

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

NOVEMBER 2013 TO FEBRUARY 2014

**Board of Education Meeting
MINUTES:**

li Government Code §54956.9(d)(2)

SPECIAL EDUCATION SETTLEMENTS

November 7, 2013

1.

DN-1001-13/14(Special Education)

The substance of settlement agreement in case No. DN-1001-13/14 was as follows:

a) **Legal Costs: \$16,000**

The total cost for this case is not to exceed \$16,000. It was moved by Mr. Mechur, seconded by Mr. Patel, and voted 6/0 (Mr. de la Torre was absent) to approve the settlement case.

2.

DN-1002-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1002-13/14 was as follows:

a) **Legal Costs: \$14,000**

The total cost for this case is not to exceed \$14,000. It was moved by Mr. Mechur, seconded by Mr. Patel, and voted 6/0 (Mr. de la Torre was absent) to approve the settlement case.

3.

DN-1003-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1003-13/14 was as follows:

a) **Legal Costs: \$6,500**

The total cost for this case is not to exceed \$6,500.

It was moved by Mr. Mechur, seconded by Mr. Patel, and voted 6/0 (Mr. de la Torre was absent) to approve the settlement case.

December 12, 2013

4. DN-1004-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1004-13/14 was as follows:

a) **Parent Reimbursement: \$38,000**

The total cost for this case is not to exceed \$38,000. It was moved by Dr. Escarce, seconded by Mr. de la Torre, and voted 7/0 to approve the settlement case.

December 12, 2013 (cont'd)

5.

DN-1006-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1006-13/14 was as follows:

a) **Parent Reimbursement: \$19,000**

The total cost for this case is not to exceed \$19,000. It was moved by Ms. Lieberman, seconded by Mr. Allen, and voted 7/0 to approve the settlement case.

January 16, 2014

6. DN-1007-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1007-13/14 was as follows:

a) **Parent Reimbursement: \$13,600**

b) **Legal Cost: \$15,000**

The total cost for this case is **not to exceed \$28,600**. It was moved by Mr. Mechur, seconded by Dr. Escarce, and voted 7/0 to approve the settlement case.

7. DN-1008-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1008-13/14 was as follows:

a)

Parent Reimbursement: \$60,000

The total cost for this case is **not to exceed \$60,000**. It was moved by Mr. Mechur, seconded by Dr. Escarce, and voted 7/0 to approve the settlement case.

8. DN-1009-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1009-13/14 was as follows:

a) **Legal Cost: \$5,500**

b) **Parent Reimbursement: \$7,500**

The amended total cost for this case is **not to exceed \$13,000**. It was moved by Mr. Mechur, seconded by Dr. Escarce, and voted 7/0 to approve the settlement case.

February 20, 2014

9. DN-1005-13/14 (Special Education)

The substance of settlement agreement in case No. DN-1005-13/14 was as follows:

a) **Legal Cost: \$5,000**

b) **Parent Reimbursement: \$17,789.48**

The total cost for this case is **not to exceed \$ 22,789.48**. It was moved by Dr. Escarce, seconded by Ms. Lieberman, and voted 7/0 to approve the settlement case

10. Student vs. SMMUSD, OAH Case No. 2013051152

Administrative Law Judge (ALJ) Eileen M. Cohn, determined on December 23, 2013 that the SMMUSD must reimburse parents for all of their tuition costs for a Non-Public School (NPS) along with reimbursement for all tutoring expenses.

These amounts exceed \$56,970.99 in tuition reimbursement thus far, and does not include attorneys fees. Attorney's fees will be significant.

The SMMUSD's adversarial posturing is costing the SMMUSD hundreds of thousands of dollars and causing unnecessary harm to these families.

OAH SPECIAL EDUCATION - HEARING CALENDAR
FOR THE SANTA MONICA-MALIBU UNIFIED SCHOOL DISTRICT
MARCH 2014 TO APRIL 2014

1. Case Number : 2013120433 **Hearing Type :** Mediation
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Cohn, Eileen
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 13, 2014 9:30 AM

2. Case Number : 2014020775 **Hearing Type :** Pre-Hearing Conference
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Krikorian, Adrienne L.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 14, 2014 3:00 PM

3. Case Number : 2014020379 **Hearing Type :** Mediation
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Lehrman, June R.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 18, 2014 9:30 AM

4. Case Number : 2014020775 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Krikorian, Adrienne L.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 20, 2014 9:30 AM

5. Case Number : 2013051091 **Hearing Type :** Pre-Hearing Conference
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Jones, Elsa H.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 24, 2014 1:00 PM

6. Case Number : 2013090584 **Hearing Type :** Status Conference
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Newlove, Tim
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 26, 2014 11:00 AM

7. Case Number : 2014020379 **Hearing Type :** Pre-Hearing Conference
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Unassigned
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Mar 28, 2014 3:00 PM

8. Case Number : 2013051091 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Jones, Elsa H.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 02, 2014 9:30 AM

9. Case Number : 2013051091 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Jones, Elsa H.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 03, 2014 9:00 AM

10. Case Number : 2014030154 **Hearing Type :** Mediation
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Unassigned
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 03, 2014 9:30 AM

11. Case Number : 2013051091 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Jones, Elsa H.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 07, 2014 1:30 PM

12. Case Number : 2013051091 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Jones, Elsa H.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 08, 2014 9:00 AM

13. Case Number : 2014020379 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Unassigned
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 08, 2014 9:30 AM

14. Case Number : 2014030154 **Hearing Type :** Pre-Hearing Conference
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Unassigned
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 14, 2014 10:00 AM

15. Case Number : 2013120433 **Hearing Type :** Pre-Hearing Conference
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Krikorian, Adrienne L.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 21, 2014 10:00 AM

16. Case Number : 2014030154 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Unassigned
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 24, 2014 9:30 AM

17. Case Number : 2013120433 **Hearing Type :** Hearing
Agency Name : Department of Education - Special Education Division
Case Name : Student **Judge Assigned to Hearing :** Krikorian, Adrienne L.
School District : Santa Monica-Malibu Unified S.D.
Assigned Office : Van Nuys **Date :** Apr 28, 2014 1:30 PM

**THE SMMUSD'S ADVERSARIAL POSTURING
IS COSTING THE SMMUSD HUNDREDS OF
THOUSANDS OF DOLLARS AND CAUSING
UNNECESSARY HARM TO THESE FAMILIES.**