

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

August 28, 2013

A regular meeting of the Santa Monica-Malibu Unified School District Board of Education was held on Wednesday, August 28, 2013, in the District Administrative Offices: 1651 16th Street, Santa Monica, CA. The Board of Education called the meeting to order at 4:40 p.m. in the Board Conference Room at the District Offices. At 4:41 p.m., the Board of Education moved to Closed Session regarding the items listed below. The public meeting reconvened at 6:40 p.m. in the Board Room.

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

I. PUBLIC COMMENTS FOR CLOSED SESSION ITEMS ONLY

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

II. CLOSED SESSION (60)

- Government Code §54957 (5)
PUBLIC EMPLOYEE DISCIPLINE/DISMISSAL/RELEASE
- Government Code §54957 (10)
PUBLIC EMPLOYEE APPOINTMENT/EMPLOYMENT
 - Title: Director, Curriculum and Instruction
- Government Code §54956.8 (15)
CONFERENCE WITH REAL PROPERTY NEGOTIATORS
 - Property: 902 Colorado Avenue, Santa Monica, CA
Agency Negotiator: Sandra Lyon
Negotiating Parties: Santa Monica-Malibu Unified School District (SMMUSD), Southern California Edison (SCE), Exposition Metro Construction Authority (EXPO)
Under Negotiation: Instruction to negotiator will concern both price and terms of payment
- Government Code §54956.9(d)(1) (15)
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 - Name of Case: Exposition Metro Line Construction Authority vs. Santa Monica-Malibu Unified School District (SMMUSD), STG Three Properties, LLC; Los Angeles Superior Court Case #BC515333
- Government Code §54956.9(d)(1) (15)
CONFERENCE WITH LEGAL COUNSEL – EXISTING LITIGATION
 - Name of Case: Los Angeles Superior Court Case #BC514896 (*names of minors withheld*)

There was no action to report out of closed session.

OPEN SESSION (5:30 p.m.)

III. CALL TO ORDER

6:40 pm

A. Roll Call

Board of Education Members

Laurie Lieberman – President

Maria Leon-Vazquez – VP – *excused absence*

Ben Allen

Oscar de la Torre

Jose Escarce – *left at 9:35pm*

Ralph Mechur

Nimish Patel

6:41 pm

B. Pledge of Allegiance

Led by Mr. Allen.

6:43 pm

IV. APPROVAL OF THE AGENDA

It was moved by Dr. Escarce, seconded by Mr. Mechur, and voted 6/0 (Ms. Leon-Vazquez was absent) to approve the agenda.

V. APPROVAL OF MINUTES

A.01 July 24, 2013 1
August 14, 2013

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

6:50 pm

VII. STUDY SESSION (60)

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

S.01 Risk Management and School Safety Discussion (60) 2

VIII. COMMUNICATIONS (30)

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

8:12 pm

A. Student Board Member Reports (15)

1. Matthew Ware – Santa Monica High School

Student Board Member Ware reported that today was the fifth day of school and the first time that 90% of students registered for school before it started. Registration went smoothly. The first school rally will be in the Greek Theatre this Friday with the theme of Bleed Blue and Gold and highlighting fall sports. There is a football scrimmage on Friday and boys' water polo game on Thursday. Auditions were held yesterday for the fall play will be Noises Off. Students who are interested in starting their own club can fill out charter applications this week. Mr. Ware called everyone's attention to the 50th Anniversary of the March on Washington, commenting that he and his peers have benefited from the legacy of the Civil Rights Movement.

2. TBD – Malibu High School

3. TBD – Olympic High School

8:18 pm

B. SMMCTA Update – Sarah Braff (5)

Ms. Braff piggybacked on Mr. Ware's comments, saying that she marched in Civil Rights marches starting at age thirteen. She said that she was excited to be the Interim President for SMMCTA and plans to do a lot of listening, speaking frankly, and problem solving. She commented on school safety, class sizes, and other teacher concerns.

C. S.E.I.U. Update – Ms. Keryl Cartee-McNeely (5) – no report

8:27 pm

D. PTA Council – Ms. Patti Braun (5)

Ms. Braun proudly announced that the beginning of school has gone well. She said she has only heard positive and wonderful things. She congratulated the new administrators at the sites and in the district office. She remarked that the steady growth of funding for the Vision for Student Success is exciting to hear. She congratulated Linda Greenberg Gross and SMMEF for the newly announced \$500,000 gift. The PTA Council's annual retreat will be on September 17. Ms. Braun said that that PTA would be interested to hear the campus security presentation from Dr. Kelly and Mr. Bradbury. She informed the board that she is working with Dr. Deloria and Ed Services to create webinars for parents regarding the Common Core Standards. She congratulated Ms. Braff on new position of Interim President and welcomed Student Board Member Matthew Ware.

IX. SENIOR STAFF REPORTS (20)

8:30 pm

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

Dr. Deloria said she was moved and impressed by the fundraising progress SMMEF has made in such a short time. She added that she was proud of the community's support of the Vision for Student Success. She reported that it had been a good first week of school. In the spirit of collaboration, she will be meeting with Ms. Braff regarding professional development for teachers.

8:32 pm

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

Ms. Maez remarked on the hard work of the support staff at the sites to get the campuses ready for the new school year. The Fiscal Department will be meeting with site administrators to discuss their budgets at the beginning of the year.

8:34 pm

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

Ms. Washington said that schools looked great for the start of school, and class sizes looked manageable. Staff will continue to examine the numbers and make any necessary adjustments. The district is looking at state recommendations and what neighboring districts are doing regarding class sizes in TK and K. There are plans to support new administrators and teachers at the campuses. There was True Colors training for classified staff to learn more about teambuilding. She welcomed new the Directors of Curriculum and Instruction.

8:37 pm

D. Superintendent – Ms. Sandra Lyon (5)

Ms. Lyon thanked the employees for getting schools ready. She thanked staff for helping to make the annual Convocation such a success, adding that it was wonderful to have all employee groups in the room. Following the Convocation was a day of professional development for the teachers as a way to launch the Common Core. The competition to help design the district's new logo is coming up. Ms. Lyon will meet with the Graphic Design Expert Team tomorrow, a press release will go out next week, and logo submissions are due November 1. She announced that the meeting would be adjourn in recognition of the 50th Anniversary of the March on Washington for Jobs and Freedom.

8:39 pm

X. CONSENT CALENDAR (30)

As agreed by the President, Vice President, and Superintendent during agenda planning, consent agenda items are considered routine, require no discussion, and are normally approved all at once by the Board of Education. However, members of the Board of Education, staff, or the public may request an item be moved from the consent agenda to Section XI (Major Items) for clarification and/or discussion.

Curriculum and Instruction

A.02	Approval of Independent Contractors.....	3-4
A.03	Overnight Field Trip(s) 2012-2013	5
A.04	Approval of Special Education Contracts – 2013-2014	6-8

Business and Fiscal

A.05	Award of Purchase Orders – 2012-2013	9-9c
A.06	Transfer of Funds.....	10

Facilities Improvement Projects

A.07	Amendment to Contract – Lease Leaseback – Edison Language Academy – New Construction – Swinerton Builders – Measure BB.....	11-12
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Personnel

A.08	Certificated Personnel – Elections, Separations.....	13-20
A.09	Classified Personnel – Merit	21-27
A.10	Classified Personnel – Non-Merit.....	28-29
A.11	Increase in Staffing (FTE) – Facility Use	30
A.12	Administrative Appointments.....	31
	<i>Director, Curriculum and Instruction</i>	

6:44 pm

General

A.13	Adopt BP 6112.1 - General Education Classroom Assignment for Students with Disabilities.....	32-33
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8:41 pm

XI. PUBLIC COMMENTS

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

- *Craig Foster and Alexia Burton informed the board of Advocates for Malibu public Schools (AMPS) updates.*
- *Jon Kean suggested an Athletes Council be formed at the secondary schools and an Athletics DAC be formed at the district level.*

DISCUSSION and MAJOR Items

As a general rule, items under DISCUSSION and MAJOR will be listed in an order determined by the President, Vice President, and Superintendent. Individual Board members may move to request a change in the order prior to consideration of any Major item. The Board may also move any of these items out of order to be heard 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.

XII. DISCUSSION ITEMS (45)

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

D.01	Update from the Santa Monica-Malibu Education Foundation (SMMEF) (45)	34
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7:43 pm

XIII. MAJOR ITEMS (75)

These items are considered to be of major interest and/or importance and are presented for **ACTION (A)** at this time. Many have been discussed by the Board at a previous meeting.

8:47 pm	A.14	Adopt Resolution No. 13-01 - Gann Amendment (10).....	35-36c
8:50 pm	A.15	Unaudited Actuals (45).....	37-43
9:43 pm	A.16	Approval of the City of Malibu Joint Use Agreement – July 1, 2013, through June 30, 2013 (10).....	44-44q
9:50 pm	A.17	Establish New Position – Regional Occupational Program (ROP) Counselor (5).....	45-48
10:07 pm	A.18	Nomination for Membership on the Los Angeles County Committee on School District Organization (5).....	49-50

XIV. INFORMATIONAL ITEMS (0)

These items are submitted for the public record for information. These items do not require discussion.

I.01	AR and Exhibit 6112.1 - General Education Classroom Assignment for Students with Disabilities (0).....	51-53
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XV. BOARD MEMBER ITEMS (0)

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

XVI. REQUESTS BY MEMBERS OF THE PUBLIC OR DISTRICT ADVISORY COMMITTEES TO ADDRESS THE BOARD OF EDUCATION (5)

A member of the public may request that a matter within the jurisdiction of the board be placed on the agenda of a regular meeting, as per Board Policy 9322. The request shall be in writing and be submitted to the superintendent or designee with supporting documents and information, if any, at least one week before the scheduled meeting date. Items submitted less than a week before the scheduled meeting date may be postponed to a later meeting in order to allow sufficient time for consideration and research of the issue. The board president and superintendent shall decide whether a request is within the subject matter jurisdiction of the board. Items not within the subject matter jurisdiction of the board may not be placed on the agenda. In addition, the board president and superintendent shall determine if the item is merely a request for information or whether the issue is covered by an existing policy or administrative regulation before placing the item on the agenda.

XVII. CONTINUATION OF PUBLIC COMMENTS

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

XVIII. BOARD MEMBER COMMENTS

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

- *Ben Allen commended staff on the smooth start of the school year and a successful Convocation.*

XIX. FUTURE AGENDA ITEMS

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

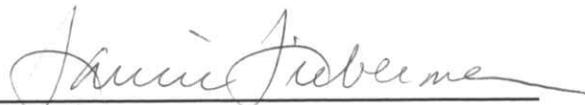
XX. CLOSED SESSION

The Board of Education will, if appropriate, adjourn to Closed Session to complete discussion on items listed under Section III (Closed Session) following the regular business meeting.

XXI. ADJOURNMENT

It was moved by Mr. de la Torre, seconded by Mr. Patel, and voted 5/0 (Dr. Escarce and Ms. Leon-Vazquez were absent) to adjourn the meeting at 10:12 p.m. in memory of Board Vice President Maria Leon Vazquez's father and Santa Monica City Council Member Gleam Davis's mother. In honor of the 50th Anniversary of the March on Washington for Jobs and Freedom, during which Dr. Martin Luther King, Jr., gave his famous, "I Have a Dream," speech, the board also adjourned the meeting in recognition and memory of those who dedicated their lives to the Civil Rights Movement. This meeting will adjourn to a regular board meeting scheduled for 5:30 p.m. on **Thursday, September 19, 2013**, in the **District Administrative Offices**: 1651 16th Street, Santa Monica, CA.

Approved: 9/19/13



President



Superintendent

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

SMMUSD Board of Education Meeting Schedule 2013-2014

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

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

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

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

ACTION
08/28/13

RECOMMENDATION NO. A.01

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

July 24, 2013
August 14, 2013

July 24, 2013

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: N/A
AYES: Five (5) (Ms. Leon-Vazquez was absent)
NOES: None (0)
ABSTAIN: One (1) (Mr. Allen)

August 14, 2013

MOTION MADE BY: Mr. Allen
SECONDED BY: Mr. Mechur
STUDENT ADVISORY VOTE: N/A
AYES: Five (5) (Ms. Leon-Vazquez was absent)
NOES: None (0)
ABSTAIN: One (1) (Dr. Escarce)

STUDY SESSION

TO: BOARD OF EDUCATION

STUDY SESSION

08/28/13

FROM: SANDRA LYON / JANECE L. MAEZ / GARY BRADBURY

RE: RISK MANGEMENT AND SCHOOL SAFETY DISCUSSION

STUDY SESSION ITEM NO. S.01

Business Services will present an overview of the District's Risk Management Program, describing the "big picture" view of the subject, how we process and manage claims, what staff is doing to prevent or avoid future losses, and how we are preparing to handle catastrophic events. The emphasis will be on how we are making our sites safe for the students, staff, parents, and community members who use them every day. The Board will receive data on current trends throughout the District and the steps being taken to mitigate losses. The presentation will also describe how we protect ourselves from the financial cost of these losses through the insurance programs provided by Keenan and ASCIP.

Mr. Bradbury's presentation can be found under Attachments at the end of these minutes.

Mr. Mechur asked about the district's partnerships with Joint Powers Authorities (JPAs). Ms. Maez explained that both are insurance pools that provide separate services for the district. Mr. Bradbury addressed Mr. de la Torre's questions about campus security with regards to classrooms and lockdowns. Mr. Allen requested more information on the door locking methods that the district is examining. Mr. Bradbury and Ms. Maez answered Mr. de la Torre's questions about air and water quality monitoring. Ms. Lyon said they could bring back more information about campus safety at a future meeting. Ms. Maez provided the board with a draft Strategic Plan for Safety Improvement for the current year.

CONSENT ITEMS

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

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

RE: APPROVAL OF INDEPENDENT CONTRACTORS

RECOMMENDATION NO. A.02

It is recommended that the Board of Education enter into an agreement with the following Independent Contractors. These contracts are included in the 2013-2014 budget.

Contractor/ Contract Dates	Description	Site	Funding (Measure BB)
Elaine Rene-Weissman 08/28/13 to 07-31-2014 Not to Exceed: \$25,000	Project Consultant/Malibu	Measure BB / Capital Improvements	21,81,82,83-90500-0- 00000-85000-5802- XXX-2600

Contractor/ Contract Dates	Description	Site	Funding
Jewish Family Services of Los Angeles 8/30/13 to 6/30/14 Not to exceed: \$5,000	Provide counseling services for students 1 day per week for school year to assist with the extremely heavy counseling load.	Franklin	01-00010-0-11100- 10000-5802-002-4020 (Tier III)
CSM Consulting Inc. 7/1/13 – 6/30/15 Not to exceed: \$37,000 (\$18,500/yr)	E-Rate application process for the filing year 17 (2014-15) & 18 (2015-16). Application process consists of filing all required FCC forms for services District has requested including, but not limited to, Form 470, 471, 486, & 500.	Purchasing	01-00000-0-00000- 72000-5802-055-2550
P.S. Arts 9/16/2013 to 5/30/14 Not to exceed: \$5,000	Provide 30 weeks of instructional time with students. Disciplines to be taught are visual arts, equivalent to 4 days a week.	Will Rogers Learning Community	01-90150-0-11100- 10000-5802-006-4060 (100% PTA)
Music Rhapsody 8/30/2013 to 6/6/2014 Not to exceed: \$14,000	Provide 45min music classes for 12 weeks, 13 classes for grades K-2 Instruments and materials to be provided	Will Rogers Learning Community	01-90150-0-11100- 10000-5802-006-4060 (100% PTA)
Virginia Avenue Project 9/13/2013 to 11/15/2013 No Cost	Provides performing arts and writing programs to children	Will Rogers Learning Community	N/A

<p>Total School Solutions 7/1/13 to 6/30/14 Not to exceed: \$24,750</p>	<p>Provide administrative coaching for an elementary principal for a total of 15 days during the 2013-14 school year</p>	<p>Superintendent's Office</p>	<p>01-00000-0-00000-71500-5802-020-1200</p>
<p>Orbach Huff & Suarez 5th addendum to extend contract date to 6/30/15 Total contract not to exceed: \$295,000 <i>(Contract date 9/15/11-6/30/12 for \$30,000 approved 11/3/11. 1st amendment extended contract date to 6/30/13 & increased contract by \$50,000 approved 8/15/12. 2nd amendment increased contract amount by \$45,000 approved 11/1/12. 3rd amendment increased contract by \$125,000 approved 12/13/12. 4th amendment increased contract by \$45,000 for Solar PPA issues approved 2/21/13.)</i></p>	<p>General legal counsel services – District-wide Facility and Land Use. General legal counsel services - Solar PPA issues (these charges will be reimbursed by Regeneration)</p>	<p>Business</p>	<p><u>\$215,000</u>: 01-00000-0-00000-73000-5820-050-1500 (District-wide Facility and Land Use Issues) <u>\$80,000</u>: 01-90120-0-00000-82000-5820-050-1500 (Solar PPA Issues)</p>

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: Aye
 AYES: All (Ms. Leon-Vazquez was absent)
 NOES: None (0)

TO: BOARD OF EDUCATION
 FROM: SANDRA LYON / TERRY DELORIA
 RE: OVERNIGHT FIELD TRIP(S) 2013-2014

ACTION/CONSENT
 08/28/13

RECOMMENDATION NO. A.03

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

School Grade # students	Destination Dates of Trip	Principal/Teacher	Cost Funding Source	Subject	Purpose Of Field Trip
Santa Monica High 9 th - 12 th 28	Camp Whittle Fawnskin, CA 8/15/13-8/18/13	E. Mayoral/ Jefte Huls	Choral Performing	Madrigal Ensemble	Students will attend a camp for intense choir rehearsal and musical knowledge acquisition.

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: Aye
 AYES: All (Ms. Leon-Vazquez was absent)
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

FROM: SANDY LYON / TERRY DELORIA / SARA WOOLVERTON

RE: APPROVAL OF SPECIAL EDUCATION CONTRACTS – 2013-2014

RECOMMENDATION NO. A.04

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

NPS

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

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

Nonpublic School	SSID	Service Description	Contract Number	Cost Not to Exceed
Academy for the Advancement of Children with Autism (AACA)	5103152572	NPS	12-SPED14031	\$148,202.00
Academy for the Advancement of Children with Autism (AACA)	DOB 8/16/95	NPS	13-SPED14032	\$93,087.00
Academy for the Advancement of Children with Autism (AACA)	2104353235	NPS	14-SPED14033	\$101,956.00

Amount Budgeted NPS 13/14		\$ 1,700,000
Amount Budgeted Mental Health Services 13/14		\$ 900,000
Total Budgeted		\$ 2,600,000
Prior Board Authorization as of 8/14/13		\$ 128,962
	Balance	\$ 2,471,038
Positive Adjustment (See Below)		\$ 0
		\$ 2,471,038
Total Amount for these Contracts		\$ 343,245
	Balance	\$ 2,127,793

Adjustment					
NPS Budget 01-65000-0-57500-11800-5125-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2013-2014 in the amount of \$0 as of 7/24/13					
NPS	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

NPA

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

Nonpublic Agency	SSID	Service Description	Contract Number	Cost Not to Exceed
Institute for Applied Behavioral Analysis (IABA)	DOB 8/16/95	Behavior 1:1	11-SPED14026	\$6,120.00
Hear To Talk	1103200503	Audiology Therapy	15-SPED14035	\$3,375.00

Amount Budgeted NPA 13/14		\$ 647,000
Prior Board Authorization as of 8/14/13		\$ 78,624
	Balance	\$ 568,376
Positive Adjustment (See Below)		\$ 0
		\$ 568,376
Total Amount for these Contracts		\$ 9,495
	Balance	\$ 558,881

Adjustment					
NPA Budget 01-65000-0-57500-11800-5126-043-1400					
There has been a reduction in authorized expenditures of NPS/NPA contracts for FY 2013-2014 in the amount of \$0 as of 7/24/13					
NPA	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Instructional Consultants

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

Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed
Lindamood-Bell	3103139327	Specialized Instruction 1:1	15-SPED14027	\$32,040.00

Amount Budgeted Instructional Consultants 13/14		\$ 447,000
Prior Board Authorization as of 8/14/13		\$ 80,100
	Balance	\$ 366,900
Positive Adjustment (See Below)		\$ 0
		\$ 366,900
Total Amount for these Contracts		\$ 32,040
	Balance	\$ 334,860

Adjustment					
Instructional Consultants Budget 01-65000-0-57500-11900-5802-043-1400					
There has been a reduction in authorized expenditures of Instructional Consultants contracts for FY 2013-2014 in the amount of \$0 as of 7/24/13					
Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Non-Instructional Consultants

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

Non-Instructional Consultant	SSID	Service Description	Contract Number	Cost Not to Exceed
Venice Family Clinic	Various	Family Services	13-SPED14024	\$20,000.00
Joan Browner, PhD	2103155155	Psych Evaluation	14-SPED14025	\$5,000.00
Pawar Transportation	DOB 8/16/1995	Transportation	16-SPED14028	\$36,720.00
Bell Cab	5103152572	Transportation	17-SPED14029	\$35,530.00
Malibu Yellow Cab	2104353235	Transportation	18-SPED14030	\$22,000.00

Amount Budgeted Non-Instructional Consultants 13/14		\$ 150,000
Prior Board Authorization as of 8/14/13		\$ 9,570
	Balance	\$ 140,430
Positive Adjustment (See Below)		\$ 0
		\$ 140,430
Total Amount for these Contracts		\$ 119,250
	Balance	\$ 21,180

Adjustment					
Non-Instructional Consultants Budget 01-65000-0-57500-11900-5890-043-1400					
There has been a reduction in authorized expenditures of Non-Instructional Consultants contracts for FY 2013-2014 in the amount of \$0 as of 7/24/13					
Non-Instructional Consultant	Service Description	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

Legal

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

Legal Contractor	Service Description	Contract Number	Cost Not to Exceed

Amount Budgeted Legal Services 13/14		\$	300,000
Prior Board Authorization as of 8/14/13			<u>250,000</u>
	Balance	\$	0
Adjustments for this period		\$	<u>0</u>
		\$	0
Total Amount for these Contracts		\$	<u>0</u>
	Balance	\$	50,000

Adjustment				
Legal Services Budget 01-65000-0-57500-11900-5820-043-1400				
There has been a reduction in authorized expenditures of Legal Services contracts for FY 2013-2014 in the amount of \$ 0 as of 7/24/13				
Legal Contractor	Contract Number	Reduce (R) Eliminate (E)	Adjusted Amount	Comment

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

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

MOTION MADE BY: Mr. Mechur
 SECONDED BY: Dr. Escarce
 STUDENT ADVISORY VOTE: Aye
 AYES: All (Ms. Leon-Vazquez was absent)
 NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

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

RE: AWARD OF PURCHASE ORDERS – 2013-14

RECOMMENDATION NO. A.05

It is recommended that the Board of Education approve the following Purchase Orders and Changed Purchase Orders from August 2, 2013, through August 15, 2013, for fiscal /14.

MOTION MADE BY: Mr. Mechur
SECONDED BY: Dr. Escarce
STUDENT ADVISORY VOTE: Aye
AYES: All (Ms. Leon-Vazquez was absent)
NOES: None (0)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF AUGUST 28, 2013

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

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
<u>*** NEW PURCHASE ORDERS ***</u>					
141122	ABRAMSON, NEAL	REIMBURSEMENT OF DMV FEES	TRANSPORTATION	95.00	R
141031	ACCREDITING COMMISSION	MEMBERSHIP	SANTA MONICA HIGH SCHOOL	810.00	U
141165	AFRICAN AMERICAN PUBLICATIONS	RESOURCE BOOKS-AA HISTORY	CURRICULUM AND IMC	954.78	U
141157	ARGONAUT, THE	ROP ADVERTISING	R O P	1,000.00	R
140961	ASCD	DUES & MEMBERSHIP	BOE/SUPERINTENDENT	39.00	U
140957	ASSOCIATION OF CALIFORNIA	DUES & MEMBERSHIPS	BOE/SUPERINTENDENT	2,293.40	U
141102	ASSOCIATION OF CALIFORNIA	PD MEMBERSHIPS	CURRICULUM AND IMC	5,140.00	U
140968	B-LINE ELECTRIC INC	CEILING FANS AT MCKINLEY	FACILITY MAINTENANCE	875.00	R
141069	BAY CITIES	RATERS SUPPLY	PERSONNEL COMMISION	500.00	U
140845	BRANDED CUSTOM SPORTSWEAR	NIKE BLUE & GOLD SPIRIT TEE	SAMOHI STUDENT STORE	661.96	U
141073	C.O.D.E.S.P.	C.O.D.E.S.P. TESTING ACCESS	PERSONNEL COMMISION	1,850.00	U
141007	CALIBER COMMERCIAL POOL SVC	LINCOLN POOL WASH/CLEANING	FACILITY MAINTENANCE	3,052.69	R
141149	CALIFORNIA OFFICE SYSTEMS INC	ERGONOMIC DESK SUPPLIES	PERSONNEL SERVICES	1,312.91	U
141162	CALIFORNIA OFFICE SYSTEMS INC	INSTRUCTIONAL SUPPLIES	R O P	547.50	R
141100	CAMBIUM LEARNING INC.	COMMON CORE GUIDE MATERIALS	CABRILLO ELEMENTARY SCHOOL	2,154.30	R
140993	CANON SOLUTIONS AMERICA INC	CANON COPY MACHINE	LINCOLN MIDDLE SCHOOL	2,411.19	R
140932	CANON SOLUTIONS AMERICA INC.	MAINTENANCE AGREEMENT	CHILD DEVELOPMENT CENTER	1,056.00	CD
140996	CANON SOLUTIONS AMERICA INC.	CANON COPIER MAINT AGREEMENT	LINCOLN MIDDLE SCHOOL	132.00	U
141019	CANON SOLUTIONS AMERICA INC.	MAINTENANCE AGRMT	CABRILLO ELEMENTARY SCHOOL	3,570.72	R
141035	CDW-G COMPUTING SOLUTIONS	BULBS FOR AV EQUIPMENT	SANTA MONICA HIGH SCHOOL	506.49	U
140990	CHAMPION CHEMICAL	OPERATIONS CUSTODIAL SU PPLIES	FACILITY OPERATIONS	841.95	U
141017	CROWN DISPOSAL CO INC	OPEN ORDER DISTRICT TRASH CONT	FACILITY MAINTENANCE	146,631.00	U
141055	D & B POWER ASSOCIATES INC	Symmetra Maintenance	INFORMATION SERVICES	2,139.00	U
140962	EDITORIAL PROJECTS IN ED INC	GENERAL SUPPLIES/MATERIALS	BOE/SUPERINTENDENT	42.71	U
140933	ELECTRIC SUPPLY CONNECTION	ELECTRICAL SUPPLIES	FACILITY MAINTENANCE	686.17	R
141158	ENGLER BROS MOTOR PARTS	INSTRUCTIONAL SUPPLIES	R O P	1,000.00	R
141152	EVENTFUL FLOWER DESIGN	INSTRUCTIONAL SUPPLIES	R O P	1,000.00	R
141166	FERGUSON ENTERPRISES INC	PLUMBING REPAIR SUPPLIES	FACILITY MAINTENANCE	5,000.00	R
140898	FOLLETT EDUCATIONAL SERVICES	HM PRACTICE BOOKS	CURRICULUM AND IMC	17,000.08	U
141020	FOOTHILL SOILS	OPERATIONS GROUNDS SUPPLIES	GROUNDS MAINTENANCE	677.05	R
141018	GALE SUPPLY CO	CUSTODIAL SUPPLIES	SANTA MONICA HIGH SCHOOL	6,365.95	U
141119	GALE SUPPLY CO	CUSTODIAL SUPPLIES	LINCOLN MIDDLE SCHOOL	3,643.45	U
140921	GOLDEN RULE BINDERY	TEXTBOOKS	SANTA MONICA HIGH SCHOOL	2,768.32	R
141026	GOLDEN STAR TECHNOLOGY INC	SMART PROJECTORS FOR 3 ROOMS	MALIBU HIGH SCHOOL	27,210.44	R
140881	GREENFIELD LEARNING INC	LEXIA - FLEXI LICENSES	JOHN MUIR ELEMENTARY SCHOOL	1,080.00	U
140975	GUTTER ONE	GUAGE GUTTERS CABRILLO	FACILITY MAINTENANCE	6,875.00	R
141137	HEADSETS.COM INC	PHONE HEAD SET	PERSONNEL SERVICES	337.40	U
141126	HERFF JONES	STUDENT GRADUATION STOLES	CURRICULUM AND IMC	1,885.28	R
140964	HOUGHTON MIFFLIN HARCOURT	HM SOCIAL STUDIES BOOKS	STATE AND FEDERAL PROJECTS	1,480.22	R
141053	ILLUMINATE EDUCATION	SIS/DNA Maintenance	INFORMATION SERVICES	68,427.17	U
141067	INTERNATIONAL PAPER	OFFICE SUPPLY	PERSONNEL COMMISION	200.00	U
141163	INTERNATIONAL PAPER	INSTRUCTIONAL SUPPLIES	R O P	547.50	R
140960	L & J AUTO BODY AND PAINT	Special Ed. Bus Repair	TRANSPORTATION	3,262.25	R
141024	LA STARS/DEPT OF EDUCATION	PD COMMON CORE-LANGUAGE TCHRS	STATE AND FEDERAL PROJECTS	1,000.00	R
141060	LAWRENCE CABLE SERVICE INC	Replace Cabling Webster	INFORMATION SERVICES	634.64	U
140959	LRP PUBLICATIONS	DUES & MEMBERSHIPS	BOE/SUPERINTENDENT	303.50	U
141029	MALIBU TIMES	ADVERTISEMENT IN NEWSPAPER	SPECIAL EDUCATION REGULAR YEAR	89.80	R
141033	MEDCO SUPPLY CO	SAFETY SUPPLIES	SANTA MONICA HIGH SCHOOL	4,927.50	U

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF AUGUST 28, 2013

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

PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
141108	MICROSOFT CORPORATION	tablets for Facility Use Dept	THEATER OPERATIONS&FACILITY PR	1,626.06	R
141005	MIND RESEARCH INSTITUTE	TECHNOLOGY RENEWAL	WILL ROGERS ELEMENTARY SCHOOL	3,750.00	R
141013	MIRACLE RECREATION EQUIP CO	PLAYGROUND EQUIP.REPAIR PARTS	FACILITY MAINTENANCE	500.00	R
140875	NEXTEL OF CALIFORNIA INC	OPERATIONS TELEPHONE PURCHASE	FACILITY OPERATIONS	797.18	U
140987	NEXTEL OF CALIFORNIA INC	OPEN ORDER PHONE CHARGES	FACILITY OPERATIONS	1,440.00	U
141045	P & R PAPER SUPPLY CO	PAPER PRODUCTS	FOOD SERVICES	75,000.00	F
141050	PARIS LASER PRINTER REPAIR INC	Ink	INFORMATION SERVICES	781.83	U
141074	PCASC/TREASURER	PCASC ANNUAL MEMBERSHIP	PERSONNEL COMMISION	40.00	U
141032	PEACHTREE BUSINESS PRODUCTS	PARKING TAGS	SANTA MONICA HIGH SCHOOL	141.26	U
140892	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	JOHN MUIR ELEMENTARY SCHOOL	6,210.81	R
140967	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	5,017.05	U
140969	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	20,206.24	U
140971	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	19,087.60	U
140976	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	7,473.76	U
140978	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	9,750.81	U
140979	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	674.18	U
140980	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	3,024.48	U
140982	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	15,085.30	U
140984	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	12,421.60	U
140986	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	19,299.21	U
140989	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	2,651.54	U
141133	PEARSON EDUCATION	ENVISION MATH TEXTBOOKS	CURRICULUM AND IMC	2,654.43	U
141037	POSTMASTER-SANTA MONICA	POSTAGE	SANTA MONICA HIGH SCHOOL	1,287.00	U
141056	POSTMASTER-SANTA MONICA	POSTAGE	SANTA MONICA HIGH SCHOOL	1,287.00	U
141058	POSTMASTER-SANTA MONICA	POSTAGE	SANTA MONICA HIGH SCHOOL	1,287.00	U
141098	POSTMASTER-SANTA MONICA	STAMPS	SANTA MONICA HIGH SCHOOL	138.00	U
141030	PRIORITY MAILING SYSTEMS INC	OFFICE SUPPLIES	SANTA MONICA HIGH SCHOOL	186.07	U
141081	PRIORITY MAILING SYSTEMS INC	MAINTENANCE AGREEMENT	PURCHASING/WAREHOUSE	1,699.00	U
141085	RAYCOM/MOBILE RELAY ASSOCIATES	ANNUAL EMERGENCY RADIO SERVICE	FACILITY MAINTENANCE	13,000.00	R
141080	REES ELECTRONICS OFFICE	COPIER REPAIR	SANTA MONICA HIGH SCHOOL	85.00	U
140995	REGENCY ENTERPRISES INC.	LIGHT BULBS	THEATER OPERATIONS&FACILITY PR	441.50	R
140176	RICOH BUSINESS SOLUTIONS	maintenance agrmt. for copier	GRANT ELEMENTARY SCHOOL	4,967.08	U
141114	RICOH BUSINESS SOLUTIONS	Open PO for copy machine suppl	FRANKLIN ELEMENTARY SCHOOL	1,095.00	U
140842	RUSCO INC	REORDER PE LOCKS	SAMOHI STUDENT STORE	1,754.00	U
141015	SANTA MONICA DAILY PRESS	ADVERTISING IN NEWSPAPER	SPECIAL EDUCATION REGULAR YEAR	457.03	R
141160	SANTA MONICA MIRROR	ROP ADVERTISING	R O P	1,200.00	R
141161	SANTA MONICA STAR	ROP ADVERTISING	R O P	1,000.00	R
141118	SCHOOL ENERGY COALITION	MEMBERSHIP DUES	PURCHASING/WAREHOUSE	250.00	U
141082	SEHI COMPUTER PRODUCTS	printer for Facility Use Dept	THEATER OPERATIONS&FACILITY PR	1,408.58	R
141143	SEHI COMPUTER PRODUCTS	Drum unit	GRANT ELEMENTARY SCHOOL	81.35	R
141164	SEHI COMPUTER PRODUCTS	INSTRUCTIONAL SUPPLIES	R O P	3,285.00	R
140994	SIMPLEXGRINNELL	DISTRICT FIRE ALARM AGREEMENT	FACILITY MAINTENANCE	36,334.00	R

PURCHASE ORDERS TO BE APPROVED AT THE BOARD MEETING OF AUGUST 28, 2013

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PO NO.	VENDOR	DESCRIPTION	LOCATION	AMOUNT	
141008	SIMPLEXGRINNELL	FIREALARM TROUBLESHOOT JAMS	FACILITY MAINTENANCE	537.32	R
141106	SIMPLEXGRINNELL	ANNUAL FIRE ALARM ADD'L	FACILITY MAINTENANCE	25,582.00	R
141014	SIR SPEEDY PRINTING #0245	DISTRICT LETTERHEAD	PRINTING SERVICES	191.63	U
141117	SIR SPEEDY PRINTING #0245	BUSINESS CARDS/PAYROLL STAFF	FISCAL SERVICES	133.86	U
141147	SIR SPEEDY PRINTING #0245	BUSINESS CARDS	LINCOLN MIDDLE SCHOOL	89.24	U
141124	SMART & FINAL	OPEN ORDER/MEETING REFRESH	JOHN ADAMS MIDDLE SCHOOL	300.00	U
141159	SMART & FINAL	INSTRUCTIONAL SUPPLIES	R O P	150.00	R
141059	SMART & FINAL #315	IEP SUPPLIES FOR 13-14	SPECIAL EDUCATION REGULAR YEAR	400.00	R
140148	SOUTHWEST SCHOOL SUPPLY	classroom supplies	GRANT ELEMENTARY SCHOOL	254.40	U
140337	SOUTHWEST SCHOOL SUPPLY	classroom supplies	GRANT ELEMENTARY SCHOOL	446.12	U
140338	SOUTHWEST SCHOOL SUPPLY	classroom supplies	GRANT ELEMENTARY SCHOOL	111.47	U
141016	SPARKLETTS WATER CO	WATER SUPPLY OPEN ORDER	SPECIAL EDUCATION REGULAR YEAR	360.00	R
141004	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLIES	SPECIAL EDUCATION REGULAR YEAR	2,000.00	R
141066	STAPLES BUSINESS ADVANTAGE	OFFICE SUPPLY	PERSONNEL COMMISION	200.00	U
141077	STAPLES BUSINESS ADVANTAGE	Open order for office supplies	THEATER OPERATIONS&FACILITY PR	1,500.00	R
141021	STAPLES/P-U/VENICE/LINCOLN BL	SUPPLIES FOR MEASURE R MAILING	BUSINESS SERVICES	500.00	U
141022	STAPLES/P-U/WLA/CUST#240174490	SUPPLIES FOR BUSINESS OFFICE	BUSINESS SERVICES	800.00	U
141040	STATE OF CALIFORNIA	ELEVATOR INSPECTION FEES	FACILITY MAINTENANCE	125.00	R
141116	STONERIVER - PHARMACY SOLUTION	OPEN ORDER FOR FIRST AID/PRESC	INSURANCE SERVICES	500.00	U
140992	STOVER SEED CO	OPERATIONS GROUNDS SUPPLIES	GROUNDS MAINTENANCE	1,888.88	R
141086	THYSSENKRUPP ELEVATOR	ANNUAL ELEVATOR AGRMNT MALIBU	FACILITY MAINTENANCE	10,800.00	R
141071	TIETZE, BRANDON	RATERS SUPPLY	PERSONNEL COMMISION	600.00	U
141068	TOSHIBA	OFFICE SUPPLY	PERSONNEL COMMISION	500.00	U
141151	TOUCHLINE SOFTWARE INC	WORK PERMIT SOFTWARD LICENSE	R O P	295.00	R
141010	U S BANK (GOVT CARD SERVICES)	DTSC MANIFEST FEES	FACILITY MAINTENANCE	2,142.50	R
141023	U S BANK (GOVT CARD SERVICES)	OPEN ORDER	BUSINESS SERVICES	1,000.00	U
141094	UCLA CENTER X	PD COMMOR CORE-SCIENCE	STATE AND FEDERAL PROJECTS	1,750.00	R
141095	UCLA CENTER X	PD COMMON CORE - HISTORY/SS	STATE AND FEDERAL PROJECTS	1,750.00	R
141144	WITT COMPANY	Open PO for ink and masters	FRANKLIN ELEMENTARY SCHOOL	650.00	U
141027	XEROX CORPORATION	XEROX MAINTENANCE AGREEMENT	PRINTING SERVICES	698.40	U
141125	YOUNG PS ACQUISITIONS LLC	HS/TOOTH BRUSHES	CHILD DEVELOPMENT CENTER	237.99	CD
** NEW PURCHASE ORDERS				722,339.56	

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

141006	ALL AREA PLUMBING INC.	UTILITY BUILDING PLUMBING	SANTA MONICA HIGH SCHOOL	38,261.00	BB
** FACILITY IMPROVEMENTS: BONDS/STATE MODERNIZATON/NEW CONSTRUCTION/DEVELOPER FEES				38,261.00	

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

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

RE: TRANSFER OF FUNDS

RECOMMENDATION NO. A.06

It is recommended that the Board of Education approve the following transfers for the 2012-2013 fiscal year.

- A. \$200,000 from the General Fund (Fund 01) to the Child Development Fund (Fund 12) to cover the deficit spending in 2012-2013.

COMMENTS: As the District closed the books for the 2012-13 fiscal year, it was determined that there would be a deficit in the Child Development Services Fund. There were several factors contributing to the deficit. The Infant Toddler Center (ITC) and the Los Angeles Universal Preschool (LAUP) programs both received less in revenue than had been expected. Low enrollments in the LAUP program contributed to the \$29,853 deficit in that program. The ITC program did not receive the full amount expected from St. Johns resulting in a \$50,975 deficit. The balance of the fund deficit, \$119,172, is the result of the numerous shifts and changes made between the Head Start program, Child Care, and State Preschool. Although the district was notified of revenue changes, the timing was such that expenditure adjustments could not be made quick enough to offset the revenue loss.

Fiscal staff has met with the Director of Child Development Services to review the reasons for this deficit and determine how shortages with the fund can be identified more quickly.

The Los Angeles County Office of Education (LACOE) requires Board approval to make transfers between funds. Encroachments between other programs in the District are typically identified during the budget process and are adjusted throughout the year in Interim Reports. Child Development Services is a self-sustaining fund and normally does not incur operational deficits.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (Ms. Leon-Vazquez was absent)

NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

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

RE: AMENDMENT TO CONTRACT – LEASE LEASEBACK – EDISON LANGUAGE ACADEMY – NEW CONSTRUCTION – SWINERTON BUILDERS – MEASURE BB

RECOMMENDATION NO. A.07

It is recommended that the Board of Education authorize contract Change Order number 12 (CO-12) for the Lease Leaseback – Edison Elementary Building – ELA: New Building Project to Swinerton Builders, in the amount of \$154,607.00 for a total contract amount of \$33,967,256.00, and no change in the contract time.

Funding Information

Budgeted: No
Fund: 81
Source: Measure BB
Account Number: 81-90500-0-00000-85000-6200-001-2600
Budget Category: Construction Contracts
DSA #: 03-112999

COMMENTS: On July 20, 2011, the Santa Monica-Malibu Unified School District Board of Education awarded Swinerton Builders the lease leaseback contract for the Edison Language Academy – New Construction Project in the amount of \$32,848,118.

On November 15, 2012 the Santa Monica-Malibu Unified School District Board of Education approved Change Order No 1 and Change Order No 2 on the Lease Leaseback contract for the Edison Language Academy – New Construction Project. Change Order No 1 was in the amount of \$93,232. Change Order No 2 was in the amount of \$74,000. Change Order No 3 was in the amount of \$76,746 and a 3 day increase in the contract time. Change Order No 4 was in the amount of \$86,815. Change Order No 5 was in the amount of \$68,372. Change Order 6 was in the amount of \$38,766. Change Order 7 was in the amount of \$72,552. Change Order 8 was in the amount of \$3,599.00. Change Order 09 was in the amount of \$73,414.00. Change Order 10 was in the amount of \$153,438. Change Order 11 was in the amount of \$223,597.00.

Change Order 12 includes two (2) proposed Change Order (PCO) items which were not reflected in the construction documents. The District has reviewed each of the two PCOs in detail for scope and costs.

The scope of work included in Change Order No. 12 (CO-12) includes all labor, materials, equipment and related overhead costs for the work described for each PCO. This contract increase does not include changes to the contract documents that must be submitted to DSA for approval.

(continued on next page)

ORIGINAL CONTRACT AMOUNT:	\$32,848,118
CHANGE ORDER NO. 1:	93,232
CHANGE ORDER NO. 2:	74,000
CHANGE ORDER NO. 3:	76,746
CHANGE ORDER NO. 4:	86,815
CHANGE ORDER NO. 5:	68,372
CHANGE ORDER NO. 6:	38,766
CHANGE ORDER NO. 7:	72,552
CHANGE ORDER NO. 8:	3,599
CHANGE ORDER NO. 9:	73,414
CHANGE ORDER NO. 10:	153,438
CHANGE ORDER NO. 11:	223,597
CHANGE ORDER NO. 12:	154,607
TOTAL CONTRACT AMOUNT:	\$33,967,256

Change Order No. 12 (CO-12) does not include any change to the contract time.

ORIGINAL CONTRACT TIME:	1,054 Days
CHANGE ORDER NO. 1:	0 Days
CHANGE ORDER NO. 2:	0 Days
CHANGE ORDER NO. 3:	3 Days
CHANGE ORDER NO. 4:	0 Days
CHANGE ORDER NO. 5:	0 Days
CHANGE ORDER NO. 6:	0 Days
CHANGE ORDER NO. 7:	0 Days
CHANGE ORDER NO. 8:	0 Days
CHANGE ORDER NO. 9:	0 Days
CHANGE ORDER NO. 10:	0 Days
CHANGE ORDER NO. 11:	0 Days
CHANGE ORDER NO. 12:	0 Days
TOTAL CONTRACT AMOUNT:	1,057 Days

The above changes will be funded through allocation for Edison Program Reserve.

A Friday Memo accompanies this item.

This item was pulled by staff.

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

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

ACTION/CONSENT
 08/28/13

RECOMMENDATION NO. A.08

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

ADDITIONAL ASSIGNMENTS

ADAMS MIDDLE SCHOOL

Asher, Jeanette	183 hrs @\$56.98	8/20/13-6/10/14	<u>Own Hrly/\$10,427</u>
		TOTAL OWN HOURLY	\$10,427

Comment: 6th Period Assignment
 01-Unrestricted Resource

EDUCATIONAL SERVICES

Beeman-Solano, Amy	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Bon, Nancy	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Catanzano, Linda	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Cruce, Marae	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Gonzalez, Alicia	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Hart, Sharon	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Hovest, Christine	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Jung, Parisa	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Levy, Amy	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Macon, Tristen	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Meyer, Kimberly	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Moazzez, Rozita	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Parker, Trevor	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Pham, Vy	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Pirri, Stephanie	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Salamaggi, Aileen	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Schneider, Kirsten	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Wadsworth, Henry	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Ware, Andrea	18 hrs @\$40.46	7/23/13-8/9/13	Est Hrly/\$728
Zagor, Maura	18 hrs @\$40.46	7/23/13-8/9/13	<u>Est Hrly/\$728</u>
		TOTAL ESTABLISHED HOURLY	\$14,560

Comment: Develop New Common Core Benchmark Assessments
 01-IASA: Title II Teacher Quality

Hirt, Mary	20 hrs @\$40.46	8/1/13-6/15/14	<u>Est Hrly/\$809</u>
		TOTAL ESTABLISHED HOURLY	\$809

Comment: Train and Support Elementary PE Coaches
 01-Measure "R"

Webb, Kitano	10 hrs @\$40.46	8/1/13-6/15/14	<u>Est Hrly/\$405</u>
		TOTAL ESTABLISHED HOURLY	\$405

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

HUMAN RESOURCES

Berezowsky, Lisa	12 hrs @\$40.46	7/1/13-7/31/13	Est Hrly/\$486
Collin, Laura	12 hrs @\$40.46	7/1/13-7/31/13	<u>Est Hrly/\$486</u>
		TOTAL ESTABLISHED HOURLY	\$972

Comment: Moving Classroom due to involuntary transfer
 01-Unrestricted Resource

LINCOLN MIDDLE SCHOOL

McLaughlin, Gretchen	3 hrs @\$40.46	7/17/13	Est Hrly/\$121
Moazzez, Rozita	3 hrs @\$40.46	7/17/13	Est Hrly/\$121
TOTAL ESTABLISHED HOURLY			\$242

Comment: ELD Transition Planning
01-Tier III Programs Cat Flex

SPECIAL EDUCATION

Sass, Amanda	2 hrs @\$40.46	7/10/13	Est Hrly/\$81
TOTAL ESTABLISHED HOURLY			\$81

Comment: IEP Prep
01-Special Education

HOURLY TEACHERS

ADULT EDUCATION

Siemer, Deborah	81 hrs @\$40.46	8/2613-6/5/14	Est Hrly/\$3,277
TOTAL ESTABLISHED HOURLY			\$3,277

Comment: GED Test Administrative Support
11-Unrestricted Resource

Hammond, Paul	198 hrs @\$45.34	8/26/13-6/5/14	Est Hrly/\$8,977
Murphy, Leticia	198 hrs @\$45.34	8/26/13-6/5/14	Est Hrly/\$8,977
TOTAL ESTABLISHED HOURLY			\$17,954

Comment: Adult Education Instructor
11-Unrestricted Resource

Bushin, Gregory	198 hrs @\$45.34	8/2613-6/5/14	Est Hrly/\$8,977
Dumey, Glenna	99 hrs @\$45.34	8/26/13-6/5/14	Est Hrly/\$4,489
TOTAL ESTABLISHED HOURLY			\$13,466

Comment: Adult Education Instructor
11-231:ABE/ESL/ESL Ctn, VESL/VABE

Smith, Bradford	432 hrs @\$45.34	8/26/13-6/5/14	Est Hrly/\$19,587
TOTAL ESTABLISHED HOURLY			\$19,587

Comment: Adult Education Instruction
11-Other Local Income

Demello, Flavia	360 hrs @\$45.34	8/26/13-6/5/14	Est Hrly/\$16,322
TOTAL ESTABLISHED HOURLY			\$16,322

Comment: Adult Education Instruction
11-Unrestricted Resource -91%
11-PL105-22 Engl Literacy/Civics - 9%

Morgan, Alexandra	360 hrs @\$45.34	8/26/13-6/5/14	Est Hrly/\$16,322
TOTAL ESTABLISHED HOURLY			\$16,322

Comment: Adult Education Instruction
11-PL105-22 Engl Literacy/Civics - 60%
11-231:ABE/ESL/ESL Ctn, VESL/VABE - 22%
11-Unrestricted Resources - 18%

Gomez, Victor	\$45.34, as needed	8/26/13-6/5/14	Est Hrly/\$----
Kuipers, Catherine	\$45.34, as needed	8/26/13-6/5/14	Est Hrly/\$----
Lauchenauer, Evelyn	\$45.34, as needed	8/26/13-6/5/14	Est Hrly/\$----
TOTAL ESTABLISHED HOURLY			\$----

Comment: Adult Education Substitute
11-Unrestricted Resource

TOTAL ESTABLISHED HOURLY, AND OWN HOURLY = \$ 114,424

NEW HIRES

REINSTATEMENT FROM LAYOFF

TENURED CONTRACT

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Sugasawara, Patricia/CDS Teacher Franklin Elementary	50%	8/21/13

PROBATIONARY CONTRACTS

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Cruz, Jar-EI/Elem Music Educational Svcs	100%	8/20/13
Holland-Matthews, Margie/English John Adams MS	100%	8/20/13
Ortolf, David/SAI Roosevelt Elementary	100%	8/20/13
Stein, Rebecca/Physics Santa Monica HS	100%	8/20/13

TEMPORARY CONTRACTS

<u>Name/Assignment/Location</u>	<u>Not to Exceed</u>	<u>Effective</u>
Adams, Laura/Math Santa Monica HS	100%	8/20/13-6/10/14
Ahern, Jamie/SAI Preschool Special Education	60%	8/20/13-6/10/14
Auer, Kimberly/Spanish Malibu HS	100%	8/20/13-6/10/14
Battung, Jason/Yoga Santa Monica HS	100%	8/20/13-6/10/14
Blanchard-Young, Aisha/Grant Grant Elementary	100%	8/20/13-6/10/14
Bolden, Devyn/SAI Grant Elementary	100%	8/20/13-6/10/14
Both, Katherine/2 nd -3 rd Grade Franklin Elementary	100%	8/20/13-6/10/14
Bushin, Gregory/English, Math Olympic HS	100%	8/20/13-6/10/14
Carson, Wendi/5 th Grade Franklin Elementary	100%	8/20/13-6/10/14
Chandler, Ashley/SAI Muir Elementary	100%	8/20/13-6/10/14
Christoff, Anne/SAI-Math Santa Monica HS	100%	8/20/13-6/10/14

Curtis, Laura/SAI Preschool Special Education	60%	8/20/13-6/10/14
Dempsey, Bridget/4 th Grade McKinley Elementary	100%	8/20/13-6/10/14
DeWig, Kevin/Life Skills Lincoln MS	100%	8/20/13-6/10/14
Duncan, Yeato/SAI Roosevelt Elementary	100%	8/20/13-6/10/14
Edwards, David/4 th Grade McKinley Elementary	100%	8/20/13-6/10/14
Estrada, Tiffany/ELD Rogers Elementary	100%	8/20/13-6/10/14
Fan, Tao-Hwa/Chinese Malibu HS/Santa Monica HS	80%	8/20/13-6/10/14
Forte, Mark/Spanish Lincoln MS	100%	8/20/13-6/10/14
Gilson, Nicole/SAI Grant Elementary	100%	8/20/13-6/10/14
Gonzalez, Alicia/Math Santa Monica HS	100%	8/20/13-6/10/14
Guirguis, Mariam/Life Science John Adams MS	100%	8/20/13-6/10/14
Haendel, Erin/Math-Science SMASH	30%	8/20/13-6/10/14
Hammill, Debra/Science Lincoln MS	100%	8/20/13-6/10/14
Helsing, Laura/SAI-Math John Adams MS	100%	8/20/13-6/10/14
Hilson, Jaclyn/SAI Rogers Elementary	100%	8/26/13-6/10/14
Hong, Hawala/Math John Adams MS	100%	8/20/13-6/10/14
Iwanka, Traci/Reading Grant Elementary	50%	8/20/13-6/10/14
Khem, Chamnauch/Latin Santa Monica HS	40%	8/20/13-6/10/14
Kirven, Wednesday/1 st Grade McKinley Elementary	100%	8/20/13-6/10/14
Kreuzer, Karen/1 st Grade Muir Elementary	100%	8/20/13-6/10/14

Lambert, Daniel/ISP Malibu HS	100%	8/20/13-6/10/14
Liaw, Susanne/English Olympic HS	100%	8/20/13-6/10/14
Lindemann, Maya/Nurse Child Develop Svcs	100%	8/20/13-6/10/14
Lockett, Graham/Chemistry Santa Monica HS	100%	8/20/13-6/10/14
Marshall, Kimberly/3 rd Grade McKinley Elementary	100%	8/20/13-6/10/14
Mckenzie, Alyson/Spanish Malibu HS	40%	8/20/13-6/10/14
Meils, Jennifer/Lang Arts John Adams MS	100%	8/20/13-6/10/14
Milwe, Cindy/Lang Arts John Adams MS	40%	8/20/13-6/10/14
Mojica, Georgina/1 st Grade Edison Elementary	100%	8/20/13-6/10/14
Nieves, Melissa/OCLC Olympic HS	100%	8/20/13-6/10/14
Pawling, Sean/Elem Music Educational Svcs	100%	8/20/13-6/10/14
Perez, Raymond/Counselor Lincoln MD	100%	8/7/13-6/30/14
Peterson, Aimee/SAI Rogers Elementary	100%	8/20/13-6/10/14
Pirri, Stephanie/Literacy Roosevelt Elementary	100%	8/20/13-6/10/14
Quiroz, Lindsay/Elem Music Educational Svcs	100%	8/20/13-6/10/14
Sato, Akiko/Japanese Santa Monica HS	80%	8/20/13-6/10/14
Schwengel, Tracey/3 rd Grade Rogers Elementary	100%	8/20/13-6/10/14
Staroschak, Christina/Biology Santa Monica HS	100%	8/20/13-6/10/14
Tickler, Brian/Social Studies Santa Monica HS	100%	8/20/13-6/10/14
Topp, Courtney/Life Skills Santa Monica HS	100%	8/20/13-6/10/14

Trubo, Melissa/2 nd -3 rd Grade Muir Elementary	100%	8/20/13-6/10/14
Vampola, Kelly/Biology Santa Monica HS	100%	8/20/13-6/10/14
Wallace, Theresa/Physical Ed Lincoln MS	100%	8/20/13-6/10/14

SUBSTITUTE TEACHERS

Effective

PREFERRED SUBSTITUTES

(@\$162.00 Daily Rate)

Friedenthal, Gabrielle	8/22/13
Miller, Caroline	5/7/13
Sorensen, Justine	8/22/13
Walsh, Maura	8/22/13

CHANGE IN ASSIGNMENT

Effective

Berezowsky, Lisa Rogers/Sp Ed Preschool	8/20/13
<u>From:</u> Franklin/Sp Ed Preschool	
<u>To:</u> Rogers/Sp Ed Preschool	
Boyle, Laura Olympic HS/Teacher	8/20/13-6/10/14
<u>From:</u> 100%	
<u>To:</u> 60%	
Collin, Laura Muir/Sp Ed Preschool	8/20/13
<u>From:</u> Franklin/Sp Ed Preschool	
<u>To:</u> Muir/Sp Ed Preschool	
Conway, Kenyatta Rogers/Preschool	8/21/13
<u>From:</u> Roosevelt/Preschool	
<u>To:</u> Rogers/Preschool	
Degregorio, Dana Roosevelt/McKinley/SAI	8/20/13
<u>From:</u> 100% Roosevelt	
<u>To:</u> 50% Roosevelt/50% McKinley	
Gluck, Heidi Washington West/Preschool	8/21/13
<u>From:</u> Floater/Preschool	
<u>To:</u> Wash West/Preschool	
Henry, Cassy Grant/Preschool	8/21/13
<u>From:</u> Franklin/Preschool	
<u>To:</u> Grant/Preschool	
Herberg, Joan Roosevelt/CDS Teacher	8/20/13
<u>From:</u> McKinley/CDS Teacher	
<u>To:</u> Roosevelt/CDS Teacher	

King, Keri McKinley/2 nd Grade <u>From:</u> 100% <u>To:</u> 20%	8/20/13-6/10/14
Langsdale, Jennifer McKinley/Science <u>From:</u> 100% <u>To:</u> 20%	8/20/13-6/10/14
Langus, Jocelyn Special Ed/Speech Therapist <u>From:</u> 100% <u>To:</u> 60%	8/20/13
Mackey, Tamara Roosevelt/4 th Grade <u>From:</u> Pt. Dume/3 rd -4 th Grade <u>To:</u> Roosevelt/4 th Grade	8/20/13
Martin, Laurie Special Ed/Speech Lang Path <u>From:</u> 100% <u>To:</u> 40%	8/20/13-6/10/14
Martinez, Emelita Rogers/Preschool <u>From:</u> Grant/Preschool <u>To:</u> Rogers/Preschool	8/21/13
Murawski, Danielle Malibu HS/Spanish <u>From:</u> Lincoln MS <u>To:</u> Malibu HS	8/20/13
Parker, Trevor Santa Monica HS/Math <u>From:</u> SAI – Math <u>To:</u> Math	8/20/13
Posner, Cara John Adams/SAI <u>From:</u> Rogers/LOA <u>To:</u> John Adams/SAI	8/20/13
Rodriguez, Claudia Franklin/Preschool <u>From:</u> Rogers/Preschool <u>To:</u> Franklin/Preschool	8/21/13
Rodriguez, Melinda John Adams/Preschool <u>From:</u> Rogers/Preschool <u>To:</u> JAMS/Preschool	8/21/13
Roman, Bertha Ed Svcs/TOSA <u>From:</u> 183 days/TOSA <u>To:</u> 200 days/TOSA	8/1/13

Serapiglia, Anne 8/20/13
SMASH/SAI
From: 80%
To: 100%

Sever, Pamela 8/20/13
John Adams MS/Science
From: Special Ed
To: Science

Swift, Jessica 8/20/13
John Adams MS/Music
From: Ed Svcs/Elem Music
To: John Adams/Inst Music

Taylor-Sabo, Melissa 8/20/13
Malibu HS/SAI
From: Webster/SAI
To: Malibu HS/SAI

Thomas, Kate 8/20/13
Franklin/SAI
From: John Adams/SAI
To: Franklin/SAI – Autism

LEAVE OF ABSENCE (with pay)

<u>Name/Location</u>	<u>Effective</u>
Roseberg, Jessica Santa Monica HS	8/1/13-8/25/13 [maternity]

RESIGNATION

<u>Name/Location</u>	<u>Effective</u>
Cole, Debra John Adams Middle School	6/11/13

De Hope, Kathryn 6/30/13
Lincoln Middle School

Garden, Sarah 7/12/13
Grant Elementary School

Sweeney, Kristin 6/11/13
Olympic High School

RETIREMENT

<u>Name/Location</u>	<u>Effective</u>
Szilagyi, Lisa Malibu High School	7/28/13

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

TO: BOARD OF EDUCATION
 FROM: SANDRA LYON / BRANDON TIETZE
 RE: CLASSIFIED PERSONNEL – MERIT

ACTION/CONSENT
 08/28/13

RECOMMENDATION NO. A.09

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>SUMMER ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
Bechkovski, Stefan Facility Permits	Swimming Instructor-Lifeguard	7/1/13-8/21/13
Fulache-Palma, Madeilaine Special Education	Inst Asst – Specialized	8/7/13-8/20/13
Gutierrez, Martha Franklin ES	Senior Office Specialist	8/8/13-8/14/13
Jorgenson, Stephanie Special Education	Inst Asst – Specialized	8/7/13-8/20/13
Leister, Erin Special Education	Occupational Therapist	6/17/13-7/12/13
Martino, Jesica Special Education	Occupational Therapist	6/17/13-7/12/13
Mesrobian, Varso Franklin ES	Senior Office Specialist	8/5/13-8/14/13
Nao, Kim Educational Svcs	Student Outreach Specialist	7/1/13-8/9/13
Newman, Pasley Special Education	Inst Asst – Special Ed	7/22/13-8/1/13
Olmos, Maria Educational Svcs	Senior Office Specialist	7/15/13-7/19/13
Olmos, Maria Rogers ES	Senior Office Specialist	8/5/13-8/14/13
Oyenoki, Liz Educational Svcs	Senior Office Specialist	7/15/13-7/19/13
Oyenoki, Liz McKinley ES	Senior Office Specialist	7/22/13-7/26/13
Warmington, Brigitte Special Education	Inst Asst – Specialized	8/7/13-8/20/13
<u>TEMP/ADDITIONAL ASSIGNMENTS</u>		<u>EFFECTIVE DATE</u>
Alba, Raul Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14

Anderson, Bruno Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Anderson, Michael Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Avitia-Quintana, Hector Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Beavers, Marcus Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Boyd, Katherine Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Bravo, Richard Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Brown, Murphy Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Buchanan, Timothy Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Burdick, Barton Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Burton, Jerome Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Calderon, Bianca Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Campos, Oscar Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Capra, Lucas Facility Permits	Technical Theater Technician [overtime, Permits events]	8/14/13-6/13/14
Colvin Jr., Lovell Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Cueva, Felipe Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Cuevas, Jose Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Davis, Katherine Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Davis, Stevie Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Deanda, Richard Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Doty, Kenneth Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14

Durham, Michael Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Flores, Ana Student Svcs	Administrative Assistant [overtime, translation]	7/1/13-6/10/14
Gallegos-Martin, Agustin Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Gardea-Perez, Lupe Adams MS	Bilingual Community Liaison [overtime, translations]	7/1/13-6/30/14
Gleason, Tim Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Godinez, Octavio Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Gomez, Jack Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Gonzalez, Arthur Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Green, Joseph Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Gutierrez-Prada, Nancy Adams MS	Bilingual Community Liaison [overtime, translations]	7/1/13-6/30/14
Harris, Kenneth Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Harris, Tracey Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Heiderman, Daniel Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Herrada, Joe Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Jackson, Michael Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Kratz, Damon Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Lockett, Tyrone Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Lockett, Tyrone Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Lombera, Julio Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Lopez, Jose Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14

Martin, Eric Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
McAlpin, Michael Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
McCrum, David Facility Permits	Technical Theater Coordinator [overtime, Permits events]	7/1/13-6/30/14
McNeely, Debrah Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Morris, Sean Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Moton, Wilson Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Odom, Lamont Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Omari, Saleem Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
O'Rourke, Thomas Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Orozco, Abel Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14
Peoples, Jeffrey Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Perez, Graciela Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Perez, Maria Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Porter, Joe Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Ramirez, Philip Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Rising, Robert Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Rodriguez, Maria Adams MS	Bilingual Community Liaison [overtime, translations]	7/1/13-6/30/14
Saad, Metias Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Segura, Bethel Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Simmonds, Hugh Facility Permits	Gardener [overtime, Permits events]	7/1/13-6/30/14

Smith, Denise Fiscal Svcs	Office Specialist [additional hours, fiscal projects]	7/1/13-8/1/13
Spalding, James Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Suaste, Eduardo Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Taylor, Candice Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Vazquez-Gomez, Miguel Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Velasquez, Jose Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Venable, Mark Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Walker, Louis Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Ward, Victor Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Watkins, Ernest Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
West, Malcom Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Widner, Kim Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Wishart, William Fiscal Svcs	Media Services Coordinator [additional hours, fiscal projects]	7/1/13-8/21/13
Ybarra, Angel Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14
Ybarra Jr., Jose Facility Permits	Custodian [overtime, Permits events]	7/1/13-6/30/14

SUBSTITUTES

McGrath, Kathy District	Office Specialist	<u>EFFECTIVE DATE</u> 7/1/13-8/15/13
Monte, Peri District	Office Specialist	7/1/13-6/30/14
Preciado, Iris District	Office Specialist	7/26/13-8/16/13

INVOLUNTARY TRANSFER

Jones, Chancy Santa Monica HS	Campus Security Officer 8 Hrs/10 Mo Fr: 8 Hrs/10 Mo/Adams MS	<u>EFFECTIVE DATE</u> 8/19/13
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PROFESSIONAL GROWTH

Dodd, Jason Maintenance	Carpenter	<u>EFFECTIVE DATE</u> 8/1/13
Gray Ford, Nedra Malibu HS	Senior Administrative Assistant	8/1/13

RESIGNATION

Braley, Christina Grant ES	Inst Asst - Classroom	<u>EFFECTIVE DATE</u> 6/11/13
Escobar, Lilian McKinley ES	Inst Asst – Special Ed	7/12/13
Stowell, Amanda Food and Nutrition Svcs	Cafeteria Worker I	5/27/13
Tejeda, Lucia Adams MS	Inst Asst - Bilingual	6/11/13
Zaitoon, Raed Special Education	Inst Asst – Specialized	8/21/13

RETIREMENT

Cooper, Carole McKinley ES	Inst Asst – Special Ed	<u>EFFECTIVE DATE</u> 8/15/13
Hernandez, Diane Fiscal Svcs	Accounting Technician	7/31/13

LAYOFF/REDUCTION OF HOURS - DUE TO LACK OF FUNDS

FD8484927 Grant ES	Inst Asst - Classroom 2 Hrs/SY Fr: 3 Hrs/SY	<u>EFFECTIVE DATE</u> 10/28/13
PR9815528 Muir ES	Inst Asst - Classroom 3 Hrs/SY Fr: 5.5 Hrs/SY	10/28/13

REDUCTION OF HOURS/TRANSFER IN LIEU OF LAYOFF

Thomas, Craig Webster ES	Inst Asst – Special Ed 6 Hrs/SY Fr: 6.5 Hrs/SY; Child Develop Svcs	<u>EFFECTIVE DATE</u> 8/5/13
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RESCIND TERMINATION

EM 7601666 McKinley ES	Inst Asst – Special Ed [Offensive Conduct Merit Rules 14.1.4.A (2) and 14.1.4.A (13)]	<u>EFFECTIVE DATE</u> 8/15/13
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TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON / BRANDON TIETZE

RE: CLASSIFIED PERSONNEL – NON-MERIT

RECOMMENDATION NO. A.10

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.

TECHNICAL SPECIALIST – LEVEL I

AVALOS, MARIA	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
BARBINIS, SOPHIA	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
BRINKWORTH, SHANNON	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
CASTRO, ERICA	MALIBU HIGH SCHOOL [Psychology Field Worker] - Funding: Special Education	8/22/13-6/10/14
FRANCIS, MARYANN	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
HARRELL, AIMEE	MALIBU HIGH SCHOOL [Psychology Field Worker] - Funding: Special Education	8/22/13-6/10/14
HARRIS, JENNA	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
LAMMENS, GINA	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
SLEKYS, KRISTINA	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
SOROUSH, SHIRIN	GRANT ELEMENTARY SCHOOL [Psychology Field Worker] - Funding: Special Education	8/22/13-6/10/14

TAUGER, NAOMI	SPECIAL EDUCATION [Psychologist Intern] - Funding: Special Education	8/22/13-6/10/14
<u>TECHNICAL SPECIALIST – LEVEL II</u>		
BILL, ANDREW	ED SVCS/SANTA MONICA HS [Percussion Instructor] - Funding: Measure “R”	7/1/13-7/4/13
GONZALEZ, JUAN	ED SVCS/SANTA MONICA HS [Colorguard Instructor] - Funding: Measure “R”	7/1/13-7/4/13
MOERSCHEL, JOSEPHINE	ADAMS MS [Music Clinician] - Funding: Tier III Programs CAT FLEX	8/22/13-6/10/14
PARISE, CHRIS	ADAMS MS [Music Clinician] - Funding: Tier III Programs CAT FLEX	8/22/13-6/10/14
ROTH, JENNIFER	ADAMS MS [Music Clinician] - Funding: Tier III Programs CAT FLEX	8/22/13-6/10/14
SENUK, PETER	ADAMS MS [Music Clinician] - Funding: Gifts	8/22/13-6/10/14
TURNER, MEGHAN	ADAMS MS [Music Clinician] - Funding: Tier III Programs CAT FLEX	8/22/13-6/10/14

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

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/28/13

FROM: SANDRA LYON / JANECE MAEZ / CAREY UPTON

RE: INCREASE IN STAFFING (FTE) – FACILITY USE

RECOMMENDATION NO. A.11

It is recommended that the Board of Education approve two Sports Facility Attendant positions (0.50 FTE and 0.75 FTE) to meet the components of the newly-signed Joint Use Agreement with the City of Malibu.

FUNDING NOTE: The 2013-2014 budget will be adjusted \$63,663 for salary and benefits.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (Ms. Leon-Vazquez was absent)

NOES: None (0)

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

ACTION/CONSENT
08/28/13

RECOMMENDATION NO. A.12

It is recommended that the Board of Education approve the following administrative appointment:

CERTIFICATED APPOINTMENTS

Effective

Dr. Ellen Edeburn
Director, Curriculum and Instruction

TBD

Ms. Irene Gonzalez-Castillo
Director, Curriculum and Instruction

TBD

MOTION MADE BY: Dr. Escarce
SECONDED BY: Mr. de la Torre
STUDENT ADVISORY VOTE: N/A
AYES: All (Ms. Leon-Vazquez was absent)
NOES: None (0)

TO: BOARD OF EDUCATION

ACTION/CONSENT

08/14/13

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: ADOPT BP 6112.1 – GENERAL EDUCATION CLASSROOM ASSIGNMENT
FOR STUDENTS WITH DISABILITIES

RECOMMENDATION NO. A.13

It is recommended that the Board of Education adopt BP 6112.1 – General Education Classroom Assignment for Students with Disabilities.

COMMENTS: During the 2012-13 school year, the district has been working to design a procedure to guide the placement of students into general education classrooms under the Specialized Academic Instruction Model. The Departments of Human Resources, Student Services and Special Education have collaborated on the procedure and have consulted with principals on what would meet the students, staff and master-scheduling needs at their schools.

This policy provides a procedure to govern the manner in which K through 5 students are placed. The Administrative Regulations and the Operational Guidelines are found in Information Item No. I.01 of this board agenda. Both the regulations and the guidelines will be distributed to principals, coordinators and directors as exhibits to the policy.

This policy also responds to a tentative agreement reached this spring with SMMCTA. Teachers share an interest in the district's establishment of a policy in this area. This agenda presents the policy for a first read. The policy came forward to the Board for discussion at the August 14, 2013 Board Meeting.

MOTION MADE BY: Mr. Mechur

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: Aye

AYES: All (Ms. Leon-Vazquez was absent)

NOES: None (0)

GENERAL EDUCATION CLASSROOM ASSIGNMENT FOR STUDENTS WITH DISABILITIES

Recognizing that all students are general education students first, the Board of Education shall ensure that the district provides programs that afford students with disabilities full educational opportunities. Students with disabilities shall receive a free, appropriate public education and be placed in the least restrictive environment which meets their needs to the extent provided by law. The district has a responsibility to assign students to general education classrooms for the amount of time designated in the students' IEP.

The Superintendent or designee shall develop administrative regulations regarding the assignment of students.

Legal Reference:EDUCATION CODE

56340.1-56347 Instructional planning and individualized education program

56000 Education for individuals with exceptional needs

56001 Provision of the special education programs

44265.5 Professional preparation for teachers of impaired students

56300-56304 Identification of individuals with disabilities

CODE OF REGULATIONS, TITLE 5

3021-3029 Identification, referral and assessment

3030-3031 Eligibility criteria

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

DISCUSSION ITEMS

TO: BOARD OF EDUCATION

DISCUSSION

FROM: SANDRA LYON / LINDA GREENBERG GROSS

08/28/13

7:00pm

RE: UPDATE FROM THE SANTA MONICA-MALIBU EDUCATION FOUNDATION
(SMMEF)

DISCUSSION ITEM NO. D.01

The Santa Monica-Malibu Education Foundation (SMMEF) Executive Director, Linda Greenberg Gross, along with RPR Fundraising Consultant, Dr. Paul Lanning, will give the Board of Education a 2012-13 recap on SMMEF fundraising and activities as well as a 2013-14 status update.

Dr. Lanning's presentation can be found under Attachments at the end of these minutes.

The Education Foundation announced that SMMEF had just received a donation of \$500,000 from the Scott Family Charitable Fund, representing the second largest donation the foundation has ever received. This brings the total amount raised by the foundation for the 2013-14 school year to almost \$2M, nearly half of its goal for the entire year.

MAJOR ITEMS

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/28/13

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

RE: ADOPT RESOLUTION NO. 13-01 – GANN AMENDMENT

RECOMMENDATION NO. A.14

It is recommended that the Board of Education approve the attached resolution.

COMMENT: Under the Gann Initiative, which was passed by the State electorate as Proposition 4 in 1979, all agencies of the State must calculate an appropriations limit which cannot be exceeded on a year-to-year basis. The formula for the calculation is statutorily set. Perhaps the easiest way to understand this calculation is to envision the dollar amount of your district's Gann Limit as a box. For example, if your current year Gann Limit is \$50 million, picture a box that can hold \$50 million. First, put into this box local property taxes that count toward your revenue limit, as well as an appropriate portion of your district's interest income. Next, pour all of the district's unrestricted state aid into this box. Under state law, the amount of state aid that fills up the box counts toward your district's Gann Limit, while the amount that overflows the box counts toward the state's Gann Limit (Government Code Section [G.C.] 7906). In addition, all state aid for categorical programs always counts toward the state's Gann Limit.

For the first time, local property tax and state aid funds that the District received in 2012-13 exceed the calculated limit. The two primary reasons for this were the passage of Proposition 30 and the impact that had on our Economic Protection Act (EPA) calculation and the one-time receipt of residual Redevelopment Funds. The limit in 2012-13 was exceeded by \$10,827,761. The District is not impacted by this calculation, but must notify the State Department of Finance after the Board approves this resolution.

The report detailing the calculation is attached.

MOTION MADE BY: Mr. de la Torre

SECONDED BY: Dr. Escarce

STUDENT ADVISORY VOTE: N/A

AYES: All (6) (Ms. Leon-Vazquez was absent)

NOES: None (0)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

RESOLUTION NO. 13-01

DISTRICT APPROPRIATIONS LIMITS FOR 2012-13
AND PROJECTED LIMITS FOR 2013-14

WHEREAS, in November of 1979, the California Electorate did adopt Proposition 4, commonly called the Gann Amendment, which added Article XIII-B to the California Constitution; and,

WHEREAS, the provisions of that Article establish maximum appropriations limitations, commonly called "Gann Limits", for public agencies, including school districts; and,

WHEREAS, the District must establish a revised Gann Limit for the 2012-13 fiscal year and a projected Gann Limit for the 2013-14 fiscal year in accordance with the provisions of Article XIII-B and applicable statutory law;

NOW, THEREFORE, BE IT RESOLVED that this Board does provide public notice that the attached calculations and documentation of the Gann Limits for the 2012-13 and 2013-14 fiscal years are made in accord with applicable constitutional and statutory law;

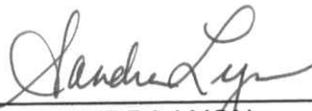
AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriation in the Budget for the 2012-13 fiscal year does exceed the limitations imposed by Proposition 4 by \$10,827,761;

AND BE IT FURTHER RESOLVED that this Board does hereby declare that the appropriations in the Budget for the 2013-14 fiscal year do not exceed the limitations imposed by Proposition 4;

AND BE IT FURTHER RESOLVED that the Superintendent provide copies of this Resolution along with the appropriate attachments to interested citizens of this District and the State Department of Finance.

Passed and adopted by the Board of Education of the Santa Monica-Malibu Unified School District, Los Angeles County, State of California, this 28th day of August 2013.

AYES: 6
NOES: 0
ABSTAIN: 0
ABSENT: 1



SANDRA LYON
Superintendent and Secretary
to the Board of Education

8/28/13
Date

	2012-13 Calculations			2013-14 Calculations		
	Extracted Data	Adjustments*	Entered Data/Totals	Extracted Data	Adjustments*	Entered Data/Totals
A. PRIOR YEAR DATA (2011-12 Actual Appropriations Limit and Gann ADA are from district's prior year Gann data reported to the CDE)	2011-12 Actual			2012-13 Actual		
1. FINAL PRIOR YEAR APPROPRIATIONS LIMIT (Preload/Line D11, PY column)	64,243,879.22	0.00	64,243,879.22			77,006,973.59
2. PRIOR YEAR GANN ADA (Preload/Line B9, PY column)	10,948.82	0.00	10,948.82			10,868.94
ADJUSTMENTS TO PRIOR YEAR LIMIT	Adjustments to 2011-12			Adjustments to 2012-13		
3. District Lapses, Reorganizations and Other Transfers						
4. Temporary Voter Approved Increases						
5. Less: Lapses of Voter Approved Increases						
6. TOTAL ADJUSTMENTS TO PRIOR YEAR LIMIT (Lines A3 plus A4 minus A5)		0.00				0.00
7. ADJUSTMENTS TO PRIOR YEAR ADA (Only for district lapses, reorganizations and other transfers, and only if adjustments to the appropriations limit are entered in Line A3 above)						
B. CURRENT YEAR GANN ADA (2012-13 data should tie to Principal Apportionment Attendance Software reports)	2012-13 P2 Report			2013-14 P2 Estimate		
1. Total K-12 ADA (Form A, Lines 10, 28, & 29)	10,868.94	0.00	10,868.94	10,869.68	0.00	10,869.68
2. ROC/P ADA**						
3. Total Charter Schools ADA (Form A, Line 26)	0.00	0.00	0.00	0.00	0.00	0.00
4. Total Supplemental Instructional Hours**						
5. Divide Line B4 by 700 (Round to 2 decimal places)						
6. TOTAL P2 ADA (Lines B1 through B3 plus B5)			10,868.94			10,869.68
OTHER ADA (From Principal Apportionment Attendance Software)						
7. Apprentice Hours - High School						
8. Divide Line B7 by 525 (Round to 2 decimal places)			0.00			0.00
9. TOTAL CURRENT YEAR GANN ADA (Sum Lines B6 plus B8)			10,868.94			10,869.68
C. LOCAL PROCEEDS OF TAXES/STATE AID RECEIVED TAXES AND SUBVENTIONS (Funds 01, 09, and 62)	2012-13 Actual			2013-14 Budget		
1. Homeowners' Exemption (Object 8021)	411,496.58		411,496.58	411,601.00		411,601.00
2. Timber Yield Tax (Object 8022)	0.00		0.00	0.00		0.00
3. Other Subventions/In-Lieu Taxes (Object 8029)	355,870.42		355,870.42	352,749.00		352,749.00
4. Secured Roll Taxes (Object 8041)	46,253,525.94		46,253,525.94	44,023,413.00		44,023,413.00
5. Unsecured Roll Taxes (Object 8042)	1,904,713.42		1,904,713.42	1,904,713.00		1,904,713.00
6. Prior Years' Taxes (Object 8043)	3,530,762.99		3,530,762.99	2,688,920.00		2,688,920.00
7. Supplemental Taxes (Object 8044)	(266,198.30)		(266,198.30)	0.00		0.00
8. Ed. Rev. Augmentation Fund (ERAF) (Object 8045)	1,156,901.51		1,156,901.51	(39,100.00)		(39,100.00)
9. Penalties and Int. from Delinquent Taxes (Object 8048)	152,630.74		152,630.74	200,000.00		200,000.00
10. Other In-Lieu Taxes (Object 8082)	0.00		0.00	0.00		0.00
11. Comm. Redevelopment Funds (Obj. 8047 & 8625)	11,575,022.50		11,575,022.50	2,224,273.00		2,224,273.00
12. Parcel Taxes (Object 8621)	11,396,678.28		11,396,678.28	11,164,948.00		11,164,948.00
13. Other Non-Ad Valorem Taxes (Object 8622) (Taxes only)	0.00		0.00	0.00		0.00
14. Penalties and Int. from Delinquent Non-Revenue Limit Taxes (Object 8629) (Only those for the above taxes)	79,177.54		79,177.54	60,000.00		60,000.00
15. Transfers to Charter Schools in Lieu of Property Taxes (Object 8096)	0.00		0.00	0.00		0.00
16. TOTAL TAXES AND SUBVENTIONS (Lines C1 through C15)	76,550,581.62	0.00	76,550,581.62	62,991,517.00	0.00	62,991,517.00
OTHER LOCAL REVENUES (Funds 01, 09, and 62)						
17. To General Fund from Bond Interest and Redemption Fund (Excess debt service taxes) (Object 8914)	0.00		0.00	0.00		0.00
18. TOTAL LOCAL PROCEEDS OF TAXES (Lines C16 plus C17)	76,550,581.62	0.00	76,550,581.62	62,991,517.00	0.00	62,991,517.00

	2012-13 Calculations			2013-14 Calculations		
	Extracted Data	Adjustments*	Entered Data/Totals	Extracted Data	Adjustments*	Entered Data/Totals
EXCLUDED APPROPRIATIONS						
19. Medicare (Enter federally mandated amounts only from objs. 3301 & 3302; do not include negotiated amounts)			1,060,513.13			1,084,535.00
OTHER EXCLUSIONS						
20. Americans with Disabilities Act						
21. Unreimbursed Court Mandated Desegregation Costs						
22. Other Unfunded Court-ordered or Federal Mandates						
23. TOTAL EXCLUSIONS (Lines C19 through C22)			1,060,513.13			1,084,535.00
STATE AID RECEIVED (Funds 01, 09, and 62)						
24. Revenue Limit State Aid - CY (objects 8011 and 8012)	2,182,773.00		2,182,773.00	17,433,967.00		17,433,967.00
25. Revenue Limit State Aid - Prior Years (Object 8019)	(1,929.00)		(1,929.00)	0.00		0.00
26. Supplemental Instruction - CY (Res. 0000, Object 8590)**		615,284.00	615,284.00		0.00	0.00
27. Supplemental Instruction - PY (Res. 0000, Object 8590)**		0.00	0.00		0.00	0.00
28. Comm Day Sch Addl Funding - CY (Res. 2430, Obj. 8311 and Res. 0000, Obj. 8590)**		36,192.00	36,192.00		0.00	0.00
29. Comm Day Sch Addl Funding - PY (Res. 2430, Obj. 8319 and Res. 0000, Obj. 8590)**		0.00	0.00		0.00	0.00
30. ROC/P Apportionment - CY (Res. 0000, Object 8590)**		0.00	0.00		0.00	0.00
31. ROC/P Apportionment - PY (Res. 0000, Object 8590)**		0.00	0.00		0.00	0.00
32. Charter Schs. Gen. Purpose Entitlement (Object 8015)	0.00	0.00	0.00	0.00	0.00	0.00
33. Charter Schs. Categorical Block Grant (Object 8590)**		0.00	0.00		0.00	0.00
34. Class Size Reduction, Grades K-3 (Object 8434)	2,169,846.00	0.00	2,169,846.00	0.00	0.00	0.00
35. Class Size Reduction, Grade 9 (Object 8590)**		0.00	0.00			0.00
36. SUBTOTAL STATE AID RECEIVED (Lines C24 through C35)	4,350,690.00	651,476.00	5,002,166.00	17,433,967.00	0.00	17,433,967.00
ADD BACK TRANSFERS TO COUNTY						
37. County Office Funds Transfer (Form RL, Line 32)	529.00		529.00	1,057.00		1,057.00
38. TOTAL STATE AID (Lines C36 plus C37)	4,351,219.00	651,476.00	5,002,695.00	17,435,024.00	0.00	17,435,024.00
DATA FOR INTEREST CALCULATION						
39. Total Revenues (Funds 01, 09 & 62; objects 8000-8799)	125,554,653.25		125,554,653.25	115,828,256.00		115,828,256.00
40. Total Interest and Return on Investments (Funds 01, 09, and 62; objects 8660 and 8662)	341,973.03		341,973.03	200,000.00		200,000.00
APPROPRIATIONS LIMIT CALCULATIONS						
D. PRELIMINARY APPROPRIATIONS LIMIT						
1. Revised Prior Year Program Limit (Lines A1 plus A6)			64,243,879.22			77,006,973.59
2. Inflation Adjustment			1.0377			1.0512
3. Program Population Adjustment (Lines B9 divided by [A2 plus A7]) (Round to four decimal places)			0.9927			1.0001
4. PRELIMINARY APPROPRIATIONS LIMIT (Lines D1 times D2 times D3)			66,179,212.59			80,957,825.61
APPROPRIATIONS SUBJECT TO THE LIMIT						
5. Local Revenues Excluding Interest (Line C18)			76,550,581.62			62,991,517.00
6. Preliminary State Aid Calculation						
a. Minimum State Aid in Local Limit (Greater of \$120 times Line B9 or \$2,400; but not greater than Line C38 or less than zero)			1,304,272.80			1,304,361.60
b. Maximum State Aid in Local Limit (Lesser of Line C38 or Lines D4 minus D5 plus C23; but not less than zero)			0.00			17,435,024.00
c. Preliminary State Aid in Local Limit (Greater of Lines D6a or D6b)			1,304,272.80			17,435,024.00
7. Local Revenues in Proceeds of Taxes						
a. Interest Counting in Local Limit (Line C40 divided by [Lines C39 minus C40] times [Lines D5 plus D6c])			212,632.30			139,112.26
b. Total Local Proceeds of Taxes (Lines D5 plus D7a)			76,763,213.92			63,130,629.26
8. State Aid in Proceeds of Taxes (Greater of Line D6a, or Lines D4 minus D7b plus C23; but not greater than Line C38 or less than zero)			1,304,272.80			17,435,024.00
9. Total Appropriations Subject to the Limit						
a. Local Revenues (Line D7b)			76,763,213.92			
b. State Subventions (Line D8)			1,304,272.80			
c. Less: Excluded Appropriations (Line C23)			1,060,513.13			
d. TOTAL APPROPRIATIONS SUBJECT TO THE LIMIT (Lines D9a plus D9b minus D9c)			77,006,973.59			

	2012-13 Calculations			2013-14 Calculations		
	Extracted Data	Adjustments*	Entered Data/Totals	Extracted Data	Adjustments*	Entered Data/Totals
10. Adjustments to the Limit Per Government Code Section 7902.1 (Line D9d minus D4; if negative, then zero) If not zero report amount to: Ana J. Matosantos, Director State Department of Finance Attention: School Gann Limits State Capitol, Room 1145 Sacramento, CA 95814			10,827,761.00			
Summary	2012-13 Actual			2013-14 Budget		
11. Adjusted Appropriations Limit (Lines D4 plus D10)			77,006,973.59			80,957,825.61
12. Appropriations Subject to the Limit (Line D9d)			77,006,973.59			

* Please provide below an explanation for each entry in the adjustments column.
 ** Impacted by the flexibility provisions of SBX3 4 (Chapter 12, Statutes of 2009), as amended by SB 70 (Chapter 7, Statutes of 2011). Amounts in Section C, State Aid Received, can no longer be extracted and must be manually input into the Adjustments column.

MANNUALLY ENTER SUPPLEMENTAL HOURLY AND COMMUNITY DAY SCHOOLS REVENUES IN ADJUSTMENT CLOUMN.

PAT HO _____
Gann Contact Person

310-4508338 X 70255 _____
Contact Phone Number

TO: BOARD OF EDUCATION
 FROM: SANDRA LYON / JANECE L. MAEZ / PAT HO
 RE: 2012-13 UNAUDITED ACTUAL FINANCIAL REPORT

ACTION/MAJOR
 08/28/13

RECOMMENDATION NO. A.

It is recommended the Board of Education approve the 2012-13 Unaudited Actual Financial Report and staff recommendations for fund balances reservations.

COMMENTS: California Education Code §42100 requires the governing board of each school district to provide the county office of education a report of all revenues and expenditures for the preceding fiscal year. This report must also include any resulting corrections to the current year (2013-14) adopted budget. Although the prior fiscal year formally ended on June 30, final accounting tabulations are not generally completed by the District and the LACOE until the end of August. It is noted that all data contained in the attached report will be subject to final audit by the District's independent auditing firm of Christy White Accountancy Corporation.

The purpose of this agenda item is to present the final results of operation for the 2012-13 fiscal year. The information is presented in the format required by the state. Staff will be presenting a more user-friendly version of the information to the Board at the meeting. The PowerPoint presentation should be available on the District website early next week.

Highlights from the 2012-13 Unaudited Actuals

Total General Fund Ending Balance 2012-13

Although the combined General Fund balance for the District grew by \$7.8 million, over \$8.5 million were as a result of additional property tax dollars received from the County of Los Angeles. Without the added tax funds the District would have actually reported a reduction of our fund balance of \$700,000. Of those additional property taxes \$5.6 million will have to be forwarded to the State in 13-14 and are not available to the District.

Unrestricted General Fund Ending Balance 2012-13

- 1) The Unrestricted General Fund ending balance (inclusive of a Board-approved 3% Reserve for Economic Uncertainties, revolving cash, warehouse inventory, school site and District carryover funds, etc.) is currently reported to be \$24,751,270.
- 2) The components of that \$24,751,270 Ending Balance include the following:

Stores-Revolving Cash-Prepaid	\$ 95,192
Reserve for Economic Uncertainties	\$ 3,525,445
Assignments of the Fund Balance include:	
Prior Year Carryovers	\$ 500,000
2013-14 Additional Staffing	\$ 600,000
2013-14 Deficit Spending Reserve	\$ 1,111,404
Basic Aid Fair Share Refund Reserve	\$ 5,618,736
EPA/Basic Aid Excess Revenue	<u>\$ 2,927,321</u>
Total Assignments	\$ 10,757,461
Unassigned Ending Balance	\$ 10,373,172

- 3) The Unrestricted General Fund fund balance was approximately \$9.7 million higher than expected when the Estimated Actuals were prepared within the 2013-14 Budget document in June 2013. The primary reason for this difference can be traced back to the dissolution of Redevelopment Agencies and the posting of tax revenues by the Los Angeles County Office of Education (LACOE) during the year end process. In June, District staff used the most current LACOE projection for revenue. During the closing process, LACOE posted extremely large receipts of property and residual redevelopment monies that were not anticipated. The result was that for the 2012-13 fiscal year, SMMUSD became what is known as a Basic Aid district. We had estimated \$1,641,655 million of these monies in June due to the EPA calculation and had reserved that about in the estimates at that time. At the closing the EPA account grew from the \$1,641,655 million to \$2,183,302 million, adding a \$541,647 of revenue. Additionally, the Basic Aid calculation provided another \$6,362,755 million in unexpected revenue. Of that amount, the District expects to be required to return to the State in 2013-14 an amount of \$5,618,736, commonly known as Fair Share. We have reserved that amount in the fund balance. The difference in Basic Revenue of \$744,019 remains with the district. The total of additional EPA funds, \$541,647, the Fair Share number, \$5,618,736, and the remaining Basic Aid Revenue, \$744,019 account for \$6,904,402 of the \$9.7 difference.
- 4) The additional balance of \$2.8 million can largely be explained by the following:

Prior Year Measure R Revenue	\$	472,071
Local General Fund Contribution Savings	\$	315,282
Additional Lottery & Other State Revenue	\$	230,933
Additional E-Rate & other Local Revenues	\$	222,015
Additional Prop Y Revenues	\$	350,987
Utilities Budget Savings	\$	170,737
Substitute Teachers Budget Savings	\$	333,427
Roll Over PO's and Carryovers	\$	108,358
Carryover Formula & Tier III School Budgets	\$	127,221
Department Budget Savings	\$	<u>147,592</u>
	\$	2,478,123

Restricted General Fund Ending Balance 2012-13

The Restricted General Fund accounts for the remaining categorical funds and local resources. The ending balance for that portion of the General Fund was approximately 1.4 million higher than projected in June. This is a result of categorical and local carryovers and will be used in those specific resources.

Attachment:

- Summary of the Unrestricted, Restricted, and Combined General Funds spreadsheets that detail the differences between the Estimated Actuals (June 2013) and the Final Unaudited Actuals, after the fiscal has been closed.
- Summary of the Local General Fund Contribution (LGFC) category for 2012-13.
- Summary of the 2012-13 ending fund balance for each District fund.

The complete 2012-13 Unaudited Actual Financial Report in the State Standardized Account Code Structure (SACS) is attached to the Agenda as *Attachment A* (green pages).

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

Ms. Maez's presentation can be found under Attachments at the end of these minutes. She answered board members' questions regarding the differences in amounts from when the budget was adopted in June 2013 to the amounts that appear in the unaudited actuals now in August 2013. She explained that although the General Fund balance increased by \$11.2M more than expected, much of this was one-time funding. A good portion of the additional funds will be returned to the state as SMMUSD's Fair Share portion of Basic Aid. She also described how the district is still operating a budget deficit in 2013-14, there are carryover funds from 2012-13, and that additional staff have been hired for the 2013-14 school year.

MOTION MADE BY: Mr. Mechur
SECONDED BY: Mr. de la Torre
STUDENT ADVISORY VOTE: N/A
AYES: All (5) (Dr. Escarce and Ms. Leon-Vazquez were absent)
NOES: None (0)

2012-13 General Fund
Estimated Actuals vs. Unaudited Actuals
Unrestricted

	Estimated at Budget Adoption in June	Unaudited Actuals as of 8/16/13	Difference
Revenue Limit	59,620,884	66,357,605	6,736,721
Federal Revenue	100,000	93,460	(6,540)
State Revenue	8,268,842	8,499,775	230,933
Local Revenue	29,121,135	30,209,521	1,088,386
TOTAL REVENUE	97,110,861	105,160,361	8,049,500
Certificated Salaries	41,944,351	41,548,478	395,873
Classified Salaries	12,626,896	12,455,201	171,695
Benefits	18,139,354	18,419,314	(279,960)
Supplies	1,085,909	918,787	167,122
Services	7,454,376	6,438,481	1,015,895
Capital Outlay	98,842	118,877	(20,035)
Other Outgo	7,000	710	6,290
Indirect Costs	(876,310)	(1,010,695)	134,385
TOTAL EXPENDITURES	80,480,418	78,889,153	1,591,265
Excess (Deficiency)	16,630,443	26,271,208	9,640,765
Other Financing	(19,201,882)	(19,086,600)	115,282
Net Increase (Decrease)	(2,571,439)	7,184,608	9,756,047
Beginning Balance	17,566,662	17,566,662	
Ending Balance	14,995,223	24,751,270	9,756,047

COMPONENTS of ENDING BALANCE

Non Spendable			
Revolving	20,000	20,000	-
Stores	13,227	13,646	419
Prepaid	61,546	61,546	-
Restricted	-	-	-
Assigned			
Basic Aid Fair Share	-	5,618,736	5,618,736
13-14 Deficit	1,111,404	1,111,404	-
EPA	1,641,655	2,183,302	541,647
Site/Department C/O	-	500,000	500,000
Other Staffing	100,000	600,000	500,000
Basic Aid Excess	-	744,019	744,019
3% Reserves	3,621,625	3,525,445	(96,180)
Unassigned	8,425,766	10,373,172	1,947,406

2012-13 General Fund
Estimated Actuals vs. Unaudited Actuals
Restricted

	Estimated at Budget Adoption in June	Unaudited Actuals as of 8/16/13	Difference
Revenue Limit	1,098,812	1,107,441	8,629
Federal Revenue	4,822,038	4,555,889	(266,149)
State Revenue	2,566,526	2,709,505	142,979
Local Revenue	11,795,580	12,021,457	225,877
TOTAL REVENUE	20,282,956	20,394,292	111,336
Certificated Salaries	11,590,726	11,357,057	233,669
Classified Salaries	10,572,968	10,411,871	161,097
Benefits	7,606,179	7,537,428	68,751
Supplies	2,950,041	1,972,438	977,603
Services	6,925,478	6,709,493	215,985
Capital Outlay	169,187	112,967	56,220
Other Outgo	24,590	-	24,590
Indirect Costs	401,233	524,412	(123,179)
TOTAL EXPENDITURES	40,240,402	38,625,666	1,614,736
Excess (Deficiency)	(19,957,446)	(18,231,374)	1,726,072
Other Financing	19,201,882	18,886,600	(315,282)
Net Increase (Decrease)	(755,564)	655,226	1,410,790
Beginning Balance	2,976,048	2,976,048	
Ending Balance	2,220,484	3,631,274	1,410,790

COMPONENTS of ENDING BALANCE

Non Spendable			
Revolving	-	-	-
Stores	-	-	-
Prepaid	5,270	5,270	-
Restricted	2,215,214	3,626,004	1,410,790
Assigned			
13-14 Deficit	-	-	-
Res. Excess Rev. Limit	-	-	-
Other Staffing	-	-	-
Site/Department C/O	-	-	-
Basic Aid Repayment	-	-	-
3% Reserves	-	-	-
Unassigned	-	-	-

2012-13 General Fund
 Estimated Actuals vs. Unaudited Actuals
 Combined General Fund - Unrestricted and Restricted

	Estimated at Budget Adoption in June	Unaudited Actuals as of 8/16/13	Difference
Revenue Limit	60,719,696	67,465,046	6,745,350
Federal Revenue	4,922,038	4,649,349	(272,689)
State Revenue	10,835,368	11,209,280	373,912
Local Revenue	40,916,715	42,230,978	1,314,263
TOTAL REVENUE	117,393,817	125,554,653	8,160,836
Certificated Salaries	53,535,077	52,905,535	629,542
Classified Salaries	23,199,864	22,867,072	332,792
Benefits	25,745,533	25,956,742	(211,209)
Supplies	4,035,950	2,891,225	1,144,725
Services	14,379,854	13,147,974	1,231,880
Capital Outlay	268,029	231,844	36,185
Other Outgo	31,590	710	30,880
Indirect Costs	(475,077)	(486,283)	11,206
TOTAL EXPENDITURES	120,720,820	117,514,819	3,206,001
Excess (Deficiency)	(3,327,003)	8,039,834	11,366,837
Other Financing	-	(200,000)	(200,000)
Net Increase (Decrease)	(3,327,003)	7,839,834	11,166,837
Beginning Balance	20,542,710	20,542,710	
Ending Balance	17,215,707	28,382,544	11,166,837

COMPONENTS of ENDING BALANCE

Non Spendable				
Revolving	20,000		20,000	-
Stores	13,227		13,646	419
Prepaid	66,816		66,816	-
Restricted	2,215,214		3,626,004	1,410,790
Assigned				
Basic Aid Fair Share	-		5,618,736	5,618,736
13-14 Deficit	1,111,404		1,111,404	-
EPA	1,641,655		2,183,302	541,647
Site/Department C/O	-		500,000	500,000
Other Staffing	100,000		600,000	500,000
Basic Aid Excess	-		744,019	744,019
3% Reserves	3,621,625		3,525,445	(96,180)
Unassigned	8,425,766		10,373,172	1,947,406

SANTA MONICA-MALIBU USD			
2012-13 LOCAL GENERAL FUND CONTRIBUTION (LGFC)			
	2012-13 ESTIMATED ACTUALS	2012-13 ACTUALS	CHANGES
SPECIAL EDUCATION	14,674,597	14,572,225	(102,372)
SPECIAL EDUCATION TRANSPORTATION	781,973	712,152	(69,821)
HOME TO SCHOOL TRANSPORTATION	214,399	145,355	(69,044)
REGIONAL OCCUPATIONAL PROGRAM	8,700	-	(8,700)
ON GOING MAINTENANCE PROGRAM	3,522,213	3,456,869	(65,344)
TOTAL CONTRIBUTION:	19,201,882	18,886,600	(315,282)

SANTA MONICA-MALIBU USD					
2012-13 SUMMARY REPORT FOR ALL FUNDS					
UNAUDITED ACTUALS					
FUND	DESCRIPTION	BEGINNING FUND BALANCE	REVENUES	EXPENDITURES	FUND BALANCE
01	GENERAL FUND				
	UNRESTRICTED	\$ 17,566,662.13	\$ 86,273,760.73	\$ 79,089,152.68	\$ 24,751,270.18
	RESTRICTED	\$ 2,976,047.79	\$ 39,280,892.52	\$ 38,625,666.46	\$ 3,631,273.85
11	ADULT EDUCATION	\$ 315,807.88	\$ 416,200.66	\$ 397,410.26	\$ 334,598.28
12	CHILD DEVELOPMENT	\$ 41,297.80	\$ 8,002,454.67	\$ 8,018,496.64	\$ 25,255.83
13	CAFETERIA	\$ 296,317.11	\$ 2,972,750.52	\$ 3,024,942.48	\$ 244,125.15
14	DEFERRED MAINTENANCE	\$ 482,842.51	\$ 2,473.99	\$ 256,320.59	\$ 228,995.91
21	BUILDING	\$ 89,004,340.21	\$ 83,577,332.48	\$ 59,618,526.11	\$ 112,963,146.58
25	CAPITAL FACILITIES	\$ 9,529,531.41	\$ 1,182,096.58	\$ 1,056,051.21	\$ 9,655,576.78
40	SPECIAL RESERVE FUND FOR CAPITAL OUTLAY PROJECTS	\$ 6,462,840.89	\$ 3,703,441.93	\$ 1,912,034.28	\$ 8,254,248.54
51	BOND INTEREST AND REDEMPTION FUND	\$ 16,500,478.00	\$ 29,369,880.00	\$ 19,950,143.00	\$ 25,920,215.00
67	GASB 45 FUND	\$ (4,002,032.98)	\$ 1,769,697.35	\$ 2,463,196.83	\$ (4,695,532.46)
	TOTAL:	\$ 139,174,132.75	\$ 256,550,981.43	\$ 214,411,940.54	181,313,173.64

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/28/13

FROM: SANDRA LYON / JANECE MAEZ ./ CAREY UPTON

RE: APPROVAL OF CITY OF MALIBU JOINT USE AGREEMENT – JULY 1, 2013,
THROUGH JUNE 30, 2016

RECOMMENDATION NO. A.16

It is recommended that the Board of Education approve the attached (3) year Agreement, which articulates the provisions and conditions of our Master Facilities Joint Use Agreement with the City of Malibu.

COMMENTS: The proposed three (3)-year Agreement, which translates to approximately \$179,855 per year, is subject to adjustments. It enhances District facility management and provides an opportunity for expanded City and community access to certain Joint Use of facilities at all core District sites within the geographical boundaries of the City of Malibu. Additionally, this renewal represents our ongoing relationship with our Malibu constituents which continues to allow them use for non-School District sponsored recreation and athletic program needs.

The entire Agreement is included as a separate document on the District's website to preserve the integrity of the document, which has been adopted by the Malibu City Council at its meeting of August 26, 2013.

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

Ms. Maez thanked Carey Upton and his staff in the Facilities Rentals Department for their work on this agreement. Mr. Upton answered board members' questions. The Malibu City Council took action to approve this agreement last night.

MOTION MADE BY: Mr. Mechur
SECONDED BY: Mr. de la Torre
STUDENT ADVISORY VOTE: Aye
AYES: All (5) (Dr. Escarce and Ms. Leon-Vazquez were absent)
NOES: None (0)

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

This Agreement is made and entered into as of this ____ day of _____, 2013, by and between the City of Malibu, a municipal corporation, hereinafter referred to as the “City” and Santa Monica-Malibu Unified School District, a unified school district, hereafter known as the “District,” each duly organized and existing under the constitution and laws of the State of California (collectively, the “Parties”); and

W I T N E S S E T H

WHEREAS, the District desires to promote the health and welfare of the students and staff of the District and the City desires to promote the health and welfare of the residents of the City and enhance recreational opportunities. The Parties also desire to cultivate and develop community education, health, fitness and good citizenship by providing for a program of City and District education, recreation, and athletics and to conduct such programs of community education, recreation and athletics as will contribute to the attainment of objectives of said District and City; and

WHEREAS, the District and City have previously maintained a cooperative working arrangement, which has shown that the joint use of the grounds and facilities can afford the community increased educational, recreational, and athletic opportunities at a cost that would otherwise be required of our comparable programs; and

WHEREAS, the development of an educational, recreational and athletic programs to meet the needs of the District and City and community requires optimum use of all publicly owned facilities which are adaptable to use for educational, recreational, physical education and athletic purposes; and

WHEREAS, this agreement is entered into under authority granted under the Government Code (Section 6500 et seq.) and by one or more of Education Code Sections 17051 (re joint use of parks and recreation), 17060 (re joint ventures) and 10900 et seq. (re joint use of property and facilities) of the State of California, which authorize and empower school districts and municipalities to enter into agreements with each other for the purpose of organizing, promoting and conducting joint use programs for the provision of school facilities and community recreational and educational opportunities for the citizens and residents of City and District; and

WHEREAS, City and District desire to enter into this Agreement pursuant to said statutory authorization; and

WHEREAS, this Agreement governs joint use of facilities at Malibu High School, Juan Cabrillo Elementary School, Point Dume Marine Science School and Webster Elementary School; and

WHEREAS, the Parties desire to establish general guidelines for joint use of existing facilities

NOW, THEREFORE, City and District hereby mutually covenant and agree with each other as follows:

1.0 GENERAL PROVISIONS OF JOINT USE OF FACILITIES

That the District shall make available to the City the use of certain outdoor facilities, buildings or portions thereof as specifically requested and for the time requested, subject to the following conditions:

- 1.1 That the “Basic Costs” of District’s operation of said facilities, buildings or portions thereof, as indicated on Exhibit A (Facility Use Schedule), shall be the basis upon which a annual contribution shall be made by the City to the District for use of said facilities, buildings or portions thereof for the 2013-14 fiscal year; and that “Basic – Rate D” indicated in Exhibit D shall be the basis for each year thereafter for the term of his agreement. Any costs incurred related to City use of District facilities outside those costs identified in Exhibits A and D shall be subject to negotiation by the two agencies.
- 1.2 The party having responsibility for supervision of a class, athletic program or recreational activity may charge a permit fee no greater than the “Basic Cost” as listed on the District fee schedule or an amount equal to 100% of the recovery of City’s direct costs of supervision, instruction, or materials used (so called “program costs”) whichever is greater. Such fees may be retained by the supervising authority as part of its budget for providing leadership and supervision of the education, recreation or athletic program. Such fee schedule must be reviewed by the appropriate District and City governing agency, board or commission, whichever is applicable. No fee shall be charged in violation of Education Code Sections 10902 or 10912.
- 1.3 The City shall provide, pay for and supervise the City sponsored or permitted educational, recreational or athletic programs at District facilities at Malibu High School, Juan Cabrillo Elementary School, Point Dume Marine Science School, and Webster Elementary School. District and City will agree to a Facility Use Schedule (Exhibit A) prior to the issuance of any permit to use certain facilities. Once the District has allocated certain dates and hours to City use of facilities the City shall be responsible for programming or permitting of those facilities.
 - 1.3.1 Any City or community person or group desiring use of District facilities on those dates and during those times allocated to the City under this Agreement, must make application, subject to the policies and regulations set forth by the District and City, through the central Permit Office of the City. This Office will coordinate such use through the City Park and Recreation Department, the District Facility Permit Office and the school site administrator.
 - 1.3.2 City shall provide District permit office and school site administrators in advance with quarterly or seasonal calendars identifying all permits issued to use District facilities. District facilities must not be used until such time as notification of the granting of a permit is received and the District Facility Permit Office and school site administrator have been notified of said permit schedule.

- 1.3.3 The District will charge an additional fee for staffing Sports Facility Attendants during City use, including City permits issued for community recreational and athletic groups.
- 1.4 Facility use outside the scope of this Agreement shall be subject to a separate agreement between the parties.
- 1.5 No use of the buildings, grounds, or equipment of the District for community educational, recreational or athletic purposes pursuant to this agreement shall interfere with the use of the buildings, grounds and equipment for its primary day to day educational mission, extracurricular programs primarily supported or sponsored by the District or special or emergency maintenance or custodial services, District sponsored activities, programs and events shall always have first priority. Therefore, if a need arises after the establishment of any schedule, the City shall relinquish its permit to use District facilities for such educational need. The District shall make every effort to provide two weeks written notice to the City should such cancellation become necessary.
- 1.6 The advance schedule may be altered at the request of the either of the parties with concurrence of the other party.
- 1.7 The Administrative authority for any City recreational or educational programming shall be vested in the City Manager and /or his/her assignee(s).
- 1.8 The City educational, recreational or athletic program shall provide the materials, supplies and equipment necessary to conduct its educational, recreational or athletic programs. Use of that equipment shall not be denied to District if approved by the City for use for educational, athletic and recreational programs made available by the District.
- 1.9 The District's educational, recreational or athletic program shall provide the materials, supplies and equipment necessary to conduct its educational, recreational or athletic programs. Use of that equipment shall not be denied to the City if approved by the District for use for educational, athletic and recreational programs made available by the City to the community.
- 1.10 As set forth in section 1.14 below, City agrees to accept facilities AS-IS. The District shall maintain all facilities which are a part of this agreement in a safe and clean condition, normal wear and tear excepted, and furnish them to the City in such condition at the time it is permitted to use them. City shall return the building, facilities and grounds used in as good condition as they were received, normal wear and tear excepted, and shall repair and/or replace or pay for repair and/or replacement of buildings, facilities, equipment which are proven to be damaged by the City sponsored users within 10 working days of filing and receipt of a site damage report by the City Park and Recreation Supervisor.
- 1.11 The City shall provide certain funding for the District to employ, hire or assign District employees, agents or other representatives to (i) prepare or otherwise setup said facilities, buildings or portions thereof for City's use, (ii) serve as security at said facilities, buildings or portions thereof or the District property in general, or (iii) provide other services in connection with City's use of said facilities, buildings or portions thereof, as shown on the Facilities Use Agreement (Exhibit A). The City shall provide certain funding for certain custodial, security, permit monitoring and /or

maintenance/grounds services upon request of the District if any special educational, recreational or athletic event(s) should cause need for additional custodial, security, permit monitoring and /or maintenance/grounds services.

- 1.12 The City agrees to make an annual total contribution in an amount at least equal to the District's Basic Costs for management, supervision, operation, and maintenance and renovation associated with specific community educational, recreational, sports programs operating in District facilities, as shown on the Facilities Use Agreement (Exhibit A).
- 1.13 This agreement shall become effective on July 1, 2013. This agreement shall be in full force and effect for three (3) years. This agreement shall expire on June 30, 2016 unless duly terminated in accordance with section 6.3 of this agreement.
- 1.14 As-Is: City hereby represents, covenants and warrants that neither the District nor anyone acting on the District's behalf has made any representation, warranty or other guarantee regarding the fitness of the facilities, buildings, or portions thereof to be used under this Agreement for the particular use desired by City. Furthermore, City hereby represents, covenants and warrants that, as a material inducement to the execution and delivery of this Agreement by the District, City acknowledges and agrees that it accepts such facilities, buildings, or portions thereof in their "AS-IS", "WHERE-IS", "WITH ALL FAULTS" physical condition and in an "AS-IS", "WHERE-IS", "WITH ALL FAULTS" state of repair, and District has no obligation to repair or improve such facilities, buildings or portions thereof in anticipation of or in connection with City's exercise of its rights under this Agreement, nor shall City or anyone claiming by, through or under City have any right or remedy against District as a result of any physical condition of such facilities, buildings, or portions thereof (including, without limitation, any defect in or to the facilities, buildings or portions thereof). CITY HEREBY GENERALLY, FULLY AND IRREVOCABLY RELEASES DISTRICT, ITS EMPLOYEES, AGENTS OR OTHER REPRESENTATIVE FROM ANY AND ALL CLAIMS THAT CITY MAY NOW HAVE OR HEREAFTER ACQUIRE AGAINST DISTRICT, ITS AGENTS, EMPLOYEES, INDEPENDENT CONTACTORS OR OTHER REPRESENTATIVES FOR AND FROM ANY COST, LOSS, LIABILITY, UNFORSEEN, KNOWN OR UNKNOWN, ARISING OUT OF OR RELATED TO THE FACILITIES, BUILDINGS, OR PORTIONS THEREOF TO BE USED UNDER THIS AGREEMENT (INCLUDING, WITHOUT LIMITATION, ANY PATENT, LATENT OR OTHER DEFECTS IN THE PROPERTY OR THE PHYSICAL OR ENVIRONMENTAL CONDITION OF THE PROPERTY. WITH RESPECT TO THE RELEASES AND WAIVERS SET FORTH IN THIS SECTION 1.14, CITY EXPRESSLY WAIVES THE BENEFITS OF SECTION 1542 OF THE CALIFORNIA CIVIL CODE, WHICH PROVIDES AS FOLLOWS:

"A GENERAL RELEASE DOES NOT EXTEND TO CLAIMS WHICH THE CREDITOR DOES NOT KNOW OR SUSPECT TO EXIST IN HIS FAVOR AT THE TIME OF EXECUTING THE RELEASE, WHICH IF KNOWN BY HIM MUST HAVE MATERIALLY AFFECTED HIS SETTLEMENT WITH THE DEBTOR".

CITY HAS BEEN ADVISED BY ITS LEGAL COUNSEL AND UNDERSTANDS THE SIGNIFIGANCE OF THIS WAIVER OF SECTION 1542 RELATING TO UNKNOWN, UNSUSPECTED AND CONCEALED CLAIMS. BY ITS INITIALS BELOW, CITY

ACKNOWLEDGES THAT IT FULLY UNDERSTANDS, APPRECIATES AND ACCEPTS ALL OF THE TERMS OF THIS SECTION 1.14.

THIS RELEASE SHALL NOT APPLY TO ANY CLAIMS THAT HAVE ACCRUED PRIOR TO THE EFFECTIVE DATE OF THIS AGREEMENT OR TO ANY CLAIMS OCCASIONED BY THE DISTRICT'S FAILURE TO MEET ITS OBLIGATIONS SET FORTH IN PARAGRAPH 1.11.

2.0 GENERAL OPERATING PRINCIPLES

- 2.1 Facilities to be jointly used under this Agreement shall be identified and defined in Exhibit A, attached and made part of this Agreement. Whenever a facility is proposed for joint use within a larger site or project, the joint-use and non-joint use facilities (if any) shall be clearly separated, identified and defined.
- 2.2 The term "facilities" may include school and recreation buildings (including restrooms, storage facilities and offices), multipurpose rooms, shade facilities (including both natural trees and artificial structures), drainage systems, auditoriums, gymnasiums, art rooms, kitchens, meeting rooms, computer rooms, athletic areas, playgrounds, parks, exercise paths, playfields, school grounds, parking and utility facilities incidental to the foregoing, and other recreational areas presently operated or that may hereafter be operated by either Party, and any ancillary facilities, at Malibu High School, Juan Cabrillo Elementary School, Point Dume Marine Science School and Webster Elementary School.
- 2.3 This Agreement shall be a Master Agreement that covers general requirements needed to effectively implement an overall cooperative program between City and District. In addition, the Parties may desire to expand such cooperative program to include one or more sites, facilities and/or projects under a separate agreement.
- 2.4 From time to time, the Parties to this Agreement may adopt and/or execute additional or supplemental agreements and/or policies governing the use of each joint use facility, and attach each such agreement or policy (each, an "Use, Operation, Maintenance, Repair and Renovation of Joint Use Facilities Policy", or as referred to in this Agreement, a "Policy") as part of Exhibit A, attached to this Agreement. Each such Use, Operation, Maintenance, Repair and Renovation of Joint Use Facilities Policy shall cover the matters set forth in Article 5 hereof, shall become a part of this Agreement and shall be consistent with the general requirements specified herein. Any and all additions or modifications to this Agreement require the written consent of both Parties as set forth in Section 6.11 of this Agreement.
- 2.5 Proposals for specific facilities to be covered by this Agreement shall be reviewed annually by appropriate District and City staff as outlined in Section 2.7 below. The appropriate forums shall include a jointly convened meeting of appropriate District advisory committee, department, and school site management – site governance council and/or program representatives and a designated City agency or department.
- 2.6 A joint meeting of the District and City staffs shall be held as necessary (but no less than annually) during the term of this agreement to consider matters of mutual concern and to develop or amend a "Joint Use Schedule" identifying the type of uses and times available for a particular facility. Each such schedule shall become a part of this Agreement (as

Exhibit A hereto) and shall be subject to the general requirements specified herein. The Joint Use Schedule shall identify the responsible party for maintenance and supervision, whether by incorporation of the applicable Policy or otherwise. Any and all additions or modifications to the Joint Use Schedule require the written consent of both Parties as set forth in Section 6.11 of this Agreement.

- 2.7 Per District Policy, the Board of Education shall review, update and establish a “Facility Fee Schedule” that sets out the Basic, Direct and Fair Market costs, if any, of operating facilities covered under this Agreement and which will serve as the basis for calculating facility rental charges for each Party and the general public. For the purpose of this agreement and any contribution calculated based upon the District Facility Fee Schedule, the Facility Fee Schedule annual increases will not exceed the percent change in the local Consumer Price Index (CPI) through the term of this Agreement. Such costs include wear and tear attributable to additional use, custodial and clean-up costs, supervision and extraordinary costs of any kind, including all costs associated with the respective Party’s use of the other Party’s facility that are above those costs normal to the operation and maintenance of a specific building or facility in the absence of the specific use. Each such schedule shall become a part of this Agreement and shall be consistent with the general requirements specified herein. If a Facility Fee Schedule is not established, any facility rent charged to a Party shall not exceed the cost as defined herein.

3.0 GOVERNANCE

- 3.1 The City and the District shall routinely advise and consult the other regarding significant changes in land use planning and facility development plans to assess impacts and opportunities for joint use. Each Party, however, shall maintain the primary planning and decision-making role on each facility or property that it owns.
- 3.2 Facilities subject to this Agreement shall be designed to enhance the surrounding environment, with a strong awareness for efficiency of operation, maintenance and aesthetics.

4.0 JOINT USE: SCHEDULING AND OPERATION

- 4.1 The Facility Use Schedule shall be publicly disseminated for each facility to be covered by this Agreement. The Parties shall, as resources become available implement a computerized uniform data-sharing system accessible by the appropriate staff of each Party to schedule activities and the use of the shared-use facilities. Specific attention shall be paid to identifying supervision, security and maintenance responsibilities for each and every facility use. Parties shall jointly set appropriate hours of operation for each such facility while maintaining a sense of flexibility and cooperation for each organization's changing or special program needs. Appropriate fees will be agreed upon prior to approval of use and shall reflect the “Basic Cost” of the accommodation and operation of the facility for the educational, recreational and athletic programming and permit use of the community and City as set forth in Section 1.1 of this Agreement.
- 4.2 Parties shall continuously review and examine their current practices and provision of services and shall work both independently and together to make all

necessary changes in such practices in order to reduce costs, avoid duplication, achieve economy of scale, increase efficiency, and enhance provision of services.

- 4.3 Subject to specific agreement otherwise in a Facility Use Schedule (Exhibit A), District shall have the right to the exclusive use of the shared-use facilities during all "school days" during "school hours" and "school use" as hereinafter defined. Use of the shared-use facilities by the City at times during the District's exclusive use period shall be permitted only by mutual agreement of the Parties or pursuant to the applicable Joint Use Schedule.
- 4.4 "School days" are defined collectively as (i) those days on which school is held in regular session as established in the school calendar from time to time and adopted by the Board of Education for each school year, and (ii) those other days on which District-sponsored programs are scheduled. The "school hours" and "school use" of such school days shall be collectively (i) those regular school hours as established by the administration of each school in accordance with rules and regulations of the Board of Education, and (ii) those additional hours during which District-sponsored activities are scheduled to occur.
- 4.5 All joint use facilities and equipment shall be used for their intended purposes. The Facilities Use Schedule shall be subject to an annual review and modification by the Parties, in order to ensure that all normal facility and equipment uses are accommodated if reasonably possible and to avoid potential conflicts between facility uses and users. Any and all additions or modifications to the Facilities Use Schedule require the written consent of both Parties as set forth in Section 6.11 of this Agreement. With respect to District-owned facilities, each Facility Use Schedule shall assign a priority of use for covered facilities and equipment during nonexclusive use hours in the following order:
 - 4.5.1 Activities and programs of the District that are directly related to the District's school programs;
 - 4.5.2 Events or activities that are designed to serve organizations directly sponsored by or associated with the District, such as Parent Teacher Associations, Education Foundation, etc;
 - 4.5.3 Events or activities connected with the City's or District's general programs in the order of priority reasonably established between the Parties;
 - 4.5.4 All other organizations and individuals.
- 4.6 Each Party shall be responsible for the proper conduct, supervision and security of any activity or use conducted or sponsored by or through such Party at any joint use facility as required in the Rules of Use for Facilities (Exhibit C).

5.0 OPERATION, MAINTENANCE, REPAIR, AND RENOVATION OF JOINT USE FACILITIES

- 5.1 The Parties shall work together to insure that all joint use facilities are adequately maintained to allow proper and safe use, appearance and longevity. Each Facility Use Schedule shall be covered by District Policy, Rules and Regulations and the terms thereof shall be enforced in a fair and non-discriminatory manner.
- 5.2 The cost of operation, maintenance and repair of joint use facilities shall be identified in the Facility Fee Schedule, as appropriate. Factors for allocation of such costs between District and City shall include proportionate use, type and intensity of use, value of joint use benefit received, and other pertinent factors. Payment from the City to the District for operations, maintenance, repairs and renovation are part and parcel to the fees paid in accordance with the fee schedule attached as Exhibits A and C respectively.
- 5.3 District Policy (Exhibit B) shall include rules and regulations governing operational issues (such as determination of costs, hours, scheduling, staffing, maintenance and repair), utilities, security supervision, materials, equipment, and supplies. Each Policy shall be designed and implemented with due regard for benefits to the community, operational efficiencies, and cost effectiveness.
- 5.4 General Security issues regarding facilities shall be addressed in regular meetings with District staff. City staff will be provided with phones during City use or when City permits facilities for use, so that its staff can communicate immediately with City and/or District supervisory staff or, if necessary, the Los Angeles County Sheriff's Department. City staff will immediately report and/or document an event, incident or activity on District property that violates the District Rules of Use for Facilities (see Exhibit B), this agreement or is prohibited by local Board rules or State Education Code. City and District shall share the costs of manufacture and installation of a new signage displaying the District Rules of Use for Facilities at the entrance to each school site covered under this agreement.

6.0 MISCELLANEOUS PROVISIONS

6.1 Indemnification and Hold Harmless

- 6.1.1 District Hold Harmless: District shall indemnify, defend and hold harmless, to the maximum extent permitted by law, City and its officers, council members, agents, employees and representatives ("related parties"), from and against any and all liability, suits, actions, proceedings, judgments, claims, losses, costs (including attorneys fees), liens, damages, injuries (whether in contract or in tort, including personal injury, accidental death or property damage, and regardless of whether the allegations are false, fraudulent or groundless), relating to District's or its representatives' or invitees' use of a facility (including, without limitation, any personal injury or property damage resulting from or occurring during the District's use of a facility and whether or not such an injury or damage resulted from any existing conditions at the facility) or breach of this Agreement, with the exception of those injuries, losses damages occasioned by the negligence or willful misconduct of City or its related parties.

- 6.1.2 City Hold Harmless: The City shall indemnify, defend and hold harmless, to the maximum extent permitted by law, District and its officers, Board members, agents, employees and representatives (“related parties”), from and against any and all liability, suits, actions, proceedings, judgments, claims, losses, costs (including attorneys fees), liens, damages, injuries (whether in contract or in tort, including personal injury, accidental death or property damage, and regardless of whether the allegations are false, fraudulent or groundless), relating to City’s or its representatives’ or invitees’ use of a facility (including without limitation, any personal injury or property damage resulting or occurring during the City’s use of a facility and whether or not such an injury or damage resulted from any existing conditions at the facility) or breach of this Agreement, with the exception of those injuries, losses or damages occasioned by the negligence or willful misconduct of District or its related parties.
- 6.2 Insurance. District and City are currently self-insured for property and liability insurance. Notwithstanding the foregoing, the Parties may elect to insure one or more facilities separately, or to require non-party users to obtain appropriate insurance for the use of a facility. Such special insurance requirements shall be specified where appropriate or applicable in a Facility Fee Schedule.
- 6.3 Termination. The term of this agreement is (3) three years. Except as otherwise provided herein, or as required by law, either Party may terminate this Agreement in whole or in part (with respect to a specific joint use facility) upon sixty (60) days written notification. Termination of all or a portion of this Agreement shall effectively terminate each applicable implementing agreement attached in each Exhibit, subject to any specific requirements of cost allocations, reimbursements and/or supplemental termination procedures set forth therein.
- 6.4 Attorneys Fees and Costs. Each party shall bear its own attorneys fees and cost in connection with this agreement, except as provided herein or otherwise provided by law. If either party commences an action against the other party to enforce any of the terms of this Agreement or otherwise with respect to the facilities, the prevailing party, in addition to any other relief to which such party may be entitled, shall be entitled to recover from the other party its reasonable attorneys’ fees, costs and expenses incurred in connection with the prosecution or defense of such action. The term “attorneys’ fees” and “attorneys’ fees, costs and expenses” shall mean the fees, costs and expenses of counsel to the parties hereto, which may include printing, photostatting, duplicating and other expenses, air freight charges, and fees billed for law clerks, paralegals and other persons not admitted to the bar but performing services under the supervision of an attorney, and the costs and fees incurred in connection with the enforcement or collection of any judgment obtained in any such proceeding, and shall include, specifically, all fees, costs and expenses of expert witnesses. For purposes of this Agreement, the term “prevailing party” shall include a “prevailing party” as defined in California Code of Civil Procedure Section 998.
- 6.5 Entire Agreement. This Agreement, together with Exhibits A, B, C and D attached hereto, represents the entire and integrated Agreement between District and City for the facilities at Malibu High School, Juan Cabrillo Elementary School, Point Dume Marine Science School and Webster Elementary School. This Agreement supersedes all prior and contemporaneous communications, negotiations, understandings, promises and

agreements, either oral or written including all prior joint use agreements between the City and District pertaining to these school sites. Any modifications to the terms and conditions of this Agreement shall be effective only when agreed to in writing by both the District and City.

6.6 Relationship of the Parties. The Parties hereby agree that their relationship shall be that of joint users of the property identified for such use, and in no event shall this Agreement be construed as creating a legal partnership, employment or agency/principal relationship.

6.7 Notices. Notices hereunder shall be sufficient if delivered to:

If to City: City of Malibu City Manager
23825 Stuart Ranch Road
Malibu, CA 90265

If to District Santa Monica-Malibu Unified School District
Superintendent of Schools
1651 Sixteenth Street
Santa Monica, CA 90404-3891

6.8 Section Heading. All section headings in this Agreement are for convenience of reference only and are not construed as modifying or governing the language in the section referred to or to define or limit the scope of any provision of this Agreement.

6.9 Consent. Whenever in this Agreement any consent or approval is required, the same shall not be unreasonably withheld or delayed. Where circumstances or applicable law requires, consent may be subject to School Board and City Council approval.

6.10 Governing Law. This Agreement is made under the Constitution and laws of the State of California and is to be so construed.

6.11 Amendment. This Agreement may be amended at any time, or from time to time, by one or more supplemental written agreements executed by all of the Parties to this Agreement either as required in order to carry out any of the provisions of this Agreement or for any other purpose, including without limitation addition of new parties (including any legal entities or taxing entities heretofore or hereafter created) in pursuance of the purposes of this Agreement.

6.12 Disputes. In the event of disputes related to this agreement, the Parties shall first attempt to resolve the matter informally by mutual agreement of the Superintendent and the City Manager.

6.13 Severability. Should any part, term or provision of this Agreement be decided by any court of competent jurisdiction to be illegal or in conflict with any law of the State, or otherwise be rendered unenforceable or ineffectual, the validity of the remaining portions or provisions shall not be affected thereby.

6.14 Successors and Assignment of Interests. This Agreement shall be binding upon and shall inure to the benefit of the successors of the respective Parties. Neither Party may assign

any right or obligation hereunder without the written consent of the other Party, which may be denied in such Party's non-arbitrary but otherwise sole discretion.

Nothing under this Agreement shall be construed to give any rights or benefits to any party other than City and District. All duties and responsibilities under this Agreement shall be the sole and exclusive benefit and burden of City and District, and not for the benefit of any other party unless agreed to by both Parties in a Policy or other applicable written agreement entered into under the authority of this Agreement.

6.15 Execution in Counterparts. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

6.16 Employees and Public Benefit. This Agreement is intended to promote a public benefit. Persons employed at a facility shall be public employees of either City or District as the case may be. This Agreement shall not be construed as a private contract for a public service. Notwithstanding the foregoing, this Agreement shall not limit either Party's legal right to contract for services, goods or construction of facilities pursuant to applicable law and regulation.

7.0 AUTHORITY

7.1 This Agreement may be subject to approval and/or ratification of the governing board of each party to this Agreement.

IN WITNESS WHEREOF, the parties hereto have caused this Agreement to be executed and attested by their proper officers there unto duly authorized, on the day and year first set forth above.

CITY OF MALIBU

Approved as to form by legal counsel:

By: _____

Date: _____

CITY OF MALIBU

Executed this day: _____

By: _____

City Manager

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Executed this day: _____

By: _____

Superintendent

00174-00005/479026.4

City of Malibu / Santa Monica Malibu Unified School District

Joint Use Agreement

2013-2014 Facility Use Schedule

EXHIBIT A

SUMMARY SHEET

<u>Facility Use Fees and Staffing Costs</u>					
Facility/Use	Description	Basic Cost Per Hour	Total Hours	Sub Total	Balance Due
<u>City Sports Programs Usage</u>					
Malibu High School	Tennis Courts (2 courts @ \$2.00 each) after school sport	\$4.00	36	\$144	
	Tennis Courts (2 courts @ \$6.25 each) for class	\$12.50	144	\$1,800	
	Tennis Courts (2 courts @ \$2.00 each) camps	\$4.00	134	\$536	
	Football Field- Lacrosse	\$50.00	32	\$1,600	
	Track	\$30.00	9	\$270	
	Upper Field- T-ball League	\$16.00	55	\$880	
	Lower Auxiliary Field- Tball	\$16.00	55	\$880	
	Upper Field- Lacrosse	\$16.00	80	\$1,280	
	Outdoor Basketball Courts (4 @ \$6 each)	\$24.00	224	\$5,376	
	Small Gym League Games	\$30.00	130	\$3,900	
	Small Gym- After-school programs and camps	\$15.00	111	\$1,665	
Elementary Schools (Webster) (Cabrillo) (Point Dume Marine Science)	<u>Fields with restrooms</u>				
	T-ball and Flag Football	\$16.00	76	\$1,216	
	T-ball and Flag Football	\$16.00	76	\$1,216	
	T-ball and Flag Football	\$16.00	76	\$1,216	
			1238	\$21,979	\$21,979
City Sports Total					
<u>Aquatic Facilities Usage</u>					
Swimming Pool / Locker Rooms / Restrooms	Summer usage	\$24.00	622	\$14,928	
	Fall-Spring usage	\$24.00	918	\$22,032	
				1540	\$36,960
Aquatics Total					
<u>General Community Use</u>					
	Tennis Courts (2 courts @2.00 each)	\$4.00	868	\$3,472	
	Outdoor Basketball Courts (4 @ \$3 each)	\$12.00	132	\$1,584	
	Webster Elementary	\$16.00	560	\$8,960	Removed
	PMDS Elementary	\$16.00	560	\$8,960	
	Cabrillo Elementary	\$16.00	560	\$8,960	
	Small Gym- Open Adult Basketball	\$15.00	100	\$1,500	
			2780	\$24,476	\$24,476
Community Total					
<u>Community Sports Groups</u>					
	MHS upper field	\$16.00	420	\$6,720	
	MHS Aux field	\$16.00	420	\$6,720	
	MHS Baseball field	\$16.00	96	\$1,536	
	MHS Softball field	\$16.00	454	\$7,264	
	Webster Elementary (2 fields @\$16 each)	\$16.00	843	\$13,488	Removed
	Cabrillo Elementary	\$16.00	843	\$13,488	
	PDMS	\$16.00	357	\$5,712	
			3433	\$41,440	\$41,440
Community Sports Total					

	Facility Use Fees	District Staff Fees
Facility Use Fee Totals (including all uses)	\$124,855	\$55,000
Total Joint Use Fees	\$179,855	

City of Malibu / Santa Monica Malibu Unified School District
Joint Use Agreement - Basic Rates/Removal of Ammortized Credits
2013-2014 Facility Use Schedule
Malibu High School / Aquatic Facility (Pool, Locker Rooms & Restrooms)

Facility Use Schedule and Fees

Dates	Days and Times	Basic Cost Per Hour	Hours Per Day	Number of Days	Total Hours	Total Cost
<u>Fall / Winter / Spring</u> 08/18/13- 06/30/14	Saturdays: 11am-3pm	\$24.00	4	44	176	\$4,224
	Sundays 11am-3pm	\$24.00	4	44	176	\$4,224
	Monday -Thursday: 5pm-8pm	\$24.00	3	152	456	\$10,944
	Fridays 4:30pm to 7pm	\$24.00	2.5	44	110	\$2,640
					284	918
<u>Summer</u> 06/27/13- 08/18/13 (closing early for MHS water polo games)	Saturdays: 11am-4pm	\$24.00	5	11	55	\$1,320
	Sundays 11am-4pm	\$24.00	5	11	55	\$1,320
	Wednesdays: 8am -5pm	\$24.00	9	8	72	\$1,728
	Mon, Tue, Thur, Fri: 9am-8pm	\$24.00	11	40	440	\$10,560
					70	622
Cost: Swimming Pool & Locker Rooms / Restrooms					1540	\$36,960

Credits

Total Cost: Swimming Pool & Locker Rooms / Restrooms	\$36,960
Balance Due	\$36,960

City of Malibu / Santa Monica Malibu Unified School District
Joint Use Agreement - Basic Rate- Removal of all Credits
2013 Facility Use Schedule

Community Usage of Tennis Courts, Outdoor Basketball Courts, Elementary School Grounds and Indoor Gym

Facility Use Schedule and Fees

Elementary School Grounds						
<i>Dates/Location</i>	<i>Days and Times</i>	Direct Cost	Hours Per	Number of	Total	Total
		Per Hour	Day	Days	Hours	Cost
Webster Elementary School (2 fields w/ restroom)						
09/01/13- 06/20/14	Saturdays: 9am-4pm	\$16.00	7	40	280	\$4,480
09/01/13- 06/20/14	Sundays 9am-4pm	\$16.00	7	40	280	\$4,480
				80	560	
Cabrillo Elementary (1 field w/ restroom)						
09/01/13- 06/20/14	Saturdays: 9am-4pm	\$16.00	7	40	280	\$4,480
09/01/13- 06/20/14	Sundays:9am-4pm	\$16.00	7	40	280	\$4,480
				80	560	\$8,960
Point Dume Elementary School (1 field w/ restroom)						
09/01/13- 06/20/14	Saturdays: 9am-4pm	\$16.00	7	40	280	\$4,480
09/01/13- 06/20/14	Sundays:9am-4pm	\$16.00	7	40	280	\$4,480
				80	560	\$8,960
Tennis Courts/MHS						
Tennis Courts (2 courts @ \$2 each)						
07/01/13- 06/30/14	Saturdays: 1pm to 5	\$4.00	4	52	208	\$832
	Sundays 12pm-5pm	\$4.00	5	52	260	\$1,040
(Summer) 06/27/13- 08/31/13	Monday - Friday: 9am-7pm	\$4.00	10	40	400	\$1,600
				144	868	\$3,472
Outdoor Basketball Courts/MHS						
Outdoor Basketball Courts (4 courts @\$3 each)						
09/01/13- 12/01/13	Saturdays 12noon - 4pm (4 courts only)	\$12.00	4	15	60	\$720
03/01/14- 06/30/14	Saturdays 12noon - 4pm (4 courts only)	\$12.00	4	18	72	\$864
				33	132	\$1,584
Indoor Basketball Courts/MHS						
7/03/13-06/25/14	Wednesday nights 6pm to 8pm (open basketball)	\$15.00	2	50	100	\$1,500
				50	100	\$1,500
Cost: Community Usage					2780	\$24,476

**City of Malibu / Santa Monica Malibu Unified School District
 Joint Use Agreement - Basic Rate- Removal of all Credits
 2013- 2014 Facility Use Schedule - City Sports Programs**

Dates and Location	Days and Times	Program	Basic Cost Per Hour	Hours Per Day	Number of Days	Total Hours	Total Cost
MHS							
Upper & Lower Auxiliary Fields							
03/10/14- 06/15/14 (upper field)	Saturdays: 8am-1pm	T-ball League	\$16.00	5	11	55	\$880
06/16/14- 07/11/14 Upper)	Monday - Thursday: 9am-12noon	camps	\$16.00	4	16		
03/10/14- 06/15/14 (Aux field)	Saturdays: 8am-1pm	T-ball League	\$16.00	5	11	55	\$880
01/10/14- 06/15/14 (upper field)	Tues and Thurs 4pm-6pm	Middle School Lacrosse	\$16.00	2	40	80	\$1,280
					78	190	\$3,040
Tennis Courts (2 @ \$2.00 each)							
07/01/13- 08/09/13	Monday- Thursday 9am to 12pm	Summer Camp	\$4.00	3	30	90	\$360
09/01/13- 06/30/14	Saturdays 9am to 12noon	Tennis Class (higher rate)	\$12.50	3	48	144	\$1,800
09/01/13-10/25/13	Fridays 2pm to 4pm	Middle School Girls Tennis	\$4.00	2	9	18	\$72
03/01/14- 05/15/14	Fridays 2pm to 4pm	Middle School Boys Tennis	\$4.00	2	9	18	\$72
(Spring Break) 04/08/14- 04-10/14	Tues-Thurs: 9am-1pm	Spring Camp	\$4.00	4	3	12	\$48
(Summer) 06/17/14- 06/27/14	Monday - Thursday: 9am-1pm	Summer Camp	\$4.00	4	8	32	\$128
					107	314	\$2,480
Football Field							
07/01/13-07/03/13	Monday- Wednesday 10am to 1pm	track & field camp	\$30.00	3	3	9	\$270
02/09/14- 05/25/14	Sundays 2pm-4pm	Youth Lacrosse	\$50.00	2	16	32	\$1,600
					16	32	\$1,870
Outdoor Basketball Courts (4 courts @\$6 each)							
12/6/13-02/15/14	Saturdays 9am to 4pm	Basketball League	\$24.00	7	12	84	\$2,016
11/04/13- 02/21/14	Monday-Fridays 3pm-5pm	Basketball League	\$24.00	2	70	140	\$3,360
					70	224	\$5,376
Small Gym							
12/06/13 - 02/22/14	Fridays 4pm to 8pm	Middle School Bball	\$30.00	4	10	40	\$1,200
12/07/13- 02/22/14	Saturdays 8am to 5pm	Basketball League	\$30.00	9	10	90	\$2,700
09/17/13- 11/07/13	Tues and Thurs 3:30pm to 5:30pm	Middle School Volleyball	\$15.00	2.5	16	40	\$600
07/15/13- 08/02/13	Monday - Thursday: 10am-1pm	Summer Camp	\$15.00	3	13	39	\$585
03/11/14- 05/15/14	Tues and Thurs 3:30pm to 5:30pm	Middle School Volleyball	\$15.00	2	16	32	\$480
					65	241	\$5,565
					Subtotal MHS usage		\$18,331
Elementary Schools							
Webster Elementary Fields							
09/01/13- 10/29/13	Monday and Tuesday 3pm to 5pm	Flag Football	\$16.00	2	16	32	\$512
03/13/14- 05/30/14	Thurs, Fri 3pm to 6pm	T-ball League	\$16.00	2	22	44	\$704
Cabrillo Elementary Field							
9/01/13- 10/29/13	Monday and Tuesday 3pm to 5pm	Flag Football	\$16.00	2	16	32	\$512
03/13/14- 05/30/14	Thurs, Fri 3pm to 6pm	T-ball League	\$16.00	2	22	44	\$704
Point Dume Elementary Field							
09/01/13- 10/29/13	Monday and Tuesday 3pm to 5pm	Flag Football	\$16.00	2	16	32	\$512
03/13/14- 05/30/14	Thurs, Fri 3pm to 6pm	T-ball League	\$16.00	2	22	44	\$704
						228	\$3,648
					Subtotal Elementary usage		\$3,648

Total hrs 1229

Total Cost: City Sports Programs	\$21,979
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**City of Malibu / Santa Monica Malibu Unified School District
 Joint Use Agreement - Removal of all Credits
 2013-2014 Facility Use Schedule**

Community Sport Groups Usage of Malibu High Sports Fields, and Elementary School Fields

Facility Use Schedule and Fees

Elementary School Fields

<i>Dates</i>	<i>Days and Times and group</i>	Basic Rate Per Hour	Hours Per Day	Number of Days	Total Hours	Total Cost
Cabrillo Elementary (1 Field w/ Restroom)						
09/01/13-06/21/14	Saturdays: 8am-4pm (AYSO)	\$16.00	8	43	344	\$5,504
09/01/13- 06/22/14	Sundays 9am-4pm (AYSO)	\$16.00	7	43	301	\$4,816
09/01/13-11/29/13	Wednesday - Friday: 3pm-5pm (AYSO)	\$16.00	2	51	102	\$1,632
01/06/14-06/17/14	Monday-Tuesday: 3pm-5pm (AYSO)	\$16.00	2	48	96	\$1,536
				185	843	\$13,488
Pt.Dume Elementary (1 Field w/ Restroom)						
09/01/13-12/21/13	Saturdays: 8am-4pm (AYSO)	\$16.00	8	17	136	\$2,176
09/01/13- 12/22/14	Sundays 9am-4pm (AYSO)	\$16.00	7	17	119	\$1,904
09/01/13-11/29/13	Wednesday - Friday: 3pm-5pm (AYSO)	\$16.00	2	51	102	\$1,632
				17	357	\$5,712
Malibu High School Fields						
Upper Field						
09/01/13-11/01/13	Monday-Friday: 3pm-6pm (AYSO)	\$16.00	3	55	165	\$2,640
08/31/13-12/21/13	Saturdays: 8am-4pm (AYSO)	\$16.00	8	17	136	\$2,176
09/01/13- 12/22/14	Sundays 9am-4pm (AYSO)	\$16.00	7	17	119	\$1,904
				89	420	\$6,720
Auxiliary Field						
08/19/13-11/01/13	Monday-Friday: 3pm-6pm (AYSO)	\$16.00	3	55	165	\$2,640
09/01/13-12/21/13	Saturdays: 8am-4pm (AYSO)	\$16.00	8	17	136	\$2,176
09/01/13- 12/22/14	Sundays 9am-4pm (AYSO)	\$16.00	7	17	119	\$1,904
				89	420	\$6,720
Softball Field						
09/01/13- 10/30/13	Saturdays: 9am-3pm (AYSO)	\$16.00	6	10	60	\$960
03/03/14- 06/30/14	Monday - Friday: 4pm-6pm (MLL)	\$16.00	2	125	250	\$4,000
03/08/14- 06/14/14	Saturdays: 11am-3pm (MLL)	\$16.00	4	18	72	\$1,152
03/09/14- 06/15/14	Sundays 10am-2pm (MLL)	\$16.00	4	18	72	\$1,152
				171	454	\$7,264
Baseball Field						
09/07/13-11/23/13	Saturdays: 9am-5pm (AYSO)	\$16.00	8	12	96	\$1,536
				12	96	\$1,536
	Cost: Elementary Schools / Playfields & Restrooms					\$41,440

Credits

Total Cost to City : Elementary Schools / Playfields & Restrooms

\$41,440

Balance Due

\$41,440

TO: BOARD OF EDUCATION

ACTION/MAJOR

08/28/13

FROM: SANDRA LYON / TERRY DELORIA / DEBRA MOORE WASHINGTON

RE: ESTABLISH POSITION – REGIONAL OCCUPATIONAL PROGRAM (ROP)
COUNSELOR

RECOMMENDATION NO. A.17

It is recommended that the Board of Education establish a new position, ROP Counselor, in order to better serve the needs of District students.

COMMENT: Historically, the Los Angeles County Office of Education (LACOE) has assigned and funded Counselors to serve ROP programs. Recently LACOE has reorganized, and as a result, has withdrawn support of the counselors who serve ROP programs in the county. Temporary funding for one or two years has been provided to individual districts to directly hire a ROP Counselor.

The ROP program has components that are different from the work that is done by Counselors at a school site. As a result, a new position for a ROP Counselor needs to be established. This position requires specialized subject matter expertise in career and guidance counseling that supports student achievement. Under the general direction of the Principal, the ROP Counselor will provide progressive behavioral, educational and career technical education (CTE) to student groups and individuals. The Counselor shall serve as a liaison with other agencies, and will access students for appropriate regional occupational program placement. The ROP Counselor shall assist students to explore career and personal goals, and the process to achieve them. Career technical education programs are essential for students to achieve optimal personal growth, acquire positive social skills and values, set appropriate career goals, and realize full academic potential. (See attached job description)

The position will have a work year of 193 days, and salary will be determined by appropriate placement on the SMMUSD Certificated Teaching/Counseling Salary Schedule. The 2013-2014 budget will be adjusted for the salary and benefits for this position.

Ms. Maez answered questions about the history and current structure of funding for this position.

MOTION MADE BY: Mr. de la Torre
SECONDED BY: Mr. Patel
STUDENT ADVISORY VOTE: N/A
AYES: All (5) (Dr. Escarce and Ms. Leon-Vazquez were absent)
NOES: None (0)

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Department of Human Resources

CERTIFICATED JOB DESCRIPTION REGIONAL OCCUPATIONAL PROGRAM (ROP) COUNSELOR

DEFINITION

Under the general direction of the Principal or designee, it is the role of the ROP Counselor to provide progressive behavioral, educational and career technical education (CTE) to student groups and individuals. The ROP Counselor shall serve as liaison with other agencies, and assess students for appropriate regional occupational program placement. The ROP Counselor shall assist students in exploring career and personal goals and the process to achieve these goals. This position requires specialized subject matter expertise in career and guidance counseling that supports student achievement. The counselor shall perform other related functions as required.

DISTINGUISHING CHARACTERISTICS

This position classification requires knowledge, experience, and skill in the areas of career, technical and vocational education, secondary curriculum, matriculation, graduation and college admissions requirements, pupil services, special education, Section 504, child welfare and attendance, student discipline, laws related to minors, post-secondary school options and student support systems. The position requires decision-making and problem-solving through data analysis and understanding of local, state, and federal laws and mandates. The ROP Counselor meets regularly with students, parents, school administration, teachers, and other staff. Career Technical Education (CTE) programs are essential for students to achieve optimal personal growth, acquire positive social skills and values, set appropriate career goals, and realize full academic potential.

Reasonable accommodation may be made to enable a person with a disability to perform the essential functions of the job.

EXAMPLES OF DUTIES

- Provides CTE/career guidance and counseling to students within a school setting and assists in assessing students for appropriate CTE program placement;
- Assists R.O.P. teachers with student attendance, activities or issues and behavior modification;
- Facilitates in-service training to site counselors, teachers and participants in CTE and ROP programs;
- Administers and interprets the Los Angeles County ROP (LACOROP) student career technical education interest surveys (or equivalent) and other career aptitude instruments to individuals or groups;
- Provides ROP students with appropriate job information and assists in the job search process;
- Assists site staff in the reporting of ROP grades to the registrar of each student's school of residence;
- Assists ROP department staff with professional development for teachers, administrators, support staff, and community members in best practices and policies of Career Technical Education;
- Assists in developing teacher-business/industry externships;

- Assists ROP instructors with promoting, establishing and facilitating Career Technical Education curriculum advisory meetings;
- Coordinates with ROP instructors and department staff in the development of promotional activities within the school setting, recruitment of students (including non-traditional placement), distributing course material, and conducting ROP program support activities;
- Assists ROP instructors and department staff with developing community partnership relationships which lead to job shadowing, mentoring, field trips and unpaid and paid internships for ROP Career Technical Education students;
- Serves as a resource person for CTE/career guidance counseling to the school site counseling staff, classroom teachers, and ROP teachers;
- Participates in regional CTE advisory committee meetings and attends LACOROP in-service and professional growth workshops.
- Travels to multiple sites within the school district and LA County.

QUALIFICATIONS

Knowledge of:

1. Current Career Technical Education programs including Regional Occupational Program, Perkins, Linked Learning, and Multiple Career Pathways,
2. Techniques, strategies, and resources in planning and implementing a comprehensive CTE and career counseling program,
3. Progressive counseling and guidance techniques and methodology utilizing the National Standards for School Counseling,
4. Strategies for developing public relations techniques to promote a CTE education program,
5. Office filing and record keeping.

Skills/Abilities:

1. Significant, directly-related and progressive experience as a counselor, including education and career counseling,
2. Demonstrated knowledge and experience with programs designed to improve educational opportunities for students,
3. Counsel students and parents regarding college requirements and career options,
4. Plan and organize workshops and in-service presentations,
5. Communicate effectively, in oral and written form, with staff, students, parents, employers, and the general public,
6. Schedule, organize, and complete work in accordance with deadlines,
7. Utilize technology effectively, using word processing, spreadsheet, database and presentation software.

EDUCATION AND EXPERIENCE

A pupil personnel services or counseling credential is required.

Education:

Equivalent to the completion of an earned Master's degree or higher in education, special education, psychology, counseling and guidance, or a closely related field.

Experience:

Minimum of three (3) years of successful experience as general or special education classroom teacher, school psychologist, or school counselor is required.

CERTIFICATIONS, LICENSES AND CONDITIONS

Certification Requirement

Possession of a valid Pupil Personnel Services (PPS) - Counseling credential

License Requirement

Possession of a valid Motor Vehicle Operator's License

Condition of Employment

Insurability by the District's liability insurance carrier.

PHYSICAL REQUIREMENTS AND WORKING CONDITIONS:

- Candidates must be able to perform essential duties with or without reasonable accommodation
- This is a sedentary position classification with light work that involves sitting a portion of the time, and includes walking and standing for extended periods
- Requires the mobility to stand, stoop, balance, reach, kneel and bend. Requires mobility or arms to reach and dexterity of hands and fingers needed to operate a computer keyboard
- May require the need to push, pull or lift up to 20 pounds
- The job also requires the accurate perceiving of sound, near and far vision, depth perception, handling and working with educational materials and objects, and providing oral information and direction.

This position will have a work year of 193 days, and be compensated based on the SMMUSD Certificated Teaching/Counseling Salary Schedule.

Job Description Board Approved: _____

TO: BOARD OF EDUCATION

ACTION/MAJOR
08/28/13

FROM: SANDRA LYON

RE: NOMINATION FOR MEMBERSHIP ON LOS ANGELES COUNTY COMMITTEE
ON SCHOOL DISTRICT ORGANIZATION

RECOMMENDATION NO. A.18

The Los Angeles County Committee on School District Organization is requesting that the governing board of each school and community college district submit nominations for membership on the County Committee to fill three open seats. The four-year term runs from September 2013 through October 2017.

COMMENT: The Los Angeles County Committee on School District Organization (County Committee) is an 11-member body charged by the legislature with responsibilities in the area of school district organization, unification, formation, boundary changes, the manner in which governing board members are elected, and the establishment and abolition of trustee areas. The County Committee is comprised of two members representing each of the five Supervisorial districts, plus one member elected at-large.

On September 30, 2013, the following four-year terms of office on the County Committee will be filled by election, and the candidates will serve through October 2017:

- Ms. Joan Jakubowski (Second Supervisorial District);
- Ms. Maria Calix (Second Supervisorial District);
- Mr. AJ Willmer (Third Supervisorial District); and
- Ms. Suzan Solomon (Fifth Supervisorial District).

SMMUSD is in the third supervisorial district.

NOMINEE REQUIREMENTS

- Any nominee must be available to serve the term of office, which will begin on the date of election on September 2013, and expire on the date of election in October 2017.
- All nominees for the seats in the Second, Third, and Fifth Supervisorial Districts must reside in those districts.
- All nominees must be registered voters.
- Employees of school and community college districts, and county offices of education, are excluded from membership on the County Committee.
- A member of a school or community college district governing board, who is otherwise eligible, may simultaneously serve as a member of the County Committee.
- To ensure representation that is balanced and diverse, the County Committee encourages school and community college districts to additionally consider nominating non-school district community leaders/individuals to serve on the County Committee.
- The County Committee members whose terms are expiring this year are eligible to be nominated to serve another term of office, as there is no limit on the number of terms a County Committee member may serve.

NOMINATION PROCESS

- A governing board may submit more than one nomination.
- A governing board may nominate an individual who resides outside their district.
- A governing board wishing to submit a nomination(s) must send the name(s) of the nominee(s), accompanied by a biographical sketch not to exceed 200 words, to LACOE by September 4, 2013.

ELECTION PROCESS

- The election of members to the County Committee will take place at an annual meeting of the voting representatives of the governing boards of school and community college districts called for that purpose.
- The annual meeting will be held in conjunction with the fall meeting of the Los Angeles County School Trustees Association on September 30, 2013. Information concerning the time and location of this meeting will be distributed when available.
- The election is an at-large election. The voting representative from each district governing board will cast a vote for each vacant position. It is not necessary for a district to fall within the boundaries of a Supervisorial district where a vacancy exists in order to make a nomination or to cast a vote.
- The person from your district entitled to vote at the annual meeting is the person selected by your board pursuant to EC §35023 (K-12 school districts), or EC §72403 (community college districts). **Mr. Ben Allen is the voting representative from SMMUSD’s Board of Education.**
- The voting representative may opt to vote by using an absentee ballot in lieu of casting a vote at the annual meeting. The use of an absentee ballot is the preferred method.
- Your district’s voting representative will receive biographical information on the candidates and voting instructions approximately one month prior to the meeting. An “Absentee Ballot” form will also be provided at that time to districts desiring to utilize this method of voting in lieu of attending the annual meeting to cast a vote.

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

The board agreed not to make a nomination.

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

INFORMATION ITEMS

TO: BOARD OF EDUCATION

INFORMATION

08/28/13

FROM: SANDRA LYON / DEBRA MOORE WASHINGTON

RE: AR & EXHIBIT 6112.1 – GENERAL EDUCATION CLASSROOM ASSIGNMENT
FOR STUDENTS WITH DISABILITIES

INFORMATION ITEM NO. I.01

This AR and Exhibit 6112.1 – General Education Classroom Assignment for Students with Disabilities accompany BP 6112.1, which is under Item No. A.13 on this agenda.

COMMENTS: The AR and Exhibit serve as guidelines to the policy (Item No. A.13), and will be distributed to principals, coordinators and directors upon approval of the policy.

This AR and Exhibit appeared under Information when the board policy came forward for discussion at the August 14, 013, board meeting.

GENERAL EDUCATION CLASSROOM ASSIGNMENT FOR STUDENTS WITH DISABILITIES

A student shall be referred for Special Education instruction and services only after the resources of the regular education program have been considered and used where appropriate (Education Code 56303)

The district shall provide instruction and services to students whose needs have been identified in an IEP and who are assigned to regular classroom teachers for a part of the school day.

The Special Education department will assist in the coordination of special education services with the regular school programs for each identified student with disabilities.

The district will implement Operational Guidelines for the assignment of students. Guidelines will provide direction for:

1. Balancing of classes designed to meet the needs of all students including students with IEPs
2. Appropriate assignment of students
3. Consideration of collaborative and other programmatic structures
4. Clarification of how students are assigned to and counted on class rosters
5. Site principals' discretion and flexibility in making assignments

The Superintendent or designee will initiate an annual review on the impact and district wide implementation of this policy.

Definitions

General education students are those assigned to general education classes with no IEP or Special Education classes.

Special Education (01) students are those in special education less than 50% of the day.

Special Education (02) students are those placed in Special Education more than 50% of the day.

ATTACHMENTS

ATTACHED ARE THE FOLLOWING DOCUMENTS:

- Presentation: “Study Session Item No. S.01” (*associated with Item No. S.01*)
- Presentation: “Santa Monica-Malibu Education Foundation” (*associated with Item No. D.01*)
- Presentation: “2012-13 Unaudited Actuals Summaries” (*associated with Item No. A.15*)

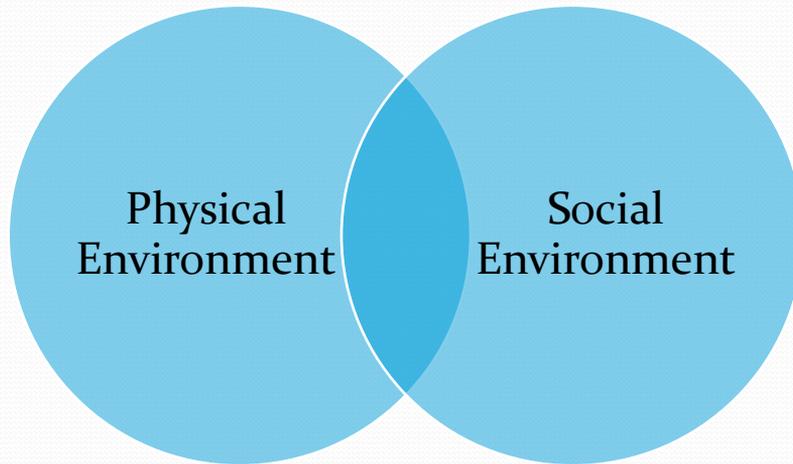
SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

Board of Education
Study Session Item S.01
August 28, 2013

School Safety

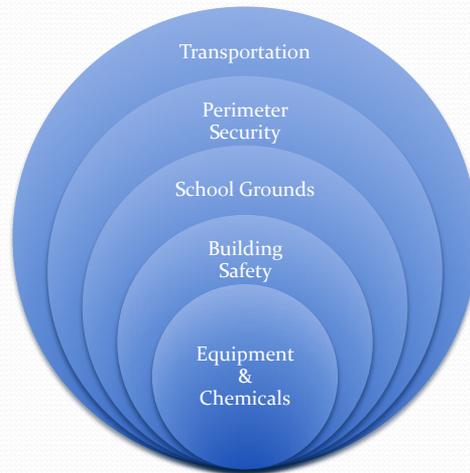
A succinct plan to prevent and respond to threats of danger, natural disasters, violent acts and any event that places students, staff, and visitors at risk.

Creating a Safe Environment



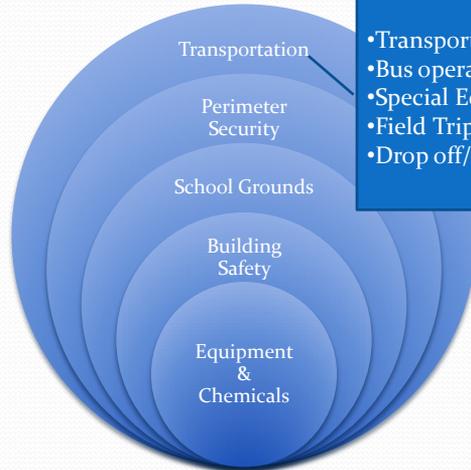
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Physical Environment



4

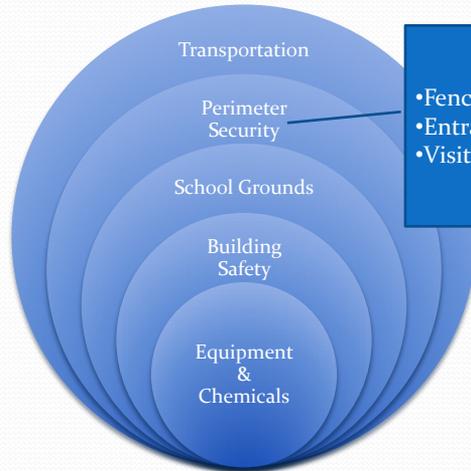
Physical Environment



- Transportation to/ from school
- Bus operations
- Special Ed Consideration
- Field Trips
- Drop off/pick up areas

5

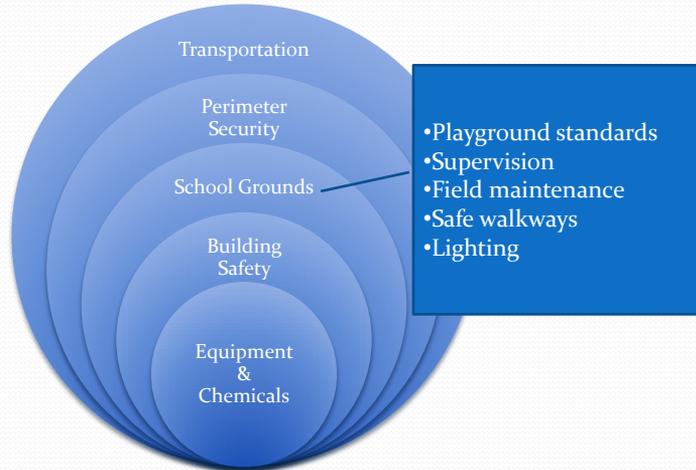
Physical Environment



- Fencing
- Entrance controls
- Visitor check in/ screening

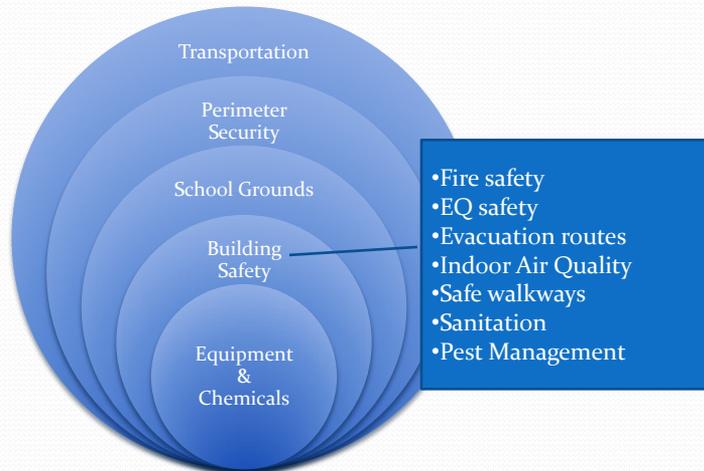
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Physical Environment



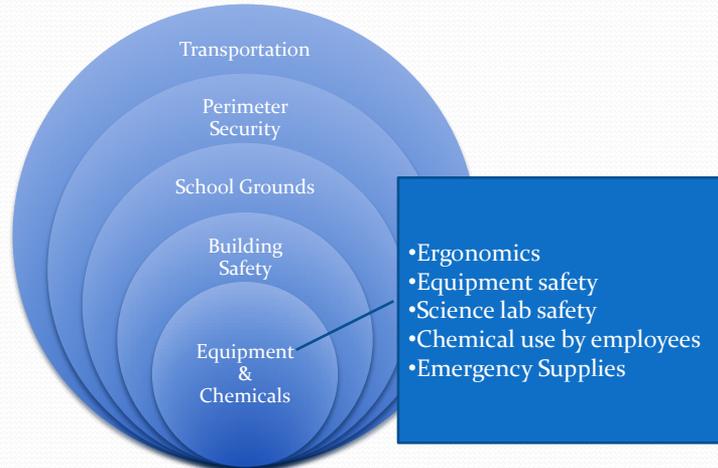
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Physical Environment



8

Physical Environment



9

Safe Social Environment

Prevent These
 Bullying
 Sexual Misconduct
 Discrimination
 Drug Abuse
 Assault
 All Violence

**Social
 Environment**

10

Safe Social Environment

Promote These

Respect

Mutual Care

Crisis Preparedness

Wellness – Diet & Exercise

Safety Consciousness

Community

Social
Environment

11

Given all of the many
safety concerns...

we have a Strategy for
Safety Improvement

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Our Strategy

- Analyze & Correct Loss Trends
- Identify & Prevent Loss Potentials
- Prepare for a Catastrophic Event

13

Loss Trend Correction



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Data Analyzed

- Worker's Compensation Claims
- Property Claims
- Auto Claims
- Liability Claims
- Student Injury Reports
- Employee 1st Aid Injury Reports
- Student Suspension Data

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Loss Trend - Example

Occupation Groups with High Claim Count – 2011-2012 School Year

Occupation	Number of Claims 2011	Number of Claims Last Year	Accident Trends (total claims for both years)
Teachers	16	14	Slip/Trip/Fall (11), Injury from Student Aggression (3)
Custodians	17	12	Lifting/Moving equip. (10), Strains from Rept. Duties (6), Slip/Trip/Fall (6)
Special Ed. IA	10	9	Injury from student aggression (12), Trip/Fall (2)

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Safety Committee - 2013

Name	Title	Name	Title
Mark Kelly	Director, Student Services	Orlando Griego	Director, Food & Nutrition Services
Terry Kamibayashi	Manager, Maint. & Construction	Julie Younan	HR Technician
Terance Venable	Manager, Grounds: Custodial & Maint.	Carey Upton	Director, Theater Op & Facilities Permit
Kelly Lancaster	Asst Director, Food & Nutrition Svcs	Lora Morn	Coordinating Nurse
Gary Bradbury	Risk Manager	Keryl Cartee - McNeely	Chief Steward, SEIU
Mark Venable	Custodian	Jessica Rishe	Principal, SMASH
Neal Abramson	Director, Transportation	Phil Wenker	A.P., Malibu HS

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Identify Loss Potentials

- Annual Site Safety Inspection
- Concerns from Employees
- Hazard Evaluations
- School Safety Committees
- Accident Investigations
- Scheduled Preventative Maintenance
- Motor Vehicle Records Check & Background Check

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Identify Loss Potentials

- Recommendations to Correct Identified Hazards
- Changes in Policy and Procedures
- Employee Safety Training
- Re-evaluation to Monitor Improvement

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Loss Potentials?



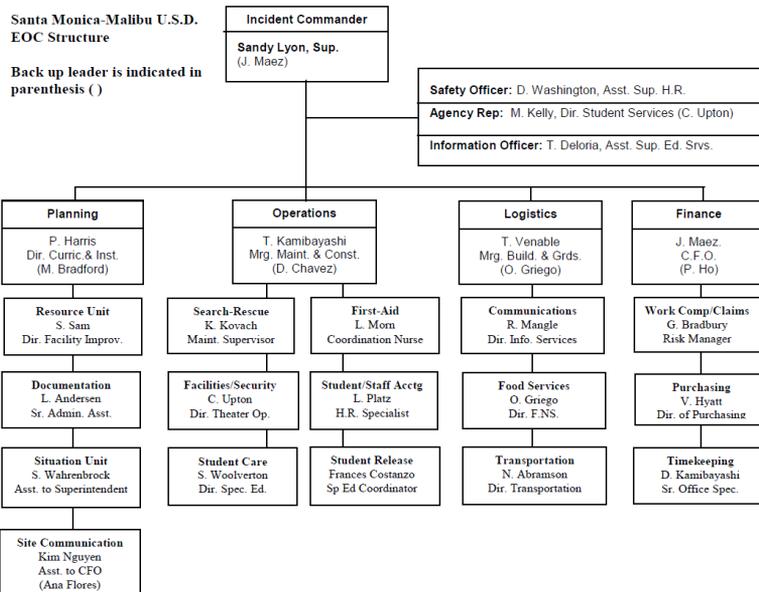
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Emergency Preparedness

- Emergency Operation Plan
- Utilize Incident Command System
- Staff Training
- Drills
- Drill Evaluation
- Make Improvements as Needed

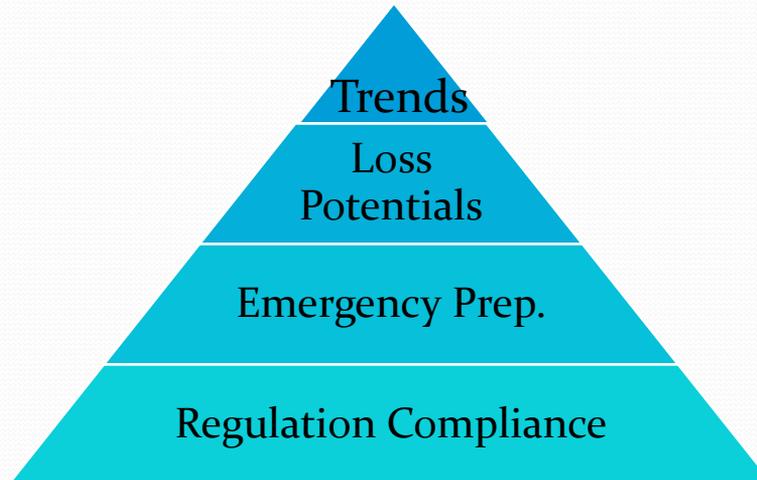
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Emergency Operation Center Team



22

What about compliance?



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Insurance Partners

Schools for Linked Insurance Management
(SLIM) – Worker’s Compensation Coverage

Alliance of Schools for Cooperative Insurance
Programs (ASCIP) – Property & Liability
Coverage

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Insurance Partners

In addition to insurance coverage, these Joint Power Authorities (JPAs) provide the following services:

- Claims Handling
- Risk Management Consultation
- Loss Prevention Assistance – Training resources and expert evaluators and investigators

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SANTA MONICA-MALIBU
Education Foundation

**SMMUSD Board of Education Presentation
August 28, 2013**

**Linda Greenberg Gross, Executive Director
Dr. Paul Lanning, Consultant**

SMMEF – 6/30/2012

- ✓ Staff
 - ❖ Executive Director
 - ❖ Program & Events Director
 - ❖ Marketing & Events Coordinator
- ✓ Operating Budget – \$610,000
- ✓ Dollars Raised – \$371,000
- ✓ Total Assets – \$3,523,000

SMMEF in Action – 2012/13

- Largest gift in SMMEF's 30-year history
- Largest annual campaign in SMMEF's 30-year history
- Master Agreement completed between SMMEF and SMMUSD
- Collaborated with SMMUSD to create "Vision for Student Success"
- For The Arts concerts – \$125,000 raised
- Santa Monica 5000 – \$91,000 raised
- Fundraising plan
- New office space
- Expanded fundraising staff
- Naming opportunities policy
- Gift acceptance procedures
- Board manual
- Corporate Partners program benefits
- Promotional materials (in design phase)

SMMEF – 6/30/2013

- ✓ Staff
 - ❖ Executive Director
 - ❖ Program & Events Director
 - ❖ Director of Major Gifts
 - ❖ Director of Annual and Leadership Gifts
 - ❖ Marketing & Events Coordinator
- ✓ Operating Budget – \$866,000
- ✓ Dollars Raised – \$5,557,000
- ✓ Total Assets – \$9,091,000

SMMEF – Today

2013-14 Fundraising Goal:
\$4 million

Funds Raised to Date (8/28/2013):
\$1,414,516

And...

We're thrilled to announce our latest gift!

\$500,000

from the

Scott Family Charitable Fund

Bringing Our 2013-14 Total
to...

\$1,914,516

Nearly 50% of our
\$4 million goal!

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT

2012-13 Unaudited Actual Summaries

Board of Education Presentation
Janece L. Maez, Chief Financial Officer
August 28, 2013

Agenda Item A. 15.

What are Unaudited Actuals?

- District prepared year-end financial statements as of June 30th using the State format known as SACS (State Account Code Structure) for all District funds
- Report of activities in all District funds, identifying unspent funds or reserves that are carried forward into future years
- Used by external auditors to prepare the official Audit Report
- In June, staff presented 2012-13 Estimated Actuals during the 2013-14 Budget adoption process

What has changed since June?

- The financial books of the District have been closed
- Year-end closing entries are prepared and posted
- Unspent allocations have been identified and reserved or assigned the Fund Balance as appropriate
- Unaudited Actuals are compared to Estimated Actuals as presented with the 2012-13 Adopted Budget

Why are Projections Different than Expected?

- School districts use conservatively estimated revenue and expenditures during the budget and interim reporting processes
- The risk of miscalculating or under estimating is too great
– running out of cash is never a good thing 

What are Common Reasons for Differences?

- Revenue is received that was not anticipated
- Expenditure allocations or budgets were not completely used
- Purchase Orders (PO) issued before 6/30 – work completed or goods received after 7/1 (Rollover PO's)

Questions to Answer When the Estimates and Actuals are Different

- Why did it happen?
- Will it happen again (is it ongoing)?
- Do we get to keep it or will we have to give it back?

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT**2012-13 UNAUDITED ACTUAL SUMMARIES****GENERAL FUND (01)****Changes to Fund Balance**

	Estimated Actuals June 2013	Unaudited Actuals August 2013	Difference
Unrestricted	(2,571,439)	7,184,608	9,756,047
Restricted	(755,564)	655,226	1,410,790
Combined	(3,327,003)	7,839,834	11,166,837

Santa Monica-Malibu Unified School District**2012-13 Unaudited Actuals****??Why is there is Difference and Will it Happen Again??**

Difference between June & August Change in General Fund Balance	11,166,837	
Excess Property Taxes Receipts	(8,546,057)	one time
	2,620,780	
Unrestricted Carryovers	(500,000)	one time
Restricted Carryovers	(1,410,790)	one time
	709,990	

**Santa Monica-Malibu Unified School District
2012-13 Unaudited Actuals
??Do We Get to Keep it??**

Difference between June and August General Fund Balance	11,166,837
Basic Aid Fair Share (repay in 2013-14)	(5,618,736)
	<hr/>
	5,548,101
2013-14 Budget Deficit	(1,111,404)
2013-14 Additional Staffing	(600,000)
Unrestricted Carryover	(500,000)
Restricted Carryover	(1,410,790)
	<hr/>
	1,925,907

Unrestricted General Fund Balance

Estimated Actuals vs. Unaudited Actuals
2006-07 through 2012-13

*The difference between the June estimated and August actual
Unrestricted General Fund balance:*

<u>Fiscal Year</u>	<u>Final vs. Unaudited Actuals</u>	
2006-07	3,062,325	
2007-08	2,878,677	
2008-09	2,755,068	
2009-10	2,127,851	
2010-11	4,189,571	
2011-12	1,575,461	
2012-13	9,756,047	1,209,990

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES**

GENERAL FUND (01)

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	117,393,817	125,554,653	8,160,836
EXPENDITURES	120,720,820	117,714,819	3,006,001
EXCESS OR (DEFICIENCY)	(3,327,003)	7,839,834	11,166,837
BEGINNING BALANCE	20,542,710	20,542,710	-
ENDING BALANCE	17,215,707	28,382,544	11,166,837
Unrestricted General Fund	14,995,223	24,751,270	9,756,047
Restricted General Fund	2,220,484	3,631,274	1,410,790
Combined General Fund	17,215,707	28,382,544	11,166,837

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES**

GENERAL FUND (01)

DESIGNATION OF ENDING BALANCE

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
STORES/INVENTORY/REVOLVING CASH	100,043	100,462	419
RESTRICTED ENDING BALANCE	2,215,214	3,626,004	1,410,790
RESERVE FOR ECONOMIC UNCERTAINTIES	3,621,625	3,525,445	(96,180)
OTHER DESIGNATIONS	2,853,059	10,757,461	7,904,402
UNAPPROPRIATED AMOUNT	8,425,766	10,373,172	1,947,406
PROJECTED ENDING BALANCE	17,215,707	28,382,544	11,166,837

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
GENERAL FUND (01)**

RESTRICTED GENERAL FUND ENDING BALANCE

Medi-Cal Billing Option	636,861
Lottery Instructional Materials	493,621
EIA	123,827
Other Local	2,371,695
Facility Permits	237,428
Equity	184,295
ROP	77,879
Gifts/Donations	1,872,093
	<hr/>
TOTAL	3,626,004

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES**

UNRESTRICTED GENERAL FUND BALANCE - OTHER DESIGNATIONS

Basic Aid Fair Share	5,618,736
2013-14 Budget Deficit	1,111,404
Economic Protection Account (EPA)	2,183,302
Site/Department Carryovers	500,000
2013-14 Additional Staffing	600,000
Basic Aid Excess	744,019
	<hr/>
	10,757,461

Summaries

ALL OTHER FUNDS

SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
ADULT EDUCATION FUND (11)

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	402,574	416,200	13,626
EXPENDITURES	414,468	397,410	17,058
EXCESS OR (DEFICIENCY)	(11,894)	18,790	30,684
BEGINNING BALANCE	315,808	315,808	-
ENDING BALANCE	303,914	334,598	30,684

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
CHILD DEVELOPMENT FUND (12)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	7,747,107	8,002,455	255,348
EXPENDITURES	7,747,377	8,018,497	(271,120)
EXCESS OR (DEFICIENCY)	(270)	(16,042)	(15,772)
BEGINNING BALANCE	41,298	41,298	-
ENDING BALANCE	41,028	25,256	(15,772)

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
CAFETERIA FUND (13)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	3,143,850	2,972,751	(171,099)
EXPENDITURES	3,155,725	3,024,943	130,782
EXCESS OR (DEFICIENCY)	(11,875)	(52,192)	(40,317)
BEGINNING BALANCE	296,317	296,317	-
ENDING BALANCE	284,442	244,125	(40,317)

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
DEFERRED MAINTENANCE (14)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	3,000	2,474	(526)
EXPENDITURES	250,000	256,321	(6,321)
EXCESS OR (DEFICIENCY)	(247,000)	(253,847)	(6,847)
BEGINNING BALANCE	482,843	482,843	-
ENDING BALANCE	235,843	228,996	(6,847)

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
BUILDING FUND (21)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	83,720,327	83,577,333	(142,994)
EXPENDITURES	80,199,326	59,618,526	20,580,800
EXCESS OR (DEFICIENCY)	3,521,001	23,958,807	20,437,806
BEGINNING BALANCE	89,004,340	89,004,340	-
ENDING BALANCE	92,525,341	112,963,147	20,437,806

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
CAPITAL FACILITIES FUND - DEVELOPER FEES (25)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	1,673,695	1,182,097	(491,598)
EXPENDITURES	1,228,375	1,056,051	172,324
EXCESS OR (DEFICIENCY)	445,320	126,046	(319,274)
BEGINNING BALANCE	9,529,531	9,529,531	-
RESERVED FOR BB PROJECTS	9,974,851	9,655,577	(319,274)
ENDING BALANCE	-	-	-

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
SPECIAL RESERVE for CAPITAL PROJECTS (40)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	2,076,605	3,703,442	1,626,837
EXPENDITURES	2,292,769	1,912,034	380,735
EXCESS OR (DEFICIENCY)	(216,164)	1,791,408	2,007,572
BEGINNING BALANCE	6,462,841	6,462,841	-
ENDING BALANCE	6,246,677	8,254,249	2,007,572

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
BOND INTEREST AND REDEMPTION FUND (51)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	21,712,791	29,369,880	7,657,089
EXPENDITURES	20,439,106	19,950,143	488,963
EXCESS OR (DEFICIENCY)	1,273,685	9,419,737	8,146,052
BEGINNING BALANCE	16,500,478	16,500,478	-
ENDING BALANCE	17,774,163	25,920,215	8,146,052

**SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
2012-13 UNAUDITED ACTUAL SUMMARIES
SELF INSURANCE FUND (67)**

	2012-13 ESTIMATED ACTUALS	2012-13 UNAUDITED ACTUALS	DIFFERENCE
REVENUE	1,083,753	1,769,697	685,944
EXPENDITURES	1,068,753	2,463,197	(1,394,444)
EXCESS OR (DEFICIENCY)	15,000	(693,500)	(708,500)
BEGINNING BALANCE	(4,002,033)	(4,002,033)	-
PROJECTED ENDING BALANCE	(3,987,033)	(4,695,533)	(708,500)