

BAKERSFIELD CITY SCHOOL DISTRICT

Minutes of the Regular Meeting of the Board of Education, Tuesday, April 27, 2010  
Education Center - 1300 Baker Street, Bakersfield, California

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Regular Session: The regular session of the Board of Education was called to order at 5:30 p.m. by President Tafoya.

Members Present: The following members were present:

Ms. DeWalt  
Mr. McDougale  
Mrs. Tafoya  
Mr. Tate  
Mr. Van Horne (arrived at 5:35 p.m.)

Also present:

Mr. Lingo, Superintendent  
Dr. Jones, Asst. Supt., Academic Accountability and Improvement  
Mr. McClain, Chief Business Official  
Mrs. Goodspeed, Director, Personnel Services  
Mr. Ranes, Director, Instructional Support Services  
Mrs. Driskill, Administrative Assistant

Hearings: >> No one addressed the Board at this time.

Recessed to Closed Session: On motion by Ms. DeWalt, seconded by Mr. McDougale, 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 5:35 to 6:27 p.m. for the purpose of the following:

- Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.
- Conference with Labor Negotiators, Michael Lingo and Tim Fulenwider, 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).

- Conference with Legal Counsel – Anticipated Litigation (Significant exposure to litigation pursuant to Government Code Section 54956.9 (b): 1 potential case.
- Public Employee Performance Evaluation, pursuant to Government Code Section 54957: Superintendent

Reconvened to Regular Session: 40

On motion by Ms. DeWalt, seconded by Mr. McDougle, 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 6:30 p.m.

Pledge to Flag:

The Pledge of Allegiance was led by Margaret Gallegos, Director of Learning Support.

Approval of Minutes: 41

On motion by Mr. Van Horne, seconded by Ms. DeWalt, it was ordered by the affirmative vote of the members present that the minutes of March 23, 2010, be approved.

Hearings:

- >> Jeremy Wright thanked the Board and the District for a job well done. He attended Pauly and Emerson Schools and the Bessie Owens Gate Program and noted several teachers who didn't give up him. He credited education as being the great equalizer that gave him the confidence to be where he is today.
- >> Pastor Victor Perez noted several concerns regarding Jane Street, an unpaved road next to Pioneer Drive School. He asked the Board to release the funds necessary to pave the road so that the County can put in sidewalks for students who walk to school.
- >> Alicia Rizo stated that she is representing the residents of Jane Street to request that the Board give permission for the County to put in sidewalks and pave Jane Street, which is next to Pioneer Drive School. She said this is the second request since 2005, and it will not cost the district any money, but the County needs the District's permission to pave the road.
- >> Alice Watkins, teacher at Nichols School, asked the Board to treat her fairly and with equality and offer her the same PARS retirement benefit that regular education teachers were offered.
- >> Pastor Oscar Anthony asked the Board if the rumor that Ms. Johnson is being moved to another school is true and if so, why. He said, if your goal is to enhance community involvement and trust, then why does it appear when a leader performs beyond a standard, they are penalized or punished instead of embraced and used as a model or an example to help other

schools reach their goals. He asked Mr. Lingo to set up a series of community meetings so that several issues in this school district could be addressed.

- >> Sara Abromaitis noted that she has 23 years of service with the District and holds both a regular education and special education credential. She asked the Board to reconsider their decision not to offer her the PARS retirement incentive.
- >> Pam Baugher, retired teacher, noted a concern that Nichols School Site Council put a couple of positions in their budget for this school year that were not filled; however, when the school went to purchase supplies with these funds this spring, they were told they couldn't because the funding had been swept into the general fund. She said, if the district is not filling positions because funding is only available for a year, then people are being denied one school year's worth of income. She also said, if it is the District's practice not to fill these positions, then the District should let the school site council know in time so they can decide how these funds are spent. Pam also said she hopes the District offers the retirement incentive equally because it is not right to discriminate.
- >> Lyn Williams, CSEA President, asked the Board to carefully consider the 111 classified positions that are on the agenda to be eliminated to make sure these cuts really need to be made. She asked the Board to consider the impact on our children and to think about who is going to do the work of those who are being laid off.
- >> Brad Barnes, BETA President, noted a resolution was not included in the Board Agenda Packet for Action Item A-1 and asked when the public was going to have an opportunity to review it. He also asked the Board to include the four special educators who he claimed have been unfairly excluded from the PARS retirement incentive.
- >> Lyn Williams, CSEA President, also noted that the public has not had an opportunity to view the resolution in Action Item A-1 and CSEA is concerned that the Board is taking action on an item that has not been made public.

Mrs. Tafoya thanked all the speakers. She said staff would respond to each of their concerns.

Comments of  
Board Members  
and Staff:

Mr. McDougle

-thanked the District for allowing him to attend the Title I Academic Achievement Award Ceremony where two of our schools: Franklin and Chavez were honored.

-thanked Mike Stone for another outstanding art exhibit.

-thanked all the people who worked so hard to make the first Hall of Fame a success.

-noted there was a resolution that was passed last meeting to conduct flu clinics, and he said he has heard the clinics have been successful. He suggested that the District send a letter to the Kern County Department of Health Services thanking them for their support.

-reported that the bond committee met recently and they are doing an excellent job of overseeing the work on our schools.

Mr. Van Horne

-noted there are many events each spring and once again, the District had a very successful track meet at Bakersfield College.

-thanked Mrs. Beed and Mrs. Jennings for inviting him to the Father/Son banquet again this year.

-thanked all the staff for all the work on the Hall of Fame Banquet.

Ms. DeWalt

-commended Brenda Robinson for her leadership and Lori Preskitt for being named Food for Thought: School Service Hero for her work in getting children to eat fresh vegetables.

-thanked Mike Stone and his staff for the art exhibit and everyone who worked on the Hall of Fame.

Mrs. Tafoya

-also thanked Lori Preskitt for her work at Downtown School and for being named the Food Service Hero.

-noted that she was pleased to hear that Billie Jo Medders and her grandson were in attendance at the District's track meet to present the award for the top male and female athletes.

-noted that the Title I Achievement Award Banquet was awesome and she was proud of the staff at Franklin and Chavez Schools.

-echoed the words of praise for everyone who worked on the Hall of Fame and said it was a nice cross section of people in the community.

-thanked Lyn Williams for her recent letter and said she appreciated the suggestions regarding cut backs.

Mr. Lingo

-noted that it was been a busy week full of events. He was in Anaheim on Wednesday for the Title I Academic Achievement Awards event for Franklin and Chavez School. Thursday evening was the District track meet and Saturday evening was the first Annual Hall of Fame Dinner and all of the events went very well. Mr. Lingo stated that after the Board meeting this evening, the touch screen on the Hall of Fame display in the lobby will be activated and the lights will be on for everyone to view.

-stated that he listened to and appreciated all the heartfelt comments this evening. This school district has lost \$25 million over the last few years, and it is very difficult to absorb that kind of loss and still operate. He noted that other districts throughout the state are facing similar circumstances and in San Juan Capistrano, they have asked their employees to take a 10% cut; we however, have never asked our employees to do that.

Report No. 1  
Report for Williams  
Lawsuit Settlement

The Kern County Superintendent of Schools Office prepared a report for the Board's information, which summarizes the results of the Williams site visits and documentation reviews for the period January through March 2010.

Report No. 2  
Williams Act  
Complaints

A quarterly report on Williams Act Complaints was submitted for the Board's information and review. The report showed no complaints filed for the period January 1 through March 31, 2010.

Report No. A-1  
Resolution to  
Change Board  
Election System  
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On motion by Mr. Van Horne, seconded by Ms. DeWalt, it was ordered by the affirmative vote of the members present that the Resolution to Initiate a Change of Its Election System to By-Trustee Area Elections for the 2012 Governing Board Election, be adopted. Copy of Report No. A-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-1  
Approved  
Certificated  
Personnel  
Report:  
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On motion by Mr. Tate, seconded by Mr. McDougale, it was ordered by the affirmative vote of the members present that the Personnel Report and Supplement Nos. 1 and 2 covering employments, cooperating teachers, cooperating counselors, changes, resignations, retirements, separations, 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

On motion by Mr. Tate, seconded by Mr. McDougale, it was ordered by the affirmative vote of the members present that the Personnel Report covering Supplement No. 1, employments, dismissals, terminations, changes, resignations, retirements, separations, and extra-time for

Report: classified employees be approved. Copy of Report No. E-2 in the minutes  
44 file is hereby made a part of the minutes of this meeting by reference as if  
fully set forth herein.

Report No. E-3 A public hearing was held at 7:18 p.m. to receive public comment  
Public Hearing regarding the agreement summary between the BCSD and CSEA, Chapter  
Regarding CSEA #48, for the period July 1, 2009, through June 30, 2010, as required by AB  
Agreement 1200. No one addressed the Board at this time.

Report No. E-4 On motion by Mr. Van Horne, seconded by Ms. DeWalt, it was ordered by  
Ratified CSEA the affirmative vote of the members present that the agreement between  
Agreement the BCSD and CSEA, Chapter #48, signed on March 22, 2010, for the  
45 2009-2010 school year be ratified. Copy of Report No. E-4 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-5 On motion by Mr. Tate, seconded by Ms. DeWalt, it was ordered by the  
Adopted Resolution vote of the members present that the resolution regarding the reduction of  
Reduction of classified services be adopted. Ayes: Ms. DeWalt, Mrs. Tafoya, Mr. Tate  
Classified and Mr. Van Horne. Noes: Mr. McDougle. Absent: None. Copy of  
Services Report No. E-5 in the minutes file is hereby made a part of the minutes of  
46 this meeting by reference as if fully set forth herein.

Approval or On motion by Mr. McDougle, seconded by Mr. Van Horne, it was  
Ratification ordered by the affirmative vote of the members present that the following  
of the Consent reports be approved, adopted or ratified:

Agenda:  
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- A-2 Gifts to Casa Loma, Munsey and Thorner Schools
  - Casa Loma:** books valued at \$375 for the school library from the Bakersfield Republican Women
  - Munsey:** books valued at \$375 for the school library from the Bakersfield Republican Women
  - Thorner:** \$2,046.98 to purchased library books, videos and AR disks from the Thorner Booster Club
- A-3 **Revision** to Policies and Procedures, Section 500.53, Teacher Qualifications under the No Child Left Behind Act, ***approved as a first reading on March 23, 2010***
- A-4 Short-term Consultant Services
- A-5 Agreement with Fresno Pacific University for the Provision of Instructional Programs for the Pupil Personnel Services and School Psychology (March 15, 2010, through June 30, 2014)

- A-6 Agreement for Professional Services with Infinity Communications and Consulting, Inc., to provide E-Rate Consulting Services (April 28, 2010, through June 30, 2014)
- A-7 Memorandum of Understanding between the Kern County Superintendent of Schools and Bakersfield City School District, Migrant Education, Region 21 for the California Migrant Education Regional Directors' Council Consortium
- B-1 Payments of warrants to vendors for the period April 28, 2010, through May 25, 2010
- B-2 Budget Revision for 2009-2010
- B-3 Request to Advertise Bank Deposit Service Bid for the 2010-11 through the 2012-13 school years
- C-1 Ratification of Contracts processed under the California Uniform Public Construction Cost Accounting Act from February 24 through April 15, 2010
- C-2 Request to Award Contract for the Fremont School – Site Improvements to 7 Permanent Modular Classrooms in the amount of \$484,500 to JTS Construction, the lowest responsible bidder
- C-3 Request to Approve Change Order No. 5 in the amount of \$13,201.97 to Tumblin Company for the Evergreen School Permanent Modular Classrooms Project – Phase II, Bid Package No. 1
- C-4 Request to Approve Change Order No. 1 in the amount of \$1,123 to JTS Construction for the Munsey School – Site Improvements for 9 Permanent Modular Classroom and one Restroom Project
- C-5 Request to Approve Change Orders from individual contractors in the amount of \$15,512.60 as summarized in Ordiz-Melby Architect's Change Order CO-E for the Curran Middle School Modernization Phase II
- C-6 Request to File a Notice of Completion for the Chipman Junior High School Modernization
- C-7 Request to File a Notice of Completion for the Evergreen School Permanent Modular Classroom Project – Phase III

- D-1 Request to Participate in the Southwest Transportation Agency Cooperative Bid for school buses, awarded to Creative Bus Sales in Chino, CA
- D-2 Request to Participate in the PEPPM National Contract Program for Supplies and Equipment as approved by the Kern County Superintendent of Schools
- D-3 Request to Advertise Dairy Products and Related Items Bid for the 2010-2011 School Year
- D-4 Request to Advertise Bakery Products and Related Items Bid for the 2010-2011 School Year
- D-5 Request to Advertise for Bids for Various School/Office Supplies
- D-6 Request to Advertise for Bids for Paper Products
- D-7 Request to Advertise for Bids for Toner, Ink Cartridges and Printer Supplies for the 2010-11 Fiscal Year
- D-8 Maintenance and Support Agreement between Bakersfield City School District and ESchool Solutions, Inc. for SmartFind Express - Substitute Calling System (October 1, 2010, through September 30, 2011)
- D-9 Food Service Agreement between the Bakersfield City School District and Our Lady of Guadalupe School for the 2010-11 School Year
- E-6 Employment of Substitute Teachers on CBEST Waivers for the 2010-11 School Year
- E-7 Variable Term Waiver to assign teachers with their consent to teach out of their credentialed area, in accordance with the provisions of Education Code 44252(b) CBEST for a credential or permit
- E-8 Memorandum of Understanding between the Bakersfield City School District and the California School Employees Association, Chapter #48, regarding the Summer Hours Pilot Program (June 14 through July 30, 2010)
- E-9 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 in

the Purchasing Department

- E-10 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 in the Transportation Department
- E-11 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 in the Transportation Department
- E-12 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 in the Transportation Department
- E-13 Memorandum of Understanding between the Bakersfield City School District and the Bakersfield Elementary Teachers Association regarding the donation of sick leave for an employee at Mt. Vernon
- E-14 Memorandum of Understanding between the Bakersfield City School District and the Bakersfield Elementary Teachers Association regarding the donation of sick leave for an employee at Pauly
- E-15 Memorandum of Understanding between the Bakersfield City School District and the Bakersfield Elementary Teachers Association regarding the donation of sick leave for an employee at Roosevelt
- F-1 Administrative Hearing Panel Action
- F-2 Interdistrict Agreement for Attendance
- G-1 Agreement with Action Learning Systems to provide instructional materials professional development training (June 1 through August 31, 2010)
- G-2 School Site Plans, 2009-2010 Categorical Budget Revisions for the 2010-11 School Year
- G-3 English Language Acquisition Program Acceptance of Conditions and Program Assurances for the Application for Funding for the Fiscal Year 2010-11

G-4 Memorandum of Understanding with Butte County of Education - California Mini-Corps for placement of tutors during regular summer school for BCSD Migrant students (June 14 - July 15, 2010)

G-5 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 Ms. DeWalt, seconded by Mr. Van Horne, it was ordered by the affirmative vote of the members present that the meeting be adjourned.

The meeting adjourned at 7:25 p.m.

The next regular meeting of the Board of Education will be held on Tuesday, May 25, 2010.

ATTEST:  
MR. MICHAEL D. LINGO  
SUPERINTENDENT OF SCHOOLS

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Clerk

ML/ld