

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

May 21, 2009

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education will be held on **Thursday, May 21, 2009**, in the **Santa Monica City Council Chambers**: 1685 Main Street, Santa Monica, CA. The Board of Education will call the meeting to order at 4:00 p.m. in the Board Conference Room at the District Offices: 1651 16th Street, Santa Monica, CA., at which time the Board of Education will move to Closed Session regarding the items listed below. The public meeting will reconvene at 5:30 p.m. in the Santa Monica City Council Chambers.

The public meeting will begin at 5:30 p.m.

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

Time Certain Items: Those items listed for a specified time (indicated in bold) are listed to give the public an indication of when a particular item of interest will come before the Board. The Board will hear the item at the affixed time. However, if it is prudent to do so, the Board may adjust the time stamp to complete an item currently on the floor, but will not delay the time stamped item for more than 15 minutes.

I. CALL TO ORDER

- A. Roll Call
- B. Pledge of Allegiance

II. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

III. CLOSED SESSION (110):

- Receipt of recommendation for approval of the proposed CAHSEE waiver request pursuant to §60851 (c), as cited in the Education Code (15):
CAHSEE-1023-08/09 CAHSEE-1024-08/09
- Public Employee, to consider appointment, employment, performance evaluation, or dismissal of employee pursuant to GC§54957, as cited in the Brown Act (Director, Coordinator, Principal, House Principal, Dean of Students) (45)
- Conference with Superintendent regarding 2008-2009 Strategies for Negotiations with S.E.I.U. pursuant to GC §54957.6 as cited in the Brown Act. (10)
- Conference with Superintendent regarding 2008-2009 Strategies for Negotiations with S.M.M.C.T.A. pursuant to GC §54957.6 as cited in the Brown Act. (10)
- Closed session with legal counsel concerning anticipated litigation pursuant to GC §54956.9 as cited in the Brown Act (1 case). (20)
- Pupil hearings pursuant to EC §48918 (c) as cited in the Brown Act (No. A.28) (15)
- Closed Session, Superintendent's performance evaluation pursuant to GC §54954.5 as cited in the Brown Act. (10)

IV. BOARD OF EDUCATION – COMMENDATIONS / RECOGNITIONS (25)

- Grant Elementary School (10)
- Workability Program (10)
 - Bob’s Market – Honor Roll for the State of CA
 - Raven Womack – SMMUSD Student and New Employee
- 2009 Prudential Spirit of Community Awards in California, Distinguished Finalist – Sun Kim (Santa Monica High School student) (5)

V. APPROVAL OF THE AGENDA

VI. APPROVAL OF MINUTES

A.01 Approval of Minutes1
 May 5, 2009
 May 7, 2009

VII. CONSENT CALENDAR (5)

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. However, members of the Board of Education, staff, or the public may request an item be removed from the consent agenda for clarification and/or discussion. Consideration will occur during Section XI (Major Items).

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A.28	Expulsion of Student (B/D 12/23/95)	47
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VIII. PUBLIC COMMENTS

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

IX. COMMUNICATIONS ⁽³⁴⁾

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 workdays prior to the date of the meeting.

- A. Student Board Member Reports**
 - Jaime Black – Santa Monica High School (3)
 - Roya Sahafi – Malibu High School (3)
 - Isis Enriquez – Olympic High School (3)
- B. SMMCTA Update – Mr. Harry Keiley (5)**
- C. S.E.I.U. Update – Ms. Keryl Cartee-McNeely (5)**
- D. PTA Council – Rebecca Kennerly (5)**
- E. Financial Oversight Committee (5)**
- E. District Advisory Committee End-of-Year Reports (5 min per DAC)..... 48-49**
 - Childcare and Development DAC (5)

X. SUPERINTENDENT’S REPORT (5)

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 (40)

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.29 Basic Language Arts Textbooks, Grades 6-8 (10).....50
- A.30 Approve Installation of Twenty (20) Model Technology Classrooms at Elementary Schools (10)..... 51-52
- A.31 Award of Architectural Services for Design and Construction Services – Van Tilburg, Banvard & Soderbergh – Districtwide Deferred Maintenance Window Project (10)..... 53-54
- A.32 Adopt Resolution No. 08-40 – Findings and Adoption of Mitigated Negative Declaration and Mitigation Monitoring and Reporting Program for the Edison Language Academy Project – Measure BB (10) 55-59q

XII. DISCUSSION ITEMS (145)

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.01 Revise Policy and Administrative Regulations 1330 – Use of School Facilities (60) 60-90
- D.02 Budget Solutions – Tier III Categorical Funds Flexibility (20)..... 91-93
- D.03 2009-10 Budget Reductions and Realignment in Districtwide Contracted Services and Special Education (10)..... 94-95
- D.04 Class Size for the 2009-10 School Year (10)..... 96-97
- D.05 Reduction in One House at SAMOHI Beginning 2009-10 (45)..... 98-99

XIII. INFORMATIONAL ITEMS (0)

XIV. BOARD MEMBER ITEMS (0)

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

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©. Requests must be submitted to the Superintendent in writing ten days before the Board meeting or prior to agenda planning, in accordance with the established agenda planning schedule, whichever is less. The written request will not exceed 500 words and will include, as an attachment, brief background information and the reason for the request.

XVI. CONTINUATION OF PUBLIC COMMENTS

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

XVII. BOARD MEMBER COMMENTS

Board Member Comments is the section where a Board member may make a brief announcement or 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.

XIV. CLOSED SESSION

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

XX. ADJOURNMENT

This meeting will adjourn to a special meeting on **Thursday, May 28, 2009, at 6:00 p.m.** in the **District Administrative Offices: 1651 16th Street, Santa Monica, CA.** The next regularly scheduled meeting will be held on **Thursday, June 5, 2009, at 5:30 p.m.** in the Board Room at the District Offices: 1651 16th 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 Ch. 3 every Saturday at 8pm.

SMMUSD Board of Education Meeting Schedule 2008-2009

Closed Session begins at 4:00pm
Public Meetings begin at 5:30pm

July through December 2008					
Month	1 st Thursday	2 nd Thursday	3 rd Thursday	4 th Thursday	Special Note:
July				7/24 DO	* 7/1: Special Meeting * 7/10: Special Meeting
August			8/21* DO		*8/21: Begins at 4:30pm
September	9/4 DO			9/18 DO	
October	10/2 M		10/16 SM		
November	11/6 M		11/20* DO	11/27 (5 th Thurs)	*11/20: Location moved to District Office Thanksgiving: 11/27-28
December	12/8* DO	12/11 DO	12/17* DO	winter break	*12/8: Special Meeting *12/17: Special Meeting
December 22 – 31: Winter Break					
January through June 2009					
January 1 – 2: Winter Break					
January	winter break	1/8* DO	1/15 DO	1/29 (5 th Thurs)	*1/8: Special Closed Session
February	2/5 M		2/19 SM	2/27* DO	*2/27: Special Meeting
March	3/4* DO 3/5 M		3/19 SM		*3/4: Special Meeting Stairway 3/26 & 3/27
April	4/2* DO	spring break	spring break	4/18* DO 4/23 DO	*4/2: Begins at 6:00pm *4/18: Special Closed Session
April 6-17: Spring Break					
May	5/5* DO 5/7 M	5/14* DO	5/21 SM	5/28* DO	*5/5: Special Meeting *5/14: Special Meeting *5/28: Special Meeting
June	6/4 DO	6/10* DO		6/25 DO	*6/10: Special Meeting Last day of school: 6/19

District Office (DO): 1651 16th Street, Santa Monica.
 Malibu City Council Chambers (M): 23815 Stuart Ranch Road, Malibu, CA
 Santa Monica City Council Chambers (SM): 1685 Main Street, Santa Monica.

**Santa Monica-Malibu Unified School District
Board of Education
May 21, 2009**

I. CALL TO ORDER

A. Roll Call

Ralph Mechur – President
Barry Snell – Vice President
Ben Allen
Oscar de la Torre
Jose Escarce
Maria Leon-Vazquez
Kelly Pye

Student Board Members

Jaime Black – Santa Monica High School
Roya Sahafi – Malibu High School
Isis Enriquez – Olympic High School

B. Pledge of Allegiance

II. CLOSED SESSION

TO: BOARD OF EDUCATION

ACTION
05/21/09

FROM: TIM CUNEO

RE: APPROVAL OF MINUTES

RECOMMENDATION NO. A.01

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

May 5, 2009

May 7, 2009

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / MAUREEN BRADFORD

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.02

It is recommended that the Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2007/2008 budget.

Contractor / Contract Dates	Description	Site	Funding
Robert Gilliam Productions 4/24/09 to 5/29/09 Not to exceed: \$3,330	To teach dance through PE class, 4 groups, 4 sessions each.	Lincoln	01-90830-0-17000-10000-5802-012-4120
Kate Kinsella 5/20/09 to 5/29/09 Amendment to contract: Not to exceed: \$5,000 Not to exceed: \$4,000 (approved 5/7/09)	Professional development in the area of second language acquisition for selected elementary teachers.	Educational Services	01-42030-0-47600-10000-5802-035-1300
Jayson Helgeson 5/16/09 Not to exceed: \$695	To provide Sibelius Music Software training for music teachers.	Educational Services	0100-91251-0-17000-10000-030-1300
Daly America 5/9/09 to 8/9/09 Addendum to original contract UC09009 for \$48,000 Original contract was approved 6/26/08 for Not to exceed:\$144,000			21-90100-0-00000-85000-62000-011-2600

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / MAUREEN BRADFORD

RE: OVERNIGHT FIELD TRIP(S) 2008-2009

RECOMMENDATION NO. A.03

It is recommended that the Board of Education approve the special field trip(s) listed below for students for the 2008-2009 school year. No child will be denied due to financial hardship.

School Grade # students	Destination Dates of Trip	Principal/Teacher	Cost Funding Source	Subject	Purpose Of Field Trip
Samohi 9-12 8-10	SAGE State Competition, San Mateo, CA. 5/14/09 – 5/15/09	Hugo Pedroza/ Terry Jones/ Anita Kemp	\$220 per student by LACOROP and parent donation	ROP	To compete in 10 areas of business, marketing and entrepreneurship for SAGE
Samohi 9-12 8-10	SAGE National Competition, San Mateo, CA. 5/28/09 – 5/30/09	Hugo Pedroza/ Terry Jones/ Anita Kemp	\$220 per student by LACOROP and parent donation	ROP	To compete in 10 areas of business, marketing and entrepreneurship for SAGE

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / PAT HO

RE: CONFERENCE AND TRAVEL APPROVAL/RATIFICATION

RECOMMENDATION NO. A.04

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

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

<u>NAME</u> <u>SITE</u> Account Number Fund – Resource Number	CONFERENCE NAME LOCATION DATE (S)	COST ESTIMATE
<u>HEYLER, Sioux</u> Santa Monica High 01-34100-0-57700-11900-5220-044-1400 General Fund- Resource: Local Staff Development	Business, Education and Labor Force Meeting Sacramento, CA March 10, 2009	\$685
<u>ORUM, Lori</u> Edison Elementary 01-73250-0-11100-27000-5220-035-1300 General Fund- Resource: Principal Training Program	AB 430-Module 1 Administrator Training Downey, CA April 20, 21, 22, 27 & 28, 2009	\$1,100
<u>SACHS, Teri</u> Lincoln Middle 01-00000-0-11100-31400-5220-041-1400 General Fund- Function: Health Services	3 rd Annual Children’s Nursing Symposium Torrance, CA May 14, 2009	\$75 +1 SUB
<u>SKAGGS, Debbie</u> Santa Monica High 01-00000-0-11100-10000-5220-015-4150 General Fund- Function: Instruction	Differentiating Instruction Downey, CA July 30, 2009	\$200
<u>TANIOS, Elhamy</u> Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund- Function: Conference & Travel	Governmental Accounting Ontario, CA May 22, 2009	\$250

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

Group Conference and Travel: In-State

** a complete list of conference participants is on file in the Department of Fiscal Services*

<u>GONZALEZ, Irene</u> +3 Additional Staff McKinley Elementary 01-30100-0-11100-10000-5220-004-4040 General Fund- Resource: Title I	CGI National Conference 2009 San Diego, CA July 30 –August 1, 2009	\$2,916 TOTAL
<u>HERMAN, Melissa</u> +5 Additional Staff Muir Elementary 01-30100-0-11100-10000-5220-005-4050 General Fund- Resource: Title I	First Presbyterian Educator’s Tour Santa Monica, CA May 4, 2009	\$180 TOTAL +4 SUBS
<u>HERNANDEZ, Diane</u> +7 Additional Staff Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund Function: Conference & Travel	2008/2009 Year-End Closing Area Meetings Downey, CA June 3, 2009	\$210 TOTAL
<u>HO, Pat</u> +3 Additional Staff Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund Function: Conference & Travel	2008/2009 Year-End Closing Area Meetings Downey, CA May 18, 2009	\$100 TOTAL
<u>LARIOS, Carmen</u> <u>PLATZ, Leyla</u> Human Resources 01-00000-0-00000-74000-5220-025-1250 General Fund- Function: Personnel/Human Resources	HRS Migration Meeting Downey, CA May 7, 2009	\$60 TOTAL
<u>LYONS, Irma</u> <u>NOVECK, Maryanna</u> Rogers Elementary 01-30100-0-11100-10000-5220-006-4060 General Fund- Resource: Title I	CAAAE 8 th Annual Summer Professional Development Institute San Diego, CA June 24- 25, 2009	\$700 TOTAL
<u>PEDROZA, Hugo</u> <u>CUNEO, TIM</u> +5 Additional Staff Santa Monica High 01-00000-0-11100-10000-5220-015-4150 General Fund Function:	“Whatever It Takes” –PLC Implementation Whittier, CA April 23, 2009	\$525 TOTAL +1 SUB
<u>PEREZ, Elena</u> +5 Additional Staff Fiscal Services 01-00000-0-00000-73100-5220-051-2510 General Fund Function: Conference & Travel	HRS Migration Meeting Downey, CA May 7, 2009	\$150 TOTAL

Out-of-State Conferences: Individual		
<u>DAVIES, Michael</u> Muir Elementary 01-30100-0-11100-10000-5220-005-4050 General Fund- Resource: Title I	Institute of the Teaching of Writing New York, NY August 10 - 14, 2009	\$2,000 TOTAL

Out-of-State Conferences: Group		
<u>BELTRAN, Sue</u> +2 Additional Staff Muir Elementary 01-30100-0-11100-10000-5220-005-4050 General Fund- Resource: Title I	Institute of the Teaching of Writing New York, NY June 29 – July 3, 2009	\$6,000 TOTAL

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / PEGGY HARRIS

RE: TEXTBOOKS

RECOMMENDATION NO. A.05

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

COMMENT: In accordance with the Board of Education policy, the 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.

Bullying in Schools, by Paul Langan for grade 9 Special Education Freshman Seminar. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Story of Blima: A Holocaust Survivor by Shirley Russak Wachtel for grade 9 Special Education Freshman Seminar. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Surviving Abuse, by Beth Johnson for grade 9 Special Education Freshman Seminar. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Facing Addiction, by Beth Johnson for grade 9 Special Education Freshman Seminar. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Making the Most of Your Life, by Various Authors for grade 9 Special Education Freshman Seminar. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Vocabulary Basics, by Judith Nadell, Beth Johnson, and Paul Langan for grade 9 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

English Essentials, by John Langan and Beth Johnson for grades 9-10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Groundwork for Better Vocabulary, by Beth Johnson, Carole Mohr and Janet M. Goldstein for grade 10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Groundwork for College Reading with Phonics, by Bill Broderick and John Langan for grades 9-12 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Building Vocabulary Skills, by Sherrie L. Nist and Carol Mohr, for grade 11 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Improving Vocabulary Skills, by Sherrie L. Nist and Carol Mohr, for grade 12 at Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

10 Skills You Really Need to Succeed in School, by John Langan for grades 9-12 Special Education Tutorial. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Everyday Heroes, by Beth Johnson for grades 9-10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

White Fang, by Jack London for grade 9 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

The Adventures of Huckleberry Finn, by Mark Twain for grade 11 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Great Expectations, by Charles Dickens for grade 9 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Treasure Island, by Robert Louis Stevenson for grade 9 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

War of the Worlds, by H.G. Wells for grade 9 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Jackie Robinson: An American Hero, by Anne Schraff for grade 9 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

The Odyssey, by Homer for grade 10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Pride and Prejudice, by Jane Austen for grade 10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Brothers in Arms, by Paul Langan and Ben Alirez for grade 10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Blood is Thicker, by Paul Langan and D.M. Blackwell for grade 10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Frankenstein and The Strange Case of Dr. Jekyll and Mr. Hyde, by Mary Wollstonecraft Shelley and Robert Louis Stevenson for grade 10 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

The Call of the Wild, by Jack London for grade 11 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

The Amazing Harry Houdini, by Tanya Savory for grade 11 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Narrative of the Life of Frederick Douglass, by Frederick Douglass for grade 11 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

Voices and Values, by Janet M. Goldstein and Beth Johnson for grades 11-12 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

10 Real Life Stories, by Various Authors for grade 11 Special Education English. Adoption requested by Elizabeth Farruggia, Santa Monica High School.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU / JEANNE DAVIS

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS - 2008-2009

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following Special Education Contracts for fiscal year 2008-2009 as follows:

NPS

2008-2009 Budget 01-65000-0-57500-11800-5125-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Westview- contract increase	5/17/93	Transportation	#59-UC09348	\$ 2,000
The HELP Group (Village Glen West)	1/17/93	NPS	#66-UC09357	\$ 11,808
The HELP Group (Village Glen West)	2/23/98	Counseling	#48-UC09219	\$ 1,785
Tobinworld - contract increase	5/28/89	1:1 aide	#29-UC09081	\$ 6,065

Amount Budgeted NPS 08/09	\$ 1,500,000
Prior Board Authorization as of 05/07/2009	\$ 1,726,575
Balance	\$ -226,575

Positive Adjustment (See Below)	\$ 210,122
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Total Amount for these Contracts	\$ 21,658
Balance	\$ - 38,111

Adjustment					
NPS Budget 01-65000-0-57500-11800-5125-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2007-08 in the amount of \$ 0 as of 05/21/09					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Kayne Eras	NPS	#65-UC09355	E	\$ 11,808	
Carousel School	NPS	#41-UC09197	R	\$	
The HELP Group (Village Glen West)	NPS	#48-UC09219	R	\$ 49,299	Reversing 5/7/09 agenda item
Vista School	NPS	#28-UC09080	R	\$ 28,272	
Vista School	NPS	#17-UC09069	R	\$ 21,670	

Westview	NPS	#19-UC09071	R	\$ 29,436	
Yellowstone	NPS	#20-UC09072	R	\$ 1,598	
Devereux Foundation	NPS	#34-UC09115	R	\$ 17,416	
Devereux Foundation	NPS	#26-UC09078	R	\$ 507	
Devereux Foundation	NPS	#45-UC09216	R	\$ 335	
Junior Blind	NPS	#27-UC09079	R	\$ 1,835	
North Hills	NPS	#30-UC09082	R	\$ 1,605	
Pacific Grove	NPS	#33-UC09109	R	\$ 1,951	
The HELP Group (Village Glen West)	NPS	#24-UC09076	R	\$ 1,411	
Tobinworld	NPS	#29-UC09081	R	\$ 42,979	Reversing 5/7/09 agenda item

NPA

2008-2009 Budget 01-65000-0-57500-11800-5126-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted NPA 08/09		\$ 1,400,000
Prior Board Authorization as of 05/07/09		\$ 1,231,698
	Balance	\$ 168,302
Positive Adjustment (See Below)		\$ 5,400
Total Amount for these Contracts		\$ 0
	Balance	\$ 173,702

Adjustment					
NPA Budget 01-65000-0-57500-11800-5126-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2007-08 in the amount of \$ 0 as of 05/21/09					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment
Can Do Kids	Occupational Therapy	#13-UC09097	E	\$ 5,400	

NPA PRE SCHOOL

2008-2009 Budget 01-65000-0-57300-11800-5125043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted NPA Pre School 08/09	\$	100,000
Prior Board Authorization as of 05/07/09	\$	120,460
Balance	\$	-20,460
Total Amount for these Contracts	\$	0
Balance	\$	-20,460

Instructional Consultants

2008-2009 Budget 01-65000-0-57500-11900-5802-043-1400

Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Jeanne M. Gehle	Various	Instructional Consultant	#57-UC09358	\$ 7,800

Amount Budgeted Instructional Consultants 08/09	\$	310,000
Prior Board Authorization as of 05/07/09	\$	600,079
Balance	\$	-290,079
Positive Adjustment (See Below)	\$	0
Total Amount for these Contracts	\$	7,800
Balance	\$	-282,279

Adjustment					
Instructional Consultants Budget 01-65000-0-57500-11900-5802-043-1400					
There has been a reduction in authorized expenditures of Instructional Consultants contracts for FY 2008-09 in the amount of \$ as of 05/21/09					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Instructional Consultants -INFANT

2008-2009 Budget 01-65000-0-57100-11900-5802-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instructional Consult-Infants 08/09	\$	15,000
Prior Board Authorization as of 05/07/09	\$	19,130
Balance	\$	-4,130
Total Amount for these Contracts	\$	0
Balance	\$	-4,130

Instructional Consultants -PRE SCHOOL

2008-2009 Budget 01-65000-0-57300-11900-5802-043-1400

Nonpublic School/Agency	Student DOB	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Instruct Consult-Pre School 08/09	\$	175,000
Prior Board Authorization as of 05/07/09	\$	53,220
Balance	\$	121,780
Total Amount for these Contracts	\$	0
Balance	\$	121,780

Non-Instructional Consultants

2007-2008 Budget 01-65000-0-57500-11900-5890-043-1400

Non-Instructional Consultant	Student DOB	Service Description	Contract Number	Cost Not to Exceed
Diana Temple	7/31/92	Parent reimbursement - transportation to NPS	#27-UC09359	\$ 1,200

Amount Budgeted Non-Instructional Consultants 08/09	\$ 144,000
Prior Board Authorization as of 05/07/09	\$ 225,869
Balance	\$ -81,869
Positive Adjustment (See Below)	\$ 0
Total Amount for these Contracts	\$ 1,200
Balance	\$ -80,669

Adjustment					
Non-Instructional Consultants Budget 01-65000-0-57500-11900-5890-043-1400					
There has been a reduction in authorized expenditures of Non-Instructional Consultants contracts for FY 2008-09 in the amount of \$ as of 05/21/09					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Legal

2007-2008 Budget 01-65000-0-57500-11900-5820-043-1400

Legal Contractor	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Legal Services 08/09	\$ 200,000
Prior Board Authorization as of 05/07/09	842,208
Balance	\$ -642,208
Adjustments for this period	\$ 0
	\$ -642,208
Total Amount for these Contracts	\$ 0
Balance	\$ -642,208

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

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: AWARD OF PURCHASE ORDERS - 2008-2009

RECOMMENDATION NO. A.07

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from April 28, 2009, through May 12, 2009, for fiscal /09.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: AWARD OF CONTRACT FOR CONSTRUCTION MANAGEMENT SERVICES TO DALY AMERICA - PARKING LOT AT JOHN ADAMS MIDDLE SCHOOL

RECOMMENDATION NO. A.08

It is recommended that the Board of Education award a contract to Daly America to provide construction management services for the John Adams Parking Lot at John Adams Middle School in the amount of \$18,000.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-6200-011-2600

COMMENTS: District staff requested that Gary Daly of Daly America Submit a proposal to provide construction management services for the John Adams Parking Lot project, which is currently out to bid (Bid #9.14). Daly America's scope of work includes the following:

- Coordination of bid and award process
- Coordination of abatement contract
- Management of construction contract including review of schedule updates, RFIs, change orders, monthly pay applications, reports, and punch list
- Coordination with architect, inspector of record.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT
05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: AMMENDMENT TO CONTRACT WITH J. DREYFUSS AND ASSOCIATES
(DBA DREYFUSS CONSTRUCTION) - BOYS AND GIRLS CLUB
FACILITY AT JOHN ADAMS MIDDLE SCHOOL - BID #9.01 -
CHANGE ORDER #5

RECOMMENDATION NO. A.09

It is recommended that the Board of Education approve Change Order #5 Bid #9.01 to Dreyfuss Construction, in an amount of \$293,038.54 for a total contract price not to exceed \$2,689,935.61.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-90100-0-00000-85000-6200-011-2600

COMMENTS: Change Orders #5 represent the work listed below:

ORIGINAL CONTRACT AMOUNT	\$2,318,742.00
CHANGE ORDER #1	30,000.00
CHANGE ORDER #2	11,483.09
CHANGE ORDER #3	33,221.76
CHANGE ORDER #4	3,450.22
CHANGE ORDER #5	293,038.54
TOTAL CONTRACT AMOUNT	\$2,689,935.61

These change orders constitute the following additions to the scope of work:

1. Change Order #5

- Various upgrades requested by the owner
- Bulletin #1R - Parking lot Revisions \$161,458.38
- Bulletin #10 - Fire Alarm Revision \$66,167.47
- Bulletin #5 - Roofing Changes \$2,671.01
- Install Battery Operated Auto Flush Fixtures \$6,516.34
- Bulletin #8 - Child Care Station #1 Revisions and Upgrades \$27,007.34

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY AMERICAN DEMOLITION -
HAZARDOUS MATERIALS REMOVAL & DEMOLITION BID AT OLYMPIC
CONTINUATION HIGH SCHOOL - BID #9.12

RECOMMENDATION NO. A.10

It is recommended that the Board of Education accept as completed Bid #9.12 for Olympic Continuation High School Hazardous Material Removal & Demolition to in an amount not to exceed \$ 51,773.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-6200-014-2600

COMMENTS: In order to facilitate the release of the retention being held by the District, a Notice of Completion must be filed for thirty-five (35) days with the County of Los Angeles pending Board approval.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: ACCEPTANCE OF WORK COMPLETED BY PERMACITY - SOLAR
DEMONSTRATION PROJECT AT PT.DUME ELEMENTARY SCHOOL -
BID #9.06R2

RECOMMENDATION NO. A.11

It is recommended that the Board of Education accept as completed The Solar Demonstration project, in an amount not to exceed \$ 92,214.

Funding Information

Budgeted: Yes

Fund: 01

Source: PTA

Account Number:01-90150-0-11100-85000-6200-019-2600

COMMENTS: In order to facilitate the release of the retention being held by the District, a Notice of Completion must be filed for thirty-five (35) days with the County of Los Angeles pending Board approval.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / PAT HO

RE: ACCEPTANCE OF GIFTS - 2008/2009

RECOMMENDATION NO. A.12

It is recommended that the Board of Education accept, with gratitude, checks and gifts totaling \$23,134.92 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 2008-2009 income and appropriations by \$23,134.92 as described on the attached listing.

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

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

Please also note: The second attached document, *Cumulative Gifts and Donations 2008/2009*, has been revised and includes current year-to-date balances.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

Current Gifts and Donations 2008/2009

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
JAMS 01-90120-0-00000-00000-8699-011-0000	\$ 1,047.40	\$ -		Santa Monica Science Magnet	Field Trip
Adult Education 11-90120-0-00000-00000-8699-090-0000					
Alternative (SMASH) 01-90120-0-00000-00000-8699-009-0000					
Cabrillo 01-90120-0-00000-00000-8699-017-0000	\$15,370.00	\$ -		Various Parents	Field Trip
CDS 12-90120-0-00000-00000-8699-070-0000					
Edison 01-90120-0-00000-00000-8699-001-0000	\$ 623.05 \$ 166.35 \$ 85.00 \$ 67.32	\$ 109.95 \$ 29.35 \$ 15.00 \$ 11.88		Lifetouch Various Citi-Online Bill Payment General Mills Box Tops for Education	General Supplies and Materials General Supplies and Materials General Supplies and Materials General Supplies and Materials
Franklin 01-90120-0-00000-00000-8699-002-0000					
Grant 01-90120-0-00000-00000-8699-003-0000					
Lincoln 01-90120-0-00000-00000-8699-012-0000					
Malibu High School 01-90120-0-00000-00000-8699-010-0000	\$ 520.00 \$ 247.41 \$ 126.17	\$ - \$ 43.65 \$ -		Various Canon Business Solutions Various	General Supplies and Materials General Supplies and Materials General Supplies and Materials
McKinley 01-90120-0-00000-00000-8699-004-0000					
Muir 01-90120-0-00000-00000-8699-005-0000	\$ 45.00	\$ -		Book Club	Field Trip
Olympic HS 01-90120-0-00000-00000-8699-014-0000					

Current Gifts and Donations 2008/2009

School/Site Account Number	Gift Amount	Equity Fund 15% Contrib.	In-kind Value	Donor	Purpose
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 3,100.50	\$ -		Various Parents	Field Trip
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 186.00 \$ 128.00	\$ - \$ -		Roosevelt PTA Various Parents	Field Trip Field Trip
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 894.96 \$ 160.00	\$ 157.93 \$ -		Google Various	General Supplies and Materials General Supplies and Materials
Barnum Hall 01-91150-0-00000-00000-8699-015-0000					
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000					
Webster 01-90120-0-00000-00000-8699-008-0000					
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					
Information Services 01-90120-0-00000-0000-8699-054-0000					
Food and Nutrition Services 01-90120-0-00000-0000-8699-057-0000					
District 01-90120-0-00000-00000-8699-090-0000					
TOTAL	\$ 22,767.16	\$ 367.76	\$ -		

Current Gifts and Donations 2008/2009

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	\$ 52,105.82	\$ 1,047.40	\$ -	\$53,153.22	\$ 200.00		\$ 200.00
Adult Education 11-90120-0-00000-00000-8699-090-0000	\$ 31.80			\$ 31.80			\$ -
Alternative (SMASH) 01-90120-0-00000-00000-8699-009-0000							\$ -
Cabrillo 01-90120-0-00000-00000-8699-017-0000	\$ 5,187.40	\$ 15,370.00	\$ -	\$20,557.40	\$ 12,060.70		\$ 12,060.70
CDS 12-90120-0-00000-00000-8699-070-0000				\$ -	\$ 150.00		\$ 150.00
Edison 01-90120-0-00000-00000-8699-001-0000	\$ 2,502.78	\$ 941.72	\$ 166.18	\$ 3,610.68			\$ -
Franklin 01-90120-0-00000-00000-8699-002-0000	\$ 454.74			\$ 454.74			\$ -
Grant 01-90120-0-00000-00000-8699-003-0000	\$ 300.00			\$ 300.00			\$ -
Lincoln 01-90120-0-00000-00000-8699-012-0000	\$ 332.26			\$ 332.26			\$ -
Malibu High School 01-90120-0-00000-00000-8699-010-0000 <i>Malibu Shark Fund - Resource #90141</i>	\$ 36,076.71	\$ 893.58	\$ 43.65	\$37,013.94			\$ -
McKinley 01-90120-0-00000-00000-8699-004-0000	\$ 17,183.80			\$17,183.80			\$ -
Muir 01-90120-0-00000-00000-8699-005-0000	\$ 7,557.21	\$ 45.00	\$ -	\$ 7,602.21			\$ -
Olympic HS 01-90120-0-00000-00000-8699-014-0000	\$ 12,450.00			\$12,450.00			\$ -
Rogers 01-90120-0-00000-00000-8699-006-0000	\$ 32,359.94	\$ 3,100.50	\$ -	\$35,460.44			\$ -
Roosevelt 01-90120-0-00000-00000-8699-007-0000	\$ 3,192.88	\$ 314.00	\$ -	\$ 3,506.88			\$ -
Samohi 01-90120-0-00000-00000-8699-015-0000	\$ 21,549.73	\$ 1,054.96	\$ 157.93	\$22,762.62	\$ 650.00		\$ 650.00
Pt. Dume Marine Science 01-90120-0-00000-00000-8699-019-0000	\$ 15,040.00			\$15,040.00			\$ -
Webster 01-90120-0-00000-00000-8699-008-0000	\$ 12,670.00			\$12,670.00			\$ -

Current Gifts and Donations 2008/2009

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
ALL OTHER LOCATIONS:							
Superintendent's Office 01-90120-0-00000-00000-8699-020-0000				\$ -			\$ -
Educational Services 01-90120-0-00000-00000-8699-030-0000	\$ 90,503.93			\$90,503.93	\$ 250.00		\$ 250.00
Student and Family Support Services 01-90120-0-00000-00000-8699-041-0000				\$ -			\$ -
Special Education 01-90120-0-00000-00000-8699-044-0000				\$ -			\$ -
Information Services 01-90120-0-00000-00000-8699-054-0000				\$ -			\$ -
District 01-90120-00000-0-00000-8699-090-0000							\$ -
Food & Nutrition Services 01-90120-0-00000-00000-8699-070-0000				\$ -			\$ -
TOTAL GIFTS	\$ 309,499.00	\$ 22,767.16	\$ 367.76	\$332,633.92	\$ 13,310.70	\$ -	\$ 13,310.70
			Total Equity Fund 15% Contribs.				
Total Cash Gifts for District:		\$ 22,767.16	\$ 367.76		Total In-Kind Gifts:	\$ -	

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: CONTRACT AMENDMENT #1 TO CULBERTSON & ASSOCIATES LLC
REPRESENTATION TO CALIFORNIA COASTAL COMMISSION, FIELD
LIGHTING - MALIBU HIGH SCHOOL

RECOMMENDATION NO. A.13

It is recommended that the Board of Education approve Culbertson & Associates, LLC contract amendment #1 for additional support and representation to the California Coastal Commission review associated with the field lighting portion of the Malibu High School Measure BB project in an amount of \$25,000 for a total contract amount of \$59,000.00.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-010-2600
Description: Consultant Services

COMMENTS: The Board approved a contract to Culbertson & Associates, LLP on August 21, 2008 to expedite and coordinate the review by the California Coastal Commission staff in acquiring a permit for field lighting for the Malibu High School project. Pursuant to the original contract, revisions were made in the scope of work such as strategic advice on overall plans for school improvements with respect to the ESHA and ESHA buffer designations, input on strategic coordination of the scope and extend of lighting, and input on the existing Coastal Development Permit.

ORIGINAL CONTRACT AMOUNT:	\$ 25,000
<u>CONTRACT AMENDMENT #1 (A.13)</u>	<u>\$ 34,000</u>
TOTAL	\$ 59,000

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #2 FOR INCREASE SCOPE FOR ADDITIONAL GEOTECHNICAL INVESTIGATIONS, PERCOLATION TESTS AND REPORT - SANTA MONICA HS - MACTEC - RFP #8.14 - MEASURE BB

RECOMMENDATION NO. A.14

It is recommended that the Board of Education award Contract Amendment #2 to MACTEC for performing field percolation tests and report for Santa Monica High School (Samohi) for Measure BB program in the amount of \$18,030, for a total contract amount of \$ 54,630.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number:21-00000-0-00000-85000-5802-015-2600(Samohi) \$ 18,030

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope by the design team, additional geotechnical investigation to perform field percolation tests and report has been requested by the design team. The report will be used by the design team to design dry wells at Samohi campus as part of the Stormwater Best Management Practices in City of Santa Monica.

This Contract Amendment #2, for \$18,030, is for performing field percolation tests and report at the Santa Monica High School campus.

ORIGINAL CONTRACT AMOUNT	\$ 31,600
Contract Amendment#1(Add'l borings)	\$ 5,000
Contract Amendment#2(Percolation tests)(A.14)	\$ 18,030
TOTAL CONTRACT AMOUNT	\$ 54,630

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

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #12 FOR INCREASE SCOPE FOR
TOPOGRAPHIC SURVEYS AND DIGITAL MAPPING FOR ADDITIONAL
SURVEY WORK - MALIBU MS/HS - PSOMAS - RFP #8.09 -
MEASURE BB

RECOMMENDATION NO. A.15

It is recommended that the Board of Education award Contract Amendment #12 to Psomas for additional design survey services at Malibu Middle/High School for the Measure BB program in the amount of \$5,500, for a total contract amount of \$929,750.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600(MM/HS)\$5,500

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope by the design team, additional detailed survey was required in order to define the relation between the specific existing campus elements and proposed design solution.

This Contract Amendment #12, for \$5,500, is for additional design survey work as designated by the design team at Malibu Middle/High School which requires greater detail to support the design of the new facilities.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT	
Contract Amendment#1(Survey, 4 Sites)	\$ 92,200
Contract Amendment#2(Samohi Utilities Map)	\$ 39,600
Contract Amendment#3(Survey, 2 Sites)	\$ 38,000
Contract Amendment#4(Survey, 4 Sites)	\$ 63,000
Contract Amendment#5(Survey, 4 Sites)	\$ 99,900
Contract Amendment#6(Survey/Utilities Mapping, 4 Sites)	\$ 84,500
Contract Amendment #7(Survey, 5 Sites)	\$ 72,600
Contract Amendment #8(MMHS, Sewer, Easement)	\$ 63,500
Contract Amendment #9(Samohi, Olympic)	\$ 99,000
Contract Amendment #10(Samohi survey) (A.16)	\$ 7,500
Contract Amendment #11(Lincoln survey) (A.17)	\$ 15,000
Contract Amendment #12(MMHS survey) (A.15)	\$ 5,500
<hr/>	
TOTAL CONTRACT AMOUNT	

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #13 FOR INCREASE SCOPE FOR
TOPOGRAPHIC SURVEYS AND DIGITAL MAPPING FOR ADDITIONAL
SURVEY WORK - WEBSTER ELEMENTARY SCHOOL - PSOMAS - RFP
#8.09 - MEASURE BB

RECOMMENDATION NO. A.16

It is recommended that the Board of Education award Contract Amendment #13 to Psomas for additional design survey services at Webster Elementary School for the Measure BB program in the amount of \$22,500, for a total contract amount of \$952,250.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-008-2600(Webster)\$22,500

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope by the design team, additional detailed survey was required in order to define the relation between the specific existing campus elements and proposed design solution.

This Contract Amendment #13, for \$22,500, is for additional design survey work as designated by the design team at Webster Elementary School which requires greater detail to support the design of the drop-off and parking lot reconfiguration project.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT	
Contract Amendment#1(Survey, 4 Sites)	\$ 92,200
Contract Amendment#2(Samohi Utilities Map)	\$ 39,600
Contract Amendment#3(Survey, 2 Sites)	\$ 38,000
Contract Amendment#4(Survey, 4 Sites)	\$ 63,000
Contract Amendment#5(Survey, 4 Sites)	\$ 99,900
Contract Amendment#6(Survey/Utilities Mapping, 4 Sites)	\$ 84,500
Contract Amendment #7(Survey, 5 Sites)	\$ 72,600
Contract Amendment #8(MMHS, Sewer, Easement)	\$ 63,500
Contract Amendment #9(Samohi, Olympic)	\$ 99,000
Contract Amendment #10(Samohi survey) (A.16)	\$ 7,500
Contract Amendment #11(Lincoln survey) (A.17)	\$ 15,000
Contract Amendment #12(MMHS survey) (A.15)	\$ 5,500
Contract Amendment #13(Webster survey) (A.16)	\$ 22,500
<hr/>	
TOTAL CONTRACT AMOUNT	

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #14 FOR INCREASE SCOPE FOR
TOPOGRAPHIC SURVEYS AND DIGITAL MAPPING FOR ADDITIONAL
SURVEY WORK - MALIBU MIDDLE/HIGH SCHOOL - PSOMAS - RFP
#8.09 - MEASURE BB

RECOMMENDATION NO. A.17

It is recommended that the Board of Education award Contract Amendment #14 to Psomas for additional design survey services at Malibu Middle / High School for the Measure BB program in the amount of \$7,500, for a total contract amount of \$959,750.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600(MMHS)\$7,500

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope, additional utilities survey was required in order to define the relation between the specific existing campus utilities elements and proposed design solution.

This Contract Amendment #14, for \$7,500, is for additional utilities survey work at Malibu Middle / High School which requires greater detail to support the design of the new facilities.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT	
Contract Amendment#1(Survey, 4 Sites)	\$ 92,200
Contract Amendment#2(Samohi Utilities Map)	\$ 39,600
Contract Amendment#3(Survey, 2 Sites)	\$ 38,000
Contract Amendment#4(Survey, 4 Sites)	\$ 63,000
Contract Amendment#5(Survey, 4 Sites)	\$ 99,900
Contract Amendment#6(Survey/Utilities Mapping, 4 Sites)	\$ 84,500
Contract Amendment #7(Survey, 5 Sites)	\$ 72,600
Contract Amendment #8(MMHS, Sewer, Easement)	\$ 63,500
Contract Amendment #9(Samohi, Olympic)	\$ 99,000
Contract Amendment #10(Samohi survey) (A.16)	\$ 7,500
Contract Amendment #11(Lincoln survey) (A.17)	\$ 15,000
Contract Amendment #12(MMHS survey) (A.15)	\$ 5,500
Contract Amendment #13(Webster survey) (A.16)	\$ 22,500
Contract Amendment #14(MMHS survey) (A.17)	\$ 7,500
<hr/>	
TOTAL CONTRACT AMOUNT	

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #2 FOR CEQA ENVIRONMENTAL SERVICES - EDISON LANGUAGE ACADEMY - CHRISTOPHER A. JOSEPH & ASSOCIATES (CAJA) - MEASURE BB

RECOMMENDATION NO. A.18

It is recommended that the Board of Education approve Christopher A. Joseph & Associates (CAJA) Contract Amendment #2 for additional CEQA Environmental Services for the Edison Language Academy, in the amount of \$37,150, for a total contract amount of \$127,150, Measure BB projects.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-001-2600
Description: Independent Contractor / Consultant

COMMENTS: The Board approved a contract amendment to CAJA on December 11, 2008 to evaluate three project alternatives, including the potential of future land acquisitions, and their impacts and to document the evaluation in the Mitigated Negative Declaration. Pursuant to this amendment, revisions were made to the project description and additional research was conducted on air quality, ambient field lighting, traffic analysis, noise barrier and attenuation, parking and Greenhouse Gas emissions.

The amendment also includes additional direct costs anticipated for filing fees to be paid to the LA County Clerk and costs for CAJA's transportation sub-consultant, Linscott Law & Greenspan.

ORIGINAL CONTRACT AMOUNT:	\$55,700
CONTRACT AMENDMENT #1	34,300
CONTRACT AMENDMENT #2 (A.18)	37,150
<u>TOTAL:</u>	<u>\$127,150</u>

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #3 FOR CEQA ENVIRONMENTAL SERVICES - EDISON LANGUAGE ACADEMY - CHRISTOPHER A. JOSEPH & ASSOCIATES (CAJA) - MEASURE BB

RECOMMENDATION NO. A.19

It is recommended that the Board of Education approve Christopher A. Joseph & Associates (CAJA) Contract Amendment #3 for additional CEQA Environmental Services for the Edison Language Academy, in the amount of \$2,425, for a total contract amount of \$129,575, Measure BB projects.

Funding Information

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-001-2600
Description: Independent Contractor / Consultant

COMMENTS: The MND for Edison was made available for review and comment during a public review period commencing on April 3, 2009 and ending on May 2, 2009. Biological concerns were brought forth by the owner of the property located at 2512 Virginia Avenue, Santa Monica, California.

Additional services are required to include the services of a Biologist to conduct a site visit to identify any potential biological resources and prepare a report on the findings for the potential development of the property located at 2512 Virginia Avenue, Santa Monica, California. The site visit and report of findings will address the concerns as noted in a letter from the property owner's counsel.

ORIGINAL CONTRACT AMOUNT:	\$55,700
CONTRACT AMENDMENT #1	34,300
CONTRACT AMENDMENT #2(A.18)	37,150
CONTRACT AMENDMENT #3(A.19)	2,425
<u>TOTAL:</u>	<u>\$129,575</u>

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

Letter from property Owner's council, Jeffrey D. Horowitz & Associates, dated April 29, 2009, is attached.

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #8 FOR INCREASED ARCHITECTURAL SERVICES FOR DESIGN REVISIONS, ADDITIONAL COVERED WALKWAYS - EDISON LANGUAGE ACADEMY - DALY GENIK/IBI - MEASURE BB

RECOMMENDATION NO. A.20

It is recommended that the Board of Education approve Contract Amendment #8 with Daly Genik/IBI to provide architectural services for design revisions at Edison Language Academy, in the amount of \$74,000 for a total contract amount of \$3,797,702.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Number: 21-00000-0-00000-85000-5802-001-2600

Description: Consultant Services

COMMENTS: The covered walkways and canopies throughout the building were revised to accommodate an improved covered circulation path.

Several design changes were requested by the CDS to ensure that the pre-school is well integrated into the new school building. It is to be noted that the pre-school building location was revised to accommodate the potential acquisition of the two parcels adjacent to the site.

These design revisions are supported by the Measure BB Design Review Team. These proposed changes result in an increase of 3% to the construction budget. The annual budget adjustments in June to the construction costs to accommodate escalation are anticipated to cover these additional construction costs at Edison.

This Contract Amendment #8, for \$74,000, is for the architectural and engineering services to incorporate the out-of-sequence design revisions into the Construction Documents for Edison Language Academy. The revised contract total will be \$3,797,702.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT (Prog./Schem.Design)	\$536,695
CONTRACT AMENDMENT #1 (Revised Schematic)	\$78,000
CONTRACT AMENDMENT #2 (DD/CD/CA)(rev.)	\$2,876,732
CONTRACT AMENDMENT #3 (Dist. Stand. Specs)	\$40,000
CONTRACT AMENDMENT #4 (Library Study)	\$7,750
CONTRACT AMENDMENT #5 (2 Add'l Designs)(rev.)	\$94,800
CONTRACT AMENDMENT #6 (Fire Protection Design)	25,025
CONTRACT AMENDMENT #7 (Design revisions)	\$64,700
CONTRACT AMENDMENT #8 (Rev.-Pre-school, canopy)	\$74,000
<u>TOTAL CONTRACT AMOUNT</u>	<u>\$3,797,702</u>

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: APPROVE CONTRACT FOR POWER MONITORING SERVICES, FOR
POWER DEMAND MONITORING AND REPORT SERVICES - SANTA
MONICA HS - MEASURE BB

RECOMMENDATION NO. A.21

It is recommended that the Board of Education approve a contract for Power Systems Services, Inc., to perform power demand monitoring and report for Santa Monica High School (Samohi) for Measure BB program in the amount of \$33,400.

Funding Information

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-015-2600(Samohi) \$ 33,400

Description: Independent Contractor / Consultant

COMMENTS: In developing the design of the BB project scope power demand monitoring has been requested by the design team. The report will be used by the design team to determine the impact of Measure "BB" project on the existing Southern California Edison (SCE) utility service transformer at Santa Monica High School.

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

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: CONTRACT AMENDMENT #6 FOR SEPTIC SYSTEM INVESTIGATIONS,
PREPARATION OF FORM 200s - WEBSTER ELEMENTARY SCHOOL -
TOPANGA UNDERGROUND - MEASURE BB

RECOMMENDATION NO. A.22

It is recommended that the Board of Education approve Contract Amendment #6 with Topanga Underground for septic system investigations for the Webster Elementary school site in the amount of \$30,000 for a total contract amount of \$210,021.

Funding Information:

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-008-2600
Description: Independent Contractor / Consultant

COMMENTS: At the Board Meeting on May 7, 2009, funding was approved to begin investigations for the Webster and Pt. Dume elementary school sites towards preparation and submittal of Form 200s to the Los Angeles Regional Water Control Board (LARWQCB).

This Contract Amendment #6 provides septic system work and analysis towards preparation and submittal of the required documentation.

ORIGINAL CONTRACT AMOUNT	\$ 11,600
Contract Amendment #1 (Septic Analysis)	45,207
Contract Amendment #2 (New Septic Survey)	3,575
Contract Amendment #3 (Water Flow Survey)	108,690
Contract Amendment #4 (Septic Work/Permit)	5,405
Contract Amendment #5 (Septic Excavation)	15,544
Contract Amendment #6 (Form 200s, Webster)(A.22)	30,000
TOTAL CONTRACT AMOUNT	\$210,021

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO/JANECE L. MAEZ/STUART SAM

RE: CONTRACT AMENDMENT #7 FOR SEPTIC SYSTEM INVESTIGATIONS,
PREPARATION OF FORM 200s - PT. DUME ELEMENTARY SCHOOL -
TOPANGA UNDERGROUND - MEASURE BB

RECOMMENDATION NO. A.23

It is recommended that the Board of Education approve Contract Amendment #7 with Topanga Underground for septic system investigations for the Pt. Dume Marine Science Elementary school site in the amount of \$30,000, for a total contract amount of \$240,021.

Funding Information:

Budgeted: Yes
Fund: 21
Source: State School Building Fund
Account Number: 21-00000-0-00000-85000-5802-019-2600
Description: Independent Contractor / Consultant

COMMENTS: At the Board Meeting on May 7, 2009, funding was approved to begin investigations for the Webster and Pt. Dume elementary school sites towards preparation and submittal of Form 200s to the Los Angeles Regional Water Control Board (LARWQCB).

This Contract Amendment #7 provides septic system work and analysis towards preparation and submittal of the required documentation.

ORIGINAL CONTRACT AMOUNT	\$ 11,600
Contract Amendment #1 (Septic Analysis)	45,207
Contract Amendment #2 (New Septic Survey)	3,575
Contract Amendment #3 (Water Flow Survey)	108,690
Contract Amendment #4 (Septic Work/Permit)	5,405
Contract Amendment #5 (Septic Excavation)	15,544
Contract Amendment #6 (Form 200s, Webster)(A.22)	30,000
Contract Amendment #7 (Form 200s, Pt.Dume)(A.23)	30,000
<u>TOTAL CONTRACT AMOUNT</u>	<u>\$240,021</u>

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: CONTRACT AMENDMENT #2 FOR SEWER DRAIN LINE SURVEY AND
REPORTS - MALIBU MS/HS - THE DREW LEWIS COMPANY -
MEASURE BB

RECOMMENDATION NO. A.24

It is recommended that the Board of Education approve Contract Amendment #2 with Drew Lewis Company for sewer drain line surveys and investigations services studies at Malibu High/Middle School for the Measure BB program, in the amount of \$1,900, for a total contract amount of \$9,900.

Funding Information:

Budgeted: Yes

Fund: 21

Source: State School Building Fund

Account Number: 21-00000-0-00000-85000-5802-010-2600

Description: Independent Contractor / Consultant

COMMENTS: In conjunction with the Coastal Development Permit (CDP) with the City of Malibu for the Malibu High/Middle School project, the District must perform an analysis of the existing septic systems and determine their locations current operational condition.

Associated with the Topanga Underground's work to survey and analyze the septic systems, Drew Lewis Company will locate the sewer drain lines running from the campus buildings to the septic systems, and transfer that information to the design team for a comprehensive map of the sewer line and septic system at Malibu H/MS and Cabrillo ES.

The original contract was approved by the Board on February 5, 2009. This Contract Amendment #2 is to investigate and detail additional sewer lines in the area near the Bus Barns not previously known to the District.

(Continued on next page)

ORIGINAL CONTRACT AMOUNT	\$6,400
Contract Amendment #1 (New Survey)	1,600
Contract Amendment #2 (Additional survey)	1,900
<u>TOTAL CONTRACT AMOUNT</u>	<u>\$9,900</u>

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

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: CERTIFICATED PERSONNEL - Elections, Separations

RECOMMENDATION NO. A.25

Unless otherwise noted, all items are included in the 2008/2009 approved budget.

ADDITIONAL ASSIGNMENTS

EDUCATIONAL SERVICES

Schwartz, Bonnie	1.4 hrs @\$40.46	4/2/09	<u>Est Hrly/\$57</u>
			TOTAL ESTABLISHED HOURLY \$57

Comment: Assess Student Art Work
01-Economic Impact Aid LEP

Carnes, Timothy	30 hrs @\$40.46	1/24/09-6/19/09	<u>Est Hrly/\$1,214</u>
			TOTAL ESTABLISHED HOURLY \$1,214

Comment: Assist with Elementary Honor Orchestra Program
01-Gifts

LINCOLN MIDDLE SCHOOL

Lima, Alaina	15 hrs @\$40.46	4/20/09-6/22/09	<u>Est Hrly/\$607</u>
			TOTAL ESTABLISHED HOURLY \$607

Comment: After-School Library Hours
01-Reimbursed by PTA

Blitz, Sarah	5.50 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$223
Greenfield, Sara	5.50 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$223
Hart, Sharon	5.50 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$223
Hoffman, Beth	6.25 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$253
Hyland, amy	6.00 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$243
Jaroch, Katie	11.50 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$465
Minck, Katrina	8.25 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$334
O'Brien, Marianna	8.25 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$334
Pham, Vy	10.50 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$425
Prakash, Jennifer	6.00 hrs @\$40.46	10/15/08-6/19/09	Est Hrly/\$243
Utzingler, Sara	6.25 hrs @\$40.46	10/15/08-6/19/09	<u>Est Hrly/\$253</u>
			TOTAL ESTABLISHED HOURLY \$3,219

Comment: Additional Lesson Link Training
01-School and Library Imprvmnt BG

Seymour, Robert	50 hrs @\$40.46	9/2/08-6/19/09	<u>Est Hrly/\$2,023</u>
			TOTAL ESTABLISHED HOURLY \$2,023

Comment: Program Coordinator
01-School and Library Imprvmnt BG

Obusek, John	12 hrs @\$40.46	4/30/09-5/8/09	<u>Est Hrly/\$486</u>
			TOTAL ESTABLISHED HOURLY \$486

Comment: Testing Proctor
01-School and Library Imprvmnt BG

MALIBU HIGH SCHOOL

Reynolds, LaRee	45 hrs @\$40.46	4/20/09-6/19/09	<u>Est Hrly/\$1,821</u>
			TOTAL ESTABLISHED HOURLY \$1,821

Comment: After-School Tutoring
01-Gifts - Equity Fund

Chapman, Marguerite	15 hrs @\$40.46	5/1/09-5/18/09	Est Hrly/\$607	
			<u>TOTAL ESTABLISHED HOURLY</u>	\$607

Comment: AP Testing Coordinator
01-Gifted/Talented Edu (GATE)

Cairns, Patricia	60 days @\$510.35	4/20/09-6/30/09	Own Daily/\$30,621	
			<u>TOTAL OWN DAILY</u>	\$30,621

Comment: Interim Assistant Principal
01-Unrestricted Resource

SANTA MONICA HIGH SCHOOL

Boyd, Bryn	12 hrs @\$40.46	1/7/09-6/10/09	Est Hrly/\$486	
Forrer, Brooke	12 hrs @\$40.46	1/7/09-6/10/09	Est Hrly/\$486	
Lipetz, Sarah	12 hrs @\$40.46	1/7/09-6/10/09	Est Hrly/\$486	
Pust, Jennifer	12 hrs @\$40.46	1/7/09-6/10/09	Est Hrly/\$486	
Surrago, Michael	12 hrs @\$40.46	1/7/09-6/10/09	Est Hrly/\$486	
			<u>TOTAL ESTABLISHED HOURLY</u>	\$2,430

Comment: A House Advisory
01-Gifts - Equity Fund

Mabrey, Matthew	3.5 hrs @\$40.46	3/12/09	Est Hrly/\$142	
Pitts, Greg	3.5 hrs @\$40.46	3/12/09	Est Hrly/\$142	
Semik, Renee	3.5 hrs @\$40.46	3/12/09	Est Hrly/\$142	
Webb, Kitaro	3.5 hrs @\$40.46	3/12/09	Est Hrly/\$142	
			<u>TOTAL ESTABLISHED HOURLY</u>	\$568

Comment: Racial Harmony Event
01-Gifts - Equity Fund

De la Cruz, Gilda	4 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$ 162	
Devincentis-Waul, M.	12 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$ 486	
Escalera, Daniel	12 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$ 486	
Gomez, Tony	12 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$ 486	
Green, Michael	30 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$1,214	
Harris, John	4 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$ 162	
Kim, Doug	8 hrs @\$40.46	4/20/09-5/13/09	Est Hrly/\$ 324	
			<u>TOTAL ESTABLISHED HOURLY</u>	\$3,320

Comment: After-School CAHSEE Intervention
01-CAHSEE Intensive instr & Serv

Chapman, Jimmy	44 hrs @\$56.67	4/20/09-6/19/09	Own Hrly/\$2,493	
Toumayan, Guadalupe	44 hrs @\$51.33	4/20/09-6/19/09	Own Hrly/\$2,259	
Wethern, Heather	44 hrs @\$52.91	4/20/09-6/19/09	Own Hrly/\$2,328	
			<u>TOTAL OWN HOURLY</u>	\$7,080

Comment: 6th Period Assignment
01-Unrestricted Resource

WEBSTER ELEMENTARY SCHOOL

Kooy, Tracey	16 hrs @\$40.46	1/5/09-5/31/09	Est Hrly/\$647	
Papale, Jaqueline	16 hrs @\$40.46	1/5/09-5/31/09	Est Hrly/\$647	
			<u>TOTAL ESTABLISHED HOURLY</u>	\$1,294

Comment: After-School GATE classes
01-Gifted/Talented Edu (GATE)

ADDITIONAL ASSIGNMENT - EXTRA DUTY UNITS

FRANKLIN ELEMENTARY SCHOOL

<u>Name</u>	<u>Rate</u>	<u>Assignment</u>	<u>Effective</u>	<u>Not to Exceed</u>
Kumasaka, Paul	0.5 EDU	Astro Camp	9/08-6/09	\$128
Powell, Erin	0.5 EDU	Astro Camp	9/08-6/09	\$128
Silhavy, Dawn	0.5 EDU	Astro Camp	9/08-6/09	\$128
			TOTAL EDUS	\$384

TOTAL ESTABLISHED HOURLY, OWN HOURLY OWN DAILY AND EXTRA DUTY UNITS = \$55,731

CHANGE IN ASSIGNMENT

	<u>Effective</u>
Bautista-Nichols, Claudia Teacher/Spanish	4/20/09-6/19/09
<u>From:</u> 60%	
<u>To:</u> 100%	

Miller, Judith Counselor/At Risk Mental Health	3/23/09-6/30/09
<u>From:</u> 60%	
<u>To:</u> 100%	

RESIGNATION

<u>Name/Location</u>	<u>Effective</u>
Shapiro, Hallie McKinley Elementary	6/19/09

RETIREMENT

<u>Name/Location</u>	<u>Effective</u>
Paulson, Janet Special Education	2/28/09 [change of date from 3/19/09 Agenda]

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

TO: BOARD OF EDUCATION
 FROM: TIM CUNEO / WILBERT YOUNG
 RE: CLASSIFIED PERSONNEL - MERIT

ACTION/CONSENT
 05/21/09

RECOMMENDATION NO. A.26

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

<u>ELECTION</u>		<u>EFFECTIVE DATE</u>
HOWARD, LATEEF WEBSTER ELEMENTARY	INST ASST - PHYSICAL ED 4 HRS/10 MO/RANGE: 20 STEP: A	4/2/09
FISHER, JEFF FRANKLIN ELEMENTARY	INST ASST - SPECIAL ED 4.5 HRS/SY/RANGE: 20 STEP: A	3/6/09
REYES, PEDRO FACILITIES MAINT	ELECTRICIAN 8 HRS/12 MO/RANGE: 37 STEP: A	4/27/09
RODRIGUEZ, SARA ROGERS ELEMENTARY	INST ASST - SPECIAL ED 6 HRS/SY/RANGE: 20 STEP: A	5/4/09
<u>TEMP/ADDITIONAL ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
BENITEZ, ANGELA CHILD DEVELOP SVCS	CHILDREN CENTER ASST	3/5/09-6/30/09
FLORES, ANA BUSINESS SVCS	OFFICE SPECIALIST	5/1/09-8/14/09
MASON, MELANIA FRANKLIN ELEMENTARY	OFFICE SPECIALIST	4/27/09-5/1/09
MINCA, ANTHONY LINCOLN MS	AVID TUTOR	3/1/09-6/19/09
OYENOKI, ELIZABETH MCKINLEY ELEMENTARY	SR OFFICE SPECIALIST	5/1/09-6/19/09
<u>SUBSTITUTES</u>		<u>EFFECTIVE DATE</u>
GAIDZIK IV, GEORGE EDUCATIONAL SVCS	TECH SUPPORT ASST	4/1/09-6/30/09
JOHNSON, LANA HUMAN RESOURCES	OFFICE SPECIALIST	4/18/09-6/30/09
LUMEL, YOLANDA PURCHASING	BUYER	4/29/09-5/7/09
MASON, MELANIA HUMAN RESOURCES	OFFICE SPECIALIST	5/5/09-6/30/09
TURNER-NEELEY, CYNTHIA FOOD SVCS	CAFETERIA WORKER I	5/9/09-6/30/09

WORKING OUT OF CLASS

DAVIS, JEFF
OPERATIONS

PLANT SUPERVISOR
FR: CARPENTER

EFFECTIVE DATE

4/30/09-6/30/09

SUGARS, CURTIS
FACILITIES MAINT

MANAGER, FACILITIES/GROUNDS
FR: PLANT SUPERVISOR

4/30/09-6/30/09

RESIGNATION

DE MENDOZA, PATRICIA
CHILD DEVELOP SVCS

CHILDREN CENTER ASST 6/19/09

EFFECTIVE DATE

EBBERTS, MELISSA
CHILD DEVELOP SVCS

ADMINISTRATIVE ASST 6/30/09

MARTIN, KEVIN
BARNUM HALL/PERMITS

CAMPUS SECURITY OFFICER 5/17/09

OSTERDAY, CINDY
FRANKLIN ELEMENTARY

OFFICE SPECIALIST 6/19/09

PITTMAN, CHRISTOPHER
BARNUM HALL/PERMITS

CUSTODIAN 5/9/09

TAPIA, GIOVANNI
FRANKLIN ELEMENTARY

INST ASST - PHYSICAL ED 5/23/09
[Correction of date from 5/7/09 Agenda]

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS / WILBERT YOUNG

RE: CLASSIFIED PERSONNEL - NON-MERIT

RECOMMENDATION NO. A.27

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.

NOON SUPERVISION

DE LA ASUNCION CAMPOS, M. ROGERS ELEMENTARY 4/27/09-6/19/09

STUDENT WORKER - WORKABILITY

MARTIN, BIANCA SANTA MONICA HS 4/1/09 - 6/30/11

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION ACTION/CONSENT
05/21/09
FROM: TIM CUNEO / CHIUNG-SALLY CHOU / LAUREL SCHMIDT
RE: EXPULSION OF STUDENT (B/D 12/23/95)

RECOMMENDATION NO. A.28

It is recommended that that the Board of Education expel student (B/D 12/23/95).

COMMENT: The Principal of Lincoln Middle School recommended the expulsion based on the student's violations of Education Code Sections 48915(c)(3), 48900(c), and 48900(k):

"Selling a controlled substance."
Education Code 48915(c) (3)

"Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of, any controlled substance, alcohol beverage or intoxicant of any kind."
Education Code 48900(c)

"Disrupted school activities or otherwise willfully defied the valid authority of school officials or other school personnel."
Education Code 48900(k)

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

COMMUNICATIONS

**District Advisory Committee
Board of Education Annual End-of-Year Report
2008-2009**

CHILD CARE AND DEVELOPMENT DISTRICT ADVISORY COMMITTEE

Chair: Gleam Davis

Staff Liaison: Judy Abdo

Charge:

- Develop a transition plan to prepare 4-year-olds for kindergarten.
- Design a model to improve early identification of children who may benefit from assessment before they enter preschool or while they are attending preschool using the RTI model in partnership with the Special Education preschool program.

Focus	Activity	Those involved	Progress by 2/09	5/21/09 Report
Develop a transition plan to prepare 4-yr-olds for kindergarten				
	Identify by June 2009 best practice models that can be used to more effectively link families, children, & schools.	preschool staff, preschool parents, principals	A draft planning tool has been designed. See attached	DAC has reviewed & draft distributed to principals. CDS preschool teachers participated in transition training facilitated by LA Universal Preschool Staff.
	Involve parent group families of 4-yr-olds in creating a transition-planning matrix	preschool staff, parents	Parents & staff will review the draft planning tool.	The Preschool Parent Group has reviewed the document. Al Friedenberg was the speaker at a parent night on kindergarten transition.
	If funding allows, operate a summer transitional pre-K program for children who will attend SMMUSD kindergarten classes in the fall.	CDS staff, Ed Services, Special Ed	Funding options for a summer program are not known at this time. 5 Head Start classes will be operated during the summer.	Head Start & LAUP will operate during summer 09. LAUP classes will concentrate on K transition during summer months. 4-yr-old Head Start children will have extra transition activities.
	Create one transition activity for CDS preschool & CREST teachers & kindergarten teachers to interact & improve articulation between preschool & kindergarten.	CDS staff & Ed Services		-A week of Professional Development for Preschool Staff will take place in June. -CDS site staff will meet to plan transition from pre-K to CREST.

<p>Design a model to Improve early identification of children who may benefit from assessment before they enter preschool or while they are attending preschool using the RTI model in partnership with the Special Education preschool program</p>			<p>CDS is researching models for using RTI at the preschool level. A site visit will take place in March.</p>	<p>-One CDS administrator served on the Special Ed Working Group. -Lead teachers attend CREST IEPs at most schools. Preschool teachers and the CDS School Psychologist attend many preschool IEPs.</p>
	<p>Collaborate with the Santa Monica Childcare and Early Education Task Force to establish enhanced communication with the Regional Center, Family Services of Santa Monica, community preschool programs, and Connections for Children.</p>	<p>CDS DAC members and CDS staff will participate in the Childcare Task Force process to improve transitions into the school district</p>	<p>Staff and DAC members attend and participate in Task Force activities. Two meetings have focused on the need for seamless transitions. A DAC mtg with SEDAC is planned</p>	<p>-Two CDS administrators are involved in Task Force planning -CDS School Psychologist to meet with district transition team and will facilitate transition from CDS support services to school site service providers.</p>
	<p>Meet regularly with Special Education preschool Coordinator to develop training for CDS staff on the RTI model</p>	<p>CDS preschool staff, Special Ed staff</p>	<p>Monthly meetings have taken place.</p>	<p>Regular communication between CDS and the Special Ed Coordinator continues.</p>
	<p>Provide two professional development activities for CREST staff who work with children with special needs.</p>	<p>CDS CREST staff and Special Education staff</p>		<p>Professional development activities are in the planning stage for next year.</p>

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/21/09

FROM: TIM CUNEO / SALLY CHOU/ PEGGY HARRIS / CINDY KRATZER

RE: BASIC LANGAGUE ARTS TEXTBOOKS, GRADES 6-8

RECOMMENDATION NO. A.29

It is recommended that the Board of Education consider adopting *California McDougal Littell Literature* language arts textbooks for use as basic instructional materials in District classrooms grades 6-8.

BACKGROUND: The California State Board of Education approved Language Arts textbook series for use in K-8 classrooms throughout the state. The series are standards-based and contain the components of a comprehensive language arts program as prescribed by the California State Department of Education. After considering available data, and examining approved series, staff finds the recommended materials to be particularly strong in the following elements:

- Alignment with the State Language Arts Content Standards
- Universal Access Materials
- Effective strategies for teaching reading comprehension skills
- Assessments
- Teacher support

COMMENT: Over the past several months, district teachers have engaged in a wide-ranging process to review and pilot language arts materials for middle school. This process resulted in the selection of McDougal Littell as their recommendation for adoption. The textbooks have been on display for public viewing for the past two weeks at the district office: 1651 16th Street, Santa Monica, CA.

MOTION MADE BY:

SECONDED BY:

STUDENT ADVISORY VOTE:

AYES:

NOES:

TO: BOARD OF EDUCATION

ACTION/CONSENT

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART A. SAM

RE: APPROVE INSTALLATION OF TWENTY (20) MODEL TECHNOLOGY CLASSROOMS AT ELEMENTARY SCHOOLS

RECOMMENDATION NO. A.30

It is recommended that the Board of Education approve the installation of twenty (20) Model Technology Classrooms at the Elementary Schools for a total cost not to exceed \$500,000.

Funding Information

Budgeted: Yes

Fund: 21

Source: Building Fund

Account Numbers: 21-00003-0-00000-85000-6200-002-2600 Franklin (\$50,000)
21-00003-0-00000-85000-6200-003-2600 Grant (\$50,000)
21-00003-0-00000-85000-6200-004-2600 McKinley (\$50,000)
21-00003-0-00000-85000-6200-005-2600 Muir (\$50,000)
21-00003-0-00000-85000-6200-006-2600 Rogers (\$50,000)
21-00003-0-00000-85000-6200-007-2600 Roosevelt (\$50,000)
21-00003-0-00000-85000-6200-008-2600 Webster (\$50,000)
21-00003-0-00000-85000-6200-009-2600 SMASH (\$50,000)
21-00003-0-00000-85000-6200-017-2600 Cabrillo (\$50,000)
21-00003-0-00000-85000-6200-019-2600 Pt. Dume (\$50,000)

Description: Technology Improvements

COMMENTS

District technology consultant Darryl Vidal presented the proposed classroom technology standards to the Board of Education at the April 16, 2008 workshop. The Secondary Model Technology classroom program was approved by the Board at their July 24, 2008 meeting. At the December 17, 2008 Board of Education workshop, Dr. Sally Chou, Bertha Roman and Darryl Vidal presented on the Integration of Technology in the Curriculum and reported on the progress of the Secondary Model Technology Classroom program. One of the next steps identified in that presentation was the development of elementary classroom technology standards.

The proposed elementary classroom technology standards have been reviewed with the principals and designated teachers from the elementary schools in a series of meetings. The plan for implementation of the Elementary Classroom Technology Program was developed from the input received at those meetings.

District staff proposes that two model classrooms (one for grades 2-3, one for grades 4-5) with the proposed elementary technology standards to be installed at each of the ten elementary schools listed above. Model classrooms are not proposed at Edison Language Academy, as that campus will be

completely rebuilt, with every new classroom receiving the proposed technology standards.

The intent is that the Model Classrooms would be installed prior to the beginning of the 2009/10 school year.

The teachers and classrooms receiving the model classrooms will be selected by the school principals and Educational Services representatives. Teachers will be selected on the quality of their proposed plan to integrate technology into the curriculum, as well as their commitment to undertake professional development and to share their experiences with other teachers, District's Curriculum Integration Technology Committee and the Measure BB program.

District staff has completed a survey of existing classroom technology equipment and have determined a budget of \$20,000 per classroom to implement the technology standard in a room with a SMART Board and \$30,000 in a classroom without an existing SMART Board, or approximately \$50,000 per school site. The cost for the installation of the twenty model classrooms is estimated not to exceed \$500,000.

District staff is preparing an update at a future Board meeting regarding the model technology classroom implementation, including the five Secondary Model Technology Classrooms that were implemented in fall of 2008. Included in that update will be the proposal for implementation of the remaining technology classrooms at the secondary schools, focusing on math and science classrooms.

The Measure "BB" Advisory Committee reviewed this item at its meeting on May 18, 2009.

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

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / VIRGINIA I. HYATT

RE: AWARD OF ARCHITECTURAL SERVICES FOR DESIGN AND
CONSTRUCTION SERVICES - VAN TILBURG, BANVARD &
SODERBERGH - DISTRICTWIDE DEFERRED MAINTENACE WINDOW
PROJECT

RECOMMENDATION NO. A.31

It is recommended that the Board of Education approve a contract award with Van Tilburg, Banvard & Soderbergh to provide architectural design services for Districtwide Window Replacement Project, Phase I, II and III for McKinley, Rogers, CDS, Grant, and Franklin in an amount of \$320,640, plus an additional \$50,000 for modernization contingencies and waterproofing consultant (\$10,000 per site) and approve Phase I for all remaining District locations in an amount of \$239,680 for a total contract amount of \$610,320.

Funding Information

Budgeted: Yes

Fund: 14

Source: Deferred Maintenance

Account Number: 14-62050-0-00000-81100-5802-060-2600

Description: Consultant Services

COMMENT: The District's Deferred Maintenance Plan includes window replacement at all District facilities. As this is a huge undertaking not only in reviewing existing conditions, but also incorporating the new District Standards and Specifications for Best Practices, Sustainability, Title 24 and CHPS criteria, it is necessary to hire an architectural firm to investigate (Phase I), produce drawing and specifications (Phase II) and to facilitate contract administration and closeout (Phase III). It is recommended that all sites be surveyed for budgetary purposes and scope definition (Phase I) and that the sites in most need proceed to the contract document and bidding stage (Phase I,II,III). Based on cost projections for this project, it will be determined how many sites are completed each year over the next five years of the Deferred Maintenance Program.

It is recommended that the following five sites proceed to the contract bidding phases: Child Development Center, McKinley, Rogers, Grant and Franklin.

Fee proposal is as follows:

School	Phase I	Phase II	Phase III	Totals
McKinley	17,920	24,480	17,600	60,000
Rogers	19,200	27,520	19,200	65,920
CDS	14,080	21,760	17,600	53,440
Grant	21,120	26,880	21,120	69,120
Franklin	22,080	28,000	22,080	72,160
Webster	22,080			
Roosevelt	20,000			
Cabrillo	20,000			
Olympic	15,360			
AEC	10,880			
Wash. E.	14,080			
Lincoln MS	28,800			
Adams MS	28,800			
SAMOHI	41,600			
Malibu HS	38,080			
Totals	334,080			

Estimates have been submitted for Phase II and III of the remaining sites for budget estimates.

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

TO: BOARD OF EDUCATION

ACTION/MAJOR

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / STUART SAM

RE: ADOPT RESOLUTION 08-40 - FINDINGS AND ADOPTION OF
MITIGATED NEGATIVE DECLARATION AND MITIGATION
MONITORING AND REPORTING PROGRAM FOR THE EDISON
LANGUAGE ACADEMY PROJECT - MEASURE BB

RECOMMENDATION NO. A.32

It is recommended that the Board of Education ("Board") adopt Resolution 08-40 to find that the mitigated Edison Language Academy Project ("Proposed Project") will not have a significant effect on the environment and adopt the Proposed Project Mitigated Negative Declaration ("MND"), and the Mitigation Monitoring and Reporting Program ("MMRP").

The Measure BB Advisory Committee has evaluated the Proposed Project MND, the comments received, and the record of proceedings and recommends adoption of the resolution.

DISCUSSION:

The Santa Monica-Malibu Unified School District ("District") developed the Proposed Project to completely redevelop the Edison Language Academy into a state-of-the-art elementary school and pre-school and provide an enhanced learning environment for the Edison Language Academy's student body. Once the Proposed Project was developed, the District engaged Christopher A. Joseph & Associates ("CAJA") to conduct an environmental review of the Proposed Project and two alternatives under the California Environmental Quality Act ("CEQA"). CAJA determined that the Proposed Project could potentially cause significant environmental impacts, but with implementation of the mitigation measures there would be no significant environmental impacts. As a result, CAJA prepared an MND that discloses the components of the Proposed Project, analyzes the potential environmental impacts, and includes mitigation measures to reduce those significant environmental impacts to less than significant.

On September 4, 2008, the Board adopted Resolution 08-07 finding that the Proposed Project site is not a current or former waste disposal or solid waste disposal site, not a hazardous substance release site pursuant to Health & Safety Code section 25356, and will not constitute an actual or potential endangerment of public health to persons who attend or are to be employed at the Proposed Project.

On April 3, 2009, the District released the Proposed Project MND for public review and comment. The comment period ended on May 4, 2009. Only two comments were received, which are included in CAJA's Letter, which is attached hereto as Exhibit 1. The first comment was from the Department of Transportation ("DOT") and the second was from the attorney representing the property owner at 2512 Virginia Avenue. DOT commented that the Proposed Project

needed to be reviewed by Caltrans' Division of Aeronautics because of the Proposed Project's proximity to the Santa Monica Municipal Airport. CAJA consulted with DOT and demonstrated that the Proposed Project is exempt from the suggested review. DOT agreed. See Exhibit 1.

The attorney for the property owner of 2512 Virginia Avenue claimed that the Proposed Project MND is inadequate for failing to acknowledge significant biological impacts of removing the backyard ornamental garden as part of a possible expansion of Edison Language Academy's campus. The MND reported that removal of the backyard garden was not a significant environmental impact since the garden contains no species of concern. In response to the comment, CAJA conducted an additional biological assessment of 2512 Virginia Avenue. A copy of the Biological Assessment Report is included in Exhibit 1. The Biological Assessment Report reveals that there are no candidate, sensitive, or special species existing at the property and concluded that removal of the backyard garden would not create a biological impact.

On April 23, 2009, the Board held a public hearing to evaluate the potential Edison Language Academy expansion pursuant to California Department of Education ("CDE") site selection standards and adopted Resolution 08-33 finding that the potential acquisition of 2508 Virginia Avenue and 2512 Virginia Avenue meet CDE's school site selection standards.

Based upon the Proposed Project conceptual plans, the MND, the mitigation measures referenced therein, the MND's reference documents, the comments, the Biological Assessment Report, and the whole of the record of proceedings, there is no substantial evidence that the Proposed Project will have a significant effect on the environment.

CAJA prepared a proposed MMRP for the Proposed Project as required by CEQA. The proposed MMRP is attached hereto as Exhibit 2. The proposed MMRP lists each of the mitigation measures needed to reduce the Proposed Project's impacts to less than significant. By adopting the proposed MMRP, the Board provides the District with the mechanism to ensure that the mitigation measures are implemented.

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

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

RESOLUTION 08-40

**FINDINGS AND ADOPTION OF THE MITIGATED NEGATIVE DECLARATION AND
MITIGATION MONITORING AND REPORTING PROGRAM
FOR THE EDISON LANGUAGE ACADEMY PROJECT,
MEASURE "BB" PROJECT**

WHEREAS, the voters of the Santa Monica-Malibu Unified School District ("District") approved general, local bond Measure BB that included replacing the Edison Language Academy's facilities;

WHEREAS, the District developed a "Proposed Project" to completely redevelop the Edison Language Academy into a state-of-the-art elementary school and pre-school and provide an enhanced learning environment for the Edison Language Academy's student body; and

WHEREAS, the California Environmental Quality Act ("CEQA") requires the District to evaluate and determine whether the Proposed Project could create significant environmental impacts and develop feasible mitigation measures to reduce such impacts to less than significant;

WHEREAS, the District engaged Christopher A. Joseph & Associates ("CAJA") to conduct the environmental review of the Proposed Project;

WHEREAS, CAJA conducted an Initial Study of the Proposed Project and determined that it could potentially create certain significant environmental impacts, but that mitigation measures would reduce such impacts to less than significant and that a Mitigated Negative Declaration ("MND") is the appropriate environmental document;

WHEREAS, CAJA prepared an MND that describes the components of the Proposed Project and alternatives, analyzes the potential environmental impacts, and identifies mitigation measures to reduce those significant environmental impacts to less than significant;

WHEREAS, the Proposed Project MND was circulated for public comment according to CEQA's procedures;

WHEREAS, the District received two comment letters during the comment period;

WHEREAS, CAJA prepared responses to the comment letters and determined that neither provides a fair argument that a significant impact would result from the Proposed Project;

WHEREAS, the District adopted Resolution 08-07 addressing the suitability of expanding the Edison Language Academy campus through analysis of potential hazardous conditions and air quality; and

WHEREAS, the District held a public hearing and adopted Resolution 08-33 finding that expansion of the Edison Language Academy campus is consistent with applicable California Department of Education site selection standards.

NOW, THEREFORE, BE IT RESOLVED, that the Santa Monica-Malibu Unified School District Board of Education ("Board") hereby finds as follows:

1. Based upon the Proposed Project's conceptual plans, the Proposed Project MND, the mitigation measures identified therein, the comments, the Biological Assessment Report, Resolutions 08-07 and 08-33, the Board Item, all other referenced documents, and the whole of the record of proceedings, there is no substantial evidence that the Proposed Project will have a significant effect on the environment.
2. The Proposed Project's MND reflects the District's independent judgment and analysis.

BE IT FURTHER RESOLVED that the Board hereby adopts:

1. The Proposed Project MND dated April 3, 2009 and prepared by CAJA; and
2. The Edison Language Academy Project Mitigation Monitoring and Reporting Program (attached hereto as Exhibit __) for the mitigation measures that are required in the Proposed Project to mitigate or avoid the significant environmental impacts.

BE IT FURTHER RESOLVED that the Board directs the Assistant Superintendent to serve as the custodian of the documents and other materials which constitute the record of proceedings upon which the Board's decision is based. The record of proceedings shall be maintained at the District's offices at 1651 Sixteenth Street, Santa Monica, California 90404.

PASSED AND ADOPTED by the Santa Monica-Malibu Unified School District of Los Angeles County at a regular meeting held on this 21st day of May 2009.

AYES:
NOES:
ABSTENTIONS:
ABSENT:

Ralph Mechur, President
Board of Education

I, Tim Cuneo, Secretary of the Board of Education of the Santa Monica-Malibu Unified School District, do certify that the foregoing Resolution was regularly introduced, passed and adopted by the Board of Education at its regular meeting held on May 21, 2009.

Tim Cuneo, Superintendent
Santa Monica-Malibu
Unified School District

DISCUSSION ITEMS

TO: BOARD OF EDUCATION

DISCUSSION

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ / CAREY UPTON

RE: REVISE POLICY AND ADMINISTRATIVE REGULATIONS 1330 -
USE OF SCHOOL FACILITIES

DISCUSSION ITEM NO. D.01

It is recommended that the Board of Education revise Board Policy 1330 - Use of School Facilities. Attached is a complete revision of Board Policy 1330. The attached Administrative Regulations have also been revised.

COMMENT: The previous Facility Permit Policy lacked appropriate guidance and suffered from misapplication. The management of the Facility Permit process was transferred to the new Theater Operations & Facility Permit Office on July 1, 2008. The office has worked to repair and understand the process and application.

The Theater Operations and Facility Permit Office has worked to redraft the policy to support the current usage and to appropriately manage these physical resources of the District.

In reviewing this policy, the Facility Permit Office has worked with the over five hundred facility user groups to issue permits this year. The office has done a wide ranging review of other school districts, local cities and commercial rental policies and fees. Staff has had discussions with and has met with a wide range of the user groups and district staff.

The proposed policy is projected to give greater guidance to staff and external users for the use of facilities.

While changes to board policies require board approval, changes to administrative regulations do not.

THIS IS THE **REVISED POLICY**

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>
1330	Community Relations	Use of School Facilities

<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Public Activities Involving Staff, Students or School Facilities	X	X	X

DETAIL

A. Purpose

The Board of Education recognizes that District facilities are a community resource whose primary purpose is to support school programs and activities. The District permits the use of school facilities by groups whose purposes and objectives contribute to the development and welfare of the community when such use does not interfere with school activities or result in undue cost to the District.

The Board of Education authorizes the Superintendent or designee to permit use of facilities, including those allowed under the Civic Center Act. The Superintendent or designee shall maintain procedures and regulations for the use of school facilities and grounds that: (Education Code 38133)

1. Aid, encourage, and assist groups desiring to use school facilities for approved activities.
2. Preserve order in school buildings and on school grounds and protect school facilities, including designating a person to supervise this task.
3. Ensure that the use of school facilities or grounds is not inconsistent with the use of the school facilities or grounds for school purposes and does not interfere with the regular conduct of schoolwork.

B. Approved Activities

The sites, facilities and grounds of the Santa Monica-Malibu Unified School District are primarily for programs to educate SMMUSD students along with the support activities to achieve this goal. No activities are allowed on District Facilities other than those permitted through this process or another specific agreement approved by the Board.

1. The District hereby reserves the right under the Civic Center Act to restrict activities that may result in damage to facilities, disrupt approved activities, conflict with school purpose, or increase risk of injury to persons or property on facilities.
2. Activities that are prohibited include, but are not limited to, the use of roller blades, roller skates or skateboards, dumping, golf, or the use of motorized vehicles on surfaces

not designated for vehicles. Appropriate signage will be posted at gates identifying prohibited use. Individuals who participate in prohibited activities will be asked to leave campus. Failure to leave a school site when requested by staff will constitute trespassing and may be prosecuted.

3. Specific athletic facilities (i.e., tracks, basketball or tennis courts) are made available by the District to be used by the public for community recreational use. The District will post which facilities are available to the public for recreational use without need for a permit. The District reserves the right to disallow this use without notice when the facilities are needed for other school and permit uses. This use is intended for individuals or small groups (up to 10). Larger groups and those being paid for instruction must receive permits.

C. Definitions

To provide direction to staff, the Board of Education recognizes these definitions of facility use in the issuing and management of facility permits:

School/District Use includes all programs, activities and events operated and supported by SMMUSD programs, departments and offices. These activities are funded by the District and operated by District employees. These include all curriculum-based activities.

School Sponsored Use includes all activities that are an extension of School Use. These include extracurricular activities originated by clubs, athletic teams, ASB and other school-derived groups. These activities include fund raising activities by students or staff for the schools or activities. These activities are approved by Site Administrators, are directly managed by District Staff, and all funds collected will be expended on school activities and programs through District approved policies and procedures.

External Use includes all activities and facility use originated by any organization other than SMMUSD. Any use that is not School Use is deemed External Use. All External Use must receive a Facility Permit or be included in a Board Approved Joint Use or Lease Agreement to use District Facilities. This policy and attached administrative regulations apply to all external use, unless specifically superseded by an agreement approved by the Board of Education.

Facility Permits are agreements issued to external users allowing them specific use of District Facilities for approved activities during a specific period of time.

Affiliated Groups are non-profit organizations whose sole purpose, as evidenced in their Bylaws and Articles of Incorporation, are in direct support of the Santa Monica-Malibu Unified School District, its schools and their programs. To qualify as an Affiliated Group, the organization must be approved by the Facility Permit Office. Approval requires submitting a copy of their Bylaws and Articles of Incorporation and presenting a Letter of Determination from the Internal Revenue Service stating the corporation is organized as a 501(c)(3) non-profit corporation.

Community Meetings fits within the terms and conditions in the Civic Center Act (Education Code 38130-39). The Board of Education grants there is a civic center at each and every school facility where citizens, organizations and clubs can meet to discuss matters of interest to the citizens of the community. The District reserves the right to designate available spaces for community use at each site, provided there is a designated civic center space at each school facility. The availability is based on the priority use schedule below. All Community Meeting use must fit the following criteria:

- Use must be nonexclusive, open to the public, and free of charge
- Use must be in a designated Civic Center facility
- Use must be less than four hours
- Use must be limited to only once a week per group

Site refers to school properties and all of the facilities included in them.

Facility refers to specific buildings, rooms and spaces at a Site.

Direct Rate as defined by the Civic Center Act is the cost of supplies, utilities, janitorial services, services of any other District employees, and salaries paid school district employees necessitated by the organization's use of the school facilities. This includes all fees not charged separately.

Commercial Rate or **Fair Market Value** or as defined by the Civic Center Act is the Direct Rate plus the amortized costs of the school facilities or grounds used for the duration of the activity.

D. Charges for Use of Facilities

External Users are divided into the following use categories to determine approved rental fees and personnel costs for each use. All groups must pay a Facility Permit Fee of twenty-five dollars (\$25.00) to cover administrative cost to process the permit.

All groups must also meet the Indemnification, Liability and Security Requirements detailed in Administrative Regulations. The Rental Fees are listed in the Rental Fee Schedule exhibit. Additional personnel and other costs for the operation of the permit will be paid by the user. Users will be placed in the most cost effective category for which they qualify. The fees for the use of school facilities and grounds shall be charged in accordance with the following categories:

1. **Commercial:** Commercial users will be charged the Fair Market Value which shall be Direct Costs plus the amortized costs of the school facilities or grounds used for the duration of the activity. This is referred to as **Rate A** in Exhibit 6 - Facility Fee Schedule. This category includes, but is not limited to, any event, game, entertainment or meeting where admission is charged or contributions solicited and net receipts are not to be wholly expended for charitable purposes or for the welfare of the District's students.
2. **Direct:** All non-profit organizations will be placed in the Direct Category. The users in this category will be charged the Direct Rate for their use. This is referred to as **Rate B** in Exhibit 6 - Facility Fee Schedule. To qualify for this category, the user must present a Letter of Determination from the Internal Revenue Service stating the corporation is organized as a 501(c)(3) non-profit corporation.
3. **Community Meeting:** The Board of Education acknowledges the benefit of making school facilities available for community forums. This use must be: nonexclusive, open to the public, and free of charge; in a designated Civic Center facility; less than four hours; and limited to only once a week per group. This category is based on specified use rather than the type of organization. A specific use by an organization might meet these criteria where another use does not. There are two fee structures available for Community Meetings: Community Meeting I is designated for most uses. These groups will receive a 65% discount from the Commercial Rate. This is referred to as **Rate C** in Exhibit 6 - Facility Fee Schedule. Community Meeting II is reserved for Community Meetings where the majority of participants are SMMUSD students. These groups will receive a 90% discount from the Commercial Rate. This is referred to as **Rate E** in Exhibit 6 - Facility Fee Schedule. As per the Civic Center Act, the conduct of religious services does not qualify for this rate.
4. **Basic:** The Board of Education recognizes the benefit to the District and the community made by non-profit organizations who work primarily with SMMUSD students. The activities by non-profit organizations that benefit SMMUSD students are placed in the Basic Category. For the purpose of this category, "primarily" is defined as being over 50% District

student participation. These groups will be charged a Basic rate, an 80% discount off the Commercial Rate. This is referred to as **Rate D** in Exhibit 6 - Facility Fee Schedule. To qualify for this category, the corporation must present a Letter of Determination from the Internal Revenue Service stating the corporation is organized as a 501(c)(3) non-profit corporation.

5. **After School:** This category is restricted to non-profit organizations that provide programs for students immediately after school. They must be approved in writing by the Superintendent or designee. All afterschool groups must adhere to the Volunteer policy (BP1240) for working with students, including fingerprinting and TB testing when required. After school groups must present a Letter of Determination from the Internal Revenue Service stating the group is organized as a 501(c)(3) non-profit corporation. These uses will be charged the After School rate, a 90% discount off the Commercial Rate. This is referred to as **Rate E** in Exhibit 6 - Facility Fee Schedule.
6. **Affiliated:** The Board of Education recognizes the benefit to the District made by non-profit organizations whose primary purpose and activities are in direct and sole support of the Santa Monica-Malibu Unified School District, its schools and their programs, such as PTAs, Booster Clubs and the Santa Monica-Malibu Education Foundation (hereinafter referred to as "Affiliated Groups"). The District agrees to waive the facility rental fees for Affiliated Group activities. This is referred to as **Rate F** in Exhibit 6 - Facility Fee Schedule. They are required to pay the Facility Permit Fee and any personnel or other expenses incurred by the District specifically due to their facility use. To qualify for this category, the organization must be approved as an Affiliated Group by the Facility Permit Office. This includes: submitting a copy of their Articles of Incorporation and Bylaws and presenting a Letter of Determination from the Internal Revenue Service stating the corporation is organized as a 501(c)(3) non-profit corporation.

F. Priority Use of Facilities

1. All school district programs and departments (e.g. Child Development) shall have first priority for shared use of facilities within the district as defined in the Education Code.
2. All school-related activities (clubs, class events, etc.) shall be given next priority in the use of facilities under the Civic Center Act.
3. Thereafter, the Board favors facility uses that provide extended learning opportunities to the school community and then to the community at-large.
4. Thereafter, the use of facilities will be on a first-come, first-served basis.

The Superintendent or designee shall make every effort to work with the cities of Santa Monica and Malibu with respect to coordinating the most efficient shared use of grounds and facilities, which is in keeping with the Board's vision, goals, belief statements and outcomes.

In extreme circumstances, any approved Facilities Use Permit may be revoked where need of the property for public school purposes has subsequently developed. In this case, SMMUSD will notify the user as soon as possible and will endeavor to assist the user in finding a suitable alternative location or date.

G. Division of Revenue with Sites

The Superintendent or designee shall establish procedures whereby a percentage of the fees collected for use of facilities shall be shared directly with the sites to maintain the physical integrity of the school sites.

H. Prohibitions & Restrictions

1. No District buildings or grounds shall be used for the purpose of employees conducting private tutoring, counseling, coaching, and/or assessments, for which a fee or other compensation is received.
2. District staff working a Facility Permit will be paid by the Facility Permit Office. At no time shall a facility user pay, compensate or tip District Staff directly for work at District Facilities unless approved in writing by the Superintendent or designee.
3. External users must report any employment of District staff to teach or work facility permits at school sites. When this is done, the outside user must have a facility permit, collect all funds, and disburse the salary or fee to the employee. District employees are required to report any employment by facility permit users on school sites to their supervisors.

ADOPTED

REVISED

CSBA DATE

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>		
1330	Community Relations	Use of School Facilities		
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>	
Public Activities Involving Staff, Students or School Facilities		X		

Rental Requirements

The following requirements apply to all facility permit rentals in the district:

CONDITIONS FOR USE OF SCHOOL FACILITIES: Renters of school facilities agree that the District makes no representations or warranties as to the condition of the facilities which the Renter is entitled to use, and Renter agrees to take such property and facilities "AS IS." Renter acknowledges that it shall be the Renter's responsibility and obligation to assure that the property and facilities are in proper and safe condition to be used for the purpose anticipated; and Renter acknowledges that it shall be obligated to inspect such property and facilities before they are used and to take affirmative steps where necessary to warn users or rectify hazards in order to prevent injuries to property and persons. The Renter of facilities agrees to refuse the use of the property if unsatisfactory conditions are not rectified prior to scheduled use.

INDEMNIFICATION: Renter agrees to defend, indemnify and hold harmless the Santa Monica-Malibu Unified School District (District) , and its officers, agents, employees and volunteers from all claims including active and passive claims, losses, costs, attorney fees and expenses arising out of any liability or claim of liability for personal injury, bodily injury to persons or death, contractual liability and damage to property sustained or claimed to have been sustained arising out of the Renter's use of the rented property and/or the acts of Renter, its subcontractors or those of any of its officers, agents or employees, whether such act is authorized by this Agreement or not. The District assumes no responsibility for any property placed on the premises. Renter further agrees to waive all rights of subrogation against the District. The preceding provisions do not apply to any damages or losses caused by the sole negligence or willful misconduct of the District or any of its officers, agents or employees.

INSURANCE: During the entire term of this agreement and any extension or modification thereof, the Renter shall maintain General Liability insurance coverage with a minimum limit of \$1,000,000 per occurrence and, if Renter's employees perform work on the premises, Worker's Compensation insurance per the

statutory requirement. Insurance carriers providing the required coverage must have an A.M. Best's rating of "A" or better. A Certificate of Insurance must be provided with the application showing that the required coverage is in place and that the Santa Monica Malibu Unified School District is named an Additional Insured on the General Liability coverage. An Additional Insured Endorsement page must be attached to the Certificate of Insurance.

SECURITY STATEMENT: The Renter states that, to the best of his or her knowledge, the school property for use will not be used for the commission of any act intended to further any program or movement the purpose of which is to accomplish the overthrow of the government of the United States by force, violence or other unlawful means; That the organization on whose behalf he or she is making application for use of school property, does not, to the best of his or her knowledge, advocate the overthrow of the government of the United States or of the State of California by force, violence, or other unlawful means, and that, to the best of his or her knowledge, it is not a Communist action organization or Communist front organization required by law to be registered with the Attorney General of the United States. This statement is made under the penalties of perjury.
(Education Code 38135)

Division of Revenue with Sites

All Facility Permit revenues, after deductions for labor charge backs and other production related expense are split between the School Site used by the Permit and the Facility Permit Fund. Funds are distributed to the school site when received and deposited by the Facility Permit office. Principals are responsible for expending their share of the permit revenue at their site. These funds are allocated to maintain the physical integrity of the school sites, supervise and manage permit use at the site, and provide for ongoing or as yet undetermined maintenance, operation and/or renovation of the site's facilities. These are limited to:

- a. Custodial Equipment: Floor Equipment - Extractors, Strippers, Wet or Dry Vacuums, Auto Scrubber's Pressure Washer
- b. Custodial Supplies: Any Paper Stock, Lights, and Tools
- c. Gardening/Landscaping Supplies: Water Hoses, Trash Cans, Hand Tools
- d. Sports Equipment: Volleyball/Basketball Nets, Balls
- e. Auditorium supplies & equipment
- f. Bleachers, Tables, Chairs, Benches, outdoor furniture
- g. Paint - touch up in Gyms/Auditoriums
- h. Salaries and benefits for staff used for permits NOT covered by District

ADOPTED

REVISED

CSBA DATE

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
1330	Community Relations	Use of School Facilities	
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Public Activities Involving Staff, Students or School Facilities			X

Exhibit 1

Rules of Use For Facilities

School facilities are primarily for school programs and activities. The Board of Education also encourages and authorizes the use of school facilities by outside organizations and community groups when such use does not interfere with school functions. The Theater Operations and Facility Permit office coordinates and permits the use of school district facilities to all outside groups. These rules of use apply to all Facility Permits. There are additional rules that accompany filming and the use of theaters, kitchens, and athletic facilities.

GENERAL

1. Any use of school facilities shall comply with all State and local fire, health and safety laws. Persons or groups to whom permits, leases or other authorizations for the use of school property are granted shall insure that all activities carried on, all equipment used or placed upon school property and all foods or other items of personal property used or distributed shall comply with applicable State and local fire, health and safety laws and regulations.
2. Any use contrary to or in violation of any law, or of these rules and regulations, shall be grounds for cancellation of the permit and for removing the users from the property and may be grounds for barring such individual, group or organization from further use of the facilities of this district.
3. Any organization granted use of a District facility shall not deny the use of the facility to any person because of their race, religion, creed, national origin, ancestry, gender or sexual orientation.
4. The permit holder is responsible for preservation of order and enforcement of all regulations pertaining to the use of District facilities by all individuals on site for the permit.
5. The Facility Permit Office may require individuals or organizations to submit, in writing, the nature and purpose of the organization and the nature and purpose of the proposed use. Such information may be in addition to information requested on the Availability Request for Facilities form and may be considered an additional District application requirement.
6. No use may be granted in such a manner as to constitute a monopoly for the benefit of any one person or organization.
7. School premises shall not be used by any person or group as a political campaign headquarter.

WHAT NOT TO DO (PROSCRIPTIONS)

8. Smoking is not permitted on school property by state law.
9. There shall be no profane language, fighting, gambling or use of intoxicants, hallucinatory drugs or narcotics in or about the

school buildings or premises. Violation of this rule shall be sufficient cause for cancellation of the Permit and requiring renter to vacate facility and denial of further use of school facilities.

10. Dogs or other animals (with the exception of certified service animals) are not allowed on District property without express written permission and authorization made as part of a Facilities Use Permit.
11. No wheeled vehicles, bicycles, toys, scooters, roller shoes, roller skates/blades, self-, electrical- or gas-powered mechanized devices of any kind are allowed on District property without express written permission and authorization made a part of a Facilities Use Permit.
12. The school office shall assume no responsibility for mail for a non-school group and shall not permit the use of the school telephone or district mail by any group or representative thereof.

FINANCIAL

13. An application fee and security deposit payment may be required prior to use of the facilities. Any fees associated with the permit must be paid to the Permit Office ten (10) business days prior to the event. If overtime or additional services are required beyond those included in the initial charge, the Applicant will be invoiced for the outstanding balance. Final payment must be received within thirty (30) days on invoice.
14. All rental fees and an estimate of services must be paid prior to the event. The following payment schedule will be followed:
 - a. *The event is contracted a month or less prior to the event:* The entire Rental Fee and estimate of services is due upon signing of this agreement.
 - b. *The event is contracted from one to three months prior to the event:* On half of the Rental Fee and estimate of services is due upon signing of the agreement. The second half of the Rental Fee and estimate of services must be received five business days prior to the commencement of the Term.
 - c. *The event is contracted more than three months prior to the event:* One third of the Rental Fee and estimate of services is due upon signing of the contract. The second third of the Rental Fee and estimate of services must be received one month prior to the event. The final third of the Rental Fee and estimate of services must be received five business days prior to the event.
 - d. *Ongoing regular events:* The renter will be billed on the fifteenth of each month. Payment must be received prior to the beginning of the next month.
15. The Renter may terminate this agreement at anytime. In such event, all rental fees previously paid by Renter to SMMUSD shall be deemed non-refundable and shall be retained by SMMUSD.
16. Nothing shall be sold, offered or advertised for sale on school premises including, but not limited to, items of literature without written permission of the Facility Permit office. Affiliated users are exempt from this rule.
17. The Director of Theater Operations and Facility Permits will set the fee at the time of application for any facilities not included in the Schedule of Charges.

SCHEDULES & PERSONNEL

18. District personnel must be on site for all Facility Permits. Permits will not be authorized unless a District representative is present. If such a request results in staff overtime costs the Applicant shall pay the direct cost of the services to the District in addition to the basic rental fee if applicable.
19. Facilities will not be opened earlier than requested for set up. If special arrangements are necessary, they must be included on the application.
20. Use of other structures, rooms or spaces on the Property not listed on the Invoice is not permitted under this agreement. Additional use must be contracted with a separate agreement or rider. Permit Users are not guaranteed District personnel, restrooms, or other building facilities unless requested on the Application and listed on the Invoice.
21. SMMUSD ensures Renter's exclusive use of the Facilities listed on the invoice during the term. However, SMMUSD retains the exclusive right to use all other buildings, facilities and equipment on the Property concurrent with the Renter's use of the Facilities. Renter hereby agrees and acknowledges that SMMUSD makes no representation or warranty that, the SMMUSD Users presence on, or use of, the Property will not interfere with any aspect of Renter's use of the Facilities.
22. All salaries and compensation to District employees working Facility Permits will be paid through the Facility Permit Office. No compensation or gratuities shall be offered to school personnel nor shall school personnel accept compensation or gratuities from renter.
23. Organizations permitted to use only outside school grounds and athletic fields will not automatically be provided with restrooms or other building facilities unless requested in writing. If such a request results in overtime costs, the organization shall pay direct costs.
24. In extreme circumstances, any approved Permit for Use of School Facilities may be revoked without previous notice where need of the property for public school purposes has subsequently developed. In this case, SMMUSD will notify the Renter as soon as possible and will endeavor to assist the Renter to find a suitable alternative location or date.

CARE OF THE FACILITIES

25. Renter shall not make, or cause to be made, any alterations, additions or improvements to or of Premises, or any part of equipment thereof, without prior written consent from the Director of Facility Permits. No structures may be erected or assembled on school premises, nor may any electrical, mechanical, or other equipment be brought thereon unless written approval has been obtained from the Facility Permit Office.
26. Any breakage, damage or loss of District property, beyond reasonable wear and tear, shall be paid for by the using organization even though such breakage, damage or loss is caused by spectators or observers who are not official members of the organization. The supervision of the organization should be sufficient to protect school property against all losses as a result of the activity. Cost of any loss shall be established by the Facility Permit Office and a proper invoice submitted to the

- responsible organization. Failure to pay for such damage promptly shall be grounds for refusal of future applications.
27. Groups must observe the ordinary rules of cleanliness and shall not leave any facility littered with paper or trash. If facilities are left littered and unsanitary, the using organization will be invoiced for the cost necessary to clean the facility.
 28. School furniture or apparatus may not be removed or displaced without permission from and under the supervision of the school district employee supervising the activity.
 29. Any person or group granted a permit to hold a meeting on school premises may post a sign announcing such a meeting in the place and manner designated by the principal, provided that such a sign shall not be larger than 24 inches by 48 inches in exterior dimensions. The sign shall not be posted more than one hour prior to the time of the meeting and shall be removed immediately after the meeting.
 30. Decorations and signs must be flameproof and erected in such a manner as to not damage District property and must be removed immediately following the event or the organization will be charged extra labor fees. Decorations are not permitted on any painted surface nor hung from the ceiling. Any advertisement or handout material must be removed at the end of the event.
 31. Renters are not allowed to store items at the sites unless authorized in writing by the Facility Permit Office. When permitted, an additional fee might apply. Permission to store items on site must be renewed with each permit. SMMUSD is not responsible for safety and security of renter's property brought on or stored on site.
 32. District equipment that requires an operator must be operated by district personnel. Renters with appropriate skills may be authorized to operate district equipment at the discretion of the Facility Permit Office. All equipment and facilities to be used must be listed on the Application. Arrangements will be made by the District for trained personnel to operate District equipment, i.e., public address system, projectors, theater equipment etc. School equipment is not to be loaned or rented for use outside of school property.

SAFETY

33. The number of people present shall not exceed the posted seating capacity for the building. This is a FIRE REGULATION.
34. In locations where parking is allowed on school premises, all participants in use of the District facilities shall adhere to posted parking regulations. Vehicles must be parked in such a manner that fire fighting equipment may have easy access to buildings at all times. Vehicles not in compliance with these laws may be ticketed and towed. The District reserves the right to charge a parking fee on District property to all participants.
35. The District evaluates security personnel needs for each use. The hiring of District security personnel may be required for any activity with a large number of participants or spectators. All security staff, when requested by the Applicant and/or required by the District, shall be provided by the District. The organization is bound by the determination of the District and is responsible for District personnel salaries in addition to the basic rental fee if applicable.

36. All juvenile organizations or groups seeking use of school premises must have adequate adult supervision. Sponsors and supervisors of such groups shall at all times exercise control and maintain a high standard of conduct with all members of the group. The school district may require an organization to provide adequate security to maintain control and safeguard property.

GENERAL PROVISIONS

37. Renter shall not voluntarily, or by operation of law, assign or transfer this Rental Agreement or any interest therein, and shall not sublet Premises or any part thereof without SMMUSD's prior consent.
38. In the event that Premises are unavailable for use due to partial or total destruction, acts of nature, strikes, action by governmental agencies, *force majeure* or for any other reason beyond the exclusive reasonable control of SMMUSD, SMMUSD shall have the right to terminate this Agreement by refunding all deposits due Renter. If possession or use of the facility has begun, the rental and other charges shall be prorated.
39. In the event that either party shall retain the service of an attorney to enforce the terms of this Agreement, the prevailing party shall be entitled to reasonable attorney's fees and costs, including the costs of corporate staff counsel, and interest thereon at the prevailing legal rate.
40. Subject to the terms and conditions of this Agreement, if the Renter fails to perform any material term or condition of this Agreement, or otherwise breaches this Agreement, and such failure or breach continues after delivery of written notice from SMMUSD to the Renter, SMMUSD may, at its option and without any further demand terminate this Agreement and/or exercise any other right or remedy available at law or in equity.
 - a. Notwithstanding, the Director of Theater Operations has the immediate authority to curtail or terminate any activity that might result in personal harm or permanent damage to the facility.
 - b. Upon termination of this Agreement, pursuant to this Section, if the Renter is in occupancy of the Facilities, the Renter shall promptly vacate the Facilities and the Property and shall forfeit all rights under this Agreement including any rights to monies due to, from or paid to SMMUSD in the form of use fees, rents, charges, and/or deposits.
 - c. In no event shall SMMUSD be responsible for any losses, including without limitation, any revenues, profits, costs, expenses, deposits or other fees, costs and expenses earned or accrued by the Renter, whether in connection with the Event or otherwise, as result of such termination.
 - d. SMMUSD shall not be subject to legal action or liable for damages in the event that Renter is in material default hereunder.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
1330	Community Relations	Use of School Facilities	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Public Activities Involving Staff, Students or School Facilities			X

Exhibit 2

Regulations for Use of School Cafeterias & Kitchens

The kitchens and cafeterias at the district school sites are integral to providing food and nutrition for our students. The kitchens are managed and the cafeterias utilized by Food & Nutrition Services (FNS). Use of these facilities by outside and school groups will not be allowed to disrupt the work of Food & Nutrition Services. Use of kitchens and cafeterias are allowed and permitted under the following regulations:

Cafeteria without Kitchen Use

1. Cafeterias are multi-purpose spaces used and managed by the school sites. When not in use by FNS, cafeterias are used and scheduled freely for school activities. School sites will work with custodial staff to daily restore the space for FNS use.
2. Cafeterias are available for permitting by outside groups and are designated as a Civic Center space. Use must be permitted through the Facility Permit office.
3. School and Facility Permit holders may use sinks and counter spaces in the Kitchens, for simple activities such as making coffee or cutting cakes as part of this use. The use of kitchen equipment, tools or supplies is prohibited unless the use of the kitchen is included in the agreement or permit. All kitchen use must follow the regulations below. Unauthorized use of the kitchen facilities will result in a discontinuation of permit and use.

Kitchen Use

4. All use of kitchen facilities, equipment or supplies for cooking and preparation of food must receive special authorization by the Director of FNS. School sites will work directly with FNS for authorization. Permit users will coordinate their use through the Facility Permit office.
5. A Food Services employee shall be on duty whenever the cafeteria kitchens are being used. At no time is the kitchen to be open for use without Food Services employee present the full time.
6. Arrangements shall be made with the Director of FNS by the using organization at least two weeks prior to the function so that an understanding may be reached as to the use of the facility.
7. The organization using the kitchen shall be responsible for the preparation of the food, the serving of the food and the cleaning of the serving room and kitchen, washing the dishes, pots and pans used, and performing other necessary duties in order to leave the kitchen and premises in the condition in which it was found.
8. The Food Service employee shall not be expected to take the responsibility for the preparation of the food unless the meal is being prepared as a function of FNS. Their duties are primarily to direct, assist, and supervise the proper use of cafeteria equipment

and facilities and to assume the responsibility of assuring the facility is left clean and in good order.

9. Breakage, damage, or loss of equipment shall be paid by the organization using the Food Service facilities.
10. School Site and Facility Permit users will be charged the direct cost to the district for hiring the Food Service employee as per the agreement with classified staff. There is a three hour minimum for all employee work calls. When the work exceeds their regular assignment, the employee will be compensated at a rate of one and half times their salary.
11. School sites will be billed by the FNS Office and will be responsible for compensating the FNS for the costs. Permit users will be invoiced the estimate of use prior to the event by the Facility Permit office. This must be paid in full prior to the event. Any additional costs or damage will be invoiced to the permit user following the event. The security deposit will be returned after the final invoice is paid.
12. Use of district kitchens will only be allowed on non-school days and on school days between 2:30 p.m. and 9:30p.m. Exceptions must be authorized in writing by the Director of FNS.
13. Use of refrigerators must be arranged in advance with the Food Service employee for the space. Requirements of the cafeteria receive first consideration.
14. Any leftover food and/or beverages belonging to the organization must be removed from the cafeteria site immediately following the function by the using organization. Any leftover food and/or beverages will be discarded by the Food Service employee the following working day.
15. No home-prepared foods may be sold or served as meals or refreshments on campus during school days. Food may be sold or served on campus only if prepared in our school kitchens under conditions approved by the City or County Health Department or from an approved source.
16. Commercial caterers may only use Food Service facilities with written permission by the Director of FNS.
17. FNS will not generally provide catered meals except for school-sponsored events. When FNS prepares or serves catered meals, the school or permit user will be charged the prevailing rate approved by the school district.
18. No child under fifteen years of age shall be allowed in the kitchen area.
19. Any use contrary to or in violation of any law, or of these rules and regulations, shall be referred to the Director of FNS (and in relation to permit users, the Director of Facility Permits) for consideration and disposition. Abuse of the Cafeterias & Kitchens may be grounds for cancellation of use or permit; for removing the users from the property; and/or may be grounds for barring such individual, group or organization from further use of the facilities of this district.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
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Public Activities Involving Staff, Students or School Facilities			X

Exhibit 3

Regulations for Use of Barnum Hall & District Theaters

The Santa Monica Malibu Unified School District has a number of high quality Theaters, Auditoriums & Amphitheaters. These spaces are the centers of the cultural life at our schools. They are the venues for our award winning Performing Arts programs. Making them available for rental expands the cultural and entertainment opportunities for our schools and local communities.

The District performing arts spaces are managed by the Theater Operations Office. The following regulations apply to all use of Theaters & Auditoriums:

A. TERMS: The use the Facilities will be guaranteed when this Agreement is fully signed and its requirements are met. A reservation of calendar dates shall not be confirmed until this Agreement is fully executed and the Rental Fee and estimate of charges is paid according to the Payment Schedule.

1. The Full Rental Day is a fourteen (14) hour day. If the use extends past 14 hours in a single day, the Renter will pay an overtime rate of one tenth the rental rate per hour for every hour that exceeds the fourteen hours. The Half Day is a six (6) hour day. If the use extends past six hour, the Renter will be charged the full day rate for all facilities being used.
2. The Renter shall have no right to use the Facilities for any purpose whatsoever prior to the commencement date/time or termination date/time specified in this agreement.
3. A rehearsal may not, by definition, include more than 25 people in the audience section without prior approval of the Director of Theater Operations. A rehearsal in violation of this standard shall be deemed and charged as a performance.

B. INSURANCE: The use of SMMUSD Theaters and Auditoriums requires a General Public Liability Insurance minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate. This is an increase from the standard rental agreement.

C. USE OF FACILITIES: Except as otherwise expressly provided in this Agreement, SMMUSD shall not be responsible for the planning, advertising, marketing, setup and preparation of the Facilities, security, public safety services, admissions and admission/credential control, crowd control, speaker, performance or entertainment bookings, catering, food and beverage service, lighting, audio-visual services or any other aspect of the Event. If the Renter requires such services from SMMUSD, the Renter shall pay to SMMUSD all costs and expenses incurred by SMMUSD for such work. The Renter shall take

all appropriate and necessary actions to protect the Facilities and any personal property or equipment located thereon from damage of any type and shall comply with all requests made by SMMUSD with regard to the protection of the Facilities and any personal property or equipment located thereon.

1. The Renter shall leave the Facilities in substantially as good condition as when received by it excepting reasonable wear and tear and use. The Renter shall immediately restore the Facility to its prior condition.
2. The Renter shall remove all sets, structures and other material and equipment from Facilities. Unless otherwise agreed to by the parties in writing, any equipment or furnishings of the Renter which are left at the Property or Facilities for more than 48 hours after the event, shall be deemed abandoned by the Renter and may be disposed or used of by SMMUSD in its sole and absolute discretion. The Renter will be responsible for any fees incurred due to the disposal of Abandoned Equipment.

D. MACHINERY, FLAMMABLE MATERIALS AND EQUIPMENT: The Renter shall abide by the following safety requirements:

1. The Renter shall not erect any engine, motor or other machinery on Premises or use any gas, electricity, flammable liquid, candles, or charcoal without prior written approval of the Director of Theater Operations or his designated representative. All such devices and effects must be permitted in accordance with all city, county, state and national laws.
2. As a rule the Renter shall not, and shall strictly prohibit, use, exhibit or lighting of fireworks, explosive or open flames (including burning candles) anywhere on the Property. Permission for use will be granted in writing solely by the Director of Theater Operations after consideration of all safety concerns and approval by the Fire Department, Police Department or any other required public safety entity.
3. All Special Effects that have any possibility of injuring any persons or damaging any equipment or facilities must be approved in writing by the Director of Theater Operations or his designated representative, which consent shall be granted in its sole and absolute discretion.
4. All Electrical connections in the Facility between house power and equipment exceeding 120v must be approved by the Director of Theater Operations and if necessary a certified electrician.
5. The Renter shall not erect, connect or attach any decorative scenery or other materials to any facilities so as to damage any of the Facilities without the prior written approval of the Director of Theater Operations or his designated representative. The Theatre Operations Staff reserves the right to prevent the hanging of materials deemed unsafe in any way.
6. Any and all scenery or decorative material shall be of a noncombustible type or be suitably treated with a flame retardant as defined in Section 13115 of the Health and Safety Code of the State of California. The Renter must have flame retardant certificates on hand for all such materials.

7. All theater technical equipment, including but not limited to lighting, sound, rigging and stage mechanics, must be operated by Theater Operations staff or personnel approved by the Director of Theater Operations.
8. The Renter agrees and acknowledges that all amplified sounds are under the sole and absolute authority of the Director of Theater Operations or his designated representative. Sound levels shall not exceed 98DB.
9. Animals are prohibited from being on the property, with exception of service animals. Permission to use them as part of the event must be received in writing prior to the Event by the Director of Theater Operations or his designated representative.

E. PERSONNEL: The Facilities shall at all times be under the control of the SMMUSD Director of Theater Operations or a designated representative. He will be the official representative of SMMUSD in all areas regarding this agreement and the use of the space. A SMMUSD staff member must be present at all times the facilities are occupied.

1. SMMUSD has the right and responsibility to determine SMMUSD personnel required to support the event. The number and type of personnel required for the event and the cost to the Renter are detailed in the Invoice.
2. The Director of Theater Operations will be responsible for calling and hiring the technical personnel requested by Renter, and SMMUSD reserves the right to call and hire the number of personnel SMMUSD deems necessary for a particular event. SMMUSD reserves the right to operate any and all of its own equipment.
3. The Director of Theater Operations reserves the right to permit designated SMMUSD employees to enter the Facilities at all times and to require, without charge, a reasonable number of tickets, admission passes or other necessary credentials to facilitate the operation of the event.

F. CONCESSIONS/ LOBBY SALES OF SOUVENIR AND PROGRAMS: SMMUSD retains the right to provide exclusive concession service. The items served and prices charged shall be at the discretion of SMMUSD. All concession fees belong to, and are reserved by and for the sole benefit and use of SMMUSD.

1. Programs, records, tapes, and other similar media, may be sold if they relate to the performance and are sold in conjunction with Renter's event. Renter is responsible for payment of applicable sales taxes. All items to be sold must have SMMUSD's prior approval.
2. Catering service may be arranged by Renter, subject to prior approval by SMMUSD Director of Theater Operations. Renter will be charged for clean-up of food preparation and serving areas as necessary. The dispensing or sale of alcoholic beverages is strictly prohibited.
3. Food and Drink are strictly prohibited in SMMUSD Theaters & Auditorium and may only be in designated areas (i.e. Green Room in Barnum Hall).

G. PARKING: SMMUSD retains the right to either provide exclusive parking service or to rent the available parking to the Renter for the

event. All parking fees belong to, and are reserved by and for the sole benefit and use of SMMUSD.

H. ADVERTISING: Renter shall not advertise any performances or the appearance of any performer on Premises unless agreements between all parties involved have been properly executed and provided to SMMUSD.

1. Renter shall not use the name of Santa Monica Malibu Unified School District, Barnum Hall, Samohi, or the name of the any SMMUSD School in any way other than as the location for a particular event.
2. Signs may be posted on bulletin boards provided for such use, upon the prior approval of SMMUSD's Director of Theater Operations. Signs may not be placed anywhere else on the Property without SMMUSD's prior consent. Advertising material which does not pertain completely to the immediate attraction may not be circulated on the Property. Under no circumstances may advertising material be circulated in parking facilities or walkways adjacent to Property.

I. COPYRIGHT LICENSE: The Renter shall secure, at its sole cost and expense, all applicable copyright licenses. The Renter shall indemnify, defend and hold SMMUSD harmless from all claims of copyright violation of any kind in connection with the Renter's use of the Facilities and Property. The indemnification obligations of this section shall survive the termination of this Agreement.

J. FILMING RIGHTS: There shall be no filming or recording other than for archival purposes unless both parties also sign the Filming Rider.

1. Renter grants permission to SMMUSD to photograph the event and use the photographs for promotional and archival purposes.

K. COMPLIANCE WITH LAW AND RULES: Renter shall not use Facilities or permit anything to be done in or about Property which will in any way conflict with any law, statute, ordinance or governmental rule or regulation.

1. Any performer or any other person whose conduct is objectionable, disorderly or disruptive to the use of the facility or in violation of any law shall be refused entrance and shall be immediately ejected from Property. Renter shall defend, indemnify and hold SMMUSD harmless for any claim resulting from such action.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
1330	Community Relations	Use of School Facilities	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Public Activities Involving Staff, Students or School Facilities			X

Exhibit 4

Regulations for Use of Athletic Facilities

- A. Specialized District Physical Education and Athletic facilities include, but are not limited to, all pools, playfields, tracks, playgrounds, gymnasiums, fitness centers, multi-purpose rooms, wrestling rooms, dance rooms, weight training rooms, outdoor athletic courts, tennis courts, shower rooms, locker rooms, associated restrooms/dressing rooms and any other facilities designated as such.
- B. Use of these facilities outside of the school day requires either an internal permit for school use and school approved use or a facility permit issued to external users by the Facility Permit Office or one of the authorized joint use partners.
- C. An approved/authorized internal permit for School / District Sponsored or an external facility permit must be completed and on file prior to scheduling any event on or in any of the Athletic facilities.
- D. Athletic Facilities are designated for organized athletic activity only, unless the permit specifies otherwise.
- E. Permit holders must refrain from excessive noise or using whistles prior to 8am Monday - Saturday and 9am on Sundays, and avoid unnecessary noise during other times. Permission must be received in writing from the permit supervisor to utilize amplified sound, drums or other instruments.
- F. Use of facilities is limited to those identified on the permit during the dates and times indicated and for the stated purpose. Permits are not transferable.
- G. Permitted time should include warm-up time if use of the field is desired for warming up players. Cleats of any type are not allowed on open green space.
- H. For your safety and the enjoyment of all users, the following are prohibited on all playing fields:
 - Metal cleats (*EXCEPTION: baseball*)
 - Permanent marking materials
 - Animals
 - Bicycles, skateboards or unauthorized vehicles
- I. In addition to the above, the following are prohibited on artificial turf fields:
 - Food or beverage (except water)
 - Sunflower seeds
 - Chewing gum
 - Tents or shade structures
 - Staked equipment (flags, goals, etc.)
- J. Any behavior or activity that is determined by the district staff to be unsafe, a violation of park rules or unsportsmanship like conduct is prohibited. Examples of unsportsmanship like conduct include: aggressive, intimidating, abusive or threatening actions,

- cursing or fighting. The Police may be called and violators may be required to vacate the premises or may be subject to arrest.
- K. Permits may be revoked and/or denied in the future if there is any violation of these rules or any abuse of the privilege of using Athletic facilities or equipment.
 - L. Permit holders are to share these rules and regulations with visiting teams.

INCLEMENT WEATHER FIELD CLOSURE PROCEDURE

Weekday Process

1. If there has been inclement weather in the past 48 hours, Facility Management staff will inspect the athletic fields each morning by 11am and make a decision whether the field will be open for play.
2. Facility Management staff will contact the Facility Permit staff with decision. Staff will record the decision on the "Field Use Info Line"(310-255-0445) by noon and include the date.
4. Occasionally, further updates may be recorded on the line in the afternoon if weather changes (either begins to rain or has become sunny, and warm causing field conditions to change).
5. Facility Management staff will put up "field closed" signs and take them down as field conditions change.

Weekend Process

1. If there is inclement weather within the past 48 hours, the Sports Facility Coordinator will inspect the field in the morning between 7am-9am and make a decision whether the fields are open for play (note: some fields may be open while others are closed based on weather and drainage conditions).
 2. Staff will record the decision on the info line between 9 and 10 am
- Steps 3-5 remain the same.

Artificial Turf Fields: Permittee has the option of using the field during inclement weather, providing there is no thunder or lightning. Rainouts will result in rescheduling of field use if possible or refund.

SWIMMING POOLS

The following conditions apply to use of district swimming pools located at Santa Monica High School, Malibu High School and Lincoln Middle School:

1. Outside groups requesting use of district swimming pools must secure a permit from the District Facility Permit Office or one the Joint Use Partners.
2. An appropriate number of lifeguards will be assigned to be on duty during the time period of the permit. Lifeguards will be assigned at a three-hour minimum. Permit Holders assume the costs for Lifeguards.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
1330	Community Relations	Use of School Facilities	
<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Public Activities Involving Staff, Students or School Facilities			X

Exhibit 5
Regulations for Filming at
Santa Monica-Malibu Unified School District

The Santa Monica Malibu Unified School District (SMMUSD) is a Film Friendly District. The Theater Operations Office is staffed with industry professionals who are here to bridge the needs of the production companies and the schools. The Theater Operations Office handles all aspects of filming from permissions, releases, agreements, permitting and facilitates all parts of the filming process. Filming is not allowed to negatively impact school activities. All care will be given to minimize distraction and interruption by filming. The District also appreciates the positive aspects that filming brings, including showing off the school and its students in a positive light, as a teaching opportunity of a primary industry in our communities and as a source of needed revenue to enhance school facilities.

In support of these goals, SMMUSD allows filming and recording on District property in the following categories: In house productions, including student films; News & Documentary Filming and Commercial Filming and Recording. This Administrative Regulation concerns only Commercial

Filming Fees and personnel costs are available in AR7 - Fee Schedule. The District does not have special rates for non-profit or independent filming.

All Commercial Filming is managed by the Theater Operations Office. The following regulations apply to all Filming or Recording of District Facilities:

A. TERMS: The use the Facilities is guaranteed when this Agreement is fully signed and its requirements are met. A reservation of calendar dates shall not be confirmed until this Agreement is fully executed and the Rental Fee and estimate of charges is paid according to the Payment Schedule.

1. The Full Rental Day is a fourteen (14) hour day. If the use extends past 14 hours in a single day, the Renter will pay an overtime rate of one tenth the rental rate per hour for every hour that exceeds the fourteen hours. The Half Day is a six (6) hour day. If the use extends past six hour, the Renter will be charged the full day rate for all facilities being used.
2. The Renter shall have no right to use the Facilities for any purpose whatsoever prior to the commencement date/time or termination date/time specified in this agreement.
3. Prep/Strike Days are charged one half of the daily filming rate. Hold days are negotiated as part of the agreement.

B. INSURANCE: Filming and Recording require a General Public Liability Insurance minimum amount of \$1,000,000 per occurrence and \$2,000,000 aggregate. This is an increase from the standard rental agreement.

C. USE OF FACILITIES: Except as otherwise expressly provided in this Agreement, SMMUSD shall not be responsible for the planning, advertising, marketing, setup and preparation of the Facilities, security, public safety services, admissions and admission/credential control, crowd control, speaker, performance or entertainment bookings, catering, food and beverage service, lighting, audio-visual services or any other aspect of the Event. If the Renter requires such services from SMMUSD, the Renter shall pay to SMMUSD all costs and expenses incurred by SMMUSD for such work. The Renter shall take all appropriate and necessary actions to protect the Facilities and any personal property or equipment located thereon from damage of any type and shall comply with all requests made by SMMUSD with regard to the protection of the Facilities and any personal property or equipment located thereon.

1. The Renter shall leave the Facilities in substantially as good condition as when received by it excepting reasonable wear and tear and use. The Renter shall immediately restore the Facility to its prior condition.
2. The Renter shall remove all sets, structures and other material and equipment from Facilities. Unless otherwise agreed to by the parties in writing, any equipment or furnishings of the Renter which are left at the Property or Facilities for more than 48 hours after the event, shall be deemed abandoned by the Renter and may be disposed or used of by SMMUSD in its sole and absolute discretion. The Renter will be responsible for any fees incurred due to the disposal of Abandoned Equipment.

D. MACHINERY, FLAMMABLE MATERIALS AND EQUIPMENT: The Renter shall abide by the following safety requirements:

1. The Renter shall not erect any engine, motor or other machinery on Premises or use any gas, electricity, flammable liquid, candles, or charcoal without prior written approval of the Director of Theater Operations or his designated representative. All such devices and effects must be permitted in accordance with all city, county, state and national laws.
2. As a rule the Renter shall not, and shall strictly prohibit, use, exhibit or lighting of fireworks, explosive or open flames (including burning candles) anywhere on the Property. Permission for use will be granted in writing solely by the Director of Theater Operations after consideration of all safety concerns and approval by the Fire Department, Police Department or any other required public safety entity.
3. All Special Effects that have any possibility of injuring any persons or damaging any equipment or facilities must be approved in writing by the Director of Theater Operations or his designated representative, which consent shall be granted in its sole and absolute discretion.
4. All Electrical connections in the Facility between house power and equipment exceeding 120v must be approved by the Director

of Theater Operations and if necessary a certified electrician.

5. The Renter shall not erect, connect or attach any decorative scenery or other materials to any facilities so as to damage any of the Facilities without the prior written approval of the Director of Theater Operations or his designated representative. The Theatre Operations Staff reserves the right to prevent the hanging of materials deemed unsafe in any way.
6. Any and all scenery or decorative material shall be of a noncombustible type or be suitably treated with a flame retardant as defined in Section 13115 of the Health and Safety Code of the State of California. The Renter must have flame retardant certificates on hand for all such materials.
7. All theater technical equipment, including but not limited to lighting, sound, rigging and stage mechanics, must be operated by Theater Operations staff or personnel approved by the Director of Theater Operations.
8. The Renter agrees and acknowledges that all amplified sounds are under the sole and absolute authority of the Director of Theater Operations or his designated representative. Sound levels shall not exceed 98DB.
9. Animals are prohibited from being on the property, with exception of service animals. Permission to use them as part of the event must be received in writing prior to the event by the Director of Theater Operations or his designated representative.

E. PERSONNEL: The Facilities shall at all times be under the control of the SMMUSD Director of Theater Operations or a designated representative. He will be the official representative of SMMUSD in all areas regarding this agreement and the use of the space. A SMMUSD staff member must be present at all times the facilities are occupied.

1. SMMUSD has the right and responsibility to determine SMMUSD personnel required to support the event. The number and type of personnel required for the event and the cost to the Renter are detailed in the Invoice.
2. The Director of Theater Operations will be responsible for calling and hiring the technical personnel requested by Renter, and SMMUSD reserves the right to call and hire the number of personnel SMMUSD deems necessary for a particular event. SMMUSD reserves the right to operate any and all of its own equipment.
3. The Director of Theater Operations reserves the right to permit designated SMMUSD employees to enter the Facilities at all times and to require, without charge, a reasonable number of tickets, admission passes or other necessary credentials to facilitate the operation of the event.

F. PARKING: SMMUSD retains the right to either provide exclusive parking service or to rent the available parking to the Renter for the Event. All parking fees belong to, and are reserved by and for the sole benefit and use of SMMUSD.

G. COPYRIGHT LICENSE: The Renter shall secure, at its sole cost and expense, all applicable copyright licenses. The Renter shall secure, at its sole cost and expense, all applicable copyright licenses to

film any third party signage or logo located on the Premises. The Renter shall indemnify, defend and hold SMMUSD harmless from all claims of copyright violation of any kind in connection with the Renter's use of the Facilities and Property. The indemnification obligations of this section shall survive the termination of this Agreement.

H. FILMING RIGHTS: SMMUSD herein irrevocably grants the Renter the right to use, photograph and record (including without limitations by means of motion picture, still or video device photography) the Premises (the "Recordings"), including any signs located thereon that identify the Premises as the School Site, subject to the limitations set forth below. Renter shall have the right to refer to the Premises or any part thereof by any fictitious name and the right to refer to any real or fictitious events as having occurred on the Premises, provided Renter has obtained necessary approvals, if any, prior to such use.

1. Notwithstanding the above grant of rights, in the event the Recordings include any signage or other identifying marks that represent the Premises as Santa Monica High School, SMMUSD shall be provided absolute prior written script approval that may be granted or withheld in SMMUSD's sole discretion.
2. Renter shall have the right to, and to license others to reproduce, edit, distribute, exhibit, advertise, publicize, promote and otherwise exploit the Recordings, exclusively in connection with the project currently called, _____ (the "Project") in any and all media, whether now known or hereafter devised, throughout the world in perpetuity. Renter shall be the sole owner of all right, title and interest, under copyright or otherwise, in and to the Project and all Recordings, whether or not included in the Project. Any use of the Recordings in any manner other than as part of the Project is strictly prohibited and restricted. If Renter requires use of the Recordings in a manner than as part of the Project, Renter must obtain prior written permission from SMMUSD, which may be granted or withheld in SMMUSD's sole discretion.
3. Renter shall indemnify and hold harmless SMMUSD from any claim, action or demand made against SMMUSD that use of the Recordings is defamatory or an infringement of a party's right of privacy or publicity or other personal or property right, including copyright and trademark infringement.

I. COMPLIANCE WITH LAW AND RULES: Renter shall not use Facilities or permit anything to be done in or about Property which will in any way conflict with any law, statute, ordinance or governmental rule or regulation.

1. Any performer or any other person whose conduct is objectionable, disorderly or disruptive to the use of the facility or in violation of any law shall be refused entrance and shall be immediately ejected from Property. Renter shall defend, indemnify and hold SMMUSD harmless for any claim resulting from such action.

<u>NUMBER</u>	<u>ARTICLE</u>	<u>TITLE</u>	
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<u>SUBTOPIC</u>	<u>POLICY</u>	<u>REGULATION</u>	<u>EXHIBIT</u>
Public Activities Involving Staff, Students or School Facilities			X

Exhibit 5
Rental Fee Schedule

General Fees

A Facility Permit Fee of \$25.00 is charged for each permit to all users. This fee defrays the administrative costs associated with issuing permits.

Personnel Fees

A District staff member must be on site for all outside events. Some facilities and activities require the use of District Staff to clean, run equipment, provide security or generally support the event. An Estimate of Rental Fees and Personnel Costs will be developed based on each renters needs. Required staffing is at the discretion of the Director of Theatre Operations. Due to insurance requirements & protection of our equipment, renter-supplied staff will only be allowed to operate district equipment by permission of the Director of Theatre Operations & Facility Permits or his designee.

Personnel are paid by the hour, beginning with the first hour of each rental. All calls are for 3 hour minimums. Rates are as follow:

- *Regular Time:* the first 8 hours in any day up to forty hours in any week. A day is from 7 am to midnight.
- *Overtime:* Paid at 1.5 times regular rate for any hours over eight in one day, or over forty cumulative hours in one week.
- *Double Time:* Paid at 2 times the regular rate for any hours between 12:01 am and 6:59 am, or any hours over twelve hours in one day.

Current Personnel Fees:

Director of Theatre Operations	\$60.00 per hour
Technical Theatre Coordinator	\$40.00 per hour
Technical (A/V)	\$37.71 per hour
Technical - Department Head	\$42.50 per hour
Stage Technician (all depts.)	\$32.50 per hour
Student Crew	\$10.00 per hour
House Manager	\$35.00 per hour
Site Representative	\$30.00 per hour
Security	\$37.50 per hour
Custodial	\$37.50 per hour
Life Guard	\$30.00 per hour

Rates for Classified Personnel are based on the high average of cost per hour of the members in the classification. In some situations, the rates are lower based on the use of available personnel. The selection of personnel to work an event is based on the staff

rotation agreement the district has with the classified personnel union.

Break Policies:

- A meal break needs to be called between three and five hours into the work shift.
- Meal breaks are for one half hour off the clock for Classified Crews.
- Meal breaks for stage technicians are one hour off the clock. A one half hour "working meal" may be called for stage technicians. The meal is on the clock and the renter must feed the crew.
- A work/coffee break of 15 minutes shall be given, on the clock, every 2-3 hours depending on the meal schedule.

Equipment and Asset Replacement Fees

User groups are charged for rental of special equipment that does not normally come with the equipment. Fees are determined by the Facility Permit Office on a per use basis. Asset Replacement Fees are charged to cover expendable use of equipment. This is primarily applied in the use of theaters, amphitheaters, auditoriums, gyms and pools.

FACILITY PERMIT FEES
RATES ARE CHARGED BY THE HOUR

Facility	RATE A Commercial	RATE B Direct	RATE C Community Meeting I	RATE D Basic	RATE E Community Meeting II & After School	RATE F Affiliate
School Rooms						
Classroom, Conference Room	\$30.00	\$15.00	\$10.50	\$6.00	\$3.00	\$0.00
Library	\$50.00	\$25.00	\$17.50	\$10.00	\$5.00	\$0.00
Music, Choral, Band Room	\$50.00	\$25.00	\$17.50	\$10.00	\$5.00	\$0.00
Cafeterias/Cafeteriums (w/o kitchen)						
Elementary	\$75.00	\$37.50	\$26.25	\$15.00	\$7.50	\$0.00
Middle	\$90.00	\$45.00	\$31.50	\$18.00	\$9.00	\$0.00
High School	\$100.00	\$50.00	\$35.00	\$20.00	\$10.00	\$0.00
Kitchens						
Elementary	\$36.00	\$18.00	NA	\$7.20	NA	\$0.00
Middle	\$40.00	\$20.00	NA	\$8.00	NA	\$0.00
High Schools	\$70.00	\$35.00	NA	\$14.00	NA	\$0.00
Gyms/Gym Rooms						
Lincoln MS Gym, practice	\$75.00	\$37.50	NA	\$15.00	NA	\$0.00
Lincoln MS Gym, game/event	\$150.00	\$75.00	NA	\$30.00	NA	\$0.00
Adams MS Gym, practice	\$75.00	\$37.50	NA	\$15.00	NA	\$0.00
Adams MS Gym, game/event	\$150.00	\$75.00	NA	\$30.00	NA	\$0.00
Malibu Old Gym, practice	\$75.00	\$37.50	NA	\$15.00	NA	\$0.00
Malibu Old Gym, game/event	\$150.00	\$75.00	NA	\$30.00	NA	\$0.00
Malibu New Gym (3 courts), practice	\$100.00	\$50.00	NA	NA	NA	\$0.00
Malibu New Gym (3 courts), game/event	\$200.00	\$100.00	NA	NA	NA	\$0.00
Samohi, North Gym (1 court), practice	\$100.00	\$50.00	NA	NA	NA	\$0.00

Samohi, North Gym (1 court), game/event	\$200.00	\$100.00	NA	NA	NA	\$0.00
Samohi, South Gym (3 courts), practice	\$75.00	\$37.50	NA	\$15.00	NA	\$0.00
Samohi, South Gym (3 courts), game/event	\$150.00	\$75.00	NA	\$30.00	NA	\$0.00
Samohi, North Gym Wrestling Room	\$50.00	\$25.00	NA	\$10.00	NA	\$0.00
Samohi, North Gym Dance Room	\$50.00	\$25.00	NA	\$10.00	NA	\$0.00

Discounts Per Category		50%	65%	80%	90%	100%
		Discount	Discount	Discount	Discount	Discount
Facility	RATE A Commercial	RATE B Direct	RATE C Community Meeting I	RATE D Basic	RATE E Community Meeting II & After School	RATE F Affiliate

Sports Fields (practice or game)						
Samohi, West Field*	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Samohi, North Field, Football/Soccer	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Samohi, North Field, Baseball	\$80.00	\$40.00	NA	\$16.00	NA	\$0.00
Samohi, Softball Field	\$80.00	\$40.00	NA	\$16.00	NA	\$0.00
Malibu HS, Main Field	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Malibu HS, Baseball/Softball Fields	\$80.00	\$40.00	NA	\$16.00	NA	\$0.00
Malibu HS, Upper Auxiliary Field	\$80.00	\$40.00	NA	\$16.00	NA	\$0.00
Malibu HS, Lower Auxiliary Field	\$80.00	\$40.00	NA	\$16.00	NA	\$0.00
Adams MS, North Field, Soccer*	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Adams MS, South Field, Football/Soccer*	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Adams MS, South Field, Softball/Baseball*	\$80.00	\$40.00	NA	\$16.00	NA	\$0.00
Lincoln MS, Field, Football/Soccer	\$75.00	\$37.50	NA	\$15.00	NA	\$0.00
Elementary Playfield w/o restrooms	\$60.00	\$30.00	NA	\$12.00	\$6.00	\$0.00
Elementary Playfield w/restrooms	\$80.00	\$40.00	NA	\$16.00	\$8.00	\$0.00
Elementary Outdoor Court w/o restrooms	\$25.00	\$12.50	NA	\$5.00	\$2.50	\$0.00
Elementary Outdoor Court w/restrooms	\$45.00	\$22.50	NA	\$9.00	\$4.50	\$0.00
*FIELD LIGHTS AS NEEDED, per hour	\$40.00	\$30.00	NA	\$30.00	NA	\$0.00

Track and Field						
Samohi, practice*	\$60.00	\$30.00	NA	\$12.00	NA	\$0.00
Samohi, meet*	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Malibu HS, practice	\$60.00	\$30.00	NA	\$12.00	NA	\$0.00
Malibu HS, meet	\$100.00	\$50.00	NA	\$20.00	NA	\$0.00
Lincoln MS, practice	\$50.00	\$25.00	NA	\$10.00	NA	\$0.00
Lincoln MS, meet	\$75.00	\$37.50	NA	\$15.00	NA	\$0.00
*FIELD LIGHTS AS NEEDED, per hour	\$40.00	\$30.00	NA	\$30.00	NA	\$0.00

Tennis Courts						
Samohi, Practice and Recreational Play, per court	\$10.00	\$5.00	NA	\$2.00	NA	\$0.00
Samohi, Tournament or Private Instruction, per court	\$25.00	\$12.50	NA	\$5.00	NA	\$0.00
Malibu HS, Practice and Recreational Play, per court	\$10.00	\$5.00	NA	\$2.00	NA	\$0.00
Malibu HS, Tournament or Private Instruction, per court	\$25.00	\$12.50	NA	\$5.00	NA	\$0.00
Lincoln MS, Practice and Recreational Play, per court	\$10.00	\$5.00	NA	\$2.00	NA	\$0.00
Lincoln MS, Tournament or Private Instruction, per court	\$20.00	\$10.00	NA	\$4.00	NA	\$0.00
Adams MS, Practice and Recreational Play, per court	\$10.00	\$5.00	NA	\$2.00	NA	\$0.00

Outdoor Basketball Courts						
Samohi, per court	\$15.00	\$7.50	NA	\$3.00	\$1.50	\$0.00
Malibu HS, per court	\$15.00	\$7.50	NA	\$3.00	\$1.50	\$0.00
Lincoln MS, per court	\$15.00	\$7.50	NA	\$3.00	\$1.50	\$0.00
Adams MS, per court	\$15.00	\$7.50	NA	\$3.00	\$1.50	\$0.00

Swimming Pools, w/access to locker rooms and restrooms. MUST HAVE DISTRICT LIFEGUARD, NOT INCLUDED IN RATE.						
Samohi (12 lanes), for Practice and Recreational Swim, per hour	\$150.00	\$75.00	NA	\$30.00	NA	\$0.00
Samohi (12 lanes), for Swim Meets and WP Games per hour	\$200.00	\$100.00	NA	\$40.00	NA	\$0.00
Lincoln MS (6 lanes), for Practice and Recreational Swim, per hour	\$120.00	\$60.00	NA	\$24.00	\$12.00	\$0.00
Lincoln MS (6 lanes), for Swim Meets and WP Games, per hour	\$160.00	\$80.00	NA	\$32.00	\$16.00	\$0.00
Malibu HS (6 lanes), for Practice and Recreational Swim, per hour	\$120.00	\$60.00	NA	\$24.00	NA	\$0.00
Malibu HS (6 lanes), for Swim Meets and WP Games, per hour	\$160.00	\$80.00	NA	\$32.00	NA	\$0.00

Parking Lots						
All Schools, per space	\$7.00	\$3.50	\$2.45	\$1.40	\$0.70	\$0.00
Event Parking (non-school), per space	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00	\$5.00

Auditoriums	RATE A Commercial		RATES B & D Direct/Basic		RATES C & E Community Meeting I & II	RATE F Affiliate	
	Performance	Rehearsal	Performance	Rehearsal	Meeting (4 hr max.)	Performance	Rehearsal
Elementary, Full Day	\$1,000.00	\$350.00	\$750.00	\$262.50		\$0.00	\$0.00
Elementary, 1/2 Day	\$600.00	\$210.00	\$450.00	\$157.50	\$250.00	\$0.00	\$0.00
Lincoln MS, Full Day	\$1,600.00	\$560.00	\$1,200.00	\$420.00		\$0.00	\$0.00
Lincoln MS, 1/2 Day	\$960.00	\$336.00	\$720.00	\$252.00	\$450.00	\$0.00	\$0.00
John Adams MS, Full Day	\$1,400.00	\$490.00	\$1,050.00	\$367.50		\$0.00	\$0.00
John Adams MS, 1/2 Day	\$840.00	\$294.00	\$630.00	\$220.50	\$400.00	\$0.00	\$0.00
Malibu HS, Full Day	\$1,600.00	\$560.00	\$1,200.00	\$420.00		\$0.00	\$0.00
Malibu HS, 1/2 Day	\$960.00	\$336.00	\$720.00	\$252.00	\$450.00	\$0.00	\$0.00
Samohi HS, Full Day (Barnum Hall)	\$3,200.00	\$1,200.00	\$2,400.00	\$900.00		\$0.00	\$0.00
Samohi HS, 1/2 Day (Barnum Hall)	\$2,250.00	\$800.00	\$1,600.00	\$600.00	\$900.00	\$0.00	\$0.00

Amphitheatres							
	Performance	Rehearsal	Performance	Rehearsal		Performance	Rehearsal
Samohi (Greek), Full Day	\$4,000.00	\$1,400.00	\$3,000.00	\$1,050.00		\$0.00	\$0.00
Samohi (Greek), 1/2 Day	\$2,500.00	\$875.00	\$1,875.00	\$656.25	\$1,000.00	\$0.00	\$0.00
Malibu HS, Full Day	\$1,400.00	\$490.00	\$1,050.00	\$367.50		\$0.00	\$0.00
Malibu HS, 1/2 Day	\$840.00	\$294.00	\$630.00	\$220.50	\$336.00	\$0.00	\$0.00

Filming	Commercial Rate		Still Photo/Small Crew	
	Filming	Prep	Filming	Prep
Full Day (school not in session)	\$3,500.00	\$1,750.00	\$2,000.00	\$1,000.00
Full Day (school in session)	\$4,000.00	\$2,000.00	\$2,500.00	\$1,250.00
Half Day (school not in session)	\$2,000.00	\$1,000.00	\$1,500.00	\$750.00
Half Day (school in session)	\$2,500.00	\$1,250.00	\$1,500.00	\$750.00
Special Location (Theaters/Gyms/ Pools)	\$500.00	\$250.00	\$250.00	\$125.00

SMMUSD does not have Non-profit or Student film rates

FULL DAY = up to 14 hours; HALF DAY = up to 6 hours; inclusive (walk in to walk out)
Overtime Rate for over 14 hours is 15% of rental rate per hour

TO: BOARD OF EDUCATION

DISCUSSION

05/21/09

FROM: TIM CUNEO / CHIUNG-SALLY CHOU

RE: BUDGET SOLUTIONS - TIER III CATEGORICAL FUNDS
FLEXIBILITY

DISCUSSION ITEM NO. D.02

It is recommended that at the June 4, 2009, board meeting the Board of Education review and approve the proposed budget solution in the allocation of certain "Tier III" categorical funds. The District is estimated to receive \$3.2 million from the state in these categorical programs (see list below). All funds from these programs will be deposited by the State into the District's general fund. The District will develop general fund budgets to continuing programs. It is recommended that the following programs be funded at the proposed levels for 2009-2010.

School Safety	\$220,000
Supplemental Counseling	\$168,000
Arts and Music (teachers)	\$165,000
Outreach Specialists	\$333,000
Instructional Materials	\$250,000
Teacher Credentialing Block Grant (BSTA)	\$150,000
Educational Services (CTAP, CAHSEE, PD)	\$150,000
JAMS Science Magnet	\$ 80,000
APEX Learning (online credit recovery)	\$ 24,000
Transportation	\$146,000
School & Library Improvement/GATE	\$630,000
<i>(estimated at \$57/student for K-8, \$10/student for 9-12)</i>	
<u>Total</u>	<u>\$ 2,200,000</u>

Comments: California's fiscal outlook is deteriorating and the potential of a massive budget problem is looming in 2009-10. The near term outlook for the state's economy has turned extremely negative due to reduced consumer spending, higher unemployment, the near collapse of the financial and credit markets, and other factors. Earlier estimates projected a revenue shortfall of more than \$8 billion. The state also faces huge shortfalls in the longer term if the voters do not approve the measures on the May 19 ballot. The staff has developed several budget reduction options for the Board's consideration based on the States adopted 2009-10 budget. If the measures on the May 19 ballot are not approved the District could face an added revenue loss of \$6.8 million and additional

budget reductions will have to be considered. During the last four months a variety of options have been discussed during board meetings, at two Board - Fiscal Oversight Committee workshops, and at community/staff meetings. Staff has analyzed a variety of options and makes this recommendation knowing the implications it will have on students and district programs.

The following is one of the budget solutions presented at these various meeting regarding the use of categorical funds of which the state has granted the school districts particular kinds of flexibility. These changes are in effect until 2012-13. The categorical funds have been divided into three "tiers."

- **Tier I** funds receive no funding reduction, no program flexibility, and no statutory requirements waived (with the exception of Class Size Reduction (CSR) penalty provisions). In SMMUSD, these funds include Child Development, Child Nutrition, Economic Impact Aid, K-3 Class Size Reduction, Special Education, Home-to-School transportation, and Special Education Transportation.

Tier II funds were reduced by 15.38% in 2008-2009 and will face an additional 5% reduction in 2009-2010, but no flexibility, and programs are to be operated under the current requirements. In SMMUSD, these funds include State Testing and English Language Acquisition Program (ELAP) for grades 4 - 8.

Tier III funds were reduced by 15.38% in 2008-2009 and will also face the same 5% reduction in 2009-2010, but with maximum flexibility to move funding for any educational purposes. In SMMUSD, these funds include Targeted Instructional Improvement Block Grant, Adult Education, Regional Occupational Centers and Programs (ROC/P), School and Library Improvement Block Grant, Supplemental Instruction (hourly reimbursement), Instructional Materials, Deferred Maintenance, Professional Development Block Grant Program (Buy-back days), Supplemental School Counseling Program, Teacher Credentialing Block Grant (BSTA), High Priority Schools Grant Program, Arts and Music Block Grant, School

Safety Block Grant for grades 8 - 12, Pupil Retention Block Grant Program, CAHSEE Instructional Support and Services, California School Age Families Education (CAL-SAFE), Gifted and Talented, Community-Based English Tutoring Program (CBET), Peer Assistance and Review, Principal Training (AB 460), National Board Certification Incentives, and AP Programs (fee waiver).

As indicated earlier, the total amount expected to be deposited in the general fund for Tier III programs is \$3.2 million. Approval of this item will continue existing programs at \$2.2 million and the balance will be used to offset general fund reductions.

TO: BOARD OF EDUCATION

DISCUSSION

05/21/09

FROM: TIM CUNEO / JANECE L. MAEZ

RE: 2009-10 BUDGET REDUCTIONS AND REALIGNMENT IN
DISTRICTWIDE CONTRACTED SERVICES AND SPECIAL EDUCATION

DISCUSSION ITEM NO. D.03

California's fiscal outlook is deteriorating and the potential of a massive budget problem is looming in 2009-10. The near term outlook for the state's economy has turned extremely negative due to reduced consumer spending, higher unemployment, the near collapse of the financial and credit markets, and other factors. Earlier estimates projected a revenue shortfall of more than \$8 billion. The state also faces huge shortfalls in the longer term if the voters do not approve the measures on the May 19 ballot. The staff has developed several budget reduction options for the Board's consideration based on the States adopted 2009-10 budget. If the measures on the May 19 ballot are not approved the District could face an added revenue loss of \$6.8 million and additional budget reductions will have to be considered. During the last four months a variety of options have been discussed during board meetings, at two Board - Fiscal Oversight Committee workshops, and at community/staff meetings. Staff has analyzed a variety of options and makes this recommendation knowing the implications it will have on students and district programs.

It is recommended that at the June 4, 2009, board meeting the Board of Education approve a total of a one million dollar budget reduction in two areas of the District's budget. The recommendation is to reduce contract services accounts in district wide departments by a total of \$300,000 and to realign the Special Education budget to reflect historical expenditure patterns with a reduction of \$700,000.

COMMENT:

Contracted Services

Staff has reviewed district level contract accounts in an effort to identify line items in the budget that could be eliminated or reduced. Examples of expenditures charged to this object code in the past have been: Superintendent Search Firm, the interim Superintendent's contract, a Special Education Working Group consultant, the Communications consultant, certificated personnel support, legal costs, district policy support, a facility permit consultant, and technology consultants. Account lines in the Superintendent, Human Resources, and the office of CFO and district wide contract accounts will be reduced by \$300,000 should this recommendation be approved.

Special Education Alignment

Reducing line items in the Special Education budget comes as a result of analysis reviewing several years of expenditure patterns in Special Education. This analysis reflected a pattern of under spending over time the Special Education allocation provided the department. There were some very specific areas that were consistent from year to year. These areas included: legal costs, non public school and non public agency contracts and instructional assistant allocations. There is any number of reasons that these patterns might have persisted. In what many considered the most challenging budget times it is appropriate to be especially careful about over allocation. It is prudent in the district's budget development to reduce these budget line items at this time. It should be noted the district is committed to maintaining the level of services required and expected based upon maintenance of effort. Line items in the Special Education budget will be reduced by \$700,000 should the recommendation be approved.

TO: BOARD OF EDUCATION
FROM: TIM CUNEO / MICHAEL D. MATTHEWS
RE: CLASS SIZE FOR THE 2009-10 SCHOOL YEAR

DISCUSSION
05/21/09

DISCUSSION ITEM NO. D.04

California's fiscal outlook is deteriorating and the potential of a massive budget problem is looming in 2009-10. The near term outlook for the state's economy has turned extremely negative due to reduced consumer spending, higher unemployment, the near collapse of the financial and credit markets, and other factors. Earlier estimates projected a revenue shortfall of more than \$8 billion. The state also faces huge shortfalls in the longer term if the voters do not approve the measures on the May 19 ballot. The staff has developed several budget reduction options for the Board's consideration based on the States adopted 2009-10 budget. If the measures on the May 19 ballot are not approved the District could face an added revenue loss of \$6.8 million and additional budget reductions will have to be considered. During the last four months, a variety of options have been discussed during board meetings, at two Board/Fiscal Oversight Committee workshops, and at community/staff meetings. Staff has analyzed a variety of options and makes this recommendation knowing the implications it will have on students and district programs.

It is recommended that at the June 4, 2009, board meeting the Board of Education approve an increase in the ratio of students to teacher in grades K-3 and in grades 6-12 for the 2009-10 school year. Staff makes this recommendation knowing very well that this is a critical issue to teachers, parents, and students. But with the state budget worsening, and with revenues to the District declining, staff believes this is a necessary change. Staff recommends the following changes for the 2009-10 school year:

- 23:1 in grades K-3
 - This is an increase of 3 student per class.
 - The state has reduced penalties for going over the 20:1 level, making this a financially viable option.
 - 23:1 is still a low class size.
- 30:1 in grades 4-5
 - There is no change from this year's class sizes.
 - This will be the class size at SMASH as well.
- 25:1 in grades 4-5 in all four Title I schools
 - Will Rogers & Edison already have this ratio in 08-09.

- This will be a decrease of 5 students per class at McKinley and Muir.
- 32:1 in grades 6-12
 - In the 2008-09 school year, secondary schools were staffed at 32:1.
 - This year (2009-10), the staffing was improved to 31:1.
 - This recommendation will take secondary schools back to 32:1.
 - Staffing ratios are based on students taking 6 classes and teachers teaching 5 classes.
- 30:1 at John Adams Middle School
 - In the 2008-09 school year, John Adams was staffed at 29:1.

These changes will result in a reduction of approximately \$1.9 million in expenditures in the 2009-10 school year. Staff is recommending these changes and plans to implement them without certificated layoffs. Santa Monica-Malibu is one of the few districts not to issue layoff notices this year. Every effort has been made to retain our probationary and permanent teachers, and we are planning for retirements, resignations and leaves of absences to create the necessary reductions in staff.

TO: BOARD OF EDUCATION

DISCUSSION

05/21/09

FROM: TIM CUNEO / MICHAEL D. MATTHEWS

RE: REDUCTION IN ONE HOUSE AT SAMOHI BEGINNING 2009-10

DISCUSSION ITEM NO. D.05

California's fiscal outlook is deteriorating and the potential of a massive budget problem is looming in 2009-10. The near term outlook for the state's economy has turned extremely negative due to reduced consumer spending, higher unemployment, the near collapse of the financial and credit markets, and other factors. Earlier estimates projected a revenue shortfall of more than \$8 billion. The state also faces huge shortfalls in the longer term if the voters do not approve the measures on the May 19 ballot. The staff has developed several budget reduction options for the Board's consideration based on the States adopted 2009-10 budget. If the measures on the May 19 ballot are not approved, the District could face an added revenue loss of \$6.8 million and additional budget reductions will have to be considered. During the last four months, a variety of options have been discussed during board meetings, at two Board/Fiscal Oversight Committee workshops, and at community/staff meetings. Staff has analyzed a variety of options and makes this recommendation knowing the implications it will have on students and district programs.

It is recommended that at the June 4, 2009, board meeting the Board of Education approve a reduction to Santa Monica High School by one house, beginning in the 2009-10 school year. Staff makes this recommendation knowing very well that this is a critical issue to teachers, parents, and students. Staff also believes that the House system has been very successful at Santa Monica High School, particularly in the area of personalizing education for students. It is staff's intent to continue to support this very successful house system. But with the state budget worsening, and with revenues to the District declining, staff believes this is a necessary change. Staff considered many factors in making this recommendation, including the following:

1. Santa Monica High School enrollment has decreased since the House System began. There were 3,449 in the 2003-04 school year. There are currently 2,891 students, a reduction of 16.1%.
2. Reducing by one house would be a reduction of 16.6%, so the house system would have similar ratios when compared to its beginnings.
3. Santa Monica High School receives additional staffing for the house system, which includes:

- a) A lower student to counseling ratio than all other secondary schools
- b) A lower co-administrator (house/assistant principal/dean) to student ratio than all other secondary schools
- c) A lower clerical staffing to student ratio than all other secondary schools
- d) Student Outreach Specialists (no other school has them)
- e) Teacher Leaders (no other school has them)

If this change were implemented, each house would remain very similar to how it looks right now.

	Current House in 6-House System	Proposed House in 5-House System
House Principal	1	1
Students	482	578
Advisors	2	2
Student: Advisor Ratio	241:1	289:1
Student Outreach Specialists	1	1
Teacher Leader	2 Periods	1 Period

Staff is recommending the following reductions for the 2009-10 school year:

- 1 House Principal (\$130,000)
- 2 Advisors (\$160,000)
- 1 Outreach Specialist (\$60,000)
- 1 Administrative Assistant (\$70,000)
- 1 Senior Office Specialist (\$60,000)
- 1 Security Officer (\$60,000)
- 0.5 Librarian (\$40,000)
- 1.2 Teacher Leaders (\$120,000)

These changes will result in a reduction of approximately \$700,000 in expenditures in the 2009-10 school year. Staff is committed to assisting Santa Monica High School in its transition from a 6-House to a 5-House high school.