



**BOARD OF EDUCATION MEETING
MINUTES – MEETING FORMAT “A”**

May 4, 2017

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education was held on Thursday, May 4, 2017, in the Malibu City Council Chambers: 23825 Stuart Ranch Road, Malibu, CA. The Board of Education called the meeting to order at 4:55 p.m. in the Zuma Room at the Malibu City Hall. At 4:56 p.m., the Board of Education moved to Closed Session regarding the items listed below. The public meeting reconvened at 5:59 p.m. in the Council Chambers.

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 §54957.6 (20)
CONFERENCE WITH LABOR NEGOTIATORS
 - Agency designated representative: Dr. Ben Drati
Employee Organizations: SEIU
- Government Code §54957 (20)
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
 - Teacher

There was no action to report out of closed session.

OPEN SESSION (5:30 p.m.)

5:59 pm

III. CALL TO ORDER

A. Roll Call

Board of Education Members

Laurie Lieberman – President	Craig Foster
Richard Tahvildaran-Jesswein – Vice President	Jon Kean
Oscar de la Torre – arrived 4:55pm	Ralph Mechur – arrived 4:55pm
Maria Leon-Vazquez – arrived 4:55pm	

B. Pledge of Allegiance

Led by Dr. Tahvildaran-Jesswein

IV. APPROVAL OF THE AGENDA

It was moved by Ms. Leon-Vazquez, seconded by Mr. Foster, and voted 7/0 to approve the agenda.

6:01 pm

V. APPROVAL OF MINUTES

A.01	March 30, 2017	1
	April 20, 2017	

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

6:01 pm

VII. STUDY SESSION (45 minutes)

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

- S.01 A Three-pronged Approach for Executing Excellence through Equity (45).....2-2d

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. Alexis Lopez – Santa Monica High School (5) – *absent*
- 2. Dillon Eisman – Malibu High School (5) – *absent*
- 3. Piter Fouad – Olympic High School (5) – *absent*

6:53 pm

B. SMMCTA Update – Ms. Sarah Braff (5)

Danielle Murawski delivered the union report for Ms. Braff. On May 1, CTA units across the state participated in a Day of Action. In our district, there were walk-ins before school and rallies after school. SMMCTA bestowed its WHO award to JAMS teacher and union vice president Barbara Ransom. Olympic math teacher Greg Bushin will be representing SMMCTA at this year's annual NEA Representative Assembly in Boston. In the most recent Education Spotlight in the Santa Monica Daily Press, speech pathologist Shannon Bishop and McKinley teacher Sandra Kim were highlighted. FAC committees are collecting teacher reviews regarding site administrators. Ms. Murawski congratulated Dr. Samarge-Powell on her new position as Director of Early Learning and Ms. Maez and Dr. Edeburn on their upcoming retirements.

C. SEIU Update – Ms. Keryl Cartee-McNeely (5) – *absent*

D. PTA Council – Ms. Jennifer Smith (5) – *absent*

IX. EXECUTIVE STAFF REPORTS (20 minutes)

6:59 pm

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

Dr. Deloria reported that as part of the move toward leading from the middle, the district leadership team, school leadership teams, site co-administrators, and counselors have been and will continue to participate in professional development trainings. This year, the professional development teams participated in twenty four hours of training on culturally responsive teaching with Joaquin Noguera and his team. Staff is also developing a model of what it means to be socially just, so that by the time students graduate, they will leave our district with a clear understanding of social justice. Next year, district office staff will work with the curriculum groups to determine how to infuse social justice standards across the curriculum. Dr. Tahvildaran-Jesswein and Mr. Foster asked about small groups of board members participating in campus visits. Dr. Deloria said she would develop a list of options and share it with Dr. Drati. Dr. Drati clarified that these would be more exploratory walks, as the matrices and data will not have been completed. Dr. Deloria explained for Mr. de la Torre the process for training staff regarding culturally responsive teaching.

7:13 pm

B. Asst. Supt., Human Resources – Dr. Mark Kelly (5)

Dr. Kelly reported that Leyla Platz in his department is retiring tomorrow, but we have been fortunate to have overlap time with Ms. Platz and the person taking over the position, Sandra Cervantes. HR is in the process of hiring employees for 2017-18, including teacher positions and the principal position at both Webster ES and McKinley ES. On May 6, the Student Services Department and local agencies are co-sponsoring the 3rd annual realty party depicting underage alcohol and drug use to better inform parents of current trends among teenagers. On May 9 The Samohi PTSA is hosting a drug and alcohol awareness event for parents. Mr. Foster requested information regarding the hiring process for Ms. Maez’s position. Dr. Kelly then explained how teacher attrition is part of the process of aligning staffing at schools with enrollment.

7:11 pm

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

Ms. Maez reported that Samohi staff and the architects hired to design the future facilities on the campus met on April 26 to discuss what the next phase of the campus plan should look like. She thanked the five board members who attended the tour of the Da Vinci School in the Wiseburn School District to see an example of a 21st Century learning facility. During the tour, it became evident that all of the school’s staff and board members could clearly articulate the vision and purpose driving the campus’s design.

7:19 pm

D. Superintendent – Dr. Ben Drati (5)

Dr. Drati reported that the Department of Public Health released our district from the restrictions that had been placed on us during the norovirus outbreak.

7:19 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

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A.03	Overnight Field Trip(s) – 2016-17	4
A.04	Conference and Travel Approval / Ratification	5-6
A.05	College Readiness Block Grant: The SMMUSD Grant Plan	7
A.06	Approval of Special Education Contracts – 2016-2017	8-10

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A.07	Award of Purchase Orders – 2016-2017	11-11g
A.08	Acceptance of Gifts – 2016/2017	12-13
A.09	Extension of Financial Advisory Agreement – Keygent Advisors.....	14-14s
A.10	Award of Contract to IVS Computer Technology for Installation of Classroom Audio Visual Technologies, Projection System, Audio Enhancement Speakers, A/V Controllers, and Electrical Upgrades – And to Approve the Piggyback onto Bakersfield City School District Bid #1507-1 – Phase I Technology – Measure ES-2 Bond Program	15

Facilities Improvement Projects

A.11	Authorization to Use CMAS Contract – Track Replacements – Benyon Sports Surfaces, Inc.....	16
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A.12	Authorization to Use CMAS Contract – Athletic Field and Track Replacements – FieldTurf USA, Inc.	17
A.13	Award of Contract – Will Rogers Learning Community – Windows, Paint & Flooring Project – Fire Alarm Upgrade – SimplexGrinnell – Measure ES	18
A.14	Amendment to Agreement – Architectural Design Services – Franklin Elementary School and Point Dume Elementary School – Windows, Paint, Floor and Doors projects – dsk Architects – Measure ES	19-20
A.15	Award of Contract – Roosevelt Elementary School – Windows, Paint, Floors and Door Project – Fire Alarm Upgrade – SimplexGrinnell – Measure ES.....	21
A.16	Amendment to Agreement – Hazardous Materials Abatement Sampling and Monitoring – Grant, Roosevelt, Webster, and Will Rogers Elementary Schools and Malibu Middle & High School – Windows, Paint, Floors and Doors Project – Alta Environmental – Measure ES.....	22-23
A.17	Award of Agreement – CDE Geotechnical Consultant – John Adams Middle School – Performing Arts Complex Project – Leighton – Measure ES.....	24
A.18	Award of Contract – Synthetic Field and Track Replacement – Lincoln Middle School – Field & Track Replacement Project – FieldTurf USA, Inc. – Measure ES	25
A.19	Award of Agreement – In-plant Inspection Services – Santa Monica High School – Sealy Field Project & Lincoln Middle School – Field and Track Replacement Project – John R. Byerly Incorporated – Measure ES.....	26
A.20	Amendment to Agreement – Professional Geotechnical Services – Santa Monica High School – Samohi Campus Plan Project – Phase 1 and 2 Geotechnical Investigation – Leighton Consulting, Inc. – Measure ES.....	27
A.21	Agreement for Construction Management Services – Windows, Paint, Floors, and Doors – Telacu Construction Management – Measure ES	28-29
A.22	Amendment to Agreement – Architectural Services – Juan Cabrillo Elementary School – Windows, Paint, Floors & Doors Project – HMC Architects – Measure ES.....	30
A.23	Award of Contract – Malibu Middle & High School – Windows, Paint, Floors & Doors Project – Bid #17.11.ES – Angeles Contractor, Inc. – Measure ES	31
A.24	Award of Contract – Track Replacement – Malibu Middle/High School – Campus Improvements Project – Beynon Sports Surfaces, Inc. – Measure BB.....	32
A.25	Accept Work as Completed – Multiple Purchase Orders – Various Projects – Measure BB & ES.....	33

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A.26	Certificated Personnel – Elections, Separations.....	34-39
A.27	Classified Personnel – Merit	40-45
A.28	Classified Personnel – Non-Merit.....	46
A.29	Student Teaching Agreement – Brandman University.....	47

General

A.30	Adopt Resolution No. 16-31 – Board Member Absence on April 20, 2017.....	48-49
A.31	Adopt BP 3470 – Debt Issuance and Management.....	50-55

XI. GENERAL 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 (the following rules apply to both general public comments as well as comments about a specific agenda item). 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. Individual members of the public who submit a public speaking card prior to the Board hearing an agenda item or general public comments shall be allowed three (3) minutes to address the Board on each agenda or nonagenda item, depending on the number of speakers. If there are ten or more speakers on an agenda or nonagenda item, the Board shall limit the allowed time to two (2) minutes per speaker. Individual speakers who submit a public speaking card after the Board begins to hear an agenda item or general public comments shall be allowed one (1) minute to address the Board. A public speaker may yield his/her time to another speaker, but must be present when his/her name is called. The donor would then give up his/her opportunity to speak. The public speaker who receives the donated minutes shall speak for no more than four (4) minutes maximum. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add. Individuals represented by a common point of view may be asked to select one individual to speak for the group. The president may, at his/her discretion, allow five (5) minutes for those who are serving as a spokesperson for a group or organization. The Board may limit the total time for public input on each item to thirty (30) 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.**

- *Jill Hawkins addressed the board regarding the use of pesticides. Mr. de la Torre requested post-treatment test results from staff.*
- *Mindy Peterson addressed the board regarding water bottle filling stations 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 (115 minutes)

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

7:52 pm	D.01	Consider Revising BP 6146.1 – High School Graduation Requirements (20).....	56-60	
8:59 pm	D.02	Measure ES Preliminary Budget Allocation Update (45).....	61-61e	
9:41 pm	D.03	Long-range Facilities Planning (20).....	62-64	
10:03 pm	D.04	Consider Revising BP & AR 3515.2 – Disruptions (5).....	65-69	
10:05 pm	D.05	Consider Adopting BP 3515.7 – Firearms on Campus (5).....	70-71	
10:22 pm	D.06	Consider Revising BP & Deleting AR 3541.2 – Transportation for Students with Disabilities (5).....	72-75	
10:23 pm	}	D.07	Consider Revising BP & AR 3553 – Free & Reduced Price Meals (5).....	76-82
		D.08	Consider Revising BP 3555 – Nutrition Program Compliance (5).....	83-87
10:40 pm	D.09	Consider Revising BP 3580 – District Records (5).....	88-90	

XIII. MAJOR ACTION ITEMS (30 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.

10:42 pm	A.32	Public Hearing on Measure R Parcel Tax CPI-U Adjustment – 2017-18 (5).....	91
10:43 pm	A.33	Adopt Resolution No. 16-32 – Measure R Parcel Tax – 2017-18 (5).....	92
10:44 pm	A.34	Adopt Resolution No. 16-33 – In Honor of Asian/Pacific American Heritage Month (5).....	93-95
10:45 pm	A.35	Adopt Resolution No. 16-34 – Day of the Teacher: May 10, 2017 (5).....	96-97

10:47 pm

A.36 Adopt Resolution No. 16-35 – Implementing Certificated Layoff and Providing Direction to Issue Notification to Employees Whose Services Are to be Terminated (5) 98-101

10:48 pm

A.37 Adopt Resolution No. 16-36 – The Board of Education of the Santa Monica-Malibu Unified School District, Los Angeles County, California, Authorizing the Issuance of Santa Monica-Malibu Unified School District (Los Angeles County, California) Election of 2012 General Obligation Bonds, Series C, and Actions Related Thereto (5)..... 102-103

XIV. INFORMATIONAL ITEMS (0 minutes)

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

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.

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.)

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."

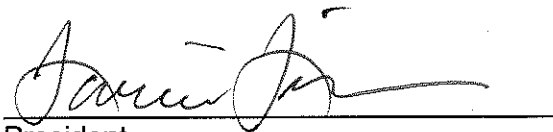
XIV. FUTURE AGENDA ITEMS

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. ADJOURNMENT

It was moved by Mr. Foster, seconded by Mr. Mechur, and voted 7/0 to return to closed session at 10:50 p.m. Closed session adjourned at 11:45 p.m. The next meeting is a special meeting scheduled for **Tuesday, May 16, 2017**, at 4:30 p.m. at the district office: 1651 16th St., Santa Monica, CA. The next regular meeting is scheduled for 5:30 p.m. on **Thursday, May 18, 2017**, at the **district office**.

Approved: 6-1-17



President



Superintendent

SMMUSD Board of Education Meeting Schedule 2016-17
Closed Session begins at 4:30pm Public Meetings begin at 5:30pm

Meeting Date	Meeting Location	Meeting Format			Additional Notes
		"A" Format	"B" Format	Hybrid of "A" & "B"	
7/20/16 (W)	DO			X	
8/10/16 (W)	DO			X	
8/24/16 (W)	DO				Special Meeting: Retreat
9/1/16 (Th)	DO	X			
9/20/16 (T)	SMC				Special Mtg: Joint Mtg w/ SMC
9/22/16 (Th)	DO		X		
10/4/16 (T)	DO				Special Closed Session
10/6/16 (Th)	M	X			
10/15-16 (S-S)	DO				Special Closed Session
10/20/16 (Th)	DO		X		
10/27/16 (Th)	SBUSD			X	Special Meeting
11/3/16 (Th)	M	X			
11/17/16 (Th)	DO		X		
11/28/16 (M)	DO				Special Meeting
12/13/16 (T)	DO				Special Meeting: Retreat
12/15/16 (Th)	DO			X	
1/12/17 (Th)	DO				Special Meeting: Retreat
1/19/17 (Th)	DO			X	
1/24/17 (T)	DO				Special Meeting: Budget Wrkshp
2/2/17 (Th)	M	X			
2/16/17 (Th)	DO		X		
3/2/17 (Th)	DO	X			
3/7/17 (T)	DO				Special Meeting
3/16/17 (Th)	M		X		
3/23/17 (Th)	DO				Special Meeting: Budget Wrkshp
3/30/17 (Th)	DO				Special Meeting: Retreat
4/20/17 (Th)	DO			X	
5/4/17 (Th)	M	X			
5/16/17 (T)	DO				Special Meeting
5/18/17 (Th)	DO		X		
6/1/17 (Th)	DO	X			
6/13/17 (T)	DO				Special Meeting: Retreat
6/22/17 (Th)	DO				Special Meeting: Public Hearings
6/29/17 (Th)	DO		X		

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

Meeting Format Structures:

Meeting "A"	Meeting "B"	Hybrid of "A" and "B"
<ol style="list-style-type: none"> 1. Closed Session 2. Commendations/Recognitions 3. Study Session 4. Communications 5. Executive Staff Reports 6. Consent Calendar 7. General Public Comments <i>(max. 30 minutes)</i> 8. Discussion Items (as needed) 9. Major Items 10. Continuation of General Public Comments (if needed) 	<ol style="list-style-type: none"> 1. Closed Session 2. Consent Calendar 3. Study Session 4. Discussion Items 5. Major Items (as needed) 6. General Public Comments 	<ol style="list-style-type: none"> 1. Closed Session 2. Commendations/Recognitions 3. Study Session 4. Communications 5. Executive Staff Reports 6. Consent Calendar 7. General Public Comments <i>(max. 30 minutes)</i> 8. Discussion Items 9. Major Items 10. Continuation of General Public Comments (if needed)

TO: BOARD OF EDUCATION
FROM: BEN DRATI
RE: APPROVAL OF MINUTES

ACTION
05/04/17

RECOMMENDATION NO. A.01

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

March 30, 2017
April 20, 2017

March 30, 2017:

MOTION MADE BY: Mr. Foster

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

April 20, 2017:

MOTION MADE BY: Mr. Mechur

SECONDED BY: Mr. Kean

STUDENT ADVISORY VOTE: N/A

AYES: 6(Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Mechur, de la Torre, Kean)

NOES: 0

ABSTAIN: 1 (Foster)

STUDY SESSION

TO: BOARD OF EDUCATION

STUDY SESSION

05/04/17

FROM: BEN DRATI / TERRY DELORIA / ELLEN EDEBURN

RE: A THREE-PRONGED APPROACH FOR EXECUTING EXCELLENCE THROUGH EQUITY

STUDY SESSION ITEM NO. S.01

The purpose of this study session is to share with the Board of Education a three-pronged approach to achieve Excellence through Equity in our district.

The Board of Education Sub-Committee on Ethnic Studies recognizes the need to address the inequities reflected in the Excellence through Equity report by Dr. Pedro Noguera. As stated in the History-Social Sciences Framework, research suggests that “some groups of students experience a low level of safety and acceptance in schools for reasons including cultural, ethnic, and linguistic background; disability; sexual orientation; socio-economic; and other factors” (SBE 2016). Furthermore, we know our students come from diverse cultural, linguistic, ethnic, and religious backgrounds, have different experiences, and live in different familial and socioeconomic circumstances.

We believe that although our intentions are pure to help all students succeed, we recognize that our outcomes do not fully reflect our intentions. Therefore, we will focus our efforts on things we can control, such as our behaviors, attitudes, and assumptions that may impact the progress of all students in our district. This plan endeavors to change district culture by addressing individual and institutional behaviors, assumptions, and attitudes so that we may realize the potential of all students and reach our district priority of Excellence through Equity.

The three-pronged approach is as follows:

- Create a culture of shared accountability through a systems approach
- Establish an institutional self-reflective process as a component of the LCAP process
- Establish and embed Cross Cultural and Soci-Emotional Learning as a part of SMMUSD curriculum ~~Adopt American Cultures and Ethnic Studies as an SMMUSD graduation requirement~~

Under Item No. D.01 in this agenda, staff will present suggested changes to BP 6146.1 – High School Graduation Requirements, in which American Cultures and Ethnic Studies will be a graduation requirement in SMMUSD.

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Dr. Drati’s Prezi can be found at: <https://prezi.com/view/cqaAB9BrjKvX8GXgL69i>.

Dr. Drati responded to board members’ questions and comments regarding the details of the plan, including timeline for full implementation. Ms. Lieberman remarked that our district has had several leadership changes recently, and this approach should help align the various initiatives and areas of focus as we move further towards our goal.

**Santa Monica – Malibu Unified School District
3-Year Road Map for Executing Excellence Through Equity Work**

Strategy	A Three-Pronged Approach For Executing Excellence Through Equity
Theory of Action	We believe that although our intentions are pure to help all students succeed, we recognize that our outcomes do not fully reflect our intentions. Therefore, we will focus our efforts on things we can control, such as our behaviors, attitudes, and assumptions that may impact the progress of all students in our district. This plan endeavors to change district culture by addressing individual and institutional behaviors, assumptions, and attitudes so that we may realize the potential of all students and reach our district priority of Excellence through Equity.



Year 1 (2017-18)	Year 1 (2017-18)	Year 1 (2017-18)	Year 1 (2017-18)
Create a culture of shared accountability through a systems approach	<ul style="list-style-type: none"> Incorporate systems coherence framework Incorporate and adopt LCAP as the Excellence Through Equity Action Plan. School sites align their single plans to the LCAP goals. Each school leadership team (SLT), consisting of the principal and teacher leaders, creates site action plans that bridge the district priorities and focus on school-level teaching and learning supports. 	<ul style="list-style-type: none"> Execute the LCAP process with fidelity. School sites implement their school site action plans with fidelity. 	<ul style="list-style-type: none"> Quarterly reviews of districtwide progress on district goals using lead and lag metrics (Q1, Q2, Q3, and Q4) Quarterly review of site’s progress on school site goals using their lead and lag metrics. Principals present their Q4 progress as a study session item at a board meeting.
Establish an institutional self-reflective process as a component of the LCAP process	<ul style="list-style-type: none"> Establish the Superintendent’s Excellence Through Equity Advisory Committee (SEEAC). Secure a facilitator who will lead the SEEAC in developing a reflective process to address institutional culture. 	<ul style="list-style-type: none"> Establish common language and understanding of behaviors, attitudes, and conditions that serve as support or barriers for achieving the desired academic and socio-emotional needs of all students by developing a rubric that describes those conditions. Establish a “WASC like” process for school sites to conduct self-studies using the established rubric as a guide for describing their perceived conditions. 	<ul style="list-style-type: none"> Provide training for principals and staff about the rubric and self study process. Possibly pilot the process with a couple of schools.
Establish and embed Cross Cultural and Soci-Emotional Learning as a part of SMMUSD curriculum.	<ul style="list-style-type: none"> School board adopts social justice learning standards. School board adopts an American Cultures and Ethnic Studies graduation requirement. Ed Services develops and presents to the board a three-tiered approach to teaching American studies and ethnic studies. At convocation, superintendent discusses the district’s learning objectives in terms of: <ul style="list-style-type: none"> Academic standards Socio/emotional standards (social justice standards) Ed Services develops a culturally-responsive teaching professional learning plan around the social justice equity standards. Secure a consultant, if necessary. MHS and SAMOHI teachers develop curriculum that provides a common experience in Freshmen Seminar with a focus on the American Cultures and Ethnic Studies. 	<ul style="list-style-type: none"> Identify first cohort of staff who are willing to incorporate an American Cultures and Ethnic Studies perspective in their already-established curriculum. (math, ELA, science, social science, art, music, electives, etc.) Incentivise by providing the opportunity for creativity and appropriate stipends. Ed Services introduces to principals the idea of imbedding social justice standards into the general curriculum at each grade level, as deemed appropriate for content, and work with principals to co-construct ways to incorporate the standards into the core curriculum. MHS and SAMOHI incorporate a common learning experience in Freshmen Seminar. The common learning experience should include evidence of student learning that demonstrates an understanding of the identified social justice standards. 	<ul style="list-style-type: none"> District provides the opportunity for select cohorts of high school staff members to develop curriculum that represents the grade-appropriate content standards and/or learning objectives and district-adopted social justice standards. Ed Services initiates the process of creating and revising UC a-g course electives that will align with the district-defined Social Justice Standards.

**Santa Monica – Malibu Unified School District
3-Year Road Map for Executing Excellence Through Equity Work**



Year 2 (2018-19)	Year 2 (2018-19)	Year 2 (2018-19)	Year 2 (2018-19)
Continue to cultivate a culture of shared accountability through a systems approach.	<ul style="list-style-type: none"> Review districtwide progress on LCAP goals on a quarterly bases and respond accordingly. (Q1, Q2, Q3, and Q4). Sites demonstrate decision-making based on their site's goals and lead and lag metrics. 	<ul style="list-style-type: none"> Review districtwide progress on LCAP goals on a quarterly bases and respond accordingly. (Q1, Q2, Q3, and Q4). 	<ul style="list-style-type: none"> LCAP process indicates change in culture as evidenced by: <ul style="list-style-type: none"> Quality of staff engagement in the change process Quality of systems changes from each site in terms of: instruction, student supports, alignment of budget to resources, data-driven decisions Principals present their Q4 review as a study session item.
Incorporate an insitutional self-reflective process as a component of the LCAP process.	<ul style="list-style-type: none"> Present the institutional reflective process to: PTA, SMMCTA, and other pertinent stake holders. Establish a time when each site will engage in the reflective process and how often. Establish the stake holders who will participate in the validation visits for the selected schools. 	<ul style="list-style-type: none"> Provide an indepth, one-day training regarding the reflective process for participants who will be involved in validation visits. Provide a more detailed training about the reflective process for principals and staff about the rubric and self-study process. 	<ul style="list-style-type: none"> Three selected sites engage in the institution reflective process as a part of the LCAP process. Evaluate the process for improvement
Establish and embed Cross Cultural and Soci-Emotional Learning as a part of SMMUSD curriculum.	<ul style="list-style-type: none"> Evaluate the progress of Freshmen Seminar with respect to curriculum that delivers a common learning experience around the social justice standards within the context of American Cultures and Ethnic Studies, and make any necessary adjustments to the current curriculum. 	<ul style="list-style-type: none"> Identified cohort of staff continue to develop curriculum that represents the grade-appropriate content standards and district-adopted social justice standards. 	<ul style="list-style-type: none"> Get board approval on selected elective courses that meet UC a-g aproval and are aligned to the board-adopted social justice standards. Ed Services identifies and flags pre-existing courses in which staff has incorporated an American Cultures and Ethnic Studies perspective that meets the district's expectations.

Year 3 (2019-20)	Year 3 (2019-20)	Year 3 (2019-20)	Year 3 (2019-20)
Continue to cultivate a culture of shared accountability through a systems approach.	<ul style="list-style-type: none"> Review districtwide progress on LCAP goals on a quarterly bases and respond accordingly. (Q1, Q2, Q3, and Q4). Use three years of trend data to evaluate reliability of lead and lag metrics and respond accordingly. Sites demonstrate decision-making based on their site's goals and lead and lag metrics. 	<ul style="list-style-type: none"> Review districtwide progress on LCAP goals on a quarterly bases and respond accordingly. (Q1, Q2, Q3, and Q4). Use three years of trend data to evaluate reliability of lead and lag metrics and respond accordingly. Sites demonstrate decision making based on their site's goals and lead and lag metrics. 	<ul style="list-style-type: none"> LCAP process indicates change in culture as evidenced by: <ul style="list-style-type: none"> Quality of staff engagement in the change process. Quality of systems changes from each site in terms of: instruction, student supports, alignment of budget to resources, data driven decisions. Lead and lag metrics are predictable Principals present their Q4 review as a study session item. Sites leverage their lead and lag metrics in order to influence change and refinement of instrction and student supports.
Execute institutional self-reflective process	<ul style="list-style-type: none"> Establish the stake holders who will participate in the validation visits for the next set of selected schools. 	<ul style="list-style-type: none"> Provide an indepth, one-day training regarding the reflective process for participants who will be involved in validation visits. 	<ul style="list-style-type: none"> Selected sites engage in the insitution reflective process as a part of the LCAP process. Evaluate the prior year's process for imorovement
Establish and embed Cross Cultural and Soci-Emotional Learning as a part of SMMUSD curriculum.	<ul style="list-style-type: none"> Evaluate the progress of Freshmen Seminar with respect to curriculum that delivers a common learning experience around the social justice standards within the context of American Cultures and Ethnic Studies, and make any necessary adjustment to the current curriculum. 	<ul style="list-style-type: none"> Idenitified staff continue to develop curriculum that represents the grade-appropriate content standards and district-adopted social justice standards. 	<ul style="list-style-type: none"> Get board approval on selected elective courses that meet UC a-g aproval and are aligned to the board adopted social justice standards. Ed Services identifies and flags pre-existing courses that staff has incorporated an American Cultures and Ethnic Studies perspective that meets the district's expectations.


Visible Evidence of Student Learning	
Higher Order Thinking Skills	Students gradually released to complete DOK 3 & 4 level tasks that require: <ul style="list-style-type: none"> • use of analysis, evaluation, logic, reasoning, problem solving and justifying • transfer of learning to new contexts via planning and creativity
Close and Analytic Reading	Students read/observe with a clear purpose and prompt that requires: <ul style="list-style-type: none"> • annotation, source-dependent questions, multiple readings and notetaking • evidence-based conversations and completion of a writing-to-learn task
Communicate Using Precise Academic Language	Students speak and write precisely using academic language that requires: <ul style="list-style-type: none"> • effective use of content and domain specific vocabulary • productive discourse connected to prompts, starters, frames and scaffolds • conveying understanding, sharing ideas and critiquing the reasoning of others
Structured Collaborative Conversations	Students effectively work in pairs or groups in a clearly defined task that requires: <ul style="list-style-type: none"> • accountability for roles, responsibilities and completion of task steps/process • structured academic discourse to critique and justify using evidence
Evidence-based Arguments	Students develop claims, conjectures and hypotheses that require: <ul style="list-style-type: none"> • analyzing information and applying reasoning to justify with evidence • constructing, applying and justifying mathematical/scientific models
Evidence-based Writing	Students clearly communicate through a range of writing that requires: <ul style="list-style-type: none"> • short responses and process writing (prewrite, draft, revise, edit and publish) • responding to narrative, informational and argumentative prompts • justifying opinions, reasoning and solutions with evidence

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Interpersonal outcomes that will lead to improved academic success:

1. demonstrate self-awareness, confidence, family pride, and positive social identities;
2. express comfort and joy with human diversity; accurate language for human differences; and deep, caring human connections;
3. increasingly recognize unfairness, have language to describe unfairness, and understand that unfairness hurts;
4. demonstrate empowerment and the skills to act, with others or alone, against prejudice and/or discriminatory actions.



Social Justice Standards

IDENTITY ANCHOR STANDARDS

- Students will develop positive social identities based on their membership in multiple groups in society.
- Students will develop language and historical and cultural knowledge that affirm and accurately describe their membership in multiple identity groups.
- Students will recognize that people's multiple identities interact and create unique and complex individuals.
- Students will express pride, confidence and healthy self-esteem without denying the value and dignity of other people.
- Students will recognize traits of the dominant culture, their home culture and other cultures and understand how they negotiate their own identity in multiple spaces.

DIVERSITY ANCHOR STANDARDS

- Students will express comfort with people who are both similar to and different from them and engage respectfully with all people.
- Students will develop language and knowledge to accurately and respectfully describe how people (including themselves) are both similar to and different from each other and others in their identity groups.
- Students will respectfully express curiosity about the history and lived experiences of others and will exchange ideas and beliefs in an open-minded way.
- Students will respond to diversity by building empathy, respect, understanding and connection.
- Students will examine diversity in social, cultural, political and historical contexts rather than in ways that are superficial or oversimplified.

3



Social Justice Standards

JUSTICE ANCHOR STANDARDS

- Students will recognize stereotypes and relate to people as individuals rather than representatives of groups.
- Students will recognize unfairness on the individual level (e.g., biased speech) and injustice at the institutional or systemic level (e.g., discrimination).
- Students will analyze the harmful impact of bias and injustice on the world, historically and today.
- Students will recognize that power and privilege influence relationships on interpersonal, intergroup and institutional levels and consider how they have been affected by those dynamics.
- Students will identify figures, groups, events and a variety of strategies and philosophies relevant to the history of social justice around the world.

ACTION ANCHOR STANDARDS

- Students will express empathy when people are excluded or mistreated because of their identities and concern when they themselves experience bias.
- Students will recognize their own responsibility to stand up to exclusion, prejudice and injustice.
- Students will speak up with courage and respect when they or someone else has been hurt or wronged by bias.
- Students will make principled decisions about when and how to take a stand against bias and injustice in their everyday lives and will do so despite negative peer or group pressure.
- Students will plan and carry out collective action against bias and injustice in the world and will evaluate what strategies are most effective.

4

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / TERRY DELORIA / JANECE L. MAEZ / CAREY UPTON /
STEVE MASSETTI

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 2016-17 budget.

Contractor/ Contract Dates	Description	Site	Funding (Measure BB)
Art Meets Technology. Contract Amendment #12 for \$2,100 for a total contract amount not to exceed \$19,100	Re-design of Facility Improvement Projects Contractors website	Measure BB/ ES Capital Improvements	50%: 83-90500-0-00000-85000-5802-050-2600 (Meas. BB) 50%: 85-90100-0-00000-85000-5802-050-2600 (Meas ES)

Contractor/ Contract Dates	Description	Site	Funding
Angels at Risk/Susie Spain 8/22/16 – 6/9/17 Not to exceed: \$2,500	To provide substance and alcohol counseling services to students and their families	Malibu High	01-00010-0-11100-27000-5802-010-4100
Robert Gilliam The Artist Collective 1/9/17 – 6/9/17 Not to exceed: \$10,830	Contemporary dance workshop for middle and high school students (72 student workshop hours) (6-12 th grade)	Malibu High	01-90810-0-17000-10000-5802-010-4100 (SMMEF)

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION
 FROM: BEN DRATI / TERRY DELORIA
 RE: OVERNIGHT FIELD TRIP(S) 2016-2017

ACTION/CONSENT
 05/04/17

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2016-2017 school year. No child will be denied due to financial hardship.

School Grade # of students	Destination Dates of Trip	Principal / Teacher	Cost Funding Source	Subject	Purpose Of Field Trip
Santa Monica High 9 th – 12 th 5 students	Oregon State University Corvallis, OR 04/19/17-04/23/17	A.Shelton/ I.Gaida	\$0 per student/fundra ising and parent donations	Science	Team qualified to participate in National Ocean Sciences Bowl competition
Olympic High School 12 th grade 20 students	Six Flags Magic Mountain Grad Night 06/01/17-06/02/17	C.Hollis/ J.Konegni/ A.Tran	\$85 per student/fundra ising and Boys & Girls Club		To celebrate Olympic grads with our own reward.

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Tahvildaran-Jesswein
 STUDENT ADVISORY VOTE: N/A
 AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
 NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / 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>BARTELHEIM, Evan</u> Ed Services 01-00000-0-19600-21000-5220-030-1300 General Fund- Function: Supervision of Instruction	CAASPP Post-Test Workshop Downey, CA June 7, 2017	\$35 Mileage Only
<u>BRONSTEIN, Susan</u> Adams Middle 01-00000-0-11100-31400-5220-041-2400 General Fund- Function: Health Services	The Pharmacy in Your Kitchen Los Angeles, CA April 26, 2017	\$100 +1 SUB
<u>DABASH, Reham</u> Child Development Services 12-52105-0-85000-10000-5220-070-2700 Child Development Fund- Resource: HS-Train & Tech Asst.	Class Training Santa Fe Springs, CA March 14, 2017	\$50
<u>HO, Pat</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Fiscal Services	2016-2017 Year-End Closing Conference Diamond Bar, CA May 25, 2017	\$0
<u>KAZEE, Pamela</u> District office 01-65000-0-50010-21000-5220-043-1400 General Fund- Resource: Special Education	The 2 nd Annual CABA Autism Conference Seal Beach, CA April 28, 2017	\$175
<u>KROGMANN, Allyson</u> Educational Services 01-90180-0-11100-10000-5220-030-1300 General Fund- Resource: RGK Foundation	6 th Annual Transitional Kindergarten Conference Sacramento, CA May 12, 2017	\$700
<u>SESSIONS, Will</u> SMASH & Malibu High 01-65200-0-57700-11900-5220-044-1400 General Fund- Resource: Workability I LEA	LGBTQ Clients Sherman Oaks, CA June 7, 2017	\$200

<u>SIEMER, Deborah</u> Olympic High 11-63910-0-41100-10000-5220-035-1300 Adult Education Fund- Resource: Adult Ed Block Grant	2017 CCAE State Conference Long Beach, CA May 4 – 6, 2017	700 +1 SUB
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Adjustments <i>(Preapproved expenses 10% in excess of approved costs that must be approved by Board/Changes in Personnel Attendance)</i>		
<u>LINDEMANN, Maya</u> Child Development Services 12-52105-0-85000-10000-5220-070-2700 Child Development Fund- Resource: HS-Train & Tech Ass	LACOE Coordinator Meetings-Required Santa Fe Springs, CA 10/23/16, 2/14/17, 2/22/17	\$20 PLUS AN OVERAGE OF \$47.62
<u>MANGLE, Rothy</u> <u>MAGALLANES, Joy</u> Information Services 01-00000-0-00000-77000-5220-054-2540 General Fund- Function: Data Processing Services	Illuminate Users Conference San Diego, CA February 21 – 22, 2017	\$1,500 PLUS AN OVERAGE OF \$210

Group Conference and Travel: In-State <i>* a complete list of conference participants is on file in the Department of Fiscal Services</i>		
<u>MAHVASH SHAFIEY, Mariam</u> <u>HAWES, Manuela</u> Santa Monica High 01-65200-0-57700-11900-5220-044-1400 General Fund- Resource: Workability I LEA	Workability Spring Training Dana Point, CA April 24 – 25, 2017	\$1,200

Out-of-State Conferences: Individual		
<u>STERN, Debra</u> Roosevelt Elementary 01-00010-0-11100-10000-5220-007-1501 General Fund- Resource: Formula	June Reading Institute New York, NY June 26 – 30, 2017	\$3,000

Out-of-State Conferences: Group		
NONE		

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Tahvildaran-Jesswein
 STUDENT ADVISORY VOTE: N/A
 AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
 NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / TERRY DELORIA

RE: COLLEGE READINESS BLOCK GRANT: THE SMMUSD GRANT PLAN

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the SMMUSD Grant Plan for the College Readiness Block Grant.

COMMENTS: The College Readiness Block Grant (CRBG) was established for the purposes of providing California's high school pupils additional supports to increase the number who enroll at institutions of higher education and complete an undergraduate degree within four years. This categorical funding requires that the District's plan be presented as a discussion item at one Board meeting and approved by the Board at a subsequent meeting. The district allocation for this one-time funding is \$157,532.

The SMMUSD has had a productive and successful partnership with the Santa Monica College (SMC) where, among other opportunities, SMMUSD students have benefited from enrollment in SMC courses through either concurrent or dual enrollment. While all of SMC's fees are waived for students, the SMMUSD must fund and provide the college textbooks. Currently, dual enrollment textbooks are funded by the Educational Services textbook budget.

Given that the district will need considerable funding for textbook adoptions in science, history, and foreign language, staff is recommending that all of the CRBG funding be reserved to fund dual enrollment textbooks. The CRBG funding must be spent by June 2019.

Staff presented its plan for expending the CRBG at the April 20, 2017, meeting and is recommending that the Board approve this plan.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / TERRY DELORIA / PAMELA KAZEE

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2016-2017

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2016-2017 as follows:

NPS

2016/2017 Budget 01-65000-0-57500-11800-5125-043-1400

2016/2017 Budget 01-65120-0-57500-31400-5890-043-1400

Nonpublic School	# of students / SSIN	Service Description	Contract Number	Cost Not to Exceed
Vista	8964433034	Basic Ed, related services	12	\$13,334
THG West	9145849781	Basic Ed, related services	23	\$12,609
AACA	2	Basic Ed, related services	7	\$337,114*

* Cost included in prior NPS Balances submitted to Board of Education as of 10/20/2016. This contract was not listed by name in Agenda. Accounts are hereby reconciled upon approval of this item.

Amount Budgeted NPS 16/17		\$ 1,145,000
Amount Budgeted Mental Health Services 16/17		\$ 1,155,000
Total Budgeted		\$ 2,300,000
Prior Board Authorization as of 4/20/2017		\$ 2,282,179
	Balance	\$ 17,821
Positive Adjustment (See Below)		\$ 61,593
		\$ 79,384
Total Amount for these Contracts		\$ 25,943
	Balance	\$ 53,442

Adjustment					
NPS Budget 01-65000-0-57500-11800-5125-043-1400					
NPS Budget 01-65120-0-57500-31400-5890-043-1400					
There has been a reduction in authorized expenditures of NPS contracts for FY 2016/2017 in the amount of \$504,100 as of 4/20/2017.					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Alpine	NPS - RTC	3	R	\$61,593	Exit to NPS

NPA

2016/2017 Budget 01-65000-0-57500-11800-5126-043-1400

Nonpublic Agency	# of students / SSIN	Service Description	Contract Number	Cost Not to Exceed
ERA Ed/STAR of California	various	Social Skills/Autism Consult	29	\$720.00
CABA	3183840797	Behavior 1:1, Supervision	16	\$500.00

Amount Budgeted NPA 16/17		\$	700,000
Prior Board Authorization as of 4/20/2017		\$	<u>895,229</u>
	Balance	\$	-195,229
Positive Adjustment (See Below)		\$	<u>56,784</u>
		\$	-138,445
Total Amount for these Contracts		\$	<u>1,220</u>
	Balance	\$	-139,665

Adjustment					
NPA Budget 01-65000-0-57500-11800-5126-043-1400					
There has been a reduction in authorized expenditures of NPA contracts for FY 2016/2017 in the amount of \$1,800 as of 4/20/2017.					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Instructional Consultants

2016/2017 Budget 01-65000-0-57500-11900-5802-043-1400

2016/2017 Budget 01-33100-0-57500-11900-5802-044-1400

Instructional Consultant	# of students / SSIN	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consultants 16/17		\$	125,000
Amount Budgeted Instructional Consultants (33100) 16/17		\$	<u>0</u>
Total Budgeted		\$	125,000
Prior Board Authorization as of 4/20/2017		\$	<u>158,844</u>
	Balance	\$	-33,844
Positive Adjustment (See Below)		\$	<u>0</u>
		\$	-33,844
Total Amount for these Contracts		\$	<u>0</u>
	Balance	\$	-33,844

Adjustment					
Instructional Consultants Budget 01-65000-0-57500-11900-5802-043-1400					
Instructional Consultants Budget 01-33100-0-57500-11900-5802-044-1400					
There has been a reduction in authorized expenditures of Instructional Consultants contracts for FY 2016/2017 in the amount of \$0 as of 4/20/2017.					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Non-Instructional Consultants

2016/2017 Budget 01-65000-0-57500-11900-5890-043-1400

Non-Instructional Consultant	SSIN	Service Description	Contract Number	Cost Not to Exceed
Malibu Yellow Cab	2165404026	Taxi transportation	74-SPED17147	\$3,920

Amount Budgeted Non-Instructional Consultants 16/17		\$	260,000
Prior Board Authorization as of 4/20/2017		\$	<u>321,838</u>
	Balance	\$	-61,838
Positive Adjustment (See Below)		\$	<u>8,330</u>
		\$	-53,508
Total Amount for these Contracts		\$	<u>3,920</u>
	Balance	\$	-57,428

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 2016/2017 in the amount of \$1,200 as of 4/20/2017.					
Non- Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Bell Cab	Taxi transportation	9-SPED17011	R	\$8,330	

LEA

2016/2017 Budget 01-56400-0-00000-39000-5802-043-1400

2016/2017 Budget 01-56400-0-00000-39000-5890-043-1400

LEA Consultant	# of students	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consultants 16/17		\$ 30,000
Amount Budgeted Instructional Consultants (5890) 16/17		\$ 70,000
Total Budgeted		\$ 100,000
Prior Board Authorization as of 4/20/2017		\$ 87,000
	Balance	\$ 13,000
Positive Adjustment (See Below)		\$ 0
		\$ 13,000
Total Amount for these Contracts		\$ 0
	Balance	\$ 13,000

Adjustment					
LEA Budget 01-56400-0-00000-39000-5802-043-1400					
LEA Budget 01-56400-0-00000-39000-5890-043-1400					
There has been a reduction in authorized expenditures of LEA contracts for FY 2016/2017 in the amount of \$0 as of 4/20/2017.					
LEA Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

COMMENT: According to the Education Code SEC.21 Section 56342, prior to recommending a new or continued placement in a non-public, non-sectarian school, the Individualized Education Program (IEP) Team must submit the proposed recommendation to the local governing board for its review and recommendation regarding the cost of such placement.

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

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: AWARD OF PURCHASE ORDERS – 2016-17

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from March 29, 2017, through April 27, 2017, for fiscal year 2016-17.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MAY, 2017

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 ES-BOND

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
<u>*** NEW PURCHASE ORDERS ***</u>					
179573	22ND CENTURY MEDIA LLC	ADVERTISEMENT FOR TWO INVOICES	CURRICULUM AND IMC	585.00	U
179354	A & R WHOLESALE DISTRIBUTORS	SNACKS AND DRINKS FOR STORE	SAMOH I STUDENT STORE	2,000.00	U
179585	A.J. FISTES CORPORATION	BIKE PATH	CHILD DEVELOPMENT CENTER	2,481.32	CD
179611	AAHS ENGRAVING	RETIREMENT GIFTS	EMPLOYEE RELATIONS	300.00	U
179745	AAHS ENGRAVING	PLAQUE	LINCOLN MIDDLE SCHOOL	87.80	U
179350	ACCO BRANDS USA LLC DBA GBC	COMBBIND	WEBSTER ELEMENTARY SCHOOL	292.77	U
179433	AIR TEMPERATURE INC.	REPAIRS-DISTRICT FREEZER	FOOD SERVICES	616.22	R
179434	AIR TEMPERATURE INC.	REPAIRS-ADAM'S WALKIN COOLER	FOOD SERVICES	1,010.00	R
179552	AIR TEMPERATURE INC.	EDISON FREEZER REPAIR	FOOD SERVICES	392.50	R
179547	AIR WAVE TECHNOLOGIES INC	REPAIRS TO MALIBU'S FREEZER	FOOD SERVICES	1,321.84	R
179224	ALTA ENVIRONMENTAL	MONITORING&AIR SAMPLING SAMOHI	FACILITY MAINTENANCE	2,565.00	DF
179428	AMERICAN CHEMICAL SOCIETY	Magazine for Grade8 Science	LINCOLN MIDDLE SCHOOL	667.28	R
179417	APEX LEARNING	SOFTWARE LICENSES	LINCOLN MIDDLE SCHOOL	2,250.00	R
179752	APEX LEARNING	APEX-RENEWAL	CURRICULUM AND IMC	9,625.00	U
179495	APLPD HOLDCO INC	PODS STORAGE RENTAL-FRANKLIN	FACILITY MAINTENANCE	399.49	U
179499	APLPD HOLDCO INC	PODS STORAGE RENTAL-FRANKLIN	FACILITY MAINTENANCE	402.78	U
179500	APLPD HOLDCO INC	PODS STORAGE RENTAL-MCKINLEY	FACILITY MAINTENANCE	392.91	U
179501	APLPD HOLDCO INC	PODS STORAGE RENTAL-PT. DUME	FACILITY MAINTENANCE	470.89	U
178864	APPLE COMPUTER CORP	IPad Mini	INFORMATION SERVICES	1,388.91	U
179173	APPLE COMPUTER CORP	IPAD 5TH GEN 9.7INCH	SPECIAL EDUCATION REGULAR YEAR	1,291.97	R
179277	APPLE COMPUTER CORP	Macbook	INFORMATION SERVICES	2,050.65	U
179827	APPLE COMPUTER CORP	TECH PERIPHERALS	LINCOLN MIDDLE SCHOOL	433.51	R
179765	B & H PHOTO VIDEO	SPEAKER FOR PAS	WEBSTER ELEMENTARY SCHOOL	321.52	U
179330	BARNARD, MARK T	HONORARIUM-STRWY GUEST CONDUCT	CURRICULUM AND IMC	1,800.00	R
179759	BARNES & NOBLE - N.Y.	ESY BOOKS	SPECIAL EDUCATION REGULAR YEAR	669.26	R
179444	BARNES & NOBLE/SANTA MONICA	BOOKS	SANTA MONICA HIGH SCHOOL	1,000.00	R
179579	BARNES & NOBLE/SANTA MONICA	CLASSROOM BOOKS	JOHN MUIR ELEMENTARY SCHOOL	1,458.56	U
179629	BARNES & NOBLE/SANTA MONICA	OPEN ORDER/INSTRUCTIONAL SUP	JOHN ADAMS MIDDLE SCHOOL	125.00	R
179664	BAUDVILLE INC	TEACHER APPRECIATION ITEMS	LINCOLN MIDDLE SCHOOL	869.19	U
179462	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	298,106.24	U
179463	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	297,911.64	U
179465	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	192,697.34	U
179466	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	STATE AND FEDERAL PROJECTS	164,674.39	R
179467	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	STATE AND FEDERAL PROJECTS	125,273.48	R
179468	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	STATE AND FEDERAL PROJECTS	104,530.29	R
179469	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	STATE AND FEDERAL PROJECTS	49,051.67	R
179470	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	STATE AND FEDERAL PROJECTS	97,656.39	R
179471	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	115,676.09	U
179472	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	194,474.81	U
179473	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	125,549.61	U
179474	BENCHMARK EDUCATION COMPANY	TEXTBOOKS, ENG LANG ARTS K-5	CURRICULUM AND IMC	170,811.61	U
179221	BERSCHE, LISA	INVOICE: ADJUDICATION FEE	LINCOLN MIDDLE SCHOOL	300.00	R
179389	BILINGUAL SOLUTIONS INC	SPANISH READING INT.MATERIALS	EDISON ELEMENTARY SCHOOL	623.75	R
179438	BLUE SKY MARKETING GROUP	MARKETING MATERIALS-ADULT ED	STATE AND FEDERAL PROJECTS	1,305.97	A
179734	BMI EDUCATIONAL SERVICES	CLASSROOM STORIES	JOHN MUIR ELEMENTARY SCHOOL	486.32	U
179580	BOOKSOURCE,THE	CLASSROOM BOOKS	JOHN MUIR ELEMENTARY SCHOOL	5,025.64	U
179441	BRAVO, LISSETTE	REIMB FOR AVID SUPPLIES	SANTA MONICA HIGH SCHOOL	1,000.00	U
179789	BROCK,MIRIAM	REIMBURSEMENT FOR IPAD REPAIR	SPECIAL EDUCATION REGULAR YEAR	130.60	R

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 SF-SPECIAL FINANCING (FLEX) BB,X-BONDS D-DEVELOPER FEES SR-SPECIAL RESERVE CAPITAL
 DF-DEFERRED MAINTENANCE SM-STATE MODERNIZATION ES-BOND

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
179366	BRODART COMPANY	library supplies	LINCOLN MIDDLE SCHOOL	134.24	R
179713	BRYANT, TEAIRA	SMC COMMERCIAL EDITING	STATE AND FEDERAL PROJECTS	1,750.00	A
179837	BRYANT, TEAIRA	SMC COMMERCIAL PROD. & EDITING	STATE AND FEDERAL PROJECTS	3,250.00	A
179838	BRYANT, TEAIRA	SMC COMMERCIAL -ADDED DAY	STATE AND FEDERAL PROJECTS	7,500.00	A
179654	CALIFORNIA WEEKLY EXPLORER INC	Presentations for grade 4	FRANKLIN ELEMENTARY SCHOOL	1,596.00	U
179572	CALIFORNIANS TOGETHER	BILITERACY MEDALLIONS SEAL	CURRICULUM AND IMC	288.75	U
179669	CANON SOLUTIONS AMERICA INC	CANON COPIER MAINT.AGREEMENT	MALIBU HIGH SCHOOL	2,312.40	U
179460	CDW-G COMPUTING SOLUTIONS	CELL PHONE ACCESSORIES	FACILITY MAINTENANCE	3,545.36	R
179541	CDW-G COMPUTING SOLUTIONS	FAX MACHINE	TRANSPORTATION	189.45	U
179665	CDW-G COMPUTING SOLUTIONS	TECH PERIPHERALS	LINCOLN MIDDLE SCHOOL	1,109.09	R
179431	CHAMBER MARKETING PARTNERS	ADVERTISING	BOE/SUPERINTENDENT	1,395.00	U
179493	CHEVRON U.S.A. INC.	Open order for fuel purchases	TRANSPORTATION	18,500.00	U
179309	CHILDREN'S CREATIVE WORKSHOP	To reimb. for damages	THEATER OPERATIONS&FACILITY PR	930.99	R
179518	CHOURA EVENTS	CHAIRS FOR GRADUATION	MALIBU HIGH SCHOOL	1,599.62	U
179519	CHOURA EVENTS	TABLE RENTAL FOR DECADE DAYS	MALIBU HIGH SCHOOL	894.00	U
179507	CINTAS CORPORATION	OPEN po FOR SHOP T.& UNIFORM C	TRANSPORTATION	1,500.00	U
179609	CITIZENS MEDICAL GROUP	PRE-EMPLOYMENT PHYSICALS	PERSONNEL SERVICES	1,700.00	U
179650	CLASSROOM DIRECT	GENERAL SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	1,000.00	R
179475	COLUMBIA MEDICAL LLC	SMALL PADDED REDUCER RING	SPECIAL EDUCATION REGULAR YEAR	180.26	R
179442	COMPLETE OFFICE OF CA	SUPPLIES	SANTA MONICA HIGH SCHOOL	111.95	R
179606	COMPLETE OFFICE OF CA	OFFICE SUPPLIES	PERSONNEL SERVICES	486.58	U
179639	COMPLETE OFFICE OF CA	OPEN ORDER/INSTRUCTIONAL SUP	JOHN ADAMS MIDDLE SCHOOL	163.00	R
179645	COMPLETE OFFICE OF CA	Open PO for school/office supp	FRANKLIN ELEMENTARY SCHOOL	2,800.00	U
179656	COMPLETE OFFICE OF CA	ROLLING BULLETIN BOARDS	EDISON ELEMENTARY SCHOOL	1,707.71	R
179716	COMPLETE OFFICE OF CA	OPEN ORDER/OFFICE SUP & TONER	JOHN ADAMS MIDDLE SCHOOL	1,000.00	R
179726	COMPLETE OFFICE OF CA	ACCOUNTING RECONFIGURATION	FISCAL SERVICES	1,441.20	U
179735	COMPLETE OFFICE OF CA	OFFICE SUPPLIES	SANTA MONICA HIGH SCHOOL	3,000.00	U
179755	COMPLETE OFFICE OF CA	Open PO for supplies	FRANKLIN ELEMENTARY SCHOOL	700.00	U
179829	COOPERATIVE STRATEGIES LLC	REDEVELOPMENT CONSULTING SVCS	BUSINESS SERVICES	846.38	R
179325	CROSS, TRAVIS J	HONORARIUM-STRWY GUEST CONDUCT	CURRICULUM AND IMC	1,500.00	R
179367	CULVER NEWLIN	OUTDOOR TABLES AND BENCHES	FRANKLIN ELEMENTARY SCHOOL	20,877.57	R
179448	CULVER NEWLIN	HOKKI STOOLS ALL CLASSROOMS	WILL ROGERS ELEMENTARY SCHOOL	19,205.37	U
179760	CURRICULUM ASSOC INC	LANGUAGE ARTS CONSUMABLES	GRANT ELEMENTARY SCHOOL	423.95	R
179407	DANIELS TIRE SERVICE	Tire Purchase - transit buses	TRANSPORTATION	2,733.78	U
179252	DEMCO INC	Library Supplies	FRANKLIN ELEMENTARY SCHOOL	313.55	U
179361	DEMCO INC	Library Supplies	JOHN ADAMS MIDDLE SCHOOL	93.06	R
179450	DEMCO INC	Library supplies	EDISON ELEMENTARY SCHOOL	454.92	R
179571	DEMCO INC	Library Supplies	JOHN ADAMS MIDDLE SCHOOL	581.37	R
179610	DEMCO INC	SUPPLIES	SANTA MONICA HIGH SCHOOL	107.30	U
179538	DIAGNOSTICS DIRECT INC	SUPPLIES	CHILD DEVELOPMENT CENTER	301.76	CD
179774	DICK BLICK - PICK UP ONLY	ART CLASS SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	736.00	U
179482	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	282.54	CD
179483	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	246.61	CD
179484	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	243.46	CD
179504	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	192.37	CD
179539	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	519.08	CD
179584	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	251.05	CD
179661	DISCOUNT SCHOOL SUPPLY	CLASSROOM MATERIALS	SPECIAL EDUCATION REGULAR YEAR	679.56	R
179705	DISCOVERY EDUCATION	DISCOVERY EDUCATION-RENEWAL	CURRICULUM AND IMC	9,190.00	R
179722	EL POLLO LOCO	OPEN ORDER/HS MEETINGS	CHILD DEVELOPMENT CENTER	500.00	CD
179544	ELECTRIC SUPPLY CONNECTION	LIGHTING SUPPLIES	FACILITY MAINTENANCE	4,000.00	R

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
179777	ELLISON EDUCATIONAL EQUIP	ELLISON SURE CUT DIES	PT DUME ELEMENTARY SCHOOL	1,045.19	R
179530	ELY JR'S PUMPING	SEPTIC PUMPING MALIBU HI	FACILITY MAINTENANCE	1,380.00	R
179411	EMS SAFETY SERVICES INC	CPR CLASS SUPPLIES	HEALTH SERVICES	1,096.74	U
179508	ENGLER BROS MOTOR PARTS	OPEN ORDER FOR PARTS	TRANSPORTATION	100.00	U
179590	ENVIRON INTERNATIONAL CORP.	ENVIRONMENTAL REMEDIATION SVCS	BUSINESS SERVICES	50,000.00	D
178498	ERIC HALL & ASSOC LLC	PROFESSIONAL SERVICES AGREEMNT	BUSINESS SERVICES	50,000.00	U
179728	EVAN-MOOR EDUCATIONAL	LANGUAGE ARTS CONSUMABLES	GRANT ELEMENTARY SCHOOL	3,041.26	R
179435	FAST DEER BUS CHARTER INC	PALI CAMP TRANSPORTATION	ROOSEVELT ELEMENTARY SCHOOL	1,947.12	R
179581	FAST DEER BUS CHARTER INC	CHARTER BUSES	LINCOLN MIDDLE SCHOOL	932.04	U
179605	FAST DEER BUS CHARTER INC	TRANSPORTATION	SANTA MONICA HIGH SCHOOL	6,885.01	U
179831	FAST DEER BUS CHARTER INC	TRANSPORTATION	SANTA MONICA HIGH SCHOOL	6,766.13	U
179546	FISHER HARDWARE INC	GENERAL MAINTENANCE SUPPLIES	FACILITY MAINTENANCE	4,000.00	R
179356	FOLLETT SCHOOL SOLUTIONS INC	HI/LO NONFICTION	GRANT ELEMENTARY SCHOOL	858.00	R
179364	FOLLETT SCHOOL SOLUTIONS INC	library books	LINCOLN MIDDLE SCHOOL	4,928.93	R
179402	FOLLETT SCHOOL SOLUTIONS INC	LIBRARY BOOKS	JOHN MUIR ELEMENTARY SCHOOL	900.00	U
179406	FOLLETT SCHOOL SOLUTIONS INC	BOOKS FOR LIBRARY	WEBSTER ELEMENTARY SCHOOL	1,154.66	R
179446	FOLLETT SCHOOL SOLUTIONS INC	LIBRARY BOOKS	SANTA MONICA HIGH SCHOOL	800.00	R
179562	FOLLETT SCHOOL SOLUTIONS INC	ELA PTSA Grant - Books	JOHN ADAMS MIDDLE SCHOOL	1,815.44	R
179596	FOLLETT SCHOOL SOLUTIONS INC	STUDENT COSUMABLES	EDISON ELEMENTARY SCHOOL	1,310.42	R
179613	FOLLETT SCHOOL SOLUTIONS INC	CONSUMABLE WORKBOOKS	CABRILLO ELEMENTARY SCHOOL	3,492.41	R
179678	FOLLETT SCHOOL SOLUTIONS INC	Library Books	JOHN ADAMS MIDDLE SCHOOL	952.29	R
179778	FOLLETT SCHOOL SOLUTIONS INC	LIBRARY BOOKS	SMASH SCHOOL	220.95	U
179708	FULCRUM LEARNING SYSTEMS INC	INSTRUCTION SUP/MATH DEPT	JOHN ADAMS MIDDLE SCHOOL	4,664.38	R
179593	GALE SUPPLY CO	SUPPLIES/SBC	MCKINLEY ELEMENTARY SCHOOL	129.46	R
179597	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CHILD DEVELOPMENT CENTER	1,178.82	CD
179680	GALE SUPPLY CO	CUSTODIAL SUPPLIES	FACILITY OPERATIONS	35,000.00	U
179786	GALE SUPPLY CO	CUTODIAL SUPPLIES	PT DUME ELEMENTARY SCHOOL	2,645.93	R
179836	GALE SUPPLY CO	Open order for supplies	TRANSPORTATION	400.00	U
179761	GALLS	SECURITY SUPPLIES	SANTA MONICA HIGH SCHOOL	500.00	R
179675	GOODHEART-WILLCOX PUBLISHER	SUPPLEMENTAL TEXTS FOR CTE	STATE AND FEDERAL PROJECTS	14,700.77	R
179346	GUTTER ONE	GUTTER REPAIRS ROGERS/MUIR	FACILITY MAINTENANCE	13,000.00	DF
179731	HANDWRITING WITHOUT TEARS INC	LANGUAGE ARTS CONSUMABLES	GRANT ELEMENTARY SCHOOL	1,727.57	R
179536	HEADSETS.COM INC	Wireless Headset/Chuck Palacio	FISCAL SERVICES	193.11	U
179578	HEINEMANN	CLASSROOM BOOKS	JOHN MUIR ELEMENTARY SCHOOL	6,193.81	U
179637	HEINEMANN	BOOKS FOR UNITS OF STUDY	ROOSEVELT ELEMENTARY SCHOOL	596.33	U
179693	HEINEMANN	PROFESSIONAL DEV. BOOKS, TEACHER	EDISON ELEMENTARY SCHOOL	1,681.83	R
179763	HEINEMANN	FOUNTAS/LLI GREEN AND BLUE	SMASH SCHOOL	8,062.89	U
179698	HERFF JONES	GRADUATION SUPPLIES	SANTA MONICA HIGH SCHOOL	17,310.00	U
179128	INTELLI-TECH	COMPUTERS FOR ADMIN OFFICES	LINCOLN MIDDLE SCHOOL	3,636.73	R
179457	INTELLI-TECH	REPAIR COMPUTER SCREEN	JOHN ADAMS MIDDLE SCHOOL	246.00	R
179607	INTELLI-TECH	COMPUTERS; DOCKING STATION	PERSONNEL SERVICES	4,309.23	U
179630	INTELLI-TECH	Dual Monitors and Stand	STUDENT SERVICES	510.27	U
179816	INTELLI-TECH	DOCKING STATION FOR S. WEBB	PERSONNEL SERVICES	179.99	U
179820	INTELLI-TECH	INTELLITECH-CHROMEBOOKS-EDSERV	CURRICULUM AND IMC	3,740.83	U
179370	INTERNATIONAL PAPER	COPY PAPER	SANTA MONICA HIGH SCHOOL	137.77	U
179396	INTERNATIONAL PAPER	COPY PAPER	WILL ROGERS ELEMENTARY SCHOOL	1,230.89	R
179636	INTERNATIONAL PAPER	RECYCLED COPY PAPERS	WEBSTER ELEMENTARY SCHOOL	1,500.00	U
179671	INTERNATIONAL PAPER	COPIER PAPER	MALIBU HIGH SCHOOL	682.00	R
179715	INTERNATIONAL PAPER	OPEN ORDER/COPY PAPER	JOHN ADAMS MIDDLE SCHOOL	2,130.00	R
179451	JARV GLOBAL TRADING INC	CTE PHOTOGRAPHY CAMERAS	STATE AND FEDERAL PROJECTS	15,203.67	R
179648	JCN PARTERNS	ONLINE COURSE	FACILITY MAINTENANCE	756.20	R

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
179355	JEFF & TONY'S DSD LLC	FORZEN SNACKS & ICE CREAM	SAMOHI STUDENT STORE	1,500.00	U
179555	JOHNSTON-JONES, JENNIFER	Parent workshop 1/26/17 Malibu	CURRICULUM AND IMC	500.00	U
179695	JOSTENS/CAP & GOWNS	CAP/GOWN	OLYMPIC CONTINUATION SCHOOL	500.00	U
179348	JUNIOR LIBRARY GUILD	RENEWAL OF SUBSCRIPTION	WEBSTER ELEMENTARY SCHOOL	1,692.00	R
179349	JUNIOR LIBRARY GUILD	LIBRARY BOOKS	WEBSTER ELEMENTARY SCHOOL	579.64	R
179766	JUNIOR LIBRARY GUILD	LIBRARY BOOKS	GRANT ELEMENTARY SCHOOL	270.00	R
179556	KEYGENT LLC	DISSEMINATION AGENT SERVICES	BUSINESS SERVICES	8,500.00	U
179368	KI	ERGO TASK CHAIR	LINCOLN MIDDLE SCHOOL	426.62	R
179486	LAKESHORE	OPEN ORDER/INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	170.00	CD
179723	LAKESHORE	OPEN ORDER/INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	300.00	CD
179340	LAKESHORE CURRICULUM	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	299.79	CD
179379	LAKESHORE CURRICULUM	KINDER PLAY EQUIPMENT	EDISON ELEMENTARY SCHOOL	183.77	R
179487	LAKESHORE CURRICULUM	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	80.40	CD
179488	LAKESHORE CURRICULUM	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	206.48	CD
179558	LAKESHORE CURRICULUM	SCIENCE SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	614.86	R
179659	LAKESHORE CURRICULUM	CLASSROOM MATERIALS	SPECIAL EDUCATION REGULAR YEAR	339.39	R
179351	LAMINATION DEPOT INC	LAMINATING FILM	WEBSTER ELEMENTARY SCHOOL	153.71	U
179594	LAZEL INC	TECHNOLOGY RENEWAL	EDISON ELEMENTARY SCHOOL	4,588.65	R
179612	LOAIZA, DOLLY	ONLINE TECH LICENSE RENEWAL	EDISON ELEMENTARY SCHOOL	300.00	R
179304	LOYD ALLEN	INVOICE: ADJUDICATION FEE	LINCOLN MIDDLE SCHOOL	300.00	R
179638	MACGILL	HEALTH OFFICE SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	86.00	U
179532	MAGIC WAND COMPANY	CUSTODIAL CLEANING SUPPLIES	FACILITY OPERATIONS	548.34	U
179764	MAILROOM FINANCE INC.	POSTAGE	SANTA MONICA HIGH SCHOOL	3,640.00	U
179377	MALIBU TIMES	NOTICE OF PUBLIC HRG-MEASURE R	BUSINESS SERVICES	143.68	U
179550	MARTIN AUTOMOTIVE GROUP	Bus Repairs #20	TRANSPORTATION	756.38	U
179631	MICRO BIO-MEDICS/ORDERS	NURSE SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	190.58	U
179655	MIND RESEARCH INSTITUTE	ST MATH RENEWAL	EDISON ELEMENTARY SCHOOL	3,000.00	R
179540	MIRACLE RECREATION EQUIP CO	REPAIR/REPLACE	CHILD DEVELOPMENT CENTER	2,030.28	CD
179353	MONTGOMERY HARDWARE COMPANY	SECURITY BUZZER ROGERS	FACILITY MAINTENANCE	2,361.58	DF
179621	MOSS LEVY & HARTZHEIM LLP	16-17 DISTRICT AUDITING SVCS	FISCAL SERVICES	47,500.00	U
179557	NASCO WEST - MODESTO	SCIENCE SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	433.47	R
179459	NELI'S INC	CUSTODIAL TRAINING LUNCHEON	GROUND MAINTENANCE	795.77	R
178596	NEOPOST USA INC	IM460 RATE MAINT - SAMOHI	PRINTING SERVICES	198.56	U
179339	ORIENTAL TRADING CO INC	INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	75.60	CD
179775	ORUM, LORI	REIMBURSEMENT FOR PURCHASE	EDISON ELEMENTARY SCHOOL	500.00	R
179653	PACIFIC LEARNING	WRITING ASSES. TEACHING TOOL	EDISON ELEMENTARY SCHOOL	1,197.50	R
179707	PACIFIC LEARNING	INTERVENTION MATERIALS	EDISON ELEMENTARY SCHOOL	1,574.11	U
179703	PANTALLION, AYANNA	REIMBURSEMENT- NATIONAL BOARD	PERSONNEL SERVICES	550.00	U
179794	PEARSON EDUCATION	SUPPLEMENTAL BKS/TEACHER GUIDE	ROOSEVELT ELEMENTARY SCHOOL	1,458.40	U
179644	PERFORMANCE NURSERY CORP	YARD/GARDEN SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	164.63	R
179058	PHILLIPS GRADUATE INSTITUTE	SOCIAL EMOTIONAL PROGRAMMING	MALIBU HIGH SCHOOL	2,500.00	U
179517	POSTMASTER-MALIBU	POSTAGE - US POSTAL SERVICE	MALIBU HIGH SCHOOL	705.00	U
179363	POWELL, ELIZABETH	REIMBURSE-SUPPLIES/FOOD ITEMS	FOOD SERVICES	1,000.00	F
179345	PREMIER SCHOOL AGENDAS	STUDENT PLANNERS	WEBSTER ELEMENTARY SCHOOL	494.21	U
179668	PREMIER SCHOOL AGENDAS	STUDENT FOLDERS	WEBSTER ELEMENTARY SCHOOL	540.31	U
179440	PROJECT LEAD THE WAY	CLASSROOM SUPPLIES	SANTA MONICA HIGH SCHOOL	3,000.00	U
179296	QUESTYS SOLUTIONS	QUESTYS MAINTENANCE AGREEMENT	STUDENT SERVICES	1,824.13	U
179333	QUINTANA, ARIEL O.	HONORARIUM-STRWY GUEST CONDUCT	CURRICULUM AND IMC	1,500.00	R
179551	RANJOEL INC	BUS REPAIRS #24	TRANSPORTATION	2,839.94	U
179666	RDM ELECTRIC CO INC	STADIUM LIGHT REMOVAL	MALIBU HIGH SCHOOL	16,466.00	U
179390	READ NATURALLY	SP. READING INTERV. MATERIALS	EDISON ELEMENTARY SCHOOL	570.01	R

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
179657	REALLY GOOD STUFF INCORP	SPANISH READING INTV.MATERIALS	EDISON ELEMENTARY SCHOOL	327.73	R
179537	RED TRUCK FIRE & SAFETY CO	FIRE EXTINGUISHER SERVICE	FACILITY OPERATIONS	4,000.00	U
179415	RICOH U.S.	MAINTENANCE AGREEMENT	TRANSPORTATION	60.85	U
179414	RICOH USA INC.	COPIER REPLACEMENT TRANS DEPT.	TRANSPORTATION	4,091.41	U
179667	ROADRUNNER SHUTTLE	ATHLETIC TRANSPORTATION	MALIBU HIGH SCHOOL	761.00	U
179632	SAFETY-KLEEN CORP.	SHOP TOOLS	TRANSPORTATION	235.15	U
179549	SANTA MONICA CAR SOUNDS	Radio - bus #27	TRANSPORTATION	119.62	U
179426	SANTA MONICA COLLEGE	Field trip admission for gr 3	FRANKLIN ELEMENTARY SCHOOL	900.00	R
179334	SANTA MONICA COLLEGE DISTRICT	BALLROOM DANCE LESSONS-5TH GR	CURRICULUM AND IMC	25,000.00	R
179376	SANTA MONICA DAILY PRESS	PUBLIC HEARING FOR MEASURE R	BUSINESS SERVICES	238.50	U
179828	SANTA MONICA FORD	BUS REPAIRS #22	TRANSPORTATION	2,245.36	U
179365	SARK CUSTOM AWNINGS AND	RECOVER EXISTING CANOPIES	FRANKLIN ELEMENTARY SCHOOL	17,975.00	R
179685	SCHOLASTIC BOOK CLUBS INC	CLASSROOM READING BOOKS	EDISON ELEMENTARY SCHOOL	120.85	R
179739	SCHOLASTIC BOOK CLUBS INC	CLASSROOM READING BOOKS	EDISON ELEMENTARY SCHOOL	500.00	U
179615	SCHOLASTIC INC	CLASSROOM BOOKS	JOHN MUIR ELEMENTARY SCHOOL	3,055.16	U
179617	SCHOLASTIC INC	CLASSROOM PAPERBACK BOOKS	JOHN MUIR ELEMENTARY SCHOOL	2,376.88	U
179626	SCHOLASTIC INC	BOOKS	SANTA MONICA HIGH SCHOOL	1,091.89	R
179690	SCHOOL ANNUAL PUBLISHING	YEARBOOK	MCKINLEY ELEMENTARY SCHOOL	2,544.75	R
179505	SCHOOL BUS PARTS CORP	BUCKLE GUARD PURCHASE	TRANSPORTATION	109.27	U
179601	SCHOOL HEALTH CORPORATION	HEALTH SUPPLIES	SPECIAL EDUCATION REGULAR YEAR	349.00	R
179798	SCHOOL HEALTH CORPORATION	HEALTH OFFICE SUPPLIES	WEBSTER ELEMENTARY SCHOOL	500.00	U
179244	SCHOOL NURSE SUPPLY INC	SUPPLIES FOR NURSES OFFICE	GRANT ELEMENTARY SCHOOL	282.29	U
179295	SCHOOL NURSE SUPPLY INC	SCHOOL NURSE SUPPLY	EDISON ELEMENTARY SCHOOL	133.40	U
179732	SCHOOL OUTFITTERS LLC	CLASSROOM HEADPHONES	PT DUME ELEMENTARY SCHOOL	417.91	R
179569	SCHOOL SPECIALTY INC	CLASSROOM SUPPLIES	GRANT ELEMENTARY SCHOOL	70.32	U
179627	SCHOOL SPECIALTY INC	OPEN ORDER/INSTRUCTIONAL SUP	JOHN ADAMS MIDDLE SCHOOL	297.00	R
179780	SCHOOL SPECIALTY INC	TEACHER PROF. DEVEL SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	1,071.18	U
179534	SDE REGISTRATIONS	Registration for St.Anne's tch	SAINT ANNE'S PRIVATE SCHOOL	1,308.00	R
179535	SDE REGISTRATIONS	Registration for St.Anne's tch	SAINT ANNE'S PRIVATE SCHOOL	629.00	R
179388	SEHI COMPUTER PRODUCTS	COLORED PRINTER - SCIENCE	SANTA MONICA HIGH SCHOOL	497.50	U
179542	SEHI COMPUTER PRODUCTS	PRINTERS FOR 10 CDS SITES	CURRICULUM AND IMC	11,881.58	U
179635	SEHI COMPUTER PRODUCTS	GENERAL SUPPLIES/MATERIALS	BOE/SUPERINTENDENT	731.92	U
179684	SEHI COMPUTER PRODUCTS	TONER SUPPLY	EDISON ELEMENTARY SCHOOL	3,467.47	U
179378	SHAKESPEARE ENGRAVING	Medalion + ribbon immersion	CURRICULUM AND IMC	406.44	U
179704	SHELTON, ANTONIO	EMPLOYEE REIMBURSEMENT	PERSONNEL SERVICES	1,000.00	U
179592	SHERMAN OAKS MEDICAL SUPPLIES	POWER WHEELCHAIR RENTAL	SPECIAL EDUCATION REGULAR YEAR	1,200.00	R
179730	SHRED-IT US JV LLC	SHRED IT	SPECIAL EDUCATION REGULAR YEAR	315.00	R
179721	SIMON, MONICA	REIMBURSEMENT	CDC: CCTR	200.00	CD
179603	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	PERSONNEL SERVICES	164.63	U
179623	SIR SPEEDY PRINTING #0245	SUPPLIES	SANTA MONICA HIGH SCHOOL	100.00	U
179640	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	SPECIAL ED SPECIAL PROJECTS	54.88	R
179410	SMART & FINAL	OPEN ORDER/REFRESH EXIT INTERV	JOHN ADAMS MIDDLE SCHOOL	250.00	R
179485	SMART & FINAL	OPEN ORDER/COOKING & SCIENCE	CHILD DEVELOPMENT CENTER	90.00	CD
179503	SMART & FINAL	OPEN ORDER/COOKING & SCIENCE	CHILD DEVELOPMENT CENTER	75.00	CD
179757	SMART & FINAL #315	CLASSROOM LOCK DOWN SUPPLY	EDISON ELEMENTARY SCHOOL	500.00	R
179436	SMART TEMPS LLC	FREEZ/REFRIG-TEMP MONITORING	FOOD SERVICES	4,010.00	F
179479	SMITH PIPE & SUPPLY INC.	GROUPS SUPPLIES	GROUPS MAINTENANCE	1,000.00	R
179400	SOCIAL STUDIES SCHOOL SVCS	CURRICULAR SUPPLIES	SANTA MONICA HIGH SCHOOL	485.00	R
179749	SOS SURVIVAL PRODUCTS INC	EMERGENCY SCHOOL SUPPLIES	EDISON ELEMENTARY SCHOOL	961.31	U
179522	SOUTH BAY LANDSCAPING	TREE TRIMMING	GROUPS MAINTENANCE	1,481.63	R
179677	SOUTHERN CAL TRACTOR SALES INC	PARTS AND REPAIRS	GROUPS MAINTENANCE	352.30	R

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MAY, 2017

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 ES-BOND

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
179178	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES	GRANT ELEMENTARY SCHOOL	217.66	U
179452	SOUTHWEST SCHOOL SUPPLY	CALIFORNIA INDOOR FLAG	EDISON ELEMENTARY SCHOOL	176.99	R
179642	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES FOR TEACHER	EDISON ELEMENTARY SCHOOL	1,000.00	R
179768	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES	WEBSTER ELEMENTARY SCHOOL	1,500.00	U
179516	SPAIN,SUSIE	DRUG/ALCOHOL PRESENTATIONS	MALIBU HIGH SCHOOL	2,500.00	U
179386	SPORTSGRAPHICS	PILLAR PAD FOR KINDERYARD	EDISON ELEMENTARY SCHOOL	679.73	R
179399	STAPLES BUSINESS ADVANTAGE	CLASSROOM SUPPLIES	SANTA MONICA HIGH SCHOOL	500.00	U
179651	STAPLES BUSINESS ADVANTAGE	GENERAL SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	500.00	R
179746	STAPLES BUSINESS ADVANTAGE	PRINTER CARTRIDGES	LINCOLN MIDDLE SCHOOL	80.64	R
179797	STAPLES BUSINESS ADVANTAGE	CLASSROOM/TEACHER SUPPLIES	WEBSTER ELEMENTARY SCHOOL	1,800.00	U
179338	STAPLES/P-U/VENICE/LINCOLN BL	CLASSROOM SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	180.00	R
179398	STAPLES/P-U/VENICE/LINCOLN BL	CLASSROOM SUPPLIES	SANTA MONICA HIGH SCHOOL	300.00	U
179408	STAPLES/P-U/VENICE/LINCOLN BL	OPEN ORDER/CLASSROOM SUP	JOHN ADAMS MIDDLE SCHOOL	64.00	R
179567	STAPLES/P-U/VENICE/LINCOLN BL	CLASSROOM SUPPLY	OLYMPIC CONTINUATION SCHOOL	1,000.00	R
179628	STAPLES/P-U/VENICE/LINCOLN BL	OPEN ORDER/INSTRUCTIONAL SUP	JOHN ADAMS MIDDLE SCHOOL	125.00	R
179409	STAPLES/P-U/WLA/CUST#240174490	OPEN ORDER/CLASSROOM SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	66.00	R
179382	STRESS LESS ENVIRONMENTAL LLC	PUMP CLARIFIER	TRANSPORTATION	3,240.10	U
179397	SUPERIOR GRAFFITI SOLUTIONS	CUSTODIAL CLEANING KIT	FACILITY OPERATIONS	7,952.04	U
179405	TEXTBOOK WAREHOUSE INC.	RESOURCE BOOKS FOR TEACHER	GRANT ELEMENTARY SCHOOL	118.43	U
179515	THE ARTIST COLLECTIVE	DANCE INSTRUCTION	MALIBU HIGH SCHOOL	10,830.00	R
179633	THE ARTIST COLLECTIVE	INDEPENDENT CONTRACT	JOHN ADAMS MIDDLE SCHOOL	3,000.00	R
179800	THE TEACHER STORE	TEACHER READING KITS	ROOSEVELT ELEMENTARY SCHOOL	1,164.03	U
179634	THINKING MAPS INC	MATERIALS FOR PD	WEBSTER ELEMENTARY SCHOOL	3,541.95	U
179380	TOM JOHN TOWING	TOWING CHARGES BUS #2	TRANSPORTATION	690.25	U
179649	TOSHIBA	SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	1,000.00	R
179502	TRANSWEST TRUCK CENTER	Bus Repairs Bus #2	TRANSPORTATION	2,426.23	U
179385	TUFF SHED	TUFFSHED - EMERGENCY SUPPLIES	FACILITY MAINTENANCE	5,394.66	U
179393	TUFF SHED	TUFFSHED - EMERGENCY SUPPLIES	FACILITY MAINTENANCE	5,394.66	U
179416	TUFF SHED	TUFFSHED - EMERGENCY SUPPLIES	FACILITY MAINTENANCE	5,419.35	U
179421	TUFF SHED	TUFFSHED - EMERGENCY SUPPLIES	FACILITY MAINTENANCE	5,419.35	U
179423	TUFF SHED	TUFFSHED - EMERGENCY SUPPLIES	FACILITY MAINTENANCE	5,369.97	U
179425	TUFF SHED	TUFFSHED - EMERGENCY SUPPLIES	FACILITY MAINTENANCE	5,419.35	U
179404	TUMBLEWEED TRANSPORTATION	BUS TRANSPORTATION,FIELD TRIP	EDISON ELEMENTARY SCHOOL	405.00	R
179458	TUMBLEWEED TRANSPORTATION	CHARTER BUS FOR FIELD TRIP	JOHN ADAMS MIDDLE SCHOOL	425.00	R
179568	TUMBLEWEED TRANSPORTATION	Open PO for field trip trans.	FRANKLIN ELEMENTARY SCHOOL	810.00	R
179359	U S BANK (GOVT CARD SERVICES)	E-FILE CHARGES	PERSONNEL SERVICES	479.50	U
179492	U S BANK (GOVT CARD SERVICES)	BOOKS PURCHASED CARD SERVICES	CURRICULUM AND IMC	133.32	R
179589	U S BANK (GOVT CARD SERVICES)	DISASTER EARTHQUAKE SUPPLY	JOHN ADAMS MIDDLE SCHOOL	371.16	U
179604	U S BANK (GOVT CARD SERVICES)	E-FILE ADDITIONAL CHARGES	PERSONNEL SERVICES	460.00	U
179662	U S BANK (GOVT CARD SERVICES)	TO PAY FOR MAY REVISION WORKSH	CURRICULUM AND IMC	165.00	U
179663	U S BANK (GOVT CARD SERVICES)	FOR PURCHASES ON US BANK CARD	CURRICULUM AND IMC	501.31	U
179694	U S BANK (GOVT CARD SERVICES)	FOR PURCHASES FOR US BANK CARD	CURRICULUM AND IMC	667.15	U
179839	U S BANK (GOVT CARD SERVICES)	PAYMENT FOR ITEMS ON USBANK	STATE AND FEDERAL PROJECTS	118.36	R
179357	U S GAMES - WEST	PE MATERIALS FOR STUDENTS	EDISON ELEMENTARY SCHOOL	1,515.43	R
179496	U.S. BANK	PAYMENT FOR GOB'S	BUSINESS SERVICES	750.00	U
179491	U.S. POSTAL SERVICE	POSTAGE	PURCHASING/WAREHOUSE	10,000.00	U
179360	ULINE INC.	SCHOOL ANNOUNCEMENT TOOL	EDISON ELEMENTARY SCHOOL	202.07	R
179683	ULINE INC.	SAFETY SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	644.28	R
179395	ULINE SHIPPING SUPPLIES	Cable Protectors for Samohi	THEATER OPERATIONS&FACILITY PR	3,995.78	R
179481	ULINE SHIPPING SUPPLIES	OPERATIONS SUPPLIES	GROUNDS MAINTENANCE	500.00	R
179608	VARGAS,PATRICIA	REIMBURSEMENT LACMA	OLYMPIC CONTINUATION SCHOOL	75.00	R

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MAY, 2017

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 ES-BOND

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
179670	VILLAGE GRAPHICS	GRADUATION INVITES & PROGRAMS	MALIBU HIGH SCHOOL	2,500.00	U
179672	VIRTUAL ENTERPRISES INT'L INC.	Participation fee for CTE Prgm.	STATE AND FEDERAL PROJECTS	1,800.00	R
179332	VISION COMMUNICATIONS	WALKIE TALKIES FOR NOONAIDES	EDISON ELEMENTARY SCHOOL	3,944.89	U
179375	VISTA HIGHER LEARNING	TEXTBOOKS	SANTA MONICA HIGH SCHOOL	440.61	R
179658	W.W. GRAINGER INC.	GENERAL MAINT. & FANS	FACILITY MAINTENANCE	1,000.00	R
179477	WALTERS WHOLESALE ELECTRIC CO	ELECTRICAL SUPPLIES	FACILITY MAINTENANCE	500.00	R
179489	WAXIE SANITARY SUPPLY	CUSTODIAL SUPPLIES	FACILITY OPERATIONS	10,000.00	U
179646	WESTERN FENCE & SUPPLY CO	FENCE AND GATE CHANGES	MCKINLEY ELEMENTARY SCHOOL	5,738.83	R
179676	YALE/CHASE MATERIALS HANDLING	PARTS FOR REPAIRS	GROUNDS MAINTENANCE	256.06	R
179381	ZONAR SYSTEMS INC.	GPS ASSEMBLY	TRANSPORTATION	99.95	U

** NEW PURCHASE ORDERS 2,739,250.62

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

179480	A/C PROS INC	AIR CONDITION IN COMPUTER LAB	WEBSTER ELEMENTARY SCHOOL	12,400.00	ES
179286	APPLE COMPUTER CORP	APPLE-IPAD MINIS-BERTHA/JOHN	CURRICULUM AND IMC	1,554.17	ES
179320	CHEFS TOYS	MILK COOLER	GRANT ELEMENTARY SCHOOL	2,894.49	ES
179308	CITY OF SANTA MONICA	FIRE LINE SERVICE FEES	OLYMPIC CONTINUATION SCHOOL	21,976.08	BB
179372	CITY OF SANTA MONICA	OFF SITE PARKING	SANTA MONICA HIGH SCHOOL	38,805.00	BB
179520	COLBI TECHNOLOGIES INC	PREQUALIFICATION SOFTWARE	BUSINESS SERVICES	20,500.00	ES
179454	DAILY BREEZE, THE	ADVERTISING	SANTA MONICA HIGH SCHOOL	1,000.00	ES
179321	ECOBUILD INC	STORY POLE INSTALLATION	MALIBU HIGH SCHOOL	11,648.93	BB
179413	ECOBUILD INC	FENCE ASSEMBLY	SANTA MONICA HIGH SCHOOL	2,304.31	ES
179476	EXPRESS PIPE & SUPPLY CO. LLC	FIXTURES	BUSINESS SERVICES	925.19	ES
179821	IVS COMPUTER TECHNOLOGY	IVS-FRANKLIN-INSTALL-LABOR	CURRICULUM AND IMC	10,000.00	ES
179822	IVS COMPUTER TECHNOLOGY	IVS-SMART-WEBSTER/PTDUME/CABRI	CURRICULUM AND IMC	1,968.92	ES
179529	LOS ANGELES COUNTY WATERWORKS	ENGINEERING CHARGES	MALIBU HIGH SCHOOL	3,000.00	BB
179306	MALIBU UNITED METHODIST CHURCH	OFF SITE STAFF PARKING	MALIBU HIGH SCHOOL	15,675.00	BB
179531	MASSETTI CONSULTING LLC	REIMBURSEMENT - CITY OF MALIBU	MALIBU HIGH SCHOOL	2,709.38	BB
179548	NRC ENVIRONMENTAL SERVICES INC	WASTE DISPOSAL	WILL ROGERS ELEMENTARY SCHOOL	3,350.00	ES
179455	SANTA MONICA DAILY PRESS	ADVERTISING	SANTA MONICA HIGH SCHOOL	1,000.00	ES
179526	SANTA MONICA DAILY PRESS	ADVERTISING	MALIBU HIGH SCHOOL	1,000.00	ES
179545	SEARS COMMERCIAL CREDIT SER	APPLIANCES FOR OLYMPIC PH 2	OLYMPIC CONTINUATION SCHOOL	345.53	BB
179813	SEARS COMMERCIAL CREDIT SER	APPLIANCES FOR OLYMPIC PH 2	OLYMPIC CONTINUATION SCHOOL	1,173.92	BB
179371	SIMPLEXGRINNELL	TAMPER & FLOW SWITCH INSTALL	CABRILLO ELEMENTARY SCHOOL	4,631.13	ES
179322	SO CAL SANITATION LLC	PROVIDE & INSTALL FENCING	MALIBU HIGH SCHOOL	22,761.51	BB
179453	STATE OF CALIFORNIA	PLAN/FIELD REVIEW FEES	MALIBU HIGH SCHOOL	11,875.00	ES

** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATION/NEW CONSTRUCTION/DEVELOPER FEES 193,498.56

TO: BOARD OF EDUCATION
FROM: BEN DRATI / JANECE L. MAEZ / PAT HO
RE: ACCEPTANCE OF GIFTS – 2016/2017

ACTION/CONSENT
05/04/17

RECOMMENDATION NO. A.08

It is recommended that the Board of Education accept, with gratitude, checks totaling **\$23,782.26** 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 2016-2017 income and appropriations by **\$23,782.26** 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: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

School/Site Account Number	Cash Amount	Item Description	Purpose	Donor
Adams Middle School 01-90120-0-00000-00000-8699-011-0000	\$ 50.31 \$ 32.56		General Supplies and Materials General Supplies and Materials	Kroger Extra Credit, Inc.
Cabrillo Elementary School 01-90120-0-00000-00000-8699-017-0000	\$ 20.00		General Supplies and Materials	Desi Bradley
Edison Elementary School 01-90120-0-00000-00000-8699-017-0000	\$ 25.00		General Supplies and Materials	County of Los Angeles
Educational Services 01-90120-0-00000-00000-8699-030-0000	\$ 8,000.00 \$ 5,876.08 \$ 5,495.31		Special Services, Classified General Supplies and Materials General Supplies and Materials	Ella Fitzgerald Charitable Foundation Various SMAPA
Lincoln Middle School 01-90120-0-00000-00000-8699-012-0000	\$ 400.00		Other Operating Expenses	Various
Malibu High School 01-90120-0-00000-00000-8699-010-0000	\$ 2,000.00		Coach Assistant, Hourly	MHS Athletic Booster Club
Mckinley Elementary School 01-90120-0-00000-00000-8699-010-0000	\$ 1,683.00 \$ 200.00		General Supplies and Materials Field Trip	Various Various
TOTAL	\$ 23,782.26			

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: EXTENSION OF FINANCIAL ADVISOR AGREEMENT – KEYGENT ADVISORS

RECOMMENDATION NO. A.09

It is recommended that the Board approve an extension to the existing contract held by the District with Keygent Advisors.

COMMENT: Keygent Advisors has served the District since March 2009 assisting and providing financial advice related to General Obligation Bond issues, Certificates of Participation, and other financing options. Their expert advice has resulted in successful bond issues as authorized by Measures BB and ES. In February 2013 and December 2015, with Keygent's assistance, the District completed bond refinancing and passed on the savings to local taxpayers. Total savings to taxpayers have exceeded \$22.2 million since 2013. The Keygent team regularly updates the District's Financial Oversight Committee with information related to credit ratings and financing options.

The attached amendment to the contract extends the term for another three years, updates the recitals of the original agreement, revises sections IV, V, VIII, IX, and adds Appendix B (Municipal Securities Rulemaking Board G-42 Disclosure Statement).

Staff recommends continuing the relationship built with Keygent Advisor by extending the agreement.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0



AMENDMENT TO FINANCIAL ADVISOR AGREEMENT

This amendment (the "Second Amendment") to the financial advisor agreement (described below) dated herein is entered into between Keygent LLC (hereinafter "Financial Advisor" or "Keygent") and Santa Monica-Malibu School District (hereinafter "District").

RECITALS

Whereas, the District entered into a financial advisor agreement (the "Agreement") with Keygent on February 15, 2009 in connection with the District's Measure BB general obligation bond authorization, the District's prospective joint-use opportunity between the City of Santa Monica's Civic Auditorium Campus and the District's Santa Monica High School Campus and the fulfillment of the District Facilities Needs Assessment; and

Whereas, the District approved an amendment to the Agreement (the "First Amendment") at the October 4, 2012 Board of Education meeting whereby the parties agreed to amend the term of the agreement to be July 1, 2012 to June 30, 2017 unless sooner terminated and payment by the District estimated to be at the rate of \$80,500 per financing; and

Whereas, the District desires Financial Advisor to continue providing consulting services in connection with the aforementioned programs, as well as the District's Measure ES general obligation bond authorization, including but not limited to prospective general obligation bond financings and potential future refinancings, along with any other type of financing desired by the District (each series an "Issue"); and

Whereas, Financial Advisor represents itself able and, for a consideration, willing to perform the financial consulting services for the District.

NOW, THEREFORE, in consideration of the terms and provisions set forth herein, the benefits to be gained by the performance thereof and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the District and Financial Advisor agree to this Second Amendment, which amends or replaces the following sections of the Agreement as follows:

IV. TERM OF THE AGREEMENT/EFFECTIVE DATE OF THE AGREEMENT, shall be replaced in its entirety with the following:

The initial term of this Agreement shall be three years from the date of execution herein and shall renew annually, unless Section X of the Agreement is invoked.

V. COMPENSATION, shall be replaced in its entirety with the following, which does not reflect any increases in Keygent compensation:

- a. Fees and expenses. The fees due to Municipal Advisor hereunder shall be, and expenses incurred by Municipal Advisor in connection with any services provided hereunder shall be reimbursed, as set forth below:

- i. Fees for Municipal Advisor's Services shall be paid for each Issue and shall not exceed \$75,000 per Issue.
 - ii. Expenses incurred by Municipal Advisor shall be reimbursed by District per Issue. Such expenses include travel and administrative costs and shall not exceed \$5,500 per Issue.
 - iii. Notwithstanding anything to the contrary herein, the compensation of Municipal Advisor for services rendered in connection with the Issue(s) is contingent upon the successful completion of each Issue.
- b. Other Financing Costs. In addition to the fees and expenses payable to Municipal Advisor, the District shall provide from the proceeds of each Issue for the payment of any and all costs and expenses incident to the actual issuance of the Issue, including the cost of preparing the financing for execution and delivery, all printing and publication costs, and any other expenses incurred in connection with the issuance and delivery of the financing, including the fees and expenses of bond counsel, disclosure counsel, or other experts retained by the District and payable under the terms of the District's written agreements with them.
- c. Payment. All charges incurred under this Agreement, in connection with the Issues shall be due and payable only upon successful completion of the sale and closing of the financing for which such Consulting Services were rendered or expenses were incurred. Invoices for payment shall be provided at the closing of each Issue and in an amount in accordance with the above. Payment shall be made from financing proceeds or any other method acceptable to the District and Municipal Advisor.

SECTION VIII. STATUS OF KEYGENT, shall be replaced in its entirety with the following:

Keygent is a Municipal Advisory Firm registered with the U.S. Securities and Exchange Commission and Municipal Securities Rulemaking Board. Keygent will provide the services in this Amendment as an independent contractor. No other relationship to the District is implied or intended.

IX. OUTSIDE INTERESTS, shall be replaced in its entirety with the following:

IX. REQUIRED DISCLOSURES.

The Municipal Securities Rulemaking Board (the "MSRB") Rule G-42 requires that your Financial Advisor provide you with disclosures of material conflicts of interest and other information. Such disclosures are described in Appendix B attached hereto and incorporated herein.

Keygent no longer maintains an advisory board.

XII. NOTICE TO PARTIES.

All notices to be given by the parties hereto shall be in writing and served by depositing the same in the United States Post Office, postage prepaid and registered, as follows:

TO THE DISTRICT:
Jan Maez
Chief Financial Officer
Santa Monica-Malibu Unified School District
1651 Sixteenth Street
Santa Monica, CA 90404
Phone: (310) 450-8338 x70268 / (310) 581-6720
jmaez@smmusd.org

TO THE FINANCIAL ADVISOR:
Anthony Hsieh
Managing Director
Keygent LLC
999 N. Sepulveda Blvd., Suite 500
El Segundo, CA 90245
Phone/Fax: (310) 322-4222 / (866) 518-7656
tony.hsieh@keygentcorp.com

Except as amended above, all other provisions of the Agreement will remain in full force and effect.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the following date:

_____.

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

By: _____
Janece L. Maez
Associate Superintendent/CFO

Date: _____

KEYGENT LLC

By: _____
Anthony Hsieh
Managing Director

Date: _____

APPENDIX B
Municipal Securities Rulemaking Board G-42 Disclosure Statement

This Disclosure Statement is provided by Keygent LLC (“Municipal Advisor” or “Keygent”) to Santa Monica-Malibu Unified School District (“District”) in connection with the preceding municipal advisory agreement (“Agreement”) and is dated as of the same date as the Agreement. This Disclosure Statement provides information regarding conflicts of interest and other items of information relating to our municipal advisory relationship, required to be disclosed to District pursuant to MSRB Rule G-42(b) and (c)(ii).

Disclosures of Conflicts of Interest and Other Information

Municipal Advisor makes the following disclosures set forth below with respect to material conflicts of interest in connection with the Scope of Services under this Agreement, together with explanations of how Municipal Advisor addresses or intends to manage or mitigate each conflict. Municipal Advisor also provides other information that may be material to District’s evaluation of Municipal Advisor or the integrity of its personnel.

General Mitigations. As general mitigations of Municipal Advisor’s conflicts, with respect to all of the conflicts disclosed below, Municipal Advisor mitigates such conflicts through its adherence to its fiduciary duty to the District, which includes a duty of loyalty to the District in performing all municipal advisory activities for the District. This duty of loyalty obligates Municipal Advisor to deal honestly and with the utmost good faith with the District and to act in the District’s best interests without regard to Municipal Advisor’s financial or other interests. Furthermore, Municipal Advisor’s supervisory structure, leveraging our supervisory processes and practices, provides safeguards against individual representatives of Municipal Advisor potentially departing from their regulatory duties due to personal interests.

- 1. Affiliate Conflicts.** Municipal Advisor has no known affiliates who have or are expected to provide services to or on behalf of the District that are directly related to Municipal Advisor’s activities within the Scope of Services under the Agreement.
- 2. Payments to be Retained.** Municipal Advisor does not make payments to any municipal advisor registered with the SEC to solicit the District to obtain or retain District’s municipal advisory business under the Agreement.
- 3. Payments from Third Parties for Recommendations.** Municipal Advisor does not receive any payments from third parties to recommend them to the District to provide services to the District.
- 4. Fee-Splitting Arrangements.** Municipal Advisor does not have any fee-splitting arrangements whereby Municipal Advisor pays a portion of the fee it has received from the District for Consulting Services under the Agreement to a third party in connection with services provided by such third party.
- 5. Compensation-Based Conflicts.** The forms of compensation for municipal advisors vary according to the nature of the engagement and requirements of the District, among other factors. Various forms of compensation present actual or potential conflicts of interest because they may create an incentive for a municipal advisor to recommend one course of action over another if it is more beneficial to the municipal advisor to do so.

- a. **Fees.** The fees due under this Agreement are in a fixed amount established pursuant to the Agreement, contingent upon the completion of financings.
 - b. **Fixed Fee.** The fixed, not-to-exceed fee is usually based upon an analysis by District and Municipal Advisor of, among other things, the expected duration and complexity of the transaction and the Scope of Services to be performed by Municipal Advisor. This form of compensation presents a potential conflict of interest because, if the transaction requires more work than originally contemplated, Municipal Advisor may suffer a loss. Thus, Municipal Advisor may recommend less time-consuming alternatives, or fail to do a thorough analysis of alternatives. This conflict of interest is mitigated by the general mitigations described above.
 - c. **Contingent Fee.** Under a contingent fee form of compensation, payment of a municipal advisor's fee is dependent upon the successful completion of a financing or other transaction. Although this form of compensation may be customary for the District, it presents a conflict because the municipal advisor may have an incentive to recommend unnecessary financings or financings that are disadvantageous to the District. For example, when facts or circumstances arise that could cause the financing or other transaction to be delayed or fail to close, a municipal advisor may have an incentive to discourage a full consideration of such facts and circumstances, or to discourage consideration of alternatives that may result in the cancellation of the financing or other transaction. This conflict of interest is mitigated by the general mitigations described above.
- 6. Other Municipal Advisor Relationships.** Municipal Advisor serves other clients that may from time to time have interests that could have a direct or indirect impact on the interests of District. For example, Municipal Advisor serves as municipal advisor to other clients and in such cases, owes a regulatory duty to such other clients just as it does to District under this Agreement. These other clients may, from time to time and depending on the specific circumstances, have competing interests, such as accessing the new issue market with the most advantageous timing and with limited competition at the time of the offering. In acting in the interests of its various clients, Municipal Advisor could potentially face a conflict of interest arising from these competing client interests. At this time, Municipal Advisor is not serving other clients with known competing interests.
- 7. Other Conflicts of Interest.** Municipal Advisor is not aware of any other conflicts of interest in connection with the Agreement.
- 8. Related Disclosure Relevant to District.**
- a. **Municipal Bond Holdings.** Keygent's employees may hold brokerage accounts with broker dealers and/or investment companies that are active participants in California municipal bonds. Keygent employees are not permitted to purchase primary or secondary offerings of municipal securities of our clients. Prior to Keygent's engagement by the District, Keygent employees may have held municipal securities of the District, but, to the extent that they previously held such securities, they have since liquidated them. Keygent employees may hold municipal securities of other municipal agencies. The District shall retain the sole right to recuse any Keygent employees from any business meetings, discussions or situations that may present a conflict of interest.
- 9. Legal or Disciplinary Events.** There are no legal events that are material to the District's evaluation of Municipal Advisor or advisory personnel or that should be disclosed on any Form MA or Form MA-I filed with the Securities and Exchange Commission ("SEC"). Regarding disciplinary events, please

refer to Municipal Advisor's most recent Form MA (Item 9C, Regulatory Action DRP Part 1 and Regulatory Action DRP Part 2) at <https://www.sec.gov/cgi-bin/browse-edgar?action=getcompany&CIK=1612599>. Municipal Advisor has mitigated this event by complying with the undertakings of the SEC order, improving supervisory policies and practices to ensure performance of municipal advisory activities with best practices, complying with regulatory requirements, no longer maintaining an advisory board, and employing a dedicated Chief Compliance Officer.

a. How to Access Form MA and Form MA-I Filings. Municipal Advisor's most recent Form MA and each most recent Form MA-I filed with the SEC are available on the SEC's EDGAR system at <https://www.sec.gov/cgi-bin/browse-edgar?action=getcompany&CIK=1612599>.

b. Most Recent Change in Legal or Disciplinary Event Disclosure. The date of the last material change to Form MA filed by the Municipal Advisor with the SEC is June 14, 2016 which consists of the matter described in paragraph 9 above. Updates to each Form MA-I related to the matter described in paragraph 9 were filed on June 23, 2016.

10. Future Supplemental Disclosures. As required by MSRB Rule G-42, this notice may be supplemented or amended, from time to time as needed, to reflect changed circumstances resulting in new conflicts of interest or changes in the conflicts of interest described above, or to provide updated information with regard to other information of Municipal Advisor. Municipal Advisor will provide the District with any such supplement or amendment as it becomes available throughout the term of the Agreement.

FINANCIAL ADVISOR AGREEMENT

This Agreement dated herein is entered into between Keygent LLC (hereinafter "Financial Advisor" or "Keygent") and the Santa Monica-Malibu Unified School District (hereinafter "District").

RECITALS

Whereas, the District desires Financial Advisor to provide financial consulting services in connection with the District's Measure BB general obligation bond authorization ("Measure BB") approved by the voters on November 7, 2006; and

Whereas, the District desires Financial Advisor to provide financial consulting services in connection with the District's prospective joint-use opportunity between the City of Santa Monica's Civic Auditorium Campus and the District's Santa Monica High School Campus ("Joint-Use"), including but not limited to prospective additional general obligation bond authorization(s) and certificates of participation financing(s); and

Whereas, the District desires Financial Advisor to provide financial consulting services in connection with the fulfillment of the District Facilities Needs Assessment ("DFNA"), including but not limited to prospective additional general obligation bond authorization(s) and certificates of participation financing(s); and

Whereas, Financial Advisor represents itself able and, for a consideration, willing to perform the financial consulting services for the District.

NOW, THEREFORE, in consideration of the terms and provisions set forth herein, the benefits to be gained by the performance thereof and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Financial Advisor and District agree as follows:

I. CONSULTING SERVICES.

The District hereby retains Keygent to perform the Consulting Services, which services are described in Exhibit A, attached hereto and incorporated herein, and Keygent hereby agrees to perform said services pursuant to the terms and conditions of this Agreement. Keygent will not be responsible for work that is beyond the services set forth in Exhibit A. Either party may request changes to the services set forth in Exhibit A. All changes must be agreed in writing between the parties prior to any change in the services in Exhibit A.

The Consulting Services do not include the provision of legal advice and Keygent makes no representations regarding questions of legal interpretation. The District should consult with its attorneys with respect to any legal matters or items that require legal interpretation, under federal, state or other type of law or regulation.

II. DISTRICT RESPONSIBILITIES.

The District shall provide Keygent with all information relevant to the Consulting Services and any reasonable assistance as may be required to properly perform the Consulting Services. The District represents and warrants to Keygent that all such information provided by the District and any designated third party will be accurate and complete in all material respects. Keygent cannot warrant the correctness of data supplied by the District or other parties, nor can Keygent be responsible for data not provided in a timely manner. The District shall perform all management functions and make all management decisions in connection with the Consulting Services, and shall assign competent individuals to oversee the Consulting Services. The District is also responsible for the implementation of actions identified in the course of this engagement and results achieved from the Consulting Services. Any timing or fee estimate we have provided for this engagement is based upon the agreed-upon level of assistance from the District and commitment of District resources.

Keygent has not been engaged to, nor will Keygent provide any management functions or make management decisions for the District under this Agreement. It is the District's responsibility to establish and maintain its policies and procedures related to its business operations and financings.

III. TOOL DEVELOPMENT.

Except otherwise set forth in this Agreement, the District will own all tangible written material originally prepared expressly for the District and delivered to the District under this Agreement (the "Work Product"), excluding any Keygent materials contained or embodied therein, which includes all: proprietary information, general skills, know-how, expertise, ideas, concepts, methods, techniques, processes, software, materials or other intellectual property or information which may have been discovered, created, developed or derived by Keygent either prior to or as a result of its provision of Consulting Services under this Agreement.

IV. TERM OF THE AGREEMENT/ EFFECTIVE DATE OF AGREEMENT

The term of this Agreement shall be for the length necessary to complete the Measure BB, Joint-Use, and DFNA programs, including any subsequent refinancings and/or restructurings that may arise. Notwithstanding the foregoing, the Financial Advisor shall provide routine advice on matters relating to the Measure BB, Joint-Use, and DFNA programs during the term of this Agreement.

V. COMPENSATION

Fees, Payment Contingent on Successful Completion of Bond Closing.

Compensation for Services rendered pursuant to the Measure BB, Joint-Use, and DFNA programs shall be subject to the terms and conditions hereof. Compensation for any subsequent additional work, including but not limited to restructurings and refinancings, shall be agreed upon by the District and the Financial Advisor in writing prior to the issuance of the financing. Notwithstanding anything to the contrary herein, the compensation of Financial Advisor for services rendered in connection with the Measure BB, Joint-Use, and DFNA programs is contingent upon the successful completion of each respective financing. Invoice for payment shall be provided at closing of each financing. Payment shall be made from financing proceeds or any other method acceptable to the District and Financial Advisor. If the District and

Financial Advisor mutually agree that the scope of work described herein is increased, the Financial Advisor may receive additional compensation provided that there is a prior written agreement between the Superintendent or Assistant Superintendent, Business & Fiscal Services and the Financial Advisor that is authorized by the District's Board of Trustees.

Fees for Financial Advisor's services shall not exceed \$75,000 per financing. Financial advisory fees shall be subject to change, in an amount agreeable to the District and Keygent.

Expenses. The District shall reimburse Keygent for out-of-pocket expenses. Such expenses shall include travel and administrative costs and shall not exceed \$5,500 per financing.

Other Financing Costs. In addition to the Compensation payable to Financial Advisor hereunder, the District shall provide for the payment of any and all costs and expenses incident to the actual issuance and delivery of each financing, including the cost of preparing each financing for execution and delivery, all printing and publication costs, and any other expenses incurred in connection with the issuance and delivery of the each financing, including the fees and expenses of Bond Counsel or other experts retained by the District and payable under the terms of the District's written agreements with them.

Payment. All charges incurred under this Agreement, in connection with each financing shall be due and payable only upon the successful completion of the sale and closing of each financing for which such Consulting Services were rendered or expenses incurred.

Statements. Financial Advisor shall, upon the written request of the District upon closing of each financing, submit statements identifying in reasonable detail the work performed and an itemization of expenses.

VI. LIMITATION OF LIABILITY.

THE PARTIES AGREE THAT KEYGENT SHALL BE SOLELY LIABLE FOR ANY FINALLY DETERMINATED DAMAGES IN CONNECTION WITH THIS AGREEMENT. THE PARTIES AGREE THAT KEYGENT'S OFFICERS, DIRECTORS, AGENTS, AND EMPLOYEES SHALL NOT BE PERSONALLY LIABLE TO THE DISTRICT, WHETHER IN TORT, CONTRACT OR OTHERWISE, FOR ANY DAMAGES IN CONNECTION WITH THIS AGREEMENT.

EXCEPT TO THE EXTENT FINALLY DETERMINED TO HAVE RESULTED FROM THE GROSS NEGLIGENCE OR INTENTIONAL MISCONDUCT OF KEYGENT, KEYGENT'S LIABILITY TO PAY DAMAGES FOR ANY LOSSES AND CLAIMS INCURRED BY THE DISTRICT AS A RESULT OF BREACH OF CONTRACT, NEGLIGENCE OR OTHER TORT COMMITTED BY KEYGENT, REGARDLESS OF THE THEORY OF LIABILITY ASSERTED, IS LIMITED TO NO MORE THAN THE TOTAL AMOUNT OF FEES PAID TO KEYGENT UNDER THIS AGREEMENT. IN ADDITION, KEYGENT WILL NOT BE LIABLE IN ANY EVENT FOR LOST PROFITS OR ANY CONSEQUENTIAL, INDIRECT, PUNITIVE, EXEMPLARY OR SPECIAL DAMAGES.

THE PARTIES AGREE THAT DISTRICT SHALL BE SOLEY LIABLE FOR ANY FINALLY DETERMINATED DAMAGES IN CONNECTION WITH THIS AGREEMENT. THE PARTIES AGREE THAT DISTRICT'S OFFICERS, DIRECTORS, AGENTS, AND EMPLOYEES SHALL NOT BE PERSONALLY LIABLE TO KEYGENT, WHETHER IN TORT, CONTRACT OR OTHERWISE, FOR ANY DAMAGES IN CONNECTION WITH THIS AGREEMENT.

EXCEPT TO THE EXTENT FINALLY DETERMINED TO HAVE RESULTED FROM THE GROSS NEGLIGENCE OR INTENTIONAL MISCONDUCT OF THE DISTRICT, THE DISTRICT'S LIABILITY TO PAY DAMAGES FOR ANY LOSSES AND CLAIMS INCURRED BY KEYGENT AS A RESULT OF BREACH OF CONTRACT, NEGLIGENCE OR OTHER TORT COMMITTED BY THE DISTRICT, REGARDLESS OF THE THEORY OF LIABILITY ASSERTED, IS LIMITED TO NO MORE THAN THE TOTAL AMOUNT OF FEES TO BE PAID TO KEYGENT UNDER THIS AGREEMENT. IN ADDITION, THE DISTRICT WILL NOT BE LIABLE IN ANY EVENT FOR LOST PROFITS OR ANY CONSEQUENTIAL, INDIRECT, PUNITIVE, EXEMPLARY OR SPECIAL DAMAGES.

THE PROVISIONS OF THIS SECTION WILL SURVIVE THE EXPIRATION OR TERMINATION OF THIS AGREEMENT.

VII. MEDIATION AND ARBITRATION.

In the event of any dispute arising out of or relating to the engagement of Keygent by the District, the parties agree first to try in good faith to settle the dispute voluntarily with the aid of an impartial mediator who will attempt to facilitate negotiations. A dispute will be submitted to mediation by written notice to the other party or parties. The mediator will be selected by agreement by the parties. If the parties cannot agree on a mediator within 30 days of the receipt of the notice of request for mediation, a mediator will be designated by the American Arbitration Association ("AAA") at the request of either party.

The mediation will be treated as a settlement discussion and therefore will be confidential. Any applicable statute of limitations will be tolled during the pendency of the mediation. Each party will bear its own costs in the mediation. The fees and expenses of the mediator will be shared equally by the parties.

If the dispute has not been resolved within 60 days after the written notice beginning the mediation process (or a longer period, if the parties agree to extend the mediation), the mediation will terminate, and the dispute will be resolved by final and binding arbitration under the Commercial Arbitration Rules of the American Arbitration Association. The arbitration will take place before a panel of three arbitrators. Within 30 days of the commencement of the arbitration, each party will designate in writing a single neutral and independent arbitrator. The two arbitrators designated by the parties will then select a third arbitrator. The arbitrators will have a sufficient background in public finance law to reasonably prepare them to decide the dispute. The arbitrators will have the authority to permit limited discovery, including depositions, prior to the arbitration hearing, and such discovery will be conducted consistent with the Federal Rules of Civil Procedure. The arbitrators will have no power or authority to award punitive or exemplary damages. The arbitrators may, in their discretion, award the cost of the arbitration, including reasonable attorney fees and costs, to the prevailing party. Any award made may be confirmed and enforced in any court having jurisdiction. Any arbitration shall be confidential, and except as required by law, neither party may

disclose the content or results of any arbitration hereunder without the prior written consent of the other parties, except that disclosure is permitted to a party's auditors, insurers and legal advisors.

VIII. STATUS OF KEYGENT.

Keygent will provide the services in this Agreement as an independent contractor. No other relationship to the District or its benefit plan(s) is implied or intended.

IX. OUTSIDE INTERESTS.

Keygent employees may hold brokerage accounts with investment banks that are active participants in California municipal bond underwriting. Keygent is confident that this situation will impact Keygent's responsibilities and duties to the District and ability to provide objective advice under this Agreement. Keygent has retained Vazquez & Associates as a consultant. Vazquez & Associates is not retained to provide any services in connection with the District. Keygent's relationship with Vazquez and Associates will not impact Keygent's responsibilities and duties to the District and ability to provide services under this Agreement. The District shall retain the sole right to recuse any of Keygent employees from any business meetings, discussions or situations that may present a conflict of interest.

X. TERMINATION.

Either party may terminate this Agreement at any time by giving the other party forty-five (45) days written notice of termination. Keygent may also resign from performing all or any portion of the services in connection with the Consulting Services and terminate this Agreement immediately upon written notice in the event that circumstances arise that would make continuation of all or any portion of the work by Keygent in conflict with any professional regulations, standards or guidelines to which Keygent conforms.

To the extent that the District terminates Keygent without cause sixty days (60 days) prior to the sale of a financing in connection with the Measure BB, Joint-Use, and/or DFNA programs which Keygent performed Consulting Services, Keygent shall be entitled to the same Compensation associated with such sale had Keygent not been terminated.

XI. CHOICE OF LAW AND FORUM.

The construction, interpretation, and enforcement of this Agreement shall be governed by the substantive contract law of the State of California without regard to its conflict of laws provisions. It is the intention of the parties that the Limitation of Liability paragraph above shall be enforceable and the parties believe that the clause is enforceable under California law. In the event any provision of this Agreement is unenforceable as a matter of law, the remaining provisions will stay in full force and effect.

XII. NOTICE TO PARTIES

All notices to be given by the parties hereto shall be in writing and served by depositing the same in the United States Post Office, postage prepaid and registered, as follows:

TO THE DISTRICT:

JANECE L. MAEZ
ASSISTANT SUPERINTENDENT, BUSINESS & SERVICES
CHIEF FINANCIAL OFFICER
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
1651 Sixteenth Street
Santa Monica, CA 90404
Phone/Fax: 310-450-8338 / 310-581-6720
Email: jmaez@smmusd.org

TO THE FINANCIAL ADVISOR:

ANTHONY HSIEH
KEYGENT LLC
1020 MANHATTAN BEACH BLVD., SUITE 208
MANHATTAN BEACH, CA 90266
Phone/Fax: 310-546-1910 / 866-518-7656
Email: tony.hsieh@keygentcorp.com

XIII. EXECUTION OF THE AGREEMENT, EXECUTION IN COUNTERPARTS

This Agreement shall be executed by the respective party's authorized signatories. A fax copy or copy of the contract with any revisions appropriately initialed may serve as the original contract. This Agreement may be executed in one or more counterparts, each of which shall be deemed a part of the Agreement, but all of which shall be considered one instrument and shall become a binding agreement when one or more counterparts have been signed by each of the parties and delivered to the other.

XIV. ENTIRE AGREEMENT.

These terms and conditions contained in this Agreement constitute the entire agreement between the District and Keygent. This Agreement includes all representations of every kind and nature made by each of the parties to the other and sets forth the entire Agreement of the parties. All previous agreements related to the Measure BB, Joint-Use, and DFNA programs are superseded, revoked, terminated, and canceled. No representations, warranties, covenants, or agreements of any kind have been made by either party hereto except as those expressly set forth in this Agreement. Neither this Agreement nor any of its terms, covenants or conditions, nor any modification or addendum to this Agreement shall be valid unless it is in writing and signed by both Parties.

If any provision of this Agreement is held in whole or part to be unenforceable for any reason, the remainder of the Agreement is severable and shall remain in effect and binding on Keygent and the District.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement the year and date first above written per Board Resolution #: A.02 approved on the following date 02/15/09 Item

Dated: 2/15/09

KEYGENT LLC

By: Anthony Hsieh
Anthony Hsieh
Partner, Manager of Public Finance

Date: 2/11/09

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

By: Janece L. Maez
Janece L. Maez
Assistant Superintendent, Business & Fiscal Services
Chief Financial Officer

Date: 3/3/09

Appendix A
Description of Services

Financial Advisor shall make available for consultation and conference with the District, District's attorneys, other District officials, and Bond Counsel at times and places mutually agreed upon, such personnel of Financial Advisor as are qualified to advise on all matters relating to the issuance of capital financings, restructurings, refinancings, and any other financial advisory services within the scope of this Agreement.

At the District's request, Financial Advisor shall attend working group meetings of those involved in the Measure BB, Joint-Use, and DFNA programs and such other meetings at the request of the District. Financial Advisor shall also attend meetings of the District's Board of Education, meetings with rating agencies and such other meetings as the District may determine necessary or appropriate.

For each financing, restructuring, and/or refinancing, Financial Advisor shall advise the District regarding the structure, terms, method of sale, timing of sale, and any other matters which may assist the District in obtaining the lowest practical interest costs. To the extent that the District elects to sell its financings, restructurings, and/or refinancings through a negotiated sale, the Financial Advisor shall assist the District in the selection of qualified bond underwriters.

Financial Advisor will independently review all documents distributed to them by the District, District's attorneys, or Bond Counsel for completeness and compliance with customary financing practices. Furthermore, Financial Advisor will cooperate with any Bond Counsel employed by the District in determining any financial specifications as may be required in any legal document relating to the issuance and sale of each financing, restructuring, and/or refinancing, review such documents, and perform other services customarily performed by financial advisors in connection with similar financings.

At times reasonably in advance of the proposed sale of any financing, restructuring, and/or refinancing, Financial Advisor will consult and advise the District concerning advertising, information to prospective bidders and buyers, the provision of information to financial journals, municipal bond insurers and investment rating services, and similar measures designed to stimulate and broaden the interest of investors. After and in accordance with such consultation, Financial Advisor will contact underwriters, institutional investors, financial publications, municipal bond insurers and rating services to the extent that such contacts are deemed beneficial to the interest of the District.

At the District's request, Financial Advisor shall procure, on the District's behalf and through bid process, such other professional services as may be required (such as trustee, financial printer, verification agent, etc.) to assist the District in successfully completing each financing, restructuring, and/or refinancing.

Financial Advisor will arrange for the distribution of the Preliminary and Final Official Statements to a comprehensive list of prospective securities underwriters, banks and financial institutions. In this connection, a supply of Preliminary and Final Official

Statements will also be placed in the principal offices of Financial Advisor for the purpose of prompt distribution of all requests.

At the District's request and in coordination with the District and District's attorneys, Financial Advisor shall prepare materials and information pertaining to each financing, restructuring, and/or refinancing for rating agency and/or bond insurer review.

Financial Advisor shall evaluate underwriting bids submitted for competitive sales, confirm bids, assist in the resizing of the loan as necessary and confirm terms with the winning bidder. Following the sale, issuance and delivery of each financing, restructuring, and/or refinancing, Financial Advisor shall provide routine consultation to the District as reasonably requested on matters related to each financing, restructuring, and/or refinancing.

Financial Advisor shall review all closing documents, in particular documents relating to the flow of funds at closing for accuracy and completeness.

Except to the extent, if any, specifically provided herein or specifically authorized in writing by the District, Financial Advisor shall have no right or authority, express or implied, to commit or otherwise obligate the District in any manner whatsoever.



Santa Monica Malibu Schools

October 5, 2012

Mr. Tony Hsieh
Managing Director/Manager of Public Finance
Keygent LLC
999 N. Sepulveda Blvd., Suite 570
El Segundo, CA 90245

Dear Mr. Hsieh:

At the October 4, 2012 Board Meeting, the Santa Monica-Malibu Unified School District's Board of Education approved the contract amendment. Attached you will find:

1. Approved Board Action A.02, *Approval of Independent Contractors*; and
2. SMMUSD Addendum for Contract Modifications to assist the District with Financial Consulting services in connection with the District's Measure BB general obligation bond authorization, Joint-Use, District Facilities Needs Assessment programs, including any subsequent refinancing and/or restructuring counter-signed by Jan Maez.

Feel free to contact me directly should you have any questions.

Sincerely,

Kim Nguyen
Business Services

Enclosures

cc: Janēce L. Maez, Asst. Supt. Business and Fiscal Services/Chief Financial Officer

TO: BOARD OF EDUCATION

ACTION/CONSENT
10/04/12

FROM: SANDRA LYON / TERRY DELORIA / JANECE L. MAEZ /
PEGGY HARRIS / STUART SAM

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.02

It is recommended that the Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2011-2012 budget.

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

Contractor/ Contract Dates	Description	Site	Funding
PS Arts 9/17/12-5/31/13 Not to exceed: \$5,000	To teach art to all K-5 classes	John Muir	01-90150-0-11100- 10000-5802-005-4050 (PTA)
P.S. Arts 1/1/13 – 6/11/13 Not to exceed: \$3,000	Provide skill building workshops through theatre games, improvisation and storytelling to all 2 nd grade students	Roosevelt	01-90150-0-11100- 10000-5802-007-4070 (PTA)
Keygent LLC Amend contract date: 7/1/12 to 6/30/17 Not to exceed: \$80,500 per financing (Original contract date of 1/1/09 to 6/30/12 approved on 2/15/09)	Financial Consulting services in connection with the District's Measure BB general obligation bond authorization, Joint-Use, District Facilities Needs Assessment programs, including any subsequent refinancing and/or restructuring that may arise.	Business Services	Net proceeds of bond sales reflect payment of these fees:
Victoria Hurst 9/04/12 to 6/30/13 Not to exceed: \$6,000	Faculty consultation and professional development to enable St. Anne's learning challenged students to be involved and progress in the general curriculum	St. Anne Catholic Elementary	01-40350-0-11100- 10000-5802-036-1300
The Artist Collective 9/17/12 to 5/31/13 Not to exceed: \$3,000	Contemporary Dance Workshop with Middle School Students	Lincoln Middle School	01-90830-0-17000- 10000-5802-012-4120 (Lincoln Middle School) SMMEF grant

Patricia Eastburn 9/1/12 to 6/30/13 Not to exceed: \$30,000	Streamline HR/Payroll Procedures and Train Fiscal Staff.	Fiscal Services	01-00000-0-00000- 73100-5802-051-2510 (General Fund)
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MOTION MADE BY: Ms. Leon-Vazquez
SECONDED BY: Ms. Lieberman
STUDENT ADVISORY VOTE: Aye
AYES: All (6) (Mr. de la Torre was absent)
NOES: None (0)

ADDENDUM FOR CONTRACT MODIFICATIONS
The contract shall be modified as follows:

Contract # UC13035

Vendor: Keygent LLC

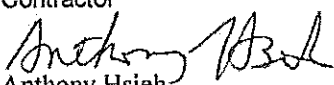
Addendum Change:

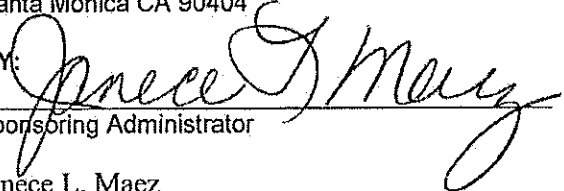
Period of Agreement shall be from 7/1/2012 to 6/30/2017 unless sooner terminated in accordance with the Financial Advisor Agreement dated February 15, 2009.

Payment by the District is estimated to be at the rate of \$80,500 per financing.

Keygent LLC
999 N. Sepulveda Blvd, Suite 570
El Segundo, CA 90245

Santa Monica-Malibu Unified School District
1651 Sixteenth Street
Santa Monica CA 90404

Contractor

Anthony Hsieh
Managing Director/Manager of Public Finance
Printed Name
9/20/2012
Date

BY: 
Sponsoring Administrator
Janece L. Maez
Assistant Superintendent Business/Fiscal Services
Chief Financial Officer
Title
9/25/12
Date

Santa Monica-Malibu USD

Board Policy

Positive School Climate

BP 5137

Students

The Board of Education desires to enhance student learning by providing an orderly, caring, and nurturing educational and social environment in which all students can feel safe and take pride in their school and their achievements. The school environment should be characterized by positive interpersonal relationships among students and between students and staff.

All staff are expected to serve as role models for students by demonstrating positive, professional attitudes and respect toward each student and other staff members. Teachers shall use effective classroom management techniques based on clear expectations for student behavior.

Staff shall consistently enforce Board policies and regulations which establish rules for appropriate student conduct, including prohibitions against bullying, cyberbullying, harassment of students, hazing, other violence or threats of violence against students and staff, and drug, alcohol, and tobacco use.

The district's curriculum shall include age-appropriate character education which includes, but is not limited to, the principles of equality, human dignity, mutual respect, fairness, honesty, and citizenship. Teachers are encouraged to employ cooperative learning strategies that foster positive interactions in the classroom among students from diverse backgrounds.

The Superintendent or designee may develop other strategies to enhance students' feelings of connectedness with the schools, such as campus beautification projects, graffiti removal, development of extracurricular activities and after-school programs, pairing of adult mentors with individual students, recognition of student achievement, and encouragement of strong family and community involvement in the schools.

Students shall have opportunities to voice their concerns about school policies and practices and to share responsibility for solving problems that affect their school.

The schools shall promote nonviolent conflict resolution techniques in order to encourage attitudes and behaviors that foster harmonious relations. As part of this effort, students shall be taught the skills necessary to reduce violence, including communication skills, anger management, bias reduction, and mediation skills.

Staff shall receive professional development designed to improve classroom management, conflict resolution techniques, and communications with students and parents/guardians including persons of diverse backgrounds.

Legal Reference:

EDUCATION CODE

233-233.8 Hate violence prevention

32280-32289 School safety plans

32295.5 Teen court programs

35181 Governing board policy on responsibilities of students

35291-35291.5 Rules

44807 Teachers' duty concerning conduct of students

48900-48925 Suspension and expulsion

Management Resources:

CSBA PUBLICATIONS

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

Protecting Our Schools: Governing Board Strategies to Combat School Violence, rev. 1999

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Bullying at School, 2003

Creating Safe and Drug-Free Schools: An Action Guide, 1996

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Preventing Bullying: A Manual for Schools and Communities, 1998

WEB SITES

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

California Department of Education, Learning Support: <http://www.cde.ca.gov/ls>

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

U.S. Department of Education, Office of Safe and Drug-Free Schools:

<http://www.ed.gov/offices/OESE/SDFS>

Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

adopted: August 19, 2009 Santa Monica, California

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / TERRY DELORIA / BERTHA ROMAN

RE: AWARD OF CONTRACT TO IVS COMPUTER TECHNOLOGY FOR INSTALLATION OF CLASSROOM AUDIO VISUAL TECHNOLOGIES, PROJECTION SYSTEM, AUDIO ENHANCEMENT SPEAKERS, A/V CONTROLLERS, AND ELECTRICAL UPGRADES – AND TO APPROVE THE PIGGYBACK ONTO BAKERSFIELD CITY SCHOOL DISTRICT BID 1507-1, PHASE I TECHNOLOGY MEASURE ES-2 BOND PROGRAM

RECOMMENDATION NO. A.10

It is recommended that the Board of Education award the installation of audio visual classroom technologies including projection systems, audio enhancement speakers, A/V controllers, and electrical upgrades to 14 classrooms in seven sites in an amount not to exceed \$59,183.41, piggybacking Bakersfield City School District Bid BD 1507-1.

Funding Information

Budgeted: Yes
Fund: 84
Source: Measure ES
Account Number: 84-90903-0-00000-85000-6200-030-1300

COMMENT: Classroom technology standards were developed by the 21st Century Classroom subcommittee of the District Technology Team in the Fall of 2014. The 14 classrooms are located at the following site: Rogers, Grant, McKinley, Lincoln, Franklin, Jams and Muir/SMASH. Each installation will bring the classroom up to the current A/V technology standard that includes projection systems, audio amplification systems including teacher and student microphones.

School district governing boards have the authority to “piggyback” on another public agency’s bid per public contract code section 20118 and 20652 when it is determined to be in the “best interest of the district”. It is often advantageous for district to utilize piggyback bids when contract items are identical to the districts specifications. Using piggyback contracts saves time and money, and they often provide lower prices than a single jurisdiction would be able to obtain.

The Board of Education approved the budget for Measure ES-2 Technology purchases during the Board meeting of August 28, 2014 (Item S.01). This purchase will utilize a portion of the 21st Century Classrooms allocation.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AUTHORIZATION TO USE CMAS CONTRACT – TRACK REPLACEMENTS –
BEYNON SPORTS SURFACES, INC.

RECOMMENDATION NO. A.11

It is recommended that the Board of Education authorize the District to use the California Multiple Award Schedule (CMAS) contract awarded to Beynon Sports Surfaces, Inc., to purchase synthetic track surfaces specified under GSA Schedule No: GS-07F-9631S Contract No: 4-12-78-0063A valid from November 9, 2016 through November 30, 2021.

COMMENTS: The CMAS contract allows for purchase, warranty and installation of synthetic track, surface and flooring. By using the contract, it will allow District projects to be completed in as expeditious manner as possible, without having to publically bid the purchase and services for each individual project. Furthermore, by using the direct pricing structure in the contract, it eliminates going through a General Contractor who would mark-up the products and services, charging retail pricing instead of the Federal contract rates, thus saving the District considerable money.

All orders using the contract must comply with the CMAS clauses, Davis-Bacon and Federal Acquisition Regulations (FAR).

The Los Angeles County Department of Education allows District's to "piggy back" off of the CMAS contracts with no restrictions other than standard Public Works contracting requirements.

It is recommended that the Board of Education authorize use of the Beynon Sports Surfaces, Inc., CMAS contract.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AUTHORIZATION TO USE CMAS CONTRACT – ATHLETIC FIELD AND TRACK REPLACEMENTS – FIELDTURF USA, INC.

RECOMMENDATION NO. A.12

It is recommended that the Board of Education authorize the District to use the California Multiple Award Schedule (CMAS) contract awarded to FieldTurf USA, Inc.'s, to purchase synthetic turf surfaces including synthetic track surfaces specified under GSA Schedule No: GS-07F-9631S Contract No: 4-06-78-0031A valid from October 7, 2016 through November 30, 2021.

COMMENTS: The CMAS contract allows for purchase, warranty and installation of synthetic turf, surface and flooring. By using the contract, it will allow District projects to be completed in as expeditious manner as possible, without having to publically bid the purchase and services for each individual project. Furthermore, by using the direct pricing structure in the contract, it eliminates going through a General Contractor who would mark-up the products and services, charging retail pricing instead of the Federal contract rates, thus saving the District considerable money.

All orders using the contract must comply with the CMAS clauses, Davis-Bacon and Federal Acquisition Regulations (FAR).

The Los Angeles County Department of Education allows District's to "piggy back" off of the CMAS contracts with no restrictions other than standard Public Works contracting requirements.

It is recommended that the Board of Education authorize use of the FieldTurf USA, Inc.'s CMAS contract.

Staff answered board members' question regarding the synthetic turf material.

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Tahvildaran-Jesswein
STUDENT ADVISORY VOTE: N/A
AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRAT I / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF CONTRACT – WILL ROGERS LEARNING COMMUNITY –
WINDOWS, PAINT & FLOORING PROJECT – FIRE ALARM UPGRADE –
SIMPLEXGRINNELL – MEASURE ES

RECOMMENDATION NO. A.13

It is recommended that the Board of Education award a contract to Simplex Grinnell, to purchase fire and security equipment and appropriate services specified under contract #GS-07-0396M; as applicable to Will Rogers Learning Community – Window, Paint & Flooring Project – Fire Alarm Upgrade in an amount not to exceed \$479,486.85

Funding Information

Budgeted: Yes
Fund: 85
Source: Measure ES
Account Number: 85-90905-0-00000-85000-6200-006-2600
Budget Category: Construction Contract

COMMENTS: On 06/06/09, the Board of Education approved Simplex Grinnell (BOE Item A.28) for the Fire Alarm devices because all existing District wide systems are manufactured by Simplex Grinnell.

The Board of Education further approved on 10/21/10 the GSA contract which allows for fire alarm, security, and emergency disaster equipment purchases and all services necessary to install the equipment from design to start-up, including maintenance and training at the lowest offered pricing. The Los Angeles County Department of Education allows Districts to “piggy back” off of the GSA contracts with no restriction other than standard Public Works contracting requirements.

The District will contract with Simplex Grinnell, for a contract amount of \$479,486.85, through this piggy-back contract to replace the Fire Alarm per the DSA approved plans and specifications at Will Rogers Learning Community. This service will be funded through the project construction budget.

It is recommended that the Board of Education award a contract in the amount of \$479,486.85.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AMENDMENT TO AGREEMENT – ARCHITECTURAL DESIGN SERVICES – FRANKLIN ELEMENTARY SCHOOL AND POINT DUME ELEMENTARY SCHOOL – WINDOWS, PAINT, FLOORS AND DOORS PROJECTS – DSK ARCHITECTS – MEASURE ES

RECOMMENDATION NO. A.14

It is recommended that the Board of Education approve Contract Amendment #1 with dsk Architects to provide additional architectural services for Franklin and Pt. Dume Elementary Schools – Windows, Paint, Floor and Doors Projects - in an amount not to exceed \$167,630 for Franklin Elementary School and in an amount not to exceed \$122,155 for Pt. Dume Elementary School, for a total contract increase of \$714,340.

Funding Information

Budgeted: Yes

Fund: 85

Source: ES

Account Number: 85-90905-0-00000-85000-5802-002-2600 – Franklin ES (\$167,630.00)
85-90905-0-00000-85000-5802-019-2600 – Pt. Dume ES (\$122,155.00)

Description: A/E Design Services

COMMENTS: Architectural services are required to design HVAC at Franklin ES as follows:

Architectural - dsk Architects	\$71,500
Structural – Nishkian Chamberlain Engineers	16,000
Mechanical – 3 C Engineers	23,750
Electrical – Turpin & Rattan Engineering, Inc	37,500
Cost Estimator – Leland Saylor Associate	6,700
Consultant Administration Fee at 5%	4,200
Subtotal Fee	159,650
<u>Reimbursable Costs – Not To Exceed</u>	<u>7,980</u>
Total CA #1 Franklin ES:	\$167,630

Architectural services are required to design HVAC at Pt. Dume ES as follows:

Architect – dsk Architects	\$52,500
Structural – Nishkian Chamberlain Engineers	6,000
Mechanical – 3C Engineers	27,500
Electrical – Turpin & Rattan Engineering, Inc.	22,500
Cost Estimator – Leland Saylor Associates	4,800
Consultant Administration Fee at 5%	3,040
Subtotal Fee	116,340
<u>Reimbursable Costs – Not to Exceed</u>	<u>5,815</u>
Total CA #! Pt. Dume ES:	\$122,155

CONTRACT AWARDED (Pt.Dume & Franklin)	\$424,555
CONTRACT AMENDMENT #01 (Franklin ES & Pt.Dume ES)	\$289,785
<hr/> TOTAL CONTRACT AMOUNT:	<hr/> \$714,340

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Tahvildaran-Jesswein
STUDENT ADVISORY VOTE: N/A
AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF CONTRACT – ROOSEVELT ELEMENTARY SCHOOL –
WINDOWS, PAINT, FLOORS AND DOOR PROJECT – FIRE ALARM UPGRADE
– SIMPLEXGRINNELL – MEASURE ES

RECOMMENDATION NO. A.15

It is recommended that the Board of Education award a contract to Simplex Grinnell, to purchase fire and security equipment and appropriate services specified under contract #GS-07-0396M; as applicable to Roosevelt Elementary School – Windows, Paint, Floors and Doors Project - Fire Alarm Upgrade in an amount not to exceed \$517,374.88

Funding Information

Budgeted: Yes
Fund: 85
Source: Measure ES
Account Number: 85-90905-0-00000-85000-6200-007-2600
Budget Category: Construction Contract

COMMENTS: On 06/06/09, the Board of Education approved Simplex Grinnell (BOE Item A.28) for the Fire Alarm devices because all existing District wide systems are manufactured by Simplex Grinnell.

The Board of Education further approved on 10/21/10 the GSA contract which allows for fire alarm, security, and emergency disaster equipment purchases and all services necessary to install the equipment from design to start-up, including maintenance and training at the lowest offered pricing. The Los Angeles County Department of Education allows Districts to “piggy back” off of the GSA contracts with no restriction other than standard Public Works contracting requirements.

The District will contract with Simplex Grinnell, for a contract \$517,374.88, through this piggy-back contract to replace the Fire Alarm per the DSA approved plans and specifications at Roosevelt Elementary School. This service will be funded through the project construction budget.

It is recommended that the Board of Education award a contract in the amount of \$517,374.88.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AMENDMENT TO AGREEMENT – HAZARDOUS MATERIALS ABATEMENT SAMPLING AND MONITORING – GRANT, ROOSEVELT, WEBSTER, AND WILL ROGERS ELEMENTARY SCHOOLS AND MALIBU MIDDLE & HIGH SCHOOL – WINDOWS, PAINT, FLOORS AND DOORS PROJECT – ALTA ENVIRONMENTAL – MEASURE ES

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve Contract Amendment #06 with Alta Environmental to conduct hazardous material testing and abatement monitoring services for Grant Elementary School, Malibu Middle & High School, Roosevelt Elementary School, Webster Elementary School and Will Rogers Learning Community – Windows, Paint, Floors and Doors Project in an amount not to exceed \$335,861.87, for a total contract amount of \$582,107.76

Funding Information

Budgeted: Yes

Fund: 85

Source: ES

Account Number: 85-90905-0-00000-85000-5802-003-2600 (Grant ES) – \$15,412.00
85-90905-0-00000-85000-5802-010-2600 (Malibu MMHS) – \$75,001.50
85-90905-0-00000-85000-5802-007-2600 (Roosevelt ES) – \$27,530.50
85-90905-0-00000-85000-5802-008-2600 (Webster ES) – \$110,898.07
85-90905-0-00000-85000-5802-006-2600 (Will Rogers ES) – \$107,019.80

Budget Category: Soft Costs/Environmental Testing/Hazmat Monitoring

DSA #: Grant ES – N/A
Malibu MMHS – 03-117622
Roosevelt ES – 03-117621
Webster ES – 03-117627
Will Rogers ES – 03-117560

COMMENTS: Alta Environmental has been requested to provide additional step out sampling for PCBs, source testing for PCB and conduct hazardous material abatement monitoring consultant services for the construction of the Windows, Paint, Floors and Doors projects at Grant ES, Malibu Middle & High School, Roosevelt ES, Webster ES and Will Rogers ES. The revised contract total will be \$582,107.76

Grant ES		\$15,412.00
Phase 3 abatement monitoring services during construction.	\$15,412.00	
Malibu MMHS, Buildings F, I, G and D		\$75,001.50
Additional PCB step out sampling.	\$20,341.00	
Phase 3 abatement monitoring services during construction.	\$54,660.50	

(Continued on next page)

Roosevelt ES		\$27,530.50
PCB removal / remediation work plan in buildings H and E for doors A504A, A708A and A708B.	\$3,480.00	
Phase 3 abatement monitoring services during construction	\$24,050.50	
Webster ES		\$110,898.07
Additional PCB step out sampling per Alta Proposal dated 1/05/17.	\$24,313.90	
Limited survey for asbestos limited to ceiling tiles in buildings C, D, E, and F.	\$2,892.92	
Phase 3 abatement monitoring services during construction	\$83,691.25	
Will Rogers ES		\$107,019.80
PCB Source testing in buildings E, F, G, H & J	\$13,774.80	
Phase 3 abatement monitoring services during construction	\$93,245.00	
NOT TO EXCEED TOTAL		\$335,861.87

ES Funding:

ORIGINAL CONTRACT (Juan Cabrillo ES, Grant ES & Will Rogers ES)	\$96,492.45
CONTRACT AMENDMENT #01 (Juan Cabrillo ES Project – WPF&D)	\$893.30
CONTRACT AMENDMENT #02 (Various Schools – WPF&D)	\$50,000.00
CONTRACT AMENDMENT #03 (Grant ES – Windows Project – WPF&D)	\$12,648.80
CONTRACT AMENDMENT #04 (Webster, Roosevelt – WPF&D)	\$6,882.34
CONTRACT AMENDMENT #05 (WRES, WES, & RES & Malibu HS–WPF&D)	\$79,329.00
CONTRACT AMENDMENT #06 (GES, MMH FIG&D, RES, WES & WRES–WPF&D)	\$335,861.87
TOTAL CONTRACT AMOUNT:	\$582,107.76

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Staff answered board members' question regarding the process and timeline.

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Tahvildaran-Jesswein
 STUDENT ADVISORY VOTE: N/A
 AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
 NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF AGREEMENT – CDE GEOTECHNICAL CONSULTANT – JOHN ADAMS MIDDLE SCHOOL – PERFORMING ARTS COMPLEX PROJECT – LEIGHTON – MEASURE ES

RECOMMENDATION NO. A.17

It is recommended that the Board of Education award a contract for CDE Geotechnical services to Leighton for the John Adams Middle School – Performing Arts Complex Project in an amount not to exceed \$13,205.00.

Funding Information

Budgeted: Yes
Fund: 85
Source: Measure ES
Account Number: 85-90907-0-00000-85000-5802-011-2600
Budget Category: Geotechnical Consultant/Professional Services

COMMENTS: The District issued an RFQ/RFP on March 29, 2017 for CDE Geotechnical Services consultant to perform geotechnical and geological services for the John Adams Middle School Performing Arts Complex Project. Thirteen firms requested a copy of the RFQ/RFP. Responses were due April 13, 2017. The District received one response from Leighton; staff reviewed the proposal and found Leighton's proposal was inclusive of all services required.

It is recommended that the Board of Education award an agreement in the amount of \$13,205.00.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF CONTRACT – SYNTHETIC FIELD AND TRACK REPLACEMENT – LINCOLN MIDDLE SCHOOL – FIELD & TRACK REPLACEMENT PROJECT – FIELDTURF USA INC. – MEASURE ES

RECOMMENDATION NO. A.18

It is recommended that the Board of Education award a contract with FieldTurf USA, Inc. to provide new synthetic athletic field and track for the Lincoln Middle School Field & Track Replacement Project in an amount not to exceed \$894,223.00.

Funding Information

Budgeted: Yes
Fund: 85
Source: Measure ES
Account Number: 85-90908-0-00000-85000-6200-012-2600
Budget Category: Building and Building Improvement

COMMENTS: The District will purchase the materials, installation and maintenance in accordance with FieldTurf’s proposal dated January 25, 2017, per the CMAS contract no: 4-06-78-0031A, GSA Schedule No: GS-07F-9631S valid from October 7, 2016, through November 30, 2021.

FieldTurf will supply and install new synthetic FieldTurf Classic HD grass with PurFill for the athletic field inclusive of soccer lines, football lines and a new synthetic track and all associated track line striping inclusive of all associated California HS standard striping; lane lanes, event markings and lettering. Additionally, a five-year FastTrack Maintenance Program will be purchased for the track which includes three deep surface track cleanings, two track sweepings and two restripes of all existing striping during the term of the maintenance program and an eight-year FieldCare Maintenance package that provides two visits annually during the term of the maintenance package.

- New Synthetic Athletic Field & Eight Year Warranty \$595,887.00
- Eight year FieldCare Maintenance Package \$28,000.00
- New Synthetic Track & Five Year Warranty \$230,336.00
- Five year FastTrack Maintenance Program \$40,000.00

The scope of work is planned to occur during the summer of 2017. It is recommended that the Board of Education award a contract in the amount of \$894,223.00.

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Staff answered board members’ question regarding striping for various sports as well as other aspects of the Lincoln field upgrade, including timeline.

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Tahvildaran-Jesswein
STUDENT ADVISORY VOTE: N/A
AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF AGREEMENT – IN-PLANT INSPECTION SERVICES – SANTA MONICA HIGH SCHOOL – SEALY FIELD PROJECT & LINCOLN MIDDLE SCHOOL – FIELD AND TRACK REPLACEMENT PROJECT – JOHN R. BYERLY INCORPORATED – MEASURE ES

RECOMMENDATION NO. A.19

It is recommended that the Board of Education award a contract for In-Plant DSA Inspection Services of the MUSCO Field Lighting Systems prefab foundations and poles to John R. Byerly Incorporated for the Santa Monica High School - Sealy Field Project and Lincoln Middle School - Field & Track Replacement Project in an amount not to exceed \$22,000.

Funding Information

Budgeted: Yes
Fund: XX
Source: XX
Account Number: 85-90908-0-00000-85000-5802-012-2600 Lincoln MS (\$10,100.00)
85-90906-0-00000-85000-5802-015-2600 Samohi (\$11,900.00)
Budget Category: Soft Cost/Inspection Services/IOR
DSA #: LMS, Field & Track 03-117787
Samohi, Sealy Field 03-117508

COMMENTS: On March 16, 2017 the Santa Monica Malibu Unified School District selected MUSCO Lighting as the standard district sport field lighting system. The first 2 projects to include this lighting system are scheduled for construction this year at Samohi and Lincoln Middle School. California Building Code Title 24 requires in-plant DSA Inspection of the prefab foundation and support poles for these systems. John R. Byerly Incorporated is a consultant that is qualified to perform in-plant DSA inspections required for these projects. Inspection is needed at the MUSCO equipment manufacturing facilities in Minnesota (concrete foundations), Iowa and Nebraska (support poles)

Responses from two companies qualified to perform this work were due April 18, 2017. District received a response from the company listed below. Staff reviewed and evaluated the proposals received. Staff found the John R. Byerly Incorporated proposal most qualified.

It is recommended that the Board of Education award an agreement in the amount of \$22,000.00

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AMENDMENT TO AGREEMENT – PROFESSIONAL GEOTECHNICAL SERVICES – SANTA MONICA HIGH SCHOOL – SAMOHI CAMPUS PLAN PROJECT – PHASE 1 AND 2 GEOTECHNICAL INVESTIGATION – LEIGHTON CONSULTING, INC. – MEASURE ES

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve Contract Amendment #3 with Leighton Consulting Inc. to provide geotechnical investigations for Santa Monica High School – Campus Plan Project - Phase 1 and 2 Project in an amount not to exceed \$32,722 for a total contract amount of \$69,617.00.

Funding Information

Budgeted: Yes
Fund: 85-90904-0-00000-85000-5802-015-2600
Source: Measure ES
Budget Category: Soft Costs \ Environmental Tests \ Geo Engineering and Material Testing

COMMENTS: Leighton Consulting, Inc. proposes to provide geotechnical investigation services related to the design of Phase 1 and 2 of the Samohi Campus Plan at Santa Monica High School. The total cost for the geotechnical work and materials testing is \$32,722. Leighton’s scope of work will include a review of available geotechnical reports, field investigations, 5 new borings near the footprint of the proposed building, percolation testing, and other related geotechnical evaluations.

ORIGINAL CONTRACT AMOUNT (Campus Plan Project)	\$16,335
CONTRACT AMENENDMENT #01 (Seal Field & Stairway & Sidewalk)	\$ 8,190
CONTRACT AMENENDMENT #02 (Stairway & Sidewalk Geotech and LOR)	\$12,370
<u>CONTRACT AMENENDMENT #03 (SCP Phs 1&2 Geotechnical Report)</u>	<u>\$32,722</u>
TOTAL CONTRACT AMOUNT	\$69,617

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Tahvildaran-Jesswein
STUDENT ADVISORY VOTE: N/A
AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AGREEMENT FOR CONSTRUCTION MANAGEMENT SERVICES – WINDOWS, PAINT, FLOORS, AND DOORS – TELACU CONSTRUCTION MANAGEMENT – MEASURE ES

RECOMMENDATION NO. A.21

It is recommended that the Board of Education approve award of a Construction Management services agreement to TELACU Construction Management in the amount of \$92,800.00.

Funding Information

Budgeted: Yes

Fund: 85

Source: ES

Account Number: 85-90905-0-00000-85000-5802-008-2600 Webster (\$69,600.00)
85-90905-0-00000-85000-5802-007-2600 Roosevelt (\$23,200.00)

Description: Construction Management

COMMENTS: The District has embarked on a plan to provide window, paint, floor, and door upgrades to its elementary school campuses. Projects are planned at several campuses this summer. In order to effectively execute the work under these projects, it is necessary to obtain professional construction management services to supplement existing staff. To that end, the Facility Improvement Projects Department prepared and issued a Project-Specific Request for Proposals for Construction Management Services.

On April 20, 2017, the Board of Education approved issuance of a Master Services Agreement (MSA) to 9 construction management firms. During the qualification process for that MSA, interested firms were invited to submit project specific proposals for the subject work. The RFP was issued on February 10, 2017. Proposals were due on March 7, 2017. A total of four proposals were received from the following consultants:

- Cumming Corporation
- Kitchell
- TELACU Construction Management
- ECM Group

All four proposing construction management consulting firms were deemed qualified through the MSA review process, so all four proposals were reviewed. The proposals included proposed construction management professionals and billing rates, as requested. Each firm had the option of proposing two potential construction managers, with the knowledge that only one would be selected. Of the six construction managers proposed, FIP staff determined that the most qualified CM for this scope of work is Scott Landsown from TELACU.

TELACU's proposal of \$92,800 is based upon hourly billing rates for the services required throughout the expected duration of the work, and monthly invoicing will be submitted for actual hours worked in the previous month. Funding for construction management services will come from Measure ES and will be proportionately distributed from the various allocations of Measure ES, depending on the level of effort required for each project.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AMENDMENT TO AGREEMENT – ARCHITECTURAL SERVICES – JUAN CABRILLO ELEMENTARY SCHOOL– WINDOWS, PAINT, FLOORS & DOORS PROJECT – HMC ARCHITECTS – MEASURE ES

RECOMMENDATION NO. A.22

It is recommended that the Board of Education approve Contract Amendment #05 with HMC Architects to provide additional architectural and engineering design services for the special education restroom and student services window in building B at Juan Cabrillo Elementary School – Windows, Paint, Floors and Doors Project in an amount not to exceed \$30,140.00 for a total contract amount of \$1,546,747.60.

Funding Information

Budgeted: Yes
Fund: 85
Source: Measure ES
Account Number: 85-90905-0-00000-85000-5802-017-2600
Budget Category: Soft Costs/Design Services/Architects

COMMENTS: The District is in the process of modernizing schools throughout the district by replacing windows, doors, floors and painting in the summer of 2016 and 2017. It was decided that the special education restroom needed to be upgraded to the current ADA code and an observation window and door was required between room 3 and 4 in Building B. The design costs associated with this scope of work are (including reimbursables):

HMC Architects	\$22,900.00
TTG MEP / Structural	\$4,500.00
<u>Reimbursable allowance</u>	<u>\$2,740.00</u>
Total design services	\$30,140.00

ORIGINAL CONTRACT (WPF design services-CES, Grant & WRLC)	\$988,826.00
CONTRACT AMENDMENT #01 (MMHS WPF)	\$286,749.00
CONTRACT AMENDMENT #02 (Cabrillo – CA Services)	\$ 1,875.00
CONTRACT AMENDMENT #03 (WRLC Addtl. DSA requirements)	\$117,673.60
CONTRACT AMENDMENT #04 (Malibu)	\$121,747.60
<u>CONTRACT AMENDMENT #05 (JCES Bldg. B - RR & Rm 3/4 w&d)</u>	<u>\$ 30,140.00</u>
TOTAL CONTRACT AMOUNT:	
\$1,546,747.60	

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Tahvildaran-Jesswein
STUDENT ADVISORY VOTE: N/A
AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF CONTRACT – MALIBU MIDDLE & HIGH SCHOOL – WINDOWS, PAINT, FLOORS AND DOORS PROJECT - BID #17.11.ES – ANGELES CONTRACTOR, INC. – MEASURE ES

RECOMMENDATION NO. A.23

It is recommended that the Board of Education award a contract for Bid #17.11.ES – Windows, Paint, Floors and Doors Buildings F, I & G Project to Angeles Contractor, Inc., for the Malibu Middle & High School – Windows, Paint, Floors and Doors Project in an amount not to exceed \$2,088,000.00.

Funding Information

Budgeted: Yes
Fund: 85
Source: Measure ES
Account Number: 85-90905-0-00000-85000-5640-010-2600
Budget Category: Construction Contract

COMMENTS: The District publicly bid the Windows, Paint, Floors and Doors Buildings F, I & G Project Bid #17.11.ES. Legal advertisement of the notice inviting bids was published in The Daily Breeze and The Santa Monica Daily Press and ran on February 21, 2017 and February 28, 2017. Legal advertisement of the notice inviting bids was also published in the Malibu Surfside News and ran on February 22, 2017. The notice inviting bids was sent to 324 General Contractors that are on the SMMUSD Interested Bidders list, and to the required trade journals per CUCCAC requirements. The mandatory job walk was held March 2, 2017, 13 Contractors attended. Bids were received and publicly opened on March 22, 2017. One bid was received as noted below:

1. Angeles Contractor, Inc., \$2,088,000.00

Staff reviewed the bids for responsiveness and conducted an apparent low bidder meeting on March 23, 2017. The Notice of Intent to award was issued to Angeles Contractor, Inc., on March 23, 2017.

It is recommended that the Board of Education award a contract in the amount of \$2,088,000.00.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: AWARD OF CONTRACT – TRACK REPLACEMENT – MALIBU MIDDLE HIGH SCHOOL – CAMPUS IMPROVEMENTS PROJECT – BEYNON SPORTS SURFACES, INC. – MEASURE BB

RECOMMENDATION NO. A.24

It is recommended that the Board of Education award a contract with Beynon Sports Surfaces, Inc. to provide and install a new synthetic track surfacing for the Malibu Middle High School Campus Improvements Project in an amount not to exceed \$382,500.00.

Funding Information

Budgeted: Yes
Fund: 83
Source: Measure BB
Account Number: 83-90500-0-00000-85000-6200-010-2600
Budget Category: Building and Building Improvement

COMMENTS: The District will purchase the materials, installation and maintenance in accordance with Beynon Sports Surfaces, Inc's., proposal dated March 15, 2017 per the CMAS contract No: 4-12-78-0063A, GSA Schedule No: GS-07F-9631S valid from October 7, 2016 through November 30, 2021.

Beynon will remove the existing track surface and supply and install new synthetic polyurethane track surfacing and all associated track line striping inclusive of all associated California HS standard striping; lane lanes, event markings and lettering including a five year warranty. Additionally, a five year FastTrack Maintenance Program will be purchased which includes three deep surface track cleanings, two track sweepings and two restripes of all existing striping during the term of the maintenance program.

- New Synthetic Track Surfacing & Five Year Warranty \$342,500.00
- Five year FastTrack Maintenance Program \$40,000.00

The scope of work is planned to occur during the summer of 2017.

It is recommended that the Board of Education award a contract in the amount of \$382,500.00.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: ACCEPT WORK AS COMPLETED – MULTIPLE PURCHASE ORDERS –
VARIOUS PROJECTS – MEASURE BB & ES

RECOMMENDATION NO. A.25

It is recommended that the Board of Education accept as completed all work contracted for the indicated Purchase Orders:

Webster Elementary School – HVAC & Electrical Project – Measure ES

Vendor Name/Project	PO Number	Amount	Substantial Completion Date
A.C. Pros Inc.	179480	\$12,400	4/3/17

COMMENT: A Notice of Completion must be recorded for Purchase Orders over \$25,000 and within thirty-five (35) days with the County of Los Angeles pending approval by the Board of Education.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION
 FROM: BEN DRATI / MARK O. KELLY
 RE: CERTIFICATED PERSONNEL – Elections, Separations

ACTION/CONSENT
 05/04/17

RECOMMENDATION NO. A.26

Unless otherwise noted, all items are included in the 2016/2017 approved budget.

ADDITIONAL ASSIGNMENTS

EDUCATIONAL SERVICES

Chacon, Martha	150.75 hrs @\$45.49	1/22/17-6/9/17	Est Hrly/\$6,857
Gonzalez, Gabriela	113.06 hrs @\$45.49	1/22/17-6/9/17	Est Hrly/\$5,143
Ipina, Elizabeth	113.06 hrs @\$45.49	1/22/17-6/9/17	Est Hrly/\$5,143
Pitts, Gregory	150.75 hrs @\$45.49	1/22/17-6/9/17	Est Hrly/\$6,857
Thoreson, Bonita	56.53 hrs @\$45.49	1/22/17-6/9/17	Est Hrly/\$2,571
Wadsworth, Henry	56.53 hrs @\$45.49	1/22/17-6/9/17	<u>Est Hrly/\$2,571</u>
TOTAL ESTABLISHED HOURLY			\$29,142

Comment: Summer Administrative Interns
 01-Unrestricted Resource

Chacon, Martha	25.12 hrs @\$45.49	6/12/17-7/14/17	Est Hrly/\$1,143
Gonzalez, Gabriela	18.84 hrs @\$45.49	6/12/17-7/14/17	Est Hrly/\$ 857
Ipina, Elizabeth	18.84 hrs @\$45.49	6/12/17-7/14/17	Est Hrly/\$ 857
Pitts, Gregory	25.12 hrs @\$45.49	6/12/17-7/14/17	Est Hrly/\$1,143
Thoreson, Bonita	9.42 hrs @\$45.49	6/12/17-7/14/17	Est Hrly/\$ 429
Wadsworth, Henry	9.42 hrs @\$45.49	6/12/17-7/14/17	<u>Est Hrly/\$ 429</u>
TOTAL ESTABLISHED HOURLY			\$4,858

Comment: Summer Administrative Interns
 01-Unrestricted Resource
 (2017-2018 Budget)

Alvarez, Judith	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Banks, Jamila	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Boxer, Lorissa	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Brumer, Sandra	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Cervantes, Hayde	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Contreras, Luis	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Cueva, Martha	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Fullerton, Anabella	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Jimenez, Sylvia	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Kusion, Mary	33 hrs @\$45.45	9/22/16-6/9/17	Est Hrly/\$1,501
Maiztegui, Laura	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Martinez, Elizabeth	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Meade, Margaret	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Melendez, Brisa	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Morales, Carlos	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Murcia, Constanza	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Naranjo, Rocio	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Newman, Lindsay	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Tejeda, Karina	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Valentiner, Katharina	33 hrs @\$45.49	9/22/16-6/9/17	Est Hrly/\$1,501
Williams, Alma	33 hrs @\$45.49	9/22/16-6/9/17	<u>Est Hrly/\$1,501</u>
TOTAL ESTABLISHED HOURLY			\$31,521

Comment: Bilingual Compensation
 01-Unrestricted Resource

GRANT ELEMENTARY SCHOOL

Meek, Dorie	4 hrs @\$37.53	3/6/17-6/9/17	Own Hrly/\$150
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Stickney, Emalee	4 hrs @\$28.83	3/6/17-6/9/17	<u>Own Hrly/\$115</u>
		TOTAL OWN HOURLY	\$265

Comment: Professional Development
01-IASA: Title II Teacher Quality

Gaur, Smirti	4 hrs @\$45.49	3/6/17-6/9/17	Est Hrly/\$182
Rattan, Alana	4 hrs @\$45.49	3/6/17-6/9/17	Est Hrly/\$182
		TOTAL ESTABLISHED HOURLY	\$364

Comment: Professional Development
01- IASA: Title II Teacher Quality

LINCOLN MIDDLE SCHOOL

Loewy, Alexandra	4 hrs @\$45.49	3/1/17-6/9/17	<u>Est Hrly/\$182</u>
		TOTAL ESTABLISHED HOURLY	\$182

Comment: Counselor Extra Hours
01-Formula

Katz, Jessica	\$45.49, as needed	3/23/17-6/9/17	Est Hrly/\$----
Moe, Rosalynn	\$45.49, as needed	3/23/17-6/9/17	Est Hrly/\$----
		TOTAL ESTABLISHED HOURLY	\$----

Comment: As needed, to teach a period for absent teacher
01-SMMEF Stretch Grant

Ehrke, Shelly	9 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$409
Greenfield, Sara	18 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$819
Hart, Sharon	18 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$819
Hylind, Amy	9 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$409
Pomatti, Kate	9 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$409
Sinclair, Michele	9 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$409
Underwood, Brian	18 hrs @\$45.49	1/9/17-6/9/17	Est Hrly/\$819
		TOTAL ESTABLISHED HOURLY	\$4,093

Comment: Mindfulness Classroom Implementation (Semester 2)
01-SMMEF Stretch Grant

ADDITIONAL ASSIGNMENT – EXTENDED DUTY UNITS

FRANKLIN ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Both, Katherine	2 EDU	Spirit Squad	9/16-6/17	\$ 578
Cannell, Steve	2 EDU	Student Community Work	9/17-6/17	\$ 578
Flynn, Paula	2 EDU	Writing Club	9/17-6/17	\$ 578
Gonzalez, Jeffery	2 EDU	Pali Institute	9/17-6/17	\$ 578
Hampton, Lynne	2 EDU	Pali Institute	9/17-6/17	\$ 578
Powell, Erin	4 EDU	Pali Institute/Coordinator	9/17-6/17	\$1,156
Robinson, Elaine	1 EDU	Student Committee Coord	9/17-6/17	\$ 289
		TOTAL EDUS		\$4,335

MCKINLEY ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Sanschagrín, Marc	3 EDU	Pali Camp	9/16-6/17	\$ 867
Sinfield, Paul	3 EDU	Pali Camp	9/16-6/17	\$ 867
Talbott, Deboarah	3 EDU	Pali Camp	9/16-6/17	\$ 867
		TOTAL EDUS		\$2,601

POINT DUME ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Cullen, Christine	2 EDU	Cimi Camp/4 th Grade Trip	9/16-6/17	\$ 578

Dunn, Margo	4 EDU	Cimi Camp/Student Council	9/16-6/17	\$1,156
Ferguson, Joelin	2 EDU	4 th Grade Trip	9/16-6/17	\$ 578
Whitman, Angela	2 EDU	Cimi Camp	9/16-6/17	\$ 578
			TOTAL EDUS	\$2,890

ROOSEVELT ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Choe, Jung	2 EDU	Pali Camp	9/16-6/17	\$ 578
Cuevas, Megan	2 EDU	Student Council	9/16-6/17	\$ 578
Handelman, Catherine	2 EDU	Student Gardening	9/16-6/17	\$ 578
Light, Lindsay	2 EDU	Pali Camp	9/16-6/17	\$ 578
Mackey, Tammy	2 EDU	Pali Camp	9/16-6/17	\$ 578
Thomas, William	2 EDU	Pali Camp	9/16-6/17	\$ 578
Yuan, Judy	4 EDU	Pali Camp/Student Council	9/16-6/17	\$1,156
			TOTAL EDUS	\$4,624

SMASH

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Barba-Castro, Graciela	1 EDU	Jr. Books/Student Council	9/16-6/17	\$ 289
Cano, Sandra	1 EDU	Fulcrum Chaperone	9/16-6/17	\$ 289
Haendel, Erin	1 EDU	Catalina Chaperone	9/16-6/17	\$ 289
Haendel, Erin	1 EDU	Math Club/Student Council	9/16-6/17	\$ 289
Hwang, Genie	1 EDU	Catalina Chaperone	9/16-6/17	\$ 289
Hwang, Genie	1 EDU	Fulcrum Chaperone	9/16-6/17	\$ 289
Hwang, Genie	1 EDU	Math Club	9/16-6/17	\$ 289
Mendinueto, Darwin	1 EDU	Fulcrum Chaperone	9/16-6/17	\$ 289
Mendinueto, Darwin	4 EDU	Math Differentiation	9/16-6/17	\$1,156
Wold Florian, Jayme	1 EDU	Student Council Facilitator	9/16-6/17	\$ 289
			TOTAL EDUS	\$3,757

JOHN ADAMS MIDDLE SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Blanchard, Cecile	8 EDU	Music	1/17-6/17	\$2,312
Garnreiter, Sean	8 EDU	Music	1/17-6/17	\$2,312
Gleicher, Arielle	2 EDU	AVID	1/17-6/17	\$ 578
Goldberg, Cori	3 EDU	Yearbook	1/17-6/17	\$ 867
Hale, Shannon	2 EDU	AVID	1/17-6/17	\$ 578
Mercado Rivera, Aldo	2 EDU	AVID	1/17-6/17	\$ 578
Murphy, Letitia	2 EDU	AVID	1/17-6/17	\$ 578
Ransom, Barbara	3 EDU	ASB	1/17-6/17	\$ 867
Reynolds, Colin	5 EDU	Jr. Honor Society	1/17-6/17	\$1,445
Saling, David	2 EDU	Cross Currents	1/17-6/17	\$ 578
Woo, Angela	8 EDU	Music	1/17-6/17	\$2,312
			TOTAL EDUS	\$13,005

LINCOLN MIDDLE SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Bartlett, Kelsey	0.5 EDU	Art Club	1/17-6/17	\$ 145
Counte, Vanessa	6.0 EDU	Madrigals/Music	1/17-6/17	\$1,734
Fay, Allison	1.5 EDU	Movie Club	1/17-6/17	\$ 434
Hart, Sharon	2.0 EDU	Build Up Our Community	1/17-6/17	\$ 578
Katz, Jessica	2.5 EDU	ASB	1/17-6/17	\$ 723
Loewy, Alex	1.0 EDU	Peer Tutoring	1/17-6/17	\$ 289
McCoy, Amanda	1.0 EDU	AVID	1/17-6/17	\$ 289
McLaughlin, Gretchen	2.0 EDU	Build Up Our Community	1/17-6/17	\$ 578
McLaughlin, Gretchen	2.0 EDU	Community Service Crew	1/17-6/17	\$ 578
Moe, Eric	1.5 EDU	Westcoast Productions	1/17-6/17	\$ 434

Munoz, Salvador	6.0 EDU	Band/Music	1/17-6/17	\$1,734
Palumbus, Beth	1.0 EDU	AVID	1/17-6/17	\$ 289
Preuss, Jennifer	2.0 EDU	Peer Tutoring	1/17-6/17	\$ 578
Stauffer, Nathaniel	2.0 EDU	International Club	1/17-6/17	\$ 578
Takahashi, Ashley	1.0 EDU	Peer Tutoring	1/17-6/17	\$ 289
Tolentino, Ashley	1.5 EDU	Westcoast Productions	1/17-6/17	\$ 434
Tolentino, Ashley	2.0 EDU	Peer Tutoring	1/17-6/17	\$ 578
Wang, Jim	6.0 EDU	Orchestra/Music	1/17-6/17	<u>\$1,734</u>
			TOTAL EDUS	\$11,996

MALIBU HIGH SCHOOL – Middle School Academics

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Kostors, Bryan	2 EDU	MS Band	1/17-6/17	\$ 578
Leonard, Brigitte	13 EDU	MS Drama	1/17-6/17	\$3,757
Neier, Chris	4 EDU	MS Activities	1/17-6/17	\$1,156
Nickerson, Elle	1 EDU	MS Scholarship Advisor	1/17-6/17	\$ 289
Nickerson, Elle	6 EDU	MS Student Activities	1/17-6/17	\$1,734
Sorensen, Krysta	2 EDU	MS Vocal Music	1/17-6/17	\$ 578
Zander, Maia	2 EDU	MS Orchestra	1/17-6/17	<u>\$ 578</u>
			TOTAL EDUS	\$8,670

MALIBU HIGH SCHOOL – High School Academics

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Andino, Melisa	12 EDU	HS Student Activities	1/17-6/17	\$3,468
Auer, Kim	3 EDU	Pep Squad	1/17-6/17	\$ 867
Bowman-Smith, Carla	5 EDU	HS Yearbook	1/17-6/17	\$1,445
Corrigan, Brian	5 EDU	HS Activities	1/17-6/17	\$1,445
Corrigan, Brian	7 EDU	HS Senior Advisor	1/17-6/17	\$2,023
Dahm, Katie	1 EDU	HS Scholarship Advisor	1/17-6/17	\$ 289
Ervin, Jordan	5 EDU	HS Student Activities	1/17-6/17	\$1,445
Ervin, Jordan	3.5 EDU	HS Student Activities	1/17-6/17	\$1,012
Ervin, Jordan	2.5 EDU	HS Student Activities	1/17-6/17	\$ 723
Ervin, Jordan	5.0 EDU	HS Student Activities	1/17-6/17	\$1,445
Gonzalez, Jennifer	5.0 EDU	HS Student Activities	1/17-6/17	\$1,445
Kostors, Bryan	3.0 EDU	HS Band	1/17-6/17	\$ 867
Neier, Chris	13.0 EDU	Athletic Director	1/17-6/17	\$3,757
Neier, Chris	2.0 EDU	HS Student Activities	1/17-6/17	\$ 578
Nguyen, Linh	5.0 EDU	HS Scholarship Advisor	1/17-6/17	\$1,445
Plaia, Jodi	10.0 EDU	HS Drama	1/17-6/17	\$2,890
Plaia, Jodi	6.0 EDU	HS Student Activities	1/17-6/17	\$1,734
Ryan, Sean	12.0 EDU	HS Student Activities	1/17-6/17	\$3,468
Segesman, Tim	13.0 EDU	HS Student Activities	1/17-6/17	\$3,757
Sferra, Luke	7.0 EDU	HS Senior Advisor	1/17-6/17	\$2,023
Sorensen, Krysta	3.0 EDU	HS Vocal Music	1/17-6/17	\$ 867
Stowell, Rachel	5.0 EDU	HS Newspaper	1/17-6/17	\$1,445
Wadsworth, Henry	2.5 EDU	HS Student Activities	1/17-6/17	\$ 723
Wadsworth, Henry	3.5 EDU	HS Student Activities	1/17-6/17	\$1,012
Zander, Maia	3.0 EDU	HS Orchestra	1/17-6/17	<u>\$ 867</u>
			TOTAL EDUS	\$41,040

MALIBU HIGH SCHOOL – Spring Athletics

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Larson, Mark	12 EDU	JV Track	3/17-6/17	\$3,468
Montgomery, Todd	13 EDU	Varsity Boys Tennis	3/17-6/17	\$3,757
Mulligan, Michael	13 EDU	Varsity Swimming	3/17-6/17	<u>\$3,757</u>
			TOTAL EDUS	\$10,982

OLYMPIC HIGH SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Hollis, Christa	1 EDU	ASB	1/17-6/17	\$ 289
Konegni, Joshua	4 EDU	Book Club	1/17-6/17	\$1,156
TOTAL EDUS				\$1,445

SANTA MONICA HIGH SCHOOL – High School Academics Amended

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Ballararet, Timothy	6.43 EDU	Athletic Director	1/17-6/17	\$1,858
Patenaude, Brian	6.57 EDU	Athletic Director	1/17-6/17	\$1,899
TOTAL EDUS				\$3,757

(change of information from 12/15/16 Agenda)

TOTAL ESTABLISHED HOURLY, OWN HOURLY AND EXTRA DUTY UNITS = \$ 179,527

NEW HIRES

PROBATIONARY CONTRACTS

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Golden, Amy/Student Support Adv. Santa Monica High School	100%	8/1/17

SUBSTITUTE TEACHERS

LONG-TERM ASSIGNMENT

(@\$237.00 Daily Rate)

<u>Name/Assignment/Location</u>	<u>Effective</u>
Weilbacher, Michelle	4/20/17

LEVEL 2 SUBSTITUTES

(@\$183.00 Daily Rate)

<u>Name/Assignment/Location</u>	<u>Effective</u>
Angulo, Kimberly	4/20/17
Shiple, Kevan	2/8/17

LEVEL 1 SUBSTITUTES

(@\$183.00 Daily Rate)

<u>Name/Assignment/Location</u>	<u>Effective</u>
Mahgerfteh, Eliena	3/30/17

LEAVE OF ABSENCE (with pay)

<u>Name/Location</u>	<u>Effective</u>
Aldana, Monica CDS/Grant Elementary	3/24/17-4/30/17 [Medical/FMLA/CFRA] (Revision of dates from 4/20/17 Agenda)
Cogan, Lisa Special Education	3/22/17-3/31/17 [FMLA/CFRA]
Islas, Haydee CDS/Muir/SMASH	4/17/17-4/28/17 [Medical/FMLA/CFRA]
Jung, Parisa John Adams MS	4/17/17-4/30/17 [Medical/FMLA/CFRA]
Nickerson, Elhum Malibu HS	4/25/17-6/21/17 [Medical Maternity/FMLA]

Norris, Devyn Grant Elementary	4/17/17-6/9/17 [Medical Maternity/FMLA/CFRA]
Pust, Jennifer Santa Monica HS	3/10/17-3/31/17 [Medical/FMLA/CFRA]
Takahashi, Ashley Lincoln MS	8/1/17-9/12/17 [CFRA]

RESIGNATION

<u>Name/Location</u>	<u>Effective</u>
Law, Victoria Special Education	6/30/17
McCabe, Eileen Special Education	6/9/17
Yakich, Susan McKinley Elementary	6/30/17

RETIREMENT

<u>Name/Location</u>	<u>Effective</u>
Galvan, Janine McKinley Elementary	6/9/17
Pollack, Lori Grant Elementary	6/9/17

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Tahvildaran-Jesswein
 STUDENT ADVISORY VOTE: N/A
 AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
 NOES: 0

TO: BOARD OF EDUCATION
 FROM: BEN DRATI / MARK O. KELLY / MICHAEL COOL
 RE: CLASSIFIED PERSONNEL – MERIT

ACTION/CONSENT
 05/04/17

RECOMMENDATION NO. A.27

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

<u>NEW HIRES</u>		<u>EFFECTIVE DATE</u>
Cervantes, Sandra Human Resources	Human Resources Specialist 8 Hrs/12 Mo/Range: 36 Step: A	4/12/17
Lyles, Michelle Special Ed-Cabrillo ES	Paraeducator-3 6 Hrs/SY/Range: 26 Step: A	4/17/17
Ross, Cheyenne Special Ed-SMASH	Paraeducator-3 6 Hrs/SY/Range: 26 Step: A	4/17/17
Taylor, Tonya Special Ed-Lincoln CDC	Paraeducator-1 3 Hrs/SY/Range: 20 Step: A	4/17/17

<u>TEMP/ADDITIONAL ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
Becherer, Karen McKinley ES	Instructional Assistant - Classroom [additional hours; classroom support]	2/8/17-6/9/17
Butler, Deja Rogers ES	Instructional Assistant - Classroom [additional hours; professional development]	3/2/17
Engle, William Roosevelt ES	Physical Activities Specialist [additional hours; School Climate program]	3/27/17-6/9/17
Eskridge, Rondell Roosevelt ES	Physical Activities Specialist [additional hours; School Climate program]	3/27/17-6/9/17
Esquivias, Norma Facility Use	Senior Office Specialist [overtime; Facility Use projects]	11/14/16-6/30/17
Golden, Carol Rogers ES	Instructional Assistant - Classroom [additional hours; professional development]	3/2/17
Gonzalez, Diane Health Services	Health Office Specialist [additional hours; clerical support]	2/1/17-6/9/17
Gutierrez, Nallely Edison ES	Instructional Assistant - Bilingual [additional hours; classroom support]	2/17/17-6/2/17
Hayward, Gerard Facility Use	Sports Facility Attendant [additional hours; Facility Use events]	3/8/17-6/30/17
Llosa, Silvia Special Ed-Edison ES	Paraeducator-1 [additional hours; classroom support]	3/1/17-6/9/17
Malone, Angelica Rogers ES	Instructional Assistant - Classroom [additional hours; professional development]	3/2/17

Marble, Daniel Facility Use	Electrician [overtime; Facility Use projects]	11/28/16-6/30/17
Martini, Dustin Facility Use	Sports Facility Attendant [additional hours; Facility Use events]	3/2/17-6/30/17
Navarro, Nancy Muir ES	Senior Office Specialist [additional hours; clerical support]	2/13/17-6/9/17
Nguyen, Kim Business Office	Senior Administrative Assistant [overtime; Measure R Senior Exemption]	3/15/17-8/31/17
Perez, Michael Edison ES	Instructional Assistant - Bilingual [additional hours; classroom support]	2/17/17-6/2/17
Reyes, Marilu Rogers ES	Instructional Assistant - Classroom [additional hours; professional development]	3/2/17
Reyes, Pedro Facility Use	Electrician [overtime; Facility Use projects]	7/1/16-6/30/17
Richardson, Melvin Facility Use	Sports Facility Attendant [additional hours; Facility Use events]	2/1/17-6/30/17
Robinson, Ayanna Rogers ES	Instructional Assistant - Classroom [additional hours; professional development]	3/2/17
Rodriguez, Sara Special Ed-Rogers ES	Paraeducator-1 [additional hours; after school math support]	2/27/17-3/31/17
Richardson, Melvin Facility Use	Sports Facility Attendant [additional hours; Facility Use events]	2/1/17-6/30/17
Stemock, Mark Facility Use	Campus Security Officer [additional hours; Facility Use events]	1/23/17-6/30/17
Stemock, Mark Facility Use	Campus Security Officer [overtime; Facility Use events]	1/23/17-6/30/17
Vargas-Cruz, Patricia Olympic HS	Administrative Assistant [overtime; tobacco prevention grant support]	2/15/17-6/30/17
Ward, Michael Webster ES	Senior Office Specialist [additional hours; clerical support]	3/8/17-6/14/17
<u>SUBSTITUTES</u>		<u>EFFECTIVE DATE</u>
Axtell, Michele Special Education	Paraeducator-1	3/23/17-6/9/17
Butler, Kenny Special Education	Paraeducator-3	1/30/17-6/9/17
Caluya, Sylvia Special Education	Paraeducator-1	3/23/17-6/9/17
Crane, Marshay Child Development Services	Children's Center Assistant-1	3/8/17-6/9/17
Dani, Ermal Operations	Custodian	3/1/17-6/30/17

Fernandez, Cynthia Food and Nutrition Services	Cafeteria Worker I	3/9/17-6/9/17
Flores, Daniel Operations	Custodian	3/8/17-6/30/17
Giagni, Pamela Special Education	Paraeducator-1	3/13/17-6/9/17
Gudiel-Ruano, Ana Special Education	Paraeducator-1	3/27/17-6/9/17
Gudiel-Ruano, Ana Special Education	Paraeducator-3	3/27/17-6/9/17
Hatch, Ashley Purchasing	Stock and Delivery Clerk	3/28/17-6/30/17
Kellett, Greville Facility Use	Technical Theater Technician	3/23/17-6/30/17
Lindsey, Jimmy Educational Services	Instructional Assistant – Physical Education	3/9/17-6/9/17
Lopez, Saby Food and Nutrition Services	Cafeteria Worker I	3/8/17-6/9/17
Marinez, Nicholas Rogers ES	Instructional Assistant – Physical Education	3/2/17
McClung, Vitty Food and Nutrition Services	Cafeteria Worker I	3/9/17-6/9/17
Murdock, Lynn Food and Nutrition Services	Cafeteria Worker I	3/8/17-6/9/17
Nolan, Christine Special Education	Paraeducator-3	3/30/17-6/9/17
Ortiz, Alondra Health Services-Edison ES	Health Office Specialist	2/13/17-6/9/17
Petrasich, Brenton Facility Use	Technical Theater Technician	3/23/17-6/30/17
Prothro, Paul Operations	Custodian	2/27/17-6/30/17
Purabi, Debi Special Education	Paraeducator-1	2/27/17-6/9/17
Ross, Cheyenne Special Education	Paraeducator-1	3/23/17-6/9/17
Ross, Cheyenne Special Education	Paraeducator-3	3/23/17-4/16/17
Safavi, Moshir Rogers ES	Instructional Assistant – Physical Education	3/2/17

Tarver, Olajuwon Operations	Custodian	3/2/17-6/30/17
Wideman, Bobby Food and Nutrition Services	Cafeteria Worker I	3/8/17-6/9/17
Wilson, Mia Health Services	Health Office Specialist	2/28/17-6/9/17

INVOLUNTARY TRANSFER

EFFECTIVE DATE

Adeyemi, Olayiwola Operations-Webster ES	Custodian 5 Hrs/12 Mo From: 5 Hrs/12 Mo/Operations	3/1/17
Ali, Kenyatta Operations-Olympic HS	Custodian 5 Hrs/12 Mo From: 5 Hrs/12 Mo/Operations	3/14/17
Etchison, Chauncey Operations-Adams MS	Custodian 5 Hrs/12 Mo From: 5 Hrs/12 Mo/Operations-Santa Monica HS	3/28/17
Gomez, Jack Operations	Custodian 8 Hrs/12 Mo From: 6 Hrs/12 Mo/Operations-Franklin ES/Roosevelt ES	3/14/17
Macon, Phillip Operations-Muir ES/SMASH	Custodian 5 Hrs/12 Mo From: 5 Hrs/12 Mo/Operations	3/14/17

VOLUNTARY TRANSFER

EFFECTIVE DATE

Huettner, Patricia Grant ES	Instructional Assistant - Classroom 3 Hrs/SY From: 3 Hrs/SY/Rogers ES	4/17/17
Yamamoto, Mikiko Special Ed-Grant ES	Paraeducator-3 6 Hrs/SY From: 6 Hrs/SY/Webster ES	4/17/17

PROFESSIONAL GROWTH

EFFECTIVE DATE

Bryan, Annette Special Ed-Santa Monica HS	Paraeducator-3	4/1/17
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LEAVE OF ABSENCE (PAID)

EFFECTIVE DATE

Cartee-McNeely, Keryl District	Chief Steward CFRA/FMLA	3/20/17-3/31/17
Hernandez, Yolanda Health Services-Webster ES	Health Office Specialist CFRA/FMLA	2/28/17-3/28/17
Howard, Leslie Special Ed-Muir ES	Paraeducator-1 CFRA/FMLA	4/15/17-6/9/17
Jorgenson, Stephanie Special Ed-Roosevelt ES	Paraeducator-3 CFRA/FMLA	2/23/17-4/21/17

Mitri, Veronica Special Ed-Roosevelt ES	Paraeducator-3 CFRA/FMLA/Medical	3/3/17-3/31/17
Ong, Mary Cate Special Ed-Rogers ES	Paraeducator-3 CFRA/FMLA	3/20/17-6/9/17
Torres, Victor Special Ed-McKinley ES	Paraeducator-1 Intermittent CFRA/FMLA	3/7/17-9/7/17

WORKING OUT OF CLASS

Bernadou, Michelle Pt. Dume ES	Administrative Assistant From: Senior Office Specialist	<u>EFFECTIVE DATE</u> 3/20/17-6/21/17
Durst, Peggy Special Ed-Santa Monica HS	Paraeducator-3 From: Paraeducator-1	9/22/16-6/9/17
Ellis, Ashley Special Ed-Lincoln MS	Paraeducator-3 From: Paraeducator-1	8/19/16-6/9/17
Jackson, Sheralynn Special Ed-Santa Monica HS	Paraeducator-2 From: Paraeducator-1	1/18/17-6/9/17
Pittman, Angela FNS-Malibu HS	Cafeteria Cook/Baker From: Cafeteria Worker I	3/6/17-3/20/17
Webster-Joseph, Shirley FNS-Malibu HS	Production Kitchen Coordinator From: Cafeteria Worker I	3/2/17-5/31/17

RESCIND TERMINATION DUE TO EXHAUSTION OF ALL PAID LEAVES
(39-MONTH MEDICAL REEMPLOYMENT LIST)

FB7688920	Senior Office Specialist	<u>EFFECTIVE DATE</u> 4/13/17
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RESCIND DISQUALIFICATION FROM PROBATION

BP5712116 Santa Monica HS		<u>EFFECTIVE DATE</u> 3/31/17
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DISQUALIFICATION FROM PROBATION

EP3428474 Operations	Custodian	<u>EFFECTIVE DATE</u> 5/5/17
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SUSPENSION WITHOUT PAY

TN4889886 Food and Nutrition Services		<u>EFFECTIVE DATE</u> 4/13/17; 4/17/17; 4/18/17; 4/19/17; 4/20/17; 4/21/17 5/1/17; 5/2/17; 5/3/17; 5/4/17; 5/5/17 5/15/17; 5/16/17; 5/17/17; 5/18/17; 5/19/17 5/30/17; 5/31/17; 6/1/17; 6/2/17
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RESIGNATION

Cooper, Bertran Roosevelt ES	Instructional Assistant – Classroom	<u>EFFECTIVE DATE</u> 3/31/17
Foth, Brandon Information Svcs-McKinley ES	Technology Support Assistant	4/7/17
Gabriel, Angela McKinley ES	Instructional Assistant – Classroom	4/28/17

Hawkins, Chloe Adams MS	Instructional Assistant – Music	3/31/17
Tawfik, Peter Santa Monica HS	Campus Security Officer	3/31/17
<u>RETIREMENT</u>		<u>EFFECTIVE DATE</u>
Lai, Chong Fah FNS-Malibu HS	Production Kitchen Coordinator	8/18/17
Miyamoto, Wende SMASH	Senior Office Specialist	6/14/17
Ybarra, Gail CDS-Adams Preschool	Children’s Center Assistant-2	7/7/17

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Tahvildaran-Jesswein
 STUDENT ADVISORY VOTE: N/A
 AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
 NOES: 0

TO: BOARD OF EDUCATION
 FROM: BEN DRATI / MARK O. KELLY / MICHAEL COOL
 RE: CLASSIFIED PERSONNEL – NON-MERIT

ACTION/CONSENT
 05/04/17

RECOMMENDATION NO. A.28

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.

AVID TUTOR

Fernandez, Caroline	Lincoln MS	3/17/17-6/9/17
Meza, Brenda	Adams MS	3/8/17-6/9/17
Ramirez, Pedro	Adams MS	3/1/17-6/9/17

NOON SUPERVISION AIDE

Carrizales, Maria	Roosevelt ES	3/20/17-6/9/17
Olmedo, Teresa	Edison ES	2/9/17-6/9/17

COACHING ASSISTANT

Amezquita, Guillermo	Malibu HS	3/15/17-6/30/17
Beirne, Justine	Santa Monica HS	2/1/17-6/9/17
Bernota, Vincent	Santa Monica HS	2/23/17-6/9/17
Burdick, Bart	Santa Monica HS	1/9/17-6/9/17
Collet, Jutta	Santa Monica HS	2/1/17-6/9/17
Goldberg, Hayden	Malibu HS	7/1/16-6/30/17
Harrison, Julian	Santa Monica HS	3/10/17-6/9/17
Hymes, Michael	Santa Monica HS	3/8/17-6/9/17
Sandoval, Christopher	Santa Monica HS	3/2/17-6/9/17

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Tahvildaran-Jesswein
 STUDENT ADVISORY VOTE: N/A
 AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)
 NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / MARK O. KELLY

RE: STUDENT TEACHING AGREEMENT – BRANDMAN UNIVERSITY

RECOMMENDATION NO. A.29

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

INSTITUTION: Brandman University
EFFECTIVE: June 1, 2017 through May 31, 2020
PAYMENT: The University shall pay the District \$200.00
per eight (8) week full-time student teaching/counseling session.

COMMENT: The District participates with university teacher/counselor training institutions in providing classroom teaching/counseling site experience under the supervision of a master teacher.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI

RE: ADOPT RESOLUTION NO. 16-31– BOARD MEMBER ABSENCE ON APRIL 20, 2017

RECOMMENDATION NO. A.30

It is recommended that the Board of Education adopt Resolution No. 16-31 – Board Member Absence on April 20, 2017.

COMMENTS: Board Member Craig Foster was absent from the April 20, 2017, regular board meeting.

Board Bylaw 9250 and Education Code 35120 provide that a member of the Board of Education may be paid for any meeting when absent if the board adopts a resolution excusing the absence due to performance of district-related duties during the time of a meeting, illness, jury duty, or hardship.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

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

**RESOLUTION NO. 16-31
BOARD MEMBER ABSENCE ON April 20, 2017**

WHEREAS, the Governing Board of the Santa Monica-Malibu Unified 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 Craig Foster did not attend the regular Board meeting on April 20, 2017, for the following reason(s):

- 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 Santa Monica-Malibu Unified School District approves compensation of the Board member for the regular board meeting of April 20, 2017.


PASSED AND ADOPTED this 4th day of May 2017 at a regular meeting, by the following vote:

AYES: 7 NOES: 0 ABSENT: 0 ABSTAIN: 0

Attest:



Secretary



President

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: ADOPT BP 3470 – DEBT ISSUANCE AND MANAGEMENT

RECOMMENDATION NO. A.31

It is recommended that the Board of Education adopt BP 3470 – Debt Issuance and Management.

COMMENTS: Existing California law requires public agencies to provide information to the California Debt and Investment Advisory Commission (“CDIAC”) no later than 30 days prior to the sale of the debt. Senate Bill 1029 (“S.B. 1029”), signed into law by Governor Brown on September 12, 2016, amends this law to place additional reporting obligations on issuers of debt. In part, S.B. 1029 requires that an issuer certify that it has adopted local debt policies concerning the use of debt and that the proposed debt issuance is consistent with the local debt policies. S.B. 1029 lists certain topics to be covered in the local debt policies. The suggested policy addresses the components mandated by law, including (1) the purposes for which the debt proceeds may be used; (2) the types of debt that may be issued; (3) the relationship of the debt to, and integration with, the district’s capital improvement program or budget, if applicable; (4) policy goals related to the district’s planning goals and objectives; and (5) internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use.

The District expects to execute and deliver an additional series of Measure ES bonds in 2017, and therefore must adopt a debt issuance and management policy in compliance with S.B. 1029. Bond counsel has assisted the District with preparing a debt issuance and management policy that is in compliance with S.B. 1029.

The board discussed these changes at the April 20, 2017, board meeting.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

DEBT ISSUANCE AND MANAGEMENT

The Governing Board is committed to long-term capital and financial planning and recognizes that the issuance of debt is a key source for funding the improvement and maintenance of school facilities and managing cash flow. Any debt issued by the district shall be consistent with law and this policy. This policy provides written guidelines for the issuance of indebtedness by the Santa Monica-Malibu Unified School District in satisfaction of the requirements of S.B. 1029, codified as part of Government Code Section 8855.

Goals

This Policy provides a framework for debt management and capital planning by the District.

This Policy has been developed to meet the following goals:

1. Identifying the purposes for which the debt proceeds may be used.
2. Identifying the types of debt that may be issued.
3. Describing the relationship of the debt to, and integration with, the District's capital improvement program or budget.
4. Establishing policy goals related to the District's planning goals and objectives.
5. Implementing internal control procedures to ensure that the proceeds of the proposed debt issuance will be directed to the intended use upon completion of the issuance.

Purposes for Which Debt Proceeds May be Used

The laws of the State of California (the "State") authorize the District to incur debt to make lease payments, contract debt, borrow money, and issue bonds for school improvement projects. The District is authorized to contract debt to acquire, construct, reconstruct, rehabilitate, replace, improve, extend, enlarge, and equip such projects; to refund existing debt; or to provide for cash flow needs.

Section 18 of Article XVI of the State Constitution contains the "debt limitation" formula applicable to the District.

There are a number of State laws that govern the issuance of general obligation bonds ("GO Bonds") by school districts. Sections 1(b)(2) (Proposition 46) and 1(b)(3) of Article XIII A (Proposition 39) of the State Constitution allow the District to issue GO Bonds. The statutory authority for issuing GO Bonds is contained in Education Code Section 15000 et seq. Additional provisions applicable only to Proposition 39 GO Bonds are contained in Education Code Section 15264 et seq. An alternative procedure for issuing GO Bonds is also available in Government Code Section 53506 et seq.

The statutory authority for issuing Tax and Revenue Anticipation Notes ("TRANS") is contained in Government Code Section 53850 et seq. Authority for lease financings is found in Education Code Section 17455 et seq. and additional authority is contained in Education Code Sections 17400 et seq., 17430 et seq. and 17450 et seq. The District may also issue Mello-Roos bonds pursuant to Government Code Section 53311 et seq.

The District may deem it necessary to finance cash flow requirements under certain conditions. Such cash flow borrowing must be payable from taxes, income, revenue, cash receipts and other moneys attributable to the fiscal year in which the debt is issued.

General operating costs include, but are not limited to, those items normally funded in the District's annual operating budget.

The District's Superintendent, or designee, will review potential financing methods to determine which method is most prudent for the District. Potential financing sources include, but are not limited to tax and revenue anticipation notes, temporary borrowing from the Los Angeles County Treasurer and Tax Collector, and internal temporary interfund borrowing.

Types of Debt That May be Issued

1. Short-Term: The District may issue fixed-rate and/or variable rate short-term debt, which may include TRANs, when such instruments allow the District to meet its cash flow requirements. The District may also issue bond anticipation notes ("BANs") to provide interim financing for bond projects that will ultimately be paid from GO Bonds.
2. Long-Term: Debt issues may be used to finance essential capital facilities, projects and certain equipment where it is appropriate to spread the cost of the projects over more than one budget year. Long-term debt should not be used to fund District operations.

Long term debt in the form of GO Bonds may be issued under Article XIII A of the State Constitution, either under Proposition 46, which requires approval by at least a two-thirds (66.67%) majority of voters, or Proposition 39, which requires approval by at least 55% of voters, subject to certain accountability requirements and additional restrictions.

The District may also enter into long-term leases and/or participate in the sale of certificates of participation or lease revenue bonds for public facilities, property, and equipment.

3. Lease/Equipment Financing: Lease-purchase obligations or appropriation leases are a routine and appropriate means of financing capital equipment and certain capital facilities. However, lease obligations may impact on budget flexibility.
4. Use of General Obligation Bonds: A significant portion of the District's capital projects are expected to be funded by GO Bond proceeds. Projects financed by the GO Bonds will be determined by the constraints of applicable law and the project list approved by voters.

Relationship of Debt to and Integration with District's Capital Improvement Program or Budget

In evaluating financing options for capital projects, both short and long-term debt amortization will be evaluated when considering a debt issuance, along with the potential impact of debt service, and additional costs associated with new projects on the operating budget of the District. The cost of debt issued for major capital repairs or replacements may be judged against the potential cost of delaying such repairs or replacements.

District staff have responsibility for the planning and management of the District's capital improvement program subject to review and approval by the Board of Education. Staff will, as appropriate, supplement and revise any applicable Facilities Master Plan in keeping with the District's current needs for the acquisition, development and/or improvement of District's real estate and facilities. Such plans may include a summary of the estimated cost of each project, schedules for the projects, the expected quarterly cash requirements, and annual appropriations, in order for the projects to be completed.

Refunding and Restructuring

The District shall consider the following when making a decision regarding refunding or restructuring existing debt.

1. District's Best Interest. Whenever deemed to be in the best interest of the District, the District shall consider refunding or restructuring outstanding debt if it will be financially advantageous or beneficial for debt repayment and/or structuring flexibility.
2. Net Present Value Analysis. The District shall review a net present value analysis of any proposed refunding in order to make a determination regarding the cost-effectiveness of the proposed refunding.
3. Maximize Expected Net Savings. Another consideration in deciding which debt to refinance and the timing of the refinancing shall be to maximize the District's expected net savings over the life of the debt.
4. Comply with Existing Legal Requirements. The refunding of any existing debt shall comply with all applicable State and Federal laws governing such issuance.

Policy Goals Related to District's Planning Goals and Objectives

In following this Policy, the District shall pursue the following goals:

1. The District shall strive to fund capital improvements from voter-approved GO Bond issues to preserve the availability of its General Fund for District operating purposes and other purposes that cannot be funded by such bond issues.
2. To the extent applicable, the District shall endeavor to attain the best possible credit rating for each debt issue in order to reduce interest costs, within the context of preserving financial flexibility and meeting capital funding requirements.
3. The District shall take all practical precautions and proactive measures to avoid any financial decision that will negatively impact current credit ratings on existing or future debt issues.
4. The District shall, with respect to GO Bonds, remain mindful of its statutory debt limit in relation to assessed value growth within the school district and the tax burden needed to meet long-term capital requirements.
5. The District shall consider market conditions and District cash flows when timing the issuance of debt.

6. The District shall determine the amortization (maturity) schedule which will fit best within the overall debt structure of the District at the time the new debt is issued.
7. The District shall match the term of the issue to the useful lives of assets funded by that issue whenever practicable and economical, while considering repair and replacement costs of those assets to be incurred in future.
8. The District shall, when issuing debt, assess financial alternatives to include new and innovative financing approaches, including whenever feasible, categorical grants, revolving loans or other State/federal aid, so as to minimize the encroachment on the District's General Fund.
9. The District shall, when planning for the sizing and timing of debt issuance, consider its ability to expend the funds obtained in a timely, efficient and economical manner.

Internal Control Procedures for Issuance of Debt to Ensure Intended Use of Proceeds

1. Maturity of Debt: The duration of a debt issue shall be consistent, to the extent possible, with the economic or useful life of the improvement or asset that the issue is financing. In addition, the average life of tax-exempt financing shall not exceed 120% of the average life of the assets being financed. The District shall also consider the overall impact of the current and future debt burden of the financing when determining the duration of the debt issue.
2. Debt Structure:
 - A. GO Bonds:
 1. New Money Bond Issuances: For tax-exempt new money bond issuances, the District shall size the bond issuance consistent with the "spend-down" requirements of the Internal Revenue Code and within any limits approved by the District's voters. To the extent possible, the District will also consider credit issues, market factors (e.g. bank qualification) and tax law when sizing the District's bond issuance.
 2. Refunding Bond Issuances: The sizing of refunding bonds will be determined by the amount of money that will be required to cover the principal of, accrued interest (if any) on, and redemption premium for the bonds to be defeased on the call date and to cover appropriate financing costs.
 3. Maximum Maturity: All bonds issued by the District shall mature within the limits set forth in applicable provisions of the Education Code or the Government Code. The final maturity of tax-exempt bonds will also be limited to the average useful life of the assets financed or as otherwise required by tax law.
 4. Taxable Bonds: Taxable bonds shall be considered for funding projects which do not satisfy the "spend-down" requirements of the Internal Revenue Code.

- B. Lease-Purchase Obligations: The final maturity of equipment or real property lease obligations will be limited to the useful life of the assets to be financed.
3. Debt Service Structure: The District shall design the financing schedule and repayment of debt so as to take best advantage of market conditions, provide flexibility, and, as practical, to recapture or maximize its debt capacity for future use.

Use of Proceeds

The District shall be vigilant in using bond proceeds in accordance with the stated purposes at the time such debt was incurred. In furtherance of the policy, and in connection with the issuance of all GO Bonds:

1. As required by Government Code Section 53410, the District shall only use GO Bond proceeds for the purposes approved by the District's voters; and
2. District staff shall have the responsibility, no less often than annually, to provide to the District's Board of Education a written report which shall contain at least the following information:
 - (i) The amount of the debt proceeds received and expended during the applicable reporting period; and
 - (ii) The status of the acquisition, construction or financing of the school facility projects, as identified in any applicable bond measure, with the proceeds of the debt.
 - (iii) These reports may be combined with other periodic reports which include the same information, including but not limited to, periodic reports made to the California Debt and Investment Advisory Commission, or continuing disclosure reports or other reports made in connection with the debt. These requirements shall apply only until the earliest of the following: (i) all the debt is redeemed or defeased, but if the debt is refunded, such provisions shall apply until all such refunding bonds are redeemed or defeased, or (ii) all proceeds of the debt, or any investment earnings thereon, are fully expended.
3. The District shall post on the District website the Annual Report of the District's Independent Bond Oversight Committee which has been given the responsibility to review the expenditure of GO Bond proceeds to assure the community that all GO Bond funds have been used for the construction, renovation, repair, furnishing and equipping of school facilities, and not used for teacher or administrator salaries or other operating expenses.
4. The District shall hire an independent auditor to perform an annual independent financial and performance audit of the expenditure of GO Bond proceeds, and to post such audits on the District website.

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

DISCUSSION ITEMS

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / TERRY DELORIA / ELLEN EDEBURN / EVAN BARTELHEIM

RE: CONSIDER REVISING BP 6146.1 – HIGH SCHOOL GRADUATION REQUIREMENTS

DISCUSSION ITEM NO. D.01

It is recommended that the Board of Education consider revising BP 6146.1 – High School Graduation Requirements.

COMMENTS: This discussion item will allow the Board of Education to become apprised of the CSBA recommendations for updating this policy. This will also allow discussion regarding options for establishing an American Cultures and Ethnic Studies graduation requirement.

The Board of Education Sub-Committee on Ethnic Studies recognizes the need to address the inequities reflected in the Excellence through Equity report by Dr. Pedro Noguera. As stated in the History-Social Sciences Framework, research suggests that “some groups of students experience a low level of safety and acceptance in schools for reasons including cultural, ethnic, and linguistic background; disability; sexual orientation; socio-economic; and other factors” (SBE 2016). Furthermore, we know our students come from diverse cultural, linguistic, ethnic, and religious backgrounds, have different experiences, and live in different familial and socioeconomic circumstances.

As a result, the Board of Education Sub-Committee is recommending that:

- throughout the District, Freshman Seminar classes have a meaningful and substantial common learning experience which includes a focus on American Cultures and Ethnic Studies.
- Social Justice standards will be woven through all PreK-12 curriculum.
- the District will develop options for establishing an American Cultures and Ethnic Studies Graduation Requirement by 20XX.
- the District initiate, create and revise UC A-G course electives that will align with the District defined Social Justice standards.

This discussion will apprise the Board of Education on the establishment of an American Cultures and Ethnic Studies graduation requirement to tentatively commence with the class of 2024. This course, along with the Freshman Seminar requirement, will equal 15 elective credits.

***** ***** ***** ***** ***** *****

Following discussion, it was determined that all proposed changes, except bullet point #9, would be postponed. Bullet point #9 would be divided into #9 and #10, with #9 focusing on Freshman seminar (10 credits) and #10 addressing an American cultures and ethnic studies local graduation requirement (10 credits). These changes will return for action at the next meeting.

HIGH SCHOOL GRADUATION REQUIREMENTS

The Board of Education desires to prepare ~~each student~~ all students to obtain a ~~diploma~~ of high school diploma ~~graduation in order to provide students~~ to enable them to take advantage of ~~with~~ opportunities for postsecondary education and ~~for~~ employment.

Course Requirements

~~In order to be graduated from high school, a student must meet the following requirements:~~
To obtain a high school diploma, students shall complete at least the following courses in grades 9-12, with each course being one year unless otherwise specified:

1. Earn 220 semester credits in Grades 9-12; each semester course is valued at five credits, a year equals two semester courses and is valued at ten credits.
2. Pass four years of English in Grades 9-12 in an integrated reading and writing curriculum. This requirement is equal to 40 ~~semester~~ credits.
3. Pass three years of mathematics with at least two years (20 credits) to be taken in Grades 9-12. ~~Up to 10 semester credits for Algebra I taken in the 7th or 8th grade may be applied to meet this requirement. At least one mathematics course, or a combination of two mathematics courses, shall meet or exceed state academic content standards for Algebra I. If any student completes coursework in grades 7 through 12 that meets or exceeds state academic content standards for algebra, those courses shall apply toward satisfying this mathematics requirement. (Education Code 51224.5)~~ At least one mathematics course, or a combination of the two mathematics courses, shall meet or exceed state academic content standards for Algebra I. Completion of such coursework prior to grade 9 shall satisfy the Algebra I requirement, but shall not exempt a student from the requirement to complete three mathematics courses in grades 9-12. (Education Code 51224.5) This requirement is equal to 30 ~~semester~~ credits.
4. Pass two years of science in Grades 9-12; ~~one year must be a life science; one year must be a physical science.~~ Including biological and physical sciences (Education Code 51225.3) This requirement is equal to 20 ~~semester~~ credits.
5. Pass three years of social studies in Grades 9-12 including ~~two courses of~~ world history, culture, and geography; ~~two courses of U.S. United States~~ history and geography; ~~or its equivalent;~~ one semester course in economics; and one semester course of U.S. in American government and civics. (Education Code 51225.3). This requirement is equal to 30 ~~semester~~ credits.
6. Pass one year of visual or performing arts, ~~speech, debate,~~ or one year of foreign language, including American Sign Language, or career technical education (CTE). This requirement is equal to 10 ~~semester~~ credits. (Education Code 51225.3)
7. Pass ~~four courses~~ two years of Physical Education, ~~two~~ one of which ~~are~~ is to be taken in Grade 9, unless the student has been otherwise exempted pursuant to other sections of the Education Code (Education Code 51225.3). This requirement is equal to 20 ~~semester~~ credits.
8. ~~Pass one course of the Health, to be taken in the 9th grade, preferably. This requirement is equal to five semester credits.~~ Additional coursework/instruction covering

comprehensive sexual health and HIV prevention education during high school aligned to the California Healthy Youth Act. (Education Code 51930-51939)

9. An additional course requirement of Freshman Seminar as a UC-approved course elective, and one American Cultures and Ethnic Studies UC-approved course elective to commence with the class of 2024. This requirement is equal to 10 15 elective credits.
10. An additional course requirement of an American Cultures and Ethnic Studies course to commence with the class of 2024. This requirement is equal to 10 credits.
1140. All courses used to satisfy graduation requirements shall be approved by the Board. and reviewed and re-adopted at least every four years. Additional graduation requirements must be approved by the Board.

~~Unless otherwise noted, these requirements are effective with the graduation class of 2007.~~

~~Because the prescribed course of study may not accommodate the needs of some students, the Board shall provide alternative means for the completion of prescribed courses in accordance with law.~~

The Superintendent or designee shall exempt or waive specific course requirements for foster youth or children of military families in accordance with Education Code 51225.3 and 49701. exempt from any district-adopted graduation requirements a foster youth or homeless student who transfers into the district or between district high schools any time after completing his/her second year of high school, unless the Superintendent or designee makes a finding that the youth is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. The Superintendent or designee shall within 30 calendar days of the transfer of a foster youth, homeless student, or former juvenile court school student, provide notice to the student of the availability of the exemption and whether the student qualifies for it.

A foster youth, homeless student, or former juvenile court school student who transfers into the district any time after completing his/her second year of high school shall be required to complete all graduation requirements specified in Education Code 51225.3 but shall be exempt from any additional district-adopted graduation requirements, unless the Superintendent or designee makes a finding that the student is reasonably able to complete the requirements in time to graduate by the end of his/her fourth year of high school. Within 30 days of the transfer, any such student shall be notified of the availability of the exemption and whether he/she qualifies for it. (Education Code 51225.1)

In addition, the Superintendent or designee shall facilitate the on-time graduation of children of military families by waiving specific course requirements for graduation if the student has satisfactorily completed similar coursework in another district. . (Education Code 49701)

* Graduation requirements listed above equal ~~155~~ 150 semester credits. ~~65 semester~~ There are 70 credits are available for elective courses.

High School Exit Exam

~~As a condition of high school graduation, each student completing grade 12 shall have successfully passed the state exit examination in language arts and mathematics unless he/she receives a waiver or exemption. (Education Code 60851, 60859)~~

~~Supplemental instruction shall be offered to any student in grades 7 – 12 who does not demonstrate "sufficient progress," as defined in Board Policy 6179 – Supplemental Instruction, toward passing the exit examination. (Education Code 37252, 60851)~~

~~Students who have not passed one or both parts of the exit exam by the end of grade 12 shall have the opportunity to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12 or until they have passed both parts of the exam, whichever comes first. (Education Code 37254)~~

~~In addition to intensive remedial instruction, the district shall offer students who have passed all state and local graduation requirements except one or both parts of the exit exam by allowing the students to take CAHSEE preparation courses at Olympic High School (if age 18 or under), or Adult Education Center for two years beyond their regular senior year or until they pass the exam, whichever occurs first.~~

~~The Superintendent or designee shall regularly report to the Board regarding the number of students who have fulfilled all local and state graduation requirements except for passage of the exit examination and the resources that have been offered to such students.~~

Certification of Completion

Students who have passed all the district's course requirements by the end of their senior year but are unable to pass the high school examination shall receive a "Certificate of Completion."

The Superintendent or designee shall regularly report to the Board regarding the number of students receiving a "Certificate of Completion" and the resources that have been offered to such students.

Retroactive Diplomas

The district may retroactively grant a high school diploma to a former student who was interned by order of the federal government during World War II or who is an honorably discharged veteran of World War II, the Korean War, or the Vietnam War, provided that he/she was enrolled in a district school immediately preceding the internment or military service and he/she did not receive a diploma because his/her education was interrupted due to the internment or military service. A deceased former student who satisfies these conditions may be granted a retroactive diploma to be received by his/her next of kin. (Education Code 51430)

~~The district also may retroactively grant a diploma to a deceased former student who satisfies the above conditions. The diploma shall be received by the deceased student's next of kin. (Education Code 51430)~~

In addition, the district may grant a diploma to a veteran who entered the military service of the United States while he/she was a district student in grade 12 and who had completed the first half of the work required for grade 12. (Education Code 51440)

Legal Reference:

EDUCATION CODE

47612 Enrollment in charter school

48200 Compulsory attendance

48412 Certificate of proficiency

48430 Continuation education schools and classes

48645.5 Acceptance of coursework

48980 Required notification at beginning of term

49701 Interstate Compact on Educational Opportunity for Military Children

51224 Skills and knowledge required for adult life

51224.5 Algebra instruction

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
51225.35 Mathematics course requirements; computer science
51225.36 Instruction in sexual harassment and violence; districts that require health education for graduation
51225.5 Honorary diplomas; foreign exchange students
51225.6 Compression-only cardiopulmonary resuscitation
51228 Graduation requirements
51240-51246 Exemptions from requirements
51250-51251 Assistance to military dependents
51410-51412 Diplomas
51420-51427 High school equivalency certificates
51430 Retroactive high school diplomas
51440 Retroactive high school diplomas
51450-51455 Golden State Seal Merit Diploma
51745 Independent study restrictions
56390-56392 Recognition for educational achievement, special education
60851.5 Suspension of high school exit examination
60851.6 Retroactive diploma; completion of all graduation requirements except high school exit examination
66204 Certification of high school courses as meeting university admissions criteria
67386 Student safety; affirmative consent standard
CODE OF REGULATIONS, TITLE 5
1600-1651 Graduation of students from grade 12 and credit toward graduation
4600-4687 Uniform complaint procedures
COURT DECISIONS
O'Connell v. Superior Court (Valenzuela), (2006) 141 Cal.App.4th 1452

Management Resources:

WEB SITES

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

California Department of Education, High School: <http://www.cde.ca.gov/ci/gc/hs>

University of California, List of Approved a-g Courses:

<http://www.universityofcalifornia.edu/admissions/freshman/requirements>

Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted: August 19, 2009
revised: September 1, 2010; July 18, 2012

TO: BOARD OF EDUCATION

DISCUSSION ITEM

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON

RE: MEASURE ES PRELIMINARY BUDGET ALLOCATION UPDATE

DISCUSSION ITEM NO. D.02

Facility Improvements Program Staff has prepared a revised draft working budget for Measure ES planning purposes. The Measure ES base allocations remain as follows:

Malibu:	\$77,000,000
Samohi:	\$180,000,000
Technology:	\$34,431,358
<u>Santa Monica, Other:</u>	<u>\$93,568,642</u>
Total:	\$385,000,000

Measure BB shortfalls will be funded from the appropriate allocations and are taken into account in the proposed draft working budget for Measure ES.

Chief Operations Officer, Carey Upton, and Bond Program Manager Consultant, Steve Massetti, will present the updated Measure ES draft working budget and discuss the next steps and will be available for questions and discussion at the meeting.

***** ***** ***** ***** ***** *****

Staff answered board members' questions regarding the timing of specific projects and budget shortfalls.



Draft Measure ES Working Budget Update

May 4, 2017

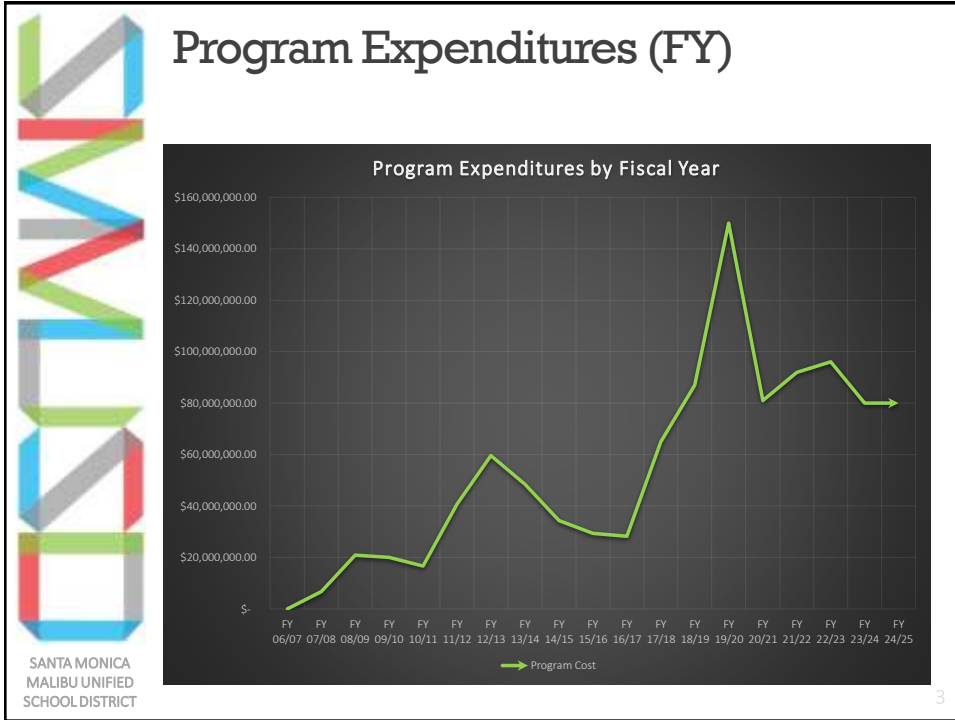
Board of Education Meeting - Discussion Item



Draft Measure ES Working Budget

Purpose of Discussion Item

- Review historical and anticipated overall program expenditures by FY
- Discuss revised working budget allocations
- Discuss prioritization of proposed projects
- Discuss sequence of proposed projects
- Discuss planned future projects beyond Measure ES




Draft Measure ES Working Budget

Malibu:	\$77,000,000
Samohi:	\$180,000,000
Technology:	\$34,431,358
<u>Santa Monica, Other:</u>	<u>\$93,568,642</u>
Total:	\$385,000,000


SANTA MONICA MALIBU UNIFIED SCHOOL DISTRICT

4




Draft Measure ES Working Budget

Malibu Allocation		\$ 77,000,000		
Windows, Paint, Flooring & Doors	Projected Forecast	Revised Forecast		Notes
Lighting & Abatement				
Malibu Interior Light Fixture	\$ 2,200,000	\$ 2,200,000		No Change
Malibu Caulk Removal	\$ 1,700,000	\$ 1,700,000		No Change
Windows, Paint, Flooring & Doors				
Cabrillo - Abatement Building F	\$ 2,000,000	\$ 2,400,000		Increased fire alarm and accessibility improvements required by DSA, doors to be replaced Summer 2019
Webster	\$ 4,000,000	\$ 5,000,000		Increased fire alarm and accessibility improvements required by DSA
Point Dume	\$ 2,000,000	\$ 3,000,000		Increased fire alarm and accessibility improvements required by DSA
Malibu HS - Building F, I, G	\$ 2,500,000	\$ 4,000,000		Increased scope due to identification of PCBs in building material and increased accessibility improvements required by DSA
Malibu HS - Building J & H	\$ 1,500,000	\$ 2,000,000		Increased accessibility improvements required by DSA
Malibu HS - Building D	\$ 1,500,000	\$ 2,000,000		Increased accessibility improvements required by DSA
Malibu HS - Building K	\$ 500,000	\$ 500,000		No change anticipated
WFPD Subtotal:	\$ 14,000,000	\$ 18,900,000		
Portables Replacement				
Webster - New Preschool Building - 3 Classroom	\$ 3,000,000	\$ 3,000,000		Possibly better suited for next bond, if needed
Cabrillo - New Preschool Building - 3 Classroom	\$ 3,000,000	\$ 3,000,000		Possibly better suited for next bond, if needed
HVAC & Electrical				
Malibu HS	\$ 3,600,000	\$ 3,600,000		No change
Cabrillo	\$ 1,400,000	\$ 1,400,000		No change
Point Dume	\$ 1,300,000	\$ 1,300,000		No change
Webster	\$ 1,600,000	\$ 1,600,000		No change
HVAC Subtotal	\$ 7,900,000	\$ 7,900,000		No change
Malibu Centralized Costs				
Solar Project / Alternative Energy	\$ 4,000,000	\$ 4,000,000		No change
Contingency (10% of allocation)	\$ 7,700,000	\$ 7,700,000		No change
Other Malibu Projects				
MWHS Theater Upgrade	Unknown	Unknown		
MWHS Undersified Projects				
Elementary School Undersified Projects				
BB Shortfalls (*Preliminary Estimate)				
	\$ 11,000,000	\$ 29,000,000		Updated. See below.
Total ES Malibu Projected Budget	\$ 58,500,000	\$ 81,400,000		
Budget Remaining	\$ 18,500,000	(\$4,400,000)		
				MMHS Campus Improvements Project
				Original Budget: \$49M
				Spent/Encumbered: (\$35M)
				Balance: \$14M
				Main Project Estimate: (\$37M)
				Misc. Completion Work: (\$3M)
				Soft Costs: (\$3M)
				Shortfall: \$29M See above.




Draft Measure ES Working Budget

SAMOHI Allocation - Measure ES		\$ 180,000,000		
Windows, Paint, Flooring & Doors	Projected Forecast	Revised Forecast		Notes
SAMOHI Campus Plan				
	\$ 2,000,000	\$ 2,000,000		No change
SAMOHI Construction				
Interim Repair/Upgrade Projects	\$ 2,500,000	\$ 2,500,000		May require increased funding depending on identified needs
Interim Softball Field	\$ 1,500,000	\$ 3,000,000		Increased \$1.5M, additional restroom work required by DSA, added field lighting scope at
Barnum Hall Repairs and Upgrades	\$ 1,000,000	\$ 1,000,000		No change
Phase 1 - Pool and Classroom Building	\$ 79,400,000	\$ 141,000,000		No change. Projects combined into single phase, total budget is \$141M.
Phase 2 - Parking/Dist and Classroom Bldg	\$ 61,600,000			
Civic Center Field and Parking Structure	\$ -	\$ 50,000,000		New project concept. In negotiations with City re scope and cost sharing. Final cost tbd.
HVAC & Electrical	\$ 4,000,000	\$ 4,000,000		No change
SAMOHI Centralized Costs				
	\$ 8,000,000	\$ 8,000,000		No change
Solar Project / Alternative Energy				
	\$ 3,000,000	\$ 3,000,000		No change
Contingency (10% of Allocation)				
	\$ 18,000,000	\$ 18,000,000		No change
BB Shortfalls				
Phase 3 Design	\$ 4,000,000	\$ 4,000,000		No change
Total ES SAMOHI Projected Budget	\$ 198,500,000	\$ 250,000,000		\$1.5M increase + \$50M Civic addition of Civic Field/Parking, COP anticipated to fund extra work.
Budget Remaining	\$ (18,500,000)	\$ (70,000,000)		



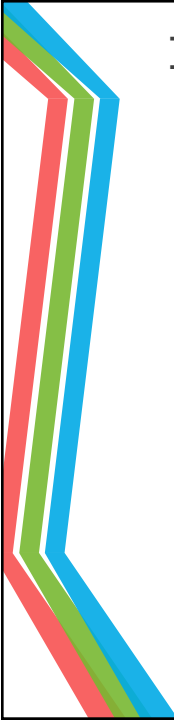
Draft Measure ES Working Budget

Santa Monica - Other Allocation		\$ 93,568,642		
Windows, Paint, Flooring & Doors	Projected Forecast	Revised Forecast		Notes
Will Rogers	\$ 4,000,000	\$ 6,000,000		Increased cost due to fire alarm replacement, additional scope (ceilings and doors), and additional accessibility issues.
Grant	\$ 2,500,000	\$ 2,500,000		No change
McKinley	\$ 3,000,000	\$ 4,500,000		Increased cost due to fire alarm replacement, additional scope (ceilings and doors), and additional accessibility issues.
Franklin	\$ 2,500,000	\$ 3,500,000		Increased cost due to fire alarm replacement, additional scope (ceilings and doors), and additional accessibility issues.
Roosevelt	\$ 2,500,000	\$ 3,500,000		Increased cost due to fire alarm replacement, additional scope (ceilings and doors), and additional accessibility issues.
Washington	\$ 500,000	\$ 500,000		No change
Olympic High School	\$ 2,000,000	\$ 2,000,000		No change
Muir/SMASH	\$ 1,000,000	\$ 3,000,000		Increased scope due to identification of building envelope issues and increased accessibility improvements required by DSA
WFPD SUBTOTAL	\$ 18,000,000	\$ 25,500,000		
Auditorium				
Adams - Temporary MPR/Auditorium	\$ 1,500,000	\$ 2,500,000		Increased scope (modernization of 90s wing)
Adams - New 750 Seat Theatre, SMC \$20M (or 650 Seat Theater at \$18M)	\$ 10,000,000	\$ 10,000,000		No change
Lincoln - Seat Replacement	\$ 500,000	\$ 500,000		No change
AUD SUBTOTAL	\$ 12,000,000	\$ 13,000,000		
Field/ Gym				
Adams - Replace Synthetic Turf	\$ 1,500,000	\$ 2,000,000		Revised infill
Lincoln - Track & Field Renovation	\$ 3,000,000	\$ 6,000,000		Increased cost due to restrooms, accessibility, escalation, revised infill
Adams - Gym Floor Replacement	\$ 200,000	\$ 200,000		No change
ATHL SUBTOTAL	\$ 4,700,000	\$ 8,200,000		
HVAC & Electrical				
Rogers	\$ 2,000,000	\$ 2,000,000		No change
Grant	\$ 1,700,000	\$ 1,700,000		No change
Muir/SMASH	\$ 1,500,000	\$ 1,500,000		No change
Washington	\$ 500,000	\$ 500,000		No change
McKinley	\$ 1,800,000	\$ 1,800,000		No change
Roosevelt	\$ 2,300,000	\$ 2,300,000		No change
Franklin	\$ 1,800,000	\$ 1,800,000		No change
Olympic	\$ 1,000,000	\$ 1,000,000		No change
Lincoln	\$ 4,000,000	\$ 4,000,000		No change
Adams	\$ 4,500,000	\$ 4,500,000		No change
HVAC SUBTOTAL	\$ 21,100,000	\$ 21,100,000		
Santa Monica - Other Centralized Costs				
Solar Project / Alternative Energy	\$ 5,000,000	\$ 5,000,000		No change
Contingency (10% of allocation)	\$ 9,356,864	\$ 9,356,864		No change
BB Shortfalls	\$ 18,000,000	\$ 18,000,000		No change
MISC SUBTOTAL	\$ 37,356,864	\$ 37,356,864		No change
Total OSM Projected Budget	\$ 93,156,864	\$ 105,156,864		
Budget Remaining	\$ 411,778	\$ (11,588,222)		



Draft Measure ES Working Budget

Future Bonds	Projected Forecast	Unknown	
SAMOHI Construction			
Phase 3 - Library/Classroom Bldg and Gold Gym	\$ 150,000,000		
Phase 4 - Classroom Bldg, Parking, and CTE	\$ 100,000,000		
Phase 5 - Admin Mod and New Student Services	\$ 95,000,000		
Phase 6-9 - Music Bldg and Athletic Facilities	\$ 660,000,000		
SAMOHI Centralized Costs			
Solar Project / Alternative Energy	\$ 6,000,000		
Contingency			
Total Future SAMOHI Projected Budget		\$ 1,011,000,000	
Other Santa Monica Construction			
Portable Replacement			
Rogers - 2 Story, 12 Classroom	\$ 13,000,000		
Rogers - MPR and Kitchen	\$ 8,000,000		
McKinley - 2 Story, 12 Classroom, Building 1	\$ 13,000,000		
McKinley - 2 Story, 12 Classroom, Building 2	\$ 13,000,000		
Grant - 2 Story, 12 Classroom	\$ 13,000,000		
Franklin - 2 Story, 12 Classroom	\$ 13,000,000		
Roosevelt - 2 Story, 12 Classroom	\$ 13,000,000		
Muir/SMASH - 4 Classroom Bungalow Replacement	\$ 5,300,000		
		PORT SUBTOTAL	\$ 91,300,000
Windows, Paint, Flooring & Doors			
JAMS	\$ 8,000,000		
Lincoln	\$ 8,000,000		
		WFPD SUBTOTAL	\$ 16,000,000
Santa Monica - Other Centralized Costs			
Solar Project / Alternative Energy	\$ 7,000,000		
Contingency			
Total Future OSM Projected Budget		\$ 114,300,000	



Draft Measure ES Working Budget

Questions

9

TO: BOARD OF EDUCATION
FROM: BEN DRATI / JANECE L. MAEZ / CAREY UPTON
RE: LONG-RANGE FACILITY PLANNING

DISCUSSION
05/04/17

DISCUSSION ITEM NO. D.03

Staff is recommending a course of long-range facility planning to identify future needs and to develop future projects.

Measure BB is moving towards completion and Measure ES is accelerating. Staff anticipates all projects will be completed by January 2021, except Samohi Phase 1 & 2, which is slated for an August 2021 completion. Now is the time to begin planning for the next facility projects.

The district has been discussing the need for passing a general obligation bond in the near future. Based on needs and work flow, the optimal timing is pointing toward the 2020 primary or general election. Staff anticipates that the bond will include Phases 3 & 4 of the Samohi Campus Plan as well as the completion of the Window, Paint, Floor project at the middle schools. The other major initiative that has been prioritized for years has been portable replacement projects at the elementary schools.

Before the district is ready for another bond campaign and the next set of construction projects, there are many steps the district needs to take. While some of these steps are required in the Education Code and by the Department of Education, others are good practice. While the district's habit has been to pass a bond and then determine the next steps, it is highly recommended that we use the time between now and 2020 to plan and prepare.

As part of this process, Educational Services will set wide-ranging academic goals to help guide facility decisions that support our district's educational goals.

2017 – 2018 GET READY

This year will focus on gathering data and setting our district's direction for the next ten years with these goals in mind:

- **Develop Education Specifications**
Ed Specs is a facility document that details the standards for all learning spaces and campuses. It details what would be in each type of room and on each campus. It is also an educational document that communicates our district's instructional strategies and the facilities to support the learning. It is both a realistic and an aspirational document.

The Ed Specs is typically developed with an Academic Planner/Architecture firm. The plan is to put out the RFP in the late spring, hire a firm by June, and use the summer to set the process. Staff will schedule meetings to occur in the fall with leadership, faculty, staff, students, parents, community and the business community. During the winter, staff will set the conclusions and return to our community with responses to the plan. The plan would be adopted by the Board of Education late next spring.

- **Review & Update District Purchasing Standards**
Our district's standards related to the selection and purchasing of furniture, fixtures and equipment needs to be reviewed and updated. These District Standards are used new construction, modernization and all school purchasing.

This process is usually driven by the Purchasing Department in coordination with other departments and school sites. Staff would work to complete this by next January, so it can be incorporated into the Ed Specs.

- **Develop ADA Transition Plan**
Every five years, the district is required to update our ADA Transition Plan; however, this has not been done since the first one was written in the early 1990s. An ADA transition plan details every place on every campus that is currently not up to code. This information helps staff plan projects, tackling them systematically. It also helps to cover our district against litigation for non-compliance. This analysis work is done by an architecture firm. The goal is to complete this by June 2018 before the district engages in the facility planning process.
- **Develop Full Facility Needs Assessment/Deferred Maintenance Plan**
Maintenance and Operations has begun renewing our district's immediate needs assessment, and this information is scheduled to return to the board on May 18. Additionally, however, staff needs to conduct a full survey of our district's needs and current conditions, including every usable commodity, to develop a Deferred Maintenance and Replacement plan that includes a budget and returns our district to a stasis. In the analysis, staff should also include Furniture, Fixtures and Equipment (FFE), as these are often not addressed until districts begin to build new facilities. Hiring a consultant to assist in compiling and formatting the information is recommended. The goal would be complete this work before the next budget cycle goes into planning.
- **Inventory Urban Forests and Gardens**
In preparation for master planning, staff should conduct an inventory of trees and landscaping in our district to help maintain and grow our urban forest when adding buildings and removing trees. This work would be done by an arborist/landscaping designer in conjunction with our Grounds department. This work should be completed by June 2018.
- **Develop Sustainability Plan**
A Sustainability Plan will give our district an opportunity to expand our approach to sustainability, including energy conservation, water stewardship, waste reduction & recycling, facility performance and education/awareness.
- **Complete Transportation Plan**
In addition to the Transportation Demand Management plan that staff has begun, it is recommended that we conduct a district-wide review of pick up/drop off, campus access, parking, trip reduction and other transportation issues. This should be completed before master planning begins.

2018 – 2019 GET SET

This year will focus on the investigations and decisions regarding direction in developing the next major projects.

- **District Facility Plan**
Compiling the studies of the previous year (2017-18), staff will develop plans for the next major projects. The plans will include several site and community meetings as our district decides how to adapt the campuses. The planning would be done with an architectural firm, possibly the same one as the one hired to do

the Ed Specs. This work would begin during summer 2018 and complete in spring 2019.

2019 – 2020 GO

In anticipation of the 2020 bond election, staff would prepare the Facility Plan for implementation. The goal would be to have several projects “shovel ready” for 2021.

- California Environmental Quality Act (CEQA) Review
Our district would be required to conduct an Environmental Impact Review (EIR) on the next major projects. As with other EIRs, it would contain many steps and community meetings. The goal would be to complete this by summer 2020.
- Design First Projects
To prepare for the passage of a bond in 2020, our district would begin to design and seek DSA approval for projects designated to begin in 2021.

2020 – 2021 RUN THE RACE

Our district would work to pass the GO Bond during either the primary or general election in 2020. Once passed, we would move forward with construction.

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: CONSIDER ADOPTING BP AND AR 3515.2 – DISRUPTIONS

DISCUSSION ITEM NO. D.04

It is recommended that the Board of Education consider adopting BP and AR 3515.2 – Disruptions.

COMMENTS: The policy has been updated to add optional components that may be addressed in district plans to prevent or respond to disruptions. The material on gun-free school zones has been deleted since possession of firearms and/or ammunition on school grounds is now addressed in a new BP 3515.7 – Firearms on School Grounds.

The regulation has been updated to authorize the principal or designee to remove from school grounds or a school activity any person who threatens the immediate physical safety of a student, staff, or others. The regulation also reflects law allowing a person who has been directed to leave school facilities to reenter a location where the superintendent's or board's office is located for the purpose of filing an appeal.

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

DISRUPTIONS

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

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

The Superintendent or designee shall establish a plan describing actions to be taken, including staff responsibilities, when an individual is causing a disruption. The plan shall address, as appropriate, visitor registration procedures; campus security measures; evacuation procedures; lock-down procedures; possible responses to an active shooter situation; communications within the school and with parents/guardians, law enforcement, and the media in the event of an emergency; and crisis counseling or other assistance for students and staff after a disruption. In developing such a plan, the Superintendent or designee shall consult with law enforcement to create guidelines for law enforcement support and intervention in the event of a disruption.

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

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

Safe School Zone

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

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

Legal Reference:EDUCATION CODE

32210 Willful disturbance of public school or meeting, misdemeanor

32211 Threatened disruption or interference with classes; misdemeanor

35160 Authority of governing boards

44810 Willful interference with classroom conduct

44811 Disruption of classwork or extracurricular activities

48902 Notification of law enforcement authorities

51512 Prohibited use of electronic listening or recording device

PENAL CODE

243.5 Assault or battery on school property

415.5 Disturbance of peace of school

626-626.11 Schools, crimes, especially:

626.7 Failure to leave campus or facility; wrongful return; penalties; notice; exceptions

626.8 Disruptive presence at schools

626.81 Misdemeanor for registered sex offender to come onto school grounds

626.85 Misdemeanor for specified drug offender presence on school grounds
626.9 Gun Free School Zone Act
627-627.10 Access to school premises
653b Loitering about schools or public places
12556 Imitation firearms
30310 Prohibition against ammunition on school grounds
UNITED STATES CODE, TITLE 20
7151 Gun-Free Schools Act
COURT DECISIONS
Reeves v. Rocklin Unified School District, (2003) 109 Cal.App.4th 652
In Re Joseph F., (2000) 85 Cal.App.4th 975
In Re Jimi A., (1989) 209 Cal.App.3d 482
In Re Oscar R., (1984) 161 Cal.App.3d 770
ATTORNEY GENERAL OPINIONS
79 Ops.Cal.Atty.Gen. 58 (1996)

Management Resources:

CSBA PUBLICATIONS

911! A Manual for Schools and the Media During a Campus Crisis, 2001

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Guide for Developing High-Quality School Emergency Operations Plans, 2013

WEB SITES

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

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

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

Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted: August 19, 2009 Santa Monica, California
revised: August 24, 2011

DISRUPTIONS

The principal or designee may direct any person, except a student, school employee, or other person required by his/her employment to be on school grounds, to leave school grounds if: (Education Code 44810, 44811; Penal Code 415.5, 626.7, 626.8, 626.81, 626.85)

1. The principal or designee has reasonable basis for concluding that the person is committing or has entered the campus with the purpose of committing an act which is likely to interfere with the peaceful conduct, discipline, good order, or administration of the school or a school activity, or with the intent of inflicting damage to any person or property.
2. The person fights or challenges another person to a fight, willfully disturbs another person by loud and unreasonable noise, or uses offensive language which could provoke a violent reaction.
3. The person loiters around a school without lawful business for being present or reenters a school within 72 hours after he/she was asked to leave.
4. The person is required to register as a sex offender pursuant to Penal Code 290.

However, a registered sex offender may be on school grounds if he/she has a lawful purpose and written permission from the principal or designee.

5. The person is a specified drug offender as defined in Penal Code 626.85.

However, a specified drug offender may be on school grounds with written permission from the principal or designee or, if he/she is a parent/guardian of a child enrolled in that school, to attend a school activity.
6. The person willfully or knowingly creates a disruption with the intent to threaten the immediate physical safety of any student in grades K-8 while attending, arriving at, or leaving school. (Penal Code 626.8)
7. The person has otherwise established a continued pattern of unauthorized entry on school grounds.

The principal or designee shall allow a parent/guardian who was previously directed to leave school grounds to reenter for the purpose of retrieving his/her child for disciplinary reasons, medical attention, or family emergencies, or with the principal or designee's prior written permission. (Penal Code 626.7, 626.85)

When directing any person to leave school premises, the principal or designee shall inform the person that he/she may be guilty of a crime if he/she:

1. Fails to leave or remains after being directed to leave (Penal Code 626.7, 626.8, 626.85)
2. Returns to the campus without following the school's posted registration requirements (Penal Code 626.7)
3. Returns within seven days after being directed to leave (Penal Code 626.8, 626.85)

Appeal Procedure

Any person who is asked to leave a school building or grounds may appeal to the Superintendent or designee. This appeal shall be made no later than the second school day after the person has departed from the school building or grounds. After reviewing the matter with the principal or designee and the person making the appeal, the Superintendent or designee shall render his/her decision within 24 hours after the appeal is made, and this decision shall be binding. (Education Code 32211)

The decision of the Superintendent or designee may be appealed to the Board of Education. Such an appeal shall be made no later than the second school day after the Superintendent or designee has rendered his/her decision. The Board shall consider and decide the appeal at its next scheduled regular or adjourned regular public meeting. The Board's decision shall be final. (Education Code 32211)

In any circumstance where a person has been directed to leave a school building or grounds where the Superintendent's or Board's office is situated, he/she may nevertheless enter the school building or ground solely for the purpose of making the appeal. (Education Code 32211)

Regulation SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
approved: August 19, 2009 Santa Monica, California
revised: August 10, 2011; July 18, 2012

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: CONSIDER ADOPTING BP 3515.7 – FIREARMS ON SCHOOL GROUNDS

DISCUSSION ITEM NO. D.05

It is recommended that the Board of Education consider adopting BP 3515.7 – Firearms on School Grounds.

COMMENTS: The new policy reflects new law (SB 707, 2015), which eliminates the exception that had allowed persons with a Carry Concealed Weapon (CCW) license to possess a firearm on campus. The law now requires such persons to obtain written permission of the Superintendent or designee in order to possess a firearm and/or ammunition on school grounds. The policy prohibits any person from possessing a firearm on campus, unless that person is specifically allowed such possession by law, or to authorize the Superintendent or designee to use his/her legal authority to permit persons with a CCW license to possess a firearm and/or ammunition on campus.

Board members asked questions regarding under what circumstances a person other than law enforcement could bring firearms. Dr. Drati will discuss this with Police Chief Seabrooks. Ms. Lieberman suggested making changes to the last sentence in the third paragraph. This item will return for action at the next board meeting.

FIREARMS ON SCHOOL GROUNDS

The Governing Board is committed to providing a safe environment for students, staff, and visitors on campus. The Superintendent or designee shall consult with local law enforcement, insurance carriers, and other appropriate individuals and agencies to address the security of school campuses.

District policy regarding the possession of firearms and/or ammunition on school grounds shall be included in the district's comprehensive safety plan and shall be communicated to district staff, parents/guardians, and the community.

Pursuant to Penal Code 626.9 (the Gun Free School Zone Act), the possession of a firearm on school grounds or within 1,000 feet of a school is prohibited, unless the person obtains the written permission of the Superintendent or designee or meets one of the exceptions specified in law (examples of these authorized individuals include law enforcement or an honorably retired peace officer or a member of the military forces engaged in the performance of his/her duties). SB 707 (Ch. 766, Statutes of 2015) amended Penal Code 626.9 and 30310 to provide that the exception for a holder of a valid Carry Concealed Weapon (CCW) license applies only to the area within 1,000 feet of a school, not on school grounds. Thus, a holder of a valid CCW license may **not** possess a firearm and/or ammunition on school grounds **unless** ~~only if~~ he/she obtains the written permission of the Superintendent or designee.

The Superintendent or designee shall not grant permission to any other individual to carry a firearm or ammunition on school grounds.

Legal Reference:

EDUCATION CODE

32281 *Comprehensive safety plan*

35160 *Powers and duties of the board*

35161 *Powers and duties of the board; authority to delegate*

38001.5 *District security officers; requirements if carry firearm*

PENAL CODE

626.9 *Gun Free School Zone Act*

830.32 *District police department; district decision to authorize carrying of firearm*

16150 *Definition of ammunition*

16520 *Definition of firearm*

26150-26225 *Concealed weapons permit*

30310 *Prohibition against ammunition on school grounds*

UNITED STATES CODE, TITLE 18

921 *Definitions, firearms and ammunition*

922 *Firearms, unlawful acts*

923 *Firearm licensing*

UNITED STATES CODE, TITLE 20

7151 *Gun-Free Schools Act; student expulsions for possession of firearm*

Management Resources:

WEB SITES

Office of the Attorney General: <https://oag.ca.gov/firearms>

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: CONSIDER REPLACING BP AND DELETING AR 3541.2 – TRANSPORTATION FOR STUDENTS WITH DISABILITIES

DISCUSSION ITEM NO. D.06

It is recommended that the Board of Education consider replacing BP and deleting AR 3541.2 – Transportation for Students with Disabilities.

COMMENTS: The policy has been updated to clarify the policy's applicability to students receiving services pursuant to Section 504 of the federal Rehabilitation Act of 1973, add sample criteria for individualized education program (IEP) teams to use when determining a student's transportation needs, and add material re: the provision of information to IEP teams.

The regulation has been deleted and material moved to BP re: provision of alternative transportation when a student is excluded from school bus transportation for a disciplinary or other reason, assurance that a contract with a nonpublic, nonsectarian school or agency addresses transportation as necessary, and transportation of service animals.

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

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

The Governing Board desires to meet the transportation needs of students with disabilities to enable them to benefit from special education and related services. The district shall provide appropriate transportation services for a student with disabilities when the district is the student's district of residence and the transportation services are required by his/her individualized education program (IEP) or Section 504 accommodation plan.

The specific needs of the student shall be the primary consideration when an IEP team is determining the student's transportation needs. Considerations may include, but are not limited to, the student's health needs, travel distances, physical accessibility and safety of streets and sidewalks, accessibility of public transportation systems, midday or other transportation needs, extended-year services, and, as necessary, implementation of a behavioral intervention plan.

The Superintendent or designee shall provide IEP teams with information about district transportation services in order to assist them in making decisions as to the mode, schedule, and location of transportation services that may be available to each student with disabilities. The IEP team may communicate with district transportation staff and/or invite transportation staff to attend IEP team meetings where the student's transportation needs will be discussed.

Transportation services specified in a student's IEP or Section 504 plan shall be provided at no cost to the student or his/her parent/guardian.

If a student whose IEP or accommodation plan specifies transportation needs is excluded from school bus transportation for any reason, such as suspension, expulsion, or other reason, the district shall provide alternative transportation at no cost to the student or parent/guardian. (Education Code 48915.5)

When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP. (Education Code 56366)

The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.

The Superintendent or designee shall ensure that any mobile seating devices used on district buses are compatible with bus securement systems required by 49 CFR 571.222. (Education Code 56195.8)

As necessary, a student with disabilities may be accompanied on school transportation by a service animal, as defined in 28 CFR 35.104, including a specially trained guide dog, signal dog, or service dog. (Education Code 39839; Civil Code 54.1-54.2; 28 CFR 35.136)

When transportation is not specifically required by the IEP or Section 504 plan of a student with disabilities, the student shall be subject to the rules and policies regarding regular transportation offerings within the district.

~~The Board of Education shall ensure that appropriate transportation services are provided for students with disabilities as specified in their individualized education program (IEP) or~~

~~accommodation plan. The district shall make home-to-school transportation available for students at no cost to parents/guardians as specified in the student's IEP.~~

~~The Superintendent or designee shall establish criteria and procedures for determining the most appropriate mode of transportation for an individual student based on identified needs as determined in the IEP or accommodation plan.~~

~~The Superintendent or designee shall arrange transportation schedules so that students with disabilities do not spend an excessive amount of time on buses compared to other students. Arrivals and departures shall not reduce the length of the school day for these students except as may be prescribed on an individual basis.~~

~~The Superintendent or designee shall establish procedures to ensure compatibility between mobile seating devices and bus securement systems.~~

Legal Reference:

EDUCATION CODE

39807.5 *Payment of transportation cost*
39839 *Guide dogs, signal dogs, and service dogs on bus*
41850-41854 *Allowances for transportation*
48300-48315 *Alternative interdistrict attendance program*
48915.5 *Expulsion of students with exceptional needs*
56040 *No cost for special education and related services*
56195.8 *Adoption of policies*
56327 *Assessment for special education and related services*
56345 *Individualized education program*
56365-56366.1 *Nonpublic nonsectarian schools or agencies*

CIVIL CODE

54.1-54.2 *Service animals*

CODE OF REGULATIONS, TITLE 5

15243 *Physically handicapped minors*

15271 *Exclusion from report*

UNITED STATES CODE, TITLE 20

1400-1482 *Individuals with Disabilities Education Act*

UNITED STATES CODE, TITLE 29

794 *Section 504 of the Rehabilitation Act of 1973*

CODE OF FEDERAL REGULATIONS, TITLE 28

35.104 *Definitions*

35.136 *Service animals*

CODE OF FEDERAL REGULATIONS, TITLE 34

104.4 *Equal opportunity under the Rehabilitation Act of 1973, Section 504*

300.1-300.818 *Individuals with Disabilities Education Act, especially:*

300.34 *Transportation defined as related service*

CODE OF FEDERAL REGULATIONS, TITLE 49

571.222 *Federal requirements for bus securement systems*

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Special Education Transportation Guidelines

Pupil Fees, Deposits and Other Charges, Fiscal Management Advisory 12-02, April 24, 2013

U.S. DEPARTMENT OF EDUCATION PUBLICATIONS

Protecting Students with Disabilities: Frequently Asked Questions About Section 504 and the Education of Children with Disabilities, 2009

Questions and Answers on Serving Children with Disabilities Eligible for Transportation, 2009

WEB SITES

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

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

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

TRANSPORTATION FOR STUDENTS WITH DISABILITIES

~~Transportation for students with disabilities shall be provided in accordance with a student's Individualized Education Program (IEP) or Section 504 accommodation plan.~~

~~If a disabled student is excluded from school bus transportation, the district shall provide alternative transportation at no cost to the student or parent/guardian provided that transportation is specified in the student's IEP. (Education Code 48915.5)~~

~~When contracting with a nonpublic, nonsectarian school or agency to provide special education services, the Superintendent or designee shall ensure that the contract includes general administrative and financial agreements related to the provision of transportation services if specified in the student's IEP. (Education Code 56366)~~

~~Guide dogs, signal dogs and service dogs trained to provide assistance to disabled persons may be transported in a school bus when accompanied by disabled students, disabled teachers or persons training the dogs. (Education Code 39839)~~

**Regulation
approved: August 19, 2009**

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California**

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: CONSIDER REVISING BP AND AR 3553 – FREE AND REDUCED PRICE MEALS

DISCUSSION ITEM NO. D.07

It is recommended that the Board of Education consider revising BP and AR 3553 – Free and Reduced Price Meals.

COMMENTS: The policy has been updated to reflect law authorizing sharing of students' free and reduced-price meal eligibility information with another local educational agency serving another child living in the same household as the student and with the Superintendent of Public Instruction for purposes of determining local control funding formula allocations. Minor revisions were made in the policy and regulation to delete references to sharing free and reduced-price meal records for the purpose of determining the eligibility of students in Title I program improvement schools for school choice and supplemental educational services, as those requirements were eliminated in the Every Student Succeeds Act (P.L. 114-95), and instead authorize the use of those records to determine eligibility for alternative supports offered in accordance with the CDE's transition plan.

The regulation has been updated to reflect new law (SB 708, 2015), which authorizes districts to make free and reduced-price meal applications available electronically as long as the online application complies with specific requirements, including the provision of clear instructions for homeless or migrant families. Language regarding nondiscrimination has also been included.

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Dr. Tahvildaran-Jesswein requested that staff examine current practice to ensure #4 under the Nondiscrimination Plan in the AR is being followed. This item will return for action at the next board meeting.

FREE AND REDUCED PRICE MEALS

The Board of Education recognizes that adequate nutrition is essential to the development, health, and learning of all students. The Superintendent or designee shall facilitate and encourage the participation of students from low-income families in the district's food service program.

The district shall provide at least one nutritionally adequate meal each school day, free of charge or at a reduced price, for students whose families meet federal eligibility criteria. (Education Code 49550, 49552)

The Superintendent or designee shall ensure that meals provided through the free and reduced-price meal program meet applicable state and/or federal nutritional standards in accordance with law, Board policy, and administrative regulation.

The Board shall approve, and shall submit to the California Department of Education for approval, a plan that ensures that students eligible to receive free or reduced-price meals and milk are not treated differently from other students. (Education Code 49557)

Confidentiality/Release of Records

All applications and records related to eligibility for the free and reduced-price meal program shall be confidential and may not be released except as provided by law and authorized by the Board or pursuant to a court order. (Education Code 49558)

The Board authorizes designated employees to use individual records pertaining to student eligibility for any free and reduced-price meal program for the purposes of: (Education Code 49558)

1. Disaggregation of academic achievement data
2. Identification of students eligible for alternative supports in any school identified as a Title I program improvement school.
- ~~2. In any school identified for program improvement under Title I of the No Child Left Behind Act, identification of students eligible for school choice and supplemental educational services~~

If a student transfers from the district to another district or to a private school, the Superintendent or designee may release the student's eligibility status or a copy of his/her free and reduced-price meal application to the other district or school to assist in the continuation of the student's meal benefits.

~~The Board further authorizes the release of information on the school lunch program application to the local agency that determines Medi-Cal program eligibility, provided that the student is approved for free meals and the parent/guardian consents to the sharing of information as provided by Education Code 49557.2.~~

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to another school district, charter school, or county office of education that is serving a student living in the same household for purposes

related to program eligibility and data used in local control funding formula calculations. (Education Code 49558)

The Superintendent or designee may release the name and eligibility status of a student participating in the free or reduced-price meal program to the Superintendent of Public Instruction for purposes of determining allocations under the local control funding formula and for assessing accountability of that funding. (Education Code 49558)

The Superintendent or designee may release information on the school lunch program application to the local agency that determines eligibility for participation in the Medi-Cal program if the student has been approved for free meals or, if included in the agreement with the local agency, for reduced-price meals. He/she also may release information on the school lunch application to the local agency that determines eligibility for CalFresh or another nutrition assistance program authorized under 7 CFR 210.1 if the student has been approved for free or reduced-price meals. Information may be released for these purposes only if the student's parent/guardian consents to the sharing of information and the district has entered into a memorandum of understanding with the local agency which, at a minimum, includes the roles and responsibilities of the district and local agency and the process for sharing the information. After sharing information with the local agency for purposes of determining eligibility for that program, no further information shall be shared unless otherwise authorized by law. (Education Code 49557.2, 49557.3, 49558)

Legal Reference:

EDUCATION CODE

48980 Notice at beginning of term

49430-49434 Pupil Nutrition, Health, and Achievement Act of 2001

49490-49494 School breakfast and lunch programs

49500-49505 School meals

49510-49520 Nutrition

49530-49536 Child Nutrition Act of 1974

49547-49548.3 Comprehensive nutrition service

49550-49562 Meals for needy students

CODE OF REGULATIONS, TITLE 5

15510 Mandatory meals for needy students

15530-15535 Nutrition education

15550-15565 School lunch and breakfast programs

UNITED STATES CODE, TITLE 20

1232g Federal Educational Rights and Privacy Act

6301-6514 Title I programs

UNITED STATES CODE, TITLE 42

1751-1769j School lunch program

1771-1791 Child nutrition, especially:

1773 School breakfast program

CODE OF FEDERAL REGULATIONS, TITLE 7

210.1-210.31 National School Lunch Program

220.10-220.21 National School Breakfast Program

245.1-245.13 Determination of eligibility for free and reduced-price meals and free milk

WELFARE AND INSTITUTIONS CODE

14005.41 Basic health care

Management Resources:

CSBA PUBLICATIONS

Monitoring for Success: A Guide for Assessing and Strengthening Student Wellness Policies, 2012

Student Wellness: A Healthy Food and Physical Activity Policy Resource Guide, 2012

CALIFORNIA DEPARTMENT OF EDUCATION MANAGEMENT BULLETINS

NSD SNP-12-2015 Updated Guidance on Sharing of School Meal Applications and the Passing of Assembly Bill 1599, July 2015

USDA-SNP-07-2010 Change in Free and Reduced-Price Meal Application Approval Process, September 2010

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Feed More Kids, Improve Program Participation

Direct Certification Implementation Checklist, May 2008

U.S. DEPARTMENT OF AGRICULTURE PUBLICATIONS

Eligibility Manual for School Meals: Determining and Verifying Eligibility, July 2015

Provision 2 Guidance: National School Lunch and School Breakfast Programs, Summer 2002

WEB SITES

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

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

California Healthy Kids Resource Center: <http://www.californiahealthykids.org>

California Project LEAN (Leaders Encouraging Activity and Nutrition): <http://www.californiaprojectlean.org>

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

Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

adopted: August 19, 2009 Santa Monica, California

revised: October 6, 2011

FREE AND REDUCED PRICE MEALS**Nondiscrimination Plan**

The district's plan for students receiving free or reduced-price meals shall ensure the following: (Education Code 49557)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (Education Code 49557; 7 CFR 245.8)

Applications

The application form and related information shall be distributed in paper form to all parents/guardians at the beginning of each school year and shall be available to students at all times during the school day. (Education Code 48980, 49520; 42 USC 1758; 7 CFR 245.5)

At the beginning of each school year, the Superintendent or designee shall send a public release, containing the same information supplied to parents/guardians and including eligibility criteria, to local media, the local unemployment office, and any major employers in the district attendance area contemplating large layoffs. Copies of the public release shall be made available upon request to any interested person. (7 CFR 245.5)

An application form for free or reduced-price meals shall be distributed to all parents/guardians at the beginning of each school year, together with information about eligibility standards, application procedures, and appeal procedures. This form and information shall also be provided whenever a new student is enrolled. (Education Code 48980, 49520; 7 CFR 245.5) Applications for the free and reduced-price meal program shall be available to students at all times during the regular school day and shall contain the following statements: (Education Code 49557; 7 CFR 245.5)

1. Applications may be submitted at any time during the school day.
2. Students participating in the National School Lunch and/or School Breakfast Programs will not be overtly identified by the use of special tokens, special tickets, special serving lines, separate entrances, separate dining areas, or by any other means.

In addition, the district application form for free and reduced price meals shall be available online. The online application form shall require completion of only those questions necessary

for determining eligibility, contain clear instructions for families that are homeless or migrant, and comply with other requirements specified in Education Code 49557.

An application form and related information shall also be provided whenever a new student is enrolled.

Eligibility

The Superintendent or designee shall determine students' eligibility for the free and reduced-price meal program based on the criteria specified in 42 USC 1758 and 1773 and 7 CFR 245.1-245.13 and made available by the California Department of Education.

When authorized by law, participants in other federal or state programs may be directly certified for enrollment in the free and reduced-price meal program. (Education Code 49561)

Verification of Eligibility

Not later than November 15 of each year, the Superintendent or designee shall verify the eligibility of a sample of household applications approved for the school year in accordance with the sample sizes and procedures specified in 42 USC 1758 and 7 CFR 245.6a. (42 USC 1758; 7 CFR 245.6a)

If the review indicates that the initial eligibility determination is correct, the Superintendent or designee shall verify the approved household application. If the review indicates that the initial eligibility determination is incorrect, the Superintendent or designee shall: (42 USC 1758; 7 CFR 245.6a)

1. If the eligibility status changes from reduced price to free, make the increased benefits immediately available and notify the household of the change in benefits
2. If the eligibility status changes from free to reduced price, first verify the application, then notify the household of the correct eligibility status, and, when required by law, send a notice of adverse action as described below
3. If the eligibility status changes from free or reduced price to paid, send the household a notice of adverse action as described below

If any household is to receive a reduction or termination of benefits as a result of verification activities, or if the household fails to cooperate with verification efforts, the Superintendent or designee shall reduce or terminate benefits, as applicable, and shall properly document and retain on file in the district the reasons for ineligibility. He/she also shall send a notice of adverse action to any household that is to receive a reduction or termination of benefits. Such notice shall be provided 10 days prior to the actual reduction or termination of benefits. The notice shall advise the household of: (7 CFR 245.6a)

1. The change and the reasons for the change
2. The right to appeal, when the appeal must be filed to ensure continued benefits while awaiting a hearing and decision, and instructions on how to appeal
3. The right to reapply at any time during the school year

Confidentiality/Release of Records

The Superintendent designates the following district employee(s) to use individual records pertaining to student participation in the free and reduced-price meal program for the purpose of disaggregation of academic achievement data or for the identification of students in any program improvement school eligible for school choice and supplemental educational services pursuant to 20 USC 6316:

Assistant Superintendent, Educational Services ~~Chief Academic Officer~~

In using the records for such purposes, the following conditions shall be satisfied: (Education Code 49558)

1. No individual indicators of participation in the free and reduced-price meal program shall be maintained in the permanent records of any student if not otherwise allowed by law.
2. Information regarding individual student participation in the free and reduced-price meal program shall not be publicly released.
3. All other confidentiality provisions required by law shall be met.
4. Information collected regarding individual students certified to participate in the free and reduced-price meal program shall be destroyed when no longer needed for its intended purpose.

Nondiscrimination Plan

The district's plan for students receiving free or reduced-price meals shall ensure the following: (Education Code 49557; 42 USC 1758)

1. The names of the students shall not be published, posted, or announced in any manner, or used for any purpose other than the National School Lunch and School Breakfast Programs, unless otherwise provided by law.
2. There shall be no overt identification of any of the students by the use of special tokens or tickets or by any other means.
3. The students shall not be required to work for their meals or for milk.
4. The students shall not be required to use a separate dining area, go through a separate serving line or entrance, or consume their meals or milk at a different time.

When more than one lunch, breakfast, or type of milk is offered, the students shall have the same choice of meals or milk as is available to those students who pay the full price. (Education Code 49557; 7 CFR 245.8)

Prices

The maximum price that shall be charged to eligible students for reduced-price meals shall be 40 cents for lunch and 30 cents for breakfast. (42 USC 1758, 1773)

**Regulation
approved: August 19, 2009
revised: September 22, 2011**

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
Santa Monica, California**

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: CONSIDER REVISING BP AND AR 3555 – NUTRITION PROGRAM COMPLIANCE

DISCUSSION ITEM NO. D.08

It is recommended that the Board of Education consider revising BP and AR 3555 – Nutrition Program Compliance.

COMMENTS: The policy has been updated to clarify that, although state and federal law prohibit discrimination in child nutrition programs for all protected categories, the CDE and U.S. Department of Agriculture (USDA) only investigate complaints of discrimination based on race, color, national origin, sex, age, and disability. The policy also reorganizes and expands the responsibilities of the district's civil rights coordinator to reflect CDE's guidebook as updated in November 2015, and updates the addresses where complaints may be submitted. Nondiscrimination statement that is required to be printed on program documents, pamphlets, brochures, and other materials updated to reflect the USDA's 2015 statement.

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

NUTRITION PROGRAM COMPLIANCE

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

Coordinator

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

The responsibilities of the compliance officer/coordinator include, but are not limited to:

1. Providing the name of the civil rights coordinator, Section 504 coordinator, and Title IX coordinator, if different from the civil rights coordinator, to the California Department of Education and other interested parties

2. Annually providing mandatory civil rights training to all frontline staff who interact with program applicants or participants and to those who supervise frontline staff

The subject matter of such training shall include, but not be limited to, collection and use of data, effective public notification systems, complaint procedures, compliance review techniques, resolution of noncompliance, requirements for reasonable accommodation of persons with disabilities, requirements for language assistance, conflict resolution, and customer service.

3. Establishing admission and enrollment procedures that do not restrict enrollment of students on the basis of race, ethnicity, national origin, or disability, including preventing staff from incorrectly denying applications and ensuring that such persons have equal access to all programs

4. Sending a public release announcing the availability of the child nutrition programs and/or changes in the programs to public media and to community and grassroots organizations that interact directly with eligible or potentially eligible participants

5. Communicating the program's nondiscrimination policy and applicable complaint procedures, as provided in the section "Notifications" below

6. Providing appropriate translation services when a significant number of persons in the surrounding population have limited English proficiency

7. Ensuring that every part of a facility is accessible to and usable by persons with disabilities and that participants with disabilities are not excluded from the benefits or services due to inaccessibility of facilities

8. Ensuring that special meals are made available to participants with disabilities who have a medical statement on file documenting that their disability restricts their diet

9. Implementing procedures to process and resolve civil rights (discrimination) complaints and program-related complaints, including maintaining a complaint log and working with the appropriate person to resolve any complaint
10. Developing a method, which preferably uses self-identification or self-reporting, to collect racial and ethnic data for potentially eligible populations, applicants, and participants

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

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

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

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

Notifications

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

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

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

"In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, sex, disability, age, or reprisal or retaliation for prior civil rights activity in any program or activity conducted or funded by USDA.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.), should contact the Agency (State or local) where they applied for benefits. Individuals who are deaf, hard of hearing or have speech disabilities may contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program complaint of discrimination, complete the USDA Program Discrimination Complaint Form, (AD-3027) found online at: http://www.ascr.usda.gov/complaint_filing_cust.html, and at any USDA office, or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by:

(1) mail: U.S. Department of Agriculture
Office of the Assistant Secretary for Civil Rights
1400 Independence Avenue, SW
Washington, D.C. 20250-9410;

(2) fax: (202) 690-7442; or

(3) email: program.intake@usda.gov.

This institution is an equal opportunity provider."

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

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

Forms of communication requiring this nondiscrimination statement include, but are not limited to, web sites, public information releases, publications, and posters, but exclude menus. The nondiscrimination statement need not be included on every page of program information on the district's or school's web site, but the statement or a link to the statement shall be included on the home page of the program information.

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

Complaints

Any complaint concerning the district's nutrition programs shall be investigated using the process identified in AR 1312.3 - Uniform Complaint Procedures.

When a complaint alleging discrimination of the basis of race, color, national origin, sex, age, or disability is unresolved at the district level, the coordinator shall notify the complainant of the option to contact and/or forward his/her complaint to one of the following agencies:

1. Child Nutrition Program Civil Rights and Program Complaint Coordinator, California Department of Education, Nutrition Services Division, 1430 N Street, Room 4503, Sacramento, CA 95814-2342 or call (916) 323-8531 or (800) 952-5609
2. U.S. Department of Agriculture, Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW, Washington, D.C. 20250-9410, (866) 632-9992, (800) 877-8339 (Federal Relay Service - English), (800) 845-6136 (Federal Relay Service - Spanish), fax (202) 690-7442, or email program.intake.usda.gov.

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

Legal Reference:

EDUCATION CODE

200-262.4 Prohibition of discrimination

48985 Notices to parents in language other than English

49060-49079 Student records

49490-49590 Child nutrition programs

PENAL CODE

422.6 Interference with constitutional right or privilege

CODE OF REGULATIONS, TITLE 5

3080 Application of section

4600-4687 Uniform complaint procedures

4900-4965 Nondiscrimination in elementary and secondary education programs

UNITED STATES CODE, TITLE 20

1400-1482 Individuals with Disabilities in Education Act

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

UNITED STATES CODE, TITLE 29

794 Section 504 of the Rehabilitation Act of 1973

UNITED STATES CODE, TITLE 42

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

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

2000h-2000h-6 Title IX

12101-12213 Americans with Disabilities Act

CODE OF FEDERAL REGULATIONS, TITLE 7

210.23 National School Lunch Program, district responsibilities

215.7 Special Milk Program, requirements for participation

215.14 Special Milk Program, nondiscrimination

220.7 School Breakfast Program, requirements for participation

225.3 Summer Food Service Program, administration

225.7 Summer Food Service Program, program monitoring

CODE OF FEDERAL REGULATIONS, TITLE 28

35.101-35.190 Americans with Disabilities Act

36.303 Auxiliary aids and services

CODE OF FEDERAL REGULATIONS, TITLE 34

100.1-100.13 Nondiscrimination in federal programs, effectuating Title VI

104.1-104.39 Section 504 of the Rehabilitation Act of 1973

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

106.9 Dissemination of policy

Management Resources:

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Civil Rights and Complaint Procedures for the U.S. Department of Agriculture Child Nutrition Programs, rev. November 2015

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

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

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

Notice of Non-Discrimination, August 2010

WEB SITES

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

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

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

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

**Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
adopted: August 24, 2011 Santa Monica, California**

TO: BOARD OF EDUCATION

DISCUSSION

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: CONSIDER ADOPTING BP 3580 – DISTRICT RECORDS

DISCUSSION ITEM NO. D.09

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

COMMENTS: The policy has been updated to reflect the legal requirement to disclose any breach of security of district records that contain personal information, as defined, by providing a written or electronic notification that meets the content and formatting requirements specified in law.

***** ***** ***** ***** ***** *****

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

DISTRICT RECORDS

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

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

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

If the district discovers or is notified that a breach of security of district records containing unencrypted personal information has occurred, the Superintendent or designee shall notify every individual whose personal information was, or is reasonably believed to have been, acquired by an unauthorized person. Personal information includes, but is not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account. (Civil Code 1798.29)

The Superintendent or designee shall provide the notice in a timely manner either in writing or electronically, unless otherwise provided in law. The notice shall include the material specified in Civil Code 1798.29, be formatted as required, and be distributed in a timely manner, consistent with the legitimate needs of law enforcement to conduct an uncompromised investigation or any measures necessary to determine the scope of the breach and restore reasonable integrity of the data system. (Civil Code 1798.29)

~~In the event of any known or reasonably suspected breach of the security of district records containing confidential personal information including, but not limited to, a social security number, driver's license or identification card number, medical information, health insurance information, or an account number in combination with an access code or password that would permit access to a financial account, the Superintendent or designee shall immediately notify local law enforcement agencies and any affected persons. Notification of affected individuals may be delayed if a law enforcement agency determines that the notification would impede a criminal investigation.~~

The Superintendent or designee shall ensure that employees receive information about the district's document management system, including retention and confidentiality requirements and an employee's obligations in the event of a litigation hold established on the advice of legal counsel.

Safe at Home Program

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

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

Legal Reference:

EDUCATION CODE

35145 *Public meetings*

35163 *Official actions, minutes and journal*

35250-35255 *Records and reports*

44031 *Personnel file contents and inspection*

49065 *Reasonable charge for transcripts*

49069 *Absolute right to access*

CIVIL CODE

1798.29 *Breach of security involving personal information*

CODE OF CIVIL PROCEDURE

1985.8 *Electronic Discovery Act*

2031.010-2031.060 *Civil Discovery Act, scope of discovery demand*

2031.210-2031.320 *Civil Discovery Act, response to inspection demand*

GOVERNMENT CODE

6205-6210 *Confidentiality of addresses for victims of domestic violence, sexual assault or stalking*

6252-6265 *Inspection of public records*

12946 *Retention of employment applications and records for two years*

PENAL CODE

11170 *Retention of child abuse reports*

CODE OF REGULATIONS, TITLE 5

430 *Individual student records; definition*

432 *Varieties of student records*

16020-16022 *Records, general provisions*

16023-16027 *Retention of records*

UNITED STATES CODE, TITLE 20

1232g *Family Educational Rights and Privacy Act*

CODE OF FEDERAL REGULATIONS, TITLE 34

99.1-99.8 *Family Educational Rights and Privacy Act*

Management Resources:

WEB SITES

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

Policy SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

adopted: August 19, 2009 Santa Monica, California

revised: August 24, 2011; March 3, 2016

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

7:00pm

RE: PUBLIC HEARING ON MEASURE R PARCEL TAX CPI-U ADJUSTMENT –
2017-18

RECOMMENDATION NO. A.32

It is recommended that the Board of Education hold a public hearing on the matter of the Special Parcel Tax (Measure R) regarding applying a Consumer Price Index (CPI-U) adjustment. The hearing is scheduled for Thursday, May 4, 2017, at 7:00 p.m.

COMMENT: CPI-U Adjustment: Section 4. of Resolution 07-09, *Resolution Proposing a Renewal of Special Taxes to Be Placed on the February 4, 2008 Ballot for Voter Approval* requires that: "Prior to levying of the special tax each fiscal year, the Board shall conduct a public hearing on the matter. Notice of the time, date and place of hearing shall be published in accordance with applicable laws, posted at least twice in a newspaper of general circulation in the District, and posting shall commence at least fifteen (15) days prior to the hearing. Following said hearing each year, the Board shall adopt a resolution establishing the rate per parcel for that year, not to exceed \$346.00 per year adjusted annually for inflation by the CPI-U. "CPI-U" as used in this Resolution means the Consumer Price Index-All Urban Consumers, All Items for the Los Angeles-Riverside-Orange County, California Metropolitan Statistic Area, base period 1982-84=100, or its equivalent should this Index cease to exist in its current format. The annual CPI-U adjustment shall be based on the change in the CPI-U over the preceding fiscal year. Any tax levied shall become a lien upon the properties against which taxes are assessed and collectable as herein provided;"

According to *The Santa Monica-Malibu Schools Quality Education Funding Renewal Measure Section 4.A, THE TAX LEVY-Tax Base*, "The annual CPI-U adjustment shall be the twelve (12) month change in that index over the most recently available twelve (12) month period preceding the date on which the adjustment needs to be calculated for assessment purposes." Subsequent to the Public Hearing, the Board of Education will formally consider the adoption of a \$396.23 per parcel assessment for 2017-18 (2.7% increase from the current \$385.81 per parcel rate based on the change in the CPI-U between February 2016 and February 2017).

Notice of the public hearing has been properly posted as required by Government Code §6061 in *The Santa Monica Daily Press* and *The Malibu Times*.

Open Public Hearing (10:42pm):

MOTION MADE BY: Mr. Mechur

SECONDED BY: Mr. Kean

STUDENT ADVISORY VOTE: N/A

AYES: 6 (Lieberman, Tahvildaran-Jesswein, Foster
Mechur, de la Torre, Kean)

NOES: 0

ABSENT: 1 (Leon-Vazquez)

Close Public Hearing (10:43pm):

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES: 6 (Lieberman, Tahvildaran-Jesswein, Foster
Mechur, de la Torre, Kean)

NOES: 0

ABSENT: 1 (Leon-Vazquez)

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/05/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: ADOPT RESOLUTION NO. 16-32 – MEASURE R PARCEL TAX – 2017-18

RECOMMENDATION NO. A.33

It is recommended that the Board of Education resolve that the amount of the Measure R Parcel Tax be adopted for the 2017-18 fiscal year, at the rate of \$396.23 per parcel, which includes a 2.7% CPI-U adjustment. The CPI-U adjustment was obtained from the U.S. Department of Labor, Bureau of Labor Statistics, a source considered as most credible and authoritative as prescribed in the original Measure R language.

It is further recommended that the tax levy shall become a lien upon the properties against which taxes are assessed and collectable as provided in the October 25, 2007 Board Resolution No. 07-09, Section 4., *Resolution Proposing a Renewal of Special Taxes to Be Placed on the February 4, 2008 Ballot for Voter Approval.*

MOTION MADE BY: Mr. Foster

SECONDED BY: Mr. Kean

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Foster, Mechur, de la Torre, Kean)

NOES: 0

ABSENT: 1 (Leon-Vazquez)

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/04/17

FROM: BEN DRATI

RE: ADOPT RESOLUTION NO. 16-33 – ASIAN / PACIFIC AMERICAN HERITAGE
MONTH

RECOMMENDATION NO. A.34

It is recommended that the Board of Education adopt Resolution No. 16-33 in recognition of Asian/Pacific American Heritage Month.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Mr. Foster

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

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

**Resolution No. 16-33
Asian/Pacific American Heritage Month**

WHEREAS, America is strengthened by the rich cultural diversity of our people, and we are blessed to be a Nation that welcomes individuals of all races, religions, and cultural backgrounds.

WHEREAS, The values and traditions of the Asian/Pacific-American community – love of family, entrepreneurship, excellence in education, and community service – have strengthened us as a Nation. During Asian/Pacific American Heritage Month, we celebrate the contributions of these talented and hard-working citizens and recognize their rich legacy of ingenuity, perseverance, and achievement.

WHEREAS, Many Asian/Pacific immigrants came to America to discover the promise of our Nation and to realize their dreams. Their contributions were critical in establishing a robust economy. Asian/Pacific Americans also worked tirelessly to build our national railroad infrastructure, paving the way for our western expansion and growth as a world leader. Generations of Asian/Pacific Americans have proudly served our Nation with honor and courage in wars and conflicts. Today, as in the past, their dedication and service to advancing peace in a troubled world upholds the values that make our country strong.

WHEREAS, Asian/Pacific Americans are also helping to shape America's future. As entrepreneurs, artists, educators, public servants, scientists, and explorers, they challenge the minds of our next generation, expand commerce and innovation, probe the frontiers of space, and search for cures for the world's diseases. Our children are also inspired by the contributions and sacrifices of dedicated individuals.

WHEREAS, Since the earliest days of America, people from all cultures have traveled to our Nation seeking the promise of freedom, opportunity, and justice. As an integral part of our society, Americans of Asian and Pacific heritage share in the pursuit of this American Dream. We join with all Americans in celebrating this rich and diverse culture, and encourage every citizen to recognize the role of Asian/Pacific Americans in building and sustaining our Nation.

WHEREAS, To honor the achievements of Asian/Pacific Americans, the Congress by Public Law 102-450 as amended, has designated the month of May each year as "Asian/Pacific American Heritage Month."

WHEREAS, In the Santa Monica-Malibu Unified School District, there are many students and staff members who are of the Asian/Pacific American heritage.

NOW, THEREFORE, BE IT RESOLVED, that during Asian Pacific American Heritage Month, the Santa Monica-Malibu Unified School District joins with all Americans in celebrating this rich and diverse culture, and encourages all members of our community to recognize the important role of Asians/Pacific-Americans in creating and building this great Nation.

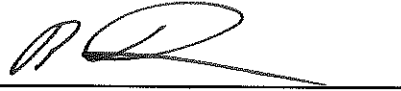
BE IT FURTHER RESOLVED, that appropriate lessons and units of study about the contributions of Asians/Pacific-Americans take place in our schools not only during this month, but throughout the school-year.

PASSED AND ADOPTED by the Santa Monica-Malibu Unified School District of Los Angeles County at a regular meeting held on this 4th day of May 2017.

AYES: 7
NOES: 0
ABSTENTIONS: 0
ABSENT: 0



Laurie Lieberman, President
Board of Education



Ben Drati, Superintendent
Santa Monica-Malibu
Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/04/17

FROM: BEN DRATI / MARK O. KELLY

RE: ADOPT RESOLUTION NO. 16-34 – DAY OF THE TEACHER: MAY 10, 2017

RECOMMENDATION NO. A.35

It is recommended that the Board of Education adopt Resolution No. 16-34 in recognition of May 10, 2017 as the California Day of the Teacher.

MOTION MADE BY: Mr. Foster

SECONDED BY: Ms. Leon-Vazquez

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT BOARD OF EDUCATION
RESOLUTION NUMBER 16-34

CALIFORNIA DAY OF THE TEACHER

WHEREAS, an educated citizenry serves as the foundation of our democracy; and

WHEREAS, today's teachers mold the minds and train the workforce of the future; and

WHEREAS, teachers strive to make every classroom an exciting environment where productive and useful learning takes place and each student is encouraged to grow and develop; and

WHEREAS, no other profession touches as many people with such a lasting effect; and

WHEREAS, good teaching grows in value and pays dividends far beyond the classroom, and

WHEREAS, excellence in our state begins with California's teachers;

WHEREAS, California's teachers are among the best educated, most credentialed and hardest working educators in the country; and

WHEREAS, California owes much of its success to its public schools, colleges and universities that produce the scholars, thinkers, and educated workforce; and

WHEREAS, the theme for this year's Day of the Teacher is "*California Teachers: Advocates for the Public Education ALL Students Deserve.*"

NOW, THEREFORE BE IT RESOLVED, that the Santa Monica-Malibu Unified School District Board of Education does hereby urge the community to recognize Wednesday, May 10, 2017, as Day of the Teacher in Los Angeles County, by taking time to remember and honor those who give the gift of knowledge through teaching.

PASSED AND ADOPTED by the Santa Monica-Malibu Unified School District Board of Education, County of Los Angeles on this 4th day of May, 2017.



Laurie Lieberman, President



Richard Tahvildaran-Jesswein, Vice-President

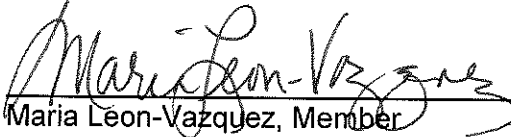


Oscar de la Torre, Member

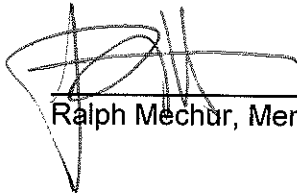


Craig Foster, Member

Jon Kean, Member



Maria Leon-Vazquez, Member



Ralph Mechur, Member



Ben Drati, Superintendent

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/04/17

FROM: BEN DRATI / MARK O. KELLY

RE: ADOPT RESOLUTION NO. 16-35 – IMPLEMENTING CERTIFICATED LAYOFF
AND PROVIDING DIRECTION TO ISSUE NOTIFICATION TO EMPLOYEES
WHOSE SERVICES ARE TO BE TERMINIATED

RECOMMENDATION NO. A.36

It is recommended that the Board of Education adopt Resolution No. 16-35 implementing certificated layoff, and to provide direction to issue notifications to employees whose services are to be terminated.

COMMENT: At the Board meeting of March 2, 2017, the Board approved a Particular Kinds of Services (PKS) Resolution to reduce 2.70 FTE R.O.P. instructional services, and that the designated employees be given notice that their services would not be required for the upcoming school year. Before March 15, 2017 the impacted employees were notified that their services would not be required for the 2017-2018 school year, pursuant to Education Code 44949 and 44955.

This Resolution, No. 16-35, is the final step in the lay-off process and allows the Superintendent to direct staff that the employees listed in the decision be given appropriate notice that their employment will be terminated effective upon the close of the 2016-2017 school year. Education Code section 44955(c) requires that final board action and notifications to employees be given no later than May 15, 2017.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Tahvildaran-Jesswein

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

**BEFORE THE GOVERNING BOARD OF THE
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
COUNTY OF LOS ANGELES, STATE OF CALIFORNIA
RESOLUTION NO. 16-35**

Resolution Implementing Certificated Layoff

WHEREAS, on March 2, 2017, this Board adopted Resolution No. 16-24 which included discontinuing and reducing particular kinds of services not later than the beginning of the 2017-2018 school year, as described and set forth in that Resolution;

WHEREAS, on March 2, 2017, the Superintendent gave notice to this Board recommending that various employees receive notice that their services will not be required for the ensuing school year (2017-2018), pursuant to Education Code sections 44949 and 44955;

WHEREAS, prior to March 15, 2017, the Superintendent's designated representatives served notices to those employees referenced in this Resolution, that it had been recommended that each of their services will not be required for the 2017-2018 school year pursuant to Education Code sections 44949 and 44955;

WHEREAS, said notices advised the recipients that they could request a hearing to determine if there was cause for not reemploying them for the 2017-2018 school year and that if they failed to timely request a hearing, that failure shall constitute a waiver of the right to a hearing and his/her services will accordingly be terminated pursuant to the recommendation, without a hearing;

WHEREAS, none of the employees who received notice submitted a timely Request for Participation; thus, each of the employees who received notice thereby waived any rights to a hearing, and the jurisdictional and statutory prerequisites have been satisfied as to these employees as required by law;

WHEREAS, Education Code section 44949, subdivision (c)(3), provides that this Board shall make the final determination as to the sufficiency of the cause and disposition of the layoff;

WHEREAS, Education Code section 44955, subdivision (c), requires final Board action and notifications to employees no later than May 15, unless that date is extended pursuant to Education Code section 44949, subdivision (e);

WHEREAS, although this Board is not required to consider or account for attrition occurring after March 15, 2017 in the implementation of Resolution No. 16-24, the Board nevertheless has determined that such attrition should be recognized and accounted for in order to reduce the number of employees whose services are terminated;

WHEREAS, the particular kinds of services to be discontinued and reduced as referenced in Resolution No. 16-24 each determined to be a particular kind of service within the meaning of Education Code section 44955;

WHEREAS, the particular kinds of services referenced in Resolution No. 16-24 be discontinued and reduced within the meaning of Education Code section 44955 not later than the beginning of the 2017-2018 school year;

WHEREAS, except as otherwise authorized by statute, the services of no permanent employee (or other employee) are being terminated, in whole or in part, while any probationary employee, or any other employee with less seniority is being retained to render a service which said permanent (or other) employee is certificated and competent to render, within the meaning

of Education Code section 44955(b); the individuals whose employment is being terminated, in whole or in part, are not certificated and competent (within the meaning of Education Code section 44955) to render the service being performed by any employee with less seniority who is being retained;

WHEREAS, the jurisdictional and statutory prerequisites have been satisfied as to the affected four (4) individuals who did not request a hearing and therefore waived their right to a hearing, to the extent required by law; sufficient cause exists for such employees' termination of employment after consideration of facts including but not limited to the employees' seniority and scope of credentials; and that cause relates to the welfare of the schools and the pupils thereof within the meaning of Education Code section 44949, subdivision (c)(3), to the extent that provision applies;

WHEREAS, rights to reemployment pursuant to Education Code section 44956 and/or 44957 shall be provided to the certificated employees whose services are terminated as a result of this layoff;

NOW, THEREFORE, BE IT RESOLVED that sufficient cause exists for the termination of up to 2.70 full-time equivalent (FTE) certificated positions, and pursuant to and within the meaning of Education Code section 44949, said cause relates to the welfare of the schools and the pupils thereof;

BE IT FURTHER RESOLVED that sufficient cause exists for the termination of the services of the following certificated employees in the following amounts of full-time equivalencies,

3795 (0.80 FTE)

1227 (0.70 FTE)

0222 (1.00 FTE)

8302 (0.20 FTE)

BE IT FURTHER RESOLVED that the employment of each of the certificated employees listed above be and hereby is terminated effective upon the close of this school year, i.e., the end of the last working day as to each employee prior to July 1, 2017;

BE IT FURTHER RESOLVED that this decision is effective immediately and that the Superintendent or his designee(s) may take such actions as are necessary and appropriate to implement this Board's decision, including at least giving appropriate notice to those certificated employees listed above of the termination of their services because of discontinuances and reductions of particular kinds of services to take effect upon the close of this school year, with these notices being given before May 15, 2017, in the manner prescribed in Education Code section 44949;

BE IT FURTHER RESOLVED that the Superintendent or designee(s) are authorized to rescind final notices given to any of the above-named employees if, prior to the employee's last working day prior to July 1, 2017, the Superintendent or designee(s) determines (a) attrition occurring after the adoption of this Resolution has created a vacancy in a service for which there is adequate funding to fill; and (b) any of the above-named employees is certificated and competent to render such service, provided that any such rescissions shall be in the order of seniority; and

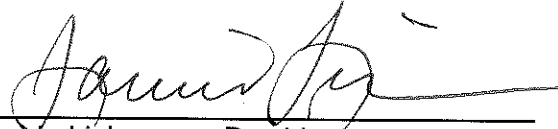
BE IT FURTHER RESOLVED that reemployment rights be afforded in accordance with the Education Code, if and when reemployment is offered and to the extent any reemployment rights are applicable to any of the above referenced employees.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 4th day of May, 2017 by the following vote:

Ayes: 7

Noes: 0

Absent: 0



Laurie Lieberman, President

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

I, Ben Drati, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on May 4, 2017.



Ben Drati, Secretary

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

TO: BOARD OF EDUCATION

ACTION/MAJOR
05/04/17

FROM: BEN DRATI / JANECE L. MAEZ

RE: RESOLUTION NO. 16-36 - A RESOLUTION OF THE BOARD OF EDUCATION OF THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, LOS ANGELES COUNTY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT (LOS ANGELES COUNTY, CALIFORNIA) ELECTION OF 2012 GENERAL OBLIGATION BONDS, SERIES C, AND ACTIONS RELATED THERETO

RECOMMENDATION NO. A.37

It is recommended that the Board approve Resolution No. 16-36, a resolution of the Board of Education of the Santa Monica-Malibu Unified School District, Los Angeles County, California, authorizing the issuance of Santa Monica-Malibu Unified School District (Los Angeles County, California) Election of 2012 General Obligation Bonds, Series C, and Actions Related Thereto.

COMMENT: An election was held in the Santa Monica-Malibu Unified School District on November 6, 2012 for the issuance and sale of general obligation bonds of the District for various purposes in the maximum amount of \$385,000,000 (the "Measure ES"). The District has previously sold two series of bonds under Measure ES in a collective principal amount of \$90,000,000. The District now desires to issue the third series of bonds (the "Bonds") under Measure ES in an amount not-to-exceed \$60,000,000.

- (a) Bond Resolution. This Resolution authorizes the issuance of Bonds, specifies the basic terms, parameters and forms of the Bonds, and approves the form of Purchase Contract, Preliminary Official Statement, and Continuing Disclosure Certificate described below. In particular, Section 1 of the Resolution establishes the maximum aggregate principal amount of the Bonds to be issued (\$60,000,000). Section 4 of the Resolution states the maximum underwriting discount (0.50%) with respect to the Bonds, the maximum legal interest rate on the Bonds, and authorizes the Bonds to be sold at a negotiated sale to Stifel, Nicolaus & Company, Incorporated and RBC Capital Markets, LLC (collectively, the "Underwriters"). The resolution only approves the issuance of the Bonds as Current Interest Bonds; Capital Appreciation Bonds are not authorized.
- (b) Form of Purchase Contract. Pursuant to the Purchase Contract, the Underwriters will agree to buy the Bonds from the District. All the conditions of closing the transaction are set forth in this document, including the documentation to be provided at the closing by various parties. Upon the pricing of the Bonds, the final execution copy of the Purchase Contract will be prepared following this form.
- (c) Form of Preliminary Official Statement. The Preliminary Official Statement ("POS") is the offering document describing the Bonds which may be distributed to prospective purchasers of the Bonds. The POS discloses information with respect to among other things (i) the proposed uses of proceeds of the Bonds, (ii) the terms of the Bonds (interest rate, redemption terms, etc.), (iii) the bond insurance policy for the Bonds, if any, (iv) the security for repayment of the Bonds (the *ad valorem* property tax levy), (v) information with respect to the District's tax base (upon which such *ad valorem* property taxes may be levied), (vi) District

financial and operating data, (vii) continuing disclosure with respect to the Bonds and the District, and (viii) absence of litigation and other miscellaneous matters expected to be of interest to prospective purchasers of the Bonds. Following the pricing of the Bonds, an Official Statement for the Bonds will be prepared, substantially in the form of the POS.

- (d) Form of the Continuing Disclosure Certificate. The form of the Continuing Disclosure Certificate can be found in APPENDIX C to the POS. Effective July 3, 1995, all underwriters of municipal bonds are obligated to procure from a bond issuer a covenant that such public agency will annually file “material financial information and operating data with respect to the District” through the web-based Electronic Municipal Market Access (“EMMA”) system maintained by the Municipal Securities Rulemaking Board (which is the federal agency that regulates “broker-dealers,” including investment bank firms that underwrite municipal obligation issuances). This requirement is expected to be satisfied by the filing of the District’s audited financial statements and other operating information about the District, in the same manner the District has filed in connection with prior bond issuances. The purpose of the law is to provide investors in the Bonds with current information regarding the District.

FISCAL IMPACT

There is no fiscal impact to the General Fund resulting from the issuance of the Bonds.

The purchase contract and preliminary official statement (POS) are on file in the Superintendent Office.

MOTION MADE BY: Dr. Tahvildaran-Jesswein

SECONDED BY: Mr. Foster

STUDENT ADVISORY VOTE: N/A

AYES: 7 (Lieberman, Tahvildaran-Jesswein, Leon-Vazquez, Foster, Mechur, de la Torre, Kean)

NOES: 0

RESOLUTION NO. *_*****

A RESOLUTION OF THE BOARD OF EDUCATION OF THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, LOS ANGELES COUNTY, CALIFORNIA, AUTHORIZING THE ISSUANCE OF SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT (LOS ANGELES COUNTY, CALIFORNIA) ELECTION OF 2012 GENERAL OBLIGATION BONDS, SERIES C, AND ACTIONS RELATED THERETO

WHEREAS, a duly called election was held in the Santa Monica-Malibu Unified School District (the “District”), Los Angeles County (the “County”), State of California, on November 6, 2012 (the “Election”) and thereafter canvassed pursuant to law;

WHEREAS, at the Election there was submitted to and approved by the requisite fifty-five percent or more vote of the qualified electors of the District a question as to the issuance and sale of general obligation bonds of the District for the various purposes set forth in the ballot submitted to the voters, in the maximum amount not-to-exceed \$385,000,000, payable from the levy of an *ad valorem* property tax against the taxable property in the District (the “Authorization”);

WHEREAS, on August 13, 2014, the District issued the first series of bonds under the Authorization in the aggregate principal amount of \$30,000,000;

WHEREAS, on July 7, 2015, the District issued the second series of bonds under the Authorization in the aggregate principal amount of \$60,000,000;

WHEREAS, at this time this Board of Education of the District (the “Board”) has determined that it is necessary and desirable to issue the third series of bonds under the Authorization in an aggregate principal amount not-to-exceed \$60,000,000, and to be styled as “Santa Monica-Malibu Unified School District (Los Angeles County, California) Election of 2012 General Obligation Bonds, Series C” (the “Bonds”) for the purposes set forth in the Authorization;

WHEREAS, pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code of the State of California (the “Government Code”), the Bonds are authorized to be issued by the District;

WHEREAS, this Board desires to authorize the issuance of the Bonds in one or more Series of Taxable or Tax-Exempt Current Interest Bonds (as such terms are defined herein);

WHEREAS, the District has not filed with nor received from the County office of education having jurisdiction over the District a qualified or negative certification in its most recent interim financial report pursuant to Section 42131 of the California Education Code (the “Education Code”);

WHEREAS, this Board desires to appoint certain professionals to provide services related to the issuance of the Bonds; and

WHEREAS, all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including this proposed issue of Bonds, is within all limits prescribed by law;

NOW, THEREFORE, BE IT FOUND, DETERMINED AND RESOLVED BY THE BOARD OF EDUCATION OF THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, LOS ANGELES COUNTY, CALIFORNIA, AS FOLLOWS:

SECTION 1. Authorization for Issuance of the Bonds. To raise money for the purposes authorized by the voters of the District at the Election, and to pay all necessary legal, financial, engineering and contingent costs in connection therewith, the Board hereby authorizes the issuance of the Bonds pursuant to Article 4.5 of Chapter 3 of Part 1 of Division 2 of Title 5 of the Government Code in one or more Series of Taxable or Tax-Exempt Current Interest Bonds, with appropriate series designation if more than one Series is issued, all as more fully set forth in the executed Purchase Contract (as defined herein). The Board further orders such Bonds sold such that the Bonds shall be dated as of a date to be determined by an Authorized Officer (defined herein), shall be payable upon such terms and provisions as shall be set forth therein, and shall be in an aggregate principal amount not-to-exceed \$60,000,000.

SECTION 2. Paying Agent. This Board hereby appoints the Paying Agent, as defined herein, to serve as the paying agent, bond registrar, transfer agent and authentication agent for the Bonds on behalf of the District. This Board hereby approves the payment of the reasonable fees and expenses of the Paying Agent as they shall become due and payable. The fees and expenses of the Paying Agent which are not paid as a cost of issuance of the Bonds may be paid in each year from *ad valorem* property taxes levied and collected for the payment thereof, insofar as permitted by law, including specifically by Section 15232 of the Education Code.

SECTION 3. Terms and Conditions of Sale. The Bonds shall be sold upon the direction of the Superintendent, the Associate Superintendent, Business and Fiscal Services/CFO, or such other officers or employees of the District as the Superintendent or the Associate Superintendent, Business and Fiscal Services/CFO may designate (collectively, the “Authorized Officers”) and pursuant to such terms and conditions set forth in the Purchase Contract (defined herein). The Board hereby authorizes the sale of the Bonds at a negotiated sale, which is determined to provide more flexibility in the timing of the sale, an ability to implement the sale in a shorter time period, an increased ability to structure the Bonds to fit the needs of particular purchasers, and a greater opportunity for the Underwriters (as defined herein) to pre-market the Bonds to potential purchasers prior to the sale, all of which will contribute to the District’s goal of achieving the lowest overall cost of funds.

SECTION 4. Approval of Purchase Contract. The form of a contract for purchase and sale of the Bonds (the “Purchase Contract”) by and between the District and the Underwriters, substantially in the form on file with the Secretary to the Board, is hereby approved and the Authorized Officers, each alone, are hereby authorized and requested to execute such Purchase Contract; provided, however, (i) that the maximum interest rates on the Bonds shall not exceed the maximum rate permitted by law; and (ii) the underwriting discount on the Bonds, excluding original issue discount and reimbursable expenses of the Underwriters, shall not exceed 0.50% of the aggregate principal amount of Bonds actually issued. The Authorized Officers, each alone, are further authorized to determine the principal amount of the Bonds to be specified in the Purchase Contract for sale by the District up to \$60,000,000 and to enter into and execute the Purchase Contract with the Underwriters, if the conditions set forth in this Resolution are satisfied. The Board estimates that the costs associated with the issuance of the Bonds, including compensation to the Underwriters, will equal approximately 1.0% of the principal amount of the Bonds.

SECTION 5. Certain Definitions. As used in this Resolution, the terms set forth below shall have the meanings ascribed to them (unless otherwise set forth in the Purchase Contract):

(a) **“Beneficial Owner”** means, when used with reference to book-entry Bonds registered pursuant to Section 6 hereof, the person who is considered the beneficial owner of such Bonds pursuant to the arrangements for book entry determination of ownership applicable to the Depository.

(b) **“Bond Insurer”** means any insurance company which issues a municipal bond insurance policy insuring the payment of principal of and interest on the Bonds.

(c) **“Bond Payment Date”** means, as applicable (and unless otherwise provided by the Purchase Contract, January 1 and July 1 of each year commencing on January 1, 2018 with respect to interest on the Bonds, and the stated maturity dates thereof with respect to payments of principal of the Bonds.

(d) **“Bond Register”** means the registration books which the Paying Agent shall keep or cause to be kept on which the registered ownership, transfer and exchange of Bonds shall be recorded.

(e) **“Code”** means the Internal Revenue Code of 1986, as amended. Reference to any particular section of the Code shall be deemed to be a reference to any successor to any such section.

(f) **“Continuing Disclosure Certificate”** means that certain contractual undertaking of the District pursuant to paragraph (b)(5) of Rule 15c2-12 adopted by the Securities and Exchange Commission under the Securities Exchange Act of 1934, and relating to the Bonds, dated as of the date of issuance thereof, as amended from time to time in accordance with the provisions thereof.

(g) **“Current Interest Bonds”** means bonds, the interest on which is payable semiannually on each Bond Payment Date specified for each such Bond as designated and maturing in the years and in the amounts set forth in the Purchase Contract.

(h) **“Dated Date”** means the date of initial issuance and delivery of the Bonds, or such other date as shall appear in the Purchase Contract or Official Statement.

(i) **“Depository”** means the entity acting as securities depository for the Bonds pursuant to Section 6(c) hereof.

(j) **“DTC”** means The Depository Trust Company, New York, New York, a limited purpose trust company organized under the laws of the State of New York, in its capacity as the initial Depository for the Bonds.

(k) **“Fair Market Value”** means the price at which a willing buyer would purchase the investment from a willing seller in a bona fide, arm's length transaction (determined as of the date the contract to purchase or sell the investment becomes binding) if the investment is traded on an established securities market (within the meaning of Section 1273 of the Code) and, otherwise, the term “Fair Market Value” means the acquisition price in a bona fide arm's length transaction (as referenced above) if (i) the investment is a certificate of deposit that is acquired in accordance with applicable regulations under the Code, (ii) the investment is an agreement with specifically negotiated withdrawal or reinvestment provisions and a specifically negotiated interest rate (for example, a guaranteed investment contract, a forward supply contract or other investment agreement) that is acquired in accordance with applicable regulations under the Code,

(iii) the investment is a United States Treasury Security—State and Local Government Series that is acquired in accordance with applicable regulations of the United States Bureau of Public Debt, or (iv) any commingled investment fund in which the District and related parties do not own more than a ten percent (10%) beneficial interest therein if the return paid by the fund is without regard to the source of the investment.

(l) **“Holder” or “Owner”** means the registered owner of a Bond as set forth on the Bond Register maintained by the Paying Agent pursuant to Section 6 hereof.

(m) **“Information Services”** means the Municipal Securities Rulemaking Board’s Electronic Municipal Market Access System; or, such other services providing information with respect to called municipal obligations as the District may specify in writing to the Paying Agent or, in the absence of such a written designation, as the Paying Agent may select.

(n) **“Long Current Interest Bonds”** means Bonds that mature more than 30 years from the date of issuance thereof.

(o) **“Moody’s”** means Moody’s Investors Service, a corporation organized and existing under the laws of the State of Delaware, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, such other nationally recognized securities rating agency designated by the District.

(p) **“Nominee”** means the nominee of the Depository, which may be the Depository, as determined from time to time pursuant to Section 6(c) hereof.

(q) **“Non-AMT Bonds”** means obligations the interest on which is excludable from gross income for federal income tax purposes under Section 103(a) of the Code and not treated as an item of tax preference under Section 57(a)(5)(C) of the Code, that are legal investments pursuant to Section 53601 of the Government Code.

(r) **“Official Statement”** means the Official Statement for the Bonds, as described in Section 17 hereof.

(s) **“Outstanding”** means, when used with reference to the Bonds, as of any date, Bonds theretofore issued or thereupon being issued under this Resolution except:

(i) Bonds canceled at or prior to such date;

(ii) Bonds in lieu of or in substitution for which other Bonds shall have been delivered pursuant to Section 8 hereof; or

(iii) Bonds for the payment or redemption of which funds or Government Obligations in the necessary amount shall have been set aside (whether on or prior to the maturity or redemption date of such Bonds), in accordance with Section 19 of this Resolution.

(t) **“Participants”** means those broker-dealers, banks and other financial institutions from time to time for which the Depository holds book-entry certificates as securities depository.

(u) **“Paying Agent”** means initially the Treasurer, or any other Paying Agent as shall be named in the Purchase Contract or Official Statement, and afterwards any successor financial institution, acting as paying agent, transfer agent, authentication agent and bond registrar for the Bonds. The Treasurer is authorized to contract with a third party to provide Paying Agent services hereunder.

(v) **“Permitted Investments”** means (i) any lawful investments permitted by Section 16429.1 and Section 53601 of the Government Code, including Non-AMT Bonds and Qualified Non-AMT Mutual Funds, (ii) shares in a California common law trust established pursuant to Title 1, Division 7, Chapter 5 of the Government Code which invests exclusively in investments permitted by Section 53635 of the Government Code, but without regard to any limitations in such Section concerning the percentage of moneys available for investment being invested in a particular type of security, (iii) a guaranteed investment contract with a provider having a rating meeting the minimum rating requirements of the County investment pool maintained by the Treasurer, (iv) the Local Agency Investments Fund of the California State Treasurer, (v) the County investment pool described above, and (vi) State and Local Government Series Securities.

(w) **“Qualified Non-AMT Mutual Fund”** means stock in a regulated investment company to the extent that at least 95% of the income of such regulated investment company is interest that is excludable from gross income under Section 103 of the Code and not an item of tax preference under Section 57(a)(5)(C) of the Code.

(x) **“Qualified Permitted Investments”** means (i) Non-AMT Bonds, (ii) Qualified Non-AMT Mutual Funds, (iii) other Permitted Investments authorized by an opinion of Bond Counsel to the effect that such investment would not adversely affect the tax-exempt status of the Bonds, and (iv) Permitted Investments of proceeds of the Bonds, and interest earned on such proceeds, held not more than thirty days pending reinvestment or Bond redemption. A guaranteed investment contract or similar investment agreement (e.g. a forward supply contract, GIC, repo, etc.) does not constitute a Qualified Permitted Investment.

(y) **“Record Date”** means the close of business on the 15th day of the month preceding each Bond Payment Date.

(z) **“Series”** means any Bonds executed, authenticated and delivered pursuant to the provisions hereof identified as a separate Series of Bonds.

(aa) **“S&P”** means S&P Global Ratings, its successors and assigns, or, if such corporation shall be dissolved or liquidated or shall no longer perform the functions of a securities rating agency, such other nationally recognized securities rating agency designated by the District.

(bb) **“Taxable Bonds”** means any Bonds not issued as Tax-Exempt Bonds.

(cc) **“Tax-Exempt Bonds”** means any Bonds the interest on which is excludable from gross income for federal income tax purposes and is not treated as an item of tax preference for purposes of calculating the federal alternative minimum tax, as further described in an opinion of Bond Counsel supplied to the original purchasers of such Bonds.

(dd) **“Term Bonds”** means those Bonds for which mandatory redemption dates have been established in the Purchase Contract.

(ee) **“Transfer Amount”** means, for purposes of exchanging Outstanding Bonds pursuant to Section 8 hereof, the principal amount.

(ff) **“Treasurer”** means the Treasurer and Tax Collector of the County.

(gg) **“Underwriters”** means Stifel, Nicolaus & Company, Incorporated and RBC Capital Markets, LLC, as underwriters of the Bonds.

SECTION 6. Terms of the Bonds.

(a) **Denomination, Interest, Dated Dates and Terms.** The Bonds shall be issued as fully registered Current Interest Bonds registered as to both principal and interest, in denominations of \$5,000 principal amount or any integral multiple thereof. The Bonds shall bear interest at a rate or rates not in excess of that authorized at the Election. The Bonds will initially be registered in the name of “Cede & Co.,” the Nominee of the Depository Trust Company, New York, New York.

Each Bond shall be dated as of the Dated Date, and shall bear interest from the Bond Payment Date next preceding the date of authentication thereof unless it is authenticated during the period from the 16th day of the month next preceding any Bond Payment Date to that Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before the first Record Date, in which event it shall bear interest from its Dated Date. Interest shall be payable on the respective Bond Payment Dates and shall be calculated on the basis of a 360-day year of 12, 30-day months.

To the extent the issuance of Bonds includes Long Current Interest Bonds, the useful life of any facility financed with such Long Current Interest Bonds will equal or exceed the maturity of such Long Current Interest Bonds.

(b) Redemption.

(i) Terms of Redemption. The Bonds shall be subject to optional or mandatory sinking fund redemption prior to maturity as provided in the Purchase Contract or the Official Statement.

(ii) Selection of Bonds for Redemption. Whenever provision is made in this Resolution for the optional redemption of Bonds and less than all Outstanding Bonds are to be redeemed, the Paying Agent, upon written instruction from the District, shall select Bonds for redemption as so directed and if not directed, in inverse order of maturity. Within a maturity, the Paying Agent shall select Bonds for redemption as directed by the District, and if not so directed by lot. Redemption by lot shall be in such manner as the Paying Agent shall determine; provided, however, that with respect to redemption by lot, the portion of any Bond to be redeemed in part shall be in the principal amount of \$5,000 or any integral multiple thereof.

The Purchase Contract may provide that (i) in the event that any portion of a Term Bond is optionally redeemed prior to maturity, the remaining mandatory sinking fund payments with respect to such Bond shall be reduced proportionately or as otherwise directed by the District, in integral multiples of \$5,000 principal amount, in respect to the portion of such Bond optionally redeemed, or (ii) within a maturity, Bonds shall be selected for redemption on a “Pro Rata Pass-Through Distribution of Principal” basis in accordance with DTC procedures, provided further that, such redemption is made in accordance with the operational arrangements of DTC then in effect.

(iii) Redemption Notice. When optional redemption is authorized pursuant to Section 6(b) hereof, the Paying Agent, upon written instruction from the District, shall give notice (a “Redemption Notice”) of the redemption of the Bonds. Such Redemption Notice shall specify: the Bonds or designated portions thereof (in the case of redemption of the Bonds in part but not in whole) which are to be redeemed, the date of redemption, the place or places where the redemption will be made, including the name and address of the Paying Agent, the redemption price, the CUSIP numbers (if any) assigned to the Bonds to be redeemed, the Bond numbers of the Bonds to be redeemed in whole or in part and, in the case of any Bond to be redeemed in part only, the portion of the principal amount of such Bond to be redeemed, and the original issue date, interest rate and stated maturity date of each Bond to be redeemed in whole or in part. Such Redemption Notice shall further state that on the specified date there shall become due and payable upon each Bond or portion thereof being redeemed at the redemption price thereof, together with the interest accrued to the redemption date, and that from and after such date, interest thereon shall cease to accrue.

The Paying Agent shall take the following actions with respect to each such Redemption Notice:

(a) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given to the respective Owners of Bonds designated for redemption by registered or certified mail, postage prepaid, at their addresses appearing on the Bond Register.

(b) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, (ii) telephonically confirmed facsimile transmission, or (iii) overnight delivery service, to the Securities Depository.

(c) At least 20 but not more than 45 days prior to the redemption date, such Redemption Notice shall be given by (i) registered or certified mail, postage prepaid, or (ii) overnight delivery service, to one of the Information Services.

(d) Such Redemption Notice shall be given to such other persons as may be required pursuant to the Continuing Disclosure Certificate.

A certificate of the Paying Agent or the District that a Redemption Notice has been given as provided herein shall be conclusive as against all parties. Neither failure to receive any Redemption Notice nor any defect in any such Redemption Notice so given shall affect the sufficiency of the proceedings for the redemption of the affected Bonds. Each check issued or other transfer of funds made by the Paying Agent for the purpose of redeeming Bonds shall bear or include the CUSIP number identifying, by issue and maturity, the Bonds being redeemed with the proceeds of such check or other transfer. Such Redemption Notice may state that no representation is made as to the accuracy or correctness of CUSIP numbers printed thereon, or on the Bonds.

With respect to any notice of optional redemption of Bonds (or portions thereof) pursuant to Section 6(b)(i) hereof, unless upon the giving of such notice such Bonds or portions thereof shall be deemed to have been defeased pursuant to Section 19 hereof, such notice shall state that such redemption shall be conditional upon the receipt by an independent escrow agent selected by the District on or prior to the date fixed for such redemption of the moneys necessary and sufficient to pay the principal of, premium, if any, and interest on such Bonds (or portions thereof) to be redeemed, and that if such moneys shall not have been so received said notice shall be of no force and effect, no portion of the Bonds shall be subject to redemption on such date and such Bonds shall not be required to be redeemed on such date. In the event that such Redemption Notice contains such a condition and such moneys are not so received, the redemption shall not be made and the Paying Agent shall within a reasonable time thereafter (but in no event later than the date originally set for redemption) give notice to the persons to whom and in the manner in which the Redemption Notice was given that such moneys were not so received. In addition, the District shall have the right to rescind any Redemption Notice, by written notice to the Paying Agent, on or prior to the date fixed for such redemption. The Paying Agent shall distribute a notice of the rescission of such Redemption Notice in the same manner as such notice was originally provided.

(iv) Partial Redemption of Bonds. Upon the surrender of any Bond redeemed in part only, the Paying Agent shall execute and deliver to the Owner thereof a new Bond or Bonds of like tenor and maturity and of authorized denominations equal in Transfer Amounts to the unredeemed portion of the Bond surrendered. Such partial redemption shall be valid upon payment of the amount required to be paid to such Owner, and the District shall be released and discharged thereupon from all liability to the extent of such payment.

(v) Effect of Redemption Notice. Notice having been given as aforesaid, and the moneys for the redemption (including the interest accrued to the applicable date of redemption) having been set aside as provided in Section 19 hereof, the Bonds to be redeemed shall become due and payable on such date of redemption.

If on such redemption date, money for the redemption of all the Bonds to be redeemed as provided in Section 6(b) hereof, together with interest accrued to such redemption date, shall be held in trust as provided in Section 19 hereof so as to be available therefor on such redemption date, and if a Redemption Notice thereof shall have been given as aforesaid, then from and after such redemption date, interest on the Bonds to be redeemed shall cease to accrue and become payable. All money held for the redemption of Bonds shall be held in trust for the account of the Owners of the Bonds to be so redeemed.

(vi) Bonds No Longer Outstanding. When any Bonds (or portions thereof), which have been duly called for redemption prior to maturity under the provisions of this Resolution, or with respect to which irrevocable instructions to call for redemption prior to maturity at the earliest redemption date have been given to the Paying Agent, in form satisfactory to it, and sufficient moneys

shall be held irrevocably in trust for the payment of the redemption price of such Bonds or portions thereof, and accrued interest thereon to the date fixed for redemption, all as provided in this Resolution, then such Bonds shall no longer be deemed Outstanding and shall be surrendered to the Paying Agent for cancellation.

All Bonds paid at maturity or redeemed prior to maturity pursuant to the provisions of this Section 6 shall be cancelled upon surrender thereof and be delivered to or upon the order of the District. All or any portion of a Bond purchased by the District shall be cancelled by the Paying Agent.

(c) Book-Entry System.

(i) Election of Book-Entry System. The Bonds shall initially be delivered in the form of a separate single fully-registered bond (which may be typewritten) for each maturity date of such Bonds in an authorized denomination. The ownership of each such Bond shall be registered in the Bond Register in the name of the Nominee, as nominee of the Depository and ownership of the Bonds, and all or any portion thereof may not thereafter be transferred except as provided in Section 6(c)(i)(4).

With respect to book-entry Bonds, the District and the Paying Agent shall have no responsibility or obligation to any Participant or to any person on behalf of which such a Participant holds an interest in such book-entry Bonds. Without limiting the immediately preceding sentence, the District and the Paying Agent shall have no responsibility or obligation with respect to (i) the accuracy of the records of the Depository, the Nominee, or any Participant with respect to any ownership interest in book-entry Bonds, (ii) the delivery to any Participant or any other person, other than an Owner as shown in the Bond Register, of any notice with respect to book-entry Bonds, including any Redemption Notice, (iii) the selection by the Depository and its Participants of the beneficial interests in book-entry Bonds to be prepaid in the event the District redeems the Bonds in part, or (iv) the payment by the Depository or any Participant or any other person, of any amount with respect to principal of, premium, if any, or interest on the book-entry Bonds. The District and the Paying Agent may treat and consider the person in whose name each book-entry Bond is registered in the Bond Register as the absolute Owner of such book-entry Bond for the purpose of payment of principal of, premium and interest on and to such Bond, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owner, as shown in the Bond Register, or his respective attorney duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the District's obligations with respect to payment of principal of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Bond Register, shall receive a certificate evidencing the obligation to make payments of principal of, premium, if any, and interest on the Bonds. Upon delivery by the Depository to the Owner and the Paying Agent, of written notice to the effect that the Depository has determined to substitute a new nominee in place of the Nominee, and subject to the provisions herein with respect to the Record Date, the word Nominee in this Resolution shall refer to such nominee of the Depository.

1. Delivery of Letter of Representations. In order to qualify the book-entry Bonds for the Depository's book-entry system, the District and the Paying Agent shall execute and deliver to the Depository a Letter of Representations. The execution and delivery of a Letter of Representations shall not in any way impose upon the District or the Paying Agent any obligation whatsoever with respect to persons having interests in such book-entry Bonds other than the Owners, as shown on the Bond Register. By executing a Letter of Representations, the Paying Agent shall agree to take all action necessary at all times so that the District will be

in compliance with all representations of the District in such Letter of Representations. In addition to the execution and delivery of a Letter of Representations, the District and the Paying Agent shall take such other actions, not inconsistent with this Resolution, as are reasonably necessary to qualify book-entry Bonds for the Depository's book-entry program.

2. Selection of Depository. In the event (i) the Depository determines not to continue to act as securities depository for book-entry Bonds, or (ii) the District determines that continuation of the book-entry system is not in the best interest of the Beneficial Owners of the Bonds or the District, then the District will discontinue the book-entry system with the Depository. If the District determines to replace the Depository with another qualified securities depository, the District shall prepare or direct the preparation of a new single, separate, fully registered bond for each maturity date of such Outstanding book-entry Bond, registered in the name of such successor or substitute qualified securities depository or its Nominee as provided in subsection (4) hereof. If the District fails to identify another qualified securities depository to replace the Depository, then the Bonds shall no longer be restricted to being registered in such Bond Register in the name of the Nominee, but shall be registered in whatever name or names the Owners transferring or exchanging such Bonds shall designate, in accordance with the provisions of this Section 6(c).

3. Payments and Notices to Depository. Notwithstanding any other provision of this Resolution to the contrary, so long as all Outstanding Bonds are held in book entry form and registered in the name of the Nominee, all payments by the District or the Paying Agent with respect to principal of, premium, if any, or interest on the Bonds and all notices with respect to such Bonds, including Redemption Notices, shall be made and given, respectively to the Nominee, as provided in the Letter of Representations or as otherwise required or instructed by the Depository and agreed to by the Paying Agent notwithstanding any inconsistent provisions herein.

4. Transfer of Bonds to Substitute Depository.

(A) The Bonds shall be initially issued as described in the Official Statement described herein. Registered ownership of such Bonds, or any portions thereof, may not thereafter be transferred except:

(1) to any successor of DTC or its nominee, or of any substitute depository designated pursuant to Section 6(c)(i)(4)(A)(2) ("Substitute Depository"); provided that any successor of DTC or Substitute Depository shall be qualified under any applicable laws to provide the service proposed to be provided by it;

(2) to any Substitute Depository, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC (or its successor) is no longer able to carry out its functions as depository; provided that any such Substitute Depository shall be qualified under any applicable laws to provide the services proposed to be provided by it; or

(3) to any person as provided below, upon (1) the resignation of DTC or its successor (or any Substitute Depository or its successor) from its functions as depository, or (2) a determination by the District that DTC or its successor (or Substitute Depository or its successor) is no longer able to carry out its functions as depository.

(B) In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(1) or (2), upon receipt of all Outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent designating the Substitute Depository, a single new Bond, which the District shall prepare or cause to be prepared, shall be executed and delivered for each maturity of Bonds then Outstanding, registered in the name of such successor or such Substitute Depository or their Nominees, as the case may be, all as specified in such written request of the District. In the case of any transfer pursuant to Section 6(c)(i)(4)(A)(3), upon receipt of all Outstanding Bonds by the Paying Agent, together with a written request of the District to the Paying Agent, new Bonds, which the District shall prepare or cause to be prepared, shall be executed and delivered in such denominations and registered in the names of such persons as are requested in such written request of the District, provided that the Paying Agent shall not be required to deliver such new Bonds within a period of less than sixty (60) days from the date of receipt of such written request from the District.

(C) In the case of a partial redemption or an advance refunding of any Bonds evidencing a portion of the principal maturing in a particular year, DTC or its successor (or any Substitute Depository or its successor) shall make an appropriate notation on such Bonds indicating the date and amounts of such reduction in principal, in form acceptable to the Paying Agent, all in accordance with the Letter of Representations. The Paying Agent shall not be liable for such Depository's failure to make such notations or errors in making such notations.

(D) The District and the Paying Agent shall be entitled to treat the person in whose name any Bond is registered as the Owner thereof for all purposes of this Resolution and any applicable laws, notwithstanding any notice to the contrary received by the Paying Agent or the District; and the District and the Paying Agent shall not have responsibility for transmitting payments to, communicating with, notifying, or otherwise dealing with any Beneficial Owners of the Bonds. Neither the District nor the Paying Agent shall have any responsibility or obligation, legal or otherwise, to any such Beneficial Owners or to any other party, including DTC or its successor (or Substitute Depository or its successor), except to the Owner of any Bonds, and the Paying Agent may rely conclusively on its records as to the identity of the Owners of the Bonds.

SECTION 7. Execution of the Bonds. The Bonds shall be signed by the President of the Board, or other member of the Board authorized to sign on behalf of the President, by their manual or facsimile signature and countersigned by the manual or facsimile signature of the Secretary to or Clerk of the Board, or the designee thereof, all in their official capacities. No Bond shall be valid or obligatory for any purpose or shall be entitled to any security or benefit under this Resolution unless and until the certificate of authentication printed on the Bond is signed by the Paying Agent as authenticating agent. Authentication by the Paying Agent shall be conclusive evidence that the Bond so authenticated has been duly issued, signed and delivered under this Resolution and is entitled to the security and benefit of this Resolution.

SECTION 8. Paying Agent; Transfer and Exchange. So long as any of the Bonds remain Outstanding, the District will cause the Paying Agent to maintain and keep at its designated office all books and records necessary for the registration, exchange and transfer of the Bonds as provided in this Section. Subject to the provisions of Section 9 below, the person in whose name a Bond is registered on the Bond Register shall be regarded as the absolute Owner of that Bond for all purposes of this Resolution. Payment of or on account of the principal of, premium, if any, and interest on any Bond shall be made only to or upon the order of such Owner; neither the District nor the Paying Agent shall be affected by any notice to the contrary, but the registration may be changed as provided in this Section. All such payments shall be valid and effectual to satisfy and discharge the District's liability upon the Bonds, including interest, to the extent of the amount or amounts so paid.

Any Bond may be exchanged for Bonds of like Series, tenor, maturity and Transfer Amount upon presentation and surrender at the designated office of the Paying Agent, together with a request for exchange signed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. A Bond may be transferred on the Bond Register only upon presentation and surrender of the Bond at the designated office of the Paying Agent together with an assignment executed by the Owner or by a person legally empowered to do so in a form satisfactory to the Paying Agent. Upon exchange or transfer, the Paying Agent shall complete, authenticate and deliver a new bond or bonds of like tenor and of any authorized denomination or denominations requested by the Owner equal to the Transfer Amount of the Bond surrendered and bearing or accruing interest at the same rate and maturing on the same date.

If any Bond shall become mutilated, the District, at the expense of the Owner of said Bond, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like Series, tenor, maturity and Transfer Amount in exchange and substitution for the Bond so mutilated, but only upon surrender to the Paying Agent of the Bond so mutilated. If any Bond issued hereunder shall be lost, destroyed or stolen, evidence of such loss, destruction or theft may be submitted to the Paying Agent and, if such evidence be satisfactory to the Paying Agent and indemnity for the Paying Agent and the District satisfactory to the Paying Agent shall be given by the Owner, the District, at the expense of the Owner, shall execute, and the Paying Agent shall thereupon authenticate and deliver, a new Bond of like Series, tenor, maturity and Transfer Amount in lieu of and in substitution for the Bond so lost, destroyed or stolen (or if any such Bond shall have matured or shall have been called for redemption, instead of issuing a substitute Bond the Paying Agent may pay the same without surrender thereof upon receipt of indemnity satisfactory to the Paying Agent and the District). The Paying Agent may require payment of a reasonable fee for each new Bond issued under this paragraph and of the expenses which may be incurred by the District and the Paying Agent.

If signatures on behalf of the District are required in connection with an exchange or transfer, the Paying Agent shall undertake the exchange or transfer of Bonds only after the new Bonds are signed by the authorized officers of the District. In all cases of exchanged or transferred Bonds, the District shall sign and the Paying Agent shall authenticate and deliver Bonds in accordance with the provisions of this

Resolution. All fees and costs of transfer shall be paid by the requesting party. Those charges may be required to be paid before the procedure is begun for the exchange or transfer. All Bonds issued upon any exchange or transfer shall be valid obligations of the District, evidencing the same debt, and entitled to the same security and benefit under this Resolution as the Bonds surrendered upon that exchange or transfer.

Any Bond surrendered to the Paying Agent for payment, retirement, exchange, replacement or transfer shall be cancelled by the Paying Agent. The District may at any time deliver to the Paying Agent for cancellation any previously authenticated and delivered Bonds that the District may have acquired in any manner whatsoever, and those Bonds shall be promptly cancelled by the Paying Agent. Written reports of the surrender and cancellation of Bonds shall be made to the District by the Paying Agent as requested by the District. The cancelled Bonds shall be retained for three years, then returned to the District or destroyed by the Paying Agent as directed by the District.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Bonds during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or any day on which the applicable Redemption Notice is given or (b) to transfer any Bonds which have been selected or called for redemption in whole or in part.

SECTION 9. Payment. Payment of interest on any Bond on any Bond Payment Date shall be made to the person appearing on the registration books of the Paying Agent as the Owner thereof as of the Record Date immediately preceding such Bond Payment Date, such interest to be paid by wire transfer to the bank and account number on file with the Paying Agent as of the Record Date. The principal, and redemption premiums, if any, payable on the Bonds shall be payable upon maturity or redemption upon surrender at the designated office of the Paying Agent. The principal of, premiums, if any, and interest on, the Bonds shall be payable in lawful money of the United States of America. The Paying Agent is hereby authorized to pay the Bonds when duly presented for payment at maturity, and to cancel all Bonds upon payment thereof. The Bonds are obligations of the District payable solely from the levy of *ad valorem* property taxes upon all property within the District subject to taxation, which taxes shall be without limit as to rate or amount. The Bonds do not constitute an obligation of the County except as provided in this Resolution, and no part of any fund of the County is pledged or obligated to the payment of the Bonds.

SECTION 10. Form of Bonds. The Bonds shall be in substantially the form as set forth in Exhibit A hereto, allowing those officials executing the Bonds to make the insertions and deletions necessary to conform the Bonds to this Resolution and the Purchase Contract. Pending the preparation of definitive Bonds, the Bonds may be executed and delivered in temporary form exchangeable for definitive Bonds when ready for delivery. If the Paying Agent delivers temporary Bonds, it shall execute and deliver definitive Bonds in an equal aggregate principal amount of authorized denominations, when available, and thereupon the temporary Bonds shall be surrendered to the Paying Agent. Until so exchanged, the temporary Bonds shall be entitled to the same benefits hereunder as definitive Bonds.

SECTION 11. Delivery of Bonds. The proper officials of the District shall cause the Bonds to be prepared and, following their sale, shall have the Bonds signed and delivered, together with a true transcript of proceedings with reference to the issuance of the Bonds, to the Underwriters upon payment of the purchase price therefor.

SECTION 12. Deposit of Proceeds of Bonds. (a) The purchase price received from the Underwriters pursuant to the Purchase Contract, to the extent of the principal amount thereof, shall be

paid to the County to the credit of the fund hereby authorized to be created to be known as the “Santa Monica-Malibu Unified School District Election of 2012 General Obligation Bonds, Series C Building Fund” (the “Building Fund”) of the District, shall be kept separate and distinct from all other District and County funds, and those proceeds shall be used solely for the purpose for which the Bonds are being issued and provided further that such proceeds shall be applied solely to the purposes authorized by the voters of the District at the Election. The County shall have no responsibility for assuring the proper use of the Bond proceeds by the District. To the extent the Bonds are issued in more than one Series, there shall be created a separate Building Fund for each such Series of Bonds, with appropriate Series designation, and all references herein to the Building Fund shall be deemed to include any Building Fund created for a Series of Bonds.

The purchase price received from the Underwriters pursuant to the Purchase Contract, to the extent of any accrued interest and any net original issue premium, shall be kept separate and apart in the fund hereby authorized to be created and designated as the “Santa Monica-Malibu Unified School District Election of 2012 General Obligation Bonds, Series C Debt Service Fund” (the “Debt Service Fund”) for the Bonds and used for payment of principal of and interest on the Bonds, and for no other purpose. To the extent the Bonds are issued in more than one Series, there shall be created a separate Debt Service Fund for each such Series of Bonds, with appropriate Series designation, and all references herein to the Debt Service Fund shall be deemed to include any Debt Service Fund created for a Series of Bonds. Interest earnings on monies held in the Building Fund shall be retained in the Building Fund. Interest earnings on monies held in the Debt Service Fund shall be retained in the Debt Service Fund. Any excess proceeds of the Bonds not needed for the authorized purposes set forth herein for which the Bonds are being issued upon written notice from the District shall be transferred to the Debt Service Fund and applied to the payment of the principal of and interest on the Bonds. If, after payment in full of the Bonds, there remain excess proceeds, any such excess amounts shall be transferred to the general fund of the District.

The costs of issuance of the Bonds are hereby authorized to be paid either from premium withheld by the Underwriters upon the sale of the Bonds, or from the principal amount of the Bonds received from the Underwriters. To the extent costs of issuance are paid from such principal amount, the District may direct that a portion thereof, in an amount not-to-exceed 2.0% of such principal amount, in lieu of being deposited into the Building Fund, be deposited in a costs of issuance account to be held by a fiscal agent of the District appointed for such purpose. Any excess moneys in the cost of issuance account remaining after payment of all costs of issuance shall be transferred to the County for deposit into the Building Fund or Debt Service Fund, as appropriate.

(b) Moneys in the Debt Service Fund and the Building Fund shall be invested in Permitted Investments. If at the time of issuance the District determines to issue the Bonds as Tax-Exempt Bonds without regard to the Internal Revenue Code “temporary period” restrictions, all investment of Bond proceeds shall be subject to paragraph (1) below; and the District may provide for an agent to assist the County in investing funds pursuant to paragraph (1) below. If the District fails to direct the County or its agent, as the case may be, the County or its agent shall invest or cause the funds in the Building Fund to be invested in Qualified Permitted Investments, subject to the provisions of paragraph (1) below, until such time as the District provides written direction to invest such funds otherwise. Neither the County nor its officers and agents, as the case may be, shall have any responsibility or obligation to determine the tax consequences of any investment. The interest earned on the moneys deposited to the Building Fund shall be applied as set forth in subparagraph (1)(C) below:

- (1) Covenant Regarding Investment of Proceeds.

(A) Permitted Investments. Beginning on the delivery date, and at all times until expenditure for authorized purposes, not less than 95% of the proceeds of the Bonds deposited in the Building Fund, including investment earnings thereon, will be invested in Qualified Permitted Investments. Notwithstanding the preceding provisions of this Section, for purposes of this paragraph, amounts derived from the disposition or redemption of Qualified Permitted Investments and held pending reinvestment or redemption for a period of not more than 30 days may be invested in Permitted Investments. The District hereby authorizes investments made pursuant to this Resolution with maturities exceeding five years.

(B) Recordkeeping and Monitoring Relating to Building Fund.

i. Information Regarding Permitted Investments. The District hereby covenants that it will record or cause to be recorded with respect to each Permitted Investment in the Building Fund the following information: purchase date; purchase price; information establishing the Fair Market Value of such Permitted Investment; face amount; coupon rate; periodicity of interest payments; disposition price; disposition date; and any accrued interest received upon disposition.

ii. Information in Qualified Non-AMT Mutual Funds. The District hereby covenants that, with respect to each investment of proceeds of the Bonds in a Qualified Non-AMT Mutual Fund pursuant to paragraph (1)(A) above, in addition to recording, or causing to be recorded, the information set forth in paragraph (1)(B)(i) above, it will retain a copy of each IRS information reporting form and account statement provided by such Qualified Non-AMT Mutual Fund.

iii. Monthly Investment Fund Statements. The District covenants that it will obtain, at the beginning of each month following the delivery date, a statement of the investments in the Building Fund detailing the nature, amount and value of each investment as of such statement date.

iv. Retention of Records. The District hereby covenants that it will retain the records referred to in paragraph (1)(B)(i) and each IRS information reporting form referred to in paragraph (1)(B)(ii) with its books and records with respect to the Bonds until three years following the last date that any obligation comprising the Bonds is retired.

(C) Interest Earned on Permitted Investments. The interest earned on the moneys deposited in the Building Fund shall be deposited in the Building Fund and used for the purposes of that fund.

Except as required to satisfy the requirements of Section 148(f) of the Code, interest earned on the investment of moneys held in the Debt Service Fund shall be retained in the Debt Service Fund and used by the County to pay the principal of and interest on the Bonds when due.

SECTION 13. Rebate Fund. The following provisions shall apply to any Bonds issued as Tax-Exempt Bonds.

(a) The District shall create and establish a special fund designated the “Santa Monica-Malibu Unified School District Election of 2012 General Obligation Bonds, Series C Rebate Fund” (the “Rebate Fund”). All amounts at any time on deposit in the Rebate Fund shall be held in trust, to

the extent required to satisfy the requirement to make rebate payments to the United States (the “Rebate Requirement”) pursuant to Section 148 of the Code, and the Treasury Regulations promulgated thereunder (the “Treasury Regulations”). Such amounts shall be free and clear of any lien hereunder and shall be governed by this Section and by the Tax Certificate to be executed by the District in connection with the Tax-Exempt Bonds (the “Tax Certificate”).

(b) Within 45 days of the end of each fifth Bond Year (as such term is defined in the Tax Certificate), (1) the District shall calculate or cause to be calculated with respect to the Bonds the amount that would be considered the “rebate amount” within the meaning of Section 1.148-3 of the Treasury Regulations, using as the “computation date” for this purpose the end of such Bond Year, and (2) the District shall deposit to the Rebate Fund from amounts on deposit in the other funds established hereunder or from other District funds, if and to the extent required, amounts sufficient to cause the balance in the Rebate Fund to be equal to the “rebate amount” so calculated. The District shall not be required to deposit any amount to the Rebate Fund in accordance with the preceding sentence, if the amount on deposit in the Rebate Fund prior to the deposit required to be made under this subsection (b) equals or exceeds the “rebate amount” calculated in accordance with the preceding sentence. Such excess may be withdrawn from the Rebate Fund to the extent permitted under subsection (g) of this Section. The District shall not be required to calculate the “rebate amount” and shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b), with respect to all or a portion of the proceeds of the Bonds (including amounts treated as proceeds of the Bonds) (1) to the extent such proceeds satisfy the expenditure requirements of Section 148(f)(4)(B) or Section 148(f)(4)(C) of the Code or Section 1.148-7(d) of the Treasury Regulations, whichever is applicable, and otherwise qualify for the exception to the Rebate Requirement pursuant to whichever of said sections is applicable, (2) to the extent such proceeds are subject to an election by the District under Section 148(f)(4)(C)(vii) of the Code to pay a one and one-half percent (1½%) penalty in lieu of arbitrage rebate in the event any of the percentage expenditure requirements of Section 148(f)(4)(C) are not satisfied, or (3) to the extent such proceeds qualify for the exception to arbitrage rebate under Section 148(f)(4)(A)(ii) of the Code for amounts in a “bona fide debt service fund.” In such event, and with respect to such amounts, the District shall not be required to deposit any amount to the Rebate Fund in accordance with this subsection (b).

(c) Any funds remaining in the Rebate Fund after redemption of all the Bonds and any amounts described in paragraph (2) of subsection (d) of this Section, or provision made therefor satisfactory to the District, including accrued interest, shall be remitted to the District.

(d) Subject to the exceptions contained in subsection (b) of this Section to the requirement to calculate the “rebate amount” and make deposits to the Rebate Fund, the District shall pay to the United States, from amounts on deposit in the Rebate Fund,

(1) not later than 60 days after the end of (i) the fifth Bond Year, and (ii) each fifth Bond Year thereafter, an amount that, together with all previous rebate payments, is equal to at least 90% of the “rebate amount” calculated as of the end of such Bond Year in accordance with Section 1.148-3 of the Treasury Regulations; and

(2) not later than 60 days after the payment of all Bonds, an amount equal to 100% of the “rebate amount” calculated as of the date of such payment (and any income attributable to the “rebate amount” determined to be due and payable) in accordance with Section 1.148-3 of the Treasury Regulations.

(e) In the event that, prior to the time any payment is required to be made from the Rebate Fund, the amount in the Rebate Fund is not sufficient to make such payment when such payment is

due, the District shall calculate (or have calculated) the amount of such deficiency and deposit an amount equal to such deficiency into the Rebate Fund prior to the time such payment is due.

(f) Each payment required to be made pursuant to subsection (d) of this Section shall be made to the Internal Revenue Service, on or before the date on which such payment is due, and shall be accompanied by Internal Revenue Service Form 8038-T, such form to be prepared or caused to be prepared by the District.

(g) In the event that immediately following the calculation required by subsection (b) of this Section, but prior to any deposit made under said subsection, the amount on deposit in the Rebate Fund exceeds the “rebate amount” calculated in accordance with said subsection, the District may withdraw the excess from the Rebate Fund and credit such excess to the Debt Service Fund.

(h) The District shall retain records of all determinations made hereunder until three years after the complete retirement of the Bonds.

(i) Notwithstanding anything in this Resolution to the contrary, the Rebate Requirement shall survive the payment in full or defeasance of the Bonds.

SECTION 14. Security for the Bonds. There shall be levied on all the taxable property in the District, in addition to all other taxes, a continuing direct *ad valorem* property tax annually during the period the Bonds are Outstanding in an amount sufficient to pay the principal of and interest on the Bonds when due, which moneys when collected will be deposited in the Debt Service Fund of the District, and which fund is hereby designated for the payment of the principal of and interest on the Bonds when and as the same shall fall due, and for no other purpose. The District covenants to cause the County to take all actions necessary to levy such *ad valorem* tax in accordance with this Section 14. Pursuant to Section 53515 of the Government Code, the Bonds shall be secured by a statutory lien on all revenues received pursuant to the levy and collection of *ad valorem* taxes for the payment thereof.

Pursuant to Government Code sections 5450 and 5451, the District hereby pledges all revenues received from the levy and collection *ad valorem* taxes for the payment of each Series of Bonds and all amounts on deposit in the corresponding Debt Service Fund created pursuant to Section 12 to the payment of such Series of Bonds. Such pledge shall constitute a lien on and security interest in such taxes and amounts in such Debt Service Fund. This pledge shall constitute an agreement between the District and the Owners of such Series of Bonds to provide security for the payment of such Bonds in addition to any statutory lien that may exist.

The moneys in the Debt Service Fund, to the extent necessary to pay the principal of and interest on the Bonds as the same become due and payable, shall be transferred by the Treasurer to the Paying Agent which, in turn, shall pay such moneys to DTC to pay such principal and interest. DTC will thereupon make payments of principal of and interest on the Bonds to the DTC Participants who will thereupon make payments of such principal and interest to the Beneficial Owners of the Bonds. Any moneys remaining in the Debt Service Fund after the Bonds and the interest thereon have been paid in full, or provision for such payment has been made, shall be transferred to the general fund of the District, pursuant to the Education Code Section 15234.

SECTION 15. Arbitrage Covenant. The District covenants that it will restrict the use of the proceeds of the Bonds in such manner and to such extent, if any, as may be necessary, so that the Bonds will not constitute arbitrage bonds under Section 148 of the Code and the applicable regulations

prescribed thereunder or any predecessor section. Calculations for determining arbitrage requirements are the sole responsibility of the District.

SECTION 16. Conditions Precedent. The Board determines that all acts and conditions necessary to be performed by the Board or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District have been performed and have been met, or will at the time of delivery of the Bonds have been performed and have been met, in regular and due form as required by law; and that no statutory or constitutional limitation of indebtedness or taxation will have been exceeded in the issuance of the Bonds.

SECTION 17. Official Statement. The Preliminary Official Statement relating to the Bonds, substantially in the form on file with the Secretary to the Board is hereby approved and the Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deliver such Preliminary Official Statement to the Underwriters to be used in connection with the offering and sale of the Bonds. The Authorized Officers, each alone, are hereby authorized and directed, for and in the name and on behalf of the District, to deem the Preliminary Official Statement “final” pursuant to 15c2-12 of the Securities Exchange Act of 1934, prior to its distribution and to execute and deliver to the Underwriters a final Official Statement, substantially in the form of the Preliminary Official Statement, with such changes therein, deletions therefrom and modifications thereto as the Authorized Officer executing the same shall approve. The Underwriters are hereby authorized to distribute copies of the Preliminary Official Statement to persons who may be interested in the purchase of the Bonds, and such Underwriters are directed to deliver copies of any final Official Statement to the purchasers of the Bonds. Execution of the Official Statement shall conclusively evidence the District’s approval of the Official Statement.

SECTION 18. Insurance. In the event the District purchases bond insurance for the Bonds, and to the extent that the Bond Insurer makes payment of the principal of and interest on the Bonds, it shall become the Owner of such Bonds with the right to payment of such principal or interest, and shall be fully subrogated to all of the Owners’ rights, including the Owners’ rights to payment thereof. To evidence such subrogation (i) in the case of subrogation as to claims of past due interest, the Paying Agent shall note the Bond Insurer’s rights as subrogee on the Bond Register for the Bonds maintained by the Paying Agent upon receipt of a copy of the cancelled check issued by the Bond Insurer for the payment of such interest to the Owners of the Bonds, and (ii) in the case of subrogation as to claims for past due principal, the Paying Agent shall note the Bond Insurer as subrogee on the Bond Register for the Bonds maintained by the Paying Agent upon surrender of the Bonds by the Owners thereof to the Bond Insurer or the insurance trustee for the Bond Insurer.

SECTION 19. Defeasance. All or any portion of the Outstanding maturities of the Bonds may be defeased prior to maturity in the following ways:

(a) Cash: by irrevocably depositing with an independent escrow agent selected by the District an amount of cash which, together with amounts transferred from the Debt Service Fund, if any, is sufficient to pay all Bonds Outstanding and designated for defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date; or

(b) Government Obligations: by irrevocably depositing with an independent escrow agent selected by the District noncallable Government Obligations together with amounts transferred from the Debt Service Fund, if any, and any other cash, if required, in such amount as will, together with interest to accrue thereon, in the opinion of an independent certified public accountant, be fully sufficient to pay and discharge all Bonds Outstanding and designated for

defeasance (including all principal thereof, accrued interest thereon and redemption premiums, if any) at or before their maturity date;

then, notwithstanding that any of such Bonds shall not have been surrendered for payment, all obligations of the District with respect to all such designated Outstanding Bonds shall cease and terminate, except only the obligation of the independent escrow agent selected by the District to pay or cause to be paid from funds deposited pursuant to paragraphs (a) or (b) of this Section, to the Owners of such designated Bonds not so surrendered and paid all sums due with respect thereto.

For purposes of this Section, Government Obligations shall mean:

Direct and general obligations of the United States of America, obligations that are unconditionally guaranteed as to principal and interest by the United States of America (which may consist of obligations of the Resolution Funding Corporation that constitute interest strips), or obligations the payment of principal of and interest on which is secured, guaranteed or otherwise backed by, directly or indirectly, a pledge of the full faith and credit of the United States of America. In the case of direct and general obligations of the United States of America, Government Obligations shall include evidences of direct ownership of proportionate interests in future interest or principal payments of such obligations. Investments in such proportionate interests must be limited to circumstances where (i) a bank or trust company acts as custodian and holds the underlying United States obligations; (ii) the owner of the investment is the real party in interest and has the right to proceed directly and individually against the obligor of the underlying United States obligations; and (iii) the underlying United States obligations are held in a special account, segregated from the custodian's general assets, and are not available to satisfy any claim of the custodian, any person claiming through the custodian, or any person to whom the custodian may be obligated; provided that such obligations are rated or assessed at least as high as direct and general obligations of the United States of America by either Moody's or S&P.

SECTION 20. Nonliability of County. Notwithstanding anything to the contrary contained herein, in the Bonds or in any other document mentioned herein, the County, nor its officials, officers, employees or agents shall have any liability hereunder or by reason hereof or in connection with the transactions contemplated hereby, the Bonds are not a debt of the County or a pledge of the full faith and credit of the County, and the Bonds and any liability in connection therewith shall be paid solely from *ad valorem* property taxes lawfully levied to pay the principal of or interest on the Bonds, which taxes shall be unlimited as to rate or amount.

SECTION 21. Request to County to Levy Tax. The Board of Supervisors and officers of the County are obligated by statute to provide for the levy and collection of *ad valorem* property taxes in each year sufficient to pay all principal of and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The District hereby requests such Board of Supervisors to annually levy a tax upon all taxable property in the District sufficient to pay all such principal and interest coming due on the Bonds in such year, and to pay from such taxes all amounts due on the Bonds. The Board hereby finds and determines that such *ad valorem* taxes shall be levied specifically to pay the Bonds being issued to finance specific projects authorized by the voters of the District at the Election.

SECTION 22. Other Actions. (a) Officers of the Board and District officials and staff are hereby authorized and directed, jointly and severally, to do any and all things and to execute and deliver any and all documents which they may deem necessary or advisable in order to proceed with the issuance of the Bonds and otherwise carry out, give effect to and comply with the terms and intent of this Resolution. Such actions heretofore taken by such officers, officials and staff are hereby ratified, confirmed and approved.

(b) The Board hereby appoints Keygent LLC as Financial Advisor and Stradling Yocca Carlson & Rauth, a Professional Corporation, as Bond Counsel and Disclosure Counsel, each with respect to the issuance of the Bonds. The Board further appoints Stifel, Nicolaus & Company, Incorporated and RBC Capital Markets, LLC as Underwriters of the Bonds.

(c) Notwithstanding any other provisions contained herein, the provisions of this Resolution as they relate to the Bonds may be amended by the Purchase Contract and the Official Statement.

SECTION 23. Resolution to County Treasurer. The Secretary to this Board is hereby directed to provide a certified copy of this Resolution to the Treasurer immediately following its adoption.

SECTION 24. Continuing Disclosure. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of that certain Continuing Disclosure Certificate executed by the District and dated as of the Dated Date, as originally executed and as it may be amended from time to time in accordance with the terms thereof. The Board hereby approves the form of the Continuing Disclosure Certificate appended to the form of Preliminary Official Statement on file with the Secretary to the Board as of the date hereof, and the Authorized Officers, each alone, are hereby authorized to execute and deliver such Continuing Disclosure Certificate with such changes therein and modifications thereto as shall be approved by the Underwriters and the Authorized Officer executing the same, such approval to be conclusively evidenced by such execution and delivery. Any Bond Holder may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the District to comply with its obligations under this Section. Noncompliance with this Section shall not result in acceleration of the Bonds.

SECTION 25. Effective Date. This Resolution shall take effect immediately upon its passage.

SECTION 26. Further Actions Authorized. It is hereby covenanted that the District, and its appropriate officials, have duly taken all actions necessary to be taken by them, and will take any additional actions necessary to be taken by them, for carrying out the provisions of this Resolution.

[REMAINDER OF PAGE LEFT BLANK]

SECTION 27. Recitals. All the recitals in this Resolution above are true and correct and this Board so finds, determines and represents.


PASSED, ADOPTED AND APPROVED this 4th day of May, 2017, by the following vote:

AYES:	MEMBERS	<u>7</u>
NOES:	MEMBERS	<u>0</u>
ABSTAIN:	MEMBERS	<u>0</u>
ABSENT:	MEMBERS	<u>0</u>



President of the Board of Education

ATTEST:



Secretary to the Board of Education

SECRETARY'S CERTIFICATE

I, Dr. Ben Drati, Secretary to the Board of Education of the Santa Monica-Malibu Unified School District, Los Angeles County, California, hereby certify as follows:

The foregoing is a full, true and correct copy of a Resolution duly adopted at a regular meeting of the Board of Education of said District duly and regularly and legally held at the regular meeting place thereof on May 4, 2017, of which meeting all of the members of the Board of said District had due notice and at which a quorum was present.

I have carefully compared the same with the original minutes of said meeting on file and of record in my office and the foregoing is a full, true and correct copy of the original Resolution adopted at said meeting and entered in said minutes.

Said Resolution has not been amended, modified or rescinded since the date of its adoption, and the same is now in full force and effect.

Dated: May 4, 2017



Secretary to the Board of Education of the Santa
Monica-Malibu Unified School District

EXHIBIT A
FORM OF BONDS

REGISTERED
NO.

REGISTERED
\$

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
(LOS ANGELES COUNTY, CALIFORNIA)
ELECTION OF 2012 GENERAL OBLIGATION BONDS, SERIES C

INTEREST RATE: MATURITY DATE: DATED AS OF: CUSIP
____% per annum July 1, ____

REGISTERED OWNER: CEDE & CO.

PRINCIPAL AMOUNT:

The Santa Monica-Malibu Unified School District (the "District") in Los Angeles County, California (the "County"), for value received, promises to pay to the Registered Owner named above, or registered assigns, the Principal Amount on the Maturity Date, each as stated above, and interest thereon until the Principal Amount is paid or provided for at the Interest Rate stated above, on January 1 and July 1 of each year (the "Bond Payment Dates"), commencing January 1, 2018. This Bond will bear interest from the Bond Payment Date next preceding the date of authentication hereof unless it is authenticated as of a day during the period from the 16th day of the month next preceding any Bond Payment Date to the Bond Payment Date, inclusive, in which event it shall bear interest from such Bond Payment Date, or unless it is authenticated on or before December 15, 2017, in which event it shall bear interest from the Dated Date. Interest shall be computed on the basis of a 360-day year of 12, 30-day months. Principal and interest are payable in lawful money of the United States of America, without deduction for the paying agent services, to the person in whose name this Bond (or, if applicable, one or more predecessor bonds) is registered, such owner being the Registered Owner, on the Register maintained by the Paying Agent, initially U.S. Bank National Association, as agent of the Treasurer and Tax Collector of Los Angeles County. Principal is payable upon presentation and surrender of this Bond at the designated office of the Paying Agent. Interest is payable by wire transfer by the Paying Agent on each Bond Payment Date to the Registered Owner of this bond (or one or more predecessor bonds) as shown on the bond register maintained by the Paying Agent as of, and to the bank and account number on file with the Paying Agent as of, the close of business on the 15th day of the calendar month next preceding that Bond Payment Date (the "Record Date").

This Bond is one of an authorization of bonds approved to raise money for the purposes authorized by voters of the District at the Election (defined herein) and to pay all necessary legal, financial, engineering and contingent costs in connection therewith under authority of and pursuant to the laws of the State of California, and the requisite vote of the electors of the District cast at a general election held on November 6, 2012 (the "Election"), upon the question of issuing bonds in the amount of \$385,000,000 and the resolution of the Board of Education of the District adopted on May 4, 2017 (the "Bond Resolution"). This Bond is being issued under the provisions of Article 4.5 of Chapter 3 of

Part 1 of Division 2 of Title 5 of the California Government Code. This Bond and the issue of which this Bond is one are payable as to both principal and interest solely from the proceeds of the levy of *ad valorem* property taxes on all property subject to such taxes in the District, which taxes are unlimited as to rate or amount in accordance with California Education Code Sections 15250 and 15252.

The Bonds of this issue comprise \$_____ principal amount of current interest bonds, of which this bond is a part (each a “Bond”).

This Bond is exchangeable and transferable for Bonds of like series, tenor, maturity and Transfer Amount (as defined in the Bond Resolution) and in authorized denominations at the designated office of the Paying Agent, by the Registered Owner or by a person legally empowered to do so, in a form satisfactory to the Paying Agent, all subject to the terms, limitations and conditions provided in the Bond Resolution. All fees and costs of transfer shall be paid by the transferor. The District and the Paying Agent may deem and treat the Registered Owner as the absolute owner of this Bond for the purpose of receiving payment of or on account of principal or interest and for all other purposes, and neither the District nor the Paying Agent shall be affected by any notice to the contrary.

Neither the District nor the Paying Agent will be required (a) to issue or transfer any Bond during a period beginning with the opening of business on the 16th day next preceding either any Bond Payment Date or any date of selection of Bonds to be redeemed and ending with the close of business on the Bond Payment Date or day on which the applicable notice of redemption is given or (b) to transfer any Bond which has been selected or called for redemption in whole or in part.

The Bonds maturing on or before July 1, 20__ are not subject to redemption prior to their fixed maturity dates. The Bonds maturing on or after July 1, 20__ are subject to redemption at the option of the District, as a whole or in part, on any date on or after July 1, 20__ at a redemption price equal to the principal amount of the Bonds to be redeemed, plus interest thereon to the date fixed for redemption, without premium.

The Bonds maturing on July 1, 20__, are subject to redemption prior to maturity from mandatory sinking fund payments on July 1 of each year, on and after July 1, 20__, at a redemption price equal to the principal amount thereof, together with accrued interest to the date fixed for redemption, without premium. The principal amount represented by such Bonds to be so redeemed and the dates therefor and the final principal payment date is as indicated in the following table:

Redemption Dates

Principal Amounts

TOTAL

If less than all of the Bonds of any one maturity shall be called for redemption, the particular Bonds or portions of Bonds of such maturity to be redeemed shall be selected as directed by the District, and if not so directed, by lot by the Paying Agent in such manner as the Paying Agent may determine; provided, however, that the portion of any Bond to be redeemed shall be in the principal amount of \$5,000 or some multiple thereof. If less than all of the Bonds stated to mature on different dates shall be called for redemption, the particular Bonds or portions thereof to be redeemed shall be called by the Paying Agent in any order directed by the District and, if not so directed, in the inverse order of maturity.

Reference is made to the Bond Resolution for a more complete description of certain defined terms used herein, as well as the provisions, among others, with respect to the nature and extent of the security for the Bonds of this series, the rights, duties and obligations of the District, the Paying Agent and the Registered Owners, and the terms and conditions upon which the Bonds are issued and secured. The Registered Owner of this Bond assents, by acceptance hereof, to all of the provisions of the Bond Resolution.

It is certified and recited that all acts and conditions required by the Constitution and laws of the State of California to exist, to occur and to be performed or to have been met precedent to and in the issuing of the Bonds in order to make them legal, valid and binding general obligations of the District, have been performed and have been met in regular and due form as required by law; that no statutory or constitutional limitation on indebtedness or taxation has been exceeded in issuing the Bonds; and that due provision has been made for levying and collecting *ad valorem* property taxes on all of the taxable property within the District in an amount sufficient to pay of principal and interest on the Bonds when due.

This Bond shall not be valid or obligatory for any purpose and shall not be entitled to any security or benefit under the Bond Resolution until the Certificate of Authentication below has been signed.

[REMAINDER OF PAGE LEFT BLANK]

IN WITNESS WHEREOF, the Santa Monica-Malibu Unified School District, Los Angeles County, California, has caused this Bond to be executed on behalf of the District and in their official capacities by the manual or facsimile signature of the President of the Board of Education of the District, and to be countersigned by the manual or facsimile signature of the [Secretary to/Clerk of] the Board of Education of the District, all as of the date stated above.

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

By: _____ (Facsimile Signature)
President of the Board of Education

COUNTERSIGNED:

(Facsimile Signature)
[Secretary to/Clerk of] the Board of Education

CERTIFICATE OF AUTHENTICATION

This Bond is one of the Bonds described in the Bond Resolution referred to herein which has been authenticated and registered on _____, 2017.

By: U.S. BANK NATIONAL ASSOCIATION, as
Agent of the Treasurer and Tax Collector of Los
Angeles County, as Paying Agent

Authorized Officer

ASSIGNMENT

For value received, the undersigned sells, assigns and transfers to (print or typewrite name, address and zip code of Transferee): _____ this Bond and irrevocably constitutes and appoints attorney to transfer this Bond on the books for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

Notice: The assignor's signature to this assignment must correspond with the name as it appears upon the within Bond in every particular, without alteration or any change whatever, and the signature(s) must be guaranteed by an eligible guarantor institution.

Social Security Number, Taxpayer Identification Number or other identifying number of Assignee: _____

Unless this certificate is presented by an authorized representative of The Depository Trust Company to the issuer or its agent for registration of transfer, exchange or payment, and any certificate issued is registered in the name of Cede & Co. or such other name as requested by an authorized representative of The Depository Trust Company and any payment is made to Cede & Co., ANY TRANSFER, PLEDGE OR OTHER USE HEREOF FOR VALUE OR OTHERWISE BY OR TO ANY PERSON IS WRONGFUL since the registered owner hereof, Cede & Co., has an interest herein.

LEGAL OPINION

The following is a true copy of the opinion rendered by Stradling Yocca Carlson & Rauth, a Professional Corporation in connection with the issuance of, and dated as of the date of the original delivery of, the Bonds. A signed copy is on file in my office.

(Facsimile Signature)
[Secretary to/Clerk of] the Board of Education

(Form of Legal Opinion)