

BAKERSFIELD CITY SCHOOL DISTRICT

Minutes of the Regular Meeting of the Board of Education, Tuesday, May 25, 2010
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 Tafoya.

Members Present: The following members were present:

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

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 Mr. Van Horne, seconded by Mr. McDougle, 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 6:03 to 6:33 p.m. for the purpose of the following:

- Public Employee Discipline/Dismissal/Release, pursuant to Government Code Section 54957.
- Public Employee Appointment, Titles: Assistant Superintendent, Academic Improvement and Accountability; Director, Learning Support; and Principal, 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).

Reconvened to Regular Session: 56 On motion by Ms. DeWalt, seconded by Mr. McDougale, 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 7:34 p.m.

Pledge to Flag: The Pledge of Allegiance was led by Mrs. Kathy Walker, Director, Curriculum and Standards.

Approval of Minutes: 57 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 the April 27 regular meeting and the May 10 special meeting be approved.

Presentations: Mrs. Tafoya and Mr. Lingo recognized:
 Richard Gomez Garcia, Chipman Junior High Student
 Zuset Gomez Garcia, Chipman Junior High Student
 Estela Maria Rangel, Chipman Junior High Student
 Savannah D. Esparza, Compton Junior High Student
 Fidel Carrasco, Sierra Middle School Student
 Tori Rene Gordillo, Stiern Middle School Student
 Patricia Zarco Gomez, Washington Junior High Student
 for their perfect attendance from kindergarten through eighth grade.
 Mr. Lingo noted that if these students continue to maintain perfect attendance through the last week of school, they will each be presented with a Certificate of Achievement during their graduation ceremony.

Mrs. Tafoya and Mr. Lingo presented certificates of service to certificated and classified employees who have served the district for 25 and 35 years.

Hearings: >> Michelle Johnson, 2nd Vice President of BETA, addressed the Board in response to a letter sent on April 13, 2010, from the Superintendent to the BETA President requesting that BETA follow the District's Board Policy 500.21 regarding internet usage.

>> Sam Hernandez, Chief Job Steward and Acting President for CSEA Chapter 48, discussed the Youth Services Specialist Job Description which requires a current Activity Supervisor Clearance Certificate. He said this amounts to a background check and fingerprint, and CSEA feels that this requirement has already been met and would like to negotiate this requirement.

- >> Alice Dian Watkins, Special Education Teacher, stated her concerns that special education teachers and students are not treated fairly in the District compared to regular education students and teachers. She noted concerns regarding curriculum for special education classes and again asked the Board to offer the retirement incentive to the four special education teachers who have requested it.
- >> Betty Hollinquest, Casa Loma Parent, addressed the Board regarding a rumor that Casa Loma Principal Gwen Johnson may be moved from the school and asked the Board if they could keep Mrs. Johnson as principal at Casa Loma School.
- >> Brad Barnes, BETA President, offered his sincere thanks to all the teachers for their hard work and thanked all the paraprofessionals, classified employees, administrators and Board members for their support. He also thanked the administration for keeping the BCSD from sinking due to budget cuts and for providing BETA members with a fair contract. Mr. Barnes thanked everyone for making the 2009-10 school year one they could all be proud of.

Comments of
Board Members
and Staff:

Mr. Tate

-noted that it has been a very busy month, and he has attended several events including the O.D. Williams and Juliet Thorner Award Programs, the Parent Volunteer Recognition Luncheon, and the retirement dinner. He said that all of these events are done very well and he is proud to be a part of them.

-visited eight junior high/middle schools and was very impressed with all of the campuses, and said they really looked nice.

Mr. McDougle

-echoed Mr. Tate's comments regarding all of the wonderful events.

-commended Tim Fulenwider for doing a fine job as master of ceremonies of the O.D. Williams; Valerie Saylor and Cassandra Baron for the spring Intern Gala; Ruth Van Worth and her staff in Parent Involvement for the Parent Volunteer Awards; Mike Skiba for the Just Say No Rally at Stella Hills; Mike Stone for the Retirement Dinner and Elementary Music Festival; and Ruth Van Worth and Chris Reichert for the GATE Fair.

-noted that Annette Londquist was just elected President of the Community Action Against Alcohol and Drug Abuse.

Mr. Van Horne

-dittoed Brad Barnes' comments and thanked all the students, teachers, staff and administrators for their hard work in making this school year such a success.

Ms. DeWalt

-dittoed all of her fellow Board members' comments and wished everyone a nice summer.

Mrs. Tafoya

-echoed all of her colleagues' comments and thanked Brad Barnes for stating it so well.

-noted that she had the opportunity to listen to four Teachers of the Year from the State of California speak and it was very inspirational because they talked about kids. They mentioned that they didn't have a political affiliation and they didn't have all the other hoops that they needed to jump through and it put things into perspective and made her realize how important it is to keep that focus. She said our District has worked really hard to stay focused, and as we continue that focus to work together to meet that common ground she believes that it can continue to be an even better district. She thanked all of the students, staff, teachers, administrators and her fellow Board members for all the hard work because in spite of all the challenges, it has been a really good year.

-noted that we are going to miss all of the retirees and their dedication to our students.

Mr. Lingo

-responded to Ms. Johnson's comments and explained that internet usage is a difficult thing for any large entity to control when you have so many users. He said he has had an ongoing discussion with BETA for quite a bit of time about the proper use of the internet by employees and union officials as it pertains to the policy of the governing board, and that discussion culminated in an agreement governing internet usage. All of the various emails were sent out to all users; the letter was a reminder that we should follow the Board Policy as well as the collective bargaining agreement and, after the letter was received, BETA did comply with what we had requested and there has not been a problem since.

-commented on some of the events that have been going on around the District and stated that May is a very busy month. The O.D. Williams Award was a wonderful event and it is great to see our young students and their parents fill the entire Stiern Multi-purpose room, and it is also great to see how many of them repeat as they go to high school. He said we saw evidence of that at the Juliet Thorner Awards presented by the ADK

Sorority because that particular award follows the students from the 5th and 6th grades through high school. Mr. Lingo also commended Jim Wooster for the May 7 Coaches' Choice Track Meet; Martha Jackson for the May 18 Just Say No Rally, and noted that 344 people attend this year's Retirement Dinner on May 21.

-reported that we have recalled every one of the laid off teachers and this would not have been possible without the PARS incentive of which he thanked the Board of Education. He also noted that all but four of the twenty-two counselors have jobs, and eight of the classified layoffs have been rescinded, three have been reassigned and one has retired. Mr. Lingo stated that we know this is going to take a while, but we are equally committed to working to find jobs for all of our classified employees knowing full well how difficult the economy is.

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| Report No. 1
PAR Year End
Summary | A report on the Peer Assistance and Review (PAR) Year End Summary was provided for the Board's information. |
| Report No. 2
DELAC
Classroom Visits | A report on the District English Learner Advisory Committee (DELAC) Classroom Visitations Commendations and Recommendations was provided for the Board's information. |
| Report No. B-1
Public Hearing
Proposed
Developer Fees | A public hearing was held at 7:24 p.m. to receive comment regarding the proposed adoption of Resolution XVII to levy and collect Level II/III Developer Fees. No one addressed the Board at this time. |
| Report No. B-2
Adopted
Resolution XVII
Level II/III
Developer Fees
<u>58</u> | On motion by Mr. McDougle, seconded by Ms. DeWalt, it was ordered by the affirmative vote of the members present that the Resolution XVII to levy and collect Level II/III Developer Fees, Adoption of School Facility Fees, be approved. Copy of Report No. B-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-1
Approved
Certificated
Personnel
Report:
<u>59</u> | On motion by Mr. Tate, seconded by Mr. McDougle, it was ordered by the affirmative vote of the members present that the personnel report and Supplements No. 1 and 2 covering employments, 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 | On motion by Mr. Tate, seconded by Mr. McDougle, it was ordered by the affirmative vote of the members present that the personnel report covering employments, dismissals, terminations, changes, resignations, |

Personnel
Report: 60 retirements, separations, 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
BETA for
Bargaining
Reopeners 61 On motion by Mr. Van Horne, seconded by Mr. McDougle, it was ordered by the affirmative vote of the members present that the initial proposals of BETA for bargaining reopeners, pursuant to Article 13 of the current negotiated agreement be received as a matter of record in compliance with Section 3547 of the Governance 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.

Approval or
Ratification
of the Consent
Agenda: 62 On motion by Ms. DeWalt, seconded by Mr. McDougle, it was ordered by the affirmative vote of the members present that the following reports be approved, adopted or ratified:

- A-1 **Revision** to Policies and Procedures, Section 603.16, formerly known as School Intervention Team (SIT) to be changed to Team for Student Success (TSS), *as a first reading*
- A-2 Reject Claim for Damages to Person or Property filed on behalf of Enjolee Sade Dawson
- A-3 Deny Amended Claim for Damages to Person or Property filed on behalf of Robert Melendez
- A-4 Short-term Consultant Services
- A-5 Workers' Compensation Service Contract with SISC (July 1, 2010, through June 30, 2013)
- A-6 Agreement for Professional Services between the Bakersfield City School District and Dannis Woliver & Kelley, Attorneys at Law (July 1, 2010, through June 30, 2011)
- A-7 Agreement with Schools Legal Services for Professional Services for Developer Fees and Other Matters for the 2010-11 School Year
- A-8 Agreement for Employment Entrance Examination Provider with Functional Ergonomics and Irene Sanchez, M.D. for the 2010-11 School Year
- A-9 Agreement for Employment Entrance Examination Provider Services with Central Valley Occupational Medical Group, Inc. for the 2010-11 School Year

- A-10 Memorandum of Understanding between the Kern County Superintendent of Schools and the Bakersfield City School District for Elementary Community School Services for the 2010-11 School Year
- A-11 Agreement for Services with Central Valley Occupational Medical Group, Inc., to conduct the Workers' Compensation Return-to-Work Program for the 2010-11 School Year
- A-12 Agreement regarding Student Teaching between the Bakersfield City School District and California State University, Bakersfield (July 1, 2010, through June 30, 2013)
- A-13 Memorandum of Understanding with Kern High School District/ Bakersfield Adult School to provide services to parents and caregivers of District students (July 1, 2010, through June 30, 2011)
- A-14 Agreement with Elliot Paul Schlang, DDS, Professional Corporation, to provide Oral Health Program to District Students (August 24, 2010, through May 31, 2011)
- A-15 Renewal Agreement with the Kern County Children and Families Commission to provide School Readiness Programs (July 1, 2010, through June 30, 2013)
- A-16 2010-11 Migrant Education Regional Program Application and Service Agreement for Supplemental Services *as corrected*
- A-17 Letter of Understanding between California State University, Bakersfield and Bakersfield City School District for the Summer ELA, Math and ELD Academy (June 7 – August 19, 2010)
- B-3 Payments of warrants to vendors for the period May 26, 2010, through June 22, 2010
- B-4 District Investments and Interest Earnings for the Quarter Ending March 31, 2010
- B-5 Lease Agreement with Community Action Partnership of Kern for Portable Building located at Pauly Elementary School (July 1, 2010, through June 30, 2011)

- B-6 Ground Space Lease Agreements with Community Action Partnership of Kern for “Head Start” Programs at Casa Loma, Franklin, Hills, Johnson Children’s Center, Noble, Pioneer, Roosevelt, Voorhies and Williams Schools (July 1, 2010, through June 30, 2011)
- C-1 Five Year Plan for Deferred Maintenance Program
- C-2 Contract Extension of the Santa Rita Union School District Cooperative Bid for portable classrooms manufactured by American Modular Systems, Inc.
- C-3 Request to Award Contract in the amount of \$2,488,000 to Omega Construction for the Evergreen Elementary School Modernization Project
- C-4 Request to Award Contract in the amount of \$856,000 to Don Kinzel Construction for the College Heights School – Site Improvements for Thirteen Permanent Modular Classrooms and One Permanent Modular Toilet Building Project
- C-5 Request to Award Contract in the amount of \$852,500 to JTS Construction for Twenty Permanent Modular Classrooms at Ramon Garza School Project
- C-6 Request to Award Contract in the amount of \$108,800 to ACT, Inc., for the Evergreen School Modernization – Hazardous Materials Removal and Mitigation Project
- C-7 Request to Approve Change Order No. 2 in the deductive amount of \$4,495 to JTS Construction for the Education Center HVAC and Fire Alarm System Project
- E-4 Memorandum of Understanding between the Bakersfield City School District and the Bakersfield Elementary Teachers Association, signed on April 22, 2010, for the School Improvement Grant and QEIA Summer Professional Development Institute
- F-1 Administrative Hearing Panel Action
- F-2 Interdistrict Agreement for Attendance
- G-1 Supplemental Education Services (SES) Master Independent Contractor Agreement for the 2010-11 School Year

- G-2 Licensing Agreement with Document Tracking Services for the Single School Plan Template (June 1, 2010, through June 1, 2011)
- G-3 Agreement with Action Learning Systems to provide Professional Development for SB 472 English Language Professional Development (June 7-11, 2010)
- G-4 Agreement with Pam Maxwell to provide Physical Therapy Services for the 2010-11 School Year
- G-5 Agreement with Terrio Therapy Fitness Inc., for Nonpublic Agency Services for the 2010-11 School Year
- G-6 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 Ms. DeWalt, it was ordered by the affirmative vote of the members present that the meeting be adjourned.

The meeting adjourned at 7:28 p.m.

The next regular meeting of the Board of Education will be held on Tuesday, June 22, 2010.

ATTEST:
MR. MICHAEL D. LINGO
SUPERINTENDENT OF SCHOOLS

Clerk

ML/ld