

BAKERSFIELD CITY SCHOOL DISTRICT

Regular Meeting of the Board of Education, Tuesday, November 27, 2007
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 Karen DeWalt.

Members Present: The following members were present:

Mrs. 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

Recessed to
Closed Session: On motion by Mr. Van Horne, seconded by Mr. Tate, it was ordered by the affirmative vote of the members present to recess to closed session.
123

Closed Session: A closed session was held from 6:02 to 6:28 p.m. for the purpose of the following:

- Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.
- 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: On motion by Mr. Van Horne, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the Board reconvene to regular session.
124

The regular session of the Board of Education reconvened at 6:30 p.m.

Pledge to Flag: The Pledge of Allegiance was led by Mr. Steve Castro.

Approval of
Minutes:
125

On motion by Mrs. Tafoya, seconded by Mr. Vereen, it was ordered by the affirmative vote of the members present that the minutes of October 23, 2007, be approved.

Hearings:

- >> Mr. Brad Barnes, Second Vice President of BETA and teacher at Chipman Junior High, addressed the Board regarding the challenges and working conditions of Special Education teachers.
- >> Mr. Bill Griffith, BETA Bargaining Co-Chair, questioned why No Child Left Behind Supplemental Service Agreements listed on the Consent Agenda charge higher fees per hour for supplemental tutoring services than the \$24 per hour offered to District teachers who participate in the after-school tutoring program.

Comments of
Board Members
and Staff:

Mr. Van Horne

-Congratulated Cesar Chavez School for receiving the recycling competition award and Horace Mann School's Pre-kindergarten class led by Kathryn Jordan for receiving the Grand Marshal Award in the Veteran's Day Parade.

-Thanked Mr. Lingo and his staff for their continued support of the Television Program "Do the Math."

Mrs. Tafoya

-Thanked Mr. Barnes and Mr. Griffith for bringing their issues forward this evening and noted that the District will respond to their concerns.

-Congratulated Chavez and Horace Mann schools on their awards.

-Distributed a membership form and current newsletter and invited the Board to join the National Hispanic Caucus of School Board Members. She noted that she serves on that Board which focuses on the issues of Hispanic students.

Mr. Vereen

-Reported on his visits to four District schools: Emerson, McKinley, Hills and Curran and noted that there are a lot of positive things going on in our schools and he is excited to see people who are excited about what they are doing.

-Noted that he attended the Kern County Ministers Conference and reported the details of his trip to the CUBE Conference in Atlanta, and also shared the information with the President of the NAACP at a dinner meeting.

Mr. Lingo

-Referred to pictures of the junior high middle school bands in their new band uniforms and noted that our students looked sharp in the recent

Veteran's Day Parade and acknowledged Mike Stone for his work with the Music Program.

-Shared with the Board copies of a new District publication for teachers called "Reading Intervention" which talks about the Fast Track Invention and Reading First Programs and congratulated Kathy Walker and staff for doing a great job on this publication.

Report No. 1
Horace Mann
SAIT

The third monitoring report and executive summary for Horace Man Elementary School Assistance and Intervention Team (SAIT) was provided for the Board's information.

Report Nos.
A-1 through A-16;
B-1 through B-3;
C-1 through C-9;
and D-1 and D-2

Refer to Board Order 128, pages 3 through 7.

Report No. E-1
Approved
Certificated
Personnel
Report:
126

On motion by Mr. Van Horne, seconded by Mr. Vereen, it was ordered by the affirmative vote of the members present that the personnel report and supplement No. 1 covering employments, changes, resignations, retirements, job descriptions, 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:
127

On motion by Mr. Van Horne, seconded by Mr. Vereen, it was ordered by the affirmative vote of the members present that the personnel report covering employments, suspensions, 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.

Approval or
Ratification
of the Consent
Agenda:
128

Mrs. DeWalt announced that item A-4 is administratively pulled from the Consent Agenda at this time and asked if there were any questions on any Consent Agenda item. Mr. Van Horne asked for specifics regarding the NCLB Supplemental Service Agreements. Mrs. Tafoya noted there is a concern that these providers may not use highly qualified teachers and asked for the criteria. Mr. Lingo responded that staff will get back to the Board regarding the criteria, but there is very little the District can do about these providers and the amount is awarded by the State. Mrs. Tafoya asked how long the teacher tutor pay has been at \$24 per hour and if the District has discussed increasing the rate. Mr. Lingo stated that it has been that rate for some time and increasing the rate is a matter for negotiations and, at that time, both sides determined to leave it alone. Mr. Tate asked who determines which providers the schools use. Mr. Lingo responded that the parents choose the providers. Mr. Tate asked if the tutors receive the full dollar amount listed in the contract or does the majority go to the service provider for administrative fees.

Mr. Lingo agreed that the contractor receives the majority of the funds. On motion by Mr. Tate, seconded by Mrs. Tafoya, it was ordered by the affirmative vote of the members present that the following reports be approved, adopted or ratified:

- A-1 Gifts to Chavez, Franklin, and Wayside Schools
Chavez: \$1,000 for playground equipment from Marion and Shirley Collins of Mesa Marin Raceway
Franklin: one trumpet valued at \$350 and one violin valued at \$350 from the Franklin Booster Club
Wayside: Knilling Perfect $\frac{3}{4}$ size violin valued at \$629 from the Wayside Booster Club
- A-2 **Revision** to Policies and Procedures, Section 100.61, Conflict of Interest Code, ***approved as a first reading on October 23, 2007***
- A-3 **Revision** to Policies and Procedures, Section 300.43, Sex Offender Notification, ***as a first reading***
- A-5 **Revision** to Policies and Procedures, Section 605.3, Uniform Complaint Procedures, ***as a first reading***
- A-6 **Revision** to Policies and Procedures, Section 605.7, Pupil Records, ***as a first reading***
- A-7 **Revision** to Policies and Procedures, Section 605.13, Williams Uniform Complaint Procedures, ***as a first reading***
- A-8 **Revision** to Policies and Procedures, Section 606.4, Procedural Safeguards and Complaints for Special Education, ***as a first reading***
- A-9 Short-term Consultant Services
- A-10 Consultant Services Agreement with the Young Audiences of Kern County (2007-2008 School Year)
- A-11 Consulting Services Agreement with Davis Demographics and Planning, Inc. to calculate student yield factors (November 27, 2007 through June 30, 2008)
- A-12 Establish date of December 11, 2007, for Annual Organizational Meeting of the Board of Education
- A-13 Deny Claim for Damages to person or property – Ramona Mateo
- A-14 Resolution authorizing the Superintendent to sign required assurances with the San Joaquin Valley Unified Air Pollution Control District

- A-15 Addendum to Agreement between BCSD and the University of LaVerne regarding student teacher assessment
- A-16 Contract with Community Matters for the Safe Schools/Healthy Students Initiative (December 11, 2007 – December 14, 2007)
- B-1 Payment of warrants to vendors for the period November 28, 2007, through December 11, 2007
- B-2 Agreement for Consulting Services with Total School Solutions to Conduct Justification studies for Level 1 and Level 2 Developer Fees (November 28, 2007 through February 1, 2008)
- B-3 Resolution in Support of Applications for Eligibility Determination and Funding under the School Facility Program
- C-1 Use of the Education Center Auditorium on Sunday, January 6, 2008, by Jerusalem Mission Church
- C-2 Request to File a Notice of Completion for the Project: Asphalt Work at Various School Sites within the District
- C-3 Request to File a Notice of Completion for the Project: New Stage and Multipurpose Flooring Work at Stiern Middle School
- C-4 Request to File a Notice of Completion for the Project: Relocation of Two District Owned Classrooms at Chavez Elementary School – Phase II
- C-5 Request to File a Notice of Completion for the Project: New Relocatable Classroom at Chavez Elementary School – Phase II
- C-6 Request to File a Notice of Completion for the Project: New Relocatable Preschool Building at Roosevelt Elementary School
- C-7 Request to File a Notice of Completion for the Project: New Relocatable Preschool Building at Evergreen Elementary School
- C-8 Request to File a Notice of Completion for the Project: Painting Work at Various School Sites within the District
- C-9 Agreement with Golden State Labor Compliance, LLC, for Third-Party Labor Compliance Services for the Curran Middle School Modernization
- D-1 Request to Advertise for Bids – School /Office Supplies
- D-2 Award Bid for E-Rate Wireless LAN Upgrade to MTM Technologies

- E-3 Amendment to the Contract of the Assistant Superintendent of Instructional Support Services to extend the term through June 30, 2009
- E-4 Resolution to assign teachers with their consent to teach subjects in which they have completed the necessary coursework, in accordance with the provisions of Education Code Section 44256(b)
- E-5 Resolution to assign teachers with their consent to teach subjects in which they have completed the necessary coursework, in accordance with the provisions of Title 5 Regulations Section 80021 and 80021.1
- E-6 Business, conference and workshop travel by Board of Education members, superintendent and assistant superintendents
- E-7 Memorandum of Understanding between the Bakersfield City School District and the California School Employees Association, Chapter #48 Regarding Donation of Sick Leave for an employee at the Ed Center
- E-8 Memorandum of Understanding between the Bakersfield City School District and the California School Employees Association, Chapter #48 Regarding Donation of Sick Leave for an employee at Rafer Johnson
- F-1 Administrative Hearing Panel action
- F-2 Interdistrict Agreements for Attendance
- G-1 The Princeton Review – NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-2 VETO’S – A Teacher Promoting Successful Learning in the Community Program (TLC) - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-3 A+ Educational Center - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-4 Ace Tutoring Services, Inc. - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)

- G-5 Bright Sky Learning, LLC - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-6 Carney Educational Services - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-7 Central Valley Communities for Children AmeriCorps Program - Kern County Superintendent of Schools - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-8 Club Z! In Home Tutoring Services - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-9 Smart Kids Tutoring & Learning Centers, Inc. - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-10 Education Station - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-11 Professional Tutors of America - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-12 Extreme Learning, Inc. - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-13 Studentnest.com - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-14 Catapult Online - NCLB Independent Contractor Agreement to provide Supplemental Educational Services (November 27, 2007 through June 30, 2008)
- G-15 Agreement with Houghton Mifflin Company for Early Growth Indicator Assessment Book Professional Development Training Services (November 28, 2007 through June 30, 2008)
- G-16 2007-2008 School Site Plans for the Consolidated Application for Funds for Educational Programs
- G-17 Art and Music Block Grant Resolution in support of creating a District Budget for SB77 Funding Priorities

G-18 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.

Adjournment:
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On motion by Mr. Van Horne, seconded by Mr. Tate, it was ordered by the affirmative vote of the members present that the meeting be adjourned.

The meeting adjourned at 6:57 p.m.

The next regular meeting of the Board of Education will be held on Tuesday, December 11, 2007.

ATTEST:
MR. MICHAEL D. LINGO
SUPERINTENDENT OF SCHOOLS

Clerk

ML/ld