

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

March 6, 2014

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education was held on Thursday, March 6, 2014, in the District Administrative Offices: 1651 16th Street, Santa Monica, CA. The Board of Education called the meeting to order at 4:35 p.m. in the Board Conference Room at the District Offices. At 4:36 p.m., the Board of Education moved to Closed Session regarding the items listed below. The public meeting reconvened at 5:47 p.m. in the Board Room.

CLOSED SESSION (4:30-5:30 p.m.)

I. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

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

II. CLOSED SESSION (60 minutes)

- Government Code §54957 (30)

PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE

- *In closed session, the board took action to accept the Superintendent's recommendation to immediately dismiss a permanent classified employee, identified by #RT8030833, pursuant to Education Code Sections 45302, 45304 and Personnel Commission Rule 14.1, and directed the Superintendent or designee to notify the Director of Classified Personnel of the Board's action.*

The roll call vote was as follows:

Ayes: Seven (7) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Allen, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

Nays: None (0)

Abstentions: None (0)

Absences: None (0)

- *In closed session, the board took action to issue a notice, pursuant to Education Code Section 44951, that the certificated administrative employees identified by number #2589 and number #3525, may be released from his/her administrative position and salary placement at the end of the 2013-2014 school year and reassigned to a teaching position and its respective salary placement for the 2014-2015 school year, and directed the Superintendent or designee to send out appropriate legal notices.*

The roll call vote was as follows:

Ayes: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

Nays: None (0)

Abstentions: None (0)

Absences: One (Mr. Allen)

- Government Code §54957 (25)

PUBLIC EMPLOYEE PERFORMANCE EVALUATION

- Title: Superintendent

- Government Code §54957.6 (5)

CONFERENCE WITH LABOR NEGOTIATORS

- Agency designated representative: Sandra Lyon
Employee Organizations: SMMCTA and SEIU

OPEN SESSION (5:30 p.m.)

6:47 pm

III. CALL TO ORDER

A. Roll Call

Board of Education Members

Maria Leon-Vazquez – President

Jose Escarce

Ralph Mechur – Vice President

Laurie Lieberman

Ben Allen – left at 5:30pm, returned at 8:10pm

Nimish Patel

Oscar de la Torre – left at 7:43pm, returned at 7:54pm

B. Pledge of Allegiance

Led by Ms. Huffman

5:51 pm

IV. APPROVAL OF THE AGENDA

It was moved by Mr. Mechur, seconded by Mr. Patel, and voted 6/0 (Mr. Allen was absent) to approve the agenda. Staff pulled Item No. A.26; Ms. Washington explained the decision.

5:52 pm

V. APPROVAL OF MINUTES

A.01 February 20, 2014.....1

VI. BOARD OF EDUCATION – COMMENDATIONS / RECOGNITIONS (0 minutes)

VII. STUDY SESSION (60 minutes)

These items are staff presentations and/or updates to the Board of Education.

5:53 pm

S.01 School Site Presentations (60).....2

Olympic High School

Santa Monica Alternative School House (SMASH)

McKinley Elementary School

VIII. COMMUNICATIONS (30 minutes)

The Communications section provides an opportunity for the Board of Education to hear reports from the individuals or committee representatives listed below. All reports are limited to 5 minutes or less. However, if more time is necessary, or if a report will not be presented, please notify the Board secretary eight workdays prior to the date of the meeting.

A. Student Board Member Reports (15)

1. Matthew Ware & Cecilia Sanchez – Santa Monica High School – no report

2. Michael Jacobson – Malibu High School – no report

6:29 pm

3. Amanda Huffman – Olympic High School

Ms. Huffman reported that the Boys and Girls Club held a financial aid workshop on February 20 to help seniors get ready for college. On February 21, the school was notified that it had been named a Model Continuation High School by the State Superintendent. On February 24, former prosecutor Lael Rubin spoke to students about how DNA is used as evidence in a criminal case. She returned on March 6 to speak about the veto of legislation in Arizona. Jennifer Estrada, SMPD Jail Manager and Olympic graduate, spoke to students in the Criminal Justice class. Students who had created writing scripts with the Writer's Guild Foundation had the opportunity to see their scripts performed by professional actors on March 4. The school applied for a Kiwanis grant to help cover the cost for graduation. They had asked for \$2,000, but were awarded \$3,000. Graduation will be on June 3 at 5:30pm at the Hotel Casa Del Mar.

B. SMMCTA Update – Mr. Harry Keiley (5) – no report

C. SEIU Update – Ms. Keryl Cartee-McNeely (5) – no report

D. PTA Council – Ms. Patti Braun (5) – no report

IX. SENIOR STAFF REPORTS (20 minutes)

6:31 pm

A. Asst. Supt., Educational Services – Dr. Terry Deloria (5)

Dr. Deloria reported that the first LCAP Committee meeting was held last Wednesday. It was an organizational meeting, as the LCAP is still in the consultation phase. The next meeting will be on March 27. Dr. Deloria announced that a number of our schools were named Honor Roll Schools by the California Businesses for Education Excellence (CBEE). There are three categories under which a school can be named: Star Schools, Scholar School Status, and STEM.

6:33 pm

B. Assoc. Supt., Business & Fiscal Services/CFO – Ms. Janece Maez (5)

Ms. Maez said that the Fiscal Department has been doing a great job supporting the work of Ed Services regarding the LCAP. She and Pat Ho have been meeting with individual principals and their administrative assistance to discuss changes for the next school year due to VSS, LCAP, etc. Ms. Maez reminded everyone that there will be a budget workshop on March 26 at the district office. She commended the staff in Human Resources and Payroll for working tirelessly to align pay rates for certificated staff to reflect the changes in the agreement with SMMCTA that the board ratified.

6:34 pm

C. Asst. Supt., Human Resources – Ms. Debra Moore Washington (5)

Ms. Washington reported that the Intercultural Equity and Excellence DAC has been working diligently on an activity that would bring together parent leaders to talk about the expansion and diversification of parent engagement in the district. She wished those teachers who are leaving our district at the end of this school year well on their future endeavors.

6:37 pm

D. Superintendent – Ms. Sandra Lyon (5)

Ms. Lyon announced that Webster Elementary School's annual production of Websterville is tomorrow from 9:00-11:30am and again from 12:30-2:00pm. The process to develop a new logo for the district has been completed, and it will come to the board for presentation shortly. Administrators with their administrative assistants attended Day Three of the Breakthrough Coach training, the purpose of which is to get administrators out of their offices to coach their staff on a frequent basis.

6:39 pm

X. CONSENT CALENDAR (10 minutes)

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.....	3-4
A.03	Overnight Field Trip(s) 2012-2013	5
A.04	Conference and Travel Approval/Ratification	6-9
A.05	Approval of Special Education Contracts – 2013-2014	10-12

Business and Fiscal

A.06	Award of Purchase Orders – 2013-2014	13-13b
A.07	Acceptance of Gifts – 2013/2014	14-15
A.08	Approval of Revised 2012-13 Annual Financial Audit Report	16-16b
A.09	Approval of the Revised Voluntary Investigation Agreement between the Department of Toxic Substances Control (DTSC) and Santa Monica-Malibu Unified School District (SMMUSD)	17-17t
A.10	Board Ratification of an Environmental Services Agreement between Santa Monica-Malibu Unified School District and Environ International Corporation for the Performance of Environmental Remediation Services	18-20k

Facilities Improvement Projects

A.11	Contract Amendment #03 for Architectural / Engineering Construction Administration Services for Olympic High School Modernization – NAC Architecture – Measure BB	21-22
A.12	Amendment to Contract – Lease Leaseback – Lincoln Middle School – Replacement of Classroom Building C and Site Improvements (Package 2) – Erickson Hall Construction Company – Measure BB	23-24
A.13	Amendment to Contract – Lease Leaseback – Lincoln Middle School – Replacement of Classroom Building C and Site Improvements (Package 2) – Erickson Hall Construction Company – Measure BB	25-26
A.14	Amendment to Contract Amount – Lease Leaseback – Santa Monica High School –Science and Technology Classroom Building and Site Improvements – Sundt Construction, Inc. – Measure BB	27-28
A.15	Amendment to Contract Amount – Lease Leaseback – Santa Monica High School –Science and Technology Classroom Building and Site Improvements – Sundt Construction, Inc. – Measure BB	29-30

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A.16	Certificated Personnel – Elections, Separations.....	31-32
A.17	Classified Personnel – Merit	33-36
A.18	Classified Personnel – Non-Merit.....	37
A.19	Increase in Staffing (FTE) – Child Development Services	38

General

A.20	Approve Comprehensive School Safety Plans 2013-14 for All District Schools	39
A.21	Revise BB 9250 – Remuneration, Reimbursement and Other Benefits	40-43

7:14 pm

XI. PUBLIC COMMENTS

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

- *Maria Cortez and Melanie Luthern addressed the board regarding the district's lease agreement with the Double Tree Hotel. Mr. de la Torre requested a*

briefing from legal counsel regarding this issue. Ms. Maez replied that the district has reached out to counsel and is waiting to hear back.

- Matt deNicola addressed the board regarding environmental concerns at Malibu High School.

DISCUSSION and MAJOR Items

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

XII. DISCUSSION ITEMS (15 minutes)

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

7:27 pm

- D.01 Consider Revising BP and AR 6173.1 – Education for Foster Youth (15)44-53

XIII. MAJOR ITEMS (60 minutes)

These items are considered to be of major interest and/or importance and are presented for action at this time. Some may have been discussed by the Board at a previous meeting.

7:35 pm

- A.22 Adopt Resolution No. 13-12 – Recognizing Women’s History Month (5)54-55

7:37 pm

- A.23 Adopt Resolution No. 13-13 – National Middle Level Education Month (5)56-57

7:39 pm

- A.24 Adopt Resolution No. 13-14 – Week of the School Administrator: March 2-8, 2014 (5).....58-59

7:41 pm

- A.25 Adopt Resolution No. 13-15 – Regarding the Release and Non-Reelection of Certificated Temporary Employees (5).....60-62

Item pulled

- A.26 Adopt Resolution No. 13-16 – Regarding the Non-Reelection of Certificated Probationary Employees (5).....63-65

7:42 pm

- A.27 Adopt Resolution No. 13-17 – Releasing Temporary Certificated Administrators (5).....66-68

7:45 pm

- A.28 Approval of the 2013-14 Second Interim Report (30).....69-84

8:04 pm

XIV. INFORMATIONAL ITEMS (0 minutes)

These items are submitted for the public record for information. These items do not require discussion nor action.

- I.01 Notice of Recommendation Not to Reemploy Permanent or Probationary Employees85

- I.02 Adoption of E BB 9250 – Remuneration, Reimbursement and Other Benefits86-87

- I.03 Information on the Agreement with Environ International Corporation for the Performance of Environmental Remediation Services88

XV. BOARD MEMBER ITEMS

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

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

A member of the public may request that a matter within the jurisdiction of the board be placed on the agenda of a regular meeting, as per Board Policy 9322. The request shall be in writing and be submitted to the superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. The board president and

superintendent shall decide whether a request is within the subject matter jurisdiction of the board. Items not within the subject matter jurisdiction of the board may not be placed on the agenda. In addition, the board president and superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

8:04 pm **XVII. 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.)

- *Stacy Rouse addressed the board regarding VSS funds and the 2014-15 budget.*

8:08 pm **XVIII. BOARD MEMBER COMMENTS**

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."

- *Ms. Lieberman reported that she attended the Lincoln Middle School pathway math sequencing meeting last week. She was impressed with how staff conveyed the complicated information to parents.*
- *Mr. de la Torre said he would like to see the district apply for grants once President Obama's My Brother's Keeper initiative gets underway. He believed that the district could be in a good position to apply for such grants, with its partnerships with the City of Santa Monica in the Cradle to Career project. He asked staff for data on male students of color academic achievement.*

XIX. 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.

XX. 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.

XXI. ADJOURNMENT

It was moved by Mr. Allen, seconded by Mr. de la Torre, and voted 6/0 (Dr. Escarce was absent) to adjourn the meeting at 8:15 p.m. in memory of Francisco Escalera, a retired equipment operator and tree trimmer, who worked for the district for over twenty years. The next meeting is a regular meeting is scheduled for 5:30 p.m. on **Thursday, March 20, 2014**, at the **District Office**: 1651 16th Street, Santa Monica, CA 90404. There is also a workshop scheduled for 8:00 a.m. on **Wednesday, March 26, 2014**, at the **District Office**.

Approved: _____

President

Superintendent

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Meetings are rebroadcast in Malibu on Government Access Ch. 3 every Saturday at 8pm.**

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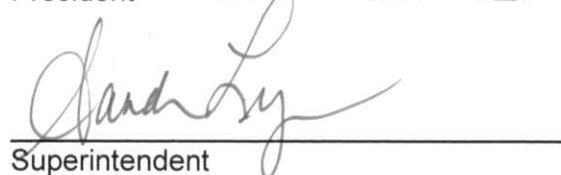
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Approved: 3/20/14


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Superintendent

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SMMUSD Board of Education Meeting Schedule 2013-2014

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

July through December 2013					
Month	1 st Thursday	2 nd Thursday	3 rd Thursday	4 th Thursday	Special Note:
July			7/18* DO	7/24* DO 7/30* DO	*7/18: Special Meeting *Wednesday, 7/24 *7/30: Special Meeting
August		8/14* DO		8/28* DO	*Wednesday, 8/14 First day of school: 8/22
September	9/5 DO		9/19 DO		*9/5: District Holiday
October	10/3 M		10/17 DO		
November	11/7 M		11/19* LMS 11/21 DO		*11/19: Workshop Thanksgiving: 11/28-29
December		12/12 DO		winter break	
Winter Break: December 23 – January 3					
January through June 2014					
Winter Break: December 23 – January 3					
January	winter break	1/16 DO			
February	2/6 M		2/20 DO		
March	3/6 DO		3/20 M	3/26* DO	*3/26: Workshop (Wednesday)
Spring Break: April 7-18					
April	4/3 DO	spring break	spring break		
May	5/1 M		5/15 DO		
June	6/5 DO			6/25* DO	Last day of school: 6/10 *Wednesday: 6/25

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

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

ACTION
03/06/14

RECOMMENDATION NO. A.01

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

February 20, 2014

MOTION MADE BY: Mr. Mechur
SECONDED BY: Mr. de la Torre
STUDENT ADVISORY VOTE: Aye
AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)
NOES: None (0)
ABSENT: One (1) (Mr. Allen)

STUDY SESSION

TO: BOARD OF EDUCATION
FROM: SANDRA LYON / TERRY DELORIA
RE: SCHOOL SITE PRESENTATIONS

STUDY SESSION
03/06/14

STUDY SESSION ITEM NO. S.01

Principals from Olympic High School (Janie Gates), Santa Monica Alternative School house (SMASH) (Jessica Rishe), and McKinley Elementary School (Mary Anna Noveck) will share substantive, current school information in twelve-minute presentations, focusing on how their schools are advancing two of the Board's five goals below:

1. Professional Learning Communities (PLCs)
2. Response to Instruction and Intervention (RTI²)
3. Equity and Access for Student Success
4. Science, Technology, Engineering, and Mathematics (STEM) Curriculum
5. Common Core State Standards (CCSS)

The presentations from the three schools can be found under Attachments at the end of these minutes.

Olympic H.S.

Mr. Patel congratulated Dr. Gates for Olympic being recognized as a Model Continuation high School by the State Superintendent.

SMASH

Ms. Rishe invited everyone to attend SMASH's celebration of 40 years on May 17. Teacher NAME and students NAMES participated in the presentation.

McKinley E.S.

Ms. Leon-Vazquez asked about teachers' responses to professional development for CCSS. Dr. Teplin replied that the site administrators have made it a point to meet the various learning styles of the teachers on campus to allow them time and space to receive and practice the new information.

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON / TERRY DELORIA / JANECE L. MAEZ / 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 2013-2014 budget.

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

Contractor/ Contract Dates	Description	Site	Funding
Fulcrum Learning Systems 2/14/14 Not to exceed: \$10,000	Students face challenges requiring self-confidence to build character around respect, courage, honesty, leadership, and teamwork.	John Adams	<u>50%</u> : 01-90150-0-11000-10000-5802-011-4110 (Reimbursed by PTA) <u>50%</u> : 01-90121-0-11100-10000-5802-0111-4110 (Equity)
Growing Educators 3/5/14 to 4/2/14 Not to exceed: \$3,300	Provide professional development training for teaching staff	Edison Language Academy	<u>\$1,000</u> : 01-90121-0-11100-10000-5802-001-4010 (Gifts – Cotsen) <u>\$2,300</u> : 01-30100-0-11100-10000-5802-001-4010 (Title I)
Parsons 2/1/14 to 6/30/15 Not-to-exceed hourly amount as follows: \$186.28 (environmental program manager) \$161.76 (toxicologist) \$151.96 (CIH) \$63.72 (Admin or Field Tech)	Environmental consultant services at MHS / Cabrillo to assist in the evaluation of ongoing activities	District	25-90100-0-00000-82000-5890-050-1500

School Services of California 7/1/13 to 6/30/14 Not to exceed: \$15,000	Assist with services relative to the new LCFF and budget development	Supt.'s Office	01-00000-0-00000-71500-5802-020-1200
Music Center Education Division 1/1/14 to 5/31/14 Not to exceed: \$4,925	Provide assemblies for students focusing on movement, culture, and music to supplement classroom curriculum	Franklin	0190150-0-11100-10000-5802-002-4020 (PTA)

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

FROM: SANDRA LYON / TERRY DELORIA

RE: OVERNIGHT FIELD TRIP(S) 2013-2014

ACTION/CONSENT
03/06/14

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2013-2014 school year. No child will be denied due to financial hardship.

School Grade # students	Destination Dates of Trip	Principal/ Teacher	Cost Funding Source	Subject	Purpose Of Field Trip
Adams 7 th grade 60	Natural History Museum, Los Angeles 3/28/14-3/29/14	S. Richardson J. Madkins	50 admission per student paid by parents; bus drop off paid by Equity; parents pick up	Science	Educational trip for students
Will Rogers Learning Community 5 th grade 80	Pali Institute Running Springs, San Bernardino County 3/19/14-3/21/14	A. Mendoza/ three 5 th grade teachers	\$255/student Total: \$18,615.00 all students Paid through parent donations and fundraising	Science	Outdoor Science Camp for our 5 th grade students

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.04

It is recommended that the Board of Education approve/ratify the following Requests for Absence on District Business (Conference and Travel) forms.

COMMENTS: Entries are alphabetical, by employee last name. In addition to the employee's name and site/location, each entry contains the following information: name, location and date (s) of the conference, complete account code, fund and program names, and the total estimated cost as provided by the site administrator. The average cost for substitute teachers is \$130/day. This figure is furnished for informational purposes and does not reflect the actual amount paid for an individual substitute.)

<u>NAME</u> <u>SITE</u> Account Number Fund – Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>BROCK, Miriam</u> Special Education No Cost to District	Southern California AT Network Alhambra, CA February 6, 2014	\$0
<u>CADY, Linda</u> Adams Middle 01-00010-0-13450-10000-5220-011-4110 General Fund- Resource: Tier III	Yosemite Institute Yosemite National Park, CA January 12 - 17, 2014	\$450
<u>ERVIN, Jordan</u> Malibu High 01-90141-0-11100-10000-5220-010-4100 General Fund- Resource: Malibu Shark Fund	College Board Western Regional Forum Santa Clara, CA January 31 – February 1, 2014	\$932 +1 SUB
<u>GATES, Jane</u> Adult Education Center 11-39050-0-41100-10000-5220-095-2950 Adult Education Fund- Resource: ABE/ESL/ESL CTZN	Adult Education Roundtable #3 Whittier, CA February 3, 2014	\$18
<u>GRIEGO, Orlando</u> Food and Nutrition Services 13-53100-0-00000-37000-5220-057-2570 Cafeteria Fund- Resource: Child Nutrition	Super Co Op Board Meeting with Gold Star Foods Ontario, CA February 11, 2014	\$65 Mileage Only
<u>GRIEGO, Orlando</u> Food and Nutrition Services 13-53100-0-00000-37000-5220-057-2570 Cafeteria Fund- Resource: Child Nutrition.	South Bay Purchasing Cooperative Meeting Torrance, CA February 12, 2014	\$23 Mileage Only

<u>GRIEGO, Orlando</u> Food and Nutrition Services 13-53100-0-00000-37000-5220-057-2570 Cafeteria Fund- Resource: Child Nutrition	South bay Purchasing Cooperative Meeting Torrance, CA February 28, 2014	\$23 Mileage Only
<u>GRIEGO, Orlando</u> Food and Nutrition Services 13-53100-0-00000-37000-5220-057-2570 Cafeteria Fund- Resource: Child Nutrition	CDE Training-Practical Skills Long Beach, CA March 26, 2014	\$33 Mileage Only
<u>GRIEGO, Orlando</u> Food and Nutrition Services 13-53100-0-00000-37000-5220-057-2570 Cafeteria Fund- Resource: Child Nutrition	CDE Training- New A La Carte Regulations SMMUSD-PDLC April 16, 2014	\$0
<u>LYON, Sandra</u> District Office 01-00000-0-00000-71500-5220-020-1200 General Fund- Function: Superintendent	Southern California Superintendent's Meeting La Habra Heights, CA March 14, 2014	\$0
<u>LYON, Sandra</u> District Office 01-00000-0-00000-71500-5220-020-1200 General Fund- Function: Superintendent	2014 CCSS Spring Conference San Diego, CA April 24 – 25, 2014	\$400
<u>ROMAN, Bertha</u> Ed Services 01-90120-0-19100-10000-5220-030-1300 General Fund- Resource: Gifts	2014 Illuminate Ed User Conference San Diego, CA February 5 – 7, 2014	\$1,160
<u>SEALS, Mike</u> Santa Monica High 01-90121-0-11100-10000-5220-015-4150 General Fund- Resource: Gifts-Equity Fund	United Black Students Unions of California Culver City, CA March 21 – 23, 2014	\$3,000
<u>WHALEY, Tom</u> Ed Services 01-74050-0-11100-10000-5220-035-1501 General Fund- Resource: Common Core	California All State Music Education Conference Fresno, CA February 20- 23, 2014	\$785

Adjustments (Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)		
<u>LYTZ, Paula</u> <u>+3 Additional Staff</u> Lincoln Middle 01-90150-0-11100-10000-5220-012-4120 General Fund- Resource: Reimbursed by PTA	ACSA 2014 Every Child Counts Symposium Monterey, CA January 15 – 17, 2014	\$4,675 Plus A \$33.98 Overage

Group Conference and Travel: In-State		
* a complete list of conference participants is on file in the Department of Fiscal Services		
<u>CHACON, Martha</u> <u>+4 Additional Staff</u> Santa Monica High 01-90121-0-11100-10000-5220-015-4150 General Fund- Resource: Gifts-Equity Fund	Common Core and NGSS Approach to Chemistry Los Angeles, CA March 22, 2014	\$200
<u>EDEBURN, Ellen</u> <u>+2 Additional Staff</u> Ed Services 01-74050-0-11100-10000-5220-035-1300 General Fund- Resource: Common Core	Next Generation Science Standards and CCSS Downey, CA May 1, 2014	\$375 +2 SUBS
<u>HO, Pat</u> <u>CRUZ, Gerardo</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Fiscal Services	CASBO Technology for School Business Today Norwalk, CA March 7, 2014	\$150
<u>HUNT, Mart</u> <u>WANG, Jim</u> Lincoln Middle 01-90150-0-11100-10000-5220-012-4120 General Fund- Resource: Reimbursed by PTA	CASMEC-California All State Music Education Convention Fresno, CA February 19 – 22, 2014	\$850
<u>LOCKREM, Bonnie</u> <u>+9 Additional Staff</u> Ed Services 01-74050-0-11100-10000-5220-035-1500 General Fund- Resource: Common Core	CASMEC-California All State Music Education Convention Fresno, CA February 20 – 23, 2014	\$7,300
<u>MURPHY, Leticia</u> <u>+2 Additional Staff</u> Adams Middle /Santa Monica High 01-74050-0-11100-10000-5220-035-1300 General Fund- Resource: Common Core	Common Core Connection to Social Studies Alhambra, CA February 25- 27, 2014	\$750 +3 SUBS
<u>ROSEN, Maureen</u> <u>+3 Additional Staff</u> Malibu High 01-00000-0-11100-27000-5220-010-4100 General Fund- Function: School Administration	Response to Instruction and Intervention Symposia Camarillo, CA February 2, 2014	\$300
<u>SWITFT, Jessica</u> <u>GARNREITER, Sean</u> Adams Middle 01-90120-0-17100-10000-5220-011-4110 General Fund- Resource: Gifts	CASMEC-California All State Music Education Convention Fresno, CA February 21 – 23, 2013	\$1,250

<u>UNDERWOOD, Brian</u> <u>EHRKE, Shelly</u> Lincoln Middle 01-90150-0-11100-10000-5220-012-4120 General Fund- Resource: Gifts-Equity Fund	Bridging the Hearts and Minds of Youth San Diego, CA February 7 - 9, 2014	\$2,300 +2 SUBS
<u>WEBB, Suzanne</u> <u>+6 Additional Staff</u> Lincoln Middle 01-90150-0-11100-10000-5220-012-4120 General Fund- Resource: Gifts-Equity Fund	ASCD 69 th Annual Conference and Exhibit Show Los Angeles, CA March 15 -17, 2014	\$2,500 +6 SUBS

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

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

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON / TERRY DELORIA / SARA WOOLVERTON

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2013-2014

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2013-2014 as follows:

NPS

2013-2014 Budget 01-65000-0-57500-11800-5125-043-1400

2013-2014 Budget 01-65120-0-57500-31400-5890-043-1400

Nonpublic School	SSID	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted NPS 13/14		\$ 1,700,000
Amount Budgeted Mental Health Services 13/14		\$ 900,000
Total Budgeted		\$ 2,600,000
Prior Board Authorization as of 2/20/14		\$ 2,167,360
	Balance	\$ 432,640
Positive Adjustment (See Below)		\$ 827
		\$ 433,467
Total Amount for these Contracts		\$ 0
	Balance	\$ 433,467

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 2013-2014 in the amount of \$0 as of 2/20/14					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Heritage School	Travel Reimbursement	36-SPED14053	R	\$827	End contract

NPA

2013-2014 Budget 01-65000-0-57500-11800-5126-043-1400

Nonpublic Agency	SSID	Service Description	Contract Number	Cost Not to Exceed
WAPADH	8103148738	AAC/AT	82-SPED14087	\$1,404

Amount Budgeted NPA 13/14		\$ 847,000
Prior Board Authorization as of 2/20/14		\$ 1,045,000
	Balance	\$ -198,000
Positive Adjustment (See Below)		\$ 165
		\$ -197,835
Total Amount for these Contracts		\$ 1,404
	Balance	\$ -199,239

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 2013-2014 in the amount of \$0 as of 2/20/14					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Julia Hobbs Speech Therapy	NPA	86-SPED 14128	R	\$55	
Julia Hobbs Speech Therapy	NPA	87-SPED 14129	R	\$55	
Julia Hobbs Speech Therapy	NPA	88-SPED 14130	R	\$55	

Instructional Consultants

2013-2014 Budget 01-65000-0-57500-11900-5802-043-1400

Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consultants 13/14		\$ 447,000
Prior Board Authorization as of 2/20/14		\$ 362,131
	Balance	\$ 84,869
Positive Adjustment (See Below)		\$ 0
		\$ 84,869
Total Amount for these Contracts		\$ 0
	Balance	\$ 84,869

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 2013-2014 in the amount of \$0 as of 2/20/14					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Non-Instructional Consultants

2013-2014 Budget 01-65000-0-57500-11900-5890-043-1400

Non-Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed
Mari Davies	8191928035	IEE & IEP attendance	48-SPED14131	\$5,000

Amount Budgeted Non-Instructional Consultants 13/14		\$ 150,000
Prior Board Authorization as of 2/20/14		\$ 282,678
	Balance	\$ -132,678
Positive Adjustment (See Below)		\$ 0
		\$ -132,678
Total Amount for these Contracts		\$ 5,000
	Balance	\$ -137,678

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 2013-2014 in the amount of \$0 as of 2/20/14					
Non- Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Legal

2013-2014 Budget 01-65000-0-57500-11900-5820-043-1400

Legal Contractor	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Legal Services 13/14		\$ 300,000
Prior Board Authorization as of 2/20/14		250,000
	Balance	\$ 0
Adjustments for this period		\$ 0
		\$ 0
Total Amount for these Contracts		\$ 0
	Balance	\$ 50,000

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 2013-2014 in the amount of \$ 0 as of 2/20/14				
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: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: AWARD OF PURCHASE ORDERS – 2013-14

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from February 12, 2014, through February 26, 2014, for fiscal year 2013-14.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MARCH 20, 2014

PAGE 1

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

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
<u>*** NEW PURCHASE ORDERS ***</u>					
144146	A Z BUS SALES INC	Bus Repairs #7	TRANSPORTATION	10,996.80	U
144074	AARDVARK CLAY	ART CLASS SUPPLIES/EQUITY	JOHN ADAMS MIDDLE SCHOOL	815.36	R
143982	APPLE COMPUTER CORP	MacBook Pro 15"	STATE AND FEDERAL PROJECTS	2,771.36	R
144246	APPLE COMPUTER CORP	ASSISTIVE TECHNOLOGY:IPAD2	SPECIAL EDUCATION REGULAR YEAR	1,077.81	R
144249	APPLE COMPUTER CORP	COMPUTER	SANTA MONICA HIGH SCHOOL	2,869.91	R
144173	ATKINSON ANDELSON LOYA RUDD	LEGAL SERVICES COSTS	SPECIAL EDUCATION REGULAR YEAR	120,000.00	R
144176	ATLANTIC EXPRESS OF LA INC	TRANSPORTATION	SANTA MONICA HIGH SCHOOL	385.00	U
143903	AVON CAR RENTAL	TRANSPORTATION FOR BAND	SANTA MONICA HIGH SCHOOL	1,400.00	U
144056	B & H PHOTO VIDEO	TWO WAY RADIOS	GRANT ELEMENTARY SCHOOL	302.99	R
144143	B & H PHOTO VIDEO	TWO WAY SECURITY RADIOS	ROOSEVELT ELEMENTARY SCHOOL	1,482.72	R
144250	B & H PHOTO VIDEO	CLASSROOM SUPPLIES	SANTA MONICA HIGH SCHOOL	449.11	R
144169	BARNES & NOBLE/SANTA MONICA	REFERENCE BOOKS	LINCOLN MIDDLE SCHOOL	77.35	R
144200	BARNES & NOBLE/SANTA MONICA	TEACHER RESOURCE/PRO. DEV.	STATE AND FEDERAL PROJECTS	225.68	R
144196	BUD COFFEY PRODUCTIONS	PERMIT EVENTS	THEATER OPERATIONS&FACILITY PR	5,000.00	R
144210	BYRNE, CHERYL	CATERER-STAIRWAY RECEPTIONS	CURRICULUM AND IMC	2,250.00	R
144162	CALIFORNIA OFFICE SYSTEMS INC	OFFICE SUPPLIES	SANTA MONICA HIGH SCHOOL	2,280.00	R
144147	CDW-G COMPUTING SOLUTIONS	ROP COMPUTER SUPPLIES	R O P	2,090.55	R
144163	CDW-G COMPUTING SOLUTIONS	HEADPHONES FOR SBAC	STATE AND FEDERAL PROJECTS	4,697.55	R
144209	CDW-G COMPUTING SOLUTIONS	USB DRIVE	OLYMPIC CONTINUATION SCHOOL	145.14	R
144242	CDW-G COMPUTING SOLUTIONS	ROP COMPUTER SUPPLIES	R O P	201.83	R
144112	CHEFS TOYS	SERVING COUNTER	EDISON ELEMENTARY SCHOOL	2,399.44	BB
143904	CHEVRON/TEXACO BUSINESS CARD	GAS CARDS	SANTA MONICA HIGH SCHOOL	900.00	U
144134	CITY OF MALIBU	OTHER OPERATING EXPENSES	BOE/SUPERINTENDENT	1,000.00	U
144154	CONSORTIUM ON READING	PROFESSIONAL LITERACY COACHES	STATE AND FEDERAL PROJECTS	94,861.50	R
143605	DEPARTMENT OF TOXIC	VOLUNTARY INVESTIGATION AGRMT	BUSINESS SERVICES	41,664.00	D
144157	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	309.16	CD
144158	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	149.87	CD
144161	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	223.86	CD
144202	DLR GROUP INC OF CALIFORNIA	MALIBU HIGH CO2 INVESTIGATION	BUSINESS SERVICES	25,000.00	D
144142	DOUBLETREE GUEST SUITES-SM	WASC ACCOMMODATIONS	SANTA MONICA HIGH SCHOOL	688.22	U
144243	DUMBELL MAN FITNESS EQUIPMENT	EQUIPMENT SERVICE	OLYMPIC CONTINUATION SCHOOL	548.24	R
144230	EL POLLO LOCO	FOOD FOR STUDENTS	SANTA MONICA HIGH SCHOOL	600.00	R
144044	GALE SUPPLY CO	CUSTODIAL SUPPLIES	GRANT ELEMENTARY SCHOOL	302.22	R
144050	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	1,535.41	CD
144096	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CABRILLO ELEMENTARY SCHOOL	485.09	U
144149	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	711.29	CD
144151	GALE SUPPLY CO	CUSTODIAL	CHILD DEVELOPMENT CENTER	1,006.58	CD
144223	GALE SUPPLY CO	CUSTODIAL SUPPLIES/PERMIT	JOHN ADAMS MIDDLE SCHOOL	646.54	R
144168	HERITAGE FOOD SERVICES GROUP	PARTS FOR SAMOHI STEAM TABLE	FOOD SERVICES	63.11	F
144153	HOME DEPOT- L.A.	OPEN ORDER/SCIENCE	CHILD DEVELOPMENT CENTER	100.00	CD
143900	ILLUMINATE EDUCATION	Conference	INFORMATION SERVICES	318.00	U
144155	INSECT LORE PRODUCTS	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	43.78	CD
144132	INTELLI-TECH	COMPUTERS	SANTA MONICA HIGH SCHOOL	1,001.51	R
144140	INTELLI-TECH	OFFICE ADMIN COMPUTER	CABRILLO ELEMENTARY SCHOOL	1,936.93	R
144211	JOSTENS/DIPLOMAS	DIPLOMAS	OLYMPIC CONTINUATION SCHOOL	429.11	R
144135	LYON, SANDRA	OTHER OPERATING EXPENSES	BOE/SUPERINTENDENT	160.00	U
144152	MAD SCIENCE OF LOS ANGELES	SPRING BREAK - SCHOOL AGE	CHILD DEVELOPMENT CENTER	1,909.00	CD
144215	MARINA MUSIC SERVICE	STAIRWAY MUSIC	CURRICULUM AND IMC	116.07	R
144160	MCKENNA EDUCATION CONSULTANTS	ENVIRONMENTAL TESTING AT MHS	EMPLOYEE RELATIONS	12,000.00	U

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MARCH 20, 2014

PAGE 2

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

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
143774	NEW CONCEPTS DEVELOPMENT CORP.	COMPUTER SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	390.67	R
144133	OLIVER WORLDCLASS LABS INC	COMPUTER SOFTWARE	SANTA MONICA HIGH SCHOOL	2,097.00	R
144175	PEARSON EDUCATION	TEXTBOOKS	SANTA MONICA HIGH SCHOOL	40.35	R
144213	PIONEER CHEMICAL CO	CUSTODIAL CARTS	LINCOLN MIDDLE SCHOOL	361.35	R
144227	PREMIER SCHOOL AGENDAS	AGENDAS FOR NEXT SY 2014-2015	JOHN MUIR ELEMENTARY SCHOOL	791.05	U
144122	RAYVERN LIGHTING	OPERATIONS SUPPLIES	GROUND MAINTENANCE	375.04	R
144236	RICOH USA INC.	FAX TONER	CURRICULUM AND IMC	95.92	U
144136	ROSETTA STONE	ROSETTA STONE VERSION 3 ONLINE	STATE AND FEDERAL PROJECTS	2,172.80	R
143860	SCHOOL NURSE SUPPLY INC	HEALTH OFFICE SUPPLIES	OLYMPIC CONTINUATION SCHOOL	112.76	U
144166	SCHOOL OUTFITTERS LLC	HEADPHONES FOR COMPUTERS	WILL ROGERS ELEMENTARY SCHOOL	134.36	U
143984	SCHOOL SPECIALTY INC	CLASSROOM SUPPLIES	GRANT ELEMENTARY SCHOOL	181.28	U
143683	SEHI COMPUTER PRODUCTS	PRINTER	SANTA MONICA HIGH SCHOOL	388.40	U
144047	SEHI COMPUTER PRODUCTS	TONER CARTRIDGES	WILL ROGERS ELEMENTARY SCHOOL	1,684.54	U
143787	SIR SPEEDY PRINTING #0245	ENVELOPES FOR DISTRICT	PRINTING SERVICES	689.85	U
144193	SIR SPEEDY PRINTING #0245	OPEN PO: PRINTING SERVICES	LINCOLN MIDDLE SCHOOL	1,500.00	R
144219	SIR SPEEDY PRINTING #0245	STAIRWAY TO THE STARS PROGRAM	CURRICULUM AND IMC	3,896.01	R
144148	SMART & FINAL	SPRING BREAK/OPEN ORDER	CHILD DEVELOPMENT CENTER	1,000.00	CD
144229	SMART & FINAL	CLASSROOM SUPPLIES	SANTA MONICA HIGH SCHOOL	500.00	R
144170	SMART SOURCE OF CALIFORNIA LLC	PROMOTION CERTIFICATES	LINCOLN MIDDLE SCHOOL	761.03	R
144204	SOLUTION TREE	CURRICULAR	SANTA MONICA HIGH SCHOOL	509.08	R
144245	SOUTH BAY LANDSCAPING	DRAINAGE WORK	JOHN ADAMS MIDDLE SCHOOL	8,688.00	BB
144167	STAPLES BUSINESS ADVANTAGE	SCHOOL SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	210.63	U
144201	STAPLES BUSINESS ADVANTAGE	CLASSROOM SUPPLIES	LINCOLN MIDDLE SCHOOL	149.25	R
144195	STAPLES/P-U/VENICE/LINCOLN BL	CLASSROOM SUPPLIES	OLYMPIC CONTINUATION SCHOOL	245.72	U
144228	STAPLES/P-U/VENICE/LINCOLN BL	CLASSROOM SUPPLIES	SANTA MONICA HIGH SCHOOL	700.00	R
144208	STAPLES/P-U/WLA/CUST#240174490	OPEN ORDER/INST SUP/SOC ST	JOHN ADAMS MIDDLE SCHOOL	75.00	U
144231	SUBWAY	FOOD FOR STUDENTS	SANTA MONICA HIGH SCHOOL	550.00	R
144150	TARGET STORES	OPEN ORDER/SUPPLIES	CHILD DEVELOPMENT CENTER	200.00	CD
144165	TUMBLEWEED TRANSPORTATION	FIELDTRIP TO CAL STATE DOM.	JOHN MUIR ELEMENTARY SCHOOL	425.00	R
144198	TUMBLEWEED TRANSPORTATION	FIELDTRIP TO CAL STATE DOM.	JOHN MUIR ELEMENTARY SCHOOL	425.00	R
144220	TUMBLEWEED TRANSPORTATION	TRANSPORTATION	SANTA MONICA HIGH SCHOOL	375.00	R
144212	WESTERN FENCE & SUPPLY CO	FENCE MATERIALS	FACILITY MAINTENANCE	1,000.00	R
** NEW PURCHASE ORDERS				382,162.14	
<u>** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES **</u>					
144111	ADVANCED ELECTRONICS	RADIO BATTERIES	SANTA MONICA HIGH SCHOOL	191.37	BB
144110	RAFFI'S METAL DESIGN	FABRICATE CUSTOM STAIRCASE	SANTA MONICA HIGH SCHOOL	20,000.00	BB
** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES				20,191.37	

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: ACCEPTANCE OF GIFTS – 2013/2014

RECOMMENDATION NO. A.07

It is recommended that the Board of Education accept, with gratitude, checks totaling **\$1,671.41** presented to the Santa Monica-Malibu Unified School District.

It is further recommended that the Fiscal/Business Services Office, in accordance with Educational Code §42602, be authorized to increase the 2013-2014 income and appropriations by **\$1,671.41** as described on the attached listing.

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

COMMENT: The value of all non-cash gifts has been determined by the donors.

NOTE: The list of gifts is available on the District's website, www.smmusd.org.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

School/Site Account Number	Cash Amount	Item Description	Purpose	Donor
Cabrillo Elementary School 01-90120-0-00000-00000-8699-017-0000	\$ 315.00 \$ 285.00		Field Trip Field Trip	Various Various
Lincoln Middle School 01-90120-0-17110-00000-8699-012-0000	\$ 8.00		General Supplies and Materials	Jomo Bernard Mulholland & Maki Furusawa
Malibu High School 01-90120-0-00000-00000-8699-010-0000	\$ 32.65		General Supplies and Materials	Coca-Cola
Rogers Elementary School 01-90120-0-00000-00000-8699-006-0000	\$ 800.00		Field Trip	Various
Santa Monica High School 01-90120-0-00000-00000-8699-015-0000	\$ 230.76		General Supplies and Materials	Wells Fargo Foundation
TOTAL	\$ 1,671.41			

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: APPROVAL OF REVISED 2012-13 ANNUAL FINANCIAL AUDIT REPORT

RECOMMENDATION NO. A.08

It is recommended that the Board of Education accept a revised 2012-13 Annual Financial Audit Report.

COMMENTS: At the January 16, 2014 Board of Education meeting, the Board accepted the 2012-13 Annual Financial Audit Report and approved management discussion and analysis/the administrative responses to the “Findings” & “Recommendations” as contained in the Subject audits. On February 21, 2014, the District, via email, received from Christy White Associates that there was a revision in how the Debt Service Requirements to Maturity – Bonds was reflected on page 43.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued
JUNE 30, 2013

NOTE 9 – LONG-TERM DEBT (continued)

B. Debt Service Requirements to Maturity – Bonds

The bonds mature through 2038 as follows:

<u>Year Ended June 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2014	\$ 11,044,386	\$ 16,112,224	\$ 27,156,610
2015	10,244,593	16,599,134	26,843,727
2016	9,331,050	16,352,052	25,683,102
2017	9,127,107	16,105,903	25,233,010
2018	9,465,096	16,343,462	25,808,558
2019 - 2023	42,657,926	72,812,660	115,470,586
2024 - 2028	51,637,688	40,744,938	92,382,626
2029 - 2033	79,061,480	22,450,872	101,512,352
2034 - 2038	79,543,847	33,520,377	113,064,224
Accretion	23,135,976	(23,135,976)	-
Total	\$ 325,249,149	\$ 227,905,646	\$ 553,154,795

C. Certificates of Participation (COPs)

<u>Series</u>	<u>Issue Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Original Issue</u>	<u>Certificates Outstanding July 01, 2012</u>	<u>Additions</u>	<u>Deductions</u>	<u>Certificates Outstanding June 30, 2013</u>
2001 Series C	November 15, 2001	May 1, 2025	3.50% - 5.40%	\$15,206,501	\$ 7,650,659	\$ 467,995	\$ -	\$ 8,118,654
2010 Series A	December 1, 2010	May 1, 2014	1.09% - 3.04%	3,215,000	2,065,000	-	1,065,000	1,000,000
2010 Series B	December 1, 2010	May 1, 2024	2.00% - 5.00%	8,015,000	8,015,000	-	-	8,015,000
					\$ 17,730,659	\$ 467,995	\$ 1,065,000	\$ 17,133,654

2001 Series C

On November 15, 2001, the District and the Los Angeles County Schools Regionalized Business Services Corporation entered a sublease in which the Corporation leased to the District certain real property and building and improvements situated thereon. The 2001 Series C Certificates of Participation were executed and delivered to finance payments relating to acquisition of certain interests in real property, fund a reserve fund and pay costs of execution and delivery of the certificates. Series C Certificates consisted of \$10,740,000 of current interest serial certificates and \$4,466,501 of capital appreciation serial certificates for a total issuance of \$15,206,501. The certificates have interest rates ranging from 3.50% to 5.40%. Interest on the current interest certificates is payable semi-annually each May 1 and November 1, commencing May 1, 2002, principal on the certificates is payable annually each May 1, commencing May 1, 2002 through the final maturity date of May 1, 2018. Interest on the capital appreciation certificates accretes from the dated date, compounded semi-annually on each May 1 and November 1, commencing May 1, 2002, principal and interest payments are payable semi-annually each May 1 and November 1, commencing November 1, 2018 through the final maturity date of May 1, 2025. A portion of the outstanding certificates were refunded with proceeds from the 2010 Refunding Certificates. The outstanding principal balance at June 30, 2013, amounted to \$8,118,654.

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
NOTES TO FINANCIAL STATEMENTS, continued
JUNE 30, 2013

NOTE 9 – LONG-TERM DEBT (continued)

B. Debt Service Requirements to Maturity – Bonds

The bonds mature through 2038 as follows:

<u>Year Ended June 30,</u>	<u>Principal</u>	<u>Interest</u>	<u>Total</u>
2014	\$ 11,044,386	\$ 14,054,824	\$ 25,099,210
2015	10,244,593	14,541,734	24,786,327
2016	9,331,050	14,294,652	23,625,702
2017	9,127,107	14,048,503	23,175,610
2018	9,465,096	14,286,062	23,751,158
2019 - 2023	42,657,926	72,812,660	115,470,586
2024 - 2028	51,637,688	40,744,938	92,382,626
2029 - 2033	79,061,480	22,450,872	101,512,352
2034 - 2038	79,543,847	33,520,377	113,064,224
Accretion	23,135,976	(23,135,976)	-
Total	\$ 325,249,149	\$ 217,618,646	\$ 542,867,795

C. Certificates of Participation (COPs)

<u>Series</u>	<u>Issue Date</u>	<u>Maturity Date</u>	<u>Interest Rate</u>	<u>Original Issue</u>	<u>Certificates Outstanding</u>			<u>Certificates Outstanding June 30, 2013</u>
					<u>July 01, 2012</u>	<u>Additions</u>	<u>Deductions</u>	
2001 Series C	November 15, 2001	May 1, 2025	3.50% - 5.40%	\$15,206,501	\$ 7,650,659	\$ 467,995	\$ -	\$ 8,118,654
2010 Series A	December 1, 2010	May 1, 2014	1.09% - 3.04%	3,215,000	2,065,000	-	1,065,000	1,000,000
2010 Series B	December 1, 2010	May 1, 2024	2.00% - 5.00%	8,015,000	8,015,000	-	-	8,015,000
					\$ 17,730,659	\$ 467,995	\$ 1,065,000	\$ 17,133,654

2001 Series C

On November 15, 2001, the District and the Los Angeles County Schools Regionalized Business Services Corporation entered a sublease in which the Corporation leased to the District certain real property and building and improvements situated thereon. The 2001 Series C Certificates of Participation were executed and delivered to finance payments relating to acquisition of certain interests in real property, fund a reserve fund and pay costs of execution and delivery of the certificates. Series C Certificates consisted of \$10,740,000 of current interest serial certificates and \$4,466,501 of capital appreciation serial certificates for a total issuance of \$15,206,501. The certificates have interest rates ranging from 3.50% to 5.40%. Interest on the current interest certificates is payable semi-annually each May 1 and November 1, commencing May 1, 2002, principal on the certificates is payable annually each May 1, commencing May 1, 2002 through the final maturity date of May 1, 2018. Interest on the capital appreciation certificates accretes from the dated date, compounded semi-annually on each May 1 and November 1, commencing May 1, 2002, principal and interest payments are payable semi-annually each May 1 and November 1, commencing November 1, 2018 through the final maturity date of May 1, 2025. A portion of the outstanding certificates were refunded with proceeds from the 2010 Refunding Certificates. The outstanding principal balance at June 30, 2013, amounted to \$8,118,654.

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON / JANECE L. MAEZ

RE: APPROVAL OF A REVISED VOLUNTARY INVESTIGATION AGREEMENT
BETWEEN THE DEPARTMENT OF TOXIC SUBSTANCES CONTROL (DTSC)
AND SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT (SMMUSD)

RECOMMENDATION NO. A.09

It is recommended that the Board of Education approve a revised Voluntary Investigation Agreement between the Department of Toxic Substances Control (DTSC) and Santa Monica-Malibu Unified School District (SMMUSD).

COMMENT: At the February 6, 2014 Board of Education meeting, the Board approved a Voluntary Investigation Agreement as provided by the DTSC. On February 7, 2014, the District, via email, asked the DTSC to print, sign and return to SMMUSD three (3) copies of the document approved the evening before. On February 19, 2014, the District received the attached letter from Mr. Thomas Cota, Branch Chief of DTSC indicating a need to modify a small portion of the language in the original agreement by deleting the first section of examples in Exhibit C, Scope of Work. The original document was never fully executed and the DTSC is now asking the Board to approve the attached form and forward for signature.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)



Matthew Rodriguez
Secretary for
Environmental Protection



Department of Toxic Substances Control

Deborah O. Raphael, Director
5796 Corporate Avenue
Cypress, California 90630



Edmund G. Brown Jr.
Governor

February 19, 2014

Ms. Janece L. Maez
Associate Superintendent
Business and Financial Services
Chief Financial Officer
Santa Monica-Malibu Unified School District
1651 Sixteenth Street
Santa Monica California 90404

VOLUNTARY INVESTIGATION AGREEMENT, SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, ASSESSOR PARCEL NUMBER (APN) 4469-017-900; MALIBU, CALIFORNIA, 90404

Dear Ms. Maez:

The Department of Toxic Substances Control (DTSC) has enclosed a copy of the final Voluntary Investigation Agreement (Agreement) for the Malibu High School and Cabrillo Elementary School property (Site) located at 30215 and 30237 Morning View Drive, Malibu, Los Angeles County, California 90404. The Agreement was approved by the Santa Monica-Malibu Board of Education on February 6, 2014, and submitted to DTSC on February 7, 2014.

DTSC and the Santa Monica-Malibu Unified School District are entering into this Agreement for the purpose of conducting a Preliminary Environmental Assessment (PEA) to evaluate the condition of the Site's soils, and determine if additional remediation will be required to allow for future unrestricted use of the property. In the event DTSC determines that additional site characterization or remediation of the Site is required, a Voluntary Cleanup Agreement will be prepared to specify the additional tasks and cost associated with the additional work.

As defined in Exhibit C (Scope of Work), the final Agreement addresses DTSCs proposed costs for general project support, public participation activities, preparation of a Health and Safety Plan, and the review and approval of a PEA.

Please note that DTSC has modified Exhibit C, "Scope of Work" in the enclosed Agreement to remove redundant boilerplate language that remained in the first

Ms. Janece L. Maez
February 19, 2014
Page 2

paragraph of the Draft Agreement Scope of Work. The deleted language, specifically bullet items 1, 2, and 3, located on page one of the Scope of Work, should have been removed prior to completion of the Draft Agreement. As mentioned above, in the event that additional investigation or cleanup work is required, DTSC will coordinate with Santa Monica-Malibu Unified School District on a revised agreement.

If the enclosed final Agreement is acceptable, we request that you please sign and return two original copies of the document to DTSC. Upon receipt of the signed copies, DTSC will then sign and send you a copy of the fully executed Agreement.

If you have any questions or concerns regarding DTSCs involvement at the Malibu High School and the Cabrillo Elementary School, please contact Maria Gillette, at (714) 484-5377 or by e-mail at maria.gillette@dtsc.ca.gov

Sincerely,

A handwritten signature in black ink, appearing to read "T. M. Cota", with a stylized flourish at the end.

Thomas M. Cota, Branch Chief
Department of Toxic Substances Control
Brownfields and Environmental Restoration Program
Schools Evaluation and Brownfields Cleanup Branch

Enclosure

cc: See next page.

Ms. Janece L. Maez
February 19, 2014
Page 3

cc: Ms. Sandra Lyons
Superintendent of Schools
Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, California 90404

Mr. Mark Elliott
Pillsbury Winthrop Shaw Pittman LLP
725 South Figueroa Street, Suite 2800
Los Angeles, CA 90017-5406

Ms. Deborah Raphael
Director
DTSC / Headquarters
Debbie.raphael@dtsc.ca.gov

Mr. Stewart W. Black
Deputy Director
Brownfields Restoration Program / DTSC Headquarters
Stewart.black@dtsc.ca.gov

Ms. Barbara Cook
Division Chief
Brownfields Restoration Program / DTSC Berkeley
Barbara.cook@dtsc.ca.gov

Ms. Maria Gillette
Senior Environmental Scientist
Schools Evaluation and Brownfields Outreach / DTSC Cypress
Maria.gillette@dtsc.ca.gov

STATE OF CALIFORNIA
ENVIRONMENTAL PROTECTION AGENCY
DEPARTMENT OF TOXIC SUBSTANCES CONTROL

In the Matter of:

Malibu High School and
Cabrillo Elementary School

Proponent:

Santa Monica-Malibu Unified School
District
1651 Sixteenth Street
Santa Monica, California 90404

Docket No. HSA-VCA 13/14-85

Voluntary Investigation Agreement

Health and Safety Code
Section 25355.5(a)(1)(C)

The California Department of Toxic Substances Control (DTSC) and the Santa Monica-Malibu Unified School District (Proponent) enter into this Voluntary Investigation Agreement (Agreement) and agree as follows:

1. Site. This Agreement applies to the property located at 30215 and 30237 Morning View Dr., Malibu, in Los Angeles County, California 90265 site (Site), identified by Los Angeles Assessor's Parcel Number 4469-017-900, and any off-site area to which hazardous substances have or may have migrated from the Site. The Site is approximately 39.52 acres in size and is bordered by N COR OF LOT 14 TR NO 15858 TH SE ON NE LINE OF SD LOT TO NW LINE OF CLOVER HEIGHTS AVE TH SW AND FOLLOWING SD AVE TO NE, a combination of commercial and residential uses bordering the property. A Site diagram and a Site location map are attached as Exhibits A and B.

2. Jurisdiction. This Agreement is entered into by DTSC and Proponent pursuant to Health and Safety Code section 25355.5(a)(1)(C) which authorizes DTSC to enter into an enforceable agreement to oversee the investigation and/or remediation of a release or threatened release of any hazardous substance at or from the Site.

3. Purpose. The purpose of this Agreement is for Proponent to investigate and/or remediate a release or threatened release of any hazardous substance at or from the Site under the oversight of DTSC. The purpose of this Agreement is also for DTSC to obtain reimbursement from Proponent for DTSC's oversight costs incurred pursuant to this Agreement.

4. Ownership. The Site is owned by Santa Monica-Malibu Unified School District.

5. Substances Found at the Site. Based on the information available to DTSC

and Proponent, the Site is or may be contaminated with hazardous substances, including polychlorinated biphenyls (PCBs) pesticides, heavy metals and volatile organic compounds.

6. Scope of Work and DTSC Oversight. DTSC shall review and provide Proponent with written comments on all Proponents' deliverables as described in Exhibit C (Scope of Work) and other documents applicable to the scope of the project. DTSC shall provide oversight of field activities, including sampling and remedial activities, as appropriate. Proponent agrees to perform all the work required by this Agreement. Proponent shall perform the work in accordance with applicable local, state and federal statutes, regulations, ordinances, rules and guidance documents, in particular, Health and Safety Code section 25300 et seq., as amended.

7. Additional Activities. DTSC and Proponent may amend this Agreement to include additional activities in accordance with Paragraph 17 of this Agreement. If DTSC expects to incur additional oversight costs for these additional activities, it will provide an estimate of the additional oversight costs to Proponent.

8. Endangerment During Implementation.

8.1. Proponent shall notify DTSC's Project Manager immediately upon learning of any condition that may pose an immediate threat to public health or safety or the environment. Within seven days of the onset of such a condition, Proponent shall furnish a report to DTSC, signed by Proponent's Project Manager, setting forth the conditions and events that occurred and the measures taken in response thereto.

8.2. In the event DTSC determines that any activity (whether or not pursued in compliance with this Agreement) may pose an imminent or substantial endangerment to the health or safety of people on the Site or in the surrounding area or to the environment, DTSC may order Proponent to conduct additional activities in accordance with Paragraph 7 of this Agreement or to stop further implementation of this Agreement for such period of time as may be needed to abate the endangerment. DTSC may request that Proponent implement interim measures to address any immediate threat or imminent or substantial endangerment.

9. Access. Proponent shall provide, and/or obtain access to the Site and take all reasonable efforts to obtain access to off-site areas to which access is necessary to implement the Agreement. Such access shall be provided to DTSC's employees, contractors, and consultants at all reasonable times. Nothing in this paragraph is intended or shall be construed to limit in any way the right of entry or inspection that DTSC or any other agency may otherwise have by operation of law.

10. Sampling, Data and Document Availability. When requested by DTSC, the Proponent shall make available for DTSC's inspection, and shall provide copies of, all data and information concerning contamination at or from the Site, including technical records and contractual documents, sampling and monitoring information and

photographs and maps, whether or not such data and information was developed pursuant to this Agreement. For all final reports, Proponent shall submit one hard (paper) copy and one electronic copy with all applicable signatures and certification stamps as a text-readable Portable Document Formatted (pdf) file Adobe Acrobat or Microsoft Word formatted file.

11. Record Preservation. Proponent shall retain, during the implementation of this Agreement and for a minimum of six years after its termination, all data, reports, and other documents that relate to the performance of this Agreement. If DTSC requests that some or all of these documents be preserved for a longer period of time, Proponent shall comply with the request, deliver the documents to DTSC, or permit DTSC to copy the documents at Proponent's expense prior to destruction.

12. Notification of Field Activities. Proponent shall inform DTSC at least seven days in advance of all field activities pursuant to this Agreement and shall allow DTSC and its authorized representatives to take duplicates of any samples collected by Proponent pursuant to this Agreement.

13. Project Managers. Within 14 days of the effective date of this Agreement, DTSC and Proponent shall each designate a Project Manager and shall notify each other in writing of the Project Manager selected. Each Project Manager shall be responsible for overseeing the implementation of this Agreement and for designating a person to act in his/her absence. All communications between DTSC and Proponent, and all notices, documents and correspondence concerning the activities performed pursuant to this Agreement shall be directed through the Project Managers. Each party may change its Project Manager with at least seven days prior written notice.

14. Proponent's Consultant and Contractor. All work performed pursuant to this Agreement shall be under the direction and supervision of a professional engineer or professional geologist, licensed in California, with expertise in hazardous substance site cleanup. Proponent's Project Manager, contractor or consultant shall have the technical expertise sufficient to fulfill his or her responsibilities. Within 14 days of the effective date of this Agreement, Proponent shall notify DTSC's Project Manager in writing of the name, title, and qualifications of the professional engineer or professional geologist and of any contractors or consultants and their personnel to be used in carrying out the work under this Agreement in conformance with applicable state law, including but not limited to, Business and Professions Code sections 6735 and 7835.

15. DTSC Review and Approval. All work performed pursuant to this Agreement is subject to DTSC's review and approval. If DTSC determines that any report, plan, schedule or other document submitted for approval pursuant to this Agreement fails to comply with this Agreement or fails to protect public health or safety or the environment, DTSC may (a) return comments to Proponent with recommended changes and a date by which the Proponent must submit to DTSC a revised document incorporating or addressing the recommended changes; or (b) modify the document in consultation with Proponent and approve the document as modified. All DTSC approvals and decisions

made regarding submittals and notifications will be communicated to Proponent in writing by DTSC's Branch Chief or his/her designee. No informal advice, guidance, suggestions or comments by DTSC regarding reports, plans, specifications, schedules or any other writings by the Proponent shall be construed to relieve Proponent of the obligation to obtain such written approvals.

16. Payment.

16.1. Proponent agrees to pay 1) all costs incurred by DTSC in association with preparation of this Agreement, and for oversight activities, including review of documents, conducted prior to the effective date of this Agreement, and (2) all costs incurred by DTSC in providing oversight pursuant to this Agreement, including review of the documents described in Exhibit C and associated documents, and oversight of field activities. Costs incurred include interest on unpaid amounts that are billed and outstanding more than 60 days from the date of the invoice. An estimate of DTSC's oversight costs is attached as Exhibit D. It is understood by the parties that Exhibit D is an estimate and cannot be relied upon as the final cost figure. DTSC may provide an updated or revised cost estimate as the work progresses. DTSC will bill Proponent quarterly. Proponent agrees to make payment within 60 days of receipt of DTSC's billing. Such billings will reflect any amounts that have been advanced to DTSC by Proponent.

16.2. In anticipation of oversight activities to be conducted, Proponent shall make an advance payment of \$20,832 to DTSC within 10 days of the effective date of this Agreement. It is expressly understood and agreed that DTSC's receipt of the entire advance payment as provided in this paragraph is a condition precedent to DTSC's obligation to provide oversight, review of or comment on documents. If the advance payment exceeds DTSC's final costs, DTSC will refund the difference within 120 days after the performance of this Agreement is completed or after this Agreement is terminated pursuant to Paragraph 18 of this Agreement.

16.3. All payments made by Proponent pursuant to this Agreement shall be by check payable to the "Department of Toxic Substances Control", and bearing on its face the project code for the Site (Site # 301648-11) and the docket number of this Agreement. Upon request by Proponent, DTSC may accept payments made by credit cards. Payments by check shall be sent to:

Department of Toxic Substances Control
Accounting Office
1001 I Street, 21st Floor
P.O. Box 806
Sacramento, California 95812-0806

A photocopy of the check shall be sent concurrently to DTSC's Project Manager.

16.4. DTSC shall retain all cost records associated with the work performed

under this Agreement as may be required by state law. DTSC will make all documents that support DTSC's cost determination available for inspection upon request in accordance with the Public Records Act, Government Code section 6250 et seq.

17. Amendments. This Agreement may be amended in writing by mutual agreement of DTSC and Proponent. Such amendment shall be effective the third business day following the day the last party signing the amendment sends its notification of signing to the other party. The parties may agree to a different effective date.

18. Termination for Convenience.

18.1. Except as otherwise provided in this paragraph, each party to this Agreement reserves the right to unilaterally terminate this Agreement for any reason. Termination may be accomplished by giving a 30-day advance written notice of the election to terminate this Agreement to the other party. In the event that this Agreement is terminated under Paragraph 18.1, Proponent shall be responsible for DTSC costs through the effective date of termination.

18.2. If operation and maintenance activities are required for the final remedy, Proponent may not terminate the Agreement under Paragraph 18.1 upon DTSC's approval of an Operation and Maintenance Plan as proposed by Proponent, unless an Operation and Maintenance Agreement is entered into between DTSC and Proponent or between DTSC and a party responsible for the required operation and maintenance activities.

19. Incorporation of Exhibits, Plans and Reports. All exhibits are incorporated into this Agreement by reference. All plans, schedules and reports that require DTSC's approval and are submitted by Proponent pursuant to this Agreement are incorporated in this Agreement upon DTSC's approval.

20. Reservation of Rights. DTSC reserves all of its statutory and regulatory powers, authorities, rights, and remedies under applicable laws to protect public health or the environment, including the right to recover its costs incurred therefor. Proponent reserves all of its statutory and regulatory rights, defenses and remedies available to Proponent under applicable laws.

21. Non-Admission of Liability. By entering into this Agreement, Proponent does not admit to any finding of fact or conclusion of law set forth in this Agreement or any fault or liability under applicable laws.

22. Proponent Liabilities. Nothing in this Agreement shall constitute or be considered a covenant not to sue, release or satisfaction from liability by DTSC for any condition or claim arising as a result of Proponent's past, current, or future operations or ownership of the Site.

23. Government Liabilities. The State of California or DTSC shall not be liable for any injuries or damages to persons or property resulting from acts or omissions by Proponent or by related parties in carrying out activities pursuant to this Agreement, nor shall the State of California or DTSC be held as a party to any contract entered into by Proponent or its agents in carrying out the activities pursuant to this Agreement.

24. Third Party Actions. In the event that Proponent is a party to any suit or claim for damages or contribution relating to the Site to which DTSC is not a party, Proponent shall notify DTSC in writing within 10 days after service of the complaint in the third-party action. Proponent shall pay all costs incurred by DTSC relating to such third-party actions, including but not limited to responding to subpoenas.

25. California Law. This Agreement shall be governed, performed and interpreted under the laws of the State of California.

26. Severability. If any portion of this Agreement is ultimately determined not to be enforceable, that portion will be severed from the Agreement and the severability shall not affect the enforceability of the remaining provisions of the Agreement.

27. Parties Bound. This Agreement applies to and is binding, jointly and severally, upon Proponent and its agents, receivers, trustees, successors and assignees, and upon DTSC and any successor agency that may have responsibility for and jurisdiction over the subject matter of this Agreement. Proponent shall ensure that its contractors, subcontractors and agents receive a copy of this Agreement and comply with this Agreement.

28. Effective Date. The effective date of this Agreement is the date of signature by DTSC's authorized representative after this Agreement is first signed by Proponent's authorized representative. Except as otherwise specified, "days" means calendar days.

29. Representative Authority. Each undersigned representative of the party to this Agreement certifies that she or he is fully authorized to enter into the terms and conditions of this Agreement and to execute and legally bind the party to this Agreement.

30. Counterparts. This Agreement may be executed and delivered in any number of counterparts, each of which when executed and delivered shall be deemed to be an original, but such counterparts shall together constitute one and the same document.

Thomas M. Cota,
Branch Chief
Schools Evaluation and Brownfields Outreach
Department of Toxic Substances Control

Date: _____

Date: _____

Janece L. Maez

Associate Superintendent, Business and Fiscal Services/Chief Financial Officer

Santa Monica-Malibu Unified School District

Representing Santa Monica-Malibu Unified School District

EXHIBITS

A - SITE LOCATION MAP

B - SITE DIAGRAM

C - SCOPE OF WORK

D - COST ESTIMATE

Exhibit A

Site Location Map

4469

SCALE 1" = 1000'

2003

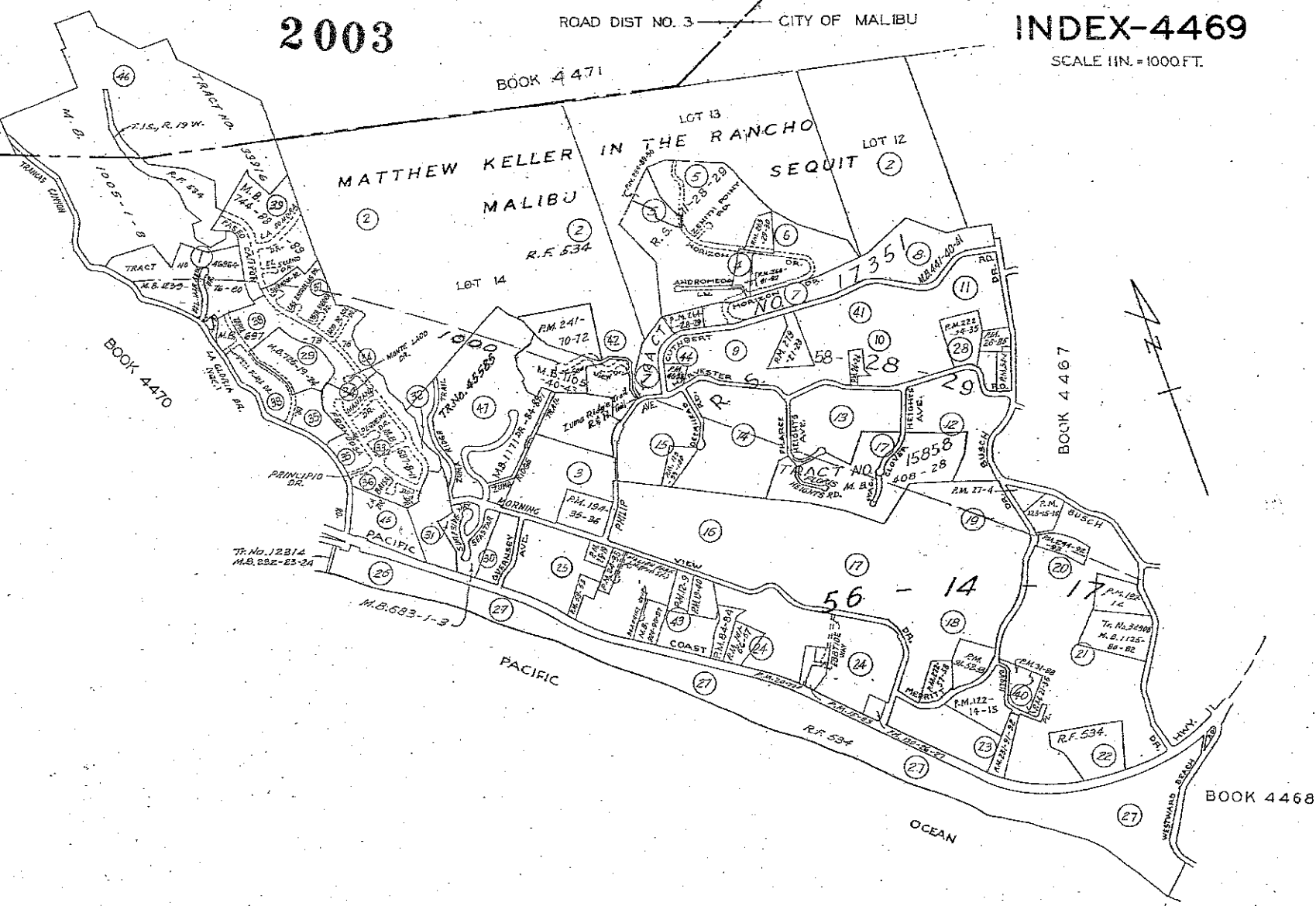
ROAD DIST NO. 3

CITY OF MALIBU

INDEX-4469

SCALE 1IN. = 1000FT.

Revised
 8-13-59
 7-24-62
 2-19-63
 7-19-65
 10-7-64
 680207
 680301
 680716
 690414
 691120
 700412
 700819
 701013
 710325
 710228
 720311
 721127
 721111
 730131
 730302
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 731119
 740714
 741003
 750219
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 770429
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 800415
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 881011
 890410
 890527
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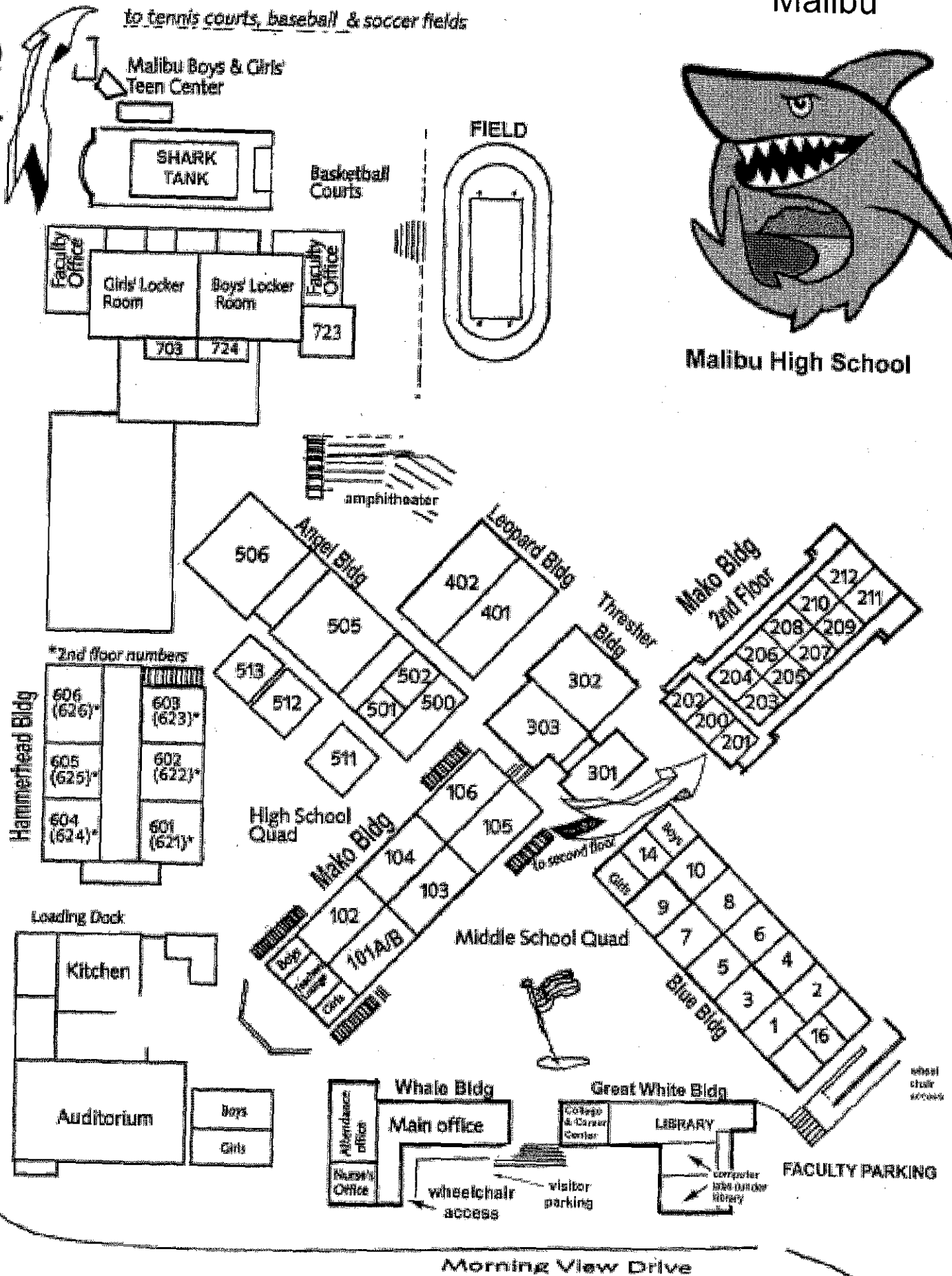


ASSESSOR'S MAP
 COUNTY OF LOS ANGELES, CALIF.

Exhibit B
Site Diagram

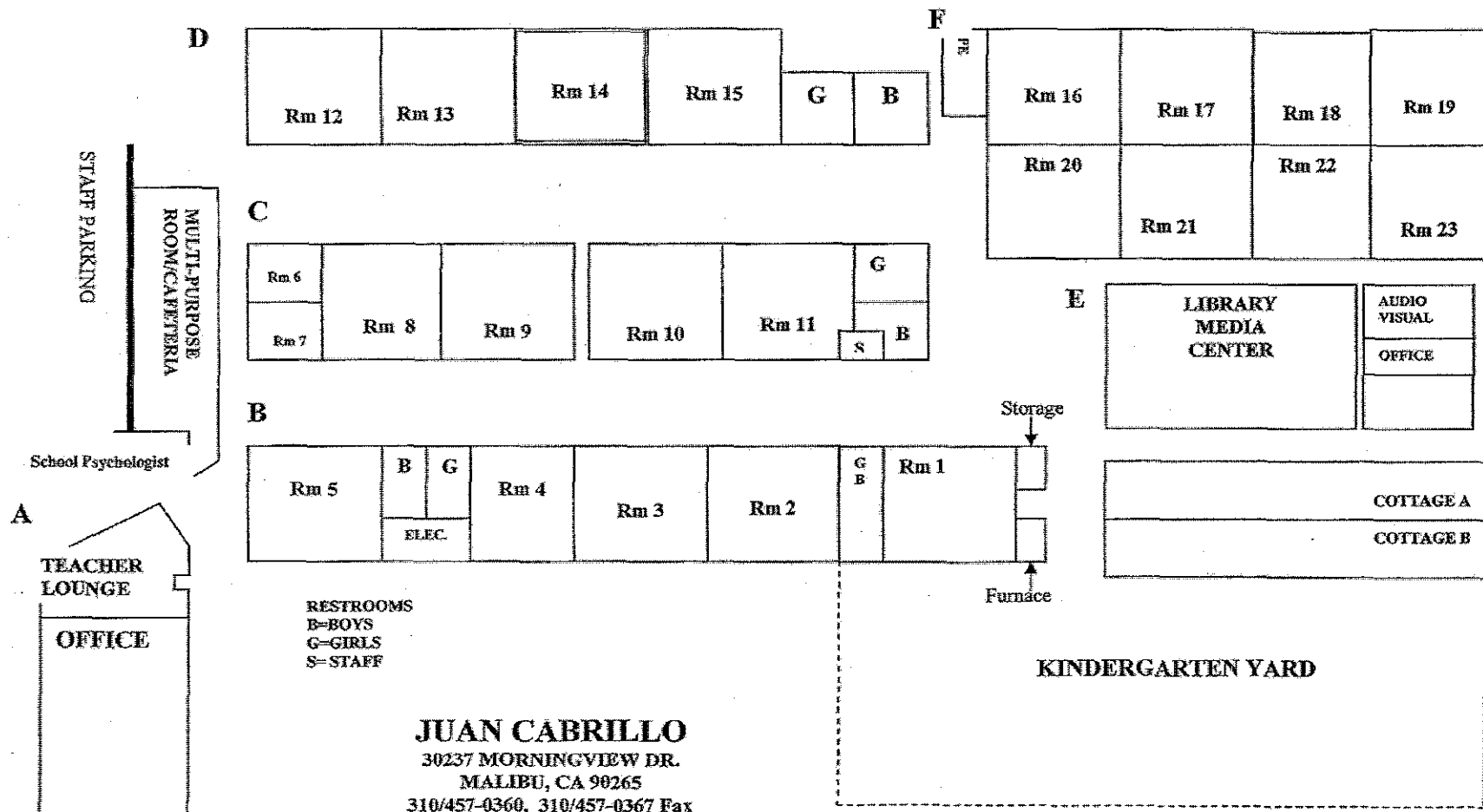
A cartoon illustration of a shark, likely a Great White, shown from the chest up. The shark has a grey, textured body with a darker grey dorsal fin. It has a large, open mouth revealing a row of sharp, white teeth and a pink tongue. The shark's eyes are small and yellow with black pupils. The illustration is set against a white background.

Student Parking



MAIN PLAYGROUND

Rm 24	Rm 25
(AT REAR OF PLAYGROUND)	



JUAN CABRILLO
 30237 MORNINGVIEW DR.
 MALIBU, CA 90265
 310/457-0360, 310/457-0367 Fax

EXHIBIT C SCOPE OF WORK

The following Tasks will be completed as part of this Agreement:

TASK 1.

General Project Support. DTSC will provide technical support to the project, including, but not limited to coordinating and attending meetings with both internal and external stakeholders, addressing community group/public concerns, participating in community informational sessions, coordination with other regulatory agencies that may be involved, issuing fact sheets and notices, and ensuring that project information is available on-line and is accessible to the public.

TASK 2.

Submittal of Existing Data, Prior Site Remediation Reports and Scoping Meeting

The Proponent will submit to DTSC all background information, sample analysis results, environmental assessment reports, remediation reports and any other information pertinent to the hazardous substance management and/or release, characterization and cleanup of the Site. The information submitted by the Proponent shall be reviewed for conformance with DTSC standards for quality assurance/quality control, site investigations, and site remediation. DTSC will review the information to identify areas and media of concern, and to determine the additional work, if any, required to complete the investigation/remediation of the Site. Following DTSC's initial review, a scoping meeting will be held to discuss whether further site characterization is necessary, and, if so, how the characterization will be conducted for the Site and how they will be implemented.

TASK 3.

Preliminary Environmental Assessment (PEA). Proponent shall conduct a PEA to determine whether a release or threatened release of hazardous substances exists at the Site which poses a threat to human health or the environment. The PEA shall be conducted in accordance with the DTSC guidance manual for evaluating hazardous substance release sites, titled: "Preliminary Endangerment Assessment Guidance Manual," State of California, Environmental Protection Agency, Department of Toxic Substances Control (Second Printing June 1999). Documents which may be required as part of the PEA are:

- (a) PEA Workplan. This workplan shall include a sampling plan designed to determine the type and general extent of contamination at the Site; a health and safety plan addressing health and safety issues and safe work practices; and a quality assurance/quality control plan to produce data of known quality.
- (b) PEA Report. This report will document whether a release has occurred or threatened release exists, the threat the Site poses to human health and the environment, and whether further action is necessary.

TASK 4.

Public Participation.

4.1 The Proponent shall conduct appropriate public participation activities given the nature of the community surrounding the Site and the level of community interest. The Proponent shall work cooperatively with DTSC to ensure that the affected and interested public and community are involved in DTSC's decision-making process. Any such public participation activities shall be conducted in accordance with Health and Safety Code sections 25358.7, the DTSC Public Participation Policy and Procedures Manual, and with DTSC's review and approval.

4.2 A scoping meeting may be held to determine the appropriate activities that will be conducted to address public participation.

4.3 The Proponent shall prepare a community profile to examine the level of the community's knowledge of the Site; the types of community concerns; the proximity of the Site to homes and/or schools, day care facilities, churches, etc.; the current and proposed use of the Site; media interest; and involvement of community groups and elected officials. The community profile also includes a mailing list for the Site.

4.4 The Proponent shall develop and submit fact sheets to DTSC for review and approval when specifically requested by DTSC. The Proponent shall be responsible for printing and distribution of fact sheets upon DTSC approval using the approved community mailing list.

TASK 5.

Health and Safety Plan. The Proponent will submit a Site Health and Safety Plan in accordance with California Code of Regulations, Title 8, section 5192. This plan should include, at a minimum the following elements:

- (a) Site Background/History/Workplan;
- (b) Key Personnel and Responsibilities
- (c) Job Hazard Analysis/Summary;
- (d) Employee Training;
- (e) Personal Protection;
- (f) Medical Surveillance;
- (g) Air Surveillance;
- (h) Site Control;
- (i) Decontamination;
- (j) Contingency Planning;
- (k) Confined Space Operations;
- (l) Spill Containment;
- (m) Sanitation;
- (n) Illumination; and
- (o) Other applicable requirements based on the work to be performed.

DTSC's Interim Draft Site Specific Health and Safety Plan Guidance Document for Site Assessment/Investigation, Site Mitigation Projects, Hazardous Waste Site Work

Closure, Post Closure, and Operation and Maintenance Activities (DTSC, December 2000) can be used as a reference tool, The Health and Safety Plan should cover all measures, including contingency plans, which will be taken during field activities to protect the health and safety of the workers at the Site and the general public from exposure to hazardous waste, substances or materials. The Health and Safety Plan should describe the specific personnel, procedures and equipment to be utilized.

All contractors and all subcontractors shall be given a copy of the Health and Safety Plan prior to entering the Site. Any supplemental health and safety plans prepared by any subcontractor shall also be prepared in accordance with the regulations and guidance identified above. The prime contractor responsible for this subcontractor will be responsible for ensuring that all subcontractor supplemental health and safety plans follow these regulations and guidelines.

Exhibit D

COST ESTIMATE WORKSHEET

Date: February 19, 2014

Project Name: Malibu High School

Site Code: TBD

Title	Project Manager	Supervisor		Toxicology	Geology	Industrial Hygienist	Public Participation	Legal	Clerical
Classification	Sr, Environmental Scientist	Supervising Hazardous Engineer I	Environmental Program Manager I	Staff Toxicologist	Engineering Geologist	Assoc IH	PPS	Staff Counsel	Office Technician (Typing)
TASK:									
Agreement Prep./Negotiation			4						
Project Management			24						
Review and comment on existing data and Preliminary Endangerment Assessment (PEA) equivalent documents and provide general project oversight	12			8	12				
Supplemental Site Characterization									
- Workplan	12			12	12	4			
- Implementation	16				16				
- Report	12			6	12				
Mailing list, Public notice, Meetings	12		12	12	8		40		
Total No. Hours/Class	64	0	40	38	60	4	40	0	0
Hourly Rate/Class	\$141	\$192	\$163	\$166	\$181	\$141	\$115	\$203	\$61
Cost/Class	\$9,024	\$0	\$6,520	\$6,308	\$10,860	\$564	\$4,600	\$0	\$0
Contingency (10%)	\$3,788								
Grand Total Cost	\$41,664								
Advance Payment	\$20,832								

Notes:

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON / JANECE L. MAEZ

RE: BOARD RATIFICATION OF AN ENVIRONMENTAL SERVICES AGREEMENT
BETWEEN SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT AND
ENVIRON INTERNATIONAL CORPORATION FOR THE PERFORMANCE OF
ENVIRONMENTAL REMEDIATION SERVICES

RECOMMENDATION NO. A.10

It is recommended that the Board of Education ratify the attached environmental services agreement between the Santa Monica-Malibu Unified School District and Environ International Corporation for the performance of environmental remediation services.

COMMENT: Last October, teachers at Malibu High School brought to our attention concerns that serious personal health issues may be connected to their campus, and we took swift action to relocate teachers and students and embark on a plan that strives to ask questions and rely on the analysis of environmental science experts who are qualified to address these emotionally charged questions with objective and solid science.

Following the review of air test data gathered in November and December 2013, professionals at the EPA Region IX told us that it is safe to occupy the classrooms; this information can be found on the District website.

However, we made a commitment to our employees and school community that we would engage a highly qualified and experienced environmental engineering team to guide our next steps, including gathering additional information and taking necessary action, as appropriate, so we can assure our community that our schools are working with safe learning environments. We are relieved that the EPA's analysis of the data thus far is positive and tells us that the air is well within acceptable health limits, and we are eager to engage a firm that will help us continue to deliver on our promise to gather the scientific data necessary to answer the community's questions.

The District undertook the task to hire an environmental engineering firm to oversee more air and soils testing, if needed, in order to gather the necessary information to assure our staff, students and community that our schools are safe. This firm will also assist us in developing the appropriate plan for any further district assessments. The engineering firm will develop investigation plans under the oversight of, and in collaboration with, the EPA and the California Department of Toxic Substances Control.

We issued a Request for Qualifications (RFQ) the first part of December 2013 with a deadline to receive responses by Friday, December 20th. A copy of the RFQ can be found on our website at <http://smmusd.org/PublicNotices/RequestforQualifications.pdf>. The responses received were posted on the District website on January 8, 2014.

The screening and interview process of the environmental engineering firms began the first week of January. It was determined that each of the firms submitting qualifications had responsive documents and; therefore, final interviews were scheduled with all four (4) of the firms that responded to the RFQ on January 13, 2014. The firms were asked to prepare a 30-minute presentation that summarized their response to the RFQ. They were provided an outline of the RFQ stated Minimum Qualifications, Scope of Work and Additional Key Terms to serve as a guide for the organization of the presentation, and for the topics to be included in the presentation. The interview process also included a 45-minute question-and-answer session with the interview panel. The questions used during the interviews were posted to the website on January 10, 2014.

It was important to have representation on the interview panel from district employees and Task Force members. Additionally, we wanted individuals who could provide technical expertise to the process. The interview panel included the following: Lisa Lambert (teacher at MHS, Task Force member); Seth Jacobson (parent at MHS and Cabrillo, Task Force member); Andrew Sheldon, PhD, PE, REHS (City of Malibu Environmental Health Administrator); Jose Escarce, MD, PhD (SMMUSD Board of Education); Laurie Lieberman, JD (SMMUSD Board of Education, Task Force member); Jan Maez (SMMUSD CFO); Terry Kamibayashi (SMMUSD Manager of Facilities and Maintenance); Shala Craig, PhD, PE, LEED AP, QSD/QSP (Environmental Manager/Program Manager, Parsons), and Jennifer deNicola (parent at MHS, Task Force member).

Environ International Corporation was selected by a unanimous recommendation of the interview panel. This decision was announced at the Board of Education meeting of January 16, 2014. The District then began the process of finalizing the agreement between the parties. The basic duties and responsibilities within the agreement include:

Testing Indoor Air Quality

As soon as practicable after the execution of the agreement, Environ shall design and execute a plan for testing indoor air quality, in conformance with the District's Request for Qualification (RFQ).

Best Practices for Cleaning Procedures

Environ will prepare and help the District execute a Best Practices Program for cleaning.

Environmental Investigation

Environ shall prepare and help the District execute an investigation, in conformance with the RFQ and such requirements as may be imposed by any agency having jurisdiction over the project, including the Environmental Protection Agency and California Department of Toxic Substances.

Public Participation

Environ shall invite comments and information from stakeholders and the public, in conformance with the RFQ.

Budget

Environ shall prepare a preliminary budget for its activities for District review and approval.

The District looks forward to beginning our work with Environ and will be introducing the members of the Environ team to the Board, the staff at Malibu High School, MHS parents and interested community members throughout the District. We expect this work to begin in early March. Environ has already started their work of document review and will be contacting the other governmental agencies (EPA and DTSC) to gather background information.

Public Comments:

- *Nicole Holland, Cassandra Wiseman, Steve Uhring, and Hope Edelman addressed the board regarding this item.*

Ms. Lieberman asked about tracking provisions from the RFQ in the general terms and conditions section. She will share those questions with staff, who will return with a legal opinion. Mr. de la Torre asked about the level of oversight from the government agencies. Ms. Maez and Ms. Lyon explained the role of the agencies in this process. Mr. de la Torre asked for a timeline of activities regarding how the district responded to this concern.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

ENVIRONMENTAL SERVICES AGREEMENT
BETWEEN
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT (“DISTRICT”)
AND
ENVIRON INTERNATIONAL CORPORATION
FOR
PERFORMANCE OF ENVIRONMENTAL REMEDIATION SERVICES

ENVIRONMENTAL SERVICES AGREEMENT

This AGREEMENT is made and entered into this 14th day of February, in the year 2014, between SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, hereinafter referred to as "DISTRICT" and ENVIRON INTERNATIONAL CORPORATION, hereinafter referred to as "ENVIRON". This AGREEMENT, including Exhibit A, shall include all terms and conditions set forth herein.

ARTICLE I BASIC DUTIES AND RESPONSIBILITIES

ENVIRON shall perform the following duties for the District:

(a) Testing Indoor Air Quality. As soon as practicable after the execution of this Agreement, ENVIRON shall design and execute a plan for testing indoor air quality, in conformance with the District's Request for Qualifications ("RFQ"), the terms of which are incorporated herein by reference.

(b) Best Practices for Cleaning Procedures. Where appropriate and directed by the District, ENVIRON will prepare and help the District execute a Best Practices Program for cleaning.

(c) Environmental Investigation: ENVIRON shall prepare and help the District execute an investigation, in conformance with the RFQ and such requirements as may be imposed by any agency having jurisdiction over the project, including the Environmental Protection Agency and California Department of Toxic Substances.

(d) Public Participation. ENVIRON shall invite comments and information from stakeholders and the public, in conformance with the RFQ.

(e) Budget. ENVIRON shall prepare, when practicable, a preliminary budget for its activities for District review and approval.

ARTICLE II MEDIATION

1. DISTRICT and ENVIRON shall endeavor to resolve claims, disputes, and other matters in question between them by mediation which, unless the Parties mutually agree otherwise, shall be in accordance with the applicable Mediation Rules of the American Arbitration Association in effect at the time of the dispute. A request for mediation shall be filed in writing with the other Party to this AGREEMENT and with the American Arbitration Association. The request may be made concurrently with the filing of a demand for arbitration but, in such event, mediation shall proceed in advance of arbitration or legal or equitable proceedings, which shall be stayed pending mediation for a period of sixty (60) days from the date of filing, unless stayed for a longer period by agreement of the Parties or court order.

2. The Parties shall share the mediator's fee and any filing fees equally. The mediation shall be held in the place where the Project is located, unless another location is mutually agreed upon. Agreements reached in mediation shall be enforceable as settlement agreements in any court having jurisdiction thereof. In the event the mediation is not successful,

ENVIRONMENTAL SERVICES AGREEMENT

the Parties shall be governed by Section 17 of the General Terms and Conditions, attached hereto as "Exhibit A".

ARTICLE III WORKERS

1. ENVIRON shall at all times enforce strict discipline and good order among ENVIRON'S employees and subcontractors, and shall not employ any unfit person or anyone not skilled in work assigned to ENVIRON.

2. ENVIRON shall remove from the work site any person engaged in the Work whom the DISTRICT may deem incompetent or unfit and such worker shall not again participate in the Work and shall not again be employed on it except with written consent of DISTRICT.

3. ENVIRON shall take all reasonable steps necessary to ensure that any of its employees, consultants, subcontractors and suppliers, or any of its subcontractors' employees report for work in a manner fit to do their job. Such employees: (i) shall not utilize tobacco on the Project site, and (ii) shall not be under the influence of or in possession of any alcoholic beverage or of any controlled substance (except a controlled substance as prescribed by a physician so long as the performance or safety at the Project Site is not affected thereby). ENVIRON shall advise its employees of these requirements before they enter on the site and shall immediately remove from the site any employee in violation of these requirements as determined by ENVIRON or by the DISTRICT. ENVIRON shall impose these requirements on its contractors and subcontractors.

4. ENVIRON shall take all reasonable steps necessary to ensure that any employees of Contractor or any of its subcontractors' employees comply with all federal, state and local laws prohibiting harassment and/or violence in the workplace.

5. ENVIRON shall comply with the applicable requirements of Education Code Sections 45125.1 and 45125.2 with respect to fingerprinting of employees who may have contact with the DISTRICT'S pupils. ENVIRON shall also ensure that its subcontractors on the Project also comply with the requirements of Education Code Sections 45125.1 and 45125.2. As an alternative to finger printing of employees who may have contact with pupils, the DISTRICT shall take appropriate steps to ensure supervision of any such contact.

6. ENVIRON shall comply with the requirements of the Military Leave of Absence Act (Military & Veterans Code §394 et seq.). ENVIRON shall also ensure that its contractors on the Project also comply with the requirements of the Military Leave of Absence Act.

7. Pursuant to the provisions of Article 2 (commencing at Section 1770), Chapter 1, Part 7, Division 2 of the Labor Code of California, the Governing Board of the DISTRICT has ascertained the general prevailing rate of per diem wages in the locality in which this public work is to be performed for each craft, classification, or type of workmen needed to execute the contract.

8. ENVIRON shall provide, at all times in which it is providing or performing any Work on the Project, at its sole cost and expense, workers' compensation insurance for all of its

ENVIRONMENTAL SERVICES AGREEMENT

employees engaged in work under the terms hereof. ENVIRON shall similarly require its subcontractors to provide workers' compensation insurance for all the latter's employees.

ARTICLE IV MISCELLANEOUS

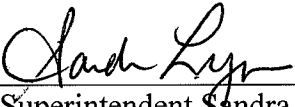
1. Third Parties. Nothing contained in this AGREEMENT shall create a contractual relationship with or a cause of action in favor of any third party against either DISTRICT or ENVIRON.

2. Assignment. DISTRICT, respectively, bind themselves, their partners, officers, successors, assigns and legal representatives to the other party to this AGREEMENT with respect to the terms of this AGREEMENT. ENVIRON shall not assign this AGREEMENT.

3. Applicable Law. This AGREEMENT shall be governed by the laws of the State of California.

ENVIRONMENTAL SERVICES AGREEMENT

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

By  February 14, 2014
Superintendent Sandra Lyon Date

ENVIRON INTERNATIONAL CORPORATION

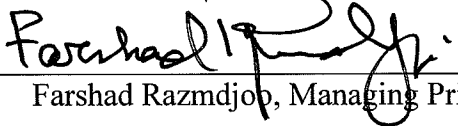
By  February 14, 2014
Farshad Razmdjoo, Managing Principal Date

EXHIBIT "A"
GENERAL TERMS AND CONDITIONS

1. **Fees:** ENVIRON bills for its services on a time and materials basis using standard hourly rates. An agreed upon Schedule of hourly rates is attached hereto. If requested, we will provide an estimate of the fees for a particular task, and we will not exceed that estimate without prior Client approval. For deposition and testimony we charge premium hourly rates. In certain circumstances we will undertake an assignment on a fixed fee basis if the requirements can be clearly defined.
2. **Invoicing:** ENVIRON bills its clients on a monthly basis using a standard invoice format. This format provides for a description of work performed and a summary of professional fees, expenses, and communication and reproduction charges (Per the attached ENVIRON Schedule of Fees and Equipment Billing form). For more detailed invoicing requests, ENVIRON reserves the right to charge for invoice preparation time by staff members.
3. **Payment:** ENVIRON bills are payable within forty (45) days of receipt. We reserve the right to assess a late charge of 1.5 percent per month for any amounts not paid within FORTY FIVE (45) days of the billing date. We also reserve the right to stop work or withhold work product if invoices remain unpaid for more than 60 days past the billing date. In any legal action to arising from invoice- disputes, the prevailing party shall be entitled to costs and attorney's fees.
4. **Term:** The term of this Agreement shall be for Two (2) years and may be extended by written mutual agreement of the parties.
5. **Subcontractors:** Environ assumes no liability or responsibility for the work performed by contractors the DISTRICT may hire. When ENVIRON engages a subcontractor on behalf of the Client, the expenses incurred, including rental of special equipment necessary for the work, will be billed as they are incurred, at cost plus 10 percent. By engaging us to perform these services, you agree to indemnify, defend and hold ENVIRON, its directors, officers, employees, and other agents harmless from and against any claims, demands, judgment, obligations, liabilities and costs (including reasonable attorneys' and expert fees) relating in any way to the performance or non-performance of work by another contractor, except claims for personal injury or property damage to the extent caused by the negligence or willful misconduct of ENVIRON's employees.
6. **Reimbursable Expenses:** Project-related expenses including travel, priority mail, and overnight delivery, outside reproduction and courier services will be billed at cost plus 10 percent. The use of company-owned cars, trucks, and vans will be charged at \$125 per day. The use of company-owned equipment and protective clothing will be billed in accordance with our standard fee schedule. The cost of project-related communications, to include in-house telephone, facsimile, postage, and reproduction, computers, data compilation, and CADD will be charged at a total of 5 percent of the total labor charges.
7. **Access and Information:** DISTRICT agrees to grant or obtain for ENVIRON reasonable access to any sites to be investigated as part of ENVIRON's scope of work. DISTRICT also agrees to indicate to ENVIRON the boundary lines of the site and the location of any underground structures, including tanks, piping, water, telephone, electric, gas, sewer, and other utility lines. DISTRICT agrees to notify ENVIRON of any hazardous site conditions or hazardous materials, about which DISTRICT has knowledge and to which ENVIRON's employees or contractors may be exposed while performing services on behalf of DISTRICT,

EXHIBIT "A"

GENERAL TERMS AND CONDITIONS

including providing copies of relevant Material Safety Data Sheets. DISTRICT also shall make available to ENVIRON all information within its control necessary to allow ENVIRON to perform its services and agrees to comply with reasonable requests by ENVIRON for clarification or additional information. DISTRICT shall be responsible for the accuracy of this information. ENVIRON shall not be responsible for any damage to underground structures or utilities to the extent such damage was caused by incomplete or inaccurate information provided to us by the DISTRICT client or other party. Client agrees to make ENVIRON aware of any unsafe conditions at any project site about which Client has knowledge.

8. Reporting Requirements: DISTRICT may be required under federal, state or local statutes or regulations to report the results of ENVIRON's services to appropriate regulatory agencies. ENVIRON is not responsible for advising DISTRICT about its reporting obligations and DISTRICT agrees that it shall be responsible for all reporting, unless ENVIRON has an independent duty to report under applicable law. In those situations, ENVIRON will provide DISTRICT with advance notice that ENVIRON believes that it has an obligation to report as well as the substance of the report it intends to make.

9. RCRA Compliance: DISTRICT shall be responsible for complying with the Resource Conservation and Recovery Act, 42 U.S.C. Section 6901 et. seq. ("RCRA") and its implementing regulations in connection with ENVIRON's work under this Agreement. DISTRICT may request ENVIRON's assistance in meeting its RCRA and other similar waste management obligations, including analytical testing to assist DISTRICT in proper characterization of waste, identifying potential transporters and disposal facilities for waste (provided that DISTRICT shall make the final selection of both the transporter and disposal facility), entering into subcontracts or purchase order arrangements with the transporters and/or disposal facilities selected by DISTRICT, and preparing manifests for the DISTRICT'S approval and execution. DISTRICT agrees that, by virtue of providing these services, ENVIRON shall not be deemed a "generator" or a party who "arranges" for the "transportation," "treatment" or "disposal" of any "hazardous waste" or "hazardous substance" (as those terms are defined in the Comprehensive Environmental Response Compensation and Liability Act or "CERCLA", 42 U.S.C. Section 9601). DISTRICT agrees to indemnify, defend and hold ENVIRON, its directors, officers, employees and agents, harmless from and against any and all claims, demands, judgments, obligations, liabilities, any costs (including reasonable attorneys' and expert fees) relating to: (1) ENVIRON'S work in assisting DISTRICT with its RCRA obligations; and (2) the transportation, treatment, and disposal of hazardous substances or hazardous waste generated by the field activities conducted for Client, unless caused by the recklessness or negligence of ENVIRON.

10. Confidentiality: We treat all information obtained from DISTRICT as confidential, unless such information is previously known to us, comes into the public domain through no fault of ours, or is furnished to us by a third party who is under no obligation to keep the information confidential. If we are subpoenaed to disclose confidential information obtained from you or about our work for you, we will give you reasonable notice and the opportunity to object before releasing any confidential information.

11. Independent Contractor: DISTRICT agrees that ENVIRON is acting as an independent contractor and shall retain responsibility for and control over the means for performing its services. Nothing in these Terms and Conditions shall be construed to make ENVIRON or any of its officers, employees or agents, an employee or agent of DISTRICT.

EXHIBIT "A"

GENERAL TERMS AND CONDITIONS

12. Standard of Care: In performing services, we agree to exercise professional judgment, made on the basis of the information available to us, and to use the same degree of care and skill ordinarily exercised in similar circumstances by reputable consultants performing comparable services in the same geographic area. This standard of care shall be judged as of the time the services are rendered, and not according to later standards. ENVIRON makes no other warranty or representation, either express or implied, with respect to its services. Estimates of cost, recommendations, and opinions are made on the basis of our experience and professional judgment; they are not guarantees. Reasonable people may disagree on matters involving professional judgment and, accordingly, a difference of opinion on a question of professional judgment shall not excuse DISTRICT from paying for services rendered.

DISTRICT recognizes that there may be hazardous conditions at sites to be investigated as part of ENVIRON's work. DISTRICT acknowledges that ENVIRON has neither created nor contributed to the existence of any hazardous, toxic or otherwise dangerous substance or condition at the site(s) which are covered by ENVIRON's work. DISTRICT also recognizes that some investigative procedures may carry the risk of release or dispersal of pre-existing contamination, even when exercising due care. DISTRICT releases ENVIRON from any claim (including claims under CERCLA or state law) that it is an "operator" of any site where it performs work for Client or a "generator" or a party who "arranges" for the "transportation," "treatment" or "disposal" of any "hazardous substance" (as those terms are defined in CERCLA), by virtue of its work for DISTRICT at any site, save where the Claim arises out of the negligence or recklessness of ENVIRON.

13. Insurance: ENVIRON shall maintain the following insurance coverage while it performs the work described in Exhibit "A:" (1) statutory Workers Compensation and Employer's Liability Coverage; (2) General Liability for bodily injury and property damage of \$1,000,000 per occurrence, \$5,000,000 in the aggregate; (3) Automobile Liability with \$1,000,000 combined single limit; and (4) Professional Liability and Contractor's Pollution Liability with a combined single limit of \$1,000,000 per claim and \$5,000,000 in the aggregate. If Client desires additional insurance or special endorsements, premiums associated with that coverage would be considered a reimbursable expense. Upon request, we will provide you with a certificate of insurance.

14. Third Parties: ENVIRON's services are solely for Client's benefit and may not be relied upon by any third party without ENVIRON's express written consent. Any use or dissemination of ENVIRON work products (including ENVIRON reports), without the written consent of ENVIRON, shall be at Client's risk and Client shall indemnify and defend ENVIRON from any and all claims, demands, judgments, liabilities and costs (including reasonable attorneys' and expert fees), related to the unauthorized use or dissemination of ENVIRON's work. Client also agrees to be solely responsible for and to defend, indemnify, and hold ENVIRON harmless from and against any and all claims, demands, judgments, liabilities and costs (including reasonable attorneys' and expert fees), asserted by third parties arising out of or in any way related to our performance or non-performance of services, except for claims of personal injury or property damage to the extent caused by the negligence or willful misconduct of ENVIRON's employees.

15. Limitation of Liability: ENVIRON shall be liable only for direct damages that result from ENVIRON's negligence or willful misconduct in the performance of its services. UNDER NO CIRCUMSTANCES SHALL ENVIRON BE LIABLE FOR INDIRECT, CONSEQUENTIAL, SPECIAL, OR PUNITIVE DAMAGES, OR FOR DAMAGES CAUSED BY THE CLIENT'S

EXHIBIT "A"

GENERAL TERMS AND CONDITIONS

FAILURE TO PERFORM ITS OBLIGATIONS UNDER LAW OR CONTRACT. ENVIRON shall not be liable for and Client shall indemnify ENVIRON from and against all claims, demands, liabilities and costs (including attorneys' and expert fees) arising out of or in any way related to our performance or non-performance of services, including all on-site activities except to the extent caused by ENVIRON's negligence or willful misconduct. In no event shall our liability exceed \$1,000,000 (net of reimbursable expenses) and Client specifically releases ENVIRON for any damages, claims, liabilities and costs in excess of that amount.

16. Termination: This Agreement may be terminated by either party upon thirty (30) days written notice to the other. If Client terminates the Agreement, Client agrees to pay ENVIRON for all services performed until the effective date of the termination. Client's obligations under Paragraphs 3, 4, 8, 9, 11, 13, and 14 shall survive termination of this Agreement and/or completion of the services hereunder.

17. Disputes: All disputes under this Agreement shall be resolved by binding arbitration under the rules of the American Arbitration Association. If our personnel or documents are subpoenaed for depositions or court appearance in any dispute related to the project (except disputes between ENVIRON and Client related to our services), Client agrees to reimburse us at our then current billing rates for responding to those subpoenas, including out-of-pocket reimbursable expenses.

18. Scope of Agreement: The AGREEMENT, and these General Terms and Conditions, shall constitute the complete and exclusive Agreement between the parties and will supersede all prior or contemporaneous agreements, whether written or oral. The terms and conditions of the DISTRICT RFQ and ENVIRON'S Response thereto are incorporated herein by reference. In the event there is conflict between this Agreement and General Conditions and either the RFQ or ENVIRON'S Response, the Agreement and General Conditions shall prevail. No provision of these Terms and Conditions may be waived, altered or modified except in writing and signed by ENVIRON. Client may use standard business forms, such as purchase orders, for convenience only; any provision on those forms that conflict with these Terms and Conditions shall not apply.

19. Nonsolicitation: Both ENVIRON and Client agree during the term of this Agreement and for 12 months following its termination for any reason, neither party will solicit for employment, or hire as an employee or contractor, any personnel of the other party involved in the performance of services to the Company.

00174-00106/550592.1



ENVIRON International Corporation

SCHEDULE OF FEES FIXED HOURLY RATES FOR TIME AND MATERIALS CONTRACTS Effective January 2013

ENVIRON will bill monthly for the actual time and expenses incurred on the client's behalf in performance of the contracted effort. ENVIRON reserves the right to increase these rates annually. Labor will be billed at the fixed hourly rates indicated below. When ENVIRON engages a subcontractor on behalf of the Client, the expenses incurred, including rental of special equipment necessary for the work, will be billed as they are incurred, at cost plus Project-related expenses including travel, priority mail, overnight delivery, outside reproduction, and courier services will be billed at cost plus . A communications and computer charge will be added to all staff time charges. ENVIRON does not directly charge for in house copies or normal phone company charges.

<u>Category:</u>	<u>Rate \$/hr.</u>
Principal	
Principal Consultant	
Manager 10	
Manager 9	
Manager 8	
Senior Associate 7	
Senior Associate 6B	
Associate 6	
Associate 5	
Associate 4	
Associate 3	
Draftsperson	
Support	

The use of company-owned cars, trucks, vans, equipment and protective clothing will be billed in accordance with the attached Field Equipment Billing form.

This document is PROPRIETARY to ENVIRON International Corporation. It is being made available for the recipient's proposal evaluation and/or contract administration purposes only. No right is granted to the recipient to use, disclose or reproduce any information presented herein without ENVIRON's express written permission.



Employee name	Date Used
Project Number / Project Name	
Approval Signature	Date
Accounting Mgr. Approval	Date

CORPORATE USE ONLY

JE# EQ	ORG:
CELLPHONE: 5962/7619	-
CAMERA: 5954/7619	-
ECRA: 5513/7619	-
PRVAN: 541001/7429	-
POSTAGE: 5949/7639	-
PHOTOCOPY: 5967/7549	-

	Daily/Unit Charge	Unit	Unit Used (Day, Part Day)	Total Charge
FIELD VEHICLES				
2003 Chev S-10 (1)	\$ 125.00	Per Day		\$ -
	\$ 75.00	1/2 Day		\$ -
2003 Chev Silverado (2)	\$ 125.00	Per Day		\$ -
	\$ 75.00	1/2 Day		\$ -
2004 Chev Silverado (Doug Johnson) (3)	\$ 125.00	Per Day		\$ -
	\$ 75.00	1/2 Day		\$ -
AIR GROUP				
Meters:				
Testo 350 Analyzer Kit	\$ 300.00	Daily		\$ -
Manometer/Pitot Tubes	\$ 20.00	Each		\$ -
Air Data Multimeter	\$ 250.00	Daily		\$ -
Moisture Meter	\$ 30.00	Daily		\$ -
Thermal Hygrometer	\$ 15.00	Daily		\$ -
Boroscope	\$ 15.00	Daily		\$ -
Gilian Gilibrator	\$ 25.00	Daily		\$ -
Gilian Pump 5 Pack w/Charger	\$ 110.00	Daily		\$ -
Impingers	\$ 5.00	Each		\$ -
Air Sampling Equipment and Supplies:				
Air-O-Cell	\$ 9.00	Each		\$ -
Air Sampling Cassette	\$ 3.00	Each		\$ -
Biopump w/Tripod	\$ 40.00	Daily		\$ -
GAST Air Pump	\$ 25.00	Daily		\$ -
Swabs	\$ 5.00	Each		\$ -
Tape Lifts/Bio Tapes	\$ 4.00	Each		\$ -
1L Tedlar Bag Sampler	\$ 25.00	Daily		\$ -
SITE SOLUTIONS				
2 Phase Extraction Unit	\$ 4,000.00	Monthly		\$ -
Pumps and Generators:				
Submersible Pump 2"	\$ 75.00	Daily		\$ -
Generator Large	\$ 60.00	Daily		\$ -
Generator Small	\$ 40.00	Daily		\$ -
QED Control Box MP-10	\$ 65.00	Daily		\$ -
QED Compressor MP-40	\$ 65.00	Daily		\$ -
QED Sample Pro-Pump	\$ 65.00	Daily		\$ -

	Daily/Unit Charge	Unit	Unit Used (Day, Part Day)	Total Charge
SITE SOLUTIONS				
Meters and Gauging Devices:				
PID (Photoionization Detector)	\$ 100.00	Daily		\$ -
H2O Level Meter	\$ 20.00	Daily		\$ -
H2O Level Meter (1,000')	\$ 45.00	Daily		\$ -
Turbidity Meter	\$ 30.00	Daily		\$ -
Interface Probe (MMC etc.)	\$ 40.00	Daily		\$ -
Meteorological Station	\$ 50.00	Daily		\$ -
TROLL 700 In Situ	\$ 475.00	Week		\$ -
TROLL 9500 Pro XP In Situ	\$ 250.00	Week		\$ -
TROLL Aquatroll 200 In Situ	\$ 500.00	Week		\$ -
Sound Level Meter	\$ 20.00	Daily		\$ -
GW Nitrogen Gas Regulator	\$ 10.00	Daily		\$ -
Miscellaneous:				
sampler, hand auger	\$ 25.00	Daily		\$ -
Munsell Color Chart	\$ 8.00	Daily		\$ -
Bailer, Disposable	\$ 7.00	Unit		\$ -
Encore Samplers	\$ 10.00	Unit		\$ -
Digital Camera	\$ 15.00	Daily		\$ -
D.I. Water (5 Gallons)	\$ 10.00	Bottle		\$ -
Filter Units, Disposable	\$ 15.00	Each		\$ -
Measuring wheel	\$ 10.00	Daily		\$ -
Well Impact Drive	\$ 15.00	Daily		\$ -
Shade Canopy	\$ 10.00	Daily		\$ -
Standard Field Kit	\$ 20.00	Daily		\$ -
Two-way radios	\$ 15.00	Daily		\$ -
Weed Whacker	\$ 25.00	Daily		\$ -
55-Gallon DOT spec. Drum	\$ 55.00	Unit		\$ -
Stamps - Mailing	\$ -	Total		\$ -
Cellphone Usage	\$ 10.00	Daily		\$ -
Personal Protective Equipment:				
Level D1 (boots, hardhat, gloves earplugs)	\$ 15.00	Daily		\$ -
Level D2 (with Tyvek)	\$ 25.00	Daily		\$ -

(1) asset#4198 CA 7D24909

(2) asset#4199 CA C39893

(3) asset#4574 CA 7L15102

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: CONTRACT AMENDMENT #03 FOR ARCHITECTURAL / ENGINEERING
CONSTRUCTION ADMINISTRATION SERVICES FOR OLYMPIC HIGH
SCHOOL MODERNIZATION – NAC ARCHITECTURE – MEASURE BB

RECOMMENDATION NO. A.11

It is recommended that the Board of Education approve Contract Amendment #03 in the amount of \$300,305 to NAC Architects for Architectural/Engineering Bidding, Construction Administration and Closeout services for the Olympic High School Modernization Project for a total contract amount of \$325,707.52.

Funding Information

Budgeted: Yes
Fund: 21
Source: Measure BB
Account Number: 21-90500-0-00000-85000-5802-014-2600
Budget Category: Soft Costs/Design/Architects
DSA#: 03-113443
Friday Memo: 02/28/14

COMMENTS: Contract Amendment #03 in the amount of \$300,305 is for NAC Architects (formerly Jubany Architects) to assume Bidding, Construction Administration and Closeout responsibilities for the Olympic High School Modernization Project.

The District entered into a contract with Harley Ellis Devereaux on April 17, 2008 to design building and site improvements for Olympic High School which included; Classroom upgrades, a complete new fire alarm system, a new clock/intercom system, partial fire sprinkler system as required by code and certain site improvements including new basketball/sport courts, fencing and parking lot striping. The District has not been satisfied with the performance of HED over the duration of the project.

At this time, the District has determined that NAC Architects offers the best value and that subsequently it is in the District's best interest to contract the remaining Bidding, Construction Administration and Closeout phases of the project to NAC Architects. NAC Architects was selected to supersede HED for this aspect of the project due to its previous experience, quality performance, and its familiarity with the High School in processing DSA Closeout documentation for earlier BB work on the site. The District anticipates a net fee differential over the duration of the project in the amount of \$290,046.

(continued on next page)

This Contract Amendment will be funded from within the Design/Architect allocation budget. This Contract Amendment #03, in the amount of \$300,305, is for engineering services for the Olympic High School Modernization Project. The revised contract total will be \$325,707.52. There is currently a \$307,174 balance in the Soft Costs – Design/Architects budget category for the project, which is sufficient to fund the cost of this work.

ORIGINAL CONTRACT AMOUNT (Olympic HS)		\$19,036.00
CONTRACT AMENDMENT #1 (Olympic HS)	\$2,065.00	\$2,070.00
CONTRACT AMENDMENT #2 (Webster)		\$4,301.00
CONTRACT AMENDMENT #3 (Olympic HS)		\$300,305.00
TOTAL CONTRACT		\$325,707.52

A Friday Memo accompanies this board item.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: AMENDMENT TO CONTRACT – LEASE LEASEBACK – LINCOLN MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDING C AND SITE IMPROVEMENTS (PACKAGE 2) – ERICKSON HALL CONSTRUCTION COMPANY – MEASURE BB

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve contract Change Order No. 06 of the Lease Leaseback – Lincoln Middle School – Replacement of Building C and Site Improvements (Package 2) Project to Erickson-Hall Construction Co., in an amount of \$18,487.55 for a total contract amount of \$16,183,809.95. Change Order No. 06 does not increase the contract duration.

Funding Information

Budgeted: Yes

Fund: 83

Source: Measure BB

Account Number: 83-90500-0-00000-85000-6200-012-2600

Budget Category: Hard Costs\ Construction\ Construction Contracts

DSA #: 03-112865

Friday Memo: 2/28/14

COMMENTS: On November 29, 2012, the Santa Monica-Malibu Unified School District Board of Education approved the Lease Leaseback contract for Lincoln Middle School – Replacement of Building C and Site Improvements Project (Package 2) to Erickson-Hall Construction Company, in an amount of \$15,788,692.00.

At the June 26, 2013 Board of Education Meeting, Change Order 1 was approved in the amount of \$126,554.79.

At the August 14, 2013 Board of Education Meeting Change Order 2 was approved in the amount of \$64,345.40.

At the September 19, 2013 Board of Education Meeting Change Order 3 was approved in the amount of \$67,580.18.

At the November 21, 2013 Board of Education Meeting Change Order 4 was approved in the amount of \$10,229.72.

At the February 6, 2014 Board of Education Meeting Change Order 5 was approved in the amount of \$107,920.31.

Change Order No.6 includes: (2) items associated with Required Additional Scope totaling \$8,223.38 and (1) unforeseen item in the amount of \$10,264.17 for a total Change Order amount of \$18,487.55. Change Order No. 6 does not increase the contract time.

(continued on next page)

Change Order No. 6 includes the following changes to the terms of the contract:

Original Contract Amount	\$15,788,692.00
Change Order No. 1	\$126,554.79
Change Order No. 2	\$64,345.40
Change Order No. 3	\$67,580.18
Change Order No. 4	\$10,229.72
Change Order No. 5	\$107,920.31
Change Order No. 6	18,487.55
Total Contract Amount	\$16,183,809.95

Change Order No.6 includes no increase to contract time:

Original Contract Time	642 Days
Change Order No. 1	0 Days
Change Order No. 2	0 Days
Change Order No. 3	0 Days
Change Order No. 4	30 Days
Change Order No. 5	0 Days
Change Order No. 6	0 Days
Total Contract Time	672 Days

Funding for Change Order No. 6 will be drawn from the construction budget.

A Friday Memo accompanies this item.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: AMENDMENT TO CONTRACT – LEASE LEASEBACK – LINCOLN MIDDLE SCHOOL – REPLACEMENT OF CLASSROOM BUILDING C AND SITE IMPROVEMENTS (PACKAGE 2) – ERICKSON HALL CONSTRUCTION COMPANY – MEASURE BB

RECOMMENDATION NO. A.13

It is recommended that the Board of Education approve contract Change Order No. 07 of the Lease Leaseback – Lincoln Middle School – Replacement of Building C and Site Improvements (Package 2) Project to Erickson-Hall Construction Co., in an amount of \$16,665.73 for a total contract amount of \$16,200,475.68. Change Order No. 07 does not increase the contract duration.

Funding Information

Budgeted: Yes

Fund: 82

Source: Measure BB

Account Number: 82-90500-0-00000-85000-6200-012-2600

Budget Category: Hard Costs\ Construction\ Construction Contracts

DSA #: 03-112865

Friday Memo: 2/28/14

COMMENTS: On November 29, 2012, the Santa Monica-Malibu Unified School District Board of Education approved the Lease Leaseback contract for Lincoln Middle School – Replacement of Building C and Site Improvements Project (Package 2) to Erickson-Hall Construction Company, in an amount of \$15,788,692.00.

At the June 26, 2013 Board of Education Meeting, Change Order 1 was approved in the amount of \$126,554.79.

At the August 14, 2013 Board of Education Meeting Change Order 2 was approved in the amount of \$64,345.40

At the September 19, 2013 Board of Education Meeting Change Order 3 was approved in the amount of \$67,580.18.

At the November 21, 2013 Board of Education Meeting Change Order 4 was approved in the amount of \$10,229.72

At the February 06, 2014 Board of Education Meeting Change Order 5 was approved in the amount of \$107,920.31.

Change Order No. 6 has been presented to the Board of Education during this meeting in the amount of \$18,487.55

Change Order No.7 includes: (2) items associated with Required Additional Scope totaling \$21,721.08 and (1) unforeseen item in the amount of \$3,887.69 and (1) credit in the amount of (\$8,943.04) for a total Change Order amount of \$16,665.73. Change Order No. 7 does not increase the contract time.

Change Order No. 7 includes the following changes to the terms of the contract:

Original Contract Amount	\$15,788,692.00
Change Order No. 1	\$126,554.79
Change Order No. 2	\$64,345.40
Change Order No. 3	\$67,580.18
Change Order No. 4	\$10,229.72
Change Order No. 5	\$107,920.31
Change Order No. 6	\$18,487.55
Change Order No. 7	\$16,665.73
Total Contract Amount	\$16,200,475.68

Change Order No.7 includes no increase to contract time:

Original Contract Time	642 Days
Change Order No. 1	0 Days
Change Order No. 2	0 Days
Change Order No. 3	0 Days
Change Order No. 4	30 Days
Change Order No. 5	0 Days
Change Order No. 6	0 Days
Change Order No. 7	0 Days
Total Contract Time	672 Days

Funding for Change Order No. 7 will be drawn from the construction budget.

A Friday Memo accompanies this item.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: AMENDMENT TO CONTRACT AMOUNT– LEASE LEASBACK – SANTA MONICA HIGH SCHOOL – SCIENCE AND TECHNOLOGY CLASSROOM BUILDING AND SITE IMPROVEMENTS – SUNDT CONSTRUCTION, INC. – MEASURE BB

RECOMMENDATION NO. A.14

It is recommended that the Board of Education authorize Contract Change #01 (CO-01) for the Lease Leaseback – Santa Monica High School – Science and Technology Classroom Building and Site Improvements – Sundt Construction, Inc., in the amount of (\$2,671,806) for a total contract amount of \$52,328,194 and 0 days of schedule impact.

Funding Information

Budgeted: Yes

Fund: 83

Source: Measure BB

Account Number: 83-90500-0-00000-85000-6200-15-2600

Budget Category: Construction

DSA #: 03-113443

Friday Memo: 2/28/14

COMMENT: On December 20, 2011, the Santa Monica-Malibu Unified School District Board of Education awarded Sundt Construction the lease leaseback contract for the Santa Monica High School – Science and Technology Classroom Building and Site Improvements Project in the amount of \$55,000,000. This Change Order request includes one (1) Proposed Change Order (PCO) item. The purpose is to remove unallocated funds from Sundt's contract amount that are not required in order for them to complete their work. This contract decrease does not include any changes to the contract documents that may require submittal to DSA for approval.

Change Order No. 01 includes one (1) item related to the reduction of the Unallocated Funds line item included in Sundt's Schedule of Values, for a total Change Order amount of (\$2,671,806). These funds will become part of the anticipated Phase II construction Hard Costs.

This proposal is based on an assessment of the project and the knowledge that this amount of unallocated funds will not be needed in order for Sundt to complete their contract.

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ORIGINAL CONTRACT AMOUNT:	\$55,000,000.00
CHANGE ORDER NUMBER 01:	<u>(\$2,671,806.00)</u>
TOTAL CONTRACT	\$52,328,194.00

A Friday Memo accompanies this board item.

MOTION MADE BY: Ms. Lieberman
 SECONDED BY: Mr. de la Torre
 STUDENT ADVISORY VOTE: Aye
 AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)
 NOES: None (0)
 ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

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

RE: AMENDMENT TO CONTRACT AMOUNT– LEASE LEASBACK – SANTA MONICA HIGH SCHOOL – SCIENCE AND TECHNOLOGY CLASSROOM BUILDING AND SITE IMPROVEMENTS – SUNDT CONSTRUCTION, INC. – MEASURE BB

RECOMMENDATION NO. A.15

It is recommended that the Board of Education authorize Contract Change #02 (CO-02) for the Lease Leaseback – Santa Monica High School – Science and Technology Classroom Building and Site Improvements – Sundt Construction, Inc., in the amount of (\$2,429,606) for a total contract amount of \$49,898,588 and a reduction of 210 days to the project schedule.

Funding Information

Budgeted: Yes

Fund: 83

Source: Measure BB

Account Number: 83-90500-0-00000-85000-6200-15-2600

Budget Category: Construction

DSA #: 03-113443

Friday Memo: 2/28/14

COMMENT: On December 20, 2011, the Santa Monica-Malibu Unified School District Board of Education awarded Sundt Construction the Lease-Leaseback contract for the Santa Monica High School – Science and Technology Classroom Building and Site Improvements Project in the amount of \$55,000,000. A deductive change order (CO-01) in the amount of (\$2,671,806) is being recommended for approval by the Board at the meeting scheduled for March 6, 2014.

This Change Order request includes one (1) Proposed Deductive Change Order (PCO) item. The purpose is to remove Phase 2 work from Sundt's contract.

The changes to the contract documents that are related to this contract decrease include changes to the contract documents that must be submitted to DSA for approval (Phase 1 de-scope documents).

Change Order No. 02 includes one (1) item related to the deletion of Phase 2 work from Sundt's contract, for a total deductive Change Order amount of (\$2,429,606).

The District has reviewed Sundt's breakdown in detail for scope and costs. We believe that the costs included are fair and reasonable. In some cases an agreement was not reached and the PCO amount is the minimum fair and reasonable amount due the contractor for these services established by the District's estimates.

(continued on next page)

Change Order No. 2 includes the following changes to the terms of the contract:

ORIGINAL CONTRACT AMOUNT:	\$55,000,000.00
Change Order No. 1	(\$2,671,806.00)
Change Order No. 2	(\$2,429,606.00)
TOTAL CONTRACT	\$49,898,588.00

Change Order No.2 includes a decrease to the contract time:

Original Contract Time	1095 Days
Change Order No. 1	0 Days
Change Order No. 2	-210 Days
Total Contract Time	885 Days

A Friday Memo accompanies this item.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: CERTIFICATED PERSONNEL – Elections, Separations

ACTION/CONSENT
03/06/14

RECOMMENDATION NO. A.16

Unless otherwise noted, all items are included in the 2013/2014 approved budget.

ADDITIONAL ASSIGNMENTS

EDUCATIONAL SERVICES

Moazzez, Rozita	12 hrs @\$42.08	2/4/14-6/10/14	Est Hrly/\$505
Stauffer, Nathaniel	12 hrs @\$42.08	2/4/14-6/10/14	Est Hrly/\$505
Zagor, Maura	12 hrs @\$42.08	2/10/14-2/14/14	<u>Est Hrly/\$505</u>
		TOTAL ESTABLISHED HOURLY	\$1,515

Comment: ELD Support
01-ESEA: Title III LEP

LINCOLN MIDDLE SCHOOL

Seymour, Robert	1.5 hrs @\$42.08	2/6/14	Est Hrly/\$63
Sherman, Wynn	1.5 hrs @\$42.08	2/6/14	Est Hrly/\$63
Sinclair, Michele	1.5 hrs @\$42.08	2/6/14	Est Hrly/\$63
Suffolk, Stefanie	1.5 hrs @\$42.08	2/6/14	<u>Est Hrly/\$63</u>
		TOTAL ESTABLISHED HOURLY	\$252

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

DeBeech, Elizabeth	1.5 hrs @\$42.08	2/5/14	Est Hrly/\$63
Johnston, Roe	1.5 hrs @\$42.08	2/5/14	Est Hrly/\$63
Moazzez, Rozita	1.5 hrs @\$42.08	2/5/14	Est Hrly/\$63
Stauffer, Aimee	1.5 hrs @\$42.08	2/5/14	<u>Est Hrly/\$63</u>
		TOTAL ESTABLISHED HOURLY	\$252

Comment: Elementary Parent Night
01-Gifts – Equity Fund

MUIR ELEMENTARY SCHOOL

Kohut, Jennifer	23 hrs @\$42.08	2/21/14-6/10/14	<u>Est Hrly/\$968</u>
		TOTAL ESTABLISHED HOURLY	\$968

Comment: After-School Academic Vocabulary Instruction
01-Economic Impact Aid - LEP

ADDITIONAL ASSIGNMENT – EXTRA DUTY UNITS

JOHN ADAMS MIDDLE SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Adams, Tracy	1.5 EDU	AVID I	8/13-12/13	\$ 384
Asher, Jeanette	1.5 EDU	AVID	8/13-12/13	\$ 384
Blanchard, Cecile	8.0 EDU	Choral Music	8/13-12/13	\$2,048
Brown, Dan	6.5 EDU	Honor Society	8/13-12/13	\$1,664
Goldberg, Cori	3.0 EDU	ASB	8/13-12/13	\$ 768
Hale, Shannon	1.5 EDU	AVID	8/13-12/13	\$ 384
Joyce-West, Jennifer	1.0 EDU	Advanced Art	8/13-12/13	\$ 256
Jung, Parisa	1.0 EDU	AVID Support	8/13-12/13	\$ 256
McNamara, Jeanne	1.5 EDU	AVID	8/13-12/13	\$ 384
Ransom, Barbara	1.5 EDU	AVID	8/13-12/13	\$ 384

Saling, David	2.0 EDU	Cross Currents	8/13-12/13	\$ 512
Swift, Jessica	8.0 EDU	Instrumental Music	8/13-12/13	\$2,048
Woo, Angela	8.00 EDU	Instrumental Music	8/13-12/13	<u>\$2,048</u>
			TOTAL EDUS	\$11,520

TOTAL ESTABLISHED HOURLY, AND EXTRA DUTY UNITS = \$14,507

NEW HIRES

PROBATIONARY CONTRACTS

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Malowe, Pam/ROP Counselor ROP: Santa Monica HS/Malibu HS	100%	2/20/14

SUBSTITUTE TEACHERS

REGULAR DAY-TO-DAY SUBSTITUTES

(@\$144.00 Daily Rate)

	<u>Effective</u>
Beringhele, Shelley	2/20/14
Kelly, Ann	2/19/14

LEAVE OF ABSENCE (without pay)

<u>Name/Location</u>	<u>Effective</u>
Neal, Christina Franklin Elementary	2/6/14-6/10/14 [child care]

RESIGNATION

<u>Name/Location</u>	<u>Effective</u>
Ortolf, David Roosevelt Elementary	6/10/14
Vampola, Kelly Santa Monica High School	6/10/14

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

FROM: SANDRA LYON / BRANDON TIETZE

RE: CLASSIFIED PERSONNEL – MERIT

ACTION/CONSENT
03/06/14

RECOMMENDATION NO. A.17

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.

NEW HIRES		<u>EFFECTIVE DATE</u>
Blair, Amanda Franklin ES	Inst Asst - Classroom 3.7 Hrs/SY/Range: 18 Step: A	2/3/14
Cage, Joann Operations	Custodian 8 Hrs/12 Mo/Range: 22 Step: A	2/3/14
Eskridge, Rondell Roosevelt ES	Inst Asst - Physical Education 6 Hrs/SY/Range: 20 Step: A	2/12/14
Golliher, Cecilia Webster ES	Administrative Assistant 8 Hrs/10+10 Mo/Range:29 Step:A	2/10/14
Montes, April Student Svcs	Administrative Assistant 6.4 Hrs/12 Mo/Range:29 Step:A	2/3/14
Murray, Hilary Lincoln MS	Inst Asst – Music 3 Hrs/SY/Range: 20 Step: A	2/3/14
<u>TEMP/ADDITIONAL ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
Ausman, Devon Facility Use	Technical Theater Technician [additional hours; Facility Use events]	1/6/14-6/30/14
Ausman, Devon Facility Use	Technical Theater Technician [overtime; Facility Use events]	1/6/14-6/30/14
Casillas, Emma Edison ES	Inst Asst – Bilingual [limited term; classroom assistance]	2/10/14-6/10/14
Cueva, Felipe Santa Monica HS	Custodian [overtime; extra duties]	1/18/14-6/30/14
Fulache-Palma, Madeilaine Special Education	Inst Asst – Specialized [additional hours; student assistance]	1/24/14-2/7/14
Garnreiter, Sean Adams MS	Inst Asst – Music [overtime; overnight field trip]	1/24/14-1/26/14
Jensen, Cynthia Malibu HS	Senior Office Specialist [overtime; assistance with yearbook]	1/1/14-6/30/14
Johnson, Joel Facility Use	Technical Theater Technician [additional hours; Facility Use events]	1/29/14-6/30/14

Jones, Chancy Malibu HS	Campus Security Officer [overtime; school events]	8/15/13-6/30/14
Marquez, Lily McKinley ES	Bilingual Community Liaison [additional hours; IEP translation]	1/14/14
Naranjo, Debbie Santa Monica HS	Cafeteria Worker II [overtime; basketball games ticket sales]	2/7/14-6/10/14
Paredes, Jorge Maintenance	HVAC Mechanic [overtime; District projects and emergencies]	1/21/14-6/30/14
Peak, Denise Malibu HS	Library Assistant [overtime; choir assistance]	1/1/14-6/30/14
Selva, Marco Facility Use	Technical Theater Technician [additional hours; Facility Use events]	1/30/14-6/30/14
Smith, Denise Student Svcs	Office Specialist [additional hours; assistance with student records]	2/3/14-2/4/14
Smith, Luz Special Education	Translator [additional hours; IEP translation]	1/24/14-6/10/14
Villegas, Bibiana Health Svcs	Health Office Specialist [additional hours; assistance in nurse's office]	1/29/14-6/10/14
Wilson, Terry Malibu HS	Campus Security Officer [additional hours; school events]	8/15/13-6/30/14

SUBSTITUTES

EFFECTIVE DATE

Gaylor, Amanda Special Education	Inst Asst – Special Ed	8/13/13-6/30/14
Johnson, Peter Food and Nutrition Svcs	Cafeteria Worker I	1/25/14-6/10/14
Murillo, Joel Operations	Custodian	1/31/14-6/30/14
Pernell, Barbara Child Develop Svcs	Children's Center Asst	2/14/14-6/30/14
Rodriguez, Maria Food and Nutrition Svcs	Cafeteria Worker I	2/12/14-6/10/14
Romero, Clara Rogers ES	Administrative Assistant	2/10/14-6/30/14
Rugamas, Angel Operations	Gardener	2/3/14-6/30/14
Saenz, Claudia Food and Nutrition Svcs	Cafeteria Worker I	2/7/14-6/10/14
Soto, Sara Operations	Gardener	1/29/14-6/30/14

Tjaden, Jeremy Operations	Gardener	1/29/14-6/30/14
Webster, Ryan Special Education	Inst Asst – Special Ed	2/18/14-6/30/14

LEAVE OF ABSENCE (PAID)

Brown, Sarah Santa Monica HS	Inst Asst – Special Ed Medical	<u>EFFECTIVE DATE</u> 2/3/14-6/10/14
Franks, Shanelle McKinley ES	Inst Asst – Developmental Health Maternity	2/24/14-6/10/14
Gonzalez, April Webster ES	Inst Asst – Special Ed Medical	2/3/14-2/17/14
Karels, Kloie Cabrillo ES	Inst Asst – Special Ed Medical	2/4/14-3/4/14
Mederos, Eden Santa Monica HS	Inst Asst – Specialized Medical	1/16/14-2/12/14
Shih, Jennifer Child Develop Svcs-McKinley ES	Children's Center Asst Medical	2/1/14-4/30/14
Sugars, Curtis Operations	Plant Supervisor Medical	2/3/14-2/16/14
Watkins, Jennifer Food and Nutrition Svcs	Cafeteria Cook Baker Medical	2/3/14-2/17/14

LEAVE OF ABSENCE (UNPAID)

Karels, Kloie Cabrillo ES	Inst Asst – Special Ed CFRA Leave	<u>EFFECTIVE DATE</u> 3/5/14-4/4/14
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WORKING OUT OF CLASS

Oyenoki, Liz McKinley ES	Administrative Assistant From: Senior Office Specialist	<u>EFFECTIVE DATE</u> 2/10/14-5/10/14
Villa, Alejandro Maintenance	Painter From: Skilled Maintenance Worker	2/12/14-6/18/14

ABOLISHMENT OF POSITION

Inst Asst – Classroom 3.9 Hrs/10 Mo; Cabrillo ES	<u>EFFECTIVE DATE</u> 8/21/13
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LAYOFF/REDUCTION OF HOURS

HX9055421 Special Education	Inst Asst – Developmental Health 6 Hrs/SY/Special Education - Floater From: 8 Hrs/SY/Lincoln MS	<u>EFFECTIVE DATE</u> 5/6/14
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DISQUALIFICATION FROM PROBATION

GM5527391

Inst Asst – Classroom

EFFECTIVE DATE

3/7/14

RESIGNATIONCornish, Glen
Information Svcs

Media Services Coordinator

EFFECTIVE DATE

4/30/14

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON /BRANDON TIETZE

RE: CLASSIFIED PERSONNEL – NON-MERIT

RECOMMENDATION NO. A.18

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

Cavallo, Laura	Santa Monica HS	2/6/14-6/30/14
Contreras, Alie	Malibu HS	1/27/14-6/30/14
Fukuyama, Les	Santa Monica HS	2/4/14-6/30/14
Goldberg, Vincent	Malibu HS	1/1/14-6/30/14
Horan, Kevin	Santa Monica HS	2/4/14-6/30/14
Shafer, Tony	Malibu HS	7/1/13-6/30/14
Ward, Tim	Malibu HS	7/1/13-6/30/14

NOON SUPERVISION AIDE

Duncan, Matthew	Muir ES	2/4/14-6/10/14
Garcia, Josie	Muir ES	2/12/14-6/10/14
Martinez, Maria	Roosevelt ES	2/5/14-6/10/14
Stout, Amy	Muir ES	2/3/14-6/10/14

TECHNICAL SPECIALIST – LEVEL I

Ghadoushi, Nicole	Special Education [Psychologist Intern] - Funding: Special Education	2/5/14-6/10/14
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STUDENT WORKER – WORKABILITY

Barker, Breana	Special Education	1/23/14-6/30/14
Bravo, Daniel	Special Education	1/22/14-6/30/15
Leslie, Glenis	Special Education	1/27/14-6/30/14
Hammer, Masha	Special Education	1/27/14-6/30/17
Padilla, Alexander	Special Education	2/3/14-6/30/15
Tappan, Marcus	Special Education	1/22/14-6/30/14
Williams, Jabari	Special Education	1/22/14-6/30/15

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON / TERRY DELORIA / ALICE CHUNG

RE: INCREASE IN STAFFING (FTE) – CHILD DEVELOPMENT SERVICES

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve a 3.5-hour Children's Center Assistant (0.4 FTE) in Child Development Services due to increased enrollment.

FUNDING NOTE: The 2013-2014 budget will be adjusted \$13,346 for salary and benefits.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDY LYON / TERRY DELORIA / MARK KELLY

RE: APPROVE COMPREHENSIVE SCHOOL SAFETY PLANS 2013-2014 FOR ALL DISTRICT SCHOOLS

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve the Comprehensive School Safety Plan for each district school.

COMMENT: California legislation mandates that the governing board of the school district adopt each school's Comprehensive School Safety Plan (CSSP) (Education Code 32288). Each school's CSSP is part of the district's Emergency Operations Plan.

All schools have emergency response plans, procedures, routines and structures that are consistent with the California Standardized Emergency Management System (SEMS) and the National Incident Management System (NIMS). Each site's CSSP includes, but is not limited to, roles and responsibilities of faculty and staff members during an emergency; emergency procedures; evacuation locations and school maps.

Additionally, schools describe strategies for ensuring a safe and orderly school conducive to learning including describing what they do to ensure a safe physical environment and to ensure a safe, respectful and orderly school community.

Each completed CSSP was reviewed by Director of Student Services and is on file in the Student Services Department for review.

This item will return to the Board annually.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/06/14

FROM: SANDRA LYON

RE: REVISE BB 9250– REMUNERATION, REIMBURSEMENT AND OTHER
BENEFITS

RECOMMENDATION NO. A.21

It is recommended that the Board of Education revise BB 9250 – Remuneration, Reimbursement and Other Benefits.

COMMENTS: CSBA recommends updating this bylaw to delete material requiring the district to establish a minimum percentage of the Board meeting that must be attended in order for a Board member to receive compensation, adds a statement clarifying that student Board members do not receive compensation, and reflects a legal requirement to announce any additional compensation received whenever a quorum of Board members serves as another legislative body which will meet simultaneously or in serial order to a Board meeting. The section on "Reimbursement of Expenses" has been revised to give examples of authorized travel and to prohibit use of district credit card for personal expenses, even if the Board member intends to reimburse the district. The material on health and welfare benefits has been updated to (1) reflect current law that provides that the age at which a person ceases to be a dependent child is age 26 years or higher as specified in the health plan and (2) clarify the circumstances under which the district may offer health and welfare benefits to former Board members.

These changes were discussed at the February 20, 2014, board meeting. The corresponding exhibit can be found under Information.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: Aye

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS**Remuneration**

Each member of the Board of Education may receive the monthly compensation as provided for in ~~law~~ Education Code 35120.

On an annual basis, the Board may increase the compensation of Board members beyond the limit delineated in Education Code 35120 in an amount not to exceed five percent based on the present monthly rate of compensation. Any increase made pursuant to this section shall be effective upon approval by the Board. (Education Code 35120)

Board members are not required to accept payment for meetings attended.

If a member does not attend all Board meetings during the month, he/she is eligible to receive a percentage of the monthly compensation equal to the percentage of meetings attended unless otherwise authorized by the Board in accordance with law. (Education Code 35120)

A member may be paid for meetings he/she missed when the Board, by resolution, finds that he/she was performing designated services for the district at the time of the meeting or that he/she was absent because of illness, jury duty or a hardship deemed acceptable by the Board. (Education Code 35120)

Student Board members shall receive no compensation for meetings attended. (Education Code 35012)

Reimbursement of Expenses

Board members shall be reimbursed for actual and necessary expenses incurred when performing authorized services for the district. Expenses for travel, telephone, business meals, or other authorized purposes shall be in accordance with policies established for district personnel and at the same rate of reimbursement.

Board members shall be reimbursed for travel expenses incurred when performing services directed by the Board. (Education Code 35044)

Authorized purposes may include, but are not limited to, attendance at educational seminars or conferences designed to improve Board members' skills and knowledge; participation in regional, state, or national organizations whose activities affect the district's interests; attendance at district or community events; and meetings with state or federal officials on issues of community concern.

Personal expenses shall be the responsibility of individual Board members. Personal expenses include, but are not limited to, the personal portion of any trip, tips or gratuities, alcohol, entertainment, laundry, expenses of any family member who is accompanying the Board member on district-related business, personal use of an automobile, and personal losses and traffic violation fees incurred while on district business.

Any questions regarding the propriety of a particular type of expense should be resolved by the Superintendent or designee before the expense is incurred.

Board members may use district-issued credit cards while on official district business and consistent with the limits established for district personnel. Personal expenses shall not be charged on a district-issued credit card, even if the Board member intends to subsequently reimburse the district for the personal charges.

Health and Welfare Benefits

Board members may participate in the health and welfare benefits program provided for district employees.

Health and welfare benefits for Board members shall be no greater than that received by district's nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

The district shall pay the cost of all premiums required for Board members electing to participate in the district health and welfare benefits program to the same extent that the district pays premiums for district staff in accordance with Government Code 53208.5.

Health and welfare benefits provided to Board members shall be extended to the same level to their spouses/~~registered domestic partner and to their eligible dependent children as specified in law and the health plan.~~
~~under the age of 21, dependent children under the age of 25 who are full-time students at a college or university, and dependent children regardless of age who are physically or mentally incapacitated.~~

Health and Welfare Benefits for Former Board Members

Former Board members may participate in the health and welfare benefits program provided for district employees under the conditions specified below.

Health and welfare benefits for former Board members shall be no greater than those received by district nonsafety employees with the most generous schedule of benefits. (Government Code 53208.5)

Any former Board member leaving the Board after at least one term of office may participate in the health and welfare benefits program at his/her own expense if coverage is in effect at the time of retirement. (Government Code 53201)

Health and welfare benefits provided to a former Board member shall be extended, at his/her own expense and at the same level, to his/her spouse/registered domestic partner and eligible dependent children as specified in law and the health plan.

Legal Reference:

EDUCATION CODE

33050-33053 General waiver authority

33362-33363 Reimbursement of expenses for attendance at workshops

35012 Board members; number, election and term

35044 Payment of traveling expenses of representatives of board

35120 Compensation for services as member of governing board

35172 Promotional activities

44038 Cash deposits for transportation purchased on credit

FAMILY CODE

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

GOVERNMENT CODE

8314 Use of public resources

20322 Elective officers; election to become member

GOVERNMENT CODE (continued)

20420-20445 Membership in Public Employees' Retirement System; definition of safety employees

53200-53209 Group insurance

54952.3 *Simultaneous or serial meetings; announcement of compensation*

HEALTH AND SAFETY CODE

1373 *Health services plan, coverage for dependent children*

INSURANCE CODE

10277-10278 *Group and individual health insurance, coverage for dependent children*

UNITED STATES CODE, TITLE 26

403 *Tax-sheltered annuities*

UNITED STATES CODE, TITLE 42

18011 *Right to maintain existing health coverage*

CODE OF FEDERAL REGULATIONS, TITLE 26

1.403(b)-2 *Tax-sheltered annuities, definition of employee*

COURT DECISIONS

Thorning v. Hollister School District, (1992) 11 Cal.App.4th 1598

Board of Education of the Palo Alto Unified School District v. Superior Court of Santa Clara County, (1979) 93

Cal.App.3d 578

ATTORNEY GENERAL OPINIONS

91 *Ops.Cal.Atty.Gen.* 37 (2008)

83 *Ops.Cal.Atty.Gen.* 124 (2000)

Management Resources:

INSTITUTE FOR LOCAL GOVERNMENT PUBLICATIONS

Sample Expense and Use of Public Resources Policy Statement, January 2006

INTERNAL REVENUE SERVICE PUBLICATIONS

Tax-Sheltered Annuity Plans (403(b) Plans) for Employees of Public Schools and Certain Tax-Exempt Organizations,

Publication 571, rev. February 2013

WEB SITES

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

Institute for Local Government: <http://www.ca-ilg.org>

Internal Revenue Service: <http://www.irs.gov>

Public Employees' Retirement System: <http://www.calpers.ca.gov>

**Bylaw SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted: June 25, 2009 Santa Monica, California**

DISCUSSION ITEMS

TO: BOARD OF EDUCATION

DISCUSSION

03/06/14

FROM: SANDRA LYON / TERRY DELORIA / MARK KELLY

RE: CONSIDER REVISING BP AND AR 6173.1 – EDUCATION FOR FOSTER YOUTH

DISCUSSION ITEM NO. D.01

It is recommended that the Board of Education consider revising BP and AR 6173.1 – Education for Foster Youth.

COMMENTS: CSBA is recommending this update to reflect new law (AB 97 and SB 97), which provides grants within the LCFF based on the number and concentration of unduplicated counts of foster youth, English learners, and low-income students and requires the district's local control and accountability plan (LCAP) to include annual goals for all students and each "numerically significant" student subgroup including foster youth.

The regulation has been updated to reflect new law (AB 97), which defines "foster youth" and requires districts to monitor the educational progress of foster youth. The regulation also reflects new law (AB 216), which requires districts to exempt from any district-adopted graduation requirements a foster youth who transfers into the district or between district high schools after completing the second year of high school, except under specified circumstances. The section on "Transfer of Coursework and Credits" has been updated to reflect California Child Welfare Council recommendations regarding the calculation of partial credits.

Dr. Kelly answered board members' questions.

This item will return for action at the March 20, 2014, board meeting.

EDUCATION FOR FOSTER YOUTH

~~The Board of Education recognizes the district's obligation to ensure that foster youth have the opportunity to achieve state and district academic standards. The district shall provide such students with access to the academic resources, services, and extracurricular and enrichment activities that are available to all district students.~~

The Board of Education recognizes that foster youth may face significant barriers to achieving academic success due to their family circumstances, disruption to their educational program, and their emotional, social, and other health needs. To enable such students to achieve state and district academic standards, the Superintendent or designee shall provide them with full access to the district's educational program and implement strategies identified as necessary for the improvement of the academic achievement of foster youth in the district's local control accountability plan (LCAP).

The Superintendent or designee shall ensure that placement decisions for foster youth are based on the students' best interests as defined in law and administrative regulation. To that end, he/she shall designate a staff person as ~~a~~ the district liaison for foster youth to help facilitate the enrollment, placement, and transfer of foster youth.

The Superintendent or designee and district liaison shall ensure that all appropriate staff, including, but not limited to, each principal, school registrar, and attendance clerk, receive training ~~regarding on the~~ enrollment, placement, and ~~rights of foster youth~~ transfer of foster youth and other related rights.

The Board desires to provide foster youth with a safe, positive learning environment that is free from discrimination and harassment and that promotes students' self-esteem and academic achievement. The Superintendent or designee shall develop strategies to build a foster youth's feeling of connectedness with his/her school, including, but not limited to, strategies that promote positive discipline and conflict resolution, the development of resiliency and interpersonal skills, and the involvement of foster parents, group home administrators, and/or other caretakers in school programs and activities.

To help ensure the maximum utilization of available funds and to support the educational needs of foster youth, the Superintendent or designee shall collaborate with local agencies and officials including, but not limited to, the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates. The Superintendent or designee shall explore the feasibility of entering into agreements with these groups to coordinate services and protect the rights of foster youth.

~~The Superintendent or designee shall regularly report to the Board on the educational outcomes of foster youth enrolled in the district including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, and graduation rates.~~

At least annually and in accordance with the established timelines, the Superintendent or designee shall report to the Board on the outcomes for foster youth regarding the goals and specific actions identified in the LCAP, including, but not limited to, school attendance, student achievement test results, promotion and retention rates by grade level, graduation rates, and suspension/expulsion rates. As necessary, evaluation data shall be used to determine and recommend revisions to the LCAP for improving or increasing services for foster youth.

Legal Reference:

EDUCATION CODE

32228-32228.5 Student Safety and violence prevention

42238.01-42238.07 Local control funding formula

42920-42925 Foster children educational services

48645.1 Juvenile court schools

48645-48646 Juvenile court schools

48645.5 Acceptance of coursework

48850-48859 Educational placement of students residing in licensed children's institutions

48915.5 Suspension and expulsion; students with disabilities, including foster youth

48918.1 Notice of expulsion hearing for foster youth

49061 Student records

49069.5 Foster care students, transfer of records

49076 Access to student records

51225.1 Exemption from district graduation requirements

51225.2 Pupil in foster care defined; acceptance of coursework, credits, retaking of course

51225.3 High school graduation

52060-52077 Local control accountability plan

56055 Rights of foster parents in special education

60851 High school exit examination

HEALTH AND SAFETY CODE

1522.41 Training and certification of group home administrators

1529.2 Training of licensed foster parents

120341 Foster youth: school placement: immunization records

WELFARE AND INSTITUTIONS CODE

300 Children subject to jurisdiction

309 Investigation and release of child

317 Appointment of legal counsel

361 Limitations on parental or guardian control

366.27 Educational decision by relative providing living arrangements

602 Minors violating law; ward of court

726 Limitations on parental or guardian control

727 Order of care, ward of court

16000-16014 Foster care placement

UNITED STATES CODE, TITLE 20

1415 Procedural safeguards; placement in alternative education setting

UNITED STATES CODE, TITLE 29

794 Rehabilitation Act of 1973, Section 504

UNITED STATES CODE, TITLE 42

670-679b Federal assistance for foster care programs

11431-11435 McKinney-Vento Homeless Assistance Act

Management Resources:

CSBA PUBLICATIONS

Educating Foster Youth: Best Practices and Board Considerations, Policy Brief, March 2008

AMERICAN BAR ASSOCIATION PUBLICATIONS

Mythbusting: Breaking Down Confidentiality and Decision-Making Barriers to Meet the Education Needs of Children in Foster Care, 2005

CALIFORNIA CHILD WELFARE COUNCIL

Partial Credit Model Policy and Practice Recommendations

CITIES, COUNTIES AND SCHOOLS PARTNERSHIP PUBLICATIONS

Our Children: Emancipating Foster Youth, A Community Action Guide

WEB SITES

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

American Bar Association: <http://www.americanbar.org>

California Child Welfare Council: <http://www.chhs.ca.gov/Pages/CACChildWelfareCouncil.aspx>

California Department of Education, Foster Youth Services: <http://www.cde.ca.gov/ls/pf/fy>

California Department of Social Services, Foster Youth Ombudsman Office: <http://www.fosteryouthhelp.ca.gov>

California Youth Connection: <http://www.calyouthconn.org/site/cyc>

Cities, Counties, Schools Partnership: <http://www.ccspartnership.org/default.cfm>

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

EDUCATION FOR FOSTER YOUTH

Definitions

~~*Foster youth* means a child who has been subject to one of the following: (Education Code 48853.5)~~

- ~~1. Has been removed from his/her home pursuant to Welfare and Institutions Code 309 (temporary custody)~~
- ~~2. Is the subject of a petition filed under Welfare and Institutions Code 300 or 602 (jurisdiction of juvenile court)~~
- ~~3. Has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602~~

Foster youth means a child who has been removed from his/her home pursuant to Welfare and Institutions Code 309, is the subject of a petition filed under Welfare and Institutions Code 300 or 602, or has been removed from his/her home and is the subject of a petition filed under Welfare and Institutions Code 300 or 602 or is a nonminor who is under the transition jurisdiction of a juvenile court, as described in Welfare and Institutions Code 450, and satisfies the criteria specified in Education Code 42238.01 (Education Code 42238.01, 48853.5)

Person holding the right to make educational decisions means a responsible adult appointed by a court pursuant to Welfare and Institutions Code 361 or 726.

School of origin means the school that the foster youth attended when permanently housed or the school in which he/she was last enrolled. If the school the foster youth attended when permanently housed is different from the school in which he/she was last enrolled, or if there is some other school that the foster youth attended within the preceding 15 months and with which the youth is connected, the district liaison shall determine, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, ~~determine and~~ in the best ~~interest~~ interests of the foster youth, which school is the school of origin. (Education Code 48853.5)

Best ~~interest~~ interests means that, in making educational and school placement decisions for a foster youth, consideration is given to, among other factors, educational stability, the opportunity to be educated in the least restrictive educational setting necessary to achieve academic progress, and the foster youth's access to academic resources, services, and extracurricular and enrichment activities that are available to all district students. (Education Code 48850, 48853)

District Liaison

The Superintendent ~~or designee~~ designates the following position as the district liaison for foster youth: (Education Code 48853.5)

Director Student Services
1651 16th Street
Santa Monica, CA ~~90402~~ 90404
(310) 450-8338

The district's liaison for foster youth shall:

1. Ensure and facilitate the proper educational placement, enrollment in school, and checkout from school of students in foster care. (Education Code 48853.5)
- ~~2. Assist foster youth when transferring from one school to another or from one district to another in ensuring proper transfer of credits, records, and grades, including ensuring that records reflect full or partial credit for courses taken (Education Code 48645.5, 48853.5)~~

2. Ensure proper transfer of credits, records, and grades when students in foster care transfer from one school to another or from one district to another. (Education Code 48645.5, 48853.5)

When a student in foster care is enrolling in a district school, the liaison shall contact the school last attended by the student to obtain, within two business days, all academic and other records. When a foster youth is transferring to a new school, the liaison shall provide the student's records to the new school within two business days of receiving the new school's request. (Education Code 48853.5)

3. When required by law, notify the foster youth's attorney and the representative of the appropriate county child welfare agency when the foster youth is undergoing any expulsion or other disciplinary proceeding, including a manifestation determination prior to a change in the foster youth's placement, when he/she is a student with a disability. (Education Code 48853.5, 48911, 48915.5, 48918.1)

- ~~3.~~ 4. As necessary, make appropriate referrals to ensure that students in foster care receive necessary special education services and services under Section 504 of the federal Rehabilitation Act of 1973.

- ~~4.~~ 5. As necessary, Ensure that students in foster care receive appropriate school-based services, such as supplemental instruction, counseling, or after-school programs counseling and health services, supplemental instruction, and after-school services.

- ~~5.~~ 6. Develop protocols and procedures so that district staff, including principals, school registrars, and attendance clerks, are aware of the requirements for the proper enrollment, placement, and transfer of foster youth.

- ~~6.~~ 7. Collaborate with the county placing agency, social services, probation officers, juvenile court officers, nonprofit organizations, and advocates to help coordinate services for the district's foster youth.

- ~~7.~~ 8. Monitor the educational progress of foster youth and provide reports to the Superintendent or designee and the Board of Education based on indicators identified in Board policy the district's local control accountability plan.

Enrollment

A ~~foster youth~~ student placed in a licensed children's institution or foster family home within the district shall attend programs operated by the district unless one of the following circumstances applies: (Education Code 48853, 48853.5)

1. The student has an individualized education program requiring placement in a nonpublic, nonsectarian school or agency, or in another local educational agency.

2. The parent/guardian or other person holding the right to make educational decisions for the student determines that it is in the best interest of the student to be placed in another educational program and submits a written statement to the district indicating that determination and that he/she is aware of the followings:
 - a. The student has a right to attend a regular public school in the least restrictive environment.
 - b. The alternate educational program is a special education program, if applicable.
 - c. The decision to unilaterally remove the student from the district school and to place him/her in an alternate education program may not be financed by the district.
 - d. Any attempt to seek reimbursement for the alternate education program may be at the expense of the parent/guardian or other person holding the right to make educational decisions for the student.
- ~~3. The student is entitled to remain in his/her school of origin as defined above.~~
3. At the initial placement or any subsequent change in placement, the student exercises his/her right to continue in his/her school of origin as defined above.
 - a. The student may continue in the school of origin for the duration of the court's jurisdiction.
 - b. If the court's jurisdiction over a grade K – 8 student is terminated prior to the end of a school year, the student may continue in his/her school of origin for the remainder of the school year.
 - c. If the court's jurisdiction is terminated while the student is in high school, the student may continue in his/her school of origin until he/she graduates.
 - d. If the student is transitioning between school grade levels, he/she shall be allowed to continue in the district of origin in the same attendance area to provide him/her the benefit of matriculating with his/her peers in accordance with the established feeder patterns of school districts. A student who is transitioning to a middle school or high school shall be allowed to enroll in the school designated for matriculation in another school district.
- ~~4. At the initial placement, or any subsequent change in placement of a foster youth, the district shall allow the student to continue his/her education in the school of origin for the duration of the academic school year. However, the district liaison may, in consultation with and with the agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living in the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interest. (Education Code 48853.5)~~

The district liaison may, in consultation with and with agreement of the foster youth and the person holding the right to make educational decisions for the youth, recommend that the youth's right to attend the school of origin be waived and he/she be enrolled in any school that students living the attendance area in which the foster youth resides are eligible to attend. All decisions shall be made in accordance with the foster youth's best interests. (Education Code

48853.5)

Prior to making any recommendation to move a foster youth from his/her school of origin, the liaison shall provide the youth and the person holding the right to make educational decisions for the youth with a written explanation of the basis for the recommendation and how this recommendation serves the youth's best interests. (Education Code 48853.5)

The role of the liaison shall be advisory with respect to placement decisions and determination of the school of origin. (Education Code 48853.5)

If the liaison, in consultation with the foster youth and the person holding the right to make educational decisions for the foster youth, ~~agree~~ agrees that the best interests of the youth would be served by his/her transfer to a school other than the school of origin, the principal or designee of the new school shall immediately enroll the foster youth. The youth shall be immediately enrolled even if he/she: (Education Code 48853.5) ~~has outstanding fees, fines, textbooks, or other items or monies due to the school last attended or is unable to produce records normally required for enrollment, such as previous academic or medical records, proof of residency, or clothing normally required by the school, such as school uniforms for enrollment.~~ (Education Code 48853.5)

1. Has outstanding fees, fines, textbooks, or other items or monies due to the school last attended.
2. Does not have clothing normally required by the school, such as school uniforms.
3. Is unable to produce records normally required for enrollment, such as previous academic records, proof of residency, and medical records, including, but not limited to, immunization records or other documentation.

~~Within two business days of enrollment, the liaison shall contact the school last attended by the student to obtain all academic and other records. Upon receiving a request from a new school, the liaison for the school last attended shall provide all records within two business days of receiving the request. (Education Code 48853.5)~~

If a parent/guardian or foster youth or the person with the right to make educational decisions for a foster youth disagrees with the liaison's enrollment recommendation, he/she may appeal the decision to the Superintendent. The Superintendent shall make a determination within 30 calendar days of receipt of the appeal. Within 30 calendar days of receipt of the Superintendent's decision, the parent/guardian or foster youth may appeal that decision to the Board. The Board shall consider the issue at its next regularly scheduled meeting. The Board's decision shall be final.

If any dispute arises regarding the request of a foster youth to remain in the school of origin, the youth has the right to remain in the school of origin pending resolution of the dispute. (Education Code 48853.5)

Transportation

The district shall not be responsible for providing transportation to and from the school of origin.

~~Transfer of Coursework and Applicability of Graduation Requirements~~
Transfer of Coursework and Credits

When a foster youth transfers into a district school, the district shall accept and issue full credit for any coursework that the foster youth has satisfactorily completed while attending another public school, a juvenile court school, or a nonpublic, nonsectarian school or agency and shall not require the foster youth to retake the course. (Education Code 51225.2)

If the foster youth did not complete the entire course, he/she shall be issued partial credit for the coursework completed and shall be required to take the portion of the course that he/she did not complete at his/her previous school. However, the district may require the foster youth to retake the portion of the course completed if, in consultation with the holder of educational rights for the foster youth, the district finds that the foster youth is reasonably ~~able~~ able to complete the requirements in time to graduate from high school. Whenever partial credit is issued to a foster youth in any particular course, he/she shall be enrolled in the same or equivalent course, if applicable, so that he/she may continue and complete the entire course. (Education Code 51225.2)

Partial credits shall be awarded on the basis of 0.5 credits for every seven class periods attended per subject. If the school is on a block schedule, each block schedule class period shall be equal to two regular class periods per subject. Partial credits and grades earned by a student shall be included on the student's official transcript within two business days of the district's notification of the student's transfer, as required under Education Code 49069.5

In no event shall the district prevent a foster youth from taking or retaking a course to meet the eligibility requirements for admission ~~to~~ to the California State University or the University of California. (Education Code 51225.2)

~~When a foster youth in grade 11 or 12 transfers into the district from another school district or transfers between high schools within the district, he/she shall be exempted from all coursework and other graduation requirements adopted by the Board that are in addition to the statewide coursework requirements specified in Education Code 51225.3 and the high school exit examination, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school while he/she remains in foster care. (Education Code 51225.3, 60851)~~

~~District shall provide notice to foster youth or the person holding the right to make educational decisions for the student exempted from additional district requirements if failure to satisfy such local requirements will affect the pupil's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.3).~~

~~The Superintendent or designee shall notify any student who is granted an exemption and, as appropriate, the person holding the right to make educational decisions for the student if any of the requirements that are waived will affect the student's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.3)~~

Grades/Credits Effect of Absences on Grades

Grades for a student in foster care shall not be lowered if the student is absent from school due to either of the following circumstances: (Education Code 49069.5)

1. A decision by a court or placement agency to change the student's placement, in which case the student's grades ~~and credits~~ shall be calculated as of the date the student left school
2. A verified court appearance or related court-ordered activity

Applicability of Graduation Requirements

To obtain a high school diploma, a foster youth shall pass the high school exit examination in English language and mathematics, complete all courses required by Education Code 51225.3, and fulfill any additional graduation requirements prescribed by the Board.

However, when a foster youth who has completed his/her second year of high school transfers into the district school from another district school or transfers between high schools within the district, he/she shall be exempted from all district-adopted coursework and other district-established graduation requirements, unless the district makes a finding that the student is reasonably able to complete the additional requirements in time to graduate from high school by the end of his/her fourth year of high school. Within 30 calendar days of the foster youth's transfer, the Superintendent or designee shall notify the foster youth, the person holding the right to make educational decisions for him/her, and the foster youth's social worker of the availability of the exemption and whether the foster youth qualifies for it. (Education Code 51225.1, 60851)

To determine whether a foster youth is in his/her third or fourth year of high school, the district shall use either the number of credits the foster youth has earned as of the date of the transfer or the length of his/her enrollment, whichever qualifies him/her for the exemption. (Education Code 51225.1)

The Superintendent or designee shall notify any foster youth who is granted an exemption and the person holding the right to make educational decisions for him/her how any requirements that are waived will affect the foster youth's ability to gain admission to a postsecondary educational institution and shall provide information about transfer opportunities available through the California Community Colleges. (Education Code 51225.1)

The district shall not require or request a foster youth to transfer schools in order to qualify for an exemption and no request for a transfer solely to qualify for an exemption shall be made by a foster youth or any person acting on behalf of a foster youth. (Education Code 51225.1)

Upon making a finding that a foster youth is reasonably able to complete district graduation requirements within his/her fifth year of high school, the Superintendent or designee shall: (Education Code 51225.1)

1. Inform the foster youth and the person holding the right to make educational decisions for him/her of the foster youth's option to remain in school for a fifth year to complete the district's graduation requirements and how that will affect his/her ability to gain admission to a postsecondary educational institution.
2. Provide information to the foster youth about transfer opportunities available through the California Community Colleges.
3. Upon agreement with the foster youth or, if he/she is under 18 years of age, the person

holding the right to make educational decisions for him/her, permit the foster youth to stay in school for a fifth year to complete the district's graduation requirements.

Eligibility for Extracurricular Activities

A foster youth who changes residences pursuant to a court order or decision of a child welfare worker shall be immediately deemed to meet all residency requirements for participation in interscholastic sports or other extracurricular activities. (Education Code 48850)

Regulation **SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**
approved: **August 19, 2009**
revised: **August 18, 2010; April 6, 2011**

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

FROM: SANDRA LYON

RE: ADOPT RESOLUTION NO. 13-12 – RECOGNIZING WOMEN'S HISTORY MONTH

RECOMMENDATION NO. A.22

It is recommended that the Board of Education adopt Resolution 13-12 – Recognizing Women's History Month.

COMMENTS: In 1981, Sen. Orrin Hatch (R-Utah) and Rep. Barbara Mikulski (D-Md.) co-sponsored a joint Congressional resolution proclaiming a national Women's History Week. In 1987, Congress expanded the celebration to a month, and March was declared Women's History Month.

Attached is the resolution.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A

AYES: Five (5) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre)

NOES: None (0)

ABSENT: Two (2) (Dr. Escarce and Mr. Allen)

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

**RESOLUTION NO. 13-12
RECOGNIZING WOMEN'S HISTORY MONTH**

WHEREAS American women of every race, class, and ethnic background have made historic contributions to the growth and strength of our nation in countless recorded and unrecorded ways;

WHEREAS American women have played, and continue to play, a critical economic, cultural, and social role in every sphere of the life of the nation by constituting a significant portion of the labor force working inside and outside of the home;

WHEREAS American women have played a unique role throughout the history of the nation by providing the majority of the volunteer labor force of the nation;

WHEREAS American women were particularly important in the establishment of early charitable, philanthropic, and cultural institutions in our nation;

WHEREAS American women of every race, class, and ethnic background served as early leaders in the forefront of every major progressive social change movement; and

WHEREAS American women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the emancipation movement, the industrial labor movement, the civil rights movement, and other movements, especially the peace movement, which create a more fair and just society for all:

NOW, THEREFORE, BE IT RESOLVED that the Santa Monica-Malibu Unified School District Board of Education does hereby adopt this Resolution to encourage: the celebration of Women's History Month; the instruction to our students on the achievements and contributions of women; fostering in our students a greater understanding of the roles women have played throughout the history of our nation; and helping all students understand their responsibilities in protecting and preserving gender equality.

PASSED AND ADOPTED this 6th day of March 2014 by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Maria Leon-Vazquez
Board President

Sandra Lyon
Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

FROM: SANDRA LYON

RE: ADOPT RESOLUTION NO. 13-13 - NATIONAL MIDDLE LEVEL EDUCATION
MONTH

RECOMMENDATION NO. A.23

It is recommended that the Board of Education adopt Resolution No. 13-13 in recognition of March as National Middle Level Education Month.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. Patel

STUDENT ADVISORY VOTE: N/A

AYES: Five (5) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre)

NOES: None (0)

ABSENT: Two (2) (Dr. Escarce and Mr. Allen)

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

**RESOLUTION NO. 13-13
NATIONAL MIDDLE LEVEL EDUCATION MONTH**

WHEREAS, middle level education has a special and unique function in the nation's educational system; and

WHEREAS, young adolescents are undergoing dramatic physical, social, emotional, and intellectual growth, and are especially vulnerable; and

WHEREAS, the habits and values established during early adolescence have critical, life-long influence; and

WHEREAS, this influence impacts directly on the future health and welfare of our nation; and

WHEREAS, an adequate public understanding of the distinctive mission of the middle level school is necessary for that mission to succeed.

NOW, THEREFORE BE IT RESOLVED that the month of March 2014 be declared *National Middle Level Education Month*, and that the public be afforded opportunities to attend middle level school events and participate in programs that focus on the nature of young adolescents and celebrate the ways in which our nation's schools respond to their needs and to the needs of the nation.

SIGNED AND ADOPTED by the Santa Monica-Malibu Unified School District Board of Education this 6th day of March 2014.

Ayes:

Noes:

Abstain:

Absent:

Maria Leon-Vazquez, President

Sandra Lyon, Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ADOPT RESOLUTION NO. 13-14 - WEEK OF THE SCHOOL
ADMINISTRATOR, MARCH 2-8, 2014

RECOMMENDATION NO. A.24

It is recommended that the Board of Education adopt Resolution No. 13-14 in recognition of Week of the School Administrator, March 2-8, 2014.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. Mechur

STUDENT ADVISORY VOTE: N/A

AYES: Five (5) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre)

NOES: None (0)

ABSENT: Two (2) (Dr. Escarce and Mr. Allen)

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

**RESOLUTION NUMBER 13-14
WEEK OF THE SCHOOL ADMINISTRATOR**

WHEREAS, leadership matters for California’s public education system and the more than 6 million students it serves;

WHEREAS, School Administrators are passionate, lifelong learners who believe in the value of quality public education;

WHEREAS, the title “School Administrator” is a broad term used to define many educational leadership posts, including superintendents, assistant superintendents, principals, assistant principals, special education and adult education leaders, curriculum and assessment leaders, school business officials, classified educational leaders, and other school district employees; and

WHEREAS, providing quality service for student success is paramount for the profession; and

WHEREAS, research shows great schools are led by great principals, and great districts are led by great superintendents. These site leaders are supported by extensive administrative networks throughout the state; and

WHEREAS, the State of California has authorized the “Week of the School Administrator” in Education Code 44015.1; and

WHEREAS, the future of California’s public education system depends upon the quality of its leadership; now therefore

BE IT RESOLVED, by the governing board of the Santa Monica-Malibu Unified School District that all school leaders in the Santa Monica-Malibu Unified School District be commended for the contributions they make to successful student achievement, and declare the week of March 2-8, 2014, *Week of the School Administrator* in the Santa Monica-Malibu Unified School District.

PASSED AND ADOPTED THIS 6th day of March, 2014, at the regular meeting of the Santa Monica-Malibu Unified School District Board of Education.

Maria Leon-Vazquez, President

Ralph Mechur, Vice-President

Ben Allen, Member

Oscar de la Torre, Member

Jose Escarce, Member

Laurie Lieberman, Member

Nimish Patel, Member

Sandra Lyon, Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ADOPT RESOLUTION NO. 13-15 – REGARDING THE RELEASE AND NON-REELECTION OF CERTIFICATED TEMPORARY EMPLOYEES

RECOMMENDATION NO. A.25

It is recommended that the Board of Education adopt Resolution No. 13-15 regarding the release and non-reelection of certificated temporary employees pursuant to Education Code Section 44954, effective June 2014.

COMMENT: The Board of Education is required to notify temporary certificated employees before the end of the school year of its decision to release and not reelect the employees for the next succeeding school year.

MOTION MADE BY: Ms. Lieberman

SECONDED BY: Mr. de la Torre

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

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

RESOLUTION NO. 13-15

**RESOLUTION: RELEASE AND NON-REELECTION OF CERTIFICATED TEMPORARY
EMPLOYEES**

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

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

WHEREAS, it is the Board's intent to release and not reelect the employees listed below for the subsequent 2014-2015 school year, pursuant to Education Code Section 44954;

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

6898	0327	5740	3367	7486	0106
3720	6645	6404	8336	3457	8635
7107	1211	4443	3981	5063	0919
7344	3852	0239	3725	4710	2970
7730	1266	8109	4412	6776	6656
0497	3634	2599	8135	8494	2652
5614	3299	0848			

BE IT FURTHER RESOLVED, that the Superintendent or designee is directed to issue to the employees named in this Resolution the notice described in Section 44954, informing them that they will not be reemployed for the 2014-2015 school year, and to take such further and additional actions as may be necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 6th day of March, 2014 by the following vote:

Ayes: _____
Noes: _____
Abstentions: _____
Absent: _____

Maria Leon-Vazquez, President
Board of Education of the
Santa Monica-Malibu Unified School District

I, Sandra Lyon, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 6, 2014.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ADOPT RESOLUTION NO. 13-16 - REGARDING THE NON-REELECTION OF
CERTIFICATED PROBATIONARY EMPLOYEES

RECOMMENDATION NO. A.26

It is recommended that the Board of Education adopt Resolution No. 13-16 regarding the non-reelection of certificated probationary employees pursuant to Education Code Section 44929.21(b), effective June 2014.

COMMENT: The Board of Education is required to notify probationary employees on or before March 15 of the employee's second complete consecutive school year of employment of its decision to not reelect the employee for the next succeeding school year.

This item was pulled by staff.

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

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

RESOLUTION NO. 13-16

RESOLUTION: NON-REELECTION OF CERTIFICATED PROBATIONARY EMPLOYEES

WHEREAS, pursuant to Education Code Section 44929.21(b), the Board is required to notify probationary employees on or before March 15 of the employee's second complete consecutive school year of employment of its decision to not reelect the employee for the next succeeding school year; and

WHEREAS, the following employees have been employed by this District in positions requiring certification qualifications, and are serving as probationary employees as indicated below:

WHEREAS, it is the Board's intent to not reelect the above-named employees for the subsequent school year, 2014-2015, pursuant to Education Code Section 44929.21(b);

WHEREAS, the decision to non-reelect the above employees is made on an individual basis.

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Board has determined that it is necessary at this time to send notice to each of the individual employees indicated above that he/she will not be reelected for the subsequent school year for the reasons set forth above; and
2. That the Superintendent, or designee, is directed to issue to each individual employee listed above the notice described in Section 44929.21(b) prior to March 15, 2014, that he/she will not be reemployed for the 2014-2015 school year; and
3. That the Superintendent, or designee, is directed to take such further and additional actions as are necessary and appropriate to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 6th day of March, 2014 by the following vote:

Ayes: _____
Noes: _____
Abstentions: _____
Absent: _____

Maria Leon-Vazquez, President
Board of Education of the
Santa Monica-Malibu Unified School District

I, Sandra Lyon, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 6, 2014.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ADOPT RESOLUTION NO. 13-17 – RELEASING TEMPORARY
CERTIFICATED ADMINISTRATORS

RECOMMENDATION NO. A.27

It is recommended that the Board of Education approve the attached Resolution No.13-17, Releasing Temporary Certificated Administrators pursuant to Education Code Section 44954 as indicated on the Resolution, effective June 2014.

COMMENT: The Board of Education is required to notify certificated administrators on or before March 15 of its decision to release the employees for the next succeeding school year.

MOTION MADE BY: Mr. de la Torre

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: Six (6) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre, Dr. Escarce)

NOES: None (0)

ABSENT: One (1) (Mr. Allen)

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

RESOLUTION NO. 13-17

RESOLUTION: RELEASING TEMPORARY CERTIFICATED ADMINISTRATORS

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

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

WHEREAS, the individuals listed below are currently employed by the Santa Monica-Malibu Unified School District in temporary certificated positions requiring an administrative credential, or in other certificated administrative positions which are not subject to the terms of a collective bargaining agreement; and,

WHEREAS, it is the Board's intent not to reelect the temporary administrative employees listed below for the subsequent 2014-2015 school year, pursuant to Education Code Section 44954.

NOW, THEREFORE, BE IT RESOLVED, that the following administrative employees serving only pursuant to temporary employment contracts be released from employment with the Santa Monica-Malibu Unified School District effective upon each employee's last working day of the current 2013-2014 school year or upon the expiration of any applicable temporary employment contract (whichever occurs first) and are not reelected for the next succeeding school year.

1116

BE IT FURTHER RESOLVED, that the Superintendent or designee is directed to issue to all temporary employees listed above the notice described in Section 44954, informing them that they will not be reemployed for the 2014-2015 school year, and to take such further action and additional actions as may be necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 6th day of March, 2014 by the following vote:

Ayes: _____
Noes: _____
Abstentions: _____
Absent: _____

Maria Leon-Vazquez, President
Board of Education of the
Santa Monica-Malibu Unified School District

I, Sandra Lyon, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at a special meeting held on March 6, 2014.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/06/14

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

RE: APPROVAL OF THE 2013-14 SECOND INTERIM REPORT

RECOMMENDATION NO. A.28

It is recommended that the Board of Education approve the 2013-14 Second Interim Report and the corresponding budget adjustments.

COMMENTS: Education Code (EC) Sections §35035 (g), §42130, and §42131 require the governing board of each local educational agency (LEA) to certify at least twice a year as to the LEA's ability to meet its financial obligations for the remainder for that fiscal year and for the subsequent two fiscal years.

The 2013-14 First Interim Budget was adopted by the Board of Education on December 12, 2013 and was approved by the Los Angeles County Office of Education (LACOE)

This 2nd Interim Report reflects changing conditions that have necessitated adjusting the District budget. All of the expenditure and revenue changes previously approved by the Board at the meeting of February 20, 2014 are identified in the Second Interim Report which is included as a part of this document.

The Second Interim Report was developed based on the following Revenue and Expenditure Assumptions.

REVENUE ASSUMPTIONS

2013-14 Second Interim Budget is using the State Adopted Budget in June 2013 and 2014-15 and 2015-16 multiyear projections are using the Governor's Proposed 2014-15 Budget which was released on January 9, 2014. The table that follows reflects the State Adopted implementation of the LCFF with COLA and Governor's proposed 2014-15 Budget Funding adjustments in fiscal years 2013-14, 2014-15 and 2015-16:

LCFF CALCULATION					2013-14	2014-15	2015-16
BASE GRANT							
	K-3	4-6	7-8	9-12			
P2 ADA	3,183.38	2,436.11	1,656.46	3,601.95	10,878	10,810	10,810
2012-13 BASE	\$ 6,845.00	\$ 6,947.00	\$ 7,154.00	\$ 8,289.00	1.57%	0.86%	2.12%
COLA 1.565%	\$ 6,952.00	\$ 7,056.00	\$ 7,266.00	\$ 8,419.00	\$ 7,508.80	\$ 7,573.35	\$ 7,733.97
	22,130,858	17,189,192	12,035,838	30,324,817	81,680,705	81,867,900	83,604,267
AUGUMENTATION GRANTS:							
CSR AUGUMENTATION: BASE GRANT X10.4%							
	2,301,609				2,301,609	2,306,517	2,355,528
CTE AUGUMENTATION 9-12 BASE GRANT X2.6%							
			788,445		788,445	790,155	806,905
SUPPLEMENT AND CONCENTRATION GRANTS:							
TOTAL ENROLLMENT					11,359	11,359	11,359
TOTAL UNDUPLICATED PUPIL COUNT					3,160	3,160	3,160
					27.82%	27.82%	27.82%
SUPPLEMENT ADD-ON 20% OF BASE GRANT X % OF ELIGIBLE ENROLLMENT					4,716,535	4,727,318	4,827,586
TRANSPORTATION AND TIIG GRANT							
2012-13 TRANSPORTATION					820,273	820,273	820,273
2012-13 TIIG					429,757	429,757	429,757
TOTAL FUNDING							
LCFF ENTITLEMENT /TARGET					90,737,325	90,941,920	92,844,316
HOLD HARMLESS					67,195,604	69,585,703	75,576,119
DIFFERENCE					23,541,721	21,356,217	17,268,197
GAP FUNDING							
		13-14	14-15	15.16			
		11.78%	28.05%	21.00%	2,773,215	5,990,419	3,626,321
2013-14 FUNDING					69,968,819	75,576,122	79,202,440
LOCAL REVENUE / PROPERTY TAXES					61,392,544	58,592,544	58,592,544
EPA					2,183,302	8,238,447	8,238,447
TRANSFER TO ADULT EDUCATION					-262,628	-262,628	-262,628
STATE AID /LCFF					6,392,973	8,745,131	12,371,449

Enrollment for 2013-14 is 11,359 and projected P2 ADA is 10,810.

The Lottery allocation will be \$154 per annual ADA, of which \$126 is for Unrestricted General Fund expenditures and the remaining \$30 is Proposition 20 – mandated for Instructional Materials.

The COLA for Special Education Funding is 1.565%. The projected Special Education AB 602 revenue is \$5,423,230. This amount reflects a reduction within the SELPA funding formula.

A 5% reduction has been applied to Special Education Federal IDEA programs from Federal sequestration.

A 10% reduction has been applied to Federal Title I, Title II and Title III programs from Federal sequestration.

Mandated Costs Block Grant revenue is \$405,563.

The Measure “R” parcel tax of \$374.51 per parcel is estimated to generate \$11,164,948, after processing the senior exemptions.

The estimated revenue from Prop Y is \$7,200,000 from the City of Santa Monica.

The District will receive \$8,282,650 from the Joint Use Agreement with the City of Santa Monica.

The District will receive \$200,000 from the Joint Use Agreement funding with the City of Malibu.

The combined lease revenue is \$2,403,004 which is from the DoubleTree Hotel, Madison Site (SMC), 9th & Colorado and 16th Street properties (STG).

The projected ROP revenue is \$1,067,404.

The Districted has received \$2,294,391 Common Core Implementation Grant.

The Districted has received \$143,269 California Clean Energy Jobs Grant.

EXPENDITURE ASSUMPTIONS

Staffing Ratio Changes:

K-1	25
Grade 2-3	30
Grade 2-3 (Title I Schools)	25
Grade 4-5	30
Grade 4-5 (Title I schools)	27
Grade 6-8	35
Grade 6-8 (JAMS)	33
Grade 9-12	36

Full-Time Equivalent (FTE) Changes:

Certificated: the FTE change of teaching positions reflects changes after First Interim Budget.

0.3 FTE teaching positions increase Santa Monica High School

0.2 FTE teaching positions increase Malibu High School

0.5 FTE teaching positions increase Special Education

Classified: the FTE change reflects changes after First Interim Budget.

(5.4) FTE Special Ed Instructional Aides decrease Special Education

Salary:

4.0% salary increase for SMMCTA members effective July 1, 2013

1.5% step and column increase for certificated employees

1.5% step and column increase for classified employees

Benefits:

Statutory Benefits:

8.25% STRS employer contribution rate

6.20% OASDI contribution rate

1.45% Medicare contribution rate

0.05% SUI contribution

2.80% Workers' Compensation contribution

11.4442% PERS Employer contribution rate

1.25% Other Postemployment Benefit

Health & Welfare:

The premium for District-paid employee health benefits is budgeted for a 10% increase in the 2014 calendar year.

Fair Share Deduction

Due to the RDA Dissolution Act, the district received \$6.2M more property taxes than Revenue Limit entitlement for 2012-13. A (8.92%) fair share deduction will be repaid from the State Aid in 2013-14. The projected amount is \$5,246,567.

Common Core Implementation

The Board approved the Common Core Implementation budget on 10/03/2013 as follows:

Year 1 (2013-14): \$1,488,405

Year 2 (2014-15): \$ 794,996

Summer Schools:

The cost of Summer Schools was \$526,566.

Others:

A 5% reduction applied to schools' Formula and Tier III allocations.

The budget for the schools' Formula and Lottery Instructional Materials allocation for supplies and other operating costs is based on:

K-5 \$ 36.46 per pupil

6-8 \$ 41.23 per pupil

9-12 \$ 61.00 per pupil

\$671,951 of Tier III funds are allocated to Schools.

The premium for Property and Liability insurance is \$1,201,939.

The projected cost of the ROP program is \$1,067,404.

TRANSFERS

The Indirect Rate is 5.78% in 2013-14.

RESERVE

The District Budget reflects a 3% Reserve for Economic Uncertainties in the General Fund Budget for 2013-14, 2014-15 and 2015-16.

In addition, as recommended by School Services of California, LACOE, and FCMAT, an amount equal to LCFF growth has been reserved in 2015-16 multiyear projection.

The following documents include:

- Summary General Fund Budget
- 2013-14 Major Categorical Programs
- Local General Fund Contribution (LGFC)
- Multi-year Financial Projection (MYFP) through 2015-16
- Summary of Major Funds

The complete 2013-14 2nd Interim Report in the State Standard Account Code Structure (SACS) format is attached to the Agenda as Attachment A (*green pages*).

MOTION MADE BY: Mr. Patel

SECONDED BY: Ms. Lieberman

STUDENT ADVISORY VOTE: N/A

AYES: Five (5) (Ms. Leon-Vazquez, Mr. Mechur, Mr. Patel, Ms. Lieberman, Mr. de la Torre)

NOES: None (0)

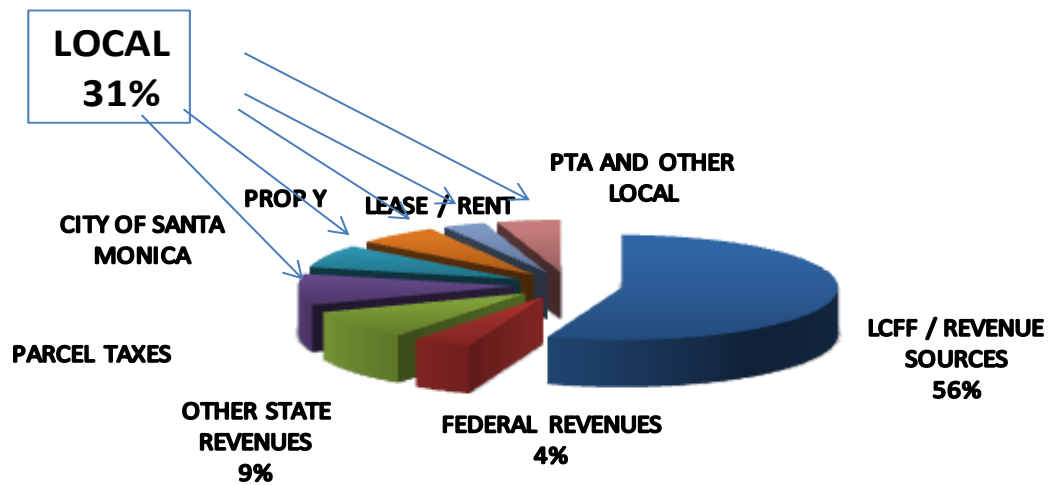
ABSENT: Two (2) (Dr. Escarce, Mr. Allen)

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2013-2014 SECOND INTERIM**

GENERAL FUND (UNRESTRICTED & RESTRICTED)

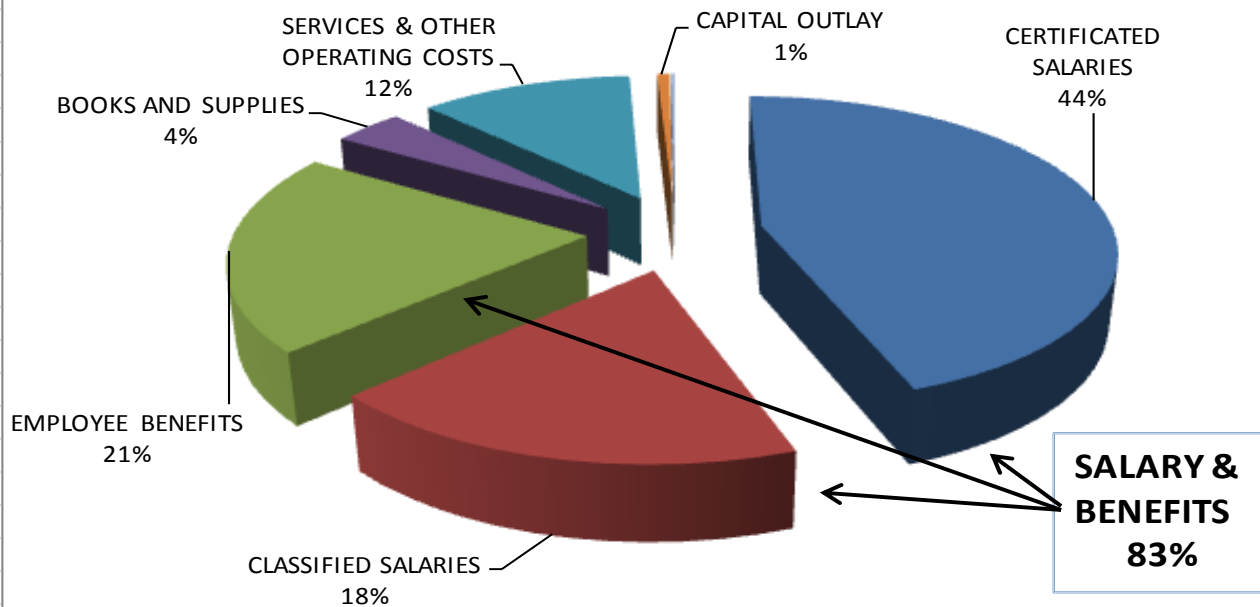
BEGINNING BALANCE	\$ 28,382,544
PROJECTED REVENUES:	
LCFF / REVENUE SOURCES	\$ 64,459,623
FEDERAL REVENUES	\$ 5,129,095
OTHER STATE REVENUES	\$ 10,601,474
PARCEL TAXES	\$ 11,164,948
CITY OF SANTA MONICA	\$ 8,282,650
PROP Y	\$ 7,200,000
LEASE / RENT	\$ 3,683,253
PTA AND OTHER LOCAL	\$ 5,491,518
TOTAL REVENUES:	\$ 116,012,561
TOTAL AVAILABLE FUNDS	\$ 144,395,105

**PROJECTED GENERAL FUND (FUND 01)
REVENUES**



GENERAL FUND (UNRESTRICTED & RESTRICTED)		
PROJECTED EXPENDITURES:		
CERTIFICATED SALARIES	\$	55,938,982
CLASSIFIED SALARIES	\$	23,226,194
EMPLOYEE BENEFITS	\$	26,192,893
BOOKS AND SUPPLIES	\$	4,820,738
SERVICES & OTHER OPERATING COSTS	\$	14,486,514
CAPITAL OUTLAY	\$	837,082
OTHER OUTGO	\$	(217,232)
TOTAL EXPENDITURES:	\$	125,285,171
PROJECTED FUND BALANCE:	\$	19,109,934

2013-14 GENERAL FUND (Fund 01) EXPENDITURES



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT			
2013-14 MAJOR CATEGORICAL PROGRAMS			
	2013-14 FIRST INTERIM	2013-14 SECOND INTERIM	CHANGES
FEDERAL PROGRAMS			
TITLE I :BASIC	1,204,725	1,197,468	(7,257)
TITLE II :TEACHER QUALITY	375,216	376,193	977
TITLE III : LEP & IMM	132,572	135,771	3,199
MEDICAL REIMBURSEMENT	776,751	776,751	-
SP ED: IDEA ENTITLEMENT	2,297,356	2,404,966	107,610
DEPT REHAB: TRANSITION PARTNERSHIP	137,946	137,946	-
TOTAL FEDERAL REVENUES:	4,924,566	5,029,095	104,529
STATE PROGRAMS			
SPECIAL EDUCATION - AB602**	5,474,227	5,423,230	(50,997)
WORKABILITY	61,596	61,596	-
HOME TO SCHOOL TRANSPORTATION	425,950	-	(425,950)
SPECIAL ED TRANSPORTATION	394,323	-	(394,323)
SPECIAL ED - MENTAL HEALTH	587,948	587,948	-
LOTTERY -INSTRUCTIONAL MATERIALS	330,000	330,000	-
COMMON CORE IMPLEMENTATION	2,283,400	2,283,400	-
TOTAL STATE REVENUES:	9,557,444	8,686,174	(871,270)
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT			
LOCAL GENERAL FUND CONTRIBUTION (LGFC)			
	2013-14 FIRST INTERIM	2013-14 SECOND INTERIM	CHANGE
SPECIAL EDUCATION	16,263,464	16,267,476	4,012
SP ED TRANSPORTATION	703,066	-	(703,066)
ECONOMIC IMPACT AID (EIA)	706,752	-	(706,752)
HOME TO SCHOOL TRANSPORTATION	243,959	-	(243,959)
ON GOING MAINTENANCE PROGRAM	3,307,687	3,461,927	154,240
TOTAL CONTRIBUTION:	21,224,928	19,729,403	(1,495,525)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**2013-14 PROJECTED ENDING FUND BALANCE AS OF JUNE 30, 2014**

	FUND	PROJECTED END FUND BALANCE AS OF 6/30/13
01	GENERAL FUND	
	UNRESTRICTED	\$16,029,961
	RESTRICTED	3,079,973
11	ADULT EDUCATION	297,025
12	CHILD DEVELOPMENT FUND	24,479
13	CAFETERIA FUND	244,125
14	DEFERRED MAINTENANCE FUND	80,996
21	BUILDING FUND	28,714,610
25	CAPITAL FACILITIES FUND	9,842,577
	SPECIAL RESERVE FUND FOR CAPITAL	
40	OUTLAY PROJECTS	8,178,237
67	SELF INSURANCE (OPEB)*	(4,688,532)

* The negative fund balance reflects the unfunded OPEB liability as of 7/1/13.

MULTI-YEAR PROJECTION			
UNRESTRICTED GENERAL FUND - ASSUMPTIONS			
			1/31/2014
Factor	2013-14	2014-15	2015-16
Statutory COLA	1.565%	0.86%	2.12%
LCFF FUNDING BASE			
K-3 + 10.4% CSR	\$ 7,675	\$ 7,741	\$ 7,906
4-6	\$ 7,056	\$ 7,117	\$ 7,268
7-8	\$ 7,266	\$ 7,328	\$ 7,483
9-12 + 2.6% CTE	\$ 8,638	\$ 8,712	\$ 8,896
AVERAGE LCFF FUNDING PER ADA	\$ 6,460.00	\$ 6,991.00	\$ 7,321.00
% OF GAP FUNDING /DOF	11.78%	28.05%	21.00%
Enrollment Projection*	11,359	11,359	11,359
P2 ADA Projection	10,810	10,810	10,810
FUNDING ADA	10,878	10,810	10,810
Federal Revenues	0%	0%	0%
City of Santa Monica	\$ 8,282,650	\$ 8,448,303	\$ 8,617,269
Measure "R"	\$ 11,164,948	\$ 11,410,577	\$ 11,661,610
City of SM /Prop. Y	\$ 7,200,000	\$ 7,300,000	\$ 7,400,000
Lottery	\$156/ADA	\$156/ADA	\$156/ADA
Step & Column Incr. - Certificated	1.50%	1.50%	1.50%
Vision Student Success (VSS)		\$ 3,200,000	\$ 4,000,000
Salary Increase - Certificated	4.00%	0%	0%
Salary Increase - Classified			
Step & Column Incr. - Mgmt.	1.50%	1.50%	1.50%
Step & Column Incr. - Classified	1.50%	1.50%	1.50%
PERS Rate*	11.44%	13.30%	14.40%
Health/Welfare - Annualized	7%	7%	7%
Workers' Compensation	2.80%	2.80%	2.80%
Other Postemployment Benefits	1.25%	1.25%	1.25%
Indirect Cost Rate	5.78%	5.73%	5.73%
Interest Rate	0.70%	0.70%	0.70%
Ongoing Maintenance	3%	3%	3%
Reserve for Uncertainties	3%	3%	3%
* No Cap (13.02%)			

SANTA MONICA - MALIBU USD
MULTI-YEAR PROJECTION
UNRESTRICTED GENERAL FUND

			1/31/2014
	2013-14	2014-15	2015-16
Description	2ND INTERIM BUDGET	PROJECTED BUDGET	PROJECTED BUDGET
Revenue:			
Property Tax	61,392,544	58,592,544	58,592,544
Education Protection Account (EPA)	2,183,302	8,238,447	8,238,447
ADA Transfer to Adult Education	(262,628)	(262,628)	(262,628)
State Aid / LCFF	6,392,972	8,745,131	12,371,449
Subtotal LCFF Funding	69,706,190	75,313,494	78,939,812
Fair Share Deductions	(5,246,567)	-	-
Other Federal	100,000	100,000	100,000
Lottery	1,358,701	1,358,701	1,358,701
Mandated Reimbursement Block Grant	405,563	405,563	405,563
Meas. "R"	11,164,948	11,410,577	11,661,610
Prop. Y / City of SM	7,200,000	7,300,000	7,400,000
Joint Use Agreement/ City of SM	8,282,650	8,448,303	8,617,269
All Other Local Income	3,344,202	3,027,355	2,987,355
Vision for Student Success (VSS)		3,200,000	4,000,000
Local General Fund Contribution	(19,729,403)	(20,025,344)	(20,325,724)
TOTAL REVENUE	76,586,284	90,538,649	95,144,586
Expenditure:			
Certificated Salary	44,271,860	44,935,938	45,609,977
Classified	13,742,078	13,948,209	14,157,432
Benefits	19,231,801	20,193,391	21,203,061
Supplies/Books	1,298,890	1,300,000	1,300,000
Other Operational Costs	7,344,823	7,400,000	7,400,000
Capital Outlay	24,206	10,000	10,000
State Special Ed School	31,590	31,590	31,590
Indirect	(855,037)	(700,000)	(700,000)
Interfund Transfer Out	217,382	110,000	110,000
Incremental LCAP Funds		1,103,784	848,894
VSS Project Costs		4,000,000	4,000,000
TOTAL EXPENDITURE	85,307,593	92,332,912	93,970,954
Increase (Decrease) Fund Balance	(8,721,309)	(1,794,263)	1,173,632
Beginning Fund Balance	24,751,270	16,029,961	14,235,698
Ending Fund Balance	16,029,961	14,235,698	15,409,330
Reserve - Revolving cash, Store	80,000	80,000	80,000
Reserve - Deficit Spending	1,794,263		-
Reserve for LCFF Growth Increment			3,626,318
3% Contingency Reserve	3,758,556	3,891,767	3,935,842
Unappropriated Balance	10,397,141	10,263,931	7,767,170

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
SUMMARY BUDGET OF GENERAL FUND**

FUND 01: UNRESTRICTED GENERAL FUND

	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	24,751,270	24,751,270	
REVENUES			-
REVENUE LIMIT	63,472,221	64,459,623	987,402
FEDERAL REVENUE	100,000	100,000	-
OTHER STATE REVENUE	2,194,021	1,764,264	(429,757)
LOCAL REVENUES	29,700,602	29,991,800	291,198
LOCAL GENERAL FUND CONTRIBUTION	(21,224,928)	(19,729,403)	1,495,525
TOTAL REVENUES	74,241,916	76,586,284	2,344,368
EXPENDITURES			
CERTIFICATED SALARIES	42,214,211	44,271,860	2,057,649
CLASSIFIED SALARIES	12,593,385	13,742,078	1,148,693
EMPLOYEE BENEFITS	18,640,328	19,231,801	591,473
BOOKS AND SUPPLIES	984,539	1,298,890	314,351
SERVICES & OTHER OPERATING COSTS	6,952,884	7,344,823	391,939
CAPITAL OUTLAY	24,206	24,206	-
OTHER OUTGO	(480,459)	(606,065)	(125,606)
TOTAL EXPENDITURES	80,929,094	85,307,593	4,378,499
NET INCREASE (DECREASE)	(6,687,178)	(8,721,309)	(2,034,131)
PROJECTED FUND BALANCE	18,064,092	16,029,961	

FUND 01: RESTRICTED GENERAL FUND

	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	3,631,274	3,631,274	
REVENUES			
REVENUE LIMIT	-	-	-
FEDERAL REVENUE	4,924,566	5,029,095	104,529
OTHER STATE REVENUE	4,090,984	3,413,980	(677,004)
LOCAL REVENUES	10,831,392	11,253,799	422,407
INTERFUND TRANSFER	21,224,928	19,729,403	(1,495,525)
TOTAL REVENUES	41,071,870	39,426,277	(1,645,593)
EXPENDITURES	-	-	
CERTIFICATED SALARIES	11,782,128	11,667,122	(115,006)
CLASSIFIED SALARIES	10,763,541	9,484,116	(1,279,425)
EMPLOYEE BENEFITS	7,797,752	6,961,092	(836,660)
BOOKS AND SUPPLIES	3,003,839	3,521,848	518,009
SERVICES & OTHER OPERATING COSTS	6,511,023	7,141,691	630,668
CAPITAL OUTLAY	938,898	812,876	(126,022)
OTHER OUTGO	414,723	388,833	(25,890)
TOTAL EXPENDITURES	41,211,904	39,977,578	(1,234,326)
NET INCREASE (DECREASE)	(140,034)	(551,301)	(411,267)
PROJECTED FUND BALANCE	3,491,240	3,079,973	

FUND 11: ADULT EDUCATION			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	334,598	334,598	
REVENUES			
LCFF REVENUE /TRANSFER		262,628	262,628
FEDERAL REVENUE	61,050	61,050	-
OTHER STATE REVENUE	-	-	-
LOCAL REVENUES	62,300	62,300	-
INTERFUND TRANSFER IN	262,628	-	(262,628)
TOTAL REVENUES	385,978	385,978	-
EXPENDITURES			
CERTIFICATED SALARIES	194,468	199,023	4,555
CLASSIFIED SALARIES	106,358	106,358	-
EMPLOYEE BENEFITS	78,229	79,262	1,033
BOOKS AND SUPPLIES	21,044	20,864	(180)
SERVICES & OTHER OPERATING COSTS	17,864	18,044	180
TOTAL EXPENDITURES	417,963	423,551	5,588
NET INCREASE (DECREASE)	(31,985)	(37,573)	(5,588)
PROJECTED FUND BALANCE	302,613	297,025	
FUND 12: CHILD DEVELOPMENT FUND			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	25,256	25,256	
REVENUES			
FEDERAL REVENUE	1,524,086	1,524,086	-
OTHER STATE REVENUE	2,682,539	2,682,539	-
LOCAL REVENUES	2,959,418	2,959,739	321
INTERFUND TRANSFER IN	106,586	217,382	110,796
TOTAL REVENUES	7,272,629	7,383,746	111,117
EXPENDITURES			
CERTIFICATED SALARIES	2,287,164	2,319,846	32,682
CLASSIFIED SALARIES	2,111,910	2,173,046	61,136
EMPLOYEE BENEFITS	1,688,303	1,693,571	5,268
BOOKS AND SUPPLIES	157,019	168,675	11,656
SERVICES & OTHER OPERATING COSTS	655,026	656,178	1,152
CAPITAL OUTLAY	63,425	63,425	-
OTHER OUTGO	309,782	309,782	-
TOTAL EXPENDITURES	7,272,629	7,384,523	111,894
NET INCREASE (DECREASE)	-	(777)	(777)
PROJECTED FUND BALANCE	25,256	24,479	

FUND 13: CAFETERIA SPECIAL FUND			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	244,125	244,125	
REVENUES			
FEDERAL REVENUE	1,380,000	1,380,000	-
OTHER STATE REVENUE	100,000	100,000	-
LOCAL REVENUES	1,633,000	1,633,000	-
TOTAL REVENUES	3,113,000	3,113,000	-
EXPENDITURES			
CLASSIFIED SALARIES*	1,410,774	1,394,092	(16,682)
EMPLOYEE BENEFITS	527,606	531,539	3,933
BOOKS AND SUPPLIES	1,443,000	1,443,503	503
SERVICES & OTHER OPERATING COSTS	(429,250)	(423,325)	5,925
CAPITAL OUTLAY	10,769	10,769	-
OTHER OUTGO	156,758	156,422	(336)
TOTAL EXPENDITURES	3,119,657	3,113,000	(6,657)
NET INCREASE (DECREASE)	(6,657)	-	6,657
PROJECTED FUND BALANCE	237,468	244,125	
FUND 14: DEFERRED MAINTENANCE FUND			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	228,996	228,996	
REVENUES			
OTHER STATE REVENUE	-	-	-
LOCAL REVENUES	2,000	2,000	-
TOTAL REVENUES	2,000	2,000	-
EXPENDITURES			
BOOKS AND SUPPLIES			-
SERVICES & OTHER OPERATING COSTS	100,000	100,000	-
CAPITAL OUTLAY	50,000	50,000	-
TOTAL EXPENDITURES	150,000	150,000	-
NET INCREASE (DECREASE)	(148,000)	(148,000)	
PROJECTED FUND BALANCE	80,996	80,996	

FUND 21: BUILDING FUND			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	112,963,147	112,963,147	
REVENUES			
PROCEEDS - SALE OF BONDS	-	-	-
LOCAL REVENUES	673,000	673,000	-
TOTAL REVENUES	673,000	673,000	-
EXPENDITURES			
CLASSIFIED SALARIES	299,968	310,368	10,400
EMPLOYEE BENEFITS	124,169	126,769	2,600
BOOKS AND SUPPLIES	22,600	38,900	16,300
SERVICES & OTHER OPERATING COSTS	9,716,850	11,250,200	1,533,350
CAPITAL OUTLAY	72,325,300	73,195,300	870,000
TOTAL EXPENDITURES	82,488,887	84,921,537	2,432,650
NET INCREASE (DECREASE)	(81,815,887)	(84,248,537)	(2,432,650)
PROJECTED FUND BALANCE	31,147,260	28,714,610	
FUND 25: CAPITAL FACILITIES FUND			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	9,655,577	9,655,577	
REVENUES			
DEVELOPMENT FEES	800,000	800,000	-
INTEREST	60,000	60,000	-
OTHER LOCAL	50,000	199,500	149,500
TOTAL REVENUES	910,000	1,059,500	149,500
EXPENDITURES			
SUPPLIES	1,300	1,300	-
SERVICES & OTHER OPERATING COST	390,200	824,200	434,000
CAPITAL OUTLAY	47,000	47,000	-
TOTAL EXPENDITURES	438,500	872,500	434,000
NET INCREASE (DECREASE)	471,500	187,000	(284,500)
PROJECTED FUND BALANCE	10,127,077	9,842,577	

FUND 40: SPECIAL RESERVE FUND FOR CAPITAL OUTLAY			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	8,254,249	8,254,249	
REVENUES			
REDEVELOPMENT	1,800,000	1,800,000	-
INTEREST	30,000	30,000	-
OTHER LOCAL (CCJUP)	1,000	1,000	
TOTAL REVENUES	1,831,000	1,831,000	-
EXPENDITURES			
SUPPLIES	100	-	(100)
SERVICES & OTHER OPERATING COSTS	375,200	392,910	17,710
CAPITAL OUTLAY	50,000	50,000	-
OTHER OUTGO	1,464,102	1,464,102	-
TOTAL EXPENDITURES	1,889,402	1,907,012	17,610
NET INCREASE (DECREASE)	(58,402)	(76,012)	(17,610)
PROJECTED FUND BALANCE	8,195,847	8,178,237	
FUND 67: SELF-INSURANCE FUND (OTHER POST EMPLOYMENT BENEFIT)			
	2013-14 1ST INTERIM BUDGET	2013-14 2ND INTERIM BUDGET	CHANGES
BEGINNING BALANCE	(4,695,532)	(4,695,532)	
REVENUES			
OTHER LOCAL	1,075,753	1,075,753	-
TOTAL REVENUES	1,075,753	1,075,753	-
EXPENDITURES			
SERVICES & OTHER OPERATING COST	1,068,753	1,068,753	-
TOTAL EXPENDITURES	1,068,753	1,068,753	-
NET INCREASE (DECREASE)	7,000	7,000	
PROJECTED FUND BALANCE	(4,688,532)	(4,688,532)	-

INFORMATION ITEMS

TO: BOARD OF EDUCATION

INFORMATION

03/06/14

FROM: SANDRA LYON

RE: NOTICE OF RECOMMENDATION NOT TO REMPLOY PERMANENT OR
PROBATIONARY EMPLOYEES

INFORMATION ITEM NO. I.01

**NOTICE TO THE BOARD OF EDUCATION OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT OF
RECOMMENDATION NOT TO REEMPLOY
PERMANENT OR PROBATIONARY EMPLOYEES**

TO THE BOARD OF EDUCATION OF THE SANTA MONICA-MALIBU UNIFIED SCHOOL
DISTRICT:

This communication is forwarded to the Board as one of the steps required by the certificated layoff procedures, in accordance with Education Code section 44949(a). The undersigned, Superintendent of the Santa Monica-Malibu Unified School District, hereby recommends to the Board of Education that the following employees of the District not be reemployed for the following school year and that they be given notice as required by Education Code Sections 44949 and 44955 that their services will not be required for the following school year:

#2050

#3066

#9291

#3364

The numbers listed above are those employees subject to layoff at this time. After displacement rights have been fully determined, notice of remaining employees to be laid off will be provided.

The reason for this recommendation is that the services enumerated in Resolution No. 13-09 are to be reduced or discontinued no later than the beginning of the 2014-15 school year. You are further notified that there is no probationary or permanent certificated employee with less seniority retained who is rendering a service which the certificated employees who will receive Notices of Non-Reemployment are certificated and competent to render.

Respectfully submitted,

Sandra Lyon, Superintendent
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

INFORMATION

03/06/14

FROM: SANDRA LYON

RE: ADOPTION OF E 9250 – REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

INFORMATION ITEM NO. I.02

This is to inform the Board of Education that E 9250 – Remuneration, Reimbursement and Other Benefits has been adopted.

COMMENTS: CSBA recommends adopting this new exhibit to provide a sample Board resolution, as required by law in order to authorize compensation for a Board member who missed meeting(s) because he/she was performing other designated duties on behalf of the district at the time of the meeting, was ill or on jury duty, or had another hardship deemed acceptable by the Board.

This adoption was discussed at the February 20, 2014, board meeting. The corresponding policy can be found under Consent.

REMUNERATION, REIMBURSEMENT AND OTHER BENEFITS

RESOLUTION ON BOARD COMPENSATION FOR MISSED MEETINGS

WHEREAS, the Governing Board of the _____ School District appreciates the services provided by members of the Board and provides compensation for meeting attendance in accordance with Education Code 35120 and Board Bylaw 9250; and

WHEREAS, Education Code 35120 provides that the monthly compensation provided to Board members shall be commensurate with the percentage of meetings attended during the month unless otherwise authorized by Board resolution; and

WHEREAS, Education Code 35120 specifies limited circumstances under which the Board is authorized to compensate a Board member for meetings he/she missed; and

WHEREAS, the Board finds that (name of Board member) did not attend the Board meeting(s) on (dates) for the following reason(s): (check applicable reasons)

- ☐ Performance of other designated duties for the district during the time of the meeting
- ☐ Illness or jury duty
- ☐ Hardship deemed acceptable by the Board

NOW THEREFORE BE IT RESOLVED that the Board of the _____ School District approves full compensation of the Board member for the month of _____.

PASSED AND ADOPTED this _____ day of _____, _____ at a regular meeting, by the following vote:

AYES: _____ NOES: _____ ABSENT: _____

Attest:

Secretary President

Exhibit CSBA MANUAL MAINTENANCE SERVICE

TO: BOARD OF EDUCATION

INFORMATION

03/06/14

FROM: SANDRA LYON

RE: INFORMATION ON ENVIRONMENTAL SERVICES AGREEMENT WITH
ENVIRON INTERNATIONAL CORPORATION FOR THE PERFORMANCE OF
ENVIRONMENTAL REMEDIATION SERVICES

INFORMATION ITEM NO. I.03

At its February 6, 2014, meeting, the Board of Education directed staff to negotiate and enter into a contract with Environ International Corporation. The contract with Environ was signed on February 14, 2014, and appears on tonight's consent calendar for Board of Education ratification. This information item will explain the direction being given to Environ as they work to address our questions regarding the health of our schools.

Our goal is to assure our community of school environmental health, and we are relying on scientific experts to answer our community's questions and outline a necessary action plan.

Environ will create a work plan that will be presented to the Board of Education and the Superintendent to review and approve. Our direction to Environ will be to consider all public input, questions and concerns as they construct their action plan.

All questions and concerns from the community shall be passed along to Environ. Environ and the regulatory agencies will outline the process they will use to capture and consider all input.

Environ and the regulatory agencies will be asked to hear and be aware of all concerns, and then we will listen to their experts' recommendations and rationale. Questions that have been sent to the District from community members, Task Force members and staff have been compiled to be provided to Environ and the regulatory agencies. However, this will not conclude their effort to capture community input.

We will rely on Environ to construct a plan to implement the EPA's Best Management Cleaning Practices throughout our District.

The District is committed to taking action that helps build confidence that the public's questions and concerns are given directly to Environ, and are in no way being "filtered." We will rely on Environ to consult with the proper regulatory agencies.

To support our commitment to assure all students, staff and families that our schools are safe, Environ will construct the plan and take into consideration, among other things: (a) the conflicting opinions of experts in the EPA; (b) the implications of emerging or new science; (c) PEER's concerns regarding military work conducted throughout the Malibu area; (d) caulking tests that triggered regulatory limits and the best steps for further testing and necessary action; (e) our commitment to soil tests and testing at Juan Cabrillo Elementary School; and (f) our commitment to ensure that best management practices are applied, as appropriate, District-wide.

We are relying on our environmental consultants and the regulatory agencies to address these key points that have been raised by our community.

ATTACHMENTS

ATTACHED ARE THE FOLLOWING DOCUMENTS:

- Presentations: “Alternative Education”, “SMASH,” and “McKinley Elementary School” *(associated with Item No. S.01)*
- Presentation: “2013-14 Second Interim Report” *(associated with Item No. A.28)*

Santa Monica-Malibu Unified School District

Alternative Education

March 6, 2014

Olympic High School • Independent Study Program • Off Campus Learning Center • Adult Education Center

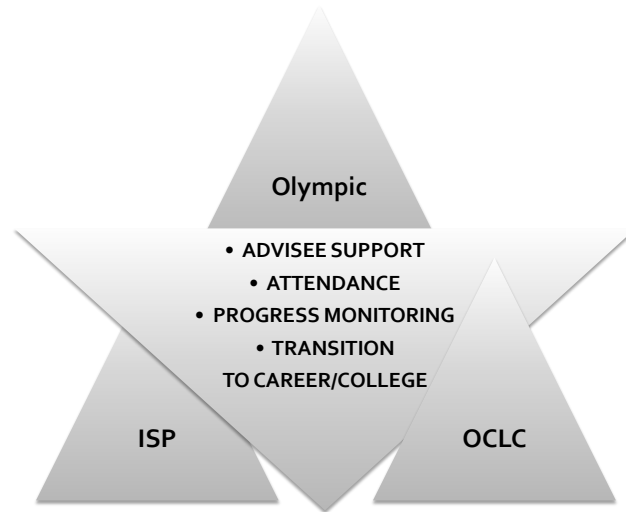
ALTERNATIVE EDUCATION

	OLYMPIC HIGH	OFF CAMPUS LEARNING CENTER	INDEPENDENT STUDY PROGRAM	ADULT EDUCATION CENTER
# of Students	104	19	43	769
# of Special Ed	22%	53%	7%	-
English Learners	8.6%	5.2%	9%	22%
Asian	1.1%	0	5%	8%
Hispanic	54.8%	37%	30%	45%
White	32.3%	16%	93%	26%
African American	10.8%	5.2%	2%	10%
Two or more races	1.1%	42%	5%	-
Free/reduced Lunch	28%	47%	14%	-
# of Teachers	7	2	1	8 (part-time)

PLC

Focus Area One

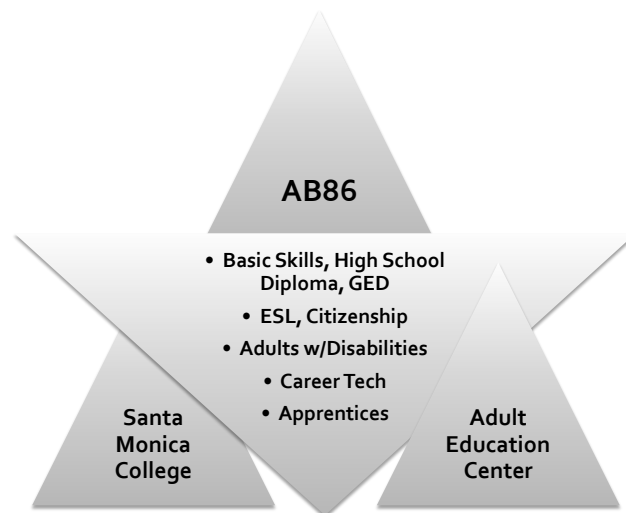
professional learning community



PLC

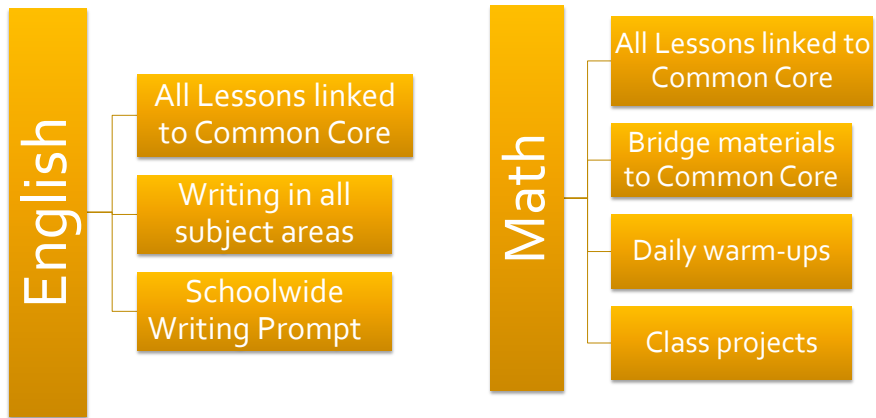
Focus Area One

professional learning community



Focus Area Two

COMMON CORE state standards



SMASH 2013-14 BOARD OF EDUCATION PRESENTATION



SMASH DEMOGRAPHICS

Percent of students enrolled at the school in a particular group:

White 60.9.1%

Two or more races 18.3%

Hispanic or Latino 11.5%

Black or African American 3.8% , Asian 5.1%

American Indian or Alaska Native .4%

Socioeconomically Disadvantaged 11.9%

English Learners 4.7%

Students with Disabilities 11.5%

PROFESSIONAL LEARNING COMMUNITY (PLC) ACTION RESEARCH QUESTIONS

- Does a real world audience affect student motivation?
- What are the benefits for both teachers and students from innovative teacher collaboration? What is it we can learn from each other knowing that we have different schedules, structures, school cultures...?
- How does learning with community mentors deepen subject area content knowledge, curiosity, critical thinking, creativity and relationships?

STEM

- Through interdisciplinary study as part of a STEM unit related to bees, students will gain greater understanding of the role bees play in our lives. In addition to learning about the biology of bees, students will study bee social interaction, bees as a “superorganism,” and the structure and organization of a hive. Students will create action projects around their research.
- Driving questions for the unit include: **In what ways are bees important in our lives? What can we learn from bees?**
- Community Experts include: LA Beekeepers, Honeylove, Architect Ralph Mechur, engineers from The Exploratory

McKinley Elementary School Board of Education Presentation

March 6, 2014

Mary Anna Noveck: Interim Principal

Dr. Amy Teplin: Assistant Principal

School Demographics Enrollment 500 TK-5 Students

Group	Percentage of Total Enrollment
White	36.30%
Hispanic or Latino	34.20%
Black or African American	11.6%
Asian	8.00%
Two or More Races	8.90%
Other	1.00%
Socioeconomically Disadvantaged	45.20%
English Learners	26.00%
Students with Disabilities	9.50%

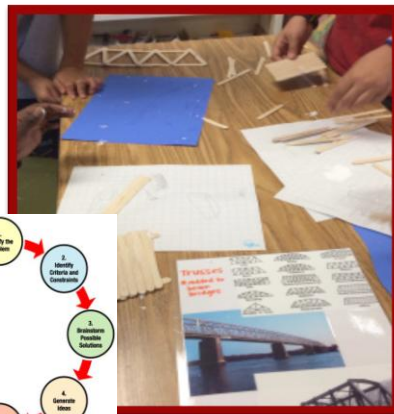
Focus Area 1: CCSS

- Collaborative study of grade level standards and curriculum maps
- Classroom-based professional development with district literacy coaches (Informational Text)
- Ongoing peer coaching and support with CCSS and Standards for Mathematical Practice.



Focus Area 2: STEM

- Partnership with P.S. Science
- STEM focused Science Lab
- Next Generation Science Standards (NGSS)



SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

2013-14 SECOND INTERIM REPORT

MARCH 6, 2014

AGENDA ITEM A.28

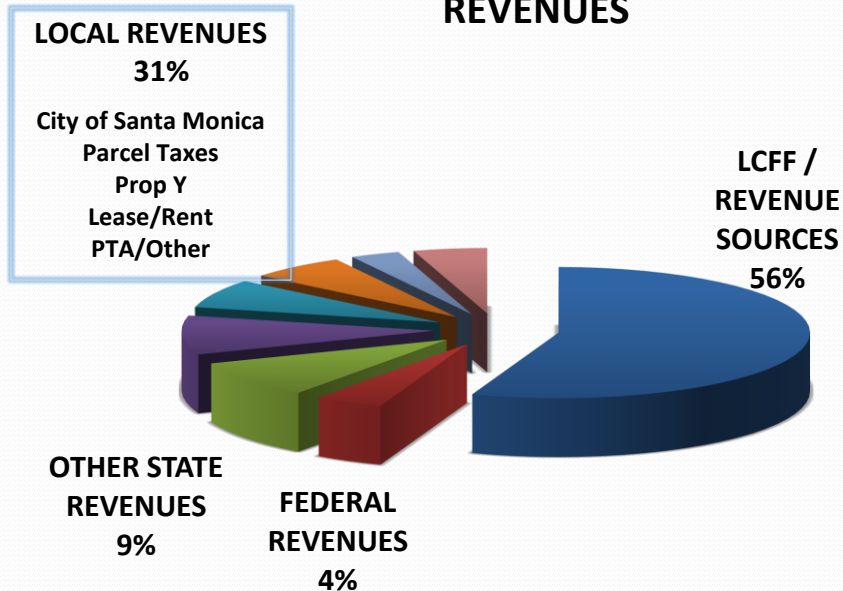
SMMUSD 2nd Interim Report

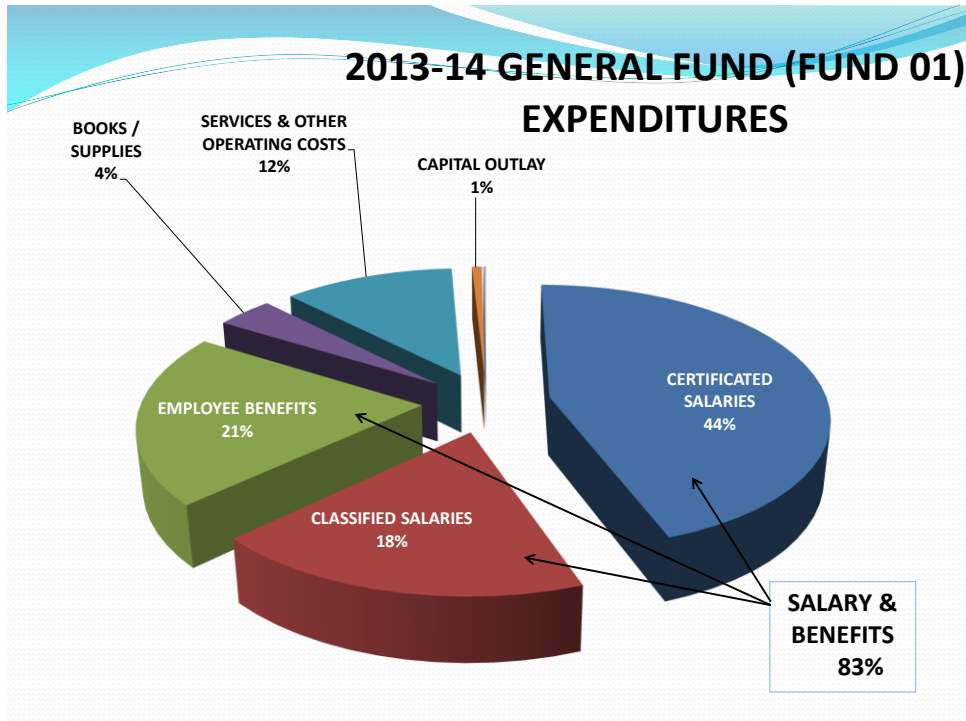
- Shows the District's financial position as of January 31, 2014
- Displays the Adopted Budget, Current Actuals, and Projected Totals for each District fund
- Includes an analysis of standards for financial reporting set by the State
- Projects General Fund activity for the current and next two fiscal years
- Certifies one of three conditions: positive, negative or qualified

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2013-14 SECOND INTERIM REPORT
AS OF 1/31/14
GENERAL FUND (01)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	115,828,256	68,146,418	116,012,561	184,305
EXPENDITURES	117,180,040	54,528,048	125,285,171	(8,105,131)
EXCESS OR (DEFICIENCY)	(1,351,784)	13,618,370	(9,272,610)	(7,920,826)
BEGINNING BALANCE	28,382,544		28,382,544	0
PROJECTED ENDING BALANCE	27,030,760		19,109,934	(7,920,826)

PROJECTED GENERAL FUND (FUND 01)
REVENUES





**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2013-14 SECOND INTERIM REPORT
AS OF 1/31/14
GENERAL FUND (01)**

Non-spendable Amounts

Stores, Revolving Cash, Prepaid	80,000
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Restricted

3,079,974

Committed Amounts

-

Assigned Amounts

Reserve for 2014-15 Deficit Spending	1,794,263
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Unassigned/Unappropriated Amounts

Reserve for Economic Uncertainties	3,758,556
Unassigned	10,397,142

FUND BALANCE	19,109,934
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SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2013-14 SECOND INTERIM REPORT
AS OF 1/31/14
ADULT EDUCATION (11)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	387,889	42,176	385,978	(1,911)
EXPENDITURES	396,791	191,182	423,551	(26,760)
EXCESS OR (DEFICIENCY)	(8,902)	(149,006)	(37,573)	(28,671)
BEGINNING BALANCE	334,598		334,598	0
PROJECTED ENDING BALANCE	325,696		297,025	(28,671)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2013-14 SECOND INTERIM REPORT
AS OF 1/31/14
CHILD DEVELOPMENT FUND (12)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	7,272,629	4,122,564	7,383,746	111,117
EXPENDITURES	7,272,629	3,251,808	7,384,523	(111,894)
EXCESS OR (DEFICIENCY)	0	870,756	(777)	(777)
BEGINNING BALANCE	25,256		25,256	0
PROJECTED ENDING BALANCE	25,256		24,479	(777)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

2013-14 SECOND INTERIM REPORT

AS OF 1/31/14

CAFETERIA FUND (13)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	3,113,000	1,388,848	3,113,000	0
EXPENDITURES	3,135,375	1,377,595	3,113,000	22,375
EXCESS OR (DEFICIENCY)	(22,375)	11,253	0	22,375
BEGINNING BALANCE	244,125		244,125	0
PROJECTED ENDING BALANCE	221,750		244,125	

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

2013-14 SECOND INTERIM REPORT

AS OF 1/31/14

DEFERRED MAINTENANCE (14)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	2,000	363	2,000	0
EXPENDITURES	150,000	97,510	150,000	0
EXCESS OR (DEFICIENCY)	(148,000)	(97,147)	(148,000)	0
BEGINNING BALANCE	228,996		228,996	0
PROJECTED ENDING BALANCE	80,996		80,996	0

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**2013-14 SECOND INTERIM REPORT****AS OF 1/31/14****BUILDING FUND (21)**

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	673,000	504,205	673,000	0
EXPENDITURES	72,979,796	28,704,700	84,921,537	(11,941,741)
EXCESS OR (DEFICIENCY)	(72,306,796)	(28,200,495)	(84,248,537)	(11,941,741)
BEGINNING BALANCE	112,963,147		112,963,147	0
PROJECTED ENDING BALANCE	40,656,351		28,714,610	(11,941,741)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**2013-14 SECOND INTERIM REPORT****AS OF 1/31/14****CAPITAL FACILITIES FUND - DEVELOPER FEES (25)**

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	910,000	315,903	1,059,500	149,500
EXPENDITURES	357,500	243,399	872,500	(515,000)
EXCESS OR (DEFICIENCY)	552,500	72,504	187,000	(365,500)
BEGINNING BALANCE	9,655,577		9,655,577	0
PROJECTED ENDING BALANCE	10,208,077		9,842,577	(365,500)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

2013-14 SECOND INTERIM REPORT

AS OF 1/31/14

SPECIAL RESERVE - CAPITAL OUTLAY (40)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	1,831,000	24,011	1,831,000	0
EXPENDITURES	1,889,402	267,386	1,907,012	(17,610)
EXCESS OR (DEFICIENCY)	(58,402)	(243,375)	(76,012)	(17,610)
BEGINNING BALANCE	8,254,249		8,254,249	0
PROJECTED ENDING BALANCE	8,195,847		8,178,237	(17,610)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

2013-14 SECOND INTERIM REPORT

AS OF 1/31/14

BOND INTEREST AND REDEMPTION (51)

	ADOPTED BUDGET	ACTUALS AS OF 01/31/14	2013-14 ESTIMATED ACTUALS	DIFFERENCE
REVENUE	28,667,243	0	28,667,243	0
EXPENDITURES	25,985,528	0	25,985,528	0
EXCESS OR (DEFICIENCY)	2,681,715	0	2,681,715	0
BEGINNING BALANCE	25,920,215		25,920,215	0
PROJECTED ENDING BALANCE	28,601,930		28,601,930	0

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2013-14 SECOND INTERIM REPORT
AS OF 1/31/14
SELF INSURANCE FUND - RETIREE HEALTH BENEFITS (67)

	ADOPTED	ACTUALS	2013-14	
	BUDGET	AS OF	ESTIMATED	DIFFERENCE
		01/31/14	ACTUALS	
REVENUE	1,075,753	38,118	1,075,753	0
EXPENDITURES	1,068,753	641,756	1,068,753	0
EXCESS OR (DEFICIENCY)	7,000	(603,638)	7,000	0
BEGINNING BALANCE	(4,695,532)		(4,695,532)	0
PROJECTED ENDING BALANCE	(4,688,532)		(4,688,532)	0

SANTA MONICA - MALIBU USD
MULTI-YEAR PROJECTION
UNRESTRICTED GENERAL FUND - REVENUE

	2013-14 2ND INTERIM BUDGET	2014-15 PROJECTED BUDGET	2015-16 PROJECTED BUDGET
Description			
Property Tax	61,392,544	58,592,544	58,592,544
Education Protection Account (EPA)	2,183,302	8,238,447	8,238,447
ADA Transfer to Adult Education	(262,628)	(262,628)	(262,628)
State Aid / LCFF	6,392,972	8,745,131	12,371,449
Subtotal LCFF Funding	69,706,190	75,313,494	78,939,812
Fair Share Deductions	(5,246,567)	-	-
Other Federal	100,000	100,000	100,000
Lottery	1,358,701	1,358,701	1,358,701
Mandated Reimbursement Block Grant	405,563	405,563	405,563
Meas. "R"	11,164,948	11,410,577	11,661,610
Prop. Y / City of SM	7,200,000	7,300,000	7,400,000
Joint Use Agreement/ City of SM	8,282,650	8,448,303	8,617,269
All Other Local Income	3,344,202	3,027,355	2,987,355
Vision for Student Success (VSS)		3,200,000	4,000,000
Local General Fund Contribution	(19,729,403)	(20,025,344)	(20,325,724)
TOTAL REVENUE	76,586,284	90,538,649	95,144,586

1/31/2014

SANTA MONICA - MALIBU USD
MULTI-YEAR PROJECTION
UNRESTRICTED GENERAL FUND – EXPENDITURES

1/31/2014

Description	2013-14 2ND INTERIM BUDGET	2014-15 PROJECTED BUDGET	2015-16 PROJECTED BUDGET
Certificated Salary	44,271,860	44,935,938	45,609,977
Classified	13,742,078	13,948,209	14,157,432
Benefits	19,231,801	20,193,391	21,203,061
Supplies/Books	1,298,890	1,300,000	1,300,000
Other Operational Costs	7,344,823	7,400,000	7,400,000
Capital Outlay	24,206	10,000	10,000
State Special Ed School	31,590	31,590	31,590
Indirect	(855,037)	(700,000)	(700,000)
Interfund Transfer Out	217,382	110,000	110,000
Incremental LCAP Funds		1,103,784	1,372,379
VSS Project Costs		4,000,000	4,000,000
TOTAL EXPENDITURE	85,307,593	92,332,912	94,494,439

SANTA MONICA - MALIBU USD
MULTI-YEAR PROJECTION
UNRESTRICTED GENERAL FUND

1/31/2014

Description	2013-14 2ND INTERIM BUDGET	2014-15 PROJECTED BUDGET	2015-16 PROJECTED BUDGET
Increase (Decrease) Fund Balance	(8,721,309)	(1,794,263)	650,147
Beginning Fund Balance	24,751,270	16,029,961	14,235,698
Ending Fund Balance	16,029,961	14,235,698	14,885,845
Reserve - Revolving cash, Store	80,000	80,000	80,000
Reserve - Deficit Spending	1,794,263		-
Reserve for LCFF Growth Increment			3,626,318
3% Contingency Reserve	3,758,556	3,891,767	3,935,842
Unappropriated Balance	10,397,141	10,263,931	7,243,685

Multi-year Projection reflects:

- The district's financial position over the current and next two fiscal years
- State revenue Cost of Living (COLA) increases of 0.86% (2014-15) and 2.12% (2015-16)
- LCFF Gap Funding increasing by 28.05% (2014-15) and 21.00% (2015-16)
- Student enrollment stable at 11,359
- Local revenue from parcel taxes, Prop Y and the City of Santa Monica contribution are projected at \$26.6 million in 2013-14, growing at a rate of 2.0% for the next two years

Multi-year Projection continued:

- Includes salary schedules changes as a result of negotiations with SMMCTA, but not SEIU
- Increase of 7.0% to Employee health and welfare
- Increase of 1.50% to Step and Column salary increases
- Reserve for Economic Uncertainties remains at 3.0%
- A Reserve for LCFF Growth Increment has been established due to uncertainty of increases in LCFF gap funding

Positive Certification of 2nd Interim

- The District is submitting the 2nd Interim Report with a positive certification.
- The District will be able to meet its obligation in the current and next two fiscal years.

