

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

**UNADOPTED
March 3, 2005**

A meeting of the Santa Monica-Malibu Unified School District Board of Education was held on Thursday, March 3, 2005 in the Board Room of the District Offices, 1651 16th Street, Santa Monica, CA. The meeting was called to order at 5:45 p.m. at which time the Board moved to the Board Conference Room to a Closed Session for the reason(s) listed in Section III, below. The Board reconvened the public portion of the meeting at 7:15 p.m. in the Board Room.

I CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

II PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

III CLOSED SESSION:

- Public Employees: to consider appointment, employment, performance evaluation or dismissal of employee pursuant to GC § 54957 as cited in the Brown Act.
- Receipt of recommendation for the approval of the proposed settlement cases pursuant to GC §54954.9 (b), as cited in the Brown Act:
 - R Settlement of issues in Case DN-1001-04/05
 - R Settlement of issues in Case DN-1002-04/05

IV BOARD OF EDUCATION - COMMENDATIONS / RECOGNITIONS

- The superintendent took an opportunity to thank the Malibu community for the help given during the road closures due to the heavy rains and landslides. The coordination between the city, schools and law enforcement was excellent.
- Roosevelt Elementary School PTSA - President Jody Kasten addressed the Board and shared how proud parents and staff are with the academic success of the students. This year's focus is on arts programs. Through the PTA, students at every grade level are being exposed to music, art and dance. Third grade students are participating in a 12-week dance program that meets once a week and helps students with movement and self expression. The PTA president introduced Justin Sardo a third grade student at Roosevelt. Justin shared with the Board that the class is learning about George Gershwin and wrote about him for homework. They will soon perform a dance. Justin also noted that vocal music was very enjoyable and the students learned many new songs as well as studying quarter notes.

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

- Roosevelt Elementary School - Mr. Jerry Harris, Principal of the school, commended the staff, students and PTA for the hard work done in supporting education at the school. The philosophy of Roosevelt School is to provide a balanced program for children so the whole child can develop. This year they are looking at fine arts. Last year's focus was academics.

V APPROVAL OF THE AGENDA

Moved by Ms. Leon-Vazquez, seconded by Dr. Escarce and approved 7/0

VI APPROVAL OF MINUTES

A.01 Approval of Minutes: February 17, 2005 1

VII CONSENT CALENDAR

Consent agenda items are considered routine, as agreed by the President, Vice President and Superintendent, requiring no discussion, and are normally all approved at one time by the Board of Education.

Curriculum and Instruction

A.02 Approval of Independent Contractors 2-3
 A.03 Overnight Field Trip(s) 2004-05 4
 A.04 Basic/Supplemental Textbook Adoption 5

Business and Fiscal

A.05 Acceptance of Gifts - 2004-05 6-6d
 A.06 Award of Purchase Orders 7-7d
 A.07 Request for Allowance of Attendance Because of Emergency Conditions 8-e

Personnel

A.08 Certificated Personnel - Elections, Separations 9-12
 A.09 Special Services Employees 13
 A.10 Classified Personnel - Merit 14-16
 A.11 Classified Personnel - Non-Merit 17

III PUBLIC COMMENTS

Public Comments is the time when members of the audience may address the Board of Education on items not scheduled on the meeting's agenda. All speakers are limited to three (3) minutes

- Mary Beth DeLucia addressed the Board of Education regarding her concerns regarding 43 registered sex offenders living in Santa Monica. She stated that a permanent security program was promised in September 2002. At Roosevelt, a security gate has not been installed to date. She requested that a gate with a code or buzzer or a security guard is needed.

Mr. Harris noted that they are looking at changing the entrance to the school from Lincoln Boulevard to Montana Avenue and that ADA issues would have to be addressed. Dr. Deasy indicated that an update will be brought back to the Board regarding all elementary schools at the meeting of March 17, 2005.

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

IX COMMUNICATIONS

The Communications section provides an opportunity for the Board of Education to hear reports from the individuals or Committee representative 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 work days prior to the date of the meeting.

A. Student Board Members Reports

Miss Mari Sahba, Olympic High School, gave the following report:

- The Santa Monica Police Department is offering a Self Defense class for students at Olympic. They are using a system of self defense which teaches you to use your personal body weapons and intuitive reactions rather than relying on strength. The class is 3 ½ hours and will be offered twice on Monday, March 14, 2005 from 8:00 a.m. to 11:30 a.m. and from 12:30 p.m. to 3:30 p.m.
- The Olympic High Advisory Board met for the first time on Feb.25th. The Board is made up of former Olympic students who are now successful members of the community and are interested in giving back to the school. Any interested Alumni should contact Olympic at 310-392-2494.
- Student Council put a fundraiser together for Saturday, April 30th. Students will be holding a CAR WASH and BAKE SALE from 10:00 a.m. to 2:00 p.m.
- Olympic needs donations. If anyone can donate any of these items it would be a huge help and very much appreciated by students and staff:

- an overhead projector
- weights/gym equipment
- ping-pong table and paddles
- a refrigerator
- reception area chairs
- audio books

- any art supplies
- links to part time jobs for students
- T.V . 's , DVD and VCR players
- Carpeting
- Office furniture
- Easels and Flipchart paper

A. Student Board Members Reports (continued)

Miss Kitty Smith, Malibu High School, gave the following report:

- Government students visited Malibu City Council on March 2nd where they were able to ask questions about the democratic process. AP Government students were visited by Chet Horn, a Hollywood criminal judge who also argued and won a case at the Supreme Court.
- Steve and Debra Cole are being honored at Stairway of the Stars on March 10th and 11th – this is the first time in ten years that someone from Malibu has been honored at the event.
- GEMS Award winners include:
High School Level
 - Creative Arts Awards - Neda Hawkins, Christina Johnson and Meghan Williams
 - Athletic Award: Neda Hawkins
 - Education Award: Emani Truluck and Meghan Williams

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

Middle School Level

- Youth Achievement Awards: Ta Les Love, Keena Monroe and Amela Truluck

- With the weather controlling their schedules for most of the past few weeks, many Malibu students enjoyed a mid-week break when school was closed last Wednesday. Unfortunately, some students have been forced to leave their homes as the mud slides have made them potentially unsafe.

Student Activities:

- Senior Tyler McCormick returned on Sunday, February 27 from her two week trip to Thailand as part of Malibu High's Operation Smile Program.
- Masque, the annual school-wide talent show, was held last Thursday, Friday and Saturday. Acts ranging from hip hop dancing to blues singing showcased the talent of students in all the grades.
- Girls Soccer made it to the second round of the play-offs, defeating Palos Verdes, in the rain, after four, ten-minute overtime periods. They competed last Wednesday against Valley Christian, but sadly, did not move on.
- Girls Water Polo made it to the first of play-offs but lost to a division 3 team, Thousand Oaks. However, on the bright side, the team did win League.
- Noah Ravenborg and Grant Thorn, two freshmen, both recently earned their pilots licenses, ironically, before either have their drivers' licenses.
- For the first time in Malibu history, students have formed a Black Student Union. BSU did a great job presenting a Black History assembly where Shatoya McConnell and Crystal Taylor sang, *Lift Every Voice and Sing*. A powerful guest speaker created mixed reactions in students but overall, it was seen as positive in that students are more open to discussing issues such as race.
- Sherene Tagherobi is part of a program called, Sat@Times – three successive workshops with *LA Times* writers and editors. Sherene is one of only 28 all across southern California to be selected. *The Times* picked up her story about Black History Month and ran it in *The Times* on Monday, February 28th.
- The Suspension rate has gone down this year. Last year there were 40 suspensions, of which 13 were drug and alcohol related. This year has seen 16 suspensions, two of which were drug and alcohol related.

Other [news](#):

- The district sent a Risk Management Committee to survey the traffic issues at Malibu High School and neighboring Juan Cabrillo Elementary School to examine the possibilities of expanding or at least refurbishing the entrance to remedy traffic problems. Mr. Green, Malibu High Security Guard, has been the traffic monitor, but as he is uninsured and doing this out of concern for the students, something will soon need to be done to ameliorate the situation.
- Christine Robinson, Senior Office Specialist, is retiring in April after working in the office for seven years.

B. SMMCTA Report - Mr. Harry Keiley

Mr. Keiley opened his report by saying he reviewed his comments from the last meeting and apologized stating that his tone and anger were misguided. He further stated that he is proud to say that in Santa Monica-Malibu we work together. There may be disagreements, but he feels that much has been accomplished in the last five years.

B. SMMCTA Report (continued)

The local association helped sponsor the City workshop on Gang Violence and he looks forward to the follow up meeting.

SMMCTA just submitted the second payment on the \$10,000 pledged to the Santa Monica Malibu Education Foundation.

SMMCTA Board met with Olympic teachers who shared ideas for the school that have been discussed with Principal, Janie Gates, about expanding opportunities for students. Mr. Keiley stated that the meeting was meaningful and productive and that he was impressed by the level of knowledge about what small schools look like. The Olympic staff is willing to be the architects with others on this topic. The next steps include the following: (1) include representatives from the Board of Education, Principal Gates and Superintendent at the next meeting. (2) Union Representatives will attend a CTA workshop on March 11 on High School Reform. (3) Make site visitations to small high schools in this region.

CTA will focus major efforts on the Governor's budget proposals. This is a great opportunity for leaders of respective groups to get in front of each school community to talk with employees regarding what is at stake. Mr. Keiley stated that on the issue of the budget, the district and unions are united.

C. SEIU Report - Ms. Keryl Cartee

Ms. Cartee reported that she recently attended a three-day SEIU board retreat that focused on working to fight against the Governor's proposals. She noted that the next couple of months will see intense work on these issues.

D. PTSA Council - Ms. Rodriguez - no report

E. Santa Monica-Malibu Education Foundation

Mr. Ralph Mechur, President of the Foundation reported that two community events are coming up. Tickets are available for purchase for the Foundation's annual drawing at the March 11 Stairway of the Stars performance. Proceeds are used for the academic enrichment program that awards grants (\$750 each) to teachers in the district. The awards are announced in May. The Foundation hopes to award \$25,000 to \$30,000 this year.

The second event is the Celebration for the Arts being held April 9 and 10 at the Santa Monica Pier and is free. All groups will be performing during the weekend. On April 8, a VIP party and concert will be held at the Carousel with a special performance by the musical group, Venice.

X SUPERINTENDENT'S REPORT

Dr. Deasy thanked the City of Santa Monica and community for hosting the workshop on Gang Violence held on Saturday, February 26. This was the first of a two part workshop and many people worked tirelessly to make it a success, including Board member Oscar de la Torre and the Pico Neighborhood Association. The next workshop is scheduled for March 12 from 9 to noon at John Adams Middle School.

MAJOR and DISCUSSION Items

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

XI MAJOR ITEMS

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

A.12	Award of Playground Renovation-Child Development Center Bid #5.06 and Approve Funding Above the Budgeted Amount from Bond Money . . .	18-19
A.13	Appointment of Additional Members to the Financial Oversight Committee (FOC)	20
A.14	Budget Adjustments	21
A.15	Adopt Resolution No. 04-14 Regarding the Non-Reelection of Temporary Certificated Employees	22-24
A.16	Adopt Resolution No. 04 - 15 Non-Reelecting Certificated Probationary Employees	25-27
A.17	Adopt Resolution No. 04- 16 Releasing and Reassigning Certificated Administrators	28-30
A.18	Adopt Resolutions No. 04-17 Releasing and Reassigning Certificated Administrators	31-33
A.19	Approval of Special Education Contracts	34-37
A.20	Master Facilities Use Agreement Between the City of Santa Monica and The Santa Monica-Malibu Unified School District	38-50

XII DISCUSSION ITEMS

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

D.1	Independent Study for Home Schooled Students	51
D.2	Memorandum of Understanding Between the Santa Monica-Malibu Education Foundation and the Santa Monica-Malibu Unified School District	52-57

XIII INFORMATIONAL ITEMS

I.1	Basic/Supplemental Textbook(s) for Adoption	58
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XIV BOARD MEMBER ITEMS

These items are submitted by individual Board members for information or discussion, as per Board Policy 8320(b).

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

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

These items are submitted by members of the public to address the Board of Education on a matter within the jurisdiction of the Board, as per Board Policy 8320(c).

XVI CONTINUATION OF PUBLIC COMMENTS

A continuation of Section VIII, as needed.

VII BOARD MEMBER COMMENTS

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

XVIII FUTURE AGENDA ITEMS

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

- Second Interim Budget Report - 3/17/05

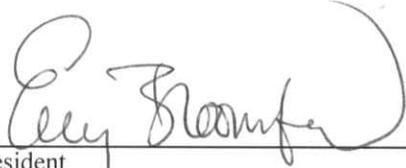
XIX CLOSED SESSION

The Board of Education will adjourn to CLOSED SESSION to complete discussion on items listed for CLOSED SESSION following the regular business meeting.

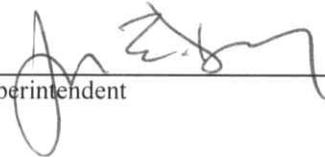
X ADJOURNMENT

At 10:17 p.m it was moved by Dr. Escarce, seconded by Mr. de la Torre and voted unanimously to adjourn the meeting. The next regular meeting is scheduled to be held on March 17 at 7 p.m. in the Santa Monica City Council Chambers, 1685 Main Street, Santa Monica, CA.

Meetings held at Santa Monica City Hall are broadcast live - City TV2, Cable Channel 16.
 Meetings held at the District Office and in Malibu are taped and rebroadcast
 in Santa Monica on CityTV2, Cable Channel 20 - Check TV listing.
 Meetings are rebroadcast in Malibu on Government Access
 Channel 3 every Saturday at 8 PM

Approved: March 17, 2005 

 President



 Superintendent

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

Board of Education Meeting Schedule					
July through December, 2004					
Month	1st Thurs	2nd Thurs.	3rd Thursday Discussion Mtg.	4th Thursday	Special Note:
July				22 DO	Special Meeting re: SMC Bond
August			19 DO	26 SM	
September		9 DO	16 (Holiday)	23 M	3 rd Thursday is a District Holiday
October	7 DO		21 SM		(Resume 1st & 3 rd Meeting schedule)
November	4 M		18 SM		
December		9 DO			(CSBA Conference first week of Dec.)
January through June, 2005					
January	6 DO		20 SM		
February	3 M	5 DO	17 SM	22 DO	22 = Math workshop
March	3 DO		17 SM		Stairway: March 10-11
April	7 M		21 SM		
May	5 DO		19 SM		
June	2 DO		16 SM	30 DO (5 th Thursday)	(Graduation is week of 6/20) 6/30 one additional regular meeting

District Office (DO) 2004: 7/22, 8/19, 9/9, 10/7, 12/9, 1/6, 2/22, 3/3, 5/5, 6/2 and 6/30

Malibu City Council Chambers (M): 9/23 and 11/4/04 2/3 and 4/7/05
23815 Stuart Ranch Road, Malibu, CA

Santa Monica City Council Chambers (SM): 8/26, 10/21, 11/18, 1/20, 2/17, 3/17, 4/21, 5/19 and 6/16
1685 Main Street, Santa Monica.

Agenda Distribution:

A copy of the Table of Contents is posted 72 hours in advance of regularly scheduled Board of Education meetings and is also accessible to the public 24 hours/day at the District Office entrance, 1651 16th Street 16th Street, Santa Monica. Complete Board of Education agendas are available in *pdf* format, on the District's website:

www.smmusd.org.

Amended: 2/3/05

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**Santa Monica-Malibu Unified School District
Board of Education
March 3, 2005**

I CALL TO ORDER

5:45 p.m.
Moved to Closed Session: 5:46 p.m.
Reconvened Public Meeting: 7:15 p.m.

- A Roll Call - all present
Emily Bloomfield - President
Julia Brownley - Vice-President
Oscar de la Torre
Jose Escarce
Maria Leon-Vazquez
Shane McCloud
Kathy Wisnicki

Student Board Members

Kitty Smith - Malibu High School (out at 8:30 p.m.)
Mari Sahba - Olympic High School (out at 8:30 p.m.)
Naomi Vasquez - Santa Monica High School - excused absence

- B Pledge of Allegiance
Led by Mr. de la Torre

II CLOSED SESSION

Board President Emily Bloomfield reported that in Closed Session Dr. Escarce made a motion that was seconded by Mr. de la Torre and voted unanimously to approve the following settlement agreements: DN-1001-04/05; DN-1002-04/05.

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY
RE: APPROVAL OF MINUTES

ACTION
03/03/05

RECOMMENDATION NO. A.01

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

February 17, 2005

MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)

TO: BOARD OF EDUCATION
 FROM: JOHN E. DEASY/LINDA KAMINSKI
 RE: APPROVAL OF INDEPENDENT CONTRACTORS

ACTION/CONSENT
 03/03/05

RECOMMENDATION NO. A.02

It is recommended that Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2004/2005 budget.

Contractor/Contract Dates	Description	Site	Funding
Maryanne Soloman Feb 11 -July 1, 2005 Cost Not to Exceed: \$4,000	To provide services to update Web Page	Information Services	General Fund 01-00000-0-00000-77000-5802-054-2540
Jewish Family Services of Santa Monica Feb 1- May 30, 2005 Cost Not to Exceed: \$3,000	To provide individual and group counseling services at Santa Monica High School as well as participation in Alliance Team/SST weekly meetings	SamoHi	Alliance 01-90230-0-38000-10000-5802-015-4150
Vicente Lolyd Stutzman Ajay Mohindra March 3 - June 30, 2005 Cost: Not to Exceed \$16,640	Due to the still-vacant Director of Fiscal & Business Services, this individual will assist with implementation of PC Budget, aggressive financial clean-up Special Education, i.e., parent reimbursements, fiscal issues related to outstanding IEPs, analysis of NPA &NPS, establish sound fiscal/budget practices and assist school sites and Central Office with 2005-06 Budget planning process.	Fiscal Services	General Fund 01-00000-0-00000-72000-5802-051-2510

Contractor/Contract Dates	Description	Site	Funding
Kites For Kids May 24, 2004 only Cost Not to Exceed: \$1,000	To provide a kite assembly	Rogers	Gift 01-90120-0-11100- 10000-5802-006- 4060

MOTION MADE BY: Ms. Maria Leon-Vazquez
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: Aye
 AYES: All (7)
 NOES: None (0)

TO: BOARD OF EDUCATION
 FROM: SUPERINTENDENT
 RE: OVERNIGHT FIELD TRIP(S) 2004-2005

ACTION/CONSENT
 03/03/05
 Updated

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2004-2005 school year. No child will be denied due to financial hardship.

<u>School Grade</u> <u># students</u>	<u>Destination</u> <u>Dates</u>	<u>Principal</u> <u>Teacher</u>	<u>Cost</u> <u>Funding Source</u>	<u>Subject</u>	<u>Purpose of Trip</u>
Webster grd. 5 70 students	Yosemite 6/6/05 to 6/10/05	Phil Cott Lori Stevens Kristina Cook	\$420 per student paid for by fundraising and parents	Science	Students will be taught a series of science subjects both indoor and outdoors. Students will have lessons related to the Institute before and after the trip in their science classes.
Webster grd. 4 68 students	Idyllwild 5/11/05 to 5/13/05	Phil Cott Katie McClure Carin Sanford	\$210 per student paid for by fundraising and parents	Science	Enrichment Science activities including classes in weather, geology, astrophysics, rocketry, robotics and space technology
Samohi 9-12 35 students	Anaheim 3/4/05 to 3/6/05	Catherine Baxter Amy Meadors	There is no charge for this event	Athletics	The Samohi Pep Squad Team will be participating in USA Nationals -Cheerleading Competition at the Anaheim Convention Center.

MOTION MADE BY: Ms. Maria Leon-Vazquez
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: Aye
 AYES: All (7)
 NOES: None (0)

TO: BOARD OF EDUCATION
FROM: SUPERINTENDENT
RE: BASIC/SUPPLEMENTAL TEXTBOOK ADOPTION

ACTION
03/03/05

RECOMMENDATION NO. A.04

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

COMMENT: In accordance with the Board of Education policy, the textbook(s) listed below have been on public display for the past two weeks in the Educational Services Department at 1638 17th Street, Santa Monica, CA. 90405.

DO IT! PLAY CLARINET, Book 1, Author; James O. Froseth, for Grades 4-5, Adoption requested by Bruce Tellier.

MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)

TO: BOARD OF EDUCATION
FROM: JOHN E. DEASY/WINSTON A. BRAHAM
RE: ACCEPTANCE OF GIFTS - 2004-05

ACTION/CONSENT
03/03/05

RECOMMENDATION NO. A.05

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$32,508.55 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 2004-2005 income and appropriations by \$19,981.50, as described on the attached listing.

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

AGENDA

NOTE: The list of gifts is available on the District's website, www.smmusd.org, as a pdf file; to view the gift report:

- 1) go to www.smmusd.org
- 2) click on "Board Meetings"
- 3) scroll to the date for this meeting
- 4) click on CurrGift030305.pdf

MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
JAMS					
01-90120-0-00000-00000-8699-011-0000					
Adult Education	\$ 400.00			Various	General Supplies & Materials - Distance Learning
11-90120-0-00000-00000-8699-090-0000	\$ 150.00			Lynne Porter	General Supplies & Materials - Graduation
	\$ 100.00			Lynne Porter	General Supplies & Materials - Graduation
Alternative (SMASH)					
01-90120-0-00000-00000-8699-009-0000					
Cabrillo	\$ 1,439.76			Various	General Supplies & Materials
01-90120-0-00000-00000-8699-017-0000					
PTA Reim. - Resource #90150					
CDS					
12-90120-0-00000-00000-8699-070-0000					
Edison					
01-90120-0-00000-00000-8699-001-0000					
PTA Reim. - Resource #90150					
Franklin					
01-90120-0-00000-00000-8699-002-0000					
PTA Reim. - Resource #90150					
Grant			\$ 300.00	Robert & Kyvja Kafka	Illustrated Encyclopedia of Invention
01-90120-0-00000-00000-8699-003-0000					
Lincoln	\$ 31.60	\$ 5.59		El Torito Restaurants	General Supplies & Materials
01-90120-0-00000-00000-8699-012-0000	\$ 31.60	\$ 5.59		El Torito Restaurants	General Supplies & Materials
Malibu High School					
01-90120-0-00000-00000-8699-010-0000					
Shark Fund - Resource #90141			\$ 9,000.00	Shark Fund	9 Apple Computers for Film Class Computer Lab
			\$ 3,227.05	Shark Fund	Network Equipment for Art & Music Buildings
McKinley	\$ 181.68			El Torito Restaurants	General Supplies & Materials
01-90120-0-00000-00000-8699-004-0000	\$ 181.68			El Torito Restaurants	General Supplies & Materials
Muir	\$ 10,000.00			John Muir PTA	Equipment & Non-Capital Equipment
01-90120-0-00000-00000-8699-005-0000	\$ 2,180.00			Various	5th Grade Field Trip - Outdoor Science Camp
	\$ 200.00			Susan Edelman	Laminator
	\$ 137.00			John Muir PTA (Bake Sale)	4th Grade Field Trip
	\$ 45.00			"AA"	Equipment

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
Olympic HS 01-90120-0-00000-00000-8699-014-0000					
Rogers 01-90120-0-00000-00000-8699-006-0000					
PTA Reim. - Resource #90150	\$ 3,642.00			Will Rogers PTA	LACOE Science Camp
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 1,062.50	\$ 187.50		Macerich Company	General Supplies & Materials
PTA Reim. - Resource #90150					
Samohi 01-90120-0-00000-00000-8699-015-0000					
Barnum Hall 01-91150-0-00000-00000-8699-015-0000					
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000					
PTA Reim. - Resource #90150					
Webster 01-90120-0-00000-00000-8699-008-0000					
PTA Reim. - Resource #90150					
Others:					
Superintendent's Office 01-90120-0-00000-00000-8699-020-0000					
Educational Services 01-90120-0-00000-00000-8699-030-0000					
Student & Family Services 01-90120-0-00000-00000-8699-040-0000					
Special Education 01-90120-0-00000-00000-8699-044-0000					
Food & Nutrition Services 01-90120-0-00000-0000-8699-057-0000					
District 01-90120-0-00000-00000-8699-090-0000					
TOTAL	\$ 19,782.82	\$ 198.68	\$ 12,527.05		

School/Site Account Number	Y-T-D Adjusted Gift Total	Current Gift Amount	Equity Fund 15% Contrib.	Cumulative Gift Amount	Y-T-D In-Kind Value	Current In-Kind Value	Cumulative In-Kind Value
JAMS 01-90120-0-00000-00000-8699-011-0000	\$ 34,440.94	\$ -		\$ 34,440.94	\$ 750.00	\$ -	\$ 750.00
Adult Education 11-90120-0-00000-00000-8699-090-0000	\$ 2,600.00	\$ 650.00		\$ 3,250.00	\$ -	\$ -	\$ -
Alternative (SMASH) 01-90120-0-00000-00000-8699-009-0000	\$ 16,000.00	\$ -		\$ 16,000.00	\$ -	\$ -	\$ -
Cabrillo 01-90120-0-00000-00000-8699-017-0000	\$ 10,925.78	\$ 1,439.76		\$ 12,365.54	\$ -	\$ -	\$ -
PTA Reim. - Resource #90150	\$ 30.00	\$ -		\$ 30.00	\$ -	\$ -	\$ -
CDS 12-90120-0-00000-00000-8699-070-0000	\$ 286.63	\$ -		\$ 286.63	\$ 503.00	\$ -	\$ 503.00
Edison 01-90120-0-00000-00000-8699-001-0000	\$ 2,009.25	\$ -		\$ 2,009.25	\$ 600.00	\$ -	\$ 600.00
PTA Reim. - Resource #90150	\$ 26,189.00	\$ -		\$ 26,189.00	\$ 400.00	\$ -	\$ -
Franklin 01-90120-0-00000-00000-8699-002-0000	\$ 332.18	\$ -		\$ 332.18	\$ -	\$ -	\$ -
PTA Reim. - Resource #90150	\$ -	\$ -		\$ -			
Grant 01-90120-0-00000-00000-8699-003-0000	\$ 1,120.39	\$ -		\$ 1,120.39	\$ 146.20	\$ 300.00	\$ 446.20
Lincoln 01-90120-0-00000-00000-8699-012-0000	\$ 20,335.55	\$ 63.20	\$ 11.18	\$ 20,409.93	\$ -	\$ -	\$ -
Malibu High School 01-90120-0-00000-00000-8699-010-0000	\$ 11,335.31	\$ -		\$ 11,335.31	\$ -	\$ -	\$ -
Malibu Shark Fund - Resource #90141	\$ 97,497.50	\$ -		\$ 97,497.50	\$ 32,620.00	\$ 12,227.05	\$ 44,847.05
McKinley 01-90120-0-00000-00000-8699-004-0000	\$ 12,622.79	\$ 363.36		\$ 12,986.15	\$ -	\$ -	\$ -
Muir 01-90120-0-00000-00000-8699-005-0000	\$ 29,016.14	\$ 12,562.00		\$ 41,578.14	\$ -	\$ -	\$ -
Olympic HS 01-90120-0-00000-00000-8699-014-0000	\$ 883.00	\$ -		\$ 883.00	\$ -	\$ -	\$ -
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 15,825.83	\$ -		\$ 15,825.83	\$ -	\$ -	\$ -
PTA Reim. - Resource #90150	\$ -	\$ 3,642.00		\$ 3,642.00			
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 83,812.00	\$ 1,062.50	\$ 187.50	\$ 85,062.00	\$ 1,116.00	\$ -	\$ 1,116.00
PTA Reim. - Resource #90150	\$ 63,083.02	\$ -		\$ 63,083.02	\$ -	\$ -	\$ -

School/Site Account Number	Y-T-D Adjusted Gift Total	Current Gift Amount	Equity Fund 15% Contrib.	Cumulative Gift Amount	Y-T-D In-Kind Value	Current In-Kind Value	Cumulative In-Kind Value
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 34,029.97	\$ -		\$ 34,029.97	\$ -	\$ -	\$ -
	[See Below for Barnum Hall]						
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000	\$ 30,010.10	\$ -		\$ 30,010.10	\$ -	\$ -	\$ -
PTA Reim. - Resource #90150	\$ -	\$ -		\$ -			
Webster 01-90120-0-00000-00000-8699-008-0000	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
PTA Reim. - Resource #90150	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
ALL OTHER LOCATIONS:							
Superintendent's Office 01-90120-0-00000-00000-8699-020-0000	\$ 25,000.00	\$ -		\$ 25,000.00	\$ -	\$ -	\$ -
Educational Services 01-90120-0-00000-00000-8699-030-0000	\$ 15,000.00	\$ -		\$ 15,000.00	\$ 1,600.00	\$ -	\$ 1,600.00
Student and Family Support Services 01-90120-0-00000-00000-8699-041-0000	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
Special Education 01-90120-0-00000-00000-8699-044-0000	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
Food & Nutrition Services 01-90120-0-00000-00000-8699-070-0000	\$ -	\$ -		\$ -	\$ -	\$ -	\$ -
District 01-90120-00000-0-00000-8699-090-0000	\$ 20,000.00	\$ -		\$ 20,000.00	\$ -		\$ -
TOTAL GIFTS	\$ 552,385.38	\$ 19,782.82	\$ 198.68	\$ 572,366.88	\$ 37,735.20	\$ 12,527.05	\$ 49,862.25
BARNUM HALL - Current Year	Y-T-D Gifts	Current Gifts		Cumulative Gifts	Prev. In-Kind Gifts	Current In-Kind Gifts	Cumulative In-Kind
01-91150-0-00000-00000-8699-015-0000	\$ -	\$ -		\$ -	Organ (Belt) (Est.)		\$ 250,000.00
Previous Years' Gifts					Organ (Dollinger)		350,000.00
2003-04	\$ 7,616.11						
2002-03	\$ 125,376.04						
2001-02	\$ 66,200.00				Dollinger Organ donated at 4/11/02 Board M		
2000-01	\$ 137,863.00				(Item A.21) to Tucson Fox Foundation		\$ (350,000.00)
1999-00	\$ 175,700.00					n/a	
1998-99	\$ 10,945.00					n/a	
1997-98	\$ 26,645.00						
TOTAL CASH GIFTS FOR BARNUM HALL	\$ 550,345.15						\$ 250,000.00
Total Cash Gifts for District, incl. Barnum Hall:		\$ 19,782.82	\$ 198.68				

TO: BOARD OF EDUCATION ACTION/CONSENT
03/03/05
FROM: JOHN E. DEASY/WINSTON BRAHAM/VIRGINIA I. HYATT
RE: APPROVAL OF PURCHASE ORDERS

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Order from February 10, 2005 through February 24, 2005 for fiscal year 2004/05.

AGENDA

NOTE: The Purchase Order list is not available in the electronic agenda. It is printed in the published agenda. It is available for public review in the Office of the Superintendent and as part of the public copies of the agenda, which are available at the meeting.

MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MARCH, 2005

U-GENERAL FUND, UNRESTRICTED R-GENERAL FUND, RESTRICTED A-ADULT ED CD-CHILD DEVELOPMENT F-CAFETERIA
SF-SPECIAL FINANCING (FLEX) EX-PROP ES and X D-DEVELOPER FEES SR-SPECIAL RESERVE CAPITAL
SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
<u>*** CHANGED PURCHASE ORDERS ***</u>					
515002	DEMCO LIBRARY SUPPLIES	ADDL SHIPPING CHARGES	JOHN ADAMS MIDDLE SCHOOL	83.40	R
515019	HOUGHTON MIFFLIN	READING PRACTICE BOOKS	PT DUME ELEMENTARY SCHOOL	259.82	R
				** CHANGED PURCHASE ORDERS TOTAL:	343.22
<u>*** NEW PURCHASE ORDERS ***</u>					
515116	20TH CENTURY FOOD PRODUCTS	COMM. PROC. OF OIL PRODUCTS	FOOD SERVICES	1,000.00	F
515189	A C S A	ACSA DUES	SPECIAL EDUCATION REGULAR YEAR	288.15	R
515006	ABILITATIONS	SPECIAL ED. SUPPLIES	FRANKLIN ELEMENTARY SCHOOL	107.59	U
515190	ABILITATIONS	CLASS SUPPLIES	CABRILLO ELEMENTARY SCHOOL	99.55	R
515110	ACADEMIC SUPERSTORE	Software/Gate	CABRILLO ELEMENTARY SCHOOL	811.77	R
515052	ACS	MICROFILM	STUDENT SERVICES	710.30	U
515274	ALLAN'S AQUARIUM	OPEN ORDER/SCIENCE ACTIVIES	CHILD DEVELOPMENT CENTER	60.00	CD
514923	APPLE COMPUTER CORP	E MAC COMPUTER EQUIPMENT	ROOSEVELT ELEMENTARY SCHOOL	3,029.88	R
515118	APPLE COMPUTER CORP	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	213.96	R
515183	APPLE COMPUTER CORP	COMPUTER HARD DRIVE/GATE	JOHN ADAMS MIDDLE SCHOOL	215.42	R
515001	AQUARIUM OF THE PACIFIC	FIELD TRIP/LB AQUARIUM	CHILD DEVELOPMENT CENTER	318.50	CD
515207	AVON CAR RENTAL	BUS TRANSPORTATION	SANTA MONICA HIGH SCHOOL	1,000.00	U
515044	BEST BUY	CAMERAS	CHILD DEVELOPMENT CENTER	269.80	CD
515251	BOISE CASCADE OFFICE PRODUCTS	Copy Paper	ROOSEVELT ELEMENTARY SCHOOL	177.38	U
515083	BOISE CASCADE OFFICE/PAPER	XEROX PAPER FOR PTA	WEBSTER ELEMENTARY SCHOOL	974.25	R
515159	BOISE CASCADE OFFICE/PAPER	testing supplies	CURRICULUM AND IMC	5,112.86	U
515204	BOISE CASCADE OFFICE/PAPER	OFFICE SUPPLIES	CURRICULUM AND IMC	974.25	U
515211	BOISE CASCADE OFFICE/PAPER	COPY PAPER	JOHN ADAMS MIDDLE SCHOOL	901.16	R
515253	BOISE CASCADE OFFICE/PAPER	SUPPLIES-PAPER	SMASH SCHOOL	253.31	R
515028	BRAHAM, WINSTON A.	CELL PHONE REIMBURSEMENT	BUSINESS SERVICES	1,350.00	U
515291	BUSINESS PRINTING AND IMAGING	BUSINESS CARDS	EMPLOYEE RELATIONS	31.85	U
515306	CALIFORNIA DEPT OF EDUCATION	GED PROCESSING FEE	ADULT EDUCATION CENTER	571.56	A
515187	CALLOWAY HOUSE INC	CLASS SUPPLIES	CABRILLO ELEMENTARY SCHOOL	323.08	R
515091	CANON BUSINESS SOLUTIONS	COPIER SUPPLIES	PT DUME ELEMENTARY SCHOOL	64.95	R
515045	CANON BUSINESS SOLUTIONS-WEST	COPIER TONER	OLYMPIC CONTINUATION SCHOOL	177.53	U
515085	CAROLINA BIOLOGICAL SUPPLY CO	SCIENCE LAB SUPPLIES	SANTA MONICA HIGH SCHOOL	841.10	R
515042	CLASSROOMDIRECT.COM	INSTRUCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	226.66	CD
515191	CLASSROOMDIRECT.COM	INSTRCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	135.29	CD
515114	COCA COLA BOTTLING COMPANY	SOFT DRINKS FOR HIGH SCHOOLS	FOOD SERVICES	5,000.00	F
515120	COMMUNITY PLAYTHINGS/RIFTON	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	561.82	R
515281	COMMUNITY PLAYTHINGS/RIFTON	MULTI-PURPOSE EASEL	JOHN MUIR ELEMENTARY SCHOOL	244.65	R
515246	COMPLETE BUSINESS SYSTEMS	Toner	ROOSEVELT ELEMENTARY SCHOOL	823.14	U
515194	COMTRONICS	OPEN ORDER/TRANSLATION SYSTEM	CHILD DEVELOPMENT CENTER	218.00	CD
515301	CONTEMPORARY BOOKS/MCGRAW-HILL	TEXTBOOKS/GED	ADULT EDUCATION CENTER	439.99	A
515104	COPLEY LA NEWSPAPER	ADVERTISING	PURCHASING/WAREHOUSE	694.00	U
515142	CORPORATE EXPRESS	OPEN ORDER/ADMIN SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	300.00	U
514984	CORPORATE EXPRESS/US OFFICE	SCIENCE CLASSROOM SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	1,500.00	U
515250	CORPORATE EXPRESS/US OFFICE	STORAGE CABINET	FISCAL SERVICES	216.50	U
515005	DELPHIN COMPUTER SUPPLY	CARTRIDGE TONER FOR FAX	SPECIAL EDUCATION REGULAR YEAR	172.12	R
515026	DELTA EDUCATION	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	150.53	R
515003	DISCOUNT SCHOOL SUPPLY	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	93.70	CD
515041	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	171.17	CD
515141	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	209.32	CD
515164	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	203.83	CD

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MARCH, 2005

PAGE 2

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SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
515269	DISCOUNT SCHOOL SUPPLY	INSTRUCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	175.50	CD
515226	DISNEY EDUCATIONAL PRODUCTIONS	INSTR SUPPLIES	SANTA MONICA HIGH SCHOOL	188.98	R
515069	DUTTONS BOOKSTORE	FOREIGN LANGUAGE TEXTBOOKS	SANTA MONICA HIGH SCHOOL	270.35	R
515169	DUTTONS BOOKSTORE	OPEN ORDER/CLASSROOM SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	100.00	R
515090	DYNAVOX SYSTEMS LLC	DYNAMYTE SERIES	SPECIAL EDUCATION REGULAR YEAR	9,259.71	R
515304	EDUCATIONAL TESTING SERVICE	GED ESSAY FEES	ADULT EDUCATION CENTER	309.60	A
515027	EDUCATORS OUTLET	ST. ANNES/MATERIALS	SAINT ANNE'S PRIVATE SCHOOL	152.35	R
514996	ETA CUISENAIRE	CLASSROOM SUPPLIES/SANDERS	GRANT ELEMENTARY SCHOOL	82.97	R
515105	FIGLIO DI PASTA INC	NEW PASTA PRODUCT FOR CAFES	FOOD SERVICES	990.00	F
514997	FOUR SEASONS LANDSCAPING (DBA)	OPERATIONS CONTRACT TREE TRIM	FACILITY OPERATIONS	1,995.00	U
515230	FOUR SEASONS LANDSCAPING (DBA)	GROUNDS CONTRACT TREE TRIMMING	GROUNDS MAINTENANCE	1,865.00	U
514992	GALE SUPPLY CO	CUSTODIAL SUPPLIES	OLYMPIC CONTINUATION SCHOOL	437.11	U
515037	GALE SUPPLY CO	COSTODIAL SUPPLIES	CHILD DEVELOPMENT CENTER	170.60	CD
515040	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CHILD DEVELOPMENT CENTER	186.75	CD
515106	GALE SUPPLY CO	CUSTODIAL SUPPLIES	ROOSEVELT ELEMENTARY SCHOOL	230.63	U
515177	GALE SUPPLY CO	CUSTODIAL SUPPLIES	CABRILLO ELEMENTARY SCHOOL	96.88	U
514871	GATEWAY 2000 MAJOR ACCOUNTS	CLASSROOM COMPUTERS	MALIBU HIGH SCHOOL	6,573.97	R
514999	GATEWAY 2000 MAJOR ACCOUNTS	POWER ADAPTER	PERSONNEL SERVICES	42.22	U
515287	GCS SERVICE INC	GAS VALVE FOR STOVE	FACILITY MAINTENANCE	263.47	R
515032	GITTER, RANDALL	reimburse randall gitter/st.a	SAINT ANNE'S PRIVATE SCHOOL	100.75	R
515062	GOLDEN RULE BINDERY	BOOKBINDING	SANTA MONICA HIGH SCHOOL	1,066.32	R
515196	GOLDEN RULE BINDERY	TEXTBOOKS REBOUND	SANTA MONICA HIGH SCHOOL	3,877.52	R
515088	GOPHER SPORTS EQUIP	P.E. SUPPLIES	PT DUME ELEMENTARY SCHOOL	235.99	R
515170	GREAT SOURCE EDUCATION GROUP	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	1,204.15	R
515289	HUMAN KINETICS	PHYSICAL EDUCATION SUPPLIES	OLYMPIC CONTINUATION SCHOOL	151.90	R
514864	IMAX THEATER	FIELD TRIP GATE	EDISON ELEMENTARY SCHOOL	581.25	R
514432	IMED	LCD PROJECTOR W/CAMERA	SANTA MONICA HIGH SCHOOL	2,754.96	R
515103	IMED	PORTABLE CASSETTE/RECORDER	STUDENT SERVICES	442.74	U
515302	J WESTON WALCH PUBLISHER	TEXTBOOKS	ADULT EDUCATION CENTER	68.47	A
515007	JASON, MICHAEL K	CELL PHONE/REIMBURSEMENT	SPECIAL EDUCATION REGULAR YEAR	440.00	R
515147	JUNIOR LIBRARY GUILD	Library book subscription	JOHN ADAMS MIDDLE SCHOOL	1,113.68	R
515162	KERN HIGH SCHOOL DISTRICT	ROP Student Competition Fee	R O P	395.00	R
515139	KRAMER SPORTING GOODS	P.E. SUPPLIES	SANTA MONICA HIGH SCHOOL	500.00	R
515165	KUWANO, SUE	NON INSTR SUPPLIES	SANTA MONICA HIGH SCHOOL	106.50	R
515022	LAKESHORE (PICK UP ONLY)	OPEN ORDER/CLASSROOM SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	100.00	R
515034	LAKESHORE (PICK UP ONLY)	OPEN ORDER/SCIENCE PROJECTS	CHILD DEVELOPMENT CENTER	200.00	CD
515127	LAKESHORE (PICK UP ONLY)	OPEN ORDER/SCIENCE MATERIALS	CHILD DEVELOPMENT CENTER	100.00	CD
515220	LAKESHORE (PICK UP ONLY)	OPEN ORDER/SCIENCE SUPPLIES	CHILD DEVELOPMENT CENTER	50.00	CD
515243	LAKESHORE (PICK UP ONLY)	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	100.00	R
515254	LAKESHORE (PICK UP ONLY)	Open P.O. for Lakeshore	SAINT ANNE'S PRIVATE SCHOOL	500.00	R
515293	LAKESHORE (PICK UP ONLY)	OPEN ORDER/SCIENCE PROJECTS	CHILD DEVELOPMENT CENTER	200.00	CD
515108	LAKESHORE CURRICULUM	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	113.05	R
515125	LAKESHORE CURRICULUM	OPEN ORDER/INSTRUCTIONAL	CHILD DEVELOPMENT CENTER	200.00	CD
515168	MACGILL	NURSE SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	154.17	R
515135	MENTOR MINDS	NON-INSTRUCTIONAL/CHARTS	CHILD DEVELOPMENT CENTER	373.12	CD
515241	MICRO BIO-MEDICS/ORDERS	CLASSROOM SUPPLIES	PT DUME ELEMENTARY SCHOOL	72.48	R
515197	MIRACLE PLAYGROUND SALES OF	PLAYGROUND/SANDBOX	CHILD DEVELOPMENT CENTER	1,905.20	CD
515236	MONARCH BUS. FORMS/STRATACOM	PRINT DISTRICT LETTERHEAD	PRINTING SERVICES	713.37	U
515224	NACAC	MEMBERSHIP	SANTA MONICA HIGH SCHOOL	60.00	U
515133	NASCO WEST - MODESTO	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	1,089.68	U
515136	NASCO WEST - MODESTO	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	522.38	R

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MARCH, 2005

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SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
514955	NORTH AMERICAN BUSINESS PHONES	OFFICE TELEPHONES	MALIBU HIGH SCHOOL	763.21	U
515144	NYSTROM	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	418.88	R
515237	ORGANIZED SPORTS INC	JACKETS FOR P.E.STAFF	JOHN ADAMS MIDDLE SCHOOL	238.15	R
515201	PARIS PRINTERS	OFFICE SUPPLIES	CURRICULUM AND IMC	1,407.25	U
515086	PASCO SCIENTIFIC	SCIENCE LAB SUPPLIES	SANTA MONICA HIGH SCHOOL	1,805.61	R
515018	PATTONS PHARMACY	EPIPENS	HEALTH SERVICES	114.49	R
515087	PCI SPECIAL EDUCATION	INSTR SUPPLIES	SANTA MONICA HIGH SCHOOL	120.20	R
515299	PEARSON EDUCATION #3	TEXTBOOKS	ADULT EDUCATION CENTER	593.24	A
515303	PEARSON EDUCATION #3	TEXTBOOKS	ADULT EDUCATION CENTER	1,679.20	A
515115	PEPSI COLA COMPANY	SOFT DRINKS FOR HIGH SCHOOLS	FOOD SERVICES	2,000.00	F
515172	PERMABOUND BOOKS	Books	EDISON ELEMENTARY SCHOOL	233.17	R
515166	PRINTLAND	PRINTING	SANTA MONICA HIGH SCHOOL	500.00	R
515238	RAYVERN LIGHTING	flourescent bulbs	PT DUME ELEMENTARY SCHOOL	15.48	U
515158	READ NATURALLY	Reading Materials/McKinley	STATE AND FEDERAL PROJECTS	7,274.30	R
515111	REALLY GOOD STUFF INCORP	CLASS SUPPLIES	CABRILLO ELEMENTARY SCHOOL	116.63	U
515126	REALLY GOOD STUFF INCORP	CLASSROOM SUPPLIES/LIPSON	GRANT ELEMENTARY SCHOOL	60.93	R
515021	RECORDING FOR THE BLIND &	BOOKS ON TAPE	SPECIAL EDUCATION REGULAR YEAR	950.00	R
514987	REDWOOD PRESS INC	PRINT ADD/DROP NCR FORM	ADULT EDUCATION CENTER	140.73	A
515074	S.E.A.	REFERENCE BOOKS	SANTA MONICA HIGH SCHOOL	234.50	R
515031	SAINT ANNE SCHOOL	REIMBURSE ST. ANNES	SAINT ANNE'S PRIVATE SCHOOL	160.00	R
515043	SANTA MONICA MUN BUS LINES	BUS TOKENS FOR TPP PROGRAM	SPECIAL ED SPECIAL PROJECTS	1,299.90	R
515099	SANTA MONICA MUN BUS LINES	BUS TOKENS AND PASSES	HEALTH SERVICES	1,000.00	R
515215	SANTA MONICA MUN BUS LINES	STUDENT BUS CARDS FOR RESALE	SAMOHI STUDENT STORE	1,000.00	U
515030	SCANTRON CORPORATION	SCANTRON MAINTENANCE AGMT	ADULT EDUCATION CENTER	942.86	A
515174	SCHEER, SUSAN	Books/Gate	CABRILLO ELEMENTARY SCHOOL	116.63	R
514983	SCHOOL SPECIALTY INC	CLASSROOM SUPPLIES/SANDERS	GRANT ELEMENTARY SCHOOL	178.31	R
515012	SCHOOL SPECIALTY INC	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	160.52	R
515122	SCHOOL SPECIALTY INC	CLASSROOM SUPPLIES/LIPSON	GRANT ELEMENTARY SCHOOL	177.50	R
515140	SCHOOL SPECIALTY INC	Classroom Supplies	ROOSEVELT ELEMENTARY SCHOOL	2,000.00	U
514789	SEHI COMPUTER PRODUCTS	LASER JET PRINTERS	WILL ROGERS ELEMENTARY SCHOOL	2,321.40	R
514991	SEHI COMPUTER PRODUCTS	INK CARTRIDGE	OLYMPIC CONTINUATION SCHOOL	78.20	U
515073	SEHI COMPUTER PRODUCTS	PRINTER CARTRIDGES	SANTA MONICA HIGH SCHOOL	162.28	R
515163	SEHI COMPUTER PRODUCTS	PRINTER CARTRIDGES	R O P	470.10	R
515192	SEMINAR SPECIALIST	PE SUPPLIES	CABRILLO ELEMENTARY SCHOOL	64.13	R
515181	SIR SPEEDY PRINTING #0245	POSTERS/LAMINATIONS	HEALTH SERVICES	324.75	R
515221	SIR SPEEDY PRINTING #0245	PRINTING	SANTA MONICA HIGH SCHOOL	500.00	R
515049	SMART & FINAL	OPEN ORDER/COOKING	CHILD DEVELOPMENT CENTER	100.00	CD
515186	SMART & FINAL	SCIENCE CLASSROOM SUPPLIES	JOHN ADAMS MIDDLE SCHOOL	1,000.00	U
515216	SMART & FINAL	OPEN ORDER/NURSERY SUPPLIES	CHILD DEVELOPMENT CENTER	300.00	CD
514779	SMITHFIELD, DAWN	REIMB./BOARD MEETING FOLDERS	BUSINESS SERVICES	86.49	U
515077	SOUTHWEST SCHOOL SUPPLY	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	2,000.00	R
515119	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES/LIPSON	GRANT ELEMENTARY SCHOOL	57.70	R
515180	SOUTHWEST SCHOOL SUPPLY	OPEN ORDER OFFICE SUPPLIES	CABRILLO ELEMENTARY SCHOOL	1,500.00	R
515209	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES	PT DUME ELEMENTARY SCHOOL	49.15	R
515217	SOUTHWEST SCHOOL SUPPLY	CLASSROOM SUPPLIES	PT DUME ELEMENTARY SCHOOL	493.07	R
515247	SOUTHWEST SCHOOL SUPPLY	RESOURCE CLASSROOM SUPPLIES	PT DUME ELEMENTARY SCHOOL	88.78	R
515309	SOUTHWEST SCHOOL SUPPLY	O.O./GENERAL SUPPLIES & MAT.	ADULT EDUCATION CENTER	811.88	A
515277	SPARKLETT'S WATER CO	OPEN order - water	STUDENT SERVICES	100.00	U
514915	SPECTRA/SHAW CONTRACT FLOORING	WASHINGTON WEST/FLOORING	CHILD DEVELOPMENT CENTER	1,727.00	CD
515014	STAPLES BUSINESS ADVANTAGE	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	446.86	R
515020	STAPLES BUSINESS ADVANTAGE	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	128.78	R

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF MARCH, 2005

U-GENERAL FUND,UNRESTRICTED R-GENERAL FUND,RESTRICTED A-ADULT ED CD-CHILD DEVELOPMENT F-CAFETERIA
 SF-SPECIAL FINANCING (FLEX) EX-PROP ES and X D-DEVELOPER FEES SR-SPECIAL RESERVE CAPITAL
 SM-STATE MODERNIZATION

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
515101	STAPLES DIRECT	SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	2,000.00	R
515145	STAPLES DIRECT	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	567.00	R
515095	STAPLES/P-U/SANTA MONICA/WILSH	ENVELOPES FOR HIPLACES SURVEY	WILL ROGERS ELEMENTARY SCHOOL	40.46	U
515024	STAPLES/P-U/VENICE/LINCOLN BL	OPEN ORDER/CLASSROOM SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	90.00	R
515035	STAPLES/P-U/VENICE/LINCOLN BL	OPEN ORDER/OFFICE SUPPLIES	CHILD DEVELOPMENT CENTER	50.00	CD
515117	STAPLES/P-U/VENICE/LINCOLN BL	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	90.00	R
515134	STAPLES/P-U/VENICE/LINCOLN BL	OPEN ORDER/OFFICE SUPPLIES	CHILD DEVELOPMENT CENTER	75.00	CD
515138	STAPLES/P-U/VENICE/LINCOLN BL	INSTR SUPPLIES	SANTA MONICA HIGH SCHOOL	100.00	R
515245	STAPLES/P-U/VENICE/LINCOLN BL	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	100.00	R
515284	STAPLES/P-U/VENICE/LINCOLN BL	OPEN ORDER/OFFICE SUPPLIES	CHILD DEVELOPMENT CENTER	500.00	CD
515102	TARGET STORES	SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	50.00	R
515124	TARGET STORES	OPEN ORDER/SCIENCE	CHILD DEVELOPMENT CENTER	100.00	CD
515038	TEACHER SUPPLIES OF LONG BEACH	INSTRUCTIONAL SUPPLIES	CHILD DEVELOPMENT CENTER	60.21	CD
515112	TEACHER TO TEACHER PRESS	CLASSROOM SUPPLIES	WILL ROGERS ELEMENTARY SCHOOL	77.50	R
515047	TEXTBOOK WAREHOUSE INC.	HEALTH TEXTBOOKS	SANTA MONICA HIGH SCHOOL	15,588.00	R
515056	TEXTBOOK WAREHOUSE INC.	VARIOUS DEPARTMENT TEXTBOOKS	SANTA MONICA HIGH SCHOOL	9,745.96	R
515123	TOYS TO GROW ON/LAKESHORE	SUPPLIES	JOHN MUIR ELEMENTARY SCHOOL	353.67	R
515098	TOYS-R-US	SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	75.00	R
515128	TOYS-R-US (SANTA MONICA)	OPEN ORDER/SCIENCE PROJECTS	CHILD DEVELOPMENT CENTER	50.00	CD
515084	TRI-BEST VISUAL DISPLAY	WHITEBOARDS	SANTA MONICA HIGH SCHOOL	8,770.42	R
515252	TUMBLEWEED EDUCATIONAL	Transportation/Field Trip	ROOSEVELT ELEMENTARY SCHOOL	1,041.00	R
515092	U S POSTMASTER-SANTA MONICA	POSTAGE	PT DUME ELEMENTARY SCHOOL	171.00	U
515305	UNITED TRANSMISSION EXCHANGE	REPAIRS BUS #1-REG. ED. TRANS	TRANSPORTATION	2,711.39	R
515072	UNIVERSAL PRINTWORKS INC.	REPORT CARDS/ROSTERS	INFORMATION SERVICES	5,403.60	U
515233	US BANK (GOVT CARD SERVICES)	STAIRWAY T-SHIRT PAYMENT	CURRICULUM AND IMC	998.29	R
515033	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	100.00	CD
515129	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	100.00	CD
515130	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	100.00	CD
515131	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	50.00	CD
515132	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	95.00	CD
515208	VONS MARKET-SANTA MONICA	OPEN ORDER/NURSERY SUPPLIES	CHILD DEVELOPMENT CENTER	400.00	CD
515218	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	100.00	CD
515223	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	70.00	CD
515288	VONS MARKET-SANTA MONICA	OPEN ORDE/COOKING & SCIENCE	CHILD DEVELOPMENT CENTER	300.00	CD
515290	VONS MARKET-SANTA MONICA	OPEN ORDER/COOKING PROJECTS	CHILD DEVELOPMENT CENTER	200.00	CD
515075	VONS STORE #2262	FOOD/DRINKS	SANTA MONICA HIGH SCHOOL	500.00	R
515273	WILLIAM V MACGILL & CO	SUPPLIES FOR STUDENT/FRANKLIN	SPECIAL EDUCATION REGULAR YEAR	108.35	R
515278	XEROX CORP/SUPPLIES	COPIER SUPPLIES	MCKINLEY ELEMENTARY SCHOOL	500.00	R
515227	ZONES BUS SOLUTIONS/MAC ZONE	SOFTWARE	SANTA MONICA HIGH SCHOOL	657.76	R

** NEW PURCHASE ORDERS TOTAL: 164,724.56

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/03/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM

RE: REQUEST FOR ALLOWANCE OF ATTENDANCE BECAUSE OF
EMERGENCY CONDITIONS

RECOMMENDATION NO.A.07

It is recommended that the Board of Education approve the submission of Request for Allowance of Attendance due to inclement weather conditions on January 10, 2005. Education Code §41422 states "when one or more district schools have been closed due to emergency conditions, districts may request a waiver to allow the lost day(s) to be disregarded in the computation of ADA and obtain credit for the instructional minutes that would have been offered." Education Code §46392 states "when one or more schools are kept open but experience a material decrease in ADA, districts may request a waiver to allow the ADA from either the month of October or May be used to determine the ADA as if the emergency hadn't occurred." It is also recommended that the Board of Education execute the Affidavit of Governing Board Members certifying the emergency listed.

COMMENTS: On January 10, 2005, the Chief Administrative Officer of the County of Los Angeles determined the existence of a local emergency. Impassable roads caused all Malibu area schools to be closed on this day and all Santa Monica area schools to suffer a loss in ADA.

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: Aye

AYES: All (7)

NOES: None (0)

Note: These oaths may be administered by any authorized person, including those mentioned in Section 60 of the Education Code excluding school trustees and members of boards of education.

AFFIDAVIT OF GOVERNING BOARD MEMBERS

We, members constituting a majority of the governing board of the SANTA MONICA MALIBU school district, hereby swear (or affirm) that the foregoing statements are true and are based on official district records.

<u>Emily Bloomfield</u>	Emily Bloomfield
<u>Julia Brownley</u>	Julia Brownley
<u>Oscar de la Torre</u>	Oscar de la Torre
<u>J.J. Escarce</u>	J.J. Escarce
<u>Maria Leon-Vazquez</u>	Maria Leon-Vazquez
<u>Shane McCloud</u>	Shane McCloud
<u>Kathy Wisnicki</u>	Kathy Wisnicki

At least a majority of the members of the governing board shall execute this affidavit.

Subscribed and sworn (or affirmed) before me, this 3 day of March, 2005.

Signed Karen Garot
Title Assistant to the Superintendent
of Los Angeles County, California

Individual responsible for preparing this form:

Name: Kim Melly Title: Accountant Phone: (310) 450-8338 ext 209

AFFIDAVIT OF COUNTY SUPERINTENDENT OF SCHOOLS

The information and statements contained in the foregoing request are true and correct to the best of my knowledge and belief.

County Superintendent of Schools

Subscribed and sworn (or affirmed) before me, this _____ day of _____, 20____. Date:

Signed _____

Title _____

of _____ County, California

Individual responsible for preparing this form:

Name: _____ Title: _____ Phone: _____

**REQUEST FOR ALLOWANCE OF ATTENDANCE
BECAUSE OF EMERGENCY CONDITIONS
Form J-13A (Rev. 4-90)**

School District Name: SANTA MONICA MALIBU UNIFIED
School District Address: 1651 SIXTEENTH STREET
SANTA MONICA CA 90404
County/District Code: 19-64980
County Name: LOS ANGELES

This form replaces the Form J-13 (Rev. 3-86) and should be used to obtain approval of attendance and instructional time credit under one or more of the following conditions:

- When one or more schools were closed because of conditions described in Education Code Section 41422.
- When one or more schools were kept open but experienced a material decrease in attendance because of conditions described in Education Code Section 46392.
- When attendance records have been lost or destroyed as described in Education Code Section 46391.

Approved credit for instructional time may be used in conjunction with regular instructional days to satisfy the requirements of Education Code Section 37202 (equal length of instructional time among schools within a district.)

A separate form should be submitted for each emergency event, but credit may be requested for more than one school and under one or more of the foregoing conditions on the same form. Each separate form must include the affidavit of the Governing Board members and the County Superintendent before it can be approved by the Superintendent of Public Instruction.

The original form (with the Board members' affidavit) and two copies should be filed with the County Superintendent of Schools. If the County Superintendent approves the request, he or she should execute the affidavit certifying that approval and forward all pages of the original and one copy of the form to:

School Fiscal Services Division
California Department of Education
1430 N Street, Suite 3800
Sacramento, CA 95814
Attn: Carina Saraiva

This form consists of five preprinted pages. Pages 1 and 5 must accompany all submissions. Page 4 (Lost or Destroyed Attendance Records) will not need to be submitted by most districts. Multiple copies of Pages 2 and/or 3 may have to be submitted when claims are made on a school-by-school basis.

SCHOOL CLOSURE

Nature of Emergency (describe): State of Emergency declared for Los Angeles County by Chief Admin. Officer. Impassable roads in the Malibu area.

Name of School: Cabrillo Elementary, PtDume Elementary, Webster, Malibu High
(if request covers all schools, write "all schools" on name line)

School Code (from Directory): Cabrillo - 6022537 Pt Dume - 6022602
Webster - 6022636 Malibu High - 1995737

We request that apportionments be maintained, and instructional time credited for the above names school(s) without regard to the fact that the school(s) were closed on (dates):

JANUARY 10, 2005

because of the described emergency. Approval of this request authorizes the local educational agency to disregard these days in the computation of average daily attendance (per EC 41422) and obtain credit for instructional time for the days and the instructional minutes that would have been regularly offered on those days pursuant to EC 46200, et seq.

If the school closure resulted from impassable roads caused by inclement weather, state the number of school closure days for the same weather conditions in each of the last five years:

There have been no school closures over the past five years due to impassable road conditions caused by weather.

MATERIAL DECREASE

Nature of Emergency (describe): State of Emergency declared for the Los Angeles County area by the Chief Admin. Officer due to weather conditions.

Name of School: Edison, Franklin, Grant, Mckinley, John Muir, Rogers, Roosevelt, SMASH (if request covers all school, write "all schools" on name line)

School Code from Directory Edison - 6022545 FRANKLIN-6022552 GRANT - 6022560
SMASH-6093538 MCKINLEY-6022594 JOHN MUIR -6022578 ROGERS-6022644 ROOSEVELT-6022610

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of EC 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) 1/10/2005 during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day: 4096 students per day. Estimated daily attendance multiplied by number of days of material decrease, yields 4096 days of attendance requested

State method of determining estimated daily attendance (see bulletin):

Compared to second month's ADA report of attendance 10/4/04-10/29/04
Actual apportionable attendance for days of material decrease:

Site	Date	Attendance
EDISON	1/10/05	359
FRANKLIN	1/10/05	749
GRANT	1/10/05	601
MCKINLEY	1/10/05	363
MUIR	1/10/05	319
ROGERS	1/10/05	556
ROOSEVELT	1/10/05	737
SMASH	1/10/05	176

TOTAL ACTUAL ADA 3860

MATERIAL DECREASE

Nature of Emergency (describe): State of Emergency declared for the Los Angeles County area by the Chief Admin. Officer due to weather conditions.

Name of School: John Adams MS, Lincoln MS, Santa Monica High, Olympic High School
(if request covers all school, write "all schools" on name line)

School Code from Directory: John Adams--6058531 Lincoln MS - 6061659
Santa Monica H.S. - 1938000 Olympic H.S - 1933373

We request the substitution of estimated days of attendance for actual days of attendance in accordance with the provisions of EC 46392. Approval of this request will authorize use of the estimated days of attendance in the computation of apportionments for the foregoing school(s) for (dates) 1/10/2005 during which school attendance was materially decreased because of the described emergency.

Estimated attendance for each day: 5607 students per day. Estimated daily attendance multiplied by number of days of material decrease, yields 5607 days of attendance requested

State method of determining estimated daily attendance (see bulletin):

Second month report of attendance used to determine ADA- 10/4/04-10/29/04

Actual apportionable attendance for days of material decrease:

<u>Site</u>	<u>Date</u>	<u>Attendance</u>
JOHN ADAMS M.S.	1/10/05	1032
LINCOLN M.S.	1/10/05	1191
SANTA MONICA HIGH	1/10/05	2936
OLYMPIC HIGH	1/10/05	87
TOTAL ACTUAL ADA		5246

TO: BOARD OF EDUCATION ACTION/CONSENT
03/03/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.08

Unless otherwise noted, all items are included in the 2004/2005 approved budget.

ADDITIONAL ASSIGNMENTS

MALIBU HIGH SCHOOL

Gardella, Jeff	41 hrs @\$36.32	2/14/05-6/30/05	<u>Est Hrly/\$1,500</u>
			TOTAL ESTABLISHED HOURLY \$1,500

Comment: Administrative Duties
01-Govnr's Perf Awards

Bennett, Leslie	92 hrs @\$74.14	2/1/05-6/24/05	<u>Own Hrly/\$6,821</u>
			TOTAL OWN HOURLY \$6,821

Comment: Additional 6th period, MS Math
01-School Improvement Prog, K-6

MCKINLEY ELEMENTARY SCHOOL

Duran, Concepcion	33 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Galvan, Janene	33 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Gonzalez, Gabriella	33 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Kananack, Lindsey	33 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Lemmon, Cheyenne	22 hrs @\$36.32	1/31/05-5/1/05	<u>Est Hrly/\$799</u>
			TOTAL ESTABLISHED HOURLY \$5,595

Comment: After School Intervention
01-IASA: Title I Basic

OLYMPIC HIGH SCHOOL

Casey, John	12 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Fuller, Anthony	12 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Gecht, Marcia	12 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
James, Kimberly	12 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Siemer, Deborah	12 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Tarbell, Harlan	12 hrs @\$36.32	1/31/05-5/1/05	Est Hrly/\$1,199
Thobe, Christie	12 hrs @\$36.32	1/31/05-5/1/05	<u>Est Hrly/\$1,199</u>
			TOTAL ESTABLISHED HOURLY \$8,393

Comment: Saturday School
01-Unrestricted Resource

ROOSEVELT ELEMENTARY SCHOOL

Hendricks, Julie	30 hrs @\$36.32	1/25/05	Est Hrly/\$1,090
Levy, Amy	15 hrs @\$36.32	1/25/05	Est Hrly/\$545
Olsheim, Glen	15 hrs @\$36.32	1/25/05	Est Hrly/\$545
Snow, Angie	30 hrs @\$36.32	1/25/05	<u>Est Hrly/\$1,090</u>
			TOTAL ESTABLISHED HOURLY \$3,270

Comment: Intervention After School
01-Gifts

SANTA MONICA HIGH SCHOOL

Kariya, Emily 69 hrs @\$36.32

1/01/05-6/30/05 Est Hrly/\$2,506

TOTAL ESTABLISHED HOURLY \$2,506

Comment: Library After-school Hours
01-Gifts

Montanez, Christina 5 hrs @\$36.32

1/1/05-6/30/05 Est Hrly/\$182

Serratore, Rosa 5 hrs @\$36.32

1/1/05-6/30/05 Est Hrly/\$182

TOTAL ESTABLISHED HOURLY \$364

Comment: "A" House Student Support
01-Other Federal

Fox, Sara 5 hrs @\$36.32

1/1/05-6/30/05 Est Hrly/\$182

TOTAL ESTABLISHED HOURLY \$182

Comment: Freshman Seminar Meetings/Workshops
01-Other Federal

Lacy, Norman 92 hrs @\$68.41

1/31/05-6/30/05 Own Hrly/\$6,294

TOTAL OWN HOURLY \$6,294

Comment: Plus One Assignment
01-Unrestricted ResourceEXTENDED DUTY UNITS

<u>LOCATION</u>	<u>RATE</u>	<u>ACTIVITY</u>	<u>EFFECTIVE</u>	<u>TOTAL</u>
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LINCOLN MIDDLE SCHOOL

Anderson, Judy	2 units @\$227	Collaborative After school support	Fall 04/05	\$454
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Brown, J.C.	2 units @\$227	Student Sotre	Fall 04/05	\$454
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Debroff, Betsey	6 units @\$227	Choral Music	Fall 04/05	\$1,362
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Finsten, Beth	.5 units @\$227	Mono Loco Club	Fall 04/05	\$114
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Gies, Gretchen	1 unit @\$227	Cultural Feast	Fall 04/05	\$227
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Gross, Stephanie	.5 units @\$227	Mono Loco Club	Fall 04/05	\$114
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Haenschke, Kris	2 units @\$227	Book Club	Fall 04/05	\$454
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Haenschke, Kris	2 units @\$227	Natl Honor Soc	Fall 04/05	\$454
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Hart, Sharon	1 unit @\$227	Debate Club	Fall 04/05	\$227
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Hirt, Mary	.5 units @\$227	Juggling Club	Fall 04/05	\$114
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Hirt, Mary	.5 units @\$227	Family Fitness Nt	Fall 04/05	\$114
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Hunt, Mark	6 units @\$227	Instr Music	Fall 04/05	\$1,362
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Johnston, Roe	1 unit @\$227	Recycling	Fall 04/05	\$227
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Kramer, Katie	2 units @\$227	Natl Honor Soc	Fall 04/05	\$454
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Marcos, Eric	2 units @\$227	Collaborative After school support	Fall 04/05	\$454
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McNulty, Marybeth	2 units @\$227	Drama Club	Fall 04/05	\$454
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Park, Peter	6 units @\$227	Instr Music	Fall 04/05	\$1,362
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Stivers, Susan	2 units @\$227	Collaborative After school support	Fall 04/05	\$454
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Underwood, Brian	.5 units @\$227	Juggling Club	Fall 04/05	\$114
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Underwood, Brian	.5 units @\$227	Dance Club	Fall 04/05	\$114
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Underwood, Brian	.5 units @\$227	Family Fitness Nt	Fall 04/05	\$114
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Underwood, Brian	.5 units @\$227	Movie Club	Fall 04/05	\$114
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Valenzuela, Amanda	2 units @\$227	Collaborative After school support	Fall 04/05	\$454
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TOTAL EXTENDED DUTY UNITS				\$9,765
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01-Unrestricted Resource				
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MALIBU HIGH SCHOOL

Bixler, William	2 units @\$227	HS Orchestra	9/04-1/05	\$454
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Bowman-Smith, Carla	6 units @\$227	HS Yearbook	9/04-1/05	\$1,362
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Dahm, Katie	1 unit @\$227	HS Scholarship Adv	9/04-1/05	\$227
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Gardella, Jeff	13 units @\$227	HS Athletic Dir	9/04-1/05	\$2,951
Gardella, Jeff	12 units @\$227	HS Student Counc	9/04-1/05	\$2,724
Gardner, Heather	6 units @\$227	HS Scholarship Adv	9/04-1/05	\$1,362
Messoloras, Irene	3 units @\$227	HS Choral Music	9/04-1/05	\$681
Panish, Adam	8 units @\$227	HS Sr Advisor	9/04-1/05	\$1,816
Plaia, Jodi	10 units @\$227	HS Drama	9/04-1/05	\$2,270
Scott, Ruben	3 units @\$227	HS Academic Decath	9/04-1/05	\$681
Sferra, Luke	8 units @\$227	HS Sr Advisor	9/04-1/05	\$1,816
Warshawski, David	6 units @\$227	HS Journalism Adv	9/04-1/05	<u>\$1,362</u>
		TOTAL EXTENDED DUTY UNITS		\$17,706
		01-Unrestricted Resource		

SANTA MONICA HIGH SCHOOL

Acker, Ned	12 units @\$229	Student ASB	2/1/05-6/24/05	\$2,748
Danesi, Dana	12 units @\$229	Student ASB	2/1/05-6/24/05	\$2,748
Ford, Frank	13 units @\$229	Drama Director	2/1/05-6/24/05	\$2,977
Gaida, Ingo	13 units @\$229	Academic Decath	2/1/05-6/24/05	\$2,977
Hollie, Ada	13 units @\$229	Scholarship Adv	2/1/05-6/24/05	\$2,977
Horn, Lorri	6 units @\$229	Newspaper Adv	2/1/05-6/24/05	\$1,374
Jago, Carol	6 units @\$229	Annual Advisor	2/1/05-6/24/05	\$1,374
Kim, Douglas	13 units @\$229	Athletic Director	2/1/05-6/24/05	\$2,977
Marsh, Catherine	10 units @\$229	Sr Advisor	2/1/05-6/24/05	\$2,290
Meadors, Amy Wyllie	13 units @\$229	Pep Squad Adv	2/1/05-6/24/05	\$2,977
Rhodes, Chris	10 units @\$229	Vocal Director	2/1/05-6/24/05	\$2,290
Sakow, Terry	13 units @\$229	Band Director	2/1/05-6/24/05	<u>\$2,977</u>
		TOTAL EXTENDED DUTY UNITS		\$30,686
		01-Unrestricted Resource		

Barraza, Peter	12 units @\$229	Asst Boys VB Coach	2/1/05-6/24/05	\$2,748
Cady, Patrick	13 units @\$229	Head Girls Trk Cch	2/1/05-6/24/05	\$2,977
Fischer, Tania	13 units @\$229	Head Girls Trk Cch	2/1/05-6/24/05	\$2,977
Flanders, Matthews	13 units @\$229	Head Swim Coach	2/1/05-6/24/05	\$2,977
Henderson, Luke	12 units @\$229	Asst Baseball Cch	2/1/05-6/24/05	\$2,748
Lacy, Norman	13 units @\$229	Head Boys Golf Cch	2/1/05-6/24/05	\$2,977
Sato, Liane	13 units @\$229	Head Boys VB Cch	2/1/05-6/24/05	\$2,977
Skaggs, Debbie	13 units @\$229	Head Softball Cch	2/1/05-6/24/05	<u>\$2,977</u>
		TOTAL EXTENDED DUTY UNITS		\$23,358
		01-Unrestricted Resource		

TOTAL ESTABLISHED HOURLY, OWN HOURLY and EXTENDED DUTY UNITS = \$116,440

SUBSTITUTE TEACHERS

Effective

ADULT EDUCATION

(@\$36.32 Hourly Rate)

Street, Robert 1/12/05-6/30/05

REGULAR DAY-TO-DAY SUBSTITUTES

(@\$123 Daily Rate)

Perez Del Amo, Patricia 2/04/05

TEMPORARY CONTRACTS

Name/Assignment

Not to

Location

Exceed

Effective

Maier, Amy
John Muir Elementary/1st

100% 2/11/05-6/24/05
[replacing C. Hinshaw]

CHANGE IN ASSIGNMENT

<u>Name/Assignment</u> <u>Location</u>	<u>Effective</u>
Bohannon, Denise Roosevelt/CDS	2/1/05-6/30/05
<u>From:</u> 75%	
<u>To:</u> 50%	

LEAVES OF ABSENCE (with pay)

<u>Name/Assignment</u> <u>Location</u>	<u>Effective</u>
Webb Monastero, Suzanne Malibu	02/14/05-03/04/05 [medical]
Conrod, Merryl Webster Elementary	12/07/04-12/16/04 [medical]

RESIGNATIONS

<u>Name/Assignment</u> <u>Location</u>	<u>Effective</u>
Landry, Katherine Malibu	06/24/05

MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

03/03/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: SPECIAL SERVICES EMPLOYEES

RECOMMENDATION NO. A.09

It is recommended that the following Special Services Employee contracts be approved in accordance with District policies and salary schedules and be assigned pursuant to BP 4213.5. Funding for the positions listed are included in the 2004/05 budget.

ELECTIONS

<u>Name/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>	<u>Rate</u>
Albright, Betsy Student Services/Health Services, provide nurse support for the Health Champions Postive Health Profile Program FUNDING: 01-93190-0-11100-31400-1910-041-1501 St John's: Health Champions	\$3,045	12/01/04-04/30/05	\$145/day
Dreyfuss, Kit Student Services/Health Services, provide nurse support for the Health Champions Postive Health Profile Program FUNDING: 01-93190-0-11100-31400-1910-041-1501 St John's: Health Champions	\$3,045	12/01/04-04/30/05	\$145/day
Hawkins, Chris Student Services/Health Services, provide nurse support for the Health Champions Postive Health Profile Program FUNDING: 01-93190-0-11100-31400-1910-041-1501 St John's: Health Champions	\$3,045	12/01/04-04/30/05	\$145/day
Martucci, Fran Student Services/Health Services, provide nurse support for the Health Champions Postive Health Profile Program FUNDING: 01-93190-0-11100-31400-1910-041-1501 St John's: Health Champions	\$2,030	12/01/04-04/30/05	\$145/day
Vessa, Dottie Student Services/Health Services, provide nurse support for the Health Champions Postive Health Profile Program FUNDING: 01-93190-0-11100-31400-1910-041-1501 St John's: Health Champions	\$3,045	12/01/04-04/30/05	\$145/day

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: Aye

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION ACTION/CONSENT
03/03/05
 FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS/RICHARD R. IDE
 RE: CLASSIFIED PERSONNEL - MERIT

RECOMMENDATION NO. A.10

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 schedule.

ELECTION

CONRAD, WEI-JIN	INSTR ASST - SPECIAL ED .75 HRS/SY WEBSTER RANGE: 20 STEP: 05	11/05/04
GONZALEZ, MONICA	CHILDREN CENTER ASST 3.5 HRS/SY MCKINLEY PS RANGE: 18 STEP: 01	02/02/05
WRIGHT, ELIZABETH	INSTR ASST - CLASSROOM 3 HRS/SY LINCOLN RANGE: 18 STEP: 01	02/14/05

VOLUNTARY DEMOTION

WINGATE, TANYA	ACCOUNTING ASSISTANT II 8 HRS/12 FISCAL SVCS FR: ACCOUNTING TECHNICIAN	02/07/05
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INVOLUNTARY TRANSFER

ABDULKAREEM, NEHAL	CHILDREN CENTER ASST 3.5 HRS/12 FRANKLIN FR: 3.5 HRS/12 MCKINLEY	09/07/05
BERRIOS, MERCEDES	CHILDREN CENTER ASST 3.5 HRS/SY CDS FR: 3.5 HRS MCKINLEY	02/01/05

PROFESSIONAL GROWTH

BRASHEARS, MARIE	ACCOUNTING TECHNICIAN FISCAL SERVICES	02/01/05
DOMINQUEZ-MORALES, YANET	COMPUTER LAB TECHNICIAN SANTA MONICA HIGH SCHOOL	02/01/05
ESCOBAR, VICTORIA	CAFETERIA WORKER FOOD & NUTRITION SVCS	02/01/05

HERMOSILLO, ADRIANA	CHILDREN CENTER ASST CDS	02/01/05
MORALES, CARLOS	INSTR ASST - CLASSROOM WILL ROGERS ELEMENTARY	02/01/05
SANCHEZ, JOHANNA	CHILDREN CENTER ASST CDS	02/01/05
<u>PROMOTION</u>		
DE LOS SANTOS, MARCO	ACCOUNTING TECHNICIAN 8 HRS/12 FISCAL RANGE: 29 STEP: 04 FR: ACCT ASSIST II CDS	02/07/05
BUENDIA, CAROLINA	INST ASST - CLASSROOM 5 HRS/SY MCKINLEY RANGE: 20 STEP: 03 FR: INST ASST - SPECIAL ED	02/07/05
<u>TEMP/ADDITIONAL ASSIGNMENT</u>		
KELLER, SHANNON	INST ASST - CLASSROOM PT DUME MARINE SCIENCE ELEM	02/01/05 06/10/05
WISHART, WILLIAM	AV TECH SUPPORT/STUDENT BODY SANTA MONICA HIGH SCHOOL	01/05 06/05
<u>SUBSTITUTES</u>		
ABBEY, CHANTAL	INST ASST SPECIAL EDUCATION	01/28/05 06/20/05
GOMEZ-PEREZ, ORMANDO	TECH SUPPORT ASST OLYMPIC	01/01/05 06/24/05
INIQUEZ, WILMA	CHILDREN CENTER ASST CDS	02/01/05 06/30/05
TORAB, AKRAM	CAFETERIA WORKER I FOOD & NUTRITION SVCS	02/14/05 06/24/05
TWYMAN, JATOYA	SR OFFICE SPECIALIST SPECIAL EDUCATION	02/07/05 06/30/05
VALADEZ, LUZ	INST ASST - PE VARIOUS SITES	02/14/05 02/14/05
WRIGHT, ELIZABETH	INST ASST - CLASSROOM LINCOLN MIDDLE SCHOOL	02/07/05 06/30/05

MEDICAL LEAVE OF ABSENCE

DE LA ROSA-ISAAC, JOHANNA	BIL COMMUNITY LIAISON OLYMPIC, INFANT & FAMILY SUPPORT PROGRAM	01/06/05 01/28/05
FREEMAN, MAX	CHILDREN CENTER ASST CDS	01/17/05 02/16/05
HUGHES, CLARENCE	UTILITY WORKER OPERATIONS	12/26/05 01/24/05
LOUISELL, SHANE	INST ASST WEBSTER ELEMENTARY	02/07/05 05/01/05

ESTABLISHED POSITION

OFFICE SPECIALIST 2.0 HRS/10	ROOSEVELT	02/15/05
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RETIREMENT

WELLS, JEANNE	SR ADMINISTRATIVE ASST SUPERINTENDENT'S OFFICE	07/31/05
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MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (7)
NOES: None (0)

TO: BOARD OF EDUCATION ACTION/CONSENT
03/03/05
 FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS/RICHARD R. IDE
 RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.11

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.

STUDENT INTERN - ALLIANCE GRANT

GINES, BROOK	SANTA MONICA HIGH SCHOOL	01/01/05-06/30/05
MARTINEZ, ANGELICA	SANTA MONICA HIGH SCHOOL	12/20/05-06/30/05
SMITH, JASMINE	SANTA MONICA HIGH SCHOOL	01/01/05-06/30/05

STUDENT HELPER

ROMO, LUIS	STUDENT/FAMILY SUPPORT SVC	01/12/05-05/20/05
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NOON AIDE

FRTZ, EULA	PT DUME MARINE SCIENCE	01/01/05
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ASSISTANT TRACK COACH

AHN, CHRISTINE	SANTA MONICA HIGH SCHOOL	02/05-06/05
ARMSTRONG, SHERMAN	SANTA MONICA HIGH SCHOOL	02/05-06/05
HUMPHREY, RAY	SANTA MONICA HIGH SCHOOL	02/05-06/05
WORTHAM, TREMAYNE	SANTA MONICA HIGH SCHOOL	02/05-06/05

ASSISTANT BOYS GOLF COACH

BURDICK, BARTON	SANTA MONICA HIGH SCHOOL	02/05-06/05
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ASSISTANT SOFTBALL COACH

SUGARMAN, AMARIAH	SANTA MONICA HIGH SCHOOL	02/05-06/05
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ASSISTANT SWIM COACH

SIAS, JEREMY	SANTA MONICA HIGH SCHOOL	02/05-06/05
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ASSISTANT BASEBALL COACH

DEARN, TIMOTHY	SANTA MONICA HIGH SCHOOL	02/05-06/05
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MOTION MADE BY: Ms. Maria Leon-Vazquez
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: Aye
 AYES: All (7)
 NOES: None (0)

TO: BOARD OF EDUCATION ACTION/MAJOR
03/03/05
FROM: JOHN E. DEASY/WINSTON A. BRAHAM/VIRGINIA I. HYATT
RE: AWARD OF PLAYGROUND RENOVATION-CHILD DEVELOPMENT CENTER
BID #5.06 to C.S. LEGACY CONSTRUCTION INC.; AND APPROVE
FUNDING ABOVE THE BUDGETED AMOUNT FROM STATE SCHOOL
BUILDING FUND

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve C.S. Legacy Construction, Inc., as the awarding contractor for the Playground renovation at the Child Development facility, in an amount not to exceed \$350,628. It is further recommended that the Board of Education fund the balance of the project using State School Building Fund in an amount of \$151,873.

Funding Information

Budgeted: Yes/No
Fund: 12
Source: Child Development
Account number: 12-91230-0-00000-00000-8699-090-0000 \$151,190
12-60550-0-85000-82000-6100-070-2700 \$ 50,000
12-60550-0-85000-82000-6100-070-2700 \$ 70,000
Paid Direct by the Environmental Dept \$ 35,000
Description: City of Santa Monica Grant
Children's Center Reserve
Children's Center Reserve
City of Santa Monica Environmental

COMMENT: The City of Santa Monica has granted the Child Development Center \$200,000 for the installation of a playground facility and bathroom renovation at the Washington West facility. To date, \$48,810 has been spent on bathroom renovation and architectural fees, leaving a balance of \$151,190. The City grant requires a match of \$50,000 from the CDS budget. Fund 12 was also going to fund the remaining balance of the estimated project cost in an amount of \$70,000. The City of Santa Monica Environmental Agency has agreed to direct pay the contractor \$35,000 towards the installation of a drainage recycling project. This total budgeted and funded amount is \$306,190.

The project cost is now estimated to be \$499,000. This is due to the construction bids coming in double the estimated amount of \$180,000, due to increased construction material costs.

Remaining Project Costs:

Expense	Amount	Total
Playground Equip w/installation	\$14,180.71	
Safety Surfacing	\$20,000	
2 Shade Structures	\$18,254	
Inspection/Contingency*	\$30,000	
Fire Alarm System*	\$25,000	\$107,435

*Estimated Expense

Project breakdown:

Bathroom/Architectural Fees	\$ 48,810
Playground Renovation	\$350,628
Remaining items	<u>\$107,435</u>
Total Project Cost	\$506,873
Available Funding (including bathroom)	(\$355,000)
Balance of funding required Fund 21	\$151,873

The District is negotiating with C.S. Legacy Construction to see if there are cost savings available to the District by reducing the scope of the project without compromising the quality of program needs. The District hopes to bring these cost savings to the Board at the next scheduled Board meeting. Due to City requirements to have the project completed by June 30, 2005, it is necessary to award this project in the full amount to begin construction. The playground blueprints will be available at the meeting for review.

* * * * *

Virginia Hyatt reported that four contractors were invited to bid, three contractors attended the job walk, and two submitted bids as follows:

Alpha 26 base bid: \$396,000 Add for fire system: \$14,000
 C.S. Legacy base bid: \$350,628 Add for fire system: \$16,331

Only the base bid will be awarded, with the fire system reconfigured and rebid, using Simplex equipment. Also, the Board of Education requested that the policy on bidding procedures be brought back to the Board for review.

MOTION MADE BY: Ms. Maria Leon-Vazquez
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: N/A
 AYES: All (7)
 NOES: None (0)

Public Comments
 Gleam Davis
 Betsy Hiteshew
 Cy Askari

TO: BOARD OF EDUCATION ACTION/MAJOR
03/03/05
FROM: JOHN E. DEASY/WINSTON A. BRAHAM
RE: APPOINTMENT OF ADDITIONAL MEMBERS TO THE FINANCIAL
OVERSIGHT COMMITTEE

RECOMMENDATION NO. A.13

It is recommended that the Board of Education appoint three members to the District's Financial Oversight Committee.

COMMENTS: In order to comply with the oversight responsibilities required by the passage of Measure "S" and to replace Ms. Wisnicki who was elected to the Board of Education, the Financial Oversight Committee will replace three members. The Board of Education, at its December 9, 2004 meeting (Item A.22) extended the application period through January, 2005. Applications were received in the Superintendent's office and were subsequently reviewed by the Financial Oversight Committee members.

The Committee interviewed applicants on February 1 and 8, 2005, met on February 22, 2005 and has forwarded its recommendations to the Board of Education under separate cover.

Board Members have received copies of all applications submitted for consideration for appointment.

* * * * *

The Financial Oversight Committee interviewed nine applicants and recommended three candidates to the Board of Education for appointment. The Committee's memorandum is attached to the permanent minutes.

Carolyn A. Galatine, Ph.D.
Richard A. (Denny) Kernochan, Ph.D.
Michael Phillips

The Board of Education accepted the recommendation of the Financial Oversight Committee and appointed the individuals named above. The remaining applications will be kept on file for consideration when additional vacancies occur or opening exist on other district advisory committees.

MOTION MADE BY: Ms. Maria Leon-Vazquez
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: N/A
AYES: All (7)
NOES: None (0)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
FINANCIAL OVERSIGHT COMMITTEE
MEMORANDUM

TO: Emily Bloomfield, President and Members of the Board of Education
FROM: Paul Silvern, Chair and Cynthia Torres, Member and Chair of the Application Review Subcommittee
SUBJECT: Financial Oversight Committee Membership Application Recommendations
DATE: February 23, 2005
CC: FOC Members

This memorandum transmits a recommendation that the Board consider appointing three very qualified professionals, Carolyn A. Galantine, Ph. D., Richard A. ("Denny") Kernochan, Ph. D. and Michael Phillips, to fill existing vacancies on the Financial Oversight Committee (FOC). This recommendation was approved unanimously by the FOC at its February 22, 2005 meeting.

As you are aware, the Board of Education directed the FOC on December 9, 2004 to interview prospective FOC applicants. The FOC vacancies were originally advertised to the public in October 2004, and applications were then reviewed by the FOC. In December, the Board decided to reopen the process in an effort to seek additional candidates. An article announcing the FOC vacancies appeared in the *Santa Monica Daily Press* in January, which resulted in additional candidates, and prior applicants on file with the District were contacted to ascertain their continuing interest.

The FOC formed a three-member subcommittee (Cynthia Torres, Craig Hamilton and Patricia Hoffman) to review the applications, conduct interviews and bring a recommendation to the full FOC. Nine applicants were invited to interview with the Subcommittee on February 1 and 8, and all accepted the invitation. The interviews included discussion about each applicant's professional background, interests and general experience as they pertain to the Board-adopted mission of the FOC.

The Subcommittee was very impressed with all of the applicants. Three were found to be particularly well qualified on the basis of the interview considerations and because they complement the skills and experience of the current FOC members.

In brief, the three recommended candidates are:

- Carolyn A. Galantine, Ph. D., Assistant Professor of Accounting, Pepperdine University. Prof. Galantine previously taught accounting at UC Riverside (1994-2003) and served as an auditor at Peat Marwick & Mitchell. She has extensive experience serving on committees at UC Riverside, including the university's Resources Committee, Faculty Recruiting Committee and University Extension Committee. She is a Malibu resident

and a parent of a Malibu High School student in the Transition program. She received her doctorate in accounting in 1994.

- Richard A. (Denny) Kernochan, Ph. D., Assistant Professor of Management, College of Business and Economics, California State University, Northridge. Prof. Kernochan's professional background includes serving as an international credit marketing officer for Citibank (1976-1983), and serving as president and founder of RAK Associates, a strategic consulting firm (1983-1987). He is a parent of students who graduated from Grant, John Adams and Santa Monica High School. He is a graduate of Dartmouth College and received his Ph.D. in Business Administration from the USC Marshall School of Business in 1997.
- Michael Phillips, retired CEO, Sears Roebuck Acceptance Corp, Wilmington, DE (1989-1995). Mr. Phillips managed a \$16 billion securities business that specialized in short-term financial instruments. Mr. Phillips had previously served in various executive capacities for Coldwell, Banker & Co. in Los Angeles (1979-1988), including service as that company's Treasurer. More recently, Mr. Phillips has served as a staff attorney for Bet Tzedek Legal Services in Los Angeles (1999-2003), and currently works as a volunteer supervisor for the Los Angeles County Department of Consumer Affairs. He is a native of Santa Monica and is a graduate of West Los Angeles Law School.

The interview panel was impressed with all nine candidates and the high quality of the applicant pool. We found it difficult to narrow the list to just three candidates. We encourage the Board to invite the candidates who were not selected to become involved with other District committees and task forces, and to retain their applications on file for consideration when future FOC vacancies occur.

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/03/05

FROM: JOHN E. DEASY/WINSTON A. BRAHAM/TIMOTHY R. WALKER

RE: BUDGET ADJUSTMENTS

RECOMMENDATION NO. A.14

It is recommended that the Board of Education approve an increase to the General Fund - Unrestricted Budget in the amount of \$35,954.38 for the 2004-05 fiscal year, as detailed below:

COMMENTS: 1. **Increase** the budget for Special Education in a not-to-exceed amount of \$31,954.38 to cover the cost of three Instructional Assistants, as follows:

- (1) 6-hour Instructional Assistant @ Will Rogers
- (1) 6-hour Instructional Assistant @ Grant
- (1) 6-hour Instructional Assistant @ Malibu

2. **Increase** the budget for Information Services in a not-to-exceed amount of \$4,000 to cover the cost of a consultant to provide support oversight and to update the web pages for approximately (20) weeks.

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/MAJOR
03/03/05

FROM: SUPERINTENDENT/MICHAEL D. MATTHEWS

RE: RESOLUTION NO. 04-15 REGARDING THE NONREELECTION OF
TEMPORARY CERTIFICATED EMPLOYEES

RECOMMENDATION NO. A 15

It is recommended that the Board of Education adopt Resolution No. 04-15 regarding the nonreelection of temporary certificated employees pursuant to Education Code 44954,

COMMENT: The Board of Education will discuss the employees listed in the attached resolution who are serving in certificated temporary assignments in closed session, as it relates to the overall reduction of services. Approval of Resolution No. 04-15 may take place in closed session, if so, the action will be reported in open session.

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

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

RESOLUTION NO. 04-15

RESOLUTION NONREELECTING TEMPORARY CERTIFICATED EMPLOYEES

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

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

WHEREAS, it is this Board's intent to not reelect the employees listed below for the subsequent 2005-2006 school year, pursuant to Education Code Section 44954;

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

3472	7107	9305	4632	5794	5031
1167	8837	5407	0486	3502	0249
7361	5944	1825	7511	0470	7711
5786	4582	2128	6239	7975	
1972	1622	4348	8318	4124	

BE IT FURTHER RESOLVED, that the Superintendent or his designee is directed to issue to the employees named in this Resolution the notice described in Section 44954 prior to March 15, 2005, informing them that they will not be reemployed for the 2005-2006 school year, and to take such further and additional actions as may be necessary to accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 3rd day of March 2005, by the following vote:

AYES: 7
NOES: 0
ABSENT: 0

Emily Bloomfield
President, Board of Education of the
Santa Monica-Malibu Unified School District

I, John E. Deasy, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 3rd, 2005 in Los Angeles County, California.

John E. Deasy, Ph.D.
Secretary to the Board of Education
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/03/05

FROM: JOHN E. DEASY/MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 04-16 NONREELECTING CERTIFICATED
PROBATIONARY EMPLOYEES

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve the attached Resolution No. 04-16, Nonreelecting Certificated Probationary Employees pursuant to Education Code Section 44929.21 (b) as indicated on the Resolution, effective June, 2005.

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

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

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

RESOLUTION NO. 04-15

RESOLUTION NONREELECTING A CERTIFICATED PROBATIONARY EMPLOYEE:

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

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

5549	5291	0711	7966
1638	0561	7960	9252
4519	4479	5974	9465
0840	4762	7530	

WHEREAS, it is this Board's intent to not reelect the above-named employees for the subsequent school year, 2005-2006, pursuant to Education Code Section 44929.21(b);

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

NOW, THEREFORE, BE IT RESOLVED, as follows:

1. That the Board has determined that it is necessary at this time to send notice to each of the individual employees indicated above that he/she will not be reelected for the subsequent school year for the reasons set forth above, and as further supported by documents possessed by the District; and
2. That the Superintendent, or designee, is directed to issue to each individual employee listed above the notice described in Section 44929.21(b) prior to March 15, 2005, that he/she will not be reemployed for the 2005/2006 school year; and
3. That the Superintendent, or designee, is directed to take such further and additional actions as are necessary to appropriate too accomplish the purposes of this Resolution.

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 3rd day of March, 2005, by the following vote:

Ayes: 7
Noes: 0
Absent: 0

Emily Bloomfield, President
Board of Education
Santa Monica-Malibu Unified School District

I, John E. Deasy, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 3, 2005.

John E. Deasy, Ph.D.
Secretary to the Board of Education
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/03/05

FROM: JOHN E. DEASY/MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 04-17 RELEASING AND REASSIGNING
CERTIFICATED ADMINISTRATORS

RECOMMENDATION NO. A.17

It is recommended that the Board of Education approve the attached Resolution No.04-17, Releasing and Reassigning Certificated Administrators pursuant to Education Code Section 44951 as indicated on the Resolution, effective June, 2005.

COMMENT: The Board of Education is required to notify certificated administrators on or before March 15 of its decision that the employee shall be reassigned to another administrative position for the next succeeding school year.

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

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

RESOLUTION NO. 4-17

**RESOLUTION RELEASING AND REASSIGNING
CERTIFICATED ADMINISTRATORS**

WHEREAS, California Education Code section 44951 requires that unless a certificated employee holding a position requiring an administrative or supervisory credential is sent written notice by registered mail by March 15, or, unless the signature of the employee is obtained on the written notice by March 15 that he or she shall be released from his or her position for the following school year, then he or she shall be continued in the position; and,

WHEREAS, the purpose of California Education Code section 44951 is to afford affected administrative employees adequate notice of reassignment and sufficient time to permit such employees to possibly seek other administrative employment prior to the beginning of the next school year; and,

WHEREAS, the employees listed below are currently employed by the Santa Monica-Malibu Unified School District in positions requiring an administrative credential; and,

WHEREAS, the Board and Superintendent have considered, on an individual basis, the performance of the employees listed below and the anticipated needs of the District and have determined that it is in the best interest of the District that each of the employees listed below be given notice of their release from their administrative position and salary placement at the end of the 2004-2005 and reassigned to another administrative position and its respective salary placement for the 2005-2006 school year.

NOW THEREFORE BE IT RESOLVED AND ORDERED, the Board of Education has determined, upon consideration on an individual basis, that the individuals listed below, each of whom is a certificated employee, shall be released from his or her administrative position at the end of the 2004-2005 school year, and the Superintendent, or designee, is hereby authorized to give written notice of this action.

EMPLOYEE NUMBER

6029

3837

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 3rd day of March, 2005, by the following vote:

AYES: 7

NOES: 0

ABSENT: 0

Emily Bloomfield, President
Board of Education of the
Santa Monica-Malibu Unified School District

I, John E. Deasy, Secretary to the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 3, 2005.

John E. Deasy, Ph.D.
Secretary of the Board of Education
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/03/05

FROM: JOHN E. DEASY/MICHAEL D. MATTHEWS

RE: ADOPT RESOLUTION NO. 04-18 RELEASING AND REASSIGNING
CERTIFICATED ADMINISTRATORS

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve the attached Resolution No. 04-18 Releasing and Reassigning Certificated Administrators pursuant to Education Code Section 44951 as indicated on the Resolution, effective June, 2005.

COMMENT: The Board of Education is required to notify certficiated administrators on or before March 15 of its decision that the employee may be reassigned to another administrative position for the next succeeding school year.

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (7)

NOES: None (0)

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

RESOLUTION NO. 04-18

RESOLUTION RELEASING AND REASSIGNING
CERTIFICATED ADMINISTRATORS

WHEREAS, California Education Code section 44951 requires that unless a certificated employee holding a position requiring an administrative or supervisory credential is sent written notice by registered mail by March 15, or, unless the signature of the employee is obtained on the written notice by March 15 that he or she may be released from his or her position for the following school year, then he or she shall be continued in the position; and,

WHEREAS, the purpose of California Education Code section 44951 is to afford affected administrative employees adequate notice of possible reassignment and sufficient time to permit such employees to possibly seek other administrative employment prior to the beginning of the next school year; and,

WHEREAS, the employees listed below are currently employed by the Santa Monica-Malibu Unified School District in positions requiring an administrative credential; and,

WHEREAS, the Board and Superintendent have considered, on an individual basis, the performance of the employees listed below and the anticipated needs of the District and have determined that the certificated employees listed below be given notice of their potential release from their administrative assignment and salary placement at the end of the 2004-2005 school year and be reassigned to another administrative position and its respective salary placement for the 2005-2006 school year.

NOW THEREFORE BE IT RESOLVED AND ORDERED, the Board of Education has determined, upon consideration on an individual basis, that the individuals listed below, each of whom is a certificated employee, may be released from his or her administrative position and salary placement at the end of the 2004-2005 school year, and the Superintendent, or designee, is hereby authorized to give written notice of this possible action.

EMPLOYEE NUMBER

2687
9304
4715
4680

The foregoing Resolution was adopted by the Board of Education of the Santa Monica-Malibu Unified School District on the 3rd day of March, 2005, by the following vote:

AYES: 7
NOES: 0
ABSENT: 0

Emily Bloomfield, President
Board of Education of the
Santa Monica-Malibu Unified School District

I, John E. Deasy, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on March 3, 2005.

John E. Deasy, Ph.D.
Secretary to the Board of Education
Santa Monica-Malibu Unified School District

TO: BOARD OF EDUCATION
 FROM: SUPERINTENDENT/TIMOTHY R. WALKER
 RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS

ACTION/MAJOR
 03/03/05

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2004-2005 as follows:

NPS/NPA

2004-2005 Budget 01-65000-0-57500-11800-5825-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Excelsior Youth Centers, Inc.	12-21-89	NPS	#78	\$ 5,412
Augmentative Communication Therapies, Inc.	08-17-99	NPA - Augmentative Communication Assessment 2/05 - 06/05	#142	\$ 500
Baby & Baby, Inc.	10-20-00	NPA - PT	#143	\$ 1,440
Child Counseling & Behavior Therapy Clinic, Inc.	02-03-97	NPA - Behavior Therapy 07/04 - 09/04	#144	\$ 7,574
Computer Access Center	01-03-91	NPA - Assistive Technology Training 01/05 - 06/05	#145	\$ 920
Smart Start	05-06-94	NPA - Speech	#146	\$ 4,000
Step by Step	07-12-98	NPA - Behavior Therapy, OT & Speech	#147	\$ 16,680
Step by Step	05-30-96	NPA - Behavior Therapy	#148	\$ 9,420
Autism Spectrum Therapies Contract Increase	11-13-93	NPA - Behavior Therapy	#120 UC05352	\$ 4,200

Amount Budgeted NPS/NPA 04/05	\$ 3,600,000
Prior Board Authorization as of 02/17/05	<u>\$ 3,557,870</u>
Balance	\$ 42,130
Positive Adjustment	<u>\$ 123,910</u>
(See Attachment)	\$ 166,040
Total Amount of these Contracts	<u>\$ 50,146</u>
Balance	\$ 115,894

*Prior Year Authorization (02-19-04) \$3,165,026

Adjustment					
NPS/NPA Budget 01-65000-0-57500-11800-5825-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2004-05 in the amount of \$ 123,910 as of March 3, 2005.					
Nonpublic School/ Agency	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Poseidon	NPS	#26 UC05052	R	\$ 8,347	Student back to District (Feb.2005)
Summitview Westside	NPS	#34 UC05060	R	\$ 26,130	Student back to District (Dec.2004)
Village Glen Westside	NPS	#44 UC05071	R	\$ 24,000	Student no longer at NPS
Vista	NPS	#56 UC05083	R	\$ 16,683	Student back to District (Jan.2005)
Bruce Gale	NPA	#136 UC05405	E	\$ 5,250	Services not needed from NPA
Smart Start	NPA	#41 UC05132	E	\$ 43,500	Services provided by another NPA

TO: BOARD OF EDUCATION

ACTION/MAJOR

03/03/05

FROM: BOARD OF EDUCATION

RE: MASTER FACILITIES USE AGREEMENT BETWEEN THE CITY OF
SANTA MONICA AND THE SANTA MONICA-MALIBU UNIFIED SCHOOL
DISTRICT

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve the Master Facilities Use Agreement between the City of Santa Monica and the Santa Monica-Malibu Unified School District for the term of five years beginning July 1, 2004 and ending on June 30, 2009.

COMMENT: This agreement formalizes the discussions between the City of Santa Monica and the School District whereby the City will pay the District \$6,000,000 for the use of facilities by the City for programs and projects. The agreement stipulates that the Agreement, by mutual consent, may be extended for up to two additional 2.5 year terms.

This agreement was presented for discussion at the February 3, 2005 Board of Education meeting. At the meeting of February 17, the Board of Education directed that the agreement and the letter from the Financial Oversight Committee containing concerns and recommended modifications to the Agreement be sent to the City of Santa Monica. Staff has complied with that direction.

* * * * *
Staff respectfully withdrew this item as additional information was not available to bring the agreement to the Board of Education for action.

Board Members discussed the next steps in the process to bring this agreement to fruition. The Board of Education agreed that the President of the Board would write a letter to the Mayor of the City of Santa Monica requesting that the City Council place the Agreement on its agenda. It will also be proposed that a joint meeting of the Board of Education and Santa Monica City Council be held regarding this matter.

MOTION MADE BY: Ms. Maria Leon-Vazquez

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE:

AYES:

NOES:

MASTER FACILITIES USE AGREEMENT

THIS MASTER FACILITIES USE AGREEMENT (“Agreement”) is entered into this ___ day of _____, 2005, by and between the CITY OF SANTA MONICA, a municipal corporation and charter city (“the City”), and the SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT, a unified school district (“the District”), each duly organized and existing under the laws of the State of California.

RECITALS:

- A. For many years, the City and the District have worked together to promote the health and welfare of the community’s children and youth by providing recreational opportunities and programs which foster good citizenship.
- B. Many of the City’s projects and programs for children, youth and their families take place at public parks, playgrounds, play fields, and other City-owned recreational facilities.
- C. However, the City’s playgrounds, play fields, and recreational facilities are limited in size and are not sufficient to accommodate all of the current recreational needs of the community’s children and youth and their families.
- D. Opportunities to create new parks and recreational facilities are limited because the City’s total land area is very small – approximately eight square miles – and the City is fully built-out.
- E. Additionally, land values are very high within the City and are rising.
- F. The District owns and operates school sites within the City which include playgrounds, play fields, recreational facilities and buildings which are under-utilized during non-school hours.
- G. The City and District desire to enter into a master agreement which will allow the City to use school facilities within the City to meet certain recreational and other needs during hours when the facilities are available for City use and will allow the District to benefit from the City’s use of the facilities through the generation of revenues for the maintenance of the District’s education programs.
- H. It is the intent of the City and the District to maximize the exchange of value – community use of District facilities within the City and revenue flow to the District.
- I. It is recognized by the City and the District that new and ongoing resources are desired and necessary to fully support the strategic plan(s) and the community’s expectations of both organizations.

AGREEMENT

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

1. TERM.

The term of this Agreement shall be five years commencing on July 1, 2004, and ending on June 30, 2009, unless otherwise terminated pursuant to this Agreement.

By mutual agreement the City and District may extend the Agreement for up to two additional 2.5 year terms.

2. SUPPLEMENTAL USE AGREEMENTS.

Supplemental Use Agreements, governing specific programs and projects, are contemplated by the parties and shall be executed pursuant to this Master Facilities Use Agreement. This provision shall not be construed to prevent the City and the District from entering into other agreements relating to school sites and facilities within the City not specifically mentioned herein, or as the parties may desire.

3. PREMISES.

The premises governed by this Agreement (“the Premises”) shall consist of playgrounds, play fields, and structures at the District’s school sites in Santa Monica. The particular facilities which the City will use at each site shall differ for each program or project and shall therefore be specified in Supplemental Use Agreements governing specific programs and projects operated by the City on District property. However, in general, in making its facilities available pursuant to this Agreement and the various Supplemental Use Agreements, the District shall give the City priority over other non-District users.

4. USE OF PREMISES.

The Premises shall be used by the City to provide supervised and unsupervised recreational opportunities, child care, enrichment classes, and other services. Specific programs and projects shall be governed by Supplemental Use Agreements.

5. COMPENSATION.

A. The City shall pay the District for use of the Premises described in this Agreement initial Annual Base Payments totaling Six Million Dollars (\$6,000,000). Payment shall be made in two equal installments, one half by December 31st and one half by June 30th. In determining compensation, the City and District have not appraised the value of the Premises and do not assert that \$6,000,000 represents the precise value of the facilities the City may access under this Agreement. The parties expressly note the terms of this Agreement can be amended or modified at any time by written agreement of the parties. During the term of this Agreement, the base payment may be adjusted as described below in this Section 5.

- B. Adjustments Based on the Consumer Price Index. Annual Base Payments will be adjusted by the Consumer Price Index for all urban wage earners and clerical workers for LA/LB SMSA (CPI), as measured from February to February with a minimum 2% and a maximum 4% adjustment.
- C. Adjustments Based on Facility Use and Revenues.
- (1) In January 2007 the parties will convene an adjustment conference to assess the state of community use of the Premises and the fiscal status of the two organizations with the objective of adjusting the current payments for the use of said facilities upward or downward by a maximum of \$1,000,000.00, or holding payments constant for 2007/2008. The adjustment conference participants (“conferees”) will consist of the following persons: the City Manager, Superintendent of Schools, the Finance officers of both the City and the District, the Mayor, and the School Board President. The conferees will participate in the adjustment conference with the objective to have recommendations before the City Council and School Board by March 1, 2007.
 - (2) In assessing the fiscal status of the City in order to establish the payments for the use of the Premises, the total of the following “Big Eight” General Fund revenue sources will be used: 1) property tax, 2) sales tax, 3) utility users tax, 4) transient occupancy tax (TOT), 5) business licenses tax, 6) real property transfer tax, 7) parking facilities tax, and 8) fines/forfeitures.
 - (3) If the cumulative growth of the actual “Big Eight” revenues (see subsection (2) above) over the two-year period 2004/2005 and 2005/2006 exceeds the increase of CPI by 4% and the increase in each of those years exceeds the CPI by at least 1.25%, the conferees will discuss adjusting the base payments by an additional $\frac{3}{4}$ of 1% of the average of the actual “Big Eight” revenues for 2004/2005 and 2005/2006 by a maximum of \$1,000,000.00 effective 2007/2008. While the result of the discussions cannot be predetermined, the conferees will be mindful of the intent of this Agreement in approaching the discussion.
 - (4) If the actual cumulative growth of the revenue sources found in the “Big Eight” exceeds CPI but does not reach the level specified in subsection (3), above, the conferees will discuss whether to recommend if there should be any adjustment to base payments above that specified in Section B above. While the result of the discussions cannot be predetermined, the conferees will be mindful of the intent of this Agreement in approaching the discussion.
 - (5) If the actual cumulative growth of the revenue sources found in the “Big Eight” does not increase by at least CPI in 2004/2005 and 2005/2006, the conferees will discuss whether: 1) base payments should be held constant, 2) the CPI contemplated in Section B, above, withheld, or 3) base payments reduced by some amount which in no case would exceed \$1,000,000.00. While the result of the discussions cannot be pre-determined, the conferees will be mindful of the intent of this Agreement in approaching the discussion.

- (6) In January 2009, the adjustment conference described above will be convened to assess the state of community use of the Premises and the fiscal status of the two organizations and discuss whether this Agreement should be extended for an additional 2.5 years, using the formula described in subsections (3) and (4) above to set the 2009/2010 base payments, except that the \$1,000,000.00 maximum will be adjusted for the change in CPI since the 2007/2008 adjustment, providing a new maximum cap on any adjustment. Should the second contract extension option be exercised, the same process would be followed to set the 2012/2013 base.
- (7) Notwithstanding the foregoing provisions of Section 5.C., if in each of any two consecutive fiscal years over the term of this Agreement the actual growth of the total "Big Eight" revenues exceeds 7.5%, the conferees will meet in January to discuss adjusting payments above the then applicable cap effective July 1 of the same calendar year. If in each of any two consecutive fiscal years over the term of this Agreement the actual revenue from the total "Big Eight" revenues declines by 7.5%, the City may convene the conference to discuss temporarily suspending this Agreement.

6. RESPONSIBILITIES OF THE PARTIES.

- A. The City's Director of Community and Cultural Services shall be responsible for the direction and supervision of the City's programs and projects on the Premises.
- B. The Superintendent of the District or his or her designee, and the Director of Community and Cultural Services, or his or her designee, shall jointly establish a Master Calendar for the City's use of the Premises for the ensuing fiscal year no later than the 1st day of July of each year. Revisions may be made throughout the year upon mutual agreement of the Superintendent of District and the Director of Community and Cultural Services.
- C. The District shall ensure that clean and conveniently located restroom facilities are open and available for use by participants in all City operated programs and projects.
- D. Responsibility for maintenance, repairs, custodial services, utility payments, staffing and security relating to the City's use of the Premises for particular programs and projects shall be specified in Supplemental Use Agreements.
- E. The District's responsibility for providing equipment and improvements for specific City programs and projects shall be specified in Supplemental Use Agreements. Except as so specified, necessary improvements and equipment shall be purchased, owned, installed, maintained and repaired by the City.

7. ACCOUNTABILITY.

The parties agree that the best interests of the public will be served if the benefits of this Agreement as well as the financial status of the two organizations are well understood. To that end, the City Manager and Superintendent will prepare an annual report on the status of this Agreement for presentation to the City Council and Board of Education in conjunction with the annual budget cycles of the organizations. The City and the District will make the annual report and their proposed and adopted budgets available at public libraries and on-line and will continue to seek ways to make complex financial information more understandable to the community. Both organizations will observe the provisions of the Brown Act in regard to this Agreement, as in all matters of governance subject to the terms of the Act. The District will continue to benefit from the advice of its Financial Oversight Committee during the term of this Agreement.

8. TERMINATION OF RIGHTS.

The City and the District may mutually agree to terminate this Agreement. In that event, District shall have the option of purchasing from the City, all or any part of the fixed improvements, of any kind or nature whatsoever, installed by the City on the Premises. In the event the District elects not to purchase all, some or any of said improvements, the City shall remove those items not purchased from the Premises. In such event, the City shall restore the grounds in the area of such removal operations to a neat, clean and acceptable condition.

In the event the District intends to dispose of the Premises, the City shall have the right of first refusal to purchase or lease said site or facility to the extent permissible by law. Any such purchase shall be at a price negotiated by the parties or, if the purchase is pursuant to the Naylor Bill or any state law providing City the right to purchase District land at a price other than fair market value, then at such price as is determined using the provisions of state law. The City shall provide written notice to the District of its intent to purchase or lease the Premises, or any part thereof, pursuant to this Section within 90 days of agreement to terminate, or within such other time as is required by state law if the Premises is purchased pursuant to state law.

The City and District understand that if any initiative is approved by the voters that would adjust or amend the City Charter for the purposes of funding educational programs, this Agreement is no longer binding.

9. MUTUAL INDEMNIFICATION.

A. Indemnification by the District. The District hereby agrees to defend, indemnify and hold harmless the City of Santa Monica, its City Council, boards and commissions, officers, agents, employees, and volunteers (collectively "City") from and against all claims, damages, losses, expenses, demands, liability, lawsuits, and judgments including, but not limited to, attorney's fees, arising directly or indirectly from or in any manner related to the District's possession, occupancy or use of the Premises pursuant to this Agreement or arising from or in any manner connected to the District's business, activities, operations, services or work conducted in, or about the

Premises, except as otherwise expressly stated herein. However, the District shall not be required to indemnify the City where such claim arises from the negligence or wrongful misconduct of the City. The City shall promptly notify the District of any claim and cooperate with the District in connection with the defense of such claim.

B. Indemnification by the City. The City hereby agrees to defend, indemnify and hold harmless the District, its Board of Education, committees, officers, agents, employees, and volunteers (collectively "District") from and against all claims, damages, losses, expenses, demands, liability, lawsuits and judgments including, but not limited to, attorney's fees arising directly or indirectly from or in any manner related to the City's possession, occupancy or use of the Premises pursuant to this Agreement or arising from or in any manner connected to the City's business, activities, operations, services or work conducted in or about the Premises, except as otherwise expressly stated herein. The City's indemnification extends to all City uses and City-approved user groups pursuant to this Agreement. However, the City shall not be required to indemnify the District where such claim arises from the negligence or wrongful misconduct of the District. The District shall promptly notify the City of any claim and cooperate with the City in connection with the defense of such claim.

C. Survival of Section. This Section shall survive the expiration or earlier termination of this Agreement.

10. INSURANCE.

Prior to execution of this Agreement, the District and the City shall procure and thereafter maintain insurance against claims for injuries to persons or damage to property arising from or in connection with use of the Premises pursuant to this Agreement as specified in Attachment A. The acquisition and maintenance of such insurance shall not affect the obligation of indemnity established by Section 9 of this Agreement.

11. COMPLIANCE WITH LAW.

All activities undertaken pursuant to this Agreement shall be in accordance with all applicable ordinances, resolutions, statutes, rules and regulations of any federal, state or local governmental agency of competent jurisdiction.

12. NOTICES.

All notices, demands, requests or approvals to be given under this Agreement shall be given in writing and conclusively shall be deemed served when delivered personally or on the fifth business day after deposit in the United State mail, postage prepaid, registered or certified, addressed as follows:

All notices, demands, requests or approval from the District to the City shall be addressed to the City at:

Department of Community and Cultural Services
City of Santa Monica
1685 Main Street
Santa Monica, CA 90401
Attn: Director

All requests for payment shall be addressed to:

Department of Finance
City of Santa Monica
1717 4th Street, Suite 250
Santa Monica, CA 90401

All notices, demands, requests or approval from the City to the District shall be addressed to the District at:

Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404-3891
Attention: Asst. Supt. of Fiscal and Business Services

13. AMENDMENTS TO AGREEMENT.

In recognition of the fact that economic and other circumstances affecting the parties' participation in this Agreement are subject to fluctuation and change, the parties expressly note and agree that this Agreement may be amended or modified at any time by agreement of the parties. Any amendment to or modification of this Agreement shall be in writing and shall be effective only upon approval of the City Council of the City and the Board of Education of the District.

14. INTERPRETATION OF AGREEMENT.

The terms of this Agreement shall be construed in accordance with the meaning of the language used and shall not be construed for or against either party by reason of the authorship of this Agreement or any other rule of construction which might otherwise apply. The section headings are for purposes of convenience only.

15. INTEGRATION OF AGREEMENT.

It is understood that there are no oral agreements between the parties hereto affecting this Agreement and the subject matter thereof and this Agreement supersedes and cancels any and all previous negotiations, arrangements, oral agreements and understandings, if any, between the parties, and none shall be used to interpret this Agreement. This Agreement may be amended at any time by the mutual consent of the parties by an instrument in writing.

16. SEVERABILITY.

In the event that part of this Agreement shall be declared invalid or unenforceable by a valid judgment or decree of a court of competent jurisdiction, such invalidity or unenforceability shall not affect any of the remaining portions of this Agreement which are hereby declared as severable and shall be interpreted to carry out the intent of the parties hereunder unless the invalid provision is so material that its invalidity deprives either party of the basic benefit of their bargain or renders this Agreement meaningless.

17. ATTORNEY'S FEES.

If a party to this Agreement is required to initiate or defend, or is made a party to, any action or proceeding in any way connected with this Agreement, the prevailing party in such action or proceeding, in addition to any other relief which may be granted, whether legal or equitable, shall be entitled to reasonable attorney's fees.

18. APPLICABLE LAW.

This Agreement shall be construed and interpreted under and governed and enforced according to the laws of the State of California.

IN WITNESS WHEREOF, the parties have executed this Master Use Facilities Agreement as of the day and year first above written.

CITY OF SANTA MONICA,
a municipal corporation

ATTEST:

MARIA STEWART
City Clerk

By _____
SUSAN E. MCCARTHY
City Manager

SCHOOL

SANTA MONICA MALIBU UNIFIED
DISTRICT, a unified school district

APPROVED AS TO FORM:

MARSHA JONES MOUTRIE
City Attorney

By _____
Title: _____

ATTACHMENT A

THE DISTRICT'S INSURANCE OBLIGATION

The District shall secure before execution of this Agreement the following types and amounts of insurance:

Minimum Limits of Insurance.

The District shall obtain insurance of the types and in the amounts described below:

(1) Commercial General Liability Insurance:

The District shall maintain commercial general liability insurance or self-insurance (CGL) with a limit of not less than Five Million Dollars (\$5,000,000) each occurrence/Five Million Dollars (\$5,000,000) in the annual aggregate.

(2) Business Auto Liability Insurance:

The District shall maintain business auto liability insurance or self-insurance with a limit of not less than One Million Dollars (\$1,000,000) each accident.

(3) Workers' Compensation and Employer's Liability:

The District shall maintain workers' compensation insurance or self-insurance as required by the State of California and Employer's Liability Insurance in the amount of One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

Minimum Scope of Insurance.

(1) CGL insurance shall be written on Insurance Services Office Form CG 00 01 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

(2) Business Auto Insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos). Coverage shall be written on Insurance Services Office Form CA 00 01, CA 00 05, CA 00 12, and CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

Other Insurance Provisions.

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

- (1) The City of Santa Monica, members of its City Council, boards and commissions, officers, agents, employees and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the District; and with respect to liability arising out of the District's possession, occupancy, or use of the Premises pursuant to this Agreement. Under the CGL policy, using the Insurance Services Office additional insured endorsement form CG 20 10 or a substitute providing equivalent coverage. City and other additional insureds mentioned in this paragraph shall not, by reason of their inclusion as additional insureds, become liable for any payment of premiums to carriers for such coverage.

General Liability, Workers' Compensation and Employer's Liability.

The insurer shall agree to waive all rights of subrogation against the City of Santa Monica, members of its City Council, boards and commissions, officers, agents, employees and volunteers for losses arising from activities and operations of the District in the performance of services under this Agreement.

All Coverages.

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be canceled except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the City at the following address:

Department of Community and Cultural Services
City of Santa Monica
1685 Main Street
Santa Monica, California 90401
Attention: Director

Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:6, unless otherwise approved by the City's Risk Manager.

Verification of Coverage.

District shall furnish the City with original certificates of insurance and amendatory endorsements affecting coverage required by this Agreement. The certificates and endorsements for each policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on forms provided by the City or on other than the City of Santa Monica's forms, provided those forms and endorsements conform to the requirements. All certificates and endorsements are to be received and approved by the City before this Agreement commences. The City reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

THE CITY'S INSURANCE OBLIGATION

The City shall secure before execution of this Agreement the following types and amounts of insurance:

Minimum Limits of Insurance.

The City shall obtain insurance of the types and in the amounts described below:

(1) Commercial General Liability Insurance:

The City shall maintain commercial general liability insurance or self-insurance (CGL) with a limit of not less than Five Million Dollars (\$5,000,000) each occurrence/Five Million Dollars (\$5,000,000) in the annual aggregate.

(2) Business Auto Liability Insurance:

The City shall maintain business auto liability insurance or self-insurance with a limit of not less than One Million Dollars (\$1,000,000) each accident.

(3) Workers' Compensation and Employer's Liability:

The City shall maintain workers' compensation insurance or self-insurance as required by the State of California and Employer's Liability Insurance in the amount of One Million Dollars (\$1,000,000) per accident for bodily injury or disease.

Minimum Scope of Insurance.

(1) CGL insurance shall be written on Insurance Services Office Form CG 00 01 (or a substitute form providing equivalent coverage) and shall cover liability arising from premises, operations, independent contractors, products-completed operations, personal injury and advertising injury liability assumed under an insured contract (including the tort liability of another assumed in a business contract).

(2) Business Auto Insurance shall cover liability arising out of any auto (including owned, hired, and non-owned autos). Coverage shall be written on Insurance Services Office Form CA 00 01, CA 00 05, CA 00 12, and CA 00 20, or a substitute form providing equivalent liability coverage. If necessary, the policy shall be endorsed to provide contractual liability coverage equivalent to that provided in the 1990 and later editions of CA 00 01.

Other Insurance Provisions.

The general liability and automobile liability policies are to contain, or be endorsed to contain, the following provisions:

(1) The Santa Monica/Malibu Unified School District, members of its Board of Education, advisory committees, officers, agents, employees and volunteers are to be covered as insureds with respect to liability arising out of automobiles owned, leased, hired or borrowed by or on behalf of the City; and with respect to liability arising out of the City's possession, occupancy, or use of the Premises pursuant to this Agreement. Under the

CGL policy, using the Insurance Services Office additional insured endorsement form CG 20 10 or a substitute providing equivalent coverage. The District and other additional insureds mentioned in this paragraph shall not, by reason of their inclusion as additional insureds, become liable for any payment of premiums to carriers for such coverage.

General Liability, Workers' Compensation and Employer's Liability.

The insurer shall agree to waive all rights of subrogation against the District, members of its Board of Education, committees, officers, agents, employees and volunteers for losses arising from activities and operations of the City in the performance of services under this Agreement.

All Coverages.

Each insurance policy required by this Agreement shall be endorsed to state that coverage shall not be canceled except after thirty (30) days prior written notice by certified mail, return receipt requested, has been given to the District at the following address:

Santa Monica-Malibu Unified School District
1651 16th Street
Santa Monica, CA 90404-3891
Attention: Asst. Supt. of Fiscal and Business Services

Acceptability of Insurers.

Insurance is to be placed with insurers with a current A.M. Best's rating of no less than A:6, unless otherwise approved by the District's Risk Manager.

Verification of Coverage.

The City shall furnish the District with original certificates of insurance and amendatory endorsements affecting coverage required by this Agreement. The certificates and endorsements for each policy are to be signed by a person authorized by that insurer to bind coverage on its behalf. The certificates and endorsements are to be on forms provided by the City. All certificates and endorsements are to be received and approved by the District before this Agreement commences. The District reserves the right to require complete, certified copies of all required insurance policies, including endorsements affecting the coverage required by these specifications at any time.

TO: BOARD OF EDUCATION

DISCUSSION

03/03/05

FROM: JOHN E. DEASY/LINDA KAMINSKI

RE: INDEPENDENT STUDY FOR HOME SCHOOLED STUDENTS

DISCUSSION ITEM NO. D.1

School districts have the option of providing support for students who are home schooled through an independent study program. Such a program can provide support for parents and students in a variety of curricular areas as well as providing access for students to enrichment opportunities at schools. Costs for the program are reimbursed by the state. A discussion regarding the benefits and plan for such a program will be presented for the Board's consideration.

* * * * *

Linda Kaminski made a powerpoint presentation a copy of which is attached.

The Board requested that when this item is returned to the Board of Education for action that it include a financial analysis.

Supporting All Students: Home Independent Study



Board Discussion
March 3, 2005
L. Kaminski, Ed.D.

What is Home Independent Study?

Partnership between Home and District

- Flexible
- Individualized
- Maximum Parental Involvement
- Parent – Teacher Collaboration
- Access to Rigorous Curriculum Standards
- Home School Network
- Opportunities for Group Interaction

Who Is Interested?

- Home Schooled Students
- Nationally Competitive Athletes
- Student Actors
- Traveling Families
- Chronically Ill Students

Why Participate?

- Partner with credentialed teacher for lesson planning and guidance
- Receive free curriculum and instructional materials
- Measure student progress
- Participate in programs with other youth
- Flexible scheduling between home/school

What is Included?

Required

Optional

- | | |
|--------------------------------|--|
| ▪ Parent-Teacher Consultations | ▪ Small Group/ Individual Tutoring |
| ▪ Lesson Plans | ▪ Participation in Enrichment Activities |
| ▪ Work Submissions and Grading | ▪ Participation in School Programs |
| ▪ STAR Participation | |

How to Start?

- Review/Update Independent Study BP
- Identify and Contact Potential Students
- Identify Student Needs
- Determine Location and Staffing
- Develop Master Agreement and Course Contract
- Provide standards, instructional materials, lesson planning tools
- Design evaluation protocol

TO: BOARD OF EDUCATION

DISCUSSION

03/03/05

FROM: JOHN E. DEASY/SUPERINTENDENT

RE: MEMORANDUM OF UNDERSTANDING BETWEEN THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT AND THE SANTA MONICA-MALIBU EDUCATION FOUNDATION

DISCUSSION ITEM NO. D.2

Attached for review and discussion is the Memorandum of Understanding between the District and the Education Foundation. As stated in the adopted (September 9, 2004) gift policy, the Education Foundation is named as the Equity Fund administrator. The duties of the organization include the collection and distribution of funds and public reporting through an annual audit. The organization will also be responsible for the collection of voluntary donations to the Equity Fund. A board of directors from the Education Foundation and community will be established to oversee the Equity Fund and its activities.

Additional responsibilities of the Equity Fund Board include:

- 1) Actively fundraise for the Fund
- 2) assist sites/schools in fundraising through a cadre of experts in this area. These volunteers will be at the disposal of various schools to help with this important work.
- 3) Support a sister site program for those who wish to participate
- 4) Post an annual audit of both the finances and activities of the Equity Fund.

This group of community volunteers should report to the School Board on a regular basis.

* * * * *

Ralph Mechur, President of the Education Foundation, was present to respond to questions from the Board. The Memorandum of Understanding will be presented for action at a future meeting.

MEMORANDUM OF UNDERSTANDING

THIS MEMORANDUM OF UNDERSTANDING (“Memorandum”), entered into this ___ day of _____, 2005, by and between the Santa Monica-Malibu Unified School District and the Santa Monica-Malibu Education Foundation, is made with reference to the following:

RECITALS

A. The Santa Monica-Malibu Unified School District (“District”) is a Local School District, duly organized and validly existing under California Education Code §§ 35010 et seq., with the power to carry out its business as it is now being conducted under the statutes of the State of California and the Bylaws of the District.

B. The Santa Monica-Malibu Education Foundation (“Foundation”) is a California non-profit organization with tax-exempt status pursuant to I.R.C. § 501(c)(3). The Foundation is in good standing under the laws of the State of California and the United States, and has corporate power to carry out its business as specified in its Bylaws.

C. In September, 2004, the District approved a revised policy on the acceptance of gifts, designated BP 3290 (“Gift Policy”). The Gift Policy establishes an Equity Fund consisting of both voluntary and required contributions. Proceeds of the Equity Fund will be distributed to the District’s school sites in accordance with a formula adopted as part of the Gift Policy or as otherwise approved by the District.

D. Paragraph III.F. of the Gift Policy provides that the Board of Education will designate the Foundation to administer the Equity Fund. The purpose of this Memorandum of Understanding is to establish the rights and responsibilities of the District and the Foundation in the administration of the Equity Fund.

E. The Superintendent of Schools, or his/her designee, is authorized to negotiate this Memorandum with the Foundation.

NOW, THEREFORE, it is mutually agreed by and between the undersigned parties as follows:

1. TERM OF MEMORANDUM.

The term of this Memorandum shall be from _____ to October 1, 2005, unless this Memorandum is sooner terminated as provided herein. The parties may renew the Memorandum for successive years.

2. RIGHTS AND RESPONSIBILITIES OF THE FOUNDATION.

A. In accordance with Paragraph III.F. of the Gift Policy, and in consultation with the District, the Foundation shall form an Equity Fund Board of Directors from among its Directors and other members of the community. The Equity Fund Board of Directors shall be responsible to carry out the Foundation's responsibilities pursuant to this Memorandum. The Equity Fund Board of Directors shall report regularly to the Foundation and to the District.

B. The Foundation shall collect all mandatory contributions to the Equity Fund. Collection shall occur in June, as required by Paragraph III.D. of the Gift Policy.

C. The Foundation shall collect all voluntary contributions to the Equity Fund whenever they are made. Voluntary contributions shall be kept in an interest-bearing bank account, separate from mandatory contributions. In accordance with its general policy and in furtherance of its goals, the Foundation shall collect an administrative fee equal to five percent of all monies contributed to the voluntary part of the Equity Fund.

D. The Foundation shall distribute Equity Fund proceeds in accordance with Paragraph III.C.3. of the Gift Policy, in amounts designated by the District. The funds shall be distributed in July, as required by paragraph III.D. of the Gift Policy, or as otherwise directed by the District. The Foundation shall not be responsible for calculating amounts due to the individual sites/schools, but shall accept as accurate the calculations of the District.

E. The Foundation shall conduct an annual audit of the Equity Fund, and shall make the audit available to the public through the District's website.

F. The Foundation shall advise sites/schools concerning ways to enhance their fundraising efforts.

G. The Foundation shall assist sites/schools that need more assistance in fundraising by attempting to match those schools with persons from sites/schools that have had more successful fundraising efforts.

H. The Foundation shall cooperate with the District and others in encouraging the giving of voluntary contributions to the Equity Fund. The District understands, however, that the Foundation's human resources are extremely limited, and that it does not have the capacity to conduct extensive fundraising efforts for the Equity Fund. However, the Foundation shall make available its fundraising expertise to those who are actively engaged in raising voluntary donations to the Equity Fund.

3. RESPONSIBILITIES OF DISTRICT.

A. The District shall reimburse the Foundation for all expenses incurred in administration of the Gift Policy, including the cost of the annual audit.

B. The District shall calculate the amount of the annual distribution to each school site in accordance with Paragraph III.C.3. of the Gift Policy, and shall convey that information to the Foundation.

4. TERMINATION OF MEMORANDUM.

Either party may terminate this agreement at any time upon written notice. In the event either party exercises its right to terminate as provided in this paragraph, the Foundation shall remit all unallocated Equity Fund monies to the District within a reasonable period of time so as not to disrupt the ongoing viability of the Equity Fund or the administration of the Gift Policy as a whole.

5. COMPLIANCE WITH LAW.

The parties shall comply with all federal, state, and local laws, ordinances, regulations, and directives as they shall relate to the performance of this Memorandum or any modifications or amendments thereto.

6. INDEPENDENT CONTRACTOR.

The Foundation is an independent contractor and is not an agent, employee, or officer of the District.

7. INDEMNIFICATION AND HOLD HARMLESS.

A. The Foundation shall indemnify and hold harmless the District and its officers, agents, volunteers, and employees for and against all loss, damages, liability, claims, suits, costs, and expenses, whatsoever, including reasonable attorneys' fees, arising out of the negligence or other wrongdoing of the Foundation, its officers, employees, volunteers, or agents connected to the activities conducted pursuant to this Memorandum.

B. The District shall indemnify and hold harmless the Foundation and its officers, agents, volunteers, and employees for and against all loss, damages, liability, claims, suits, costs, and expenses, whatsoever, including reasonable attorneys' fees, arising out of the negligence or other wrongdoing of the District, its officers, employees, volunteers, or agents connected to the activities conducted pursuant to this Memorandum.

8. PROHIBITION AGAINST TRANSFERS.

Neither party to this Memorandum shall assign, subcontract, or transfer this Memorandum or any interest therein, directly or indirectly, by operation of law or otherwise, without the prior written consent of the other party. Any attempt to do so without written consent shall be null and void, and any assignee, subcontractor, or transferee, shall acquire no right or interest by reason of the attempted assignment, subcontract, or transfer. In the event that an assignment, subcontract, or transfer of this Memorandum, or any portion thereof, is approved by the other party, all appropriate provisions and requirements of this Memorandum shall apply to any assignment, subcontract, or transfer.

9. NOTICES.

A. All notices, demands, requests, or approvals which are required by this Memorandum, or which either the District or the Foundation may desire to serve upon the other, shall be in writing and shall be conclusively deemed served when delivered personally or forty-eight hours after the deposit thereof in the United States mail, postage prepaid, registered or certified, and addressed as hereinafter provided.

B. All notices, demands, requests, or approvals from the District to the Foundation shall be addressed as follows:

**Executive Director
Santa Monica-Malibu Education Foundation
1649 16th Street
Santa Monica, CA 90404**

C. All notices, demands, requests, or approvals from the Foundation to the District shall be addressed as follows:

**Superintendent
Santa Monica-Malibu Unified School District
1651 16th St.
Santa Monica, CA 90404**

10. AUTHORITY TO BIND FOUNDATION.

Upon receipt of a fully executed copy of this Memorandum, the Foundation shall furnish to the District a written list of persons authorized to execute, on behalf of the Foundation, agreements, contracts, modifications to contracts, or other documents as they may be required by the District. In the event authority is delegated to a position (e.g., President, Vice-President, Treasurer) rather than to an individual, the list of positions and individuals filling those positions so authorized shall be furnished. If any changes should occur to this list during the term of this Memorandum, a revised copy shall be promptly furnished to the District.

11. WARRANTY OF SERVICES.

The Foundation warrants and guarantees that all services it performs hereunder for the District shall be performed in a manner commensurate with the highest professional standards.

12. INTEGRATED AGREEMENT.

Each party to this Memorandum acknowledges that no representations, inducements, promises, or agreements, oral or written, have been made by any party, or any one acting on behalf of any party, which are not embodied herein. Any amendment or modification to this Memorandum will be effective only if in writing and signed by both parties.

15. PARTIAL INVALIDITY.

If any provision of this Memorandum is held by any competent court to be invalid, void, or unenforceable, the remaining provisions shall nevertheless continue in full force and effect.

16. WAIVER.

A waiver by the District or by the Foundation of any term, covenant, or condition contained herein shall not be deemed to be a waiver of any subsequent breach of the same or other term, covenant, or condition contained herein, whether of the same or a different character.

17. GOVERNING LAW.

The validity of this Memorandum and any of its terms or provisions, as well as the rights and duties hereunder, shall be interpreted and construed pursuant to and in accordance with the laws of the State of California.

18. SECTION HEADINGS.

The section headings appearing herein shall not be deemed to govern, limit, modify, or in any way affect the scope, meaning, or intent of the provisions of this Memorandum.

19. COSTS OF LITIGATION.

If any legal action is necessary to enforce any provision hereof or for damages by reason of an alleged breach of any provisions of this Memorandum, the prevailing party shall be entitled to receive from the losing party all costs and expenses and such an amount as the court may adjudge to be reasonable attorneys' fees.

IN WITNESS WHEREOF, the parties have caused this Memorandum to be executed on the day and year first above written.

SANTA MONICA-MALIBU
UNIFIED SCHOOL DISTRICT

BY: _____
John E Deasy, Ph.D.
Superintendent

SANTA MONICA-MALIBU
EDUCATION FOUNDATION

BY: _____
Ralph Mechur
President

TO: BOARD OF EDUCATION
FROM: SUPERINTENDENT
RE: BASIC/SUPPLEMENTAL TEXTBOOK ADOPTION

INFORMATION
03/03/05

INFORMATION ITEM NO.I.1

It is recommended that the textbooks listed below be considered for adoption for the Santa Monica-Malibu Unified School District. The Board of Education will take action to adopt these books at the next Board of Education meeting.

THE BOTANY OF DESIRE, by Michael Pollan, for Grades 11-12, Adoption requested by Carol Jago at Samohi

JOE TURNER'S COME AND GONE, by August Wilson, for Grades 11, Adoption requested by Meredith Louria at Samohi

MR RAINEY'S BLACK BOTTOM, by August Wilson, for Grades 11, Adoption requested by Meredith Louria at Samohi

SEVEN GUITARS, by August Wilson, for Grades 11, Adoption requested by Meredith Louria at Samohi

JITNEY, by August Wilson, for Grades 11, Adoption requested by Meredith Louria at Samohi

PROJECT TOWARD NO DRUG ABUSE, BY Steven Sussman, Ph.D., Sande Craig, MaryAnn Moss for grade 9, Adoption requested by Ruth Esseln from Samohi

COMMENT: In accordance with the Board of Education policy, the textbook(s) listed above will be on public display for the next two weeks in the Educational Services Department at 1638 17th Street, Santa Monica, CA. 90405.