or intoxicant of any kind, the following steps shall be taken.~~

- a. ~~The student shall be suspended for a maximum of five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)~~

~~The rights and responsibilities section of the school district suspension form shall be observed by the school principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to an appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student shall be allowed to complete all assignments and tests missed during a suspension.~~

- b. ~~Students in grades 1-12 shall be placed on academic probation for a period of ten weeks. The terms of probation include loss of privileges from participating in the following: all sports, dramatic, choral or musical performances, dances, cheerleading, graduation and awards ceremonies.~~
  - (1) ~~Students must complete 24 hours of substance abuse counseling in a program offered by the district, or students must obtain preapproval if counseling will be provided by a private agency or therapist. Parents must attend 12 hours of substance abuse counseling designed for parents.~~
  - (2) ~~Students must complete 40 hours of community service from a list of approved agencies provided by the district, or receive preapproval for community services with other organizations.~~
  - (3) ~~The principal has the option of requiring that the student participate in a 12-step program if the behavior warrants additional intervention.~~
  - (4) ~~If the student does not complete and provide documentation for all of the above measures, he/she will remain on probation with loss of privileges until all are completed. If the student fails to complete all of the above by the last day of the semester in which the 10-week probation was scheduled to end, the student will be transferred to another school in the district for the entire next semester. At the end of that semester, the student will be returned to his/her home school.~~

~~c. Hard Evidence—Second Offense:~~

~~If the Superintendent or designee determines, in the presence of hard evidence, that for a second time within middle school (Grades 6-8) or a second time within high school (Grades 9-12), the student unlawfully possessed, used, was under the influence of or otherwise furnished to others a controlled substance or alcoholic beverage or intoxicant of any kind, the following steps shall be taken:~~

- ~~(1) The student shall be suspended for a maximum of five days. The rights and responsibilities section of the district suspension form shall be observed by the principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student shall be allowed to complete all assignments and tests missed during the suspension.~~
- ~~(2) The principal shall recommend that the student be expelled from the district unless it is determined that expulsion is inappropriate under the particular circumstances of the case. During the period when the student is awaiting the expulsion hearing, make-up work will be provided.~~
- ~~(3) If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five day suspension, the permit will be revoked and the student will be directed to enroll in his/her neighborhood school.~~

~~2. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.~~

~~**Discipline Procedures for Providers of Controlled Substances or Alcoholic Beverage, or Intoxicant of Any Kind To Others (Grades 1-12)**~~

~~In cases where the principal or Superintendent determines, in the presence of hard evidence, that the student sold or provided a controlled substance or alcoholic beverage, or intoxicant of any kind, to others, the following steps shall be taken:~~

- ~~1. The student shall be suspended for a maximum of five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)~~
- ~~2. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.~~
- ~~3. The principal shall inform the Superintendent or designee of the incident and actions taken.~~
- ~~4. The Superintendent or designee shall recommend that the student be expelled from school, unless the principal finds, and so reports to the Superintendent or designee in writing, that expulsion is inappropriate under the particular circumstances of the case.~~

~~**Soft Evidence Procedures**~~

~~Soft evidence cases will usually involve situations in which the student is suspected of being under the influence of a controlled substance, alcoholic beverage or intoxicant of any kind. In such a case, the administrator may consult with the school nurse and may require the completion of the Behavioral Observation Form shown in the Discipline Handbook.~~

~~**Distribution Guidelines**~~

- ~~1. The above policy and procedure shall be distributed to all students Grades 1-12 at the beginning of each school year and to transfer students at the time of enrollment.~~

- ~~2. Within the first 10 days of school each principal shall implement procedures to ensure that all students have acknowledged that they have received a copy of the above policy and indicated their obligation to share the contents of the policy with the parent/guardian.~~
- ~~3. Each principal will ensure that all middle and high school students are explicitly informed of the provisions of the controlled substance policy through assemblies, presentations and/or direct instruction in appropriate classes.~~

Legal Reference:

**EDUCATION CODE**

[44049](#) Known or suspected alcohol or controlled substance abuse by student

[51262](#) Use of anabolic steroids; legislative finding and declaration

**CALIFORNIA CONSTITUTION**

Article 9, Section 5 Common school system

**CODE OF REGULATIONS, TITLE 5**

[350](#) Fees not permitted

**COURT DECISIONS**

Board of Education of Independent School District No. 92 of Pottawatomie County v. Earls, (2002) 122 S.Ct. 2559

Vernonia School District v. Acton, (1995) 115 S.Ct. 2385

Hartzell v. Connell, (1984) 35 Cal. 3d 899

Management Resources:

**OFFICE OF NATIONAL DRUG CONTROL POLICY PUBLICATIONS**

What You Need To Know About Drug Testing in Schools, August 2002

**WEB SITES**

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

Office of National Drug Control Policy: <http://www.whitehousedrugpolicy.gov>

National Institute on Drug Abuse: <http://www.nida.nih.gov>

Partnership for a Drug-Free America: <http://www.drugfreeamerica.org>

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

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

**CONTROLLED SUBSTANCE POLICY**

Possessing, using, selling, being under the influence of or otherwise furnishing to others a controlled substance, alcohol, intoxicant or related paraphernalia, at any school activity or on any school district or adjacent property, is considered to be a threat to the educational process.

For the offenses indicated, the student, under guidelines indicated below, may be subject to academic probation, an obligation to complete the district counseling requirement, prohibited from participation in extracurricular school activities, suspension, and transfer to another school, and expulsion.

The school administrator and/or designee shall implement curriculum and supports to prevent, discourage and eliminate the use or possession of drugs, alcohol on campus and at school activities. School administrators shall use a variety of interventions to address substance abuse such as, research-based drug prevention education, counseling intervention and discipline.

All secondary schools should include substance abuse support for students along with their drug education program. This student support program should identify, assist and when appropriate, refer students with substance abuse problems to counseling and/or community resources.

**Alcohol and Drug Prevention Instruction**

The curriculum of all elementary and secondary schools shall include instruction on the effects upon the human body, as determined by science, alcohol, narcotics, dangerous drugs as defined in Health and Safety Code 11032, and other dangerous substances. Instruction shall be sequential in nature and suited to meet the needs of students at their respective grade level. (Education Code 51203, 51260)

In grades 1-6, instruction in drug education should be given in health courses required by Education Code 51210. (Education Code 51260)

In grades 7-12, instruction in drug education shall be conducted in health courses and in any other appropriate area of study required by Education Code 51220. (Education Code 51260)

Secondary school instruction shall also include a study of the effects of alcohol and other drugs upon prenatal development. (Education Code 51203)

**Intervention**

District staff shall intervene whenever students use a controlled substance, alcohol, intoxicant or related paraphernalia, at school, at any school activity or on any school district or adjacent property. Staff members who have reasonable suspicion that a student may be under the influence of alcohol or drugs shall immediately notify the principal or designee. If the principal or designee observes or suspects that a student may be under the influence of alcohol or drugs, he/she shall notify the parent/guardian. (Education Code 44049)

School staff shall not disclose confidential information provided during counseling by a student 12 years of age or older. A school counselor may report such information to the principal or parent/guardian only when he/she believes that disclosure is necessary to avert a clear and present danger to the health, safety or welfare of the student or other persons living in the school community. The school counselor shall not disclose such information to the



parent/guardian if he/she believes that the disclosure would result in a clear and present danger to the student's health, safety or welfare. (Education Code 44049, 49602)

Schools shall provide intervention and counseling support for any student in possession or using a controlled substance, alcohol, intoxicant or related paraphernalia, at any school activity or on any school district or adjacent property.

The initial administrative response to drug offenses shall be to address the psychoeducational needs of the student. Parent conferences, Student Study Team and referrals to school-based or community-based programs shall be considered.

### **Discipline and Counseling Procedures for Governing Use, Possession, Being Under the Influence of a Controlled Substance Alcohol, Intoxicant or Related Paraphernalia at School (Grades 1-12)**

Students possessing, using or selling a controlled substance, alcohol, intoxicant or related paraphernalia at school, at any school activity or on any school district or adjacent property shall be subject to disciplinary procedures including suspension or expulsion in accordance with law, Board policy and administrative regulations. Students shall also be placed on academic probation, referred to counseling program, transferred to an alternative placement, and/or be restricted from all extracurricular activities, including athletics. Participation in co-curricular activities will be contingent upon the student providing documentation to the administrator or designee that they have begun to meet the requirements of academic probation, including counseling and community service. They must continue to provide periodic documentation of their ongoing compliance for the duration of academic probation.

#### 1. First Offence:

If the Superintendent or designee determines, in the presence of hard evidence, that the student possessed, used, was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken.

- a. Students in possession of a controlled substance, alcohol, intoxicant or related paraphernalia, shall be suspended for five days. Students under the influence of a controlled substance shall be suspended for five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)

The rights and responsibilities section of the school district suspension form shall be observed by the school principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to an appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student may be allowed to complete assignments and tests missed during a suspension.

- b. Students in grades 1-12 shall be placed on academic probation for a period of ten weeks. The terms of probation include the loss of participation in extracurricular school activities. Participation in co-curricular activities will be contingent upon the student providing documentation to the administrator or designee that they have begun to meet the requirements of academic probation, including counseling and community service. They must continue to provide periodic documentation of their ongoing compliance for the duration of academic probation.

- (1) Students shall complete 24 hours of substance abuse counseling in a program offered by the district, or students shall obtain preapproval if counseling will be provided by a private agency or therapist. Parents-/guardian shall attend 12 hours of substance abuse counseling designed for parents.

(2) Students shall complete 24 hours of community service from a community agency preapproved by the school.

(3) To be eligible to participate in a graduation or promotion ceremony, a student on academic probation shall provide documentation showing that he/she has satisfactorily complied with all requirements of academic probation.

If a student has been on academic probation for a period of time not long enough to have complied with all requirements of academic probation, then he/she shall provide documentation showing that he/she has made satisfactory progress towards compliance with all requirements of academic probation that could have been complied with prior to the graduation or promotion ceremony.

(4) If the student does not complete and provide documentation for all of the above measures, he/she will remain on probation with loss of privileges until all are completed. If the student fails to complete all of the above by the last day of the semester in which the 10-week probation was scheduled to end, the student will be transferred to another school in the district for the entire next semester. At the end of that semester, the student will be returned to his/her home school if the student has completed the terms of probation requirements.

## 2. Second Offense:

If the Superintendent or designee determines, in the presence of hard evidence, that for a second time within middle school (Grades 6-8) or a second time within high school (Grades 9-12), the student possessed, used, was under the influence of a controlled substance, alcohol, intoxicant or related paraphernalia, the following steps shall be taken:

- a. The student shall be suspended for five days. The rights and responsibilities section of the district suspension form shall be observed by the principal or designee. This includes the parent's right to have access to student records and the parent's or student's right to appeal following the district's appeal procedures. When make-up work can be reasonably provided, the student may be allowed to complete all assignments and tests missed during the suspension.
- b. The principal may recommend that the student be expelled from the district unless it is determined that expulsion is inappropriate under the particular circumstances of the case. During the period when the student is awaiting the expulsion hearing, make-up work or an alternate school placement will be provided.
- c. If a student is attending school in the district on an interdistrict permit, the principal will meet with the parents at the end of the five day suspension, the permit shall be revoked and the student directed to enroll in his/her neighborhood school.

## **Discipline and Procedures for Governing Sales of a Controlled Substance Alcohol, or Intoxicant (Grades 1-12)**

In cases where the principal or Superintendent determines, in the presence of hard evidence, that the student sold or provided a controlled substance, alcohol, or intoxicant to others, the following steps shall be taken:

1. The student shall be suspended for five days. (Enrollment at Saturday School cannot be used in lieu of suspension.)
2. The Santa Monica Police Department or the Los Angeles County Sheriff shall be notified.

3. The principal shall inform the Superintendent or designee of the incident and actions taken.
4. The Superintendent or designee shall recommend that the student be expelled from school, unless the principal finds, and so reports to the Superintendent or designee in writing, that expulsion is deemed inappropriate under the terms of a Special Education student's Manifest Determination meeting. During the period when the student is awaiting the expulsion hearing, make-up work or an alternate school placement will be provided.

### **Definitions of Evidence**

#### **1. Hard Evidence:**

- a. An admission by the student of possessing, using, selling, being under the influence of, or otherwise furnishing to others a controlled substance, alcohol, intoxicant or related paraphernalia
- b. Discovery of the controlled substance, alcohol, intoxicant or related paraphernalia in the student's person or in possessions such as lockers or backpacks under the student's control.
- c. Eyewitness testimony of any school personnel of the actual possession, sale, use or furnishing to others.
- d. Eyewitness testimony of two or more students of the actual possession, sale, use or furnishing to others.

#### **2. Soft Evidence:**

Soft evidence is more subjective; it involves all other forms of evidence and usually based on observation of student behavior.

### **Soft Evidence Procedures**

Soft evidence cases will usually involve situations in which the student is suspected of being under the influence of a controlled substance, alcoholic beverage or intoxicant of any kind. In such a case, the administrator shall consult with the school nurse and may require the completion of the Behavioral Observation Form shown in the Discipline Handbook to determine safety needs of the student

### **Distribution Guidelines**

1. The above policy and procedure shall be distributed to all students Grades 1-12 at the beginning of each school year and to transfer students at the time of enrollment.
2. Within the first 10 days of school each principal shall implement procedures to ensure that all students have acknowledged that they have received a copy of the above policy and indicated their obligation to share the contents of the policy with the parent/guardian.
3. Each principal will ensure that all middle and high school students are explicitly informed of the provisions of the controlled substance policy through assemblies, presentations and/or direct instruction in appropriate classes.

Legal Reference:

BUSINESS AND PROFESSIONS CODE

25608 Alcohol on school property; use in connection with instruction

EDUCATION CODE

44049 Known or suspected alcohol or drug abuse by student

48900 Suspension or expulsion (grounds)

48900.5 Suspension, limitation on imposition; exception

48901 Smoking or use of tobacco prohibited

48901.5 Prohibition of electronic signaling devices

48902 Notification of law enforcement authorities; civil or criminal immunity

48909 Narcotics or other hallucinogenic drugs

48915 Expulsion; particular circumstances

49423 Administration of prescribed medication

49480 Notice to school by parent or guardian; consultation with physician

49602 Confidentiality of pupil information

51202 Instruction in personal and public health and safety

51203 Instruction on alcohol, narcotics and restricted dangerous drugs

51210 Areas of study

51220 Areas of study, grades 7 to 12

51260 Elementary and secondary school instruction in drug education by appropriately trained instructors

51262 Use of anabolic steroids; legislative finding and declaration

51264 CDE assistance for inservice training

51265 Gang violence and drug and alcohol abuse prevention inservice

51268 Collaboration to avoid duplication of effort

HEALTH AND SAFETY CODE

11032 Narcotics, restricted dangerous drugs and marijuana; construction of terms used in other divisions

11053-11058 Standards and schedules

11353.6 Juvenile Drug Trafficking and Schoolyard Act

11357 Unauthorized possession of marijuana; punishment; prior conviction; possession in school or on school grounds

11361.5 Destruction of arrest or conviction records

11372.7 Drug program fund; uses

11802 Joint school-community alcohol abuse primary education and prevention program

11966-11969 The School-Community Primary Prevention Program

11998-11998.3 Drug and Alcohol Abuse Master Plans

11999-11999.3 Alcohol and drug program funding; no unlawful use

124175-124200 Adolescent family life program (Department of Health Services)

PENAL CODE

13864 Comprehensive alcohol and drug prevention education

VEHICLE CODE

13202.5 Drug and alcohol related offenses by person under age of 21, but aged 13 or over; suspension, delay, or restriction of driving privileges

WELFARE AND INSTITUTIONS CODE

828 Disclosure of information re minors

828.1 Disclosure of criminal records; protection of vulnerable staff & students

UNITED STATES CODE, TITLE 20

5812 National education goals

7101-7184 Safe and Drug-Free Schools and Communities Act

**Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
adopted: August 10, 2011, Santa Monica, California**

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / CHIUNG-SALLY CHOU /  
MAROLYN FREEDMAN

UPDATE

RE: CONSIDER ADOPTING BP 5145.10 – DISABILITY HARASSMENT

DISCUSSION ITEM NO. D.03

It is recommended that the Board of Education review and consider adopting a new Board Policy 5145.10 – Disability Harassment.

COMMENTS: This new policy and regulation have been developed in response to an Office of Civil Rights request and clarify what constitutes an act of harassment against students with disabilities as well as the process for reporting such an incident, disciplining those who have violated the policy, and educating staff, students, and parents about this topic. District staff worked with an ad hoc committee of the Special Education District Advisory Committee to develop this BP and AR.

Attached:

- Board Policy 5145.10 – Disability Harassment
- Administrative Regulations 5145.10 – Disability Harassment

\*\*\*\*\*

*Dr. Chou summarized the process behind the development of this policy. Claudia Landis, Chair of the Special Education District Advisory Committee, reported that SEDAC would like to continue to work with staff on the language of this new policy. She also requested a copy of the OCR resolution and the development of a new policy addressing disability harassment when the victim is a parent. Dr. Chou clarified that the district has a uniform complaint procedure for parents to file a complaint against a district employee. She informed the board that the district is in the process of providing professional development regarding handling complaints. Ms. Lyon said she will review the uniform complaint procedure and policy as well as a potential civility policy. Mr. Mechur wondered about this policy applying to only grades 4-12; he suggested including K-3, but with different disciplinary measures. He wondered if a timeline should be added for an investigation. Mr. de la Torre suggested adding “community service” in the discipline section. Staff will examine if the OCR resolution is a public document and whether or not the Uniform Complaint Procedure covers harassment against a parent.*

*This item will return for board action at the next meeting.*

**DISABILITY HARASSMENT**

The Board of Education is committed to maintaining an educational environment that is free from harassment. The Board prohibits disability harassment of students by other students, employees or other persons, at school or at school-sponsored or school-related activities. The Board also prohibits retaliatory behavior or action against any person who complains, testifies, assists, or otherwise participates in the complaint process established pursuant to this policy and the administrative regulation.

**Definition**

Disability harassment is intimidation or abusive behavior toward a student based on disability or being regarded as having such an impairment that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the District's programs or activities. A hostile environment is created when harassing conduct is sufficiently severe, persistent or pervasive. Disability harassment includes any unwelcome verbal, written or physical conduct, directed at the characteristics of a person's disabling or regarded as having such a disabling condition, such as imitating manner of speech or movement, or interference with necessary equipment, or exclusion from activities available to peers. Harassment of a student based on disability may decrease the student's ability to benefit from his or her education and amount to a denial of Free and Appropriate Public Education (FAPE).

**Instruction/Information**

The Superintendent or designee shall ensure that all staff receive training about, and district students receive age-appropriate instruction and information on, disability harassment. Such training, instruction, and information shall include:

1. Acts and behavior which constitute disability harassment;
2. Disability harassment can occur any time and at any location at school, school-sponsored or related activities;
3. A clear message that students do not have to endure disability harassment;
4. Encouragement for persons subject to, and witnesses of, disability harassment to report incidents immediately, and assurance that they will be protected from retaliation; and
5. Name(s) or title(s) of the person(s) to whom a report of disability harassment should be given.

**Complaint and Investigation Process**

Any student who feels that he/she is being or has been harassed by a school/district employee, another student, or a non-employee on any location at school, school-sponsored or related activities should immediately contact his/her teacher or any other school employee. A school/district employee to whom a ~~complaint~~ report is made shall, as soon as possible, but no later than 24 hours of receiving the ~~complaint~~ report, ~~report~~ **notify** it to the principal or designee. The principal or designee shall immediately notify the parents/guardians of the alleged victim that a ~~complaint~~ report has been made.

Any school employee who observes any incident of disability harassment involving a student shall immediately report this observation to the principal or designee, whether or not the victim files a ~~complaint~~ or reports of the incident. The principal or designee shall immediately notify the parents/guardians of the alleged victim that a ~~complaint~~ report has been made.

Where the ~~The~~ principal or designee shall investigate the report and should he/she finds that disability harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim and/or victim's parents/guardians of support and other resources that are available. **The principal or designee shall submit all documentations to the Director of Student Services.**

In any case of disability harassment involving the principal or any other district employee to whom the ~~complaint~~ report would ordinarily be made, the school employee who receives the student's report or who observes the incident shall report to the Superintendent or designee. The Superintendent or designee shall immediately notify the parents/guardians that a complaint has been made **and investigate the incident.**

The Principal or designee to whom a ~~complaint~~ report of disability harassment by a school/district employee is ~~reported~~ made, shall immediately file a report to the **Confidential Incident Report form with the Assistant Superintendent of Human Resources (Non-discrimination Coordinator)** ~~with the Confidential Incident Report Form~~. The Assistant Superintendent shall determine who will investigate the ~~complaint~~ incident in accordance with administrative regulation. When the Assistant Superintendent or designee finds that disability harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the victim. The principal or designee shall also advise the victim and/or victim's parents/guardians of any other resources that may be available. If the principal or designee determines that this harassment is a hate-motivated behavior, the principal or designee may notify law enforcement as appropriate.

**The Uniform Complaint Procedure can be used as an alternative path for the reporting of disability harassment.**

### **Disciplinary Measures**

Any student who engages in disability harassment of 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. For students in grades 4-12, disciplinary action may include loss of privileges or participation in activities, suspension, opportunity transfer, and/or expulsion, provided that in imposing such discipline the entire circumstances of the incident(s) shall be taken into account.

Any school/district employee who engages in disability harassment is in violation of this policy and shall be subject to disciplinary measures in accordance with district policy.

### **Record-Keeping**

The Director of Student Services shall maintain a record of all reported cases of disability harassment to enable the district to monitor, address, and prevent repetitive harassing behavior in its schools.

All ~~complaints~~ reports and allegations of disability harassment shall be kept confidential except as necessary to carry out the investigation or take other subsequent necessary action. (5 CCR [4964](#))

Subject to confidentiality laws, parents/guardians shall be notified of the actions taken by the District to resolve the complaint.

**Each quarter (October, January, and April), the Superintendent shall inform the public via an Information Item in the Board Agenda regarding the number of reported student and employee disability harassment complaints for the previous quarter with total number of reported cases with those found to be violations of the policy and their respective resolutions.**

Legal Reference:

EDUCATION CODE

233 Education Equity; Hate and Violence Prevention Act

48900.3 Additional grounds for suspension or expulsion; hate crime

48904 Liability of parent/guardian for willful student misconduct

48980 Notice at beginning of term

PENAL CODE

422.55 Hate Crime

CIVIL CODE

51.7 Right to be Free from Violence or Threat of Violence

51.13 Personal Rights; Discrimination

52.1 - 52.4 Personal Rights; Discrimination Liability

54 Blind and Other Physical Disabled Persons; Rights of an Individual

54.1 Blind and Other Physical Disabled Persons; Full and equal Access

54.3 Liability for Acts of Discrimination

1714.1 Liability of parents/guardians for willful misconduct of minor

CODE OF REGULATIONS, TITLE 5

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

UNITED STATES CODE, TITLE 42

§ 12132, et seq., The Americans with Disabilities Act (ADA), Title II

UNITED STATES CODE, TITLE 29

§ 794, et seq., Section 504 of the Rehabilitation Act of 1973

CODE OF FEDERAL REGULATIONS, TITLE 28

Part 35, Regulations Implementing Title II of the ADA

CODE OF FEDERAL REGULATIONS, TITLE 34

Part 104, Regulations Implementing Section 504

Management Resources:

OFFICE FOR CIVIL RIGHTS AND NATIONAL ASSOCIATION OF ATTORNEYS GENERAL

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

Reminder of Responsibilities under Section 504 of the Rehabilitation Act of 1973 and Title II of the Americans with Disabilities Acts, July 2000

WEB SITES

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

**Policy: SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
Adopted:**



**DISABILITY HARASSMENT****Definition**

Disability harassment is intimidation or abusive behavior toward a student based on disability or regarded as having such an impairment that creates a hostile environment by interfering with or denying a student's participation in or receipt of benefits, services, or opportunities in the District's programs or activities. A hostile environment is created when harassing conduct is sufficiently severe, persistent, or pervasive. Disability harassment includes any unwelcome verbal, written, or physical conduct, directed at the characteristics of a person's disabling condition or regarded as having such a disabling condition, such as imitating manner of speech or movement, or interference with necessary equipment, or exclusion from activities available to peers. Harassment of a student based on disability may decrease the student's ability to benefit from his or her education and amount to a denial of Free and Appropriate Public Education (FAPE).

Types of conduct which are prohibited in the district and which may constitute disability harassment include, but are not limited to:

1. Graffiti containing offensive language which is derogatory to another because of an individual's physical or mental disability;
2. Threatening or intimidating conduct directed at another because of the other's physical or mental disability;
3. Jokes, rumors or name calling based upon an individual's physical or mental disability;
4. Slurs, negative stereotypes, and hostile acts which are based upon another's physical or mental disability;
5. Graphic material containing comments or stereotypes which is posted or circulated and which is aimed at degrading individuals or members of protected classes;
6. A physical act of aggression or assault upon another because of, or in a manner reasonably related to, an individual's physical or mental disability;
7. Other kinds of aggressive conduct such as theft or damage to property which is motivated by an individual's physical or mental disability.

**Notifications**

A copy of the district's disability harassment policy shall:

1. Be included in the notifications that are sent to parents/guardians at the beginning of each school year (Education Code [48980](#); 5 CCR [4917](#));
2. Be provided as part of any orientation program conducted for new students at the beginning of each quarter, semester or summer session (Education Code [231.5](#))

3. 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](#));
4. Be provided to employees and employee organizations.

### Disciplinary Measures Complaint and Investigation Process

Any student who feels that he/she is being or has been harassed by a school/district employee, another student, or a non-employee on school grounds or at a school sponsored or school-related activity shall immediately contact his/her teacher or any other school/district employee. A school/district employee to whom a ~~complaint~~ **report** is made shall, as soon as possible, but no later than within 24 hours of receiving the ~~complaint~~ **report**, ~~report it to~~ **notify** the principal or designee. The principal or designee shall **immediately** notify the parent/guardian of the alleged ~~incident~~ **victim that a report has been made.**

Any school/district employee who observes any incident of disability harassment involving a student shall report this observation as soon as possible, but no later than within 24 hours to the principal or designee, whether or not the victim files a complaint or reports the incident.

Where the principal or designee finds that disability harassment occurred, he/she shall take prompt, appropriate action to end the harassment and address its effects on the student(s). The principal or designee shall also advise the him/her (them) and the parent/guardian of any other resources and supports that may be available.

Students in grades 4-12 who engage in disability harassment shall be subject to discipline including, but not limited to, suspension, expulsion, transfer to alternative programs, 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 disability harassment 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, loss of employment.

### Investigation of Complaints regarding Disability Harassment by Another Student

1. Notice and Receipt of Complaint: Any student, or parent/guardian, who believes a student has been subjected to disability harassment or who has witnessed disability harassment shall report to the school principal immediately. The school shall assist the student in the writing of the ~~complaint~~ **report** if necessary and initiate an investigation of the ~~complaint~~ **report**. The school shall notify the parents/guardians of the student who made the report of the incident of disability harassment.
2. The Principal or designee shall file ~~an incident report~~ **the Reporting Form of Harassment** to be submitted to the Director of Student Services.
3. Initiation of Investigation: Principal or designee shall initiate an investigation of an allegation of disability harassment within five school days of receiving notice of the harassing behavior, regardless of whether a ~~formal complaint~~ **report** has been filed. The principal or designee shall notify the parents/guardians of the student accused of harassment. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from school/district employee, a student, or a parent/guardian who believes a student has been subjected to disability harassment. The investigation at the school site shall include interviewing:

- The student who is complaining
  - The ~~person~~ **student** accused of harassment
  - Anyone who witnessed the conduct complained of
  - Anyone mentioned as having related information
4. The complainant or the alleged subject of the harassment shall not be required or asked to meet with the alleged harasser or person suspected of disability harassment.
  5. The principal or designee shall take into account:
    - a. Statements made by the persons identified above
    - b. The details and consistency of each person's account
    - c. Evidence of how the complaining student reacted to the incident
    - d. Evidence of any past instances of harassment by the alleged harasser
    - e. Evidence of any past harassment complaints that were found to be untrue
    - f. How the misconduct affected one or more students' education
    - g. The type, frequency, and duration of the misconduct
    - h. The number of persons involved
    - i. The subject(s) of harassment
    - j. The place and situation where the incident occurred
    - k. Other incidents at the school, including incidents of harassment that were not related to disability
    - l. Any other findings that may be pertinent to the investigation
  6. The principal or designee shall give the Director of Student Services ~~a written report of the complaint and investigation~~ **all documentation of the incident**. If the school verifies that disability harassment occurred, this report shall describe the actions taken to end the harassment including appropriate disciplinary action, address the effects of the harassment on the student harassed, and prevent retaliation or further harassment. The school shall provide a notification of the findings to the complainant and the opportunity to appeal unsatisfactory result to the Director of Student Services.

### **Investigation of Complaints against a School/District Employee at School (Site-Level Grievance Procedure)**

1. Notice and Receipt of Complaint: Any student, or parent/guardian, who believes a student has been subjected to disability harassment or who has witnessed disability harassment by a school/district employee may file a ~~Uniform Complaint Procedure Form~~ **Reporting Form of Harassment** with the ~~school~~ principal. ~~Before filing such a complaint, individuals are encouraged to speak to the school principal. If the concern is~~

~~not resolved, then the complaint should be addressed in writing to the principal by submitting the Uniform Complaint Procedure Form. The school/district shall assist the parent/guardian in the writing of the complaint form~~ **Reporting Form of Harassment.** ~~If the complaint is not resolved appropriately at the school site, a Uniform Complaint Procedure Form should be submitted to the SMMUSD Assistant Superintendent of Human Resources. The principal or designee shall file the Confidential Incident Report Form with the Assistant Superintendent of Human Resources within 24 hours.~~

**2. Alternatively, the Uniform Complaint Procedure may be used and filed with the principal.**

**23.** ~~In addition, any school employee who observes or has knowledge of an employee incident of disability harassment involving a student or staff shall, as soon as possible, but no later than within 24 hours, report this observation to the Principal or designee, whether or not the victim or parent/guardian reports the incident or files a complaint report. In any case of disability harassment involving the Principal/designee to whom the complaint would ordinarily be made, the employee who receives the student's report or who observes the incident shall instead report to the Assistant Superintendent of Human Resources or designee.~~

~~2. The Principal or designee shall report a complaint to the Assistant Superintendent of Human Resources using the Confidential Incident Report form within 24 hours.~~

**3. Informal Resolution**

The Assistant Superintendent of Human Resources may offer the complainant the opportunity to resolve the complaint through an informal process or mediation. If successful, resolution without further investigation shall be recommended to the Assistant Superintendent of Human Resources.

**5. Initiation of Investigation:** If the informal resolution is unsuccessful, the Principal or designee shall initiate an impartial investigation of an allegation of disability harassment within five school days of receiving notice of the harassing behavior, regardless of whether a formal complaint has been filed. The district shall be considered to have "notice" of the need for an investigation upon receipt of information from school/district employee, a student, or a parent/guardian who believes a student has been subjected to disability harassment. Complaints filed at the school level will be investigated by the Principal or designee. Complaints filed at the District Office level will be investigated by the Assistant Superintendent of Human Resources or designee. The investigation will occur promptly. The investigator shall talk individually with:

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

**6.** The complainant shall have an opportunity to describe the incident, present witnesses, and other evidence of the harassment, and put his/her complaint in writing. If the complainant requires assistance with communication or in providing a written statement, such assistance will be provided by a qualified staff member (i.e., students with learning disabilities in reading or writing may choose to dictate their complaint statement).

7. The investigation is subject to district confidentiality policies (BP 4119.23). If the complaint regards occurrences for which the investigator has a reasonable suspicion of child abuse, the investigator is mandated to report to law enforcement and child protective agencies as per Board Policy and Administrative Regulation 5141.4. When necessary to carry out his/her investigation or for other good reasons that apply to the particular situation, the investigator may also discuss the complaint with the following persons:
  - a. The Superintendent or designee
  - b. The parent/guardian of the student who complained
  - c. A teacher or staff member whose knowledge of the students involved may help in determining who is telling the truth
  - d. Child protective agencies responsible for investigating child abuse reports
  - e. Legal counsel for the district
8. The complainant or the alleged subject of the harassment shall not be required or asked to meet with the alleged harasser or person suspected of disability harassment.
9. The investigator shall take into account:
  - a. Statements made by the persons identified above
  - b. The details and consistency of each person's account
  - c. Evidence of how the complaining student reacted to the incident
  - d. Evidence of any past instances of harassment by the alleged harasser
  - e. Evidence of any past harassment complaints that were found to be untrue
  - f. How the misconduct affected one or more students' education
  - g. The type, frequency, and duration of the misconduct
  - h. The number of persons involved
  - i. The subject(s) of harassment
  - j. The place and situation where the incident occurred
  - k. Other incidents at the school, including incidents of harassment that were not related to disability
  - l. Any other findings that might be pertinent to the investigation
10. The investigator shall give the Superintendent or designee a written report of the complaint and investigation. If investigator verifies that disability harassment occurred, this report shall describe the actions taken to end the harassment, address the effects of the harassment on the student harassed, and prevent retaliation or further harassment. The District shall provide a notification of the findings to the complainant and the opportunity to appeal unsatisfactory result to the Assistant Superintendent of Human Resources.

### **Enforcement**

The Superintendent or designee shall take appropriate actions to reinforce the district's disability harassment policy. As needed, these actions may include any of the following:

1. Immediately remove any offending graffiti.
2. Provide training to students, staff, and parents/guardians about how to recognize disability harassment and how to respond.
3. Notify child protective services and law enforcement if necessary.
4. Take appropriate disciplinary action. In addition, the Principal or designee may take disciplinary measures against any person who is found to have made a complaint of disability harassment which he/she knew was not true.
5. If an employee is found to be in violation of this policy, disciplinary action shall include, at a minimum, a letter of reprimand, which shall be placed in the employee's personnel file. That letter shall not be expunged under any circumstances.

### **Support for Students**

The Superintendent or designee shall take appropriate actions to provide support for students who have been subjected to disability harassment and/or misconduct by a district employee or volunteer.

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 disability harassment by a district employee or volunteer, the district will offer, and upon the request of the parent/guardian, will assist the student in receiving therapeutic intervention.

### **Notifications**

A copy of the district's disability harassment policy and regulation shall:

1. Be included 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 included 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.

**Regulation: SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**  
**Approved: August 24, 2011**

DISABILITY HARASSMENT

Santa Monica-Malibu Unified School District
Reporting Form of for Reports or Complaints of Disability Harassment;
Sexual Harassment, and Harassment because of Race, National Origin, and Disability\*

Complainant
Home Address
Work Address
Home Phone Work Phone

Date and Time of Alleged Incident(s)
Did the incidents involve: sexual harassment, racial harassment, harassment because of national origin, harassment because of disability (check all that apply)
Name of person(s) you believe harassed you or another person:

Describe the incident as clearly as possible, including such things as what force, if any, was used, any verbal statements (i.e. threats, requests, demands, etc.), what if any physical contact was involved. Attach additional pages as necessary.

[Blank lines for incident description]

Where did the incident occur?

List any witnesses who were present

This complaint is based upon my honest belief that has harassed me or another person. I hereby certify that the information I have provided in this complaint is true, correct, and complete to the best of my knowledge.

(complainant's signature) (date)

(received by) (date)

\* If a person making a complaint requires assistance in providing a written statement, such assistance will be provided by a staff member (i.e., students with learning disabilities in reading or writing may choose to dictate their complaint statement).

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: CONSIDER REVISING BP 3513.3 – TOBACCO-FREE SCHOOLS

DISCUSSION ITEM NO. D.04

It is recommended that the Board of Education consider revising BP 3513.3 – Tobacco-Free Schools.

COMMENT: This is a mandated revision by CSBA that reflects California Department of Education (CDE) requirements, as a condition for receipt of Tobacco-Use Prevention Education (TUPE) funding, related to certification of compliance with tobacco-free schools requirements. The revised policy adds the definition of prohibited products, including nicotine delivery devices, such as electronic cigarettes, and reflects new law (SB 882, 2010), which prohibits sales of electronic cigarettes to minors.

The revised policy is attached. (Revisions to the AR can be found under Information Items.)

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

*Ms. Maez summarized the changes. Dr. Escarce asked if the district had a policy on students taking prescription medications. He requested that such a policy be referenced at the end of the fourth paragraph in the attached policy.*

*This item will return for action on September 8.*



**TOBACCO-FREE SCHOOLS**

The Board of Education recognizes the health hazards associated with smoking and the use of tobacco products, including the breathing of second-hand smoke, and desires to provide a healthy environment for students and staff.

The Board prohibits the use of tobacco products at any time in district-owned or leased buildings, on district property and in district vehicles. (Health and Safety Code 104420; Labor Code 6404.5; 20 USC 6083)

This prohibition applies to all employees, students and visitors at any instructional program, activity or athletic event.

Prohibited products include any product containing tobacco or nicotine, including, but not limited to, cigarettes, cigars, miniature cigars, smokeless tobacco, snuff, chew, clove cigarettes, betel, and nicotine delivery devices such as electronic cigarettes. Exceptions may be made for the use or possession of prescription nicotine products.

Smoking or use of any tobacco-related products and disposal of any tobacco-related waste are prohibited within 25 feet of any playground, except on a public sidewalk located within 25 feet of the playground. (Health and Safety Code 104495)

Legal Reference:**EDUCATION CODE**

48900 Grounds for suspension/expulsion

48901 Prohibition against tobacco use by students

**HEALTH AND SAFETY CODE**

39002 Control of air pollution from nonvehicular sources

104350-104495 Tobacco use prevention, especially:

104495 Prohibition of smoking and tobacco waste on playgrounds

**LABOR CODE**

6404.5 Occupational safety and health: use of tobacco products

**UNITED STATES CODE, TITLE 20**

6083 Nonsmoking policy for children's services

7111-7117 Safe and Drug Free Schools and Communities Act

**PERB RULINGS**

*Eureka Teachers Assn v. Eureka City School District (1992) PERB Order #955 (16 PERC 23168)*

*CSEA #506 and Associated Teachers of Metropolitan Riverside v. Riverside Unified School District (1989) PERB Order #750 (13 PERC 20147)*

Management Resources:**WEB SITES**

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

California Department of Public Health, Tobacco Control: <http://www.cdph.ca.gov/programs/tobacco>

Occupational Safety and Health Standards Board: <http://www.dir.ca.gov/OSHSB/oshsb.html>

Environmental Protection Agency: <http://www.epa.gov>

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

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: CONSIDER REPLACING BP 5022 – STUDENT AND FAMILY PRIVACY RIGHTS

DISCUSSION ITEM NO. D.05

It is recommended that the Board of Education consider replacing BP 5022 – Student and Family Privacy Rights with the CSBA policy.

COMMENT: This is a mandated revision by CSBA that revises and reorganizes the policy to address certain privacy issues related to students and/or their parents/guardians, including the administration of surveys and physical exams/screenings, parent/guardian rights to inspect instructional materials, and the collection of personal information for marketing purposes.

The revised policy is attached. (Revisions to the AR can be found under Information Items.)

\*\*\*\*\*

*Ms. Washington summarized the changes.*

*This item will return for action on September 8.*

**STUDENT AND FAMILY PRIVACY RIGHTS**

The Governing Board respects the rights of district students and their parents/guardians with regard to the privacy of their personal beliefs and the confidentiality of their personal information. The Superintendent or designee shall develop regulations to ensure compliance with law when the district requests, retains, discloses, or otherwise uses the personal information of its students and their families.

The regulations shall, at a minimum, address the following: (20 USC 1232h)

1. Whether the district may collect the personal information of students for marketing or sale
2. How the district will administer surveys that may request information about the personal beliefs and practices of students and their families
3. The rights of parents/guardians to inspect:
  - a. Survey instruments requesting information about their personal beliefs and practices or those of their children
  - b. Instructional materials used as part of their children's educational curriculum
4. Whether the district may administer any nonemergency invasive physical examination or screening
5. Notifications that the district will provide to students and parents/guardians with respect to their privacy rights

The Superintendent or designee shall consult with parents/guardians regarding the development of the procedures. (20 USC 1232h)

~~The Board of Education believes that personal information concerning district students and their families should be kept private in accordance with law, including the provisions outlined in the Family Educational Rights and Privacy Act. (FERPA)~~

**Collection of Personal Information for Marketing Purposes**

~~The Board recognizes that in compliance with the No Child Left Behind Act of 2001, districts receiving Title IV funds must administer the California Healthy Kids Survey biennially. Guidelines for parents/guardian consent to participate in the survey are outlined in the Administrative Regulation for this policy.~~

~~The Board prohibits district staff from administering or distributing to students survey instruments that are designed for the purpose of collecting personal information for marketing or for selling that information.~~

Legal Reference:

EDUCATION CODE

[49450-49458](#) Physical examinations

[49602](#) Confidentiality of pupil information

[51101](#) Parents Rights Act of 2002

[51513](#) Personal beliefs

[51938](#) Sexual Health And HIV/AIDS Prevention Education Act; notice and parental excuse

UNITED STATES CODE, TITLE 20

[1232g](#) Family Educational Rights and Privacy Act

[1232h](#) Protection of pupil rights

Management Resources:

WEB SITES

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

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

USD OE, Family Policy Compliance Office: <http://www.ed.gov/offices/OM/fpco/>

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

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: CONSIDER REVISING BP 5116.1 – INTRADISTRICT OPEN ENROLLMENT

DISCUSSION ITEM NO. D.06

It is recommended that the Board of Education consider revising BP 5116.1 – Intradistrict Open Enrollment.

COMMENT: This is a mandated revision by CSBA to reflect new law (SBX5 4), which allows a student attending a school identified by the CDE as an "open enrollment school" to transfer to another school that has a higher Academic Performance Index. The revised policy contains language giving priority for admission to students attending an identified school who wish to transfer to another school within the district. The policy and regulation have also been revised to create an application window in order to allow the district to grant priorities consistent with the requirements in the Open Enrollment Act.

The revised policy is attached.

\*\*\*\*\*

*Ms. Lyon and Ms. Washington summarized the changes.*

*This item will return for action on September 8.*

**INRADISRICT OPEN ENROLLMENT**

The Board of Education desires to provide enrollment options that meet the diverse needs and interests of district students and parents/guardians, while also balancing enrollment in order to maximize the efficient use of district facilities. The Superintendent or designee shall establish procedures for the selection and transfer of students among district schools in accordance with law, Board policy, and administrative regulation.

The parents/guardians of any student who resides within district boundaries may apply to enroll their child in any district school, regardless of the location of residence within the district. (Education Code [35160.5](#))

The Board shall annually review this policy. (Education Code [35160.5](#), [48980](#))

**Enrollment Priorities**

Priority for attendance outside a student's attendance area shall be given as follows:

1. Any student enrolled in a district school that has been identified on the state's Open Enrollment List. (Education Code 48354)
2. The Board believes it is the best interest of students that firm ties are established between families and schools. Therefore, once a family has received an intradistrict permit, the receiving school shall be regarded as the home school of that family, and all siblings in the family may attend that school. Enrollment of intradistrict siblings will be automatic, and shall not be subject to permit priorities or space availability.
3. If a district school receiving Title I funds is identified for program improvement, corrective action, or restructuring, all students enrolled in that school shall be provided an option to transfer to another district school or charter school. (20 USC [6316](#))
4. If while on school grounds a student becomes the victim of a violent criminal offense, he/she shall be provided an option to transfer to another district school or charter school. (20 USC [7912](#))
5. If a student attends a school designated by the California Department of Education as "persistently dangerous," he/she shall be provided an option to transfer to another district school or charter school. (20 USC [7912](#); 5 CCR [11992](#))
6. The Superintendent or designee may approve a student's transfer to a district school that is at capacity and otherwise closed to transfers upon finding that special circumstances exist that might be harmful or dangerous to the student in the current attendance area, including, but not limited to, threats of bodily harm or threats to the emotional stability of the student.

To grant priority under these circumstances, the Superintendent or designee must have received either: (Education Code [35160.5](#))

- a. A written statement from a representative of an appropriate state or local agency, such as a law enforcement official, social worker, or a properly licensed or registered professional, such as a psychiatrist, psychologist, or marriage and family therapist
- b. A court order, including a temporary restraining order and injunction

In order to ensure that priorities for enrollment in district schools are implemented in accordance with law, applications for intradistrict open enrollment shall be submitted between May 1 and May 31 of the school year preceding the school year for which the transfer is requested.

For all other applications for enrollment from outside a school's attendance area, the Superintendent or designee shall use a random, unbiased selection process to determine who shall be admitted whenever the school receives admission requests that are in excess of the school's capacity. A school's capacity shall be calculated in a nonarbitrary manner using student enrollment and available space. (Education Code [35160.5](#))

Enrollment decisions shall not be based on a student's academic or athletic performance, except that existing entrance criteria for specialized schools or programs may be used provided that the criteria are uniformly applied to all applicants. Academic performance may be used to determine eligibility for, or placement in, programs for gifted and talented students. (Education Code [35160.5](#))

No student currently residing within a school's attendance area shall be displaced by another student transferring from outside the attendance area. (Education Code [35160.5](#))

## **Transportation**

Except as required by 20 USC [6316](#) for transfers out of Title I program improvement schools, the district shall not be obligated to provide transportation for students who attend school outside their attendance area.

### Legal Reference:

#### EDUCATION CODE

[35160.5](#) District policies; rules and regulations

[35291](#) Rules

[35351](#) Assignment of students to particular schools

[48980](#) Notice at beginning of term

CODE OF REGULATIONS, TITLE 5

[11992-11994](#) Definition of persistently dangerous schools

UNITED STATES CODE, TITLE 20

[6316](#) Transfers from program improvement schools

[7912](#) Transfers from persistently dangerous schools

CODE OF FEDERAL REGULATIONS, TITLE 34

[200.36](#) Dissemination of information

[200.37](#) Notice of program improvement status, option to transfer

[200.39](#) Program improvement, transfer option

[200.42](#) Corrective action, transfer option

[200.43](#) Restructuring, transfer option

[200.44](#) Public school choice, program improvement schools

[200.48](#) Transportation funding for public school choice

COURT DECISIONS

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

ATTORNEY GENERAL OPINIONS

85 Ops.Cal.Atty.Gen. 95 (2002)

### Management Resources:

U.S. DEPARTMENT OF EDUCATION GUIDANCE

*Unsafe School Choice Option*, May 2004

*Public School Choice*, February 2004

WEB SITES

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

California Department of Education, *Unsafe School Choice Option*: <http://www.cde.ca.gov/ls/ss/se/usco.asp>

U.S. Department of Education, *No Child Left Behind*:: <http://www.nclb.gov>

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

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: CONSIDER REVISING BP 5131.62 – TOBACCO

DISCUSSION ITEM NO. D.07

It is recommended that the Board of Education consider revising BP 5131.62 – Tobacco.

COMMENT: CSBA is recommending this policy update to provide examples of prohibited tobacco products in accordance with law and to add a prohibition of nicotine delivery devices such as electronic cigarettes, consistent with new law (SB 882, 2010), which makes it unlawful for a person to sell or furnish an electronic cigarette to a minor. The revised policy also authorizes the use of intervention services as an alternative to suspension for tobacco possession and reflects requirement of TUPE program that the district not accept materials, advertisements, or funds from the tobacco industry.

The revised policy is attached.

\*\*\*\*\*

*Ms. Washington summarized the changes. Mr. Mechur asked how this policy relates to the controlled substance and/or discipline policies. He suggested asking the City of Santa Monica what information they could share about reducing tobacco use.*

*This item will return for action on September 8. The board directed staff to keep this policy in mind when discussing the other policies addressing discipline.*



**TOBACCO**

The Board of Education recognizes that tobacco use presents serious health risks and desires to provide support and assistance in reducing the number of students who begin or continue to use tobacco. The Superintendent or designee shall establish a comprehensive program that includes consistent enforcement of laws prohibiting tobacco possession and use by students, tobacco-use prevention education, and intervention and cessation activities and/or referrals.

**Prohibition Against Tobacco Use**

Students shall not possess, smoke, or use tobacco or any product containing tobacco or nicotine, while on campus, while attending school-sponsored activities, or while under the supervision and control of district employees. Prohibited products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (Education Code 48900, 48901)

Students' possession or use of nicotine delivery devices, such as electronic cigarettes, is also prohibited.

This prohibition does not include students' possession or use of their own prescription products. (Education Code [48900](#), [48901](#))

**Intervention/Cessation Services**

The district may provide or refer students to counseling, intensive education, and other intervention services to assist in the cessation of tobacco use. When appropriate, such intervention services may be provided as an alternative to suspension for tobacco possession.

**Prevention Instruction**

The district shall provide developmentally appropriate tobacco-use prevention instruction for students at selected grade levels from K-12. Such instruction shall be aligned with state content standards and the state curriculum framework for health education and with any requirements of state and/or federal grant programs in which the district participates.

**Program Planning**

The district's tobacco-use prevention and intervention program shall be based on an assessment of tobacco-use problems in district schools and the community, an examination of existing services and activities in the community, and a determination of high-risk student populations that are most in need of district services.

The Superintendent or designee shall coordinate with the local health department and county office of education in program planning and implementation. He/she may establish an advisory council including students, parents/guardians, district staff, representatives of the local health department and community organizations, law enforcement professionals, and/or others with demonstrated expertise in tobacco prevention and cessation.

The Superintendent or designee also shall coordinate the district's tobacco-use prevention program with other district efforts to reduce students' use of illegal substances and to promote student wellness.

The Superintendent or designee shall select anti-tobacco programs based on the model program designs identified by the California Department of Education (CDE) and may modify the model to meet district needs. (Health and Safety Code 104420)

The Superintendent or designee shall not accept for distribution any materials or advertisements that promote the use or sale of tobacco products. He/she also shall not accept tobacco-use prevention or intervention funds or materials from the tobacco industry or from any entity which has received funding from the tobacco industry.

## **Program Evaluation**

To evaluate the effectiveness of the district's program and ensure accountability, the Superintendent or designee shall biennially administer the California Healthy Kids Survey to students at selected grade levels in order to assess student attitudes toward tobacco and student use of tobacco.

Because of the additional health risks of tobacco use for prenatal development, the district shall provide outreach, motivational and other support services to prevent or reduce tobacco use among pregnant and parenting minors.

Information about smoking cessation programs shall be made available and encouraged for students and staff. (Health and Safety Code [104420](#))

### Legal Reference:

#### **EDUCATION CODE**

[48900](#) Suspension or expulsion (grounds)

[48900.5](#) Suspension, limitation on imposition; exception

[48901](#) Smoking or use of tobacco prohibited

[51202](#) Instruction in personal and public health and safety

#### **HEALTH AND SAFETY CODE**

[104350-104495](#) Tobacco use prevention education

#### **PENAL CODE**

[308](#) Minimum age for tobacco possession

#### **UNITED STATES CODE, TITLE 20**

[7111-7117](#) Safe and Drug-Free Schools and Communities Act

### Management Resources:

#### **CDE PUBLICATIONS**

*Getting Results: Developing Safe and Healthy Kids, 1998-99*

#### **CENTERS FOR DISEASE CONTROL PUBLICATIONS**

*Guidelines Related to School Health Programs to Prevent Tobacco Use and Addiction, 1994*

#### **NATIONAL ASSOCIATION OF STATE BOARDS OF EDUCATION PUBLICATIONS**

*Fit, Healthy, and Ready to Learn: A School Health Policy Guide, 2000*

#### **WEB SITES**

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

California Department of Health Services: <http://www.dhs.ca.gov>

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

U.S. Surgeon General: <http://www.surgeongeneral.gov>

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

National Association of State Boards of Education: <http://www.nasbe.org>

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

TO: BOARD OF EDUCATION

DISCUSSION

08/24/11

FROM: SANDRA LYON / CHIUNG-SALLY CHOU

RE: CONSIDER REVISING BP 6163.1 – LIBRARY MEDIA CENTERS

DISCUSSION ITEM NO. D.08

It is recommended that the Board of Education consider revising BP 6163.1 – Library Media Centers.

COMMENT: CSBA is recommending this policy update to reflect new state standards adopted by the State Board of Education, including program standards that describe staffing, resources, and infrastructure recommended for effective school library programs as well as academic standards for library instruction. The revised policy also adds a new section on "Staffing" and new language on criteria for acceptance of donated library materials.

The revised policy is attached.

\*\*\*\*\*

*Dr. Chou summarized the changes. Mr. Mechur asked if the job titles mentioned in the new language could impact the way in which the district staffs its libraries. Dr. Chou explained that the district currently staffs people under those job titles in the libraries. Ms. Lyon assured Mr. Mechur that the district would not change its library staffing practices without having a longer conversation first. She assured the board that this new language simply allows for future flexibility in staffing, if necessary. Mr. de la Torre wondered if the nighttime person had to be certificated and would that limit community access to the library if the district could not get a certificated person for the nighttime. He suggested adding language about culturally relevant materials on the last page of the policy.*

*This item will return on September 8 for further discussion.*

**LIBRARY MEDIA CENTERS**

The Board of Education recognizes that school library media centers support the educational program by providing access to a variety of informational resources. The Board desires to provide library media centers with up-to-date books, reference materials, and electronic information resources necessary to promote literacy, support students in achieving academic standards, and encourage students to become lifelong learners.

School libraries shall be open for use by students and teachers during the school day.

Any school library open outside the school day, such as evenings and/or Saturdays, shall be under the supervision of a certificated employee.

The district's school libraries may provide:

1. Library instruction to students that enables them to become proficient users of library resources
2. Information to teachers and administrators concerning sources and availability of instructional materials that will aid in the development of school curriculum, and, in cooperation with classroom teachers, the development of instructional units and activities using library resources
3. Assistance to teachers and students in the evaluation, selection, production, and uses of instructional materials
4. A collection of materials and resources that support the curriculum and are appropriate for user needs
5. Assistance to teachers, administrators, and other school staff members in becoming knowledgeable about appropriate uses of library media services, materials, and equipment

**Library Instruction**

Teacher librarians and/or classroom teachers shall provide library instruction to develop students' information literacy skills. Such instruction shall be aligned with state academic standards for library instruction and shall prepare students to:

1. Access information by applying knowledge of the organization of libraries, print materials, digital media, and other sources
2. Evaluate and analyze information to determine appropriateness in addressing the scope of inquiry
3. Organize, synthesize, create, and communicate information
4. Integrate information literacy skills into all areas of learning and pursue information independently to become life-long learners

## Staffing

To staff school libraries, the Board may appoint one or more teacher librarians who possess an appropriate credential issued by the Commission on Teacher Credentialing. Any teacher librarian employed by the district shall be authorized to perform the following duties:

1. Instruct students in the choice and use of library materials and technology
2. Plan and coordinate school library programs with the district's instructional programs
3. Select materials for school and district libraries
4. Coordinate or supervise library programs at the district level
5. Plan and conduct a course of instruction for students who assist in the operation of school libraries
6. Supervise classified personnel assigned school library duties
7. Develop procedures for and management of the school and district libraries

The Board also may appoint classified paraprofessionals to serve as library aides or library technicians. Volunteers may assist with school library services in accordance with law, board policy, and administrative regulation.

The Superintendent or designee shall develop procedures for the selection and evaluation of library materials.

Whenever a school receives state funding for school and library improvement pursuant to Education Code 41570-41573, the school site council shall develop a single plan for student achievement that addresses the needs of the school's library media center.

In developing a districtwide plan, the Superintendent or designee is encouraged to consult with school library media teachers, classroom teachers, administrators, parents/guardians, and students as appropriate in the development of the plan.

The districtwide library plan shall describe the district's vision and goals for the district's libraries and action steps including how funds will be distributed to school sites. As appropriate, the plan may also address staffing, facilities, selection and evaluation of materials, prioritization of needs, and other related matters.

When state funding is available for library materials in grades K-4 classrooms, the Superintendent or designee shall develop, for certification by the Board, a districtwide classroom library plan grades K-4. The plan shall include a means of preventing loss, damage, or destruction of the materials.

The Superintendent or designee is encouraged to consult with primary grade teachers and school and/or county office of education library media teachers in the development of the plan for Grades K-4 and to consider selections from the list of books recommended by the State Librarian pursuant to Education Code 19336.

Responsibility for the selection of library materials is delegated to the professional library staff through the principal. School librarians shall evaluate materials, using professional selection aids and standards, in accordance with law, Board policy, and administrative regulation. The

selection process shall invite recommendations from administrators, teachers, other staff, parents/guardians, and students as appropriate.

Library materials shall include print and electronic resources that align with the curriculum and are accessible to students with varying cognitive or language needs.

Library materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain obsolete subject matter or are no longer appropriate shall be removed, and lost or worn materials may be replaced if possible.

Complaints regarding the appropriateness of library materials shall be addressed using the district's procedures for complaints regarding instructional materials.

Students shall be allowed to borrow school library materials at no charge for use in the library and classrooms as well as out of school. To encourage students to return materials in a timely manner, a nominal fee may be charged for the later return of materials.

The district shall, on or before August 31 each year, report to the California Department of Education on the condition of school libraries for the preceding year ending June 30.

Legal Reference:

*EDUCATION CODE*

1703 *Coordination of district library services by county superintendent*

1770-1775 *Provision of library services by county superintendent*

18100-18203 *School libraries*

18300-18571 *Union high school district/unified school district library district*

19335-19336 *Reading Initiative Program; recommended books*

41570-41573 *School and Library Improvement Block Grant*

44868-44869 *Qualifications and employment of library media teachers*

45340-45349 *Instructional aides*

60119 *Sufficiency of textbooks and instructional materials; public hearing*

60240-60251.5 *State Instructional Materials Fund, purchase of classroom library materials*

60420-60424 *Instructional Materials Funding Realignment Program*

*REPEALED EDUCATION CODE FOR CATEGORICAL PROGRAMS*

18181 *Districtwide library plan*

52012 *Establishment of school site council*

52014-52015 *School plans*

*CODE OF REGULATIONS, TITLE 5*

16040-16043 *School libraries*

80053 *Library media service teaching credential*

*UNITED STATES CODE, TITLE 20*

6383 *Improving Literacy Through School Libraries grant program*

Management Resources:

*CDE PUBLICATIONS*

*Check It Out! Assessing School Library Media Programs, 1998*

*Recommended Literature: Kindergarten Through Grade Twelve*

*CALIFORNIA SCHOOL LIBRARY ASSOCIATION PUBLICATIONS*

*Standards and Guidelines for Strong School Libraries, 2004*

*WEB SITES*

*American Library Association: <http://www.ala.org>*

*American Association of School Librarians: <http://www.ala.org/aasi>*

*California Department of Education, School Libraries: <http://www.cde.ca.gov/ci/cr/lb>*

*California Library Association: <http://www.cla-net.org>*

*California School Library Association: <http://www.csla.net>*

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

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## **INFORMATION ITEMS**





TO: BOARD OF EDUCATION  
FROM: SANDRA LYON / JANECE L. MAEZ  
RE: REVISION TO AR 3311 – BIDS

INFORMATION  
08/24/11

INFORMATION ITEM NO. I.01

This is to inform the Board of Education that AR 3311 – Bids has been revised.

COMMENT: This is a mandated revision by CSBA that reflects new law (AB 635), which defines "equal" for the purpose of determining whether a material, product, thing, or service related to a bid for a roof project is equal to the material, product, thing, or service designated in the district's bid specification. The section on "Instructions and Procedures for Advertised Bids" adds that the bid instructions will include the requirement that the bidder use the standardized proposal form provided by the district.

The revised regulation is attached.

**BIDS****Advertised/Competitive Bids**

The district shall seek competitive bids through advertisement for contracts involving an expenditure of \$15,000 or more for a public project. Public project means construction, reconstruction, erection, alteration, renovation, improvement, painting, repainting, demolition, and repair work involving a district owned, leased, or operated facility. (Public Contract Code 20111, 22002)

The district shall also seek competitive bids through advertisement for contracts exceeding the amount specified in law, and as annually adjusted by the Superintendent of Public Instruction, for any of the following: (Public Contract Code 20111; Government Code 53060)

1. The purchase of equipment, materials, or supplies to be furnished, sold, or leased to the district
2. Services, not including construction services or special services and advice in accounting, financial, legal, or administrative matters
3. Repairs, including maintenance that is not a public project

Maintenance means routine, recurring, and usual work for preserving, protecting, and keeping a district facility operating in a safe, efficient, and continually usable condition for the intended purpose for which it was designed, improved, constructed, altered, or repaired.

Maintenance includes, but is not limited to, carpentry, electrical, plumbing, glazing, and other craft work designed to preserve the facility, as well as repairs, cleaning, and other operations on machinery and other permanently attached equipment. This definition does not include, among other types of work, janitorial or custodial services and protection provided by security forces, nor does it include painting, repainting, or decorating other than touchup. (Public Contract Code 20115)

Unless otherwise authorized by law, contracts shall be let to the lowest responsible bidder who shall give such security as the Board of Education requires, or else all bids shall be rejected. (Public Contract Code 20111)

The Board shall secure bids pursuant to Public Contract Code 20111 and 20112 for any transportation service expenditure of more than \$10,000 when contemplating that such a contract may be made with a person or corporation other than a common carrier, municipally owned transit system, or a parent/guardian of students who are to be transported. The Board may let this contract to other than the lowest bidder. (Education Code 39802)

No work, project, service, or purchase shall be split or separated into smaller work orders or projects for the purpose of evading the legal requirements of Public Contract Code 20111-20118.4 for contracting after competitive bidding. (Public Contract Code 20116)

When letting a contract for the procurement and/or maintenance of electronic data processing systems and supporting software, the Board may contract with any one of the three lowest responsible bidders. (Public Contract Code 20118.1)

## Instructions and Procedures for Advertised Bids

The Superintendent or designee shall call for bids by placing a notice at least once a week for two weeks in a local newspaper of general circulation published in the district, or if no such newspaper exists, then in some newspaper of general circulation, circulated in the county, and may post the notice on the district's web site or through an electronic portal. The notice shall state the work to be done or materials or supplies to be furnished and the time and place and web site where bids will be opened. The district may accept a bid that has been submitted electronically or on paper. (Public Contract Code 20112)

The notice shall contain the time, date, and location of any mandatory prebid conference, site visit, or meeting. The notice shall also detail when and where project documents, including final plan and specifications, are available. Any such mandatory visit or meeting shall not occur within a minimum of five calendar days of the publication of the initial notice. (Public Contract Code [6610](#))

Bid instructions and specifications shall include the following requirements and information:

1. All bidders shall certify the minimum, if not exact, percentage of post-consumer materials in products, materials, goods, or supplies offered or sold. (Public Contract Code [22152](#))
2. All bids for construction work shall be presented under sealed cover and shall be accompanied by one of the following forms of bidder's security: (Public Contract Code [20107](#), [20111](#))
  - a. Cash
  - b. A cashier's check made payable to the district
  - c. A certified check made payable to the district
  - d. A bidder's bond executed by an admitted surety insurer and made payable to the district

The security of unsuccessful bidders shall be returned in a reasonable period of time, but in no event later than 60 days after the bid is awarded. (Public Contract Code [20111](#))

3. When a standardized proposal form is provided by the district, bids not presented on the standard form shall be disregarded. (Public Contract Code 20111.5)
- ~~34.~~ Bids shall not be accepted after the advertised bid opening time, regardless of whether the bids are actually opened at that time. (Public Contract Code [20112](#))
- ~~45.~~ When two or more identical lowest or highest bids are received, the Board may determine by lot which bid shall be accepted. (Public Contract Code [20117](#))
- ~~56.~~ If the district requires that the bid include prices for items that may be added to or deducted from the scope of work in the contract, the bid solicitation shall specify which one of the following methods will be used to determine the lowest bid. In the absence of such a specification, only the method provided in item #a below shall be used. (Public Contract Code [20103.8](#))
  - a. The lowest bid shall be the lowest total of the bid prices on the base contract without consideration of the prices on the additive or deductive items.

- b. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that were specifically identified in the bid solicitation as being used for the purpose of determining the lowest bid price.
- c. The lowest bid shall be the lowest total of the bid prices on the base contract and those additive or deductive items that, when taken in order from a specifically identified list of those items in the solicitation, and added to or subtracted from the base contract, are less than or equal to a funding amount publicly disclosed by the district before the first bid is opened.

The lowest bid shall be determined in a manner that prevents any information that would identify any of the bidders or proposed subcontractors or suppliers from being revealed to the district before the ranking of all bidders from lowest to highest has been determined.

67. Any subsequent change or alteration of a contract shall be governed by the provisions of Public Contract Code [20118.4](#).
78. After being opened, all submitted bids become public records pursuant to Government Code [6252](#) and shall be made available for review pursuant to law, Board policy, and administrative regulation.

### **Alternative Bid Procedures for Technological Supplies and Equipment**

Upon a finding by the Board that a particular procurement qualifies for the alternative procedure, the district may acquire computers, software, telecommunications equipment, microwave equipment, and other related electronic equipment and apparatus through competitive negotiation. This procedure shall not apply to contracts for construction or for the procurement of any product that is available in substantial quantities to the general public. (Public Contract Code [20118.2](#))

The competitive negotiation shall include, but not be limited to, the following requirements: (Public Contract Code [20118.1](#))

1. The Superintendent or designee shall prepare a request for proposals (RFP) that shall be submitted to an adequate number of qualified sources, as determined by the district, to permit reasonable competition consistent with the nature and requirement of the procurement.
2. Notice of the RFP shall be published at least twice in a newspaper of general circulation, at least 10 days before the date for receipt of the proposals.
3. The district shall make every effort to generate the maximum feasible number of proposals from qualified sources and shall make a finding to that effect before proceeding to negotiate if only a single response to the RFP is received.
4. The RFP shall identify all significant evaluation factors, including price, and their relative importance.
5. The district shall provide reasonable procedures for the technical evaluation of the RFPs received, the identification of qualified sources, and the selection for the award of the contract.
6. An award shall be made to the qualified bidder whose proposal meets the evaluation standards and will be most advantageous to the district with price and all other factors considered.

7. If an award is not made to the bidder whose proposal contains the lowest price, then the district shall make a finding setting forth the basis for the award.
8. The district, at its discretion, may reject all proposals and request new RFPs.
9. Provisions in any contract concerning utilization of small business enterprises, that are in accordance with the RFP, shall not be subject to negotiation with the successful proposer.

### **Bids Not Required**

Without advertising for bids and upon a determination that it is in the best interest of the district, the Board may authorize, by contract, lease, requisition, or purchase order, another public corporation or agency to lease data-processing equipment or to purchase materials, supplies, equipment, automotive vehicles, tractors, and other personal property for the district in the manner that the other public corporation or agency is authorized to make the leases or purchases from a vendor ("piggyback"). (Public Contract Code [20118](#))

Alternatively, if there is an existing contract between a public corporation or agency and a vendor for the lease or purchase of personal property, the district may authorize the lease or purchase of personal property directly from the vendor by contract, lease, requisition, or purchase order and make payment to the vendor under the same terms that are available to the public corporation or agency under the contract. (Public Contract Code [20118](#))

Supplementary textbooks, library books, educational films, audiovisual materials, test materials, workbooks, instructional computer software packages, or periodicals may be purchased in any amount without taking estimates or advertising for bids. (Public Contract Code [20118.3](#))

Perishable commodities, such as foodstuffs, needed in the operations of cafeterias may be purchased through bid or on the open market. (Education Code [38083](#))

In an emergency when any repairs, alterations, work, or improvement to any school facility is necessary to permit the continuance of existing school classes or to avoid danger to life or property, the Board may, by unanimous vote and with the approval of the County Superintendent of Schools, contract for labor and materials or supplies without advertising for or inviting bids or may authorize the use of day labor or force account for the emergency purpose. (Public Contract Code [20113](#))

Bids shall also not be required for day labor under circumstances specified in Public Contract Code [20114](#). Day labor shall include the use of maintenance personnel employed on a permanent or temporary basis. (Public Contract Code [20114](#))

### **Sole Sourcing**

~~Specifications for contracts for construction, alteration, or repair of school facilities may not limit bidding, either directly or indirectly, to any one specific concern. Specifications designating a specific material, product, thing, or particular brand name shall follow the description with the words "or equal" so that bidders may furnish any equal material, product, thing, or service. (Public Contract Code [3400](#))~~

In any contract for the construction, alteration, or repair of school facilities, the Superintendent or designee shall not draft the bid specification in a manner that, either directly or indirectly, limits bidding to any one specific concern or calls for a designated material, product, thing, or service by a specific brand or trade name, unless the specification designating the specific material, product, thing, or particular brand name is followed by the words "or equal" so that

bidders may furnish any equal material, product, thing, or service. In such cases, the bid specification shall provide a time period, before and/or after the award of the contract, for the contractor to submit data substantiating the request for substituting the designated material, product, thing, or service. If no such time period is specified, the contractor may submit the data within 35 days after the award of the contract. (Public Contract Code 3400)

However, specifications for such contracts may designate a product by brand or trade name (sole sourcing) if the Board has made a finding, described in the invitation for bids or RFP, that a particular material, product, thing, or service is designated for any of the following purposes: (Public Contract Code [3400](#))

1. To conduct a field test or experiment to determine its suitability for future use
2. To match others in use on a particular public improvement that has been completed or is in the course of completion
3. To obtain a necessary item that is only available from one source
4. To respond to the Board's declaration of an emergency, as long as the declaration has been approved by four-fifths of the Board when issuing the invitation for bid or RFP

### **Prequalification Procedure**

For any contract for which bids are legally required, the Board may require that each prospective bidder complete and submit a standardized questionnaire and financial statement. For this purpose, the Superintendent or designee shall supply a form which requires a complete statement of the bidder's financial ability and experience in performing public works. (Public Contract Code [20111.5](#))

Prospective bidders shall submit the questionnaire and financial statement at least five days before the date fixed for public opening of sealed bids. The information shall be verified under oath in the manner in which civil law pleadings are verified. The questionnaires and financial statements shall not be public records and shall not be open to public inspection. (Public Contract Code [20111.5](#))

The Superintendent or designee shall establish a uniform system for rating bidders on the basis of completed questionnaires and financial statements in order to determine the size of contracts on which each bidder is qualified to bid. Bidders must be deemed prequalified by the district at least one day before the fixed bid-opening date. (Public Contract Code [20111.5](#))

The Superintendent or designee shall furnish each qualified bidder with a standardized proposal form. Bids not presented on the standard form shall be disregarded. (Public Contract Code [20111.5](#))

The district may establish a procedure for prequalifying bidders on a quarterly basis and may authorize that prequalification be considered valid for up to one calendar year following the date of the initial prequalification. (Public Contract Code [20111.5](#))

### **Protests by Bidders**

A bidder may protest a bid award if he/she believes that the award was inconsistent with Board policy, the bid's specifications, or was not in compliance with law. A protest must be filed in writing with the Superintendent or designee within five working days after receipt of notification of the contract award. The bidder shall submit all documents supporting or justifying the protest.

A bidder's failure to file the protest documents in a timely manner shall constitute a waiver of his/her right to protest the award of the contract.

The Superintendent or designee shall review the documents submitted with the bidder's claims and render a decision in writing within 30 working days. The Superintendent or designee may also convene a meeting with the bidder in order to attempt to resolve the problem.

The bidder may appeal the Superintendent or designee's decision to the Board. The Superintendent or designee shall provide reasonable notice to the bidder of the time for Board consideration of the protest. The Board's decision shall be final.

**Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**  
**approved: November 5, 2009 Santa Monica, California**  
**revised: August 24, 2011**

TO: BOARD OF EDUCATION

INFORMATION

08/10/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISION TO AR 3513.3 – TOBACCO-FREE SCHOOLS

INFORMATION ITEM NO. I.02

This is to inform the Board of Education that AR 3513.3 – Tobacco-Free Schools.

COMMENT: CSBA is recommending this regulation update to clarify that an employee is not required to physically eject a nonemployee who is smoking or request a nonemployee to refrain from smoking when doing so would involve a risk of physical harm to the employee.

The revised regulation is attached.



**TOBACCO-FREE SCHOOLS**

**Notifications**

Information about the district's tobacco-free schools policy and enforcement procedures shall be communicated clearly to employees, parents/guardians, students and the community. (Health and Safety Code 104420)

Signs stating "Tobacco use is prohibited" shall be prominently displayed at all entrances to school property. (Health and Safety Code 104420)

**Enforcement/Discipline**

Any employee or student who violates the district's tobacco-free schools policy shall be asked to refrain from smoking and shall be subject to disciplinary action as appropriate.

Any other person who violates the district's policy on tobacco-free schools shall be informed of the district's policy and asked to refrain from smoking. If the person fails to comply with this request, the Superintendent or designee may:

1. Direct the person to leave school property
2. Request local law enforcement assistance in removing the person from school premises
3. If the person repeatedly violates the tobacco-free schools policy, prohibit him/her from entering district property for a specified period of time

The Superintendent or designee shall not be required to physically eject a nonemployee who is smoking or to request that the nonemployee refrain from smoking under circumstances involving a risk of physical harm to the district or any employee. (Labor Code 6404.5)

**Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**  
**approved: August 19, 2009 Santa Monica, California**  
**revised: August 24, 2011**

TO: BOARD OF EDUCATION

INFORMATION

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISION TO AR 3516.3 – EARTHQUAKE EMERGENCY PROCEDURE  
SYSTEM

INFORMATION ITEM NO. I.03

This is to inform the Board of Education that AR 3516.3 – Earthquake Emergency Procedure System has been revised.

COMMENT: CSBA is recommending this regulation update to reflect new law (AB 2791, 2010), which renamed the California Office of Emergency Services as the California Emergency Management Agency. The revised regulation also adds language addressing the consideration of a post-earthquake tsunami when developing plans for districts in coastal areas, identification of at least one individual within each building to determine whether an evacuation might be necessary and, if so, the best evacuation location and route, and post-earthquake communications.

The revised regulation is attached.

**EARTHQUAKE EMERGENCY PROCEDURE SYSTEM****Earthquake Preparedness**

Earthquake emergency procedures shall be established in every school building having an occupant capacity of 50 or more students, or more than one classroom, and shall be incorporated into the comprehensive school safety plan. (Education Code 32282)

Earthquake emergency procedures shall be aligned with the Standardized Emergency Management System and the National Incident Management System. (Government Code 8607; 19 CCR 2400-2450)

Earthquake emergency procedures shall include, but not be limited to, all of the following: (Education Code 32282)

1. A school building disaster plan, ready for implementation at any time, for maintaining the safety and care of students and staff
2. A drop procedure whereby each student and staff member takes cover under a table or desk, dropping to his/her knees, with the head protected by the arms and the back to the windows

Drop procedures shall be practiced at least once each school quarter in elementary schools and at least once each semester in secondary schools.

3. Protective measures to be taken before, during, and following an earthquake
4. A program to ensure that students and staff are aware of and properly trained in the earthquake emergency procedure system

The Superintendent or designee may work with the California Office of Emergency Services (renamed the California Emergency Management Agency and the Seismic Safety Commission) to develop and establish the earthquake emergency procedures. (Education Code 32282)

Earthquake emergency procedures shall outline the roles and responsibilities of students and staff during and after an earthquake.

Staff and students shall be informed of the dangers to expect in an earthquake and procedures to be followed. Students shall be instructed to remain silent and follow directions given by staff in such an emergency. Staff and students also shall be taught safety precautions to take if they are in the open or on the way to or from school when an earthquake occurs.

Earthquake emergency procedures shall designate outside areas and alternative areas, which may include areas off campus if necessary, in which students will assemble following evacuation. In designating such areas, the Superintendent or designee shall consider potential post-earthquake hazards outside school buildings including, but not limited to, power lines, trees, covered walkways, chain link fences that may be an electric shock hazard, and areas near buildings that may have debris.

Earthquake emergency procedures shall designate evacuation routes and alternative routes that avoid areas with potential hazards to the extent possible. The needs of students with disabilities shall be considered when planning evacuation routes.

The Superintendent or designee shall consider the danger of a post-earthquake tsunami when developing evacuation routes and locations, including the need to evacuate to higher ground.

The Superintendent or designee shall identify at least one individual within each building to determine if an evacuation is necessary, the best evacuation location, and the best route to that location when an earthquake occurs.

The Superintendent or designee shall identify potential earthquake hazards in classrooms and other district facilities. Potential hazards may include, but are not limited to, areas where the main gas supply or electric current enters the building, suspended ceilings, pendant light fixtures, large windows, stairwells, science laboratories, storage areas for hazardous materials, shop areas, and unsecured furniture and equipment. To the extent possible, such shall be minimized by securing equipment and furnishings and removing heavy objects from high shelves.

### **Earthquake While Indoors at School**

When an earthquake occurs, the following actions shall be taken inside buildings and classrooms:

1. Staff shall have students perform the drop procedure. Students should stay in the drop position until the emergency is over or until further instructions are given.
2. In laboratories, burners should be extinguished if possible before taking cover.
3. As soon as possible, staff shall move students away from windows, shelves, and heavy objects and furniture that may fall.
4. After the earthquake, the principal or designee shall determine whether planned evacuation routes and assembly areas are safe and shall communicate with teachers and other staff.
5. When directed by the principal or designee to evacuate, or if classrooms or other facilities present dangerous hazards that require immediate evacuation, staff shall account for all students under their supervision and have the students evacuate the building in an orderly manner.

### **Earthquake While Outdoors on School Grounds**

When an earthquake occurs, the following actions shall be taken by staff or other persons in authority who are outdoors on school grounds:

1. Staff shall direct students to walk away from buildings, trees, overhead power lines, power poles, or exposed wires.
2. Staff shall have students perform the drop procedure.
3. Staff shall have students stay in the open until the earthquake is over or until further directions are given.

### **Earthquake While on the Bus**

If students are on the school bus when an earthquake occurs, the bus driver shall take proper precautions to ensure student safety. The driver shall pull to the side of the road, away from any outside hazards if possible, and turn off the ignition. As soon as possible, the driver shall

contact the Superintendent or designee for instructions before proceeding on the route.

### **Subsequent Emergency Procedures**

After the earthquake has subsided, the following actions shall be taken:

1. Staff shall extinguish small fires if possible.
2. Staff shall provide assistance to any injured students, take roll, and report missing students to the principal or designee.
3. Staff and students shall not light any stoves or burners until the area is declared safe.
4. All buildings shall be inspected for water and gas leaks, electrical breakages, and large cracks or earth slippage affecting buildings.
5. The principal or designee shall post staff at a safe distance from all building entrances and instruct staff and students to not reenter until the buildings are declared safe.
6. The principal or designee shall request assistance as needed from the county or city civil defense office, fire and police departments, city and county building inspectors, and utility companies and shall confer with them regarding the advisability of closing the school.
7. The principal or designee shall contact the Superintendent or designee and request further instructions after assessing the earthquake damage.

#### Legal Reference:

*EDUCATION CODE*

*32280-32289 School safety plans*

*GOVERNMENT CODE*

*3100 Public employees as disaster service workers*

*8607 Standardized Emergency Management System (SEMS)*

*CODE OF REGULATIONS, TITLE 19*

*2400-2450 Standardized Emergency Management System*

#### Management Resources:

*FEDERAL EMERGENCY MANAGEMENT AGENCY PUBLICATIONS*

*Guidebook for Developing a School Earthquake Safety Program, 1990*

*OFFICE OF EMERGENCY SERVICES PUBLICATIONS*

*The ABCs of Post-Earthquake Evacuation: A Checklist for School Administrators and Faculty*

*Guide and Checklist for Nonstructural Earthquake Hazards in California Schools, January 2003*

*School Emergency Response: Using SEMS at Districts and Sites, June 1998*

*WEB SITES*

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

*American Red Cross: <http://www.redcross.org>*

*California Emergency Management Agency: <http://www.calema.ca.gov>*

*California Seismic Safety Commission: <http://www.seismic.ca.gov>*

*Federal Emergency Management Agency (FEMA): <http://www.fema.gov/hazards/earthquakes>*

*National Incident Management System (NIMS): <http://www.fema.gov/emergency/nims>*

**Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
approved: August 19, 2009 Santa Monica, California  
revised: August 24, 2011**

TO: BOARD OF EDUCATION

INFORMATION

08/24/11

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: REVISION TO AR 5022 – STUDENT AND FAMILY PRIVACY RIGHTS

INFORMATION ITEM NO. I.04

This is to inform the Board of Education that AR 5022 – Student and Family Privacy Rights has been revised.

COMMENT: This is a mandated revision by CSBA that moves options formerly in the policy regarding the collection of personal information for marketing purposes into the regulation and reorganizes information listed under “Parent/Guardian Access to Surveys and Instructional Materials.”

The revised regulation is attached.

## STUDENT AND FAMILY PRIVACY RIGHTS

### Definition

Personal information for marketing or sale means individually identifiable information including a student's or parent/guardian's first and last name, a home or other physical address (including street name and the name of the city or town), a telephone number, or a social security identification number. (20 USC [1232h](#))

### Surveys Requesting Information about Beliefs and Practices

A student's parent/guardian shall provide prior written consent before the student participates in a survey containing one or more of the following items: (20 USC [1232h](#); Education Code [51513](#))

1. Political affiliations or beliefs of the student or his/her family
2. Mental or psychological problems of the student or his/her family
3. Sexual behavior or attitudes or personal beliefs and practices in family life or morality
4. Illegal, anti-social, self-incriminating or demeaning behavior
5. Critical appraisals of other individuals with whom students have close family relationships
6. Legally recognized privileged or analogous relationships, such as those of lawyers, physicians or ministers
7. Religious practices, affiliations or beliefs of the student or his/her parent/guardian
8. Income, except to the extent that income is required to be disclosed by law for participation in a program or for receiving financial assistance under such a program

If a student participates in a survey regarding information about beliefs and practices as identified above, school officials and staff members shall not request or disclose the student's identity.

Notwithstanding the above requirements, the district may administer to students in grades 7-12, anonymous, voluntary, and confidential research and evaluation tools to measure student health risks and behaviors, including tests and surveys about the student's attitudes or practices related to sex as long as parents/guardians are provided written notice and given an opportunity to request that their child not participate. (Education Code [51938](#))

### Exceptions to Collection of Personal Information

Any district restriction regarding collection of personal information shall not apply to the collection, disclosure, or use of personal information collected from students for the purpose of developing, evaluating or providing educational products or services for, or to, students or educational institutions, such as the following: (20 USC [1232h](#))

1. College or other postsecondary education recruitment or military recruitment
2. Book clubs, magazines, and programs providing access to low-cost literary products

3. Curriculum and instructional materials used by elementary and secondary schools
4. Tests and assessments to provide cognitive, evaluative, diagnostic, clinical, aptitude, or achievement information about students (or to generate other statistically useful data for the purpose of securing such tests and assessments) and the subsequent analysis and public release of the aggregate data from such tests and assessments
5. The sale by students of products or services to raise funds for school-related or education-related activities
6. Student recognition programs

### **Parent/Guardian Access to Surveys and Instructional Materials**

~~Before school staff administers a survey or evaluation containing personal information as identified above or distributes an instrument to a student for the purpose of collecting personal information for marketing, the student's parent/guardian may: (20 USC [1232h](#); Education Code [51938](#))~~

- ~~1. Upon request, inspect that survey or instrument before it is administered or distributed to his/her child or any instructional material used as part of his/her child's educational curriculum~~

The parent/guardian of any district student, upon his/her request, shall have the right to: (Education Code 51938; 20 USC 1232h)

1. Inspect a survey or other instrument to be administered or distributed to his/her child that either collects personal information for marketing or sale or requests information about beliefs and practices
2. Inspect any instructional material to be used as part of his/her child's educational curriculum

Within a reasonable period of time of receiving a request, the principal or designee shall permit a parent/guardian to view a survey, instrument or instructional material. A parent/guardian may view the document any time during normal business hours.

- ~~3. Refuse to allow his/her child to participate in the activity~~

Students whose parents/guardians exercise this option shall not be penalized by the district. (20 USC [1232h](#))

### **Health Examinations**

No school official or staff member shall subject a student to a non-emergency, invasive physical examination as a condition for school attendance, except as permitted or required under California law. (20 USC [1232h](#))

Invasive physical examination means any medical examination that involves the exposure of private body parts or any act during such examination that includes incision, insertion or injection into the body, but does not include a properly authorized hearing, vision or scoliosis screening. (20 USC [1232h](#))



## **Notifications**

At the beginning of the school year, the Superintendent or designee shall notify parents/guardians of: (20 USC [1232h](#))

1. The district's policy regarding student privacy
2. The process to opt their children out of participation in any activity described in this policy and administrative regulation
3. The specific or approximate dates during the school year when the following activities are scheduled:
  - a. Survey requesting personal information
  - b. Physical exams or screenings
  - c. Collection of personal information from students for marketing

Prior to administering anonymous and voluntary surveys regarding health risks and behaviors to students in grades 7-12, the district shall provide parents/guardians with written notice that the survey is to be administered. (Education Code [51938](#))

Parents/guardians shall also be notified of any substantive change in this policy and administrative regulation within a reasonable period of time after adoption of the change. (20 USC [1232h](#))

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

TO: BOARD OF EDUCATION

INFORMATION

08/24/11

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / MAROLYN FREEDMAN

RE: REPLACEMENT OF E 5145.6 – PARENTAL NOTIFICATIONS

INFORMATION ITEM NO. I.05

This is to inform the Board of Education that E 5145.6 – Parental Notifications has been replaced with the CSBA exhibit.

COMMENT: CSBA is recommending this exhibit update to add listings for parental notifications related to (1) student transfers under the Open Enrollment Act (AR 5118); (2) administration of survey about health risks and behaviors of students in grades 7-12 (AR 5022); (3) substantive change in district's privacy policy (AR 5022); (4) selection of household for verification of eligibility for free or reduced-price meals (AR 3553); and (5) procedural safeguards for students eligible for Section 504 services (AR 6164.6). The exhibit also revises the listing regarding required distribution of type 2 diabetes information, which is now addressed in AR 5141.3. Corrections in legal cites and references were made throughout Exhibit.

The revised exhibit is attached.

**PARENTAL NOTIFICATIONS**

<u>When to Notify</u>	<u>Education or Other Legal Code</u>	<u>Board Policy/ Administrative Regulation #</u>	<u>Subject</u>
<u>Beginning of each school year</u>	<u>231.5, 48980</u>	<u>AR 5145.7</u>	<u>Sexual harassment policy as related to students</u>
<u>Beginning of each school year</u>	<u>17612, 48980.3</u>	<u>AR 3514.2</u>	<u>Use of pesticide product, active ingredients, Internet address to access information</u>
<u>Beginning of each school year</u>	<u>32255-32255.6, 48980</u>	<u>AR 5145.8</u>	<u>Right to refrain from harmful or destructive use of animals</u>
<u>Beginning of each school year</u>	<u>35160.5, 48204, 46600-46611, 48980</u>	<u>AR 5111.1 AR 5116.1 AR 5117</u>	<u>All statutory attendance options, available local attendance options, options for meeting residency</u>
<u>Annually by February 1</u>	<u>35256</u>	<u>BP 0510</u>	<u>School Accountability Report Card provided</u>
<u>Beginning of each school year</u>	<u>35291, 48980</u>	<u>AR 5144 AR 5144.1</u>	<u>District and site discipline rules</u>
<u>Beginning of each school year if high school open campus</u>	<u>44808.5, 48980</u>	<u>AR 5112.5</u>	<u>Open campus</u>
<u>Beginning of each school year if Board has adopted resolution allowing such absence</u>	<u>46014, 48980</u>	<u>BP 5113 AR 5113</u>	<u>Absence for religious purposes</u>
<u>Beginning of each school year</u>	<u>48205, 48980</u>	<u>BP 5113 AR 5113</u>	<u>Absence for justifiable personal reasons</u>
<u>Beginning of each school year</u>	<u>48205, 48980</u>	<u>AR 6154</u>	<u>Grade/credit cannot be reduced due to excused absence if work or test has been completed</u>
<u>Beginning of each school year</u>	<u>48206.3, 48207, 48208, 48980</u>	<u>AR 6183</u>	<u>Availability of home/hospital instruction for students with temporary disabilities</u>
<u>Beginning of each school year</u>	<u>48980, 52244</u>	<u>AR 6141.5</u>	<u>Availability of state funds to cover costs of advanced placement exam fees</u>
<u>Beginning of each school year</u>	<u>48980</u>	<u>BP 6111</u>	<u>Schedule of minimum days</u>

<u>Beginning of each school year</u>	49063, 49068, 49069; 20 USC 1232g; 34 CFR 99.7	AR 5125	<u>Student records: inspect and review, access, types, location, persons responsible, location of log, access criteria, cost of copies, amendment requests, criteria to determine school official legitimate educational interest</u>
<u>Beginning of each school year</u>	49063, 49070	AR 5125 AR 5125.3	<u>Challenge, review and expunging of records</u>
<u>Beginning of each school year</u>	49063, 49073	AR 5125.1	<u>Release of directory information</u>
<u>Beginning of each school year</u>	49063, 49091.14	AR 5020 AR 5125	<u>Availability of course prospectus</u>
<u>Beginning of each school year</u>	49403, 48980	BP 5141.31	<u>Consent to school immunization program</u>
<u>Beginning of each school year</u>	49423, 49480, 48980	AR 5141.21	<u>Administration of prescribed medication</u>
<u>Beginning of each school year</u>	49451, 48980; 20 USC 1232h	AR 5141.3	<u>Right to refuse consent to physical examination</u>
<u>Beginning of each school year</u>	49472, 48980	AR 5143	<u>Availability of insurance</u>
<u>Beginning of each school year</u>	49510-49520, 48980; 42 USC 1758; 7 CFR 245.5	AR 3553	<u>Free and reduced price meals</u>
<u>Annually</u>	56301	BP 6164.4	<u>Parental rights re: special education identification, referral, assessment, instructional planning, implementation and review, and procedures for initiating a referral for assessment</u>
<u>Beginning of each school year</u>	58501	AR 6181	<u>Alternative schools</u>
<u>Beginning of each school year</u>	20 USC 1681-1688; 42 USC 2000d-2000d-7; 34 CFR 106.9	BP 0410 BP 6178	<u>Nondiscrimination on basis of sex, disability, ethnicity or lack of English skills</u>
<u>Annually</u>	5 CCR 4622	AR 1312.3	<u>Uniform complaint procedures, available appeals, civil law remedies, and identity of coordinator</u>
<u>Beginning of each school year</u>	20 USC 1232h	AR 5022 BP 6162.8	<u>Notice of privacy policy and dates of activities re: survey, health examination, or collection of personal information for marketing; process to opt out of such activities</u>

For districts receiving Title I funds, beginning of each school year	20 USC 6311	AR 4112.24 AR 4222	Right to request information re: professional qualifications of their child's teacher and paraprofessional
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Annually to parent, teacher, and employee organizations or, in their absence, individuals	40 CFR 763.84, 763.93	AR 3514	Availability of asbestos management plan; any inspections, response actions or post-response actions planned or in progress
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**II. At Specific Times During the Student's Academic Career**

At least once before counseling in grades 7-12	221.5, 48980	AR 6164.2	Course selection and career counseling
At beginning of each school year if student has been placed in structured English immersion program	310; 5 CCR 11309	AR 6174	Placement of child in program and opportunity to apply for parental exception waiver
Before high school student attends specialized secondary program on a university campus	17288	None	University campus buildings may not meet Education Code requirements for structural safety
To members of athletic teams	32221.5	AR 5143	Offer of insurance, no-cost and low-cost program options
Before presenting a course using live or dead animals or animal parts	32255-32255.6	AR 5145.8	Right to refrain from harmful or destructive use of animals
When child first enrolls in a public school, if the school offers a fingerprinting program	32390, 48980	AR 5142.1	Fingerprinting program
Beginning of each term for students who have not passed the exit exam by the end of grade 12	37254	AR 6179	Availability of intensive instruction and services for two consecutive academic years and right to file
Upon registration, if K-6 students have not previously been transported	39831.5	AR 3543	School bus safety rules and information, list of stops, rules of conduct, red light crossing instructions, bus danger zones, walking to and from stops
Beginning of each school year in grades 7-12	46010.1	BP 5113	Absence for confidential medical services
Before early entry to kindergarten, if offered	48000	AR 5111	Effects, advantages and disadvantages of early entry
Beginning of each school year in grades 9-12 and when high school student transfers into the district	48980, 60850	AR 6162.52	Requirement to pass the high school exit exam including: date of exam, requirements for passing, consequences of not passing, and that passing is a condition of graduation

<u>When students entering grade 7</u>	<u>49452.7</u>	<u>AR 5141.3</u>	<u>Specified information on type 2 diabetes</u>
<u>When in kindergarten or 1st grade if not previously enrolled in public school</u>	<u>49452.8</u>	<u>AR 5141.32</u>	<u>Requirement for oral health assessment, explanation of law, importance of teeth health, agency contact, privacy rights</u>
<u>Beginning of each school year for students in grades 9-12</u>	<u>51229, 48980</u>	<u>BP 6143</u>	<u>College admission requirements, UC and CSU web sites that list certified courses, description of career technical education and CDE Internet address, how students may meet with counselors</u>
<u>Beginning of each school year for students in grades 7-12</u>	<u>51938, 48980</u>	<u>AR 6142.1</u>	<u>Explanation of sex and HIV/AIDS instruction; right to view A/V materials, who's teaching, request specific Education Code sections, right to excuse</u>
<u>Upon assessment and reassessment of English proficiency and enrollment in program of education for English language learners</u>	<u>52164.1, 52164.3, 52173; 5 CCR 11303</u>	<u>AR 6174</u>	<u>Program of education for English language learners</u>
<u>Within 20 working days of receiving results of standardized achievement tests</u>	<u>60641; 5 CCR 863</u>	<u>AR 6162.51</u>	<u>Results of tests; test purpose, individual score and intended use</u>
<u>Annually to each high school student meeting</u>	<u>66204</u>	<u>BP 6143</u>	<u>Copy of list of courses offered that are certified by UC as admission criteria</u>
<u>When child is enrolled in kindergarten</u>	<u>Health &amp; Safety Code 124100</u>	<u>AR 5141.32</u>	<u>Health screening examination</u>
<u>Prior to student participation in gifted and talented program</u>	<u>5 CCR 3831</u>	<u>AR 6172</u>	<u>Gifted and talented student program</u>
<u>Within 30 calendar days of receipt of CELDT results</u>	<u>5 CCR 11511.5</u>	<u>AR 6174</u>	<u>CELDT test results</u>
<u>To students in grades 11 and 12, early enough to enable registration for current fall test</u>	<u>5 CCR 11523</u>	<u>AR 6146.2</u>	<u>Notice of proficiency examination provided under Education Code 48412</u>
<u>For districts receiving Title I funds, not later than 30 days after beginning of school year, to parents of English learners</u>	<u>20 USC 6312</u>	<u>AR 6174</u>	<u>Reasons for placement, level of proficiency, instructional methods, how program meets child's strengths and teaches English, exit requirements, right to choose another program</u>

<u>Upon receipt of a complaint alleging discrimination</u>	262.3	AR 1312.3	<u>Civil law remedies available to complainants</u>
<u>At least 72 hours before use of pesticide product not included in annual list</u>	17612	AR 3514.2	<u>Intended use of pesticide product</u>
<u>If school has lost its WASC accreditation status</u>	35178.4	BP 6190	<u>Loss of status, potential consequences</u>
<u>At least six months before implementing a schoolwide uniform policy</u>	35183	AR 5132	<u>Dress code policy requiring schoolwide uniform</u>

### **III. When Special Circumstances Occur**

<u>Before implementing a year-round schedule</u>	37616	BP 6117	<u>Year-round schedule</u>
<u>When interdistrict transfer is requested and not approved or denied within 30 days</u>	46601	AR 5117	<u>Appeal process</u>
<u>When student identified as being at risk of retention</u>	48070.5	AR 5123	<u>Student at risk of retention</u>
<u>When student excluded due to quarantine, contagious or infectious disease, danger to safety or health</u>	48213	AR 5112.2 BP 5141.33	<u>Student has been excluded from school</u>
<u>Before student is excluded for lack of immunization</u>	48216	AR 5141.31	<u>Two weeks to submit evidence of immunization or exemption; referral to medical care</u>
<u>When a student is classified a truant</u>	48260.5, 48262	AR 5113.1	<u>Truancy, parental obligation, availability of alternative programs, student consequences, need for conference</u>
<u>When a truant is referred to a SARB or probation department</u>	48263	AR 5113.1	<u>Name and address of SARB or probation department and reason for referral</u>
<u>When a school is identified on the state's Open Enrollment List</u>	48354; 5 CCR 4702	AR 5118	<u>Student's option to transfer to another school</u>
<u>Within 60 days of receiving application for transfer out of open enrollment school</u>	48357; 5 CCR 4702	AR 5118	<u>Whether student's transfer application is accepted or rejected; reasons for rejection</u>
<u>Prior to involuntary transfer to continuation school</u>	48432.5	AR 6184	<u>Right to require meeting prior to involuntary transfer to continuation school</u>
<u>Prior to withholding grades, diplomas, or transcripts</u>	48904	AR 5125.2	<u>Damaged school property</u>

<u>When withholding grades, diplomas or transcripts from transferring student</u>	48904.3	AR 5125.2	<u>Next school will continue withholding grades, diplomas or transcripts</u>
<u>When student is released to peace officer</u>	48906	BP 5145.11	<u>Release of student to peace officer</u>
<u>At time of suspension</u>	48911	BP 5144.1 AR 5144.1	<u>Notice of suspension</u>
<u>When original period of suspension is extended</u>	48911	AR 5144.1	<u>Extension of suspension</u>
<u>Before holding a closed session re: suspension</u>	48912	AR 5144.1	<u>Intent to hold a closed session re: suspension</u>
<u>When student expelled from another district for certain acts seeks admission</u>	48915.1, 48918	BP 5119	<u>Hearing re: possible danger presented by expelled student</u>
<u>When readmission is denied</u>	48916	AR 5144.1	<u>Reasons for denial; determination of assigned program</u>
<u>When expulsion occurs</u>	48916	AR 5144.1	<u>Description of readmission procedures</u>
<u>10 calendar days before expulsion hearing</u>	48918	AR 5144.1	<u>Notice of expulsion hearing</u>
<u>When expulsion or suspension of expulsion occurs</u>	48918	AR 5144.1	<u>Decision to expel; right to appeal to county board; obligation to inform new district of status</u>
<u>One month before the scheduled minimum day</u>	48980	BP 6111	<u>When minimum days scheduled after beginning of the school year</u>
<u>When parents request guidelines for filing complaint of child abuse at a school site</u>	48987	AR 5141.4	<u>Guidelines for filing complaint of child abuse at a school site with local child protective agencies</u>
<u>When student in danger of failing a course</u>	49067	AR 5121	<u>Student in danger of failing a course</u>
<u>When student transfers from another district or private school</u>	49068	AR 5125	<u>Right to receive copy of student's record and to challenge its content</u>
<u>Within 24 hours of release of information to a judge or probation officer</u>	49076	AR 5125	<u>Release of student record to a judge or probation officer for conducting a truancy mediation program or for presenting evidence at a truancy petition</u>



<u>Before release of information pursuant to court order or subpoena</u>	49077	AR 5125	<u>Release of information pursuant to court order or subpoena</u>
<u>When screening results in suspicion that student has scoliosis</u>	49452.5	AR 5141.3	<u>Scoliosis screening</u>
<u>When test results in discovery of visual or hearing defects</u>	49456	AR 5141.3	<u>Vision or hearing test</u>
<u>Before any test questioning personal beliefs</u>	51513	AR 5022	<u>Permission for test, survey questioning personal beliefs</u>
<u>Within 14 days of instruction if arrangement made for guest speaker after beginning of school year</u>	51938	AR 6142.1	<u>Instruction in HIV/AIDS or sexual health education by guest speaker or outside consultant</u>
<u>Prior to administering survey regarding health risks and behaviors to students in 7-12</u>	51938	AR 5022	<u>Notice that the survey will be administered</u>
<u>When migrant education program is established</u>	54444.2	BP 6175 AR 6175	<u>Parent advisory council membership composition</u>
<u>When child participates in licensed child care and development program</u>	Health & Safety Code 1596.857	AR 5148	<u>Parent right to enter facility</u>
<u>When sharing student immunization information with an immunization system</u>	Health & Safety Code 120440	AR 5125	<u>Types of information to be shared, name and address of agency, acceptable use of the information, right to examine, right to refuse to share</u>
<u>When hearing is requested by person asked to leave school premises</u>	Penal Code 627.5	AR 3515.2	<u>Notice of hearing</u>
<u>When providing written decision in response to a complaint re: discrimination, special education, or noncompliance with law regulating educational programs</u>	5 CCR 4631	AR 1312.3	<u>Appeal rights and procedures</u>
<u>When child participates in licensed child care and development program</u>	5 CCR 18066	AR 5148	<u>Policies re: unexcused absences</u>
<u>When district substantively changes policy on student privacy rights</u>	20 USC 1232h	AR 5022	<u>Notice of any substantive change in policy or regulation</u>
<u>For districts receiving Title I funds, when child has been taught for four or more consecutive weeks by a teacher who is not "highly qualified"</u>	20 USC 6311	AR 4112.24	<u>Timely notice to parent of child's assignment</u>

<u>When school identified for program improvement or corrective action, within 30 days of failure to make annual yearly progress</u>	<u>20 USC 6312</u>	<u>AR 0520.2</u>	<u>Notice of failure to parents of English language learners</u>
<u>When school identified for program improvement or corrective action</u>	<u>20 USC 6316</u>	<u>AR 0520.2</u> <u>AR 5116.1</u>	<u>Explanation of identification, reasons, how problem will be addressed, how parents can become involved, transfer option, availability of supplemental services</u>
<u>For districts with schools that have been identified for program improvement or corrective annually</u>	<u>20 USC 6316</u>	<u>AR 0520.2</u>	<u>Availability of supplemental educational services, identity of providers, description of action, services, qualifications, effectiveness of providers</u>
<u>When district identified for program improvement</u>	<u>20 USC 6316</u>	<u>AR 0520.3</u>	<u>Explanation status, reasons for identification, how parents can participate in upgrading district</u>
<u>For schools receiving Title I funds, upon development of parent involvement policy</u>	<u>20 USC 6318</u>	<u>AR 6020</u>	<u>Notice of policy</u>
<u>For districts with secondary students receiving Title I funds</u>	<u>20 USC 7908</u>	<u>AR 5125.1</u>	<u>Notice that parents may request district to not release name, address, phone number of child to military recruiters without prior written consent</u>
<u>When household is selected for verification of eligibility for free or reduced-price meals</u>	<u>42 USC 1758;</u> <u>7 CFR 246.6a</u>	<u>AR 3553</u>	<u>Notice of need to submit verification information; any subsequent change in benefits; right to appeal</u>
<u>When student transfers out of state and records are disclosed without consent pursuant to 34 CFR 99.30</u>	<u>34 CFR 99.34</u>	<u>AR 5125</u>	<u>Right to review records</u>

**IV. Special Education Notices**

<u>Prior to conducting initial evaluation</u>	<u>56301, 56321,</u> <u>56321.5, 56321.6,</u> <u>56329; 34 CFR</u> <u>300.502</u>	<u>AR 6164.4</u>	<u>Proposed evaluation plan, related parental rights, prior written notice</u>
<u>24 hours before IEP when district intending to record</u>	<u>56341.1</u>	<u>AR 6159</u>	<u>Intention to audio-record IEP meeting</u>
<u>Early enough to ensure opportunity for parent to attend IEP meeting</u>	<u>56341.5;</u> <u>34 CFR 300.322</u>	<u>AR 6159</u>	<u>Time, purpose, location, who in attendance, participation of others with special knowledge, transition statements if appropriate</u>

<u>When parent orally requests review of IEP</u>	56343.5	AR 6159	<u>Need for written request</u>
<u>For student receiving exit exam waiver, prior to receipt of diploma</u>	60852.4	AR 6162.52	<u>Right to FAPE</u>
<u>Before functional behavioral assessment begins</u>	5 CCR 3052	AR 6159.4	<u>Notification and consent</u>
<u>Before modification of behavioral intervention plan</u>	5 CCR 3052	AR 6159.4	<u>Need for modification, right to question modification</u>
<u>Within one school day of emergency intervention or serious property damage</u>	5 CCR 3052	AR 6159.4	<u>Emergency intervention</u>
<u>Whenever there is a proposal or refusal to initiate or change the identification, evaluation, placement, or FAPE, including when parent/guardian revokes consent for services</u>	20 USC 1415(c); 34 CFR 300.300, 300.503	AR 6159 AR 6159.1	<u>Prior written notice</u>
<u>Initial referral for evaluation</u>	20 USC 1415(d); 34 CFR 300.503	AR 6159.1	<u>Prior written notice and procedural safeguards notice</u>
<u>Registration of complaint</u>	20 USC 1415(d); 34 CFR 300.504	AR 6159.1	<u>Procedural safeguards notice</u>
<u>Disciplinary action taken for dangerous behavior</u>	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	<u>Decision and procedural safeguards notice</u>
<u>Suspension or change of placement for more than 10 days</u>	20 USC 1415(k); 34 CFR 300.530	AR 5144.2	<u>Decision and procedural safeguards notice</u>
<u>Upon requesting a due process hearing</u>	20 USC 1415(k); 34 CFR 300.508	AR 6159.1	<u>Child's name, address, school, description of problem, proposed resolution</u>
<u>Eligibility for services under Section 504</u>	34 CFR 104.32, 104.36	AR 6164.6	<u>Procedural safeguards, district responsibilities</u>

#### **V. Classroom Notices**

<u>In each classroom in each school</u>	35186	AR/E 1312.4	<u>Complaint rights re: sufficiency instructional materials, teacher vacancy and misassignment, maintenance of facilities, and, for classrooms with grades 10-12, right of students who did not pass the exit exam to receive intensive instruction after completion of grade 12</u>
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**Exhibit SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT  
revised: August 24, 2011**

TO: BOARD OF EDUCATION

INFORMATION

08/24/11

FROM: SANDRA LYON / JANECE L. MAEZ

RE: REVISION TO AR 7214 – GENERAL OBLIGATION BONDS

INFORMATION ITEM NO. I.06

This is to inform the Board of Education that AR 7214 – General Obligation Bonds has been revised.

COMMENT: CSBA is recommending this regulation update to reflect new law (SB 1473), which provides that annual, independent financial and performance audits required for bonds approved under the 55 percent voter approval threshold be conducted in accordance with the government auditing standards issued by the U.S. Comptroller General.

The revised regulation is attached.

**GENERAL OBLIGATION BONDS****Election Notice**

The Superintendent or designee shall ensure that election notice and ballot requirements are satisfied in accordance with Education Code 15120-15126 and 15272.

**Certificate of Results**

If it appears from the certificate of election results that the appropriate majority of the voters are in favor of issuing the bonds, the Board of Education shall cause an entry of that fact to be made in its minutes. The Board shall then certify to the board of supervisors of the county whose superintendent of schools has jurisdiction over the district all proceedings had in connection with the election results. (Education Code 15124, 15274)

**Resolution Regarding Sale of Bonds**

Following passage of the bond measure, the Board shall pass a resolution to issue the sale of bonds. The resolution shall prescribe the total amount of bonds to be sold and may also prescribe the maximum acceptable interest rate, not to exceed eight percent, and the time(s) when the whole or any part of the principal of the bonds shall be payable, which shall not be more than 25 years from the date of the bonds. (Education Code 15140)

Prior to the sale of bonds, the Board shall adopt, as an agenda item at a public meeting, another resolution, which includes all of the following items: (Education Code 15146)

1. Express approval of the method of sale
2. Statement of the reasons for the method of sale selected
3. Disclosure of the identity of the bond counsel, and the identities of the bond underwriter and the financial adviser if either or both are utilized for the sale, unless these individuals have not been selected at the time the resolution is adopted, in which case the Board shall disclose their identities at the public meeting occurring after they have been selected
4. Estimates of the costs associated with the bond issuance

After the sale, the Board shall be presented with the actual cost information and shall disclose that information at the Board's next scheduled meeting. The Board shall ensure that an itemized summary of the costs of the bond sale and all necessary information and reports regarding the sale are submitted to the California Debt and Investment Advisory Commission. (Education Code 15146)

**Citizens' Oversight Committee**

If a district general obligation bond requiring a 55 percent majority is approved by the voters, the Board shall appoint an independent citizens' advisory oversight committee. This committee shall be appointed within 60 days of the date that the Board enters the election results in its minutes pursuant to Education Code 15274. (Education Code 15278)

The citizens' oversight committee shall consist of at least seven members including, but not limited to: (Education Code 15282)

1. One member active in a business organization representing the business community located within the district
2. One member active in a senior citizens organization
3. One member active in a bona fide taxpayers' organization
4. One member who is a parent/guardian of a child enrolled in the district
5. One member who is a parent/guardian of a child enrolled in the district and is active in a parent-teacher organization, such as the Parent Teacher Association or school site council

No employee, official, vendor, contractor, or consultant of the district shall be appointed to the citizens' oversight committee. (Education Code 15282)

Members of the citizens' oversight committee shall serve for a term of two years without compensation and for no more than two consecutive terms. (Education Code 15282)

The purpose of the citizens' oversight committee shall be to inform the public concerning the expenditure of bond revenues. The committee shall actively review and report on the proper expenditure of taxpayers' money for school construction and shall convene to provide oversight for, but not limited to, the following: (Education Code 15278)

1. Ensuring that bond revenues are expended only for the purposes described in Article 13A, Section 1(b)(3) of the California Constitution including the construction, reconstruction, rehabilitation, or replacement of school facilities, including the furnishing and equipping of school facilities, or the acquisition or lease of real property for school facilities
2. Ensuring that, as prohibited by Article 13A, Section 1(b)(3)(A) of the California Constitution, no funds are used for any teacher and administrative salaries or other school operating expenses
3. Ensuring that the annual, independent performance and financial audits required by Article 13A, Section 1(b)(3)(C) and (D) of the California Constitution are issued in accordance with the U.S. Comptroller General's Government Auditing Standards for performance and financial audits (Education Code 15286)

In furtherance of its purpose, the committee may engage in any of the following activities: (Education Code 15278)

1. Receiving and reviewing copies of the annual, independent performance audit required by Article 13A, Section 1(b)(3)(C) of the California Constitution
2. Receiving and reviewing copies of the annual, independent financial audit required by Article 13A, Section 1(b)(3)(D) of the California Constitution
3. Inspecting school facilities and grounds to ensure that bond revenues are expended in compliance with the requirements of Article 13(A), Section 1(b)(3) of the California Constitution
4. Receiving and reviewing copies of any deferred maintenance proposals or plans developed by the district, including any reports required by Education Code 17584.1
5. Reviewing efforts by the district to maximize bond revenues by implementing cost-saving

measures including, but not limited to, the following:

- a. Mechanisms designed to reduce the costs of professional fees
- b. Mechanisms designed to reduce the costs of site preparation
- c. Recommendations regarding the joint use of core facilities
- d. Mechanisms designed to reduce costs by incorporating efficiencies in school site design
- e. Recommendations regarding the use of cost-effective and efficient reusable facility plans

The Board shall, without expending bond funds, provide the citizens' oversight committee with any necessary technical assistance and shall provide administrative assistance in furtherance of the committee's purpose and sufficient resources to publicize the committee's conclusions. (Education Code 15280)

All oversight committee proceedings shall be open to the public and noticed in the same manner as proceedings of the Board. Committee meetings shall be subject to the provisions of the Ralph M. Brown Act. (Education Code 15280; Government Code 54952)

The oversight committee shall issue regular reports, at least once a year, on the results of its activities. Minutes of the proceedings and all documents received and reports issued shall be a matter of public record and shall be made available on the district's web site. (Education Code 15280)

Members of the oversight committee shall be subject to prohibitions regarding incompatibility of office pursuant to Government Code 1125-1129 and financial interest in contracts pursuant to Government Code 1090-1098. (Education Code 15282)

## **Reports**

Within 30 days after the end of each fiscal year, the Board shall submit to the County Superintendent of Schools a report concerning any bond election(s) containing the following information: (Education Code 15111)

1. The total amount of the bond issue, bonded indebtedness, or other indebtedness involved
2. The percentage of registered electors who voted at the election
3. The results of the election, with the percentage of votes cast for and against the proposition

**Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**  
**approved: June 25, 2009 Santa Monica, California**  
**revised: August 24, 2011**





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## **ATTACHMENTS**



ATTACHED ARE THE FOLLOWING DOCUMENTS:

- Document: "Statement to Read to Board of Education" (*associated with Item No. A.24*)



## STATEMENT TO READ TO BOARD OF EDUCATION

### Item No. A.24

Staff is absolutely willing to receive and consider any and all suggestions to improve what is offered in our food service program. We are primarily concerned with serving children whose family may not be as able as others to provide a nutrient rich and often more costly diet. The unfortunate reality is that in many cases what some children eat at school is the bulk of their nutritionally sound food for the day.

The nutritional value of what we serve is important on multiple levels. We believe that milk consumption is a critical in providing complete nutrition for children. We would agree that supporting the continued use of flavored milk is not a guarantee that all children will drink milk, but as many studies reflect discontinuing the service of flavored milk is followed by a dramatic decline in milk consumption. Reports to the contrary have not always painted the entire picture and have not always separated milk consumption from milk waste. Our recommendation to continue the serving of flavored milk in SMMUSD is clearly a statement that staff is opposed to risking lower milk consumption.

We want to be as certain as we can that children are receiving the unquestioned nutritional value of milk. We believe that this goal is completely aligned with the District's mission statement which reads: "Extraordinary achievement for all while simultaneously closing the achievement gap" and the Strategic Plan recently approved by the Board. Children who have a nutrient rich diet will be more equipped to receive the high level of instruction we provide to them. Risking that for some of our students is unacceptable. While there are many causes and probably as many solutions to the achievement gap – we also believe that nutrition plays a part. Risking that a product considered of nutritional value will not be consumed by students at the lower end of that gap is also unacceptable.

Staff understands our role in promoting good nutrition and will continue with current efforts and improve wherever possible. The Farmers' Market Salad Bar program will continue, the evaluation of snack offerings will be a particular priority in 2011-12 and attempting to get better cooperation with the Board approved Wellness Policy will be emphasized (Food Services Department completely complies).

We understand that the debate over serving flavored milk in our schools has triggered many emotions. We submit that the information we have provided to the Board is research based, unbiased, and complete. Staff continues to strongly recommend that the children of the Santa Monica Malibu Unified School District have a choice between flavored and non-flavored milk products in our Food Service operation.