

BAKERSFIELD CITY SCHOOL DISTRICT

Regular Meeting of the Board of Education, Tuesday, May 27, 2008
Education Center - 1300 Baker Street, Bakersfield, California

Regular Session: The regular session of the Board of Education was called to order at 6:00 p.m. by President Van Horne.

Members Present: The following members were present:

Ms. DeWalt
Mrs. Tafoya
Mr. Tate
Mr. Van Horne
Mr. Vereen

Also present:

Mr. Lingo, Superintendent
Dr. Holton, Asst. Supt., Instruction
Dr. Jones, Asst. Supt., Academic Accountability and Improvement
Mrs. Schallock, Chief Business Official
Mrs. Driskill, Administrative Assistant
Mrs. Sutton, Administrative Secretary

Hearings: >> Carol Reichert, BETA President, thanked the Board for the resolution on the agenda opposing the budget; introduced Brad Barnes as the new BETA President; and requested that the Board reconsider her request for a leave to take part in an intern program through the California Teachers Association.

Recessed to Closed Session: On motion by Ms. DeWalt, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present to recess to closed session.

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Closed Session: A closed session was held from 6:07 to 6:28 p.m. for the purpose of the following:

- Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.
- Public Employee Performance Evaluation, pursuant to Government Code section 54957: Superintendent.

- Conference with Labor Negotiator, Michael Lingo, regarding negotiations with employee organizations, pursuant to Government Code Section 3549.1.
- Discussion of Student Matters (*Administrative Hearing Panel recommendations and alternative school placement*), pursuant to Education Code Section 48918(c).

Reconvened to
Regular Session:
56

On motion by Ms. DeWalt, seconded by Mr. Tate, it was ordered by the affirmative vote of the members present that the Board reconvene to regular session.

The regular session of the Board of Education reconvened at 6:31 p.m.

Pledge to Flag:

The Pledge of Allegiance was led by Brad Barnes, newly elected BETA President.

Approval of
Minutes:
57

On motion by Mrs. Tafoya, seconded by Mr. Vereen, it was ordered by the affirmative vote of the members present that the minutes of April 22, 2008, be approved.

Presentations:

The following students were recognized for receiving perfect attendance from kindergarten through eighth grades:

Diego Salas, Sierra Middle High School
Vanessa Rivera, Washington Middle School
Johnny Ortiz, Compton Junior High School

Two additional students received this award, but were unable to attend the Board Meeting:

Amara Lopez-Beltran, Compton Junior High School
Jordan Dickson, Chipman Junior High School

Certificates of Service were presented to BCSD certificated and classified employees with 25, 30, and 35 years of service with the District.

Vincent Fong presented the District with a Certificate of Special Congressional Recognition from Congressman Kevin McCarthy for receiving the *We the People* “Created Equal” bookshelf award for District schools. These books highlight the importance of democracy and Mr. Fong commended the library staff of the District for receiving 41 sets out of 3,000 distributed nationwide. Mr. Lingo congratulated Sandra Yoon, Ruth Holton and their staff for their work in obtaining these books for school libraries.

Hearings: >> Pam Baugher, district teacher, asked the administration to rethink the number of times that classrooms are visited during testing. She also asked for an update on BETA's request to bargain on a couple of issues. Mr. Lingo responded that he spoke to Carol Reichert regarding the issue last Friday.

Comments of Board Members and Staff:

Mr. Vereen

-noted that he attended the District retirement dinner and Fred Buckner's retirement dinner at the Red Lion. He also attended the award ceremony for Franklin School and said how much he appreciated being a part of these celebrations.

Mrs. Tafoya

-stated that she was proud to represent the Bakersfield City School District at all the activities that have taken place this month including the O.D. Williams, Juliet Thorner and Fred Haynes awards programs.

-congratulated all the teachers and students who were nominated and received various awards and noted that it has been fun to celebrate the successes at Thorner, Downtown and Franklin schools and noted that it took the entire certificated and classified staffs working together to make these accomplishments possible.

-congratulated Brad Barnes as the new BETA President and Carol Reichert for her time as leader of this organization.

Ms. DeWalt

-noted that she also attended the O.D. Williams event and Downtown and Thorner Schools' Distinguished Schools celebrations.

-also attended the Parent of the Year Awards, Bakersfield Elementary Music Festival, Franklin's NCUST Award celebration, the BETA barbeque, and is looking forward to the graduation ceremonies.

Mr. Tate

-noted that he attended the O.D. Williams and Thorner Award Programs and the retirement dinner.

-commented that there are many positive things that our District is doing and noted that he also presented awards at Washington, Chipman and Stiern.

-congratulated the students on their perfect attendance

-commended the teachers and classified employees for their longevity in the district and noted that it is through their work that our school district is successful.

Mr. Van Horne

-asked staff to get back to him with information regarding the District's policy on hiring practices as related to hiring part-time speech therapists,

occupational therapists and physical therapists in our special education department as opposed to strictly full-time or job share status.

Mr. Lingo

-noted that the retirement dinner was a sell-out this year and thanked his staff for their hard work.

-the district administration has begun cultural proficiency training—educating us on the differences that make us strong. It was a two-day training session and Board Member Don Vereen attended as well.

-attended the NCUST Award Ceremony honoring Franklin School. This is a national award and only Carla Tafoya’s school qualified to apply. Of all the applicants, twenty received a site visit and from those, 11 were chosen to receive the award. Franklin was one of the eleven selected.

-also attended the Distinguished School Ceremony in Anaheim last weekend and noted of the four schools in Kern County to receive this award, two were from our district.

-discussed budget information that was provided for the Board’s review in preparation for next month’s budget adoption and explained the District’s budget is built on the Governor’s proposed budget in January and then revised after the Governor’s May budget revision. However, we know that the budget is not real until we know for sure what the State’s budget will be for next year.

Report No. 1
BCSD Healthy
Students

A report on student health in the Bakersfield City School District, titled “BCSD Healthy Students – Addressing the issues of Student Health and Weight” was prepared by Debbie Wood, Coordinator of Health Services, for the Board’s information. Mrs. Tafoya noted that she is really concerned for our students because the data, that Debbie and Brenda provided for us, shows that 43% of our students are overweight. She commended Debbie Wood and Brenda Robinson for the work that they are doing for our students. She is pleased that they provided a healthy activity for teachers to use to promote good nutrition and she really liked the 8-5-2-1-0 Program.

Report No. B-1
Public Hearing
Level I
Developer Fees

58

A public hearing was held at 7:04 p.m. to receive public comments regarding the proposed adoption of the resolution to increase Level I Developer Fees (school facility fees) effect August 1, 2008. No one addressed the Board at this time.

Report No. B-2
Public Hearing
Level II/III
Developer Fees

59

A public hearing was held at 7:04 p.m. to receive public comments regarding the proposed adoption of the resolution to increase Level II/III Developer Fees (school facility fees) effect May 28, 2008. No one addressed the Board at this time.

Report No. B-3
Adopted Resolution
To Increase Level I
Developer Fees
60

On motion by Ms. DeWalt, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the resolution to increase Level I developer fees effective August 1, 2008, be adopted. Copy of Report No. B-3 is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Report No. B-4
Adopted Resolution
To Increase Level
II/III Developer Fees
61

On motion by Ms. DeWalt, seconded by Mr. Vereen, it was ordered by the affirmative vote of the members present that the resolution to increase Level II/III developer fees effective May 28, 2008, be adopted. Copy of Report No. B-4 is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Report No. C-1
Approved
Purchase of Land
62

On motion by Mrs. Tafoya, seconded by Ms. DeWalt, it was ordered by the affirmative vote of the members present that the agreement for purchase and sale of land and joint escrow instructions for the property at 700 and 714 Niles Street in the City of Bakersfield, (Assessor's Parcel Numbers 014-020-44 & 12) be approved and authorization be given to the superintendent to sign all papers pertaining to the sale. Copy of Report No. C-1 is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Report No. E-1
Approved
Certificated
Personnel
Report:
63

On motion by Mr. Tate, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the personnel report and Supplements No. 1 and 2 covering employments, reemployments, cooperating teachers, changes, and extra-time for certificated employees be approved. Copy of Report No. E-1 in the minutes file is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Report No. E-2
Approved
Classified
Personnel
Report:
64

On motion by Mr. Tate, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the personnel report covering employments, dismissals, terminations, changes, resignations, retirements and extra-time for classified employees be approved. Copy of Report No. E-2 in the minutes file is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Report No. E-3
Received
Initial Proposals
of CSEA
65

On motion by Mr. Tate, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the initial proposals of CSEA for bargaining reopeners be received as a matter of record in compliance with Section 3547 of the Government Code. Copy of Report No. E-3 in the minutes file is hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Report No. E-4
Received
Initial Proposals
of LIUNA
66

On motion by Mr. Vereen, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the initial proposals by Laborers' International Union of North America (L.I.U.N.A.). Local 220, for contract negotiation be received as a matter of record in compliance with the public notice provisions of Government Code Section 3547.

Approval or
Ratification
of the Consent
Agenda:
67

On motion by Mrs. Tafoya, seconded by Ms. DeWalt, it was ordered by the affirmative vote of the members present that the following reports be approved, adopted or ratified:

- A-1 **Addition** to Policies and Procedures, Section 800.10, Architectural and Engineering Services, *as a first reading*
- A-2 **Addition** to Policies and Procedures, Section 800.11, Site Selection and Development, *as a first reading*
- A-3 **Addition** to Policies and Procedures, Section 800.12, Facilities Financing, *as a first reading*
- A-4 **Addition** to Policies and Procedures, Section 800.13, Developer Fees, *as a first reading*
- A-5 **Deletion** to Policies and Procedures, Section 800.9, The California Environment Quality Act (CEQA) of 1970, *as a first reading*
- A-6 **Deletion** to Policies and Procedures, Section 800.2, New School Plants, *as a first reading*
- A-7 **Deletion** of Policies and Procedures, Section 800.1, School Sites, *as a first reading*
- A-8 **Revision** to Policies and Procedures, Section 603.20, Tuberculosis Testing, *as a first reading*
- A-9 **Revision** to Policies and Procedures, Section 500.20, Health Benefits, *as a first reading*
- A-10 Gifts to Chavez, Franklin, Garza and Longfellow Schools
Chavez: \$150 to purchase library books donated by Bakersfield Republican Women
Franklin: Harry Potter Series books valued at \$100 donated by Teresa Rimmer
Garza: \$150 to purchase library books donated by Bakersfield Republican Women
Longfellow: Small violin donated by Deborah Nystrom

- A-11 Short-term Consultant Services
- A-12 Agreement between Bakersfield City School District and Cal Poly Pomona Foundation, Inc. for the Youth Entrepreneurship Training Program (July 20-25, 2008)
- A-13 Resolution Opposing the Proposed 2008-2009 State Budget
- A-14 Renewal of Memorandum of Understanding with Kern Regional Center for the Foster Grandparent Program at Eissler, McKinley, and Rafer Johnson Children's Center for 2008-2009 (August 1, 2008, through July 31, 2009)
- A-15 Memorandum of Understanding between the Kern County Superintendent of Schools and the Bakersfield City School District for Elementary Community School Services (2008-2009 School Year)
- A-16 Agreement with Schools Legal Services for Professional Services for Developer Fee and Other Matters (2008-2009 School Year)
- A-17 Community Classroom Agreement with the Kern High School District (2008-2009 School Year)
- A-18 Agreement for Professional Services between the Bakersfield City School District and Miller Brown & Dannis, Attorneys at Law (July 1, 2008, through June 30, 2009)
- A-19 Agreement for Services with Central Valley Occupational Medical Group, Inc. to conduct the Worker's Compensation Return-to-Work Program (2008-2009 School Year)
- A-20 Agreement for Employment Entrance Examination Provider Services with Central Valley Occupational Medical Group, Inc. (July 1, 2008, through June 30, 2009)
- A-21 Resolution authorizing the superintendent to make application and secure funding under Prop. 1-A Replacement Grant to replace four school buses through the San Joaquin Valley Unified Air Pollution Control District
- A-22 Letter of Understanding between California State University, Bakersfield and Bakersfield City School District for the Intensive Writing Academy (May 29, 2008, through July 11, 2008)

- A-23 Agreement for Employment Entrance Examination Provider with Functional Ergonomics and Irene Sanchez, M. D. (July 1, 2008, through June 30, 2009)
- B-5 District Investments and Interest Earnings for the Quarter Ending March 31, 2008
- B-6 Payment of warrants to vendors for the period May 28, 2008, through June 24, 2008
- C-2 Request to File a Notice of Completion – One New Relocatable Classroom for Downtown School Eighth Grade
- C-3 Request to Approve Change Order No. 2 – Nichols Elementary School Modernization
- C-4 Request to Approve Change Order No. 1 – Curran Middle School Modernization
- C-5 Request to Participate in the San Gabriel Unified School District Cooperative Bid #16-04/05 for Portable Classrooms – Awarded to Silver Creek Industries, Inc.
- C-6 Contract for Services with School Facility Consultants of Sacramento to represent the District with Pertinent State Regulatory Agencies (July 1, 2008, through June 30, 2009)
- C-7 Five-Year Plan for the Deferred Maintenance Program for submission to the State Allocation Board/Office of Public School Construction
- C-8 Ground Space Lease Agreement with Community Action Partnership of Kern for “Home Base Socialization Site” at Roosevelt School (July 1, 2008, through June 30, 2009)
- C-9 Ground Space Lease Agreement with Community Action Partnership of Kern for Head Start Programs at Casa Loma, Franklin, Hills, Rafer Johnson Children’s Center, Noble, Pauly, Pioneer, Voorhies and Williams Schools (July 1, 2008, through June 30, 2009)
- D-1 Food Service Agreement between Bakersfield City School District and Our Lady of Guadalupe School (July 2, 2008, through June 30, 2009 School Year)

- D-2 Award of Bid for Paper Products - #BD0805-1 to the responsive low bidders on specific line items
- D-3 Request to Advertise Bakery Products and Related Items Bid for the Department of Food Services (2008-2009 School Year)
- D-4 Request to Award Contracts for Asphalt-Slurry Work at Various School Sites within the District
- D-5 Request to Award the Dairy Products and Related Items Bid for the Department of Food Services (2008-2009 School Year)
- E-5 Memorandum of Understanding between the Bakersfield City School District and the California School Employees Association, Chapter #48, regarding Summer Pilot Program (June 9 through July 25, 2008)
- E-6 Memorandum of Understanding between the Bakersfield City School District and the Bakersfield Elementary Teachers Association regarding Donation of Sick Leave for an employee at Longfellow School
- E-7 Business, conference and workshop travel by Board of Education members, superintendent and assistant superintendents
- E-8 Variable Term Waiver to assign teachers with their consent to teach out of their credentialed area for the 2007-2008 school year, in accordance with the provisions of Education Code 44268: Professional Preparation Program for the Clinical or Rehabilitative Services Credential
- E-9 Memorandum of Understanding between the Bakersfield City School District and the Bakersfield Elementary Teachers Association regarding Donation of Sick Leave for an employee at Hort
- E-10 Memorandum of Understanding between the Bakersfield City School District and the California School Employees Association, Chapter #48 regarding supply cards for eligible activity leaders
- F-1 Administrative Hearing Panel Action
- F-2 Interdistrict Agreements for Attendance
- G-1 Settlement Agreement of Due Process regarding Special Education in the Case OAH NO. N2007060015

- G-2 California Department of Education, Child Development Division, 2007-2008 Annual Program Self-Evaluation for CPRE Contract (Pre-K and Family Literacy)
- G-3 California Department of Education, Child Development Division, 2007-2008 Annual Program Self-Evaluation for CPKP (State Preschool)
- G-4 Service Contract with ProCare Therapy, Inc., to provide Occupational Therapy Diagnostic Services (July 1, 2008, through June 30, 2009)
- G-5 Agreement with Pam Maxwell to provide Physical Therapy Services (July 1, 2008, through June 30, 2009)
- G-6 Agreement with Kern Regional Center for Early Start Infant Development Services (July 1, 2008, through June 30, 2009)
- G-7 Educational study trips, out of town

Copies of reports are hereby made a part of the minutes of this meeting by reference as if fully set forth herein.

Memorial and
Adjournment:
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On motion by Mr. Vereen, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the meeting be adjourned without further transaction of business in memory of Kristen Reese, teacher at Nichols Elementary School.

The meeting adjourned at 7:10 p.m.

The next regular meeting of the Board of Education will be held on Tuesday, June 24, 2008.

ATTEST:
MR. MICHAEL D. LINGO
SUPERINTENDENT OF SCHOOLS

Clerk

ML/ld