

**AGENDA OF THE REGULAR MEETING  
BOARD OF TRUSTEES  
MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
325 S. Peck Ave., Manhattan Beach, CA 90266**

**July 8, 2009  
6:00 Closed Session  
6:30 Regular Open Session**

In compliance with the Americans with Disabilities Act, for those requiring special assistance to access the Board meeting room, to access written documents being discussed at the Board meeting, or to otherwise participate at Board meetings, please contact the Board Secretary, Nancy Bogart, at 310-318-7345, ext. 5902, for assistance. Notification at least 48 hours before the meeting will enable the District to make reasonable arrangements to ensure accessibility to the Board meeting and to provide any required accommodations, auxiliary aids or services.

Writings related to a Board meeting agenda item that are distributed to at least a majority of Board members less than 72 hours before a noticed meeting, and that are public records not otherwise exempt from disclosure, will be available for inspection at the District office, 325 S. Peck Avenue, Manhattan Beach, CA 90266. Such writings may also be available on the District's website. (Government Code §54957.5 (b).

**A. CALL TO ORDER (5 minutes)**

1. Call to Order (6:00)
2. Recess to Closed Session
3. Reconvene Open Session (6:30)
4. Report of Action Taken During Closed Session
5. Pledge of Allegiance
6. Approval of Agenda

**B. ANNOUNCEMENTS AND COMMUNICATIONS (20 Minutes)**

1. Public Comment Regarding Agenda  
The purpose of this section is to permit any person in the audience to make a statement to the Board of Trustees on items on the Agenda. Persons are limited to three (3) minutes for their communication, unless the Board deems otherwise. The President will conclude the Public Comment after a reasonable length of time and proceed with the Agenda. The Board may, at its discretion, permit statements on items not on the Agenda, but pertaining to the school district, if appropriate and not an impediment to the efficiency and orderliness of the meeting; no action shall be taken on any item not appearing on the Agenda.
2. Board Member Announcements

**C. PRESENTATION/DISCUSSION/ACTION ITEMS (30 Minutes)**

1. Restoration of Programs (Direction Requested)
  - IEP Assistance/Oversight
  - P.E. Grades 4-5
  - List of Programs Not Restored
  - SLIP Review

**D. INFORMATION/DISCUSSION ITEMS**

None.

**E. CONSENT CALENDAR (10 Minutes)**

Items included in this section are considered routine and customary school district business. Any Board member or member of the audience may request that any consent item(s) be removed, discussed and acted upon separately.

**General**

- Seaton**  
**1-4**
1. Approve Consent to Participate/Application for Funding for the English Language Acquisition Program (ELAP) Grant for 2009-2010.
- Seaton**  
**5**
2. Ratify Exemption from Physical Fitness Testing for Students with Severe Medical Conditions, identified by numbers 7704, 7425, and 7506. These students will be exempt from participation in all six portions of the Fitnessgram in the spring of 2009.
- Schwabe**
3. Ratify change of status for Hall, Kathryn, Human Resources Technician, D.O., Perm., 100% time, Confidential Salary Schedule, Range 2, Step 6, to Director of Human Resources (Senior Management), D.O., Perm., 100% time, Management Salary Schedule, Range 13, Step 1, effective 07/01/09 (New position).

**Romines** **Business**

- 6-7**
4. Adopt Resolution 2009-19, Authorizing Temporary Interfund Cash Borrowing.
- 8-9**
5. Accept Williams Uniform Complaint Quarterly Report Summary.

**F. PUBLIC AND STAFF SUBMITTED ITEMS**

(This section includes topics submitted in writing by citizens, staff, or students ten (10) working days prior to the Board meeting, by 12:00 noon, [MBUSD Board Bylaw 9322, Agenda/Meeting Materials]. Each person submitting a topic will be allocated a maximum of three minutes in which to address the Board. Some topics may be given additional time, at the Board's discretion. This section of the agenda does not take the place of the public comment section, which follows later. The requirement for advance submission of topics allows for better agenda planning, improved staff response and eliminates the Brown Act restriction against Board discussion of unagendized topics that would otherwise exist.)

None.

**G. BOARD BUSINESS (5 Minutes)**

1. Approve change of Board meeting date from July 22, 2009, to July 21, 2009.
2. Approve minutes of the regular Board meeting of June 16, 2009.

**H. SUPERINTENDENT/CABINET REPORT (5 Minutes)**

1. Bond Update
2. 2009 National Braille Challenge Competition

**I. PUBLIC COMMENTS (10 minutes)**

As a courtesy, please complete the Public Comment card and give it to the Recorder before the beginning of this meeting. You will have three (3) minutes to speak.

**J. ITEMS FOR FUTURE DISCUSSION/ACTION**

**K. ADJOURNMENT**

**CLOSED SESSION AGENDA**

**July 8, 2009**

**6:00 P.M.**

1. Conference with district labor negotiators Janet Schwabe and Steve Romines regarding MBUTA negotiations, per Government Code Section 54957.6.
2. Conference with district labor negotiators Janet Schwabe and Steve Romines regarding CSEA negotiations, per Government Code Section 54957.6.
3. Conference with Legal Counsel - Existing Litigation, pursuant to subdivision (a) of Government Code Section 54956.9. Case nos. N2008030652 and N2008030650.
4. Public employee discipline/dismissal/release, pursuant to Government Code Section 54957.

**MANHATTAN BEACH UNIFIED SCHOOL DISTRICT  
CALENDAR OF EVENTS**

(Note: These dates are subject to change)

**JULY**

July 8, 2009, 6:30 PM  
Board Meeting

July 10, 2009  
District Office Closed

July 17, 2009  
District Office Closed

July 21, 2009, 6:30 PM  
Board Meeting

July 24, 2009  
District Office Closed

July 31, 2009  
District Office Closed

**AUGUST**

August 7, 2009  
District Office Closed

August 14, 2009  
District Office Closed

August 26, 2009, 6:30 PM  
Board Meeting

**E. CONSENT CALENDAR**

1. **TITLE:** Consent to Participate/Application for Funding – English Language Acquisition Program for 2009-2010.

**BACKGROUND:** The attached is an application to participate in the English Language Acquisition Program (ELAP) which was authorized by Assembly Bill (AB) 1116, Statutes of 1999. The funding is allocated annually, depending on availability, at approximately \$100 per each English learner in grades four through eight and is based on the 2009 Language Census (R30), submitted to the CDE last February and school enrollment from the October 2008 California Basic Educational Data System (CBEDS). The purpose of ELAP funds is to improve the English proficiency of English learners and to prepare them to meet the state’s academic content and performance standards.

Funds are to be used to supplement regular school programs that support English language acquisition for English learners in grades four through eight. Funds may be used to provide before and after school, or summer school instruction, tutors, special instructional materials, or any other supplemental activity that meets the objectives of ELAP.

**ACTION RECOMMENDED:** Approval by the Board is requested.

**PREPARED BY:** Carolyn Seaton, Executive Director, Educational Services

**DATE OF BOARD MEETING:** July 8, 2009

## ENGLISH LANGUAGE ACQUISITION PROGRAM (ELAP)

### APPLICATION FOR FUNDING, FISCAL YEAR 2009-10

**Submission Postmark Deadline: May 1, 2009**

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#### Part I: Local Educational Agency (LEA) Information

Name of LEA Manhattan Beach Unified School District

County/District Code 1 9 / 7 5 3 3 3

ELAP Program Director Name Carolyn Seaton

Title Executive Director, Educational Services

Telephone Number 3 1 0 - 3 1 8 - 7 3 4 5 x 5989

Fax Number 3 1 0 - 3 0 3 - 3 8 2 7

E-mail Address cseaton@mbusd.org

Additional Program Contact Name Ann Brown

Title EL Teacher

E-mail Address abrown@mbusd.org

Chief Fiscal Officer of the LEA Steven Romines, Ph.D.

Title Assistant Superintendent

E-mail Address sromines@mbusd.org

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#### Part II: Certification and Signature

##### English Language Acquisition Program Required Assurances

Pursuant to California *Education Code (EC)* Section 404, local educational agencies (LEAs) that choose to participate must certify that they will do all of the following:

1. Conduct academic assessments of English learners (ELs) to ensure appropriate placement of those pupils. The assessments shall include:
  - (a) Initial assessment of ELs to determine their English proficiency level.

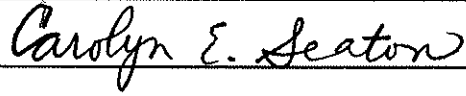
- (b) Ongoing assessment conducted at least annually to ensure accurate placement of ELs, to communicate progress, and to provide formative assessment information to refine the program. Assessment measures shall include, but are not limited to, the state Standardized Testing and Reporting (STAR) program required by *EC* Section 60640, unless a pupil is exempted by law, and the California English Language Development Test (CELDT) developed pursuant to *EC* Section 60810.
2. Provide a program for English language development (ELD) instruction to assist pupils in successfully achieving the ELD standards adopted by the State Board of Education pursuant to *EC* Section 60811. The program shall include structured immersion instruction to be provided for ELs, such as specially designed academic instruction in English and sheltered English strategies, to ensure access by ELs to the core curriculum, unless the LEA has obtained a waiver pursuant to *EC* Section 310.
  3. Provide supplemental instructional support, such as intersession, before- and after-school opportunities, or summer school, to provide ELs with continuing ELD instruction. These opportunities are to supplement the regular school program and may include, but are not limited to, newcomer centers, tutorial support, mentors, or any other program that meets the objectives of the program established pursuant to this chapter. Academic support services needed to provide these opportunities may be funded by this program.
  4. Coordinate services and funding sources available to ELs, including, but not limited to, community-based English tutoring programs established pursuant to Article 4 (commencing with Section 315) of Chapter 3 of Part 1 of the *EC*, programs for at-risk youth, after-school, intersession, and summer school programs, reading programs established pursuant to Chapter 16 (commencing with Section 53050) of Part 28 of the *EC*, and any available federal funds. The LEA shall also certify that it integrates adult community-based tutoring resources with the program established pursuant to this chapter.

Funding allocated pursuant to this chapter shall supplement existing resources supporting language acquisition for ELs in grades four to eight, inclusive.

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### Acceptance of Conditions

I HEREBY CERTIFY THAT I HAVE READ THE CONDITIONS CONTAINED IN THIS DOCUMENT AND AGREE TO COMPLY WITH ALL REQUIREMENTS AS A CONDITION OF FUNDING.

Name of LEA	<u>Manhattan Beach Unified School District</u>
Signature of Superintendent or Designee	<u></u>
Printed Name	<u>Carolyn E. Seaton</u>
Title	<u>Executive Director, Educational Services</u>



**ENGLISH LANGUAGE ACQUISITION PROGRAM  
APPLICATION FOR FUNDING, FISCAL YEAR 2009-10**

**Application Instructions**

**Part I: Local Educational Agency Information**

- Enter the name of the local educational agency (LEA) (school district or county office), county number (two digits), and district code (five digits).
- Enter the name, title, and contact information for the staff member at the LEA who is designated as the program director of the English Language Acquisition Program (ELAP).
- Enter the name, title, and e-mail address of an additional program contact person.
- Enter the name, title, and e-mail address of the LEA's Chief Fiscal Officer (this person may have an alternate title such as Business Manager, Assistant Superintendent of Business Services, or Chief Financial Officer).

**Part II: Certification and Signature**

As a requirement for funding, the LEA must certify that it will abide by all statutory requirements. To document this certification, the signature of the superintendent or designee must be affixed to Part II of the application.

**Mailing**

**It is the LEA's responsibility to verify that the application has been received by the Language Policy and Leadership Office.** Also, we recommend that you use certified mail and keep the receipt to document your mailing date. Late applications may not be funded.

Mail (do not fax) the application to the address below, **postmarked no later than May 1, 2009**, to:

**ELAP Application  
Language Policy and Leadership Office  
California Department of Education  
1430 N Street, Suite 4309  
Sacramento, CA 95814-5901**

For assistance with this application, please contact Pamela Lucas, Associate Government Program Analyst, Language Policy and Leadership Office, at 916-319-0610 or by e-mail at [plucas@cde.ca.gov](mailto:plucas@cde.ca.gov).

**E. CONSENT CALENDAR**

2. **TITLE:** Exemption from Physical Fitness Testing for Students with Severe Medical Conditions

**BACKGROUND:**

The Fitnessgram is the state's designated physical fitness test. SB 601 mandates that students score in the healthy fitness zone in five of six areas or better to obtain a passing score on this assessment. Areas measured by the test include aerobic capacity, body composition, abdominal strength and endurance, strength and flexibility, upper body strength and endurance, and flexibility.

In rare instances, students are unable to participate in physical fitness testing because of severe medical issues. Three students from MBMS have acute medical conditions that preclude them from participating in all or part of the Fitnessgram. These medical conditions have been verified by each student's physician.

The law states that the Board of Trustees is the sole entity that can exempt students from participating in all or part of the Fitnessgram testing. It is requested that the Board exempt the students identified by numbers 7704, 7425, and 7506 from participation in all six portions of the Fitnessgram in the spring of 2009.

**FISCAL IMPACT:**

None.

**ACTION RECOMMENDED:**

It is recommended that the Board exempt three students identified by numbers 7704, 7425, and 7506 from participation in all or part of the Fitnessgram as determined by each student's physician based on either temporary or permanent medical conditions.

**PREPARED BY:** Carolyn Seaton, Executive Director, Educational Services

**DATE OF BOARD MEETING:** July 8, 2009

E. **CONSENT ITEMS**

4. **TITLE:** Resolution Authorizing Temporary Interfund Cash Borrowing – Resolution No. 2009-19.

**BACKGROUND:** From time to time during a school year the district needs to transfer funds to meet temporary cash flow needs. Education Code 35161 requires the district to adopt a resolution allowing the Superintendent or Designee to approve such transfers.

**RECOMMENDATION:** Staff recommends the approval of Resolution No. 2009-19.

**PRESENTED BY:** Steve Romines

**DATE OF BOARD MEETING:** July 8, 2009

#2009-19

**CASH BORROWING RESOLUTION**  
**Temporary Inter-fund Cash Borrowing**  
Manhattan Beach Unified School District

WHEREAS, sufficient cash is needed to pay obligations for current operating requirements lawfully incurred in the fiscal year, and;

WHEREAS, temporary transfer of cash between district funds is permitted by Education Code Section 42603, and;

WHEREAS, the following restrictions apply to this authorization:

1. Maximum amount of authorized borrowing: \$ 3.5 million .
2. For fiscal year: 2009/2010.
3. Amount shall not exceed 75 percent of any moneys held in any fund.
4. Funds borrowed shall not be available for appropriation or considered income to the borrowing fund.
5. Borrowing shall occur only when the fund receiving the money will earn sufficient income during the current fiscal year. The amounts borrowed shall be repaid either in the same fiscal year or in the following fiscal year if the borrowing takes place within the final 120 calendar days of a fiscal year.

NOW, THEREFORE, BE IT RESOLVED, that the governing board of the Manhattan Beach Unified School District hereby authorize the borrowing of cash between all of the district funds.

**Certification of the Clerk of the Governing Board**

The agenda with this item for action was posted as required by law.  
The resolution was adopted by the Governing Board on July 8, 2009

Signature: \_\_\_\_\_  
Clerk of the Governing Board

Attachment No. 2  
Info. Bul. No. 295  
SFS-A42-2008-09

E. **CONSENT CALENDAR**

5. **TITLE:** Williams Uniform Complaint Quarterly Report Summary

**BACKGROUND:** One of the provisions of the Williams legislation is that all school districts shall report summarized data on the nature and resolution of all complaints received on a quarterly basis to the County Superintendent of Schools (AB 2727, Education Code Section 35186.d). This is the third quarterly report of this year.

**FISCAL IMPACT:** None.

**ACTION RECOMMENDED:** Approval is requested.

**PREPARED BY:** Steve Romines, Assistant Superintendent of Administrative Services

**DATE OF BOARD MEETING:** July 8, 2009

**AGENDA NOTE AGENDA NOTE AGENDA NOTE**



**Los Angeles County  
Office of Education**  
Leading Educators • Supporting Students  
Serving Communities

Valenzuela/CAHSEE Lawsuit Settlement  
Quarterly Report on Williams Uniform Complaints

District Name: Mahattan Beach Unified School Dsitric Date: July 1, 2009  
 Person completing this form: Steve Romines Title: Assistant Supt.

Quarter covered by this report (check one below):

- 1st QTR July 1 to September 30 Due 15-Oct
- 2nd QTR October 1 to December 31 Due 15-Jan
- 3rd QTR January 1 to March 31 Due 15-Apr
- 4th QTR April 1 to June 30 Due 15-Jul

Date for information to be reported publicly at governing board meeting: July 8, 2009

Please check the box that applies:

- No complaints were filed with any school in the district during the quarter indicated above.
- Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

	Number of Complaints Received in Quarter	Number of Complaints Resolved	Number of Complaints Unresolved
Instructional Materials			
Facilities			
Teacher Vacancy and Misassignment			
CAHSEE Intensive Instruction and Services			
TOTAL			

Print Name of District Superintendent Beverly J. Rohrer

Signature of District Superintendent \_\_\_\_\_ Date \_\_\_\_\_

Return the Williams Uniform Complaint Quarterly Summary to:  
 Williams/Valenzuela Legislation Implementation Project  
 Los Angeles County Office of Education  
 c/o Renee Jackson, Williams Central  
 9300 Imperial Highway, EC 236  
 Downey, CA 90242

Telephone: (562) 803-8227  
 FAX: (562) 401-5367  
 E-Mail: Jackson\_Renee@lacoedu