



ELK HILLS SCHOOL DISTRICT

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Jeff Tensley
Superintendent

Welcome!

Audience members desiring to address the Board on any item on the agenda are asked to raise their hand at the time the item is up for discussion. When recognized by the Board President, stand in place or move to the podium and state your name for the record. For items not on the agenda, audience members may address the Board during "public comments." Each speaker will have three (3) minutes to address the Board during "public comments." Please understand that the Board does not take action on non-agendized items. Please note: Board of Education meetings may be electronically recorded. The Board fully complies with all American with Disabilities Act's requirements. Anyone needing special accommodation may contact the Superintendent's office, 661/765-7431, 48 hours prior to the meeting date.

Thank you for your interest in the education of our students.

BOARD OF TRUSTEES REGULAR MEETING MINUTES

December 13, 2011
District Office Board Room
9:00 a.m.

1.0 PRELIMINARY:

1.1 Call to order : Time 9:00 a.m.	Present	Absent
<u>Governing Board Members</u>		
Curt Stephens, President	__X__	___
Debra Howard, Clerk	__X__	___
Brenda Bennett, Member	__X__	___
<u>Staff Members</u>		
Jeff Tensely, Superintendent/Principal	__X__	___
Lenetta Cloud, Secretary to the Superintendent	__X__	___
1.2 Pledge of Allegiance ~ Board President Stephens led the flag salute.		
1.3 Adoption of Agenda		

This item is provided as an opportunity for trustees, through consensus, to approve, re-sequence or table agenda topics.

Board President made the suggestion to move 6.3 to follow 2.0 (as item 2.1) to accommodate the KCSOS visitors time-allowance.

Motion: Bennett / Second: Howard / Ayes: 3 / Nays: 0 / Abstain: 0

1.4 **Closed Session:** The Board will go into a brief Closed Session to be advised of what will take place during open session presentation Agenda # 6.3

TIME/Closed: 9:01

TIME/Open: 9:09

REPORT FROM CLOSED SESSION:

Board president will report any action taken in the closed session.

TIME: 9:09

Reportable Action Taken: No Reportable Action Taken

2.0 PUBLIC COMMENTS:

Those in the audience desiring to address the Board regarding items not on the agenda may do so at this time. Each speaker will have three (3) minutes to address the Board and make a brief statement, express his/her viewpoint, or ask a question regarding matters related to the school system. Please understand that the Board does not take action on non-agendized items.

- 1.) Russ Bigler from KCSOS, on behalf of the Kern County Grand Jury, questioned Board President Stephens, and Board Member Bennett in regards to their actual home addresses, and if they did or did not live in the Elk Hills School District Boundaries. Current addresses for both board members were verbally reported to Mr. Bigler.
- 2.) Local family member B. Mora advised the Board of a recent incident regarding her grandson in the classroom, Superintendent Tensely thanked her for her input and advised this situation will be handled through proper channels within Ed Code Policies.

2.1 (6.3) Presentation / "At Large" and "By-Trustee Area" Election Systems for School Board Elections/California Voting Rights Act: Supplement

The Board received information from the 2010 Census and discussed a possible alternative election system. A representative from Schools Legal Service (Mr. Hornback) supplied verbal and visual back-up information.

****SEE ATTACHED DETAILED MINUTES VERBIAGE.**

A Public Hearing will be held on January 17th, 2012 in order for the board to publically vote on which election system they will enact.

3.0 REPORTS/PRESENTATIONS:

These items are informational reports or public presentations and in many cases will highlight district and student events and successes.

3.1 Superintendents Report

- 3.1.1 Enrollment Update ~ 201 current enrollment @ 94% ADA
- 3.1.2 Inter-district Transfer Update
- 3.1.3 December 2nd, Small Schools Christmas Dance Update
- 3.1.4 December Event Calendar/Supplement
- 3.1.5 November/December Learning Trips Update
- 3.1.6 CSBA Convention in San Diego Update
- 3.1.7 December 20th – Evening Holiday Program/Supplement
- 3.1.8 January Event Calendar/Supplement at Meeting

Superintendent Tensely Thanked Parent Mrs. Lemmons for her assistance during the health program.

4.0 BUSINESS/FACILITIES/PERSONNEL ITEMS:

These items are provided for Board information, discussion, and/or action.

4.1 District Budget Report, First Interim /Supplement:

Supt. Tensley and Debbie Riedmiller from KCSOS have developed the First Interim Budget Report. The Board discussed and approved the Positive Certification for the First Interim Financial Report. The supplement contains selected pages from the full document. The full document is available for review upon request. The superintendent is recommending a positive certification for this year.

Motion to approve and accept 1st Interim Document as presented:

Motion: Bennett / Second: Howard / Ayes: 3 / Nays: 0 / Abstain 0

4.2 CSBA Sample/Board Policy BP 5030 Student Wellness Update/Supplement:

CBSA has updated their Student Wellness Policy to include “The Healthy, Hunger-Free Kids Act of 2010” The Sample Policy is included in the board packet, along with the current EHSD BP 5030, for review and discussion. District administration recommends updating our current policy to include “The Healthy, Hunger-Free Kids Act of 2010” as written in the sample policy.

Motion to approve & update changes as presented:

Motion: Stephens / Second: Bennett / Ayes: 3 / Nays: 0 / Abstain: 0

4.3 Contingency Tax Liability/Board Resolution #5 2011-2012 / Supplement:

The Board discussed, considered & passed Board Resolution #5 2011-2012 authorizing the impound of local tax revenues in the amount of \$30,064.92 by Kern County Auditor-Controllers Office.

Motion: Stephens / Second: Howard / Ayes: 3 / Nays: 0 / Abstain: 0

ROLL CALL VOTE: Stephens: AYE / Bennett: AYE / Howard: AYE

5.0 INSTRUCTIONAL AND GENERAL ITEMS:

These items are provided for Board information, discussion, and/or action.

5.1 Graduation Caps/Gowns ~ Supplement: With the increase in student population, the Board discussed and decided not to charge a fee for the 8th Grade Graduation Caps/Gowns. This years’ estimated expense is approximately \$236 (minimum 20 units). Which is approximately \$12 per student.

Motion was made for the District to absorb the entire expense, but to only allow the Graduates to keep the cap & tassel, but not the gown. Gowns will be stored for annual re-use.

Motion: Bennett / Second: Howard / Ayes: 3 / Nays: 0 Abstain: 0

6.0 BOARD TOPICS AND ORGANIZATIONAL ITEMS:

These items are provided for Board information, discussion, and/or action.

6.1 Annual Organizational Meeting of School Boards/Supplement:

The Board set the Annual Board Organizational Meeting for Dec. 13, 2011 per Board Bylaws 9100.

6.1.1 -Election of Officers /Supplements

6.1.1a Election of Board President: The Board of Education elected a Board President, per Board Policy 9121, from among its members to provide leadership on behalf of the Board and community it serves.

Nomination for President: Curt Stephens

Motion: Bennett / Second: Howard / Ayes: 2 / Nays: 0 / Abstain: 1 (Stephens)

6.1.1b Election of Board Clerk: The Board of Education elected a Board Clerk from among its members to provide service to the Board per Board Policy 9123.

Nomination for Clerk: Brenda Bennett

Motion: Howard / Second: Stephens / Ayes: 2 / Nays: 0 / Abstain: 1 (Bennett)

6.1.1c Designate Trustee Representative for the Kern County Committee on School District Organization. Per Board Policy 9140, the Board of Education designated, from among its members, a trustee representative for the Kern County Committee on School District Organization.

Nomination for Representative: Curt Stephens

Motion: Bennett / Second: Howard / Ayes: 2 / Nays: 0 / Abstain: 1 (Stephens)

6.1.2 -Appoint Supt. as Board. Secretary: / Supplement

Per Board Policy 9122, it was recommended & approved by the Board of Education to appoint Superintendent Jeff Tensley as Board Secretary to support the Board of Education.

Motion: Howard / Second: Bennett / Ayes: 3 / Nays: 0 / Abstain: 0

6.1.3 -Board. Mtg./Dates/Times /Location: Supplement

The Board set the dates, times, and location for Board Meetings per Board Policy 9320, as follows:

Day of the Month: Second Tuesday Monthly

Meeting Start Time: 9:00 a.m.

Location: 501 Kern Street / EHSD Campus Board Room

Motion: Howard / Second: Stephens / Ayes: 3 / Nays: 0 / Abstain: 0

6.2 January Board Meeting Date/Time**: Due to the holiday recess time restrictions, District Administration recommended postponing the January 10th Board Meeting to January 24th.

After discussion, the Board selected the next regular meeting date as January 17th @ 9:00

Motion: Howard / Second: Bennett / Ayes: 3 / Nays: 0 / Abstain: 0

7.0 CONSENT AGENDA: (CONSIDERATION FOR ACTION-ONE MOTION AND VOTE WILL ENACT ALL CONSENT AGENDA ITEMS)

All matters listed under Consent Agenda are considered to be routine or sufficiently supported by prior or accompanying reference materials and information as to not require additional discussion. **A motion as referenced below will enact all items.** There will be no separate discussion of these items prior to the time the Board of Education votes on the motion unless members of the Board, staff or public request specific items to be removed from the Consent Agenda for separate consideration for action.

7.1 Board Meeting Minutes – Approval of Board Minutes from November 8, 2011
Regular Board Meeting/Supplement

7.2 District Payroll Orders/Supplement @ mtng (Mid B:)

- November 15, 2011 for \$ 6,255.36
- November 30, 2011 for \$65,841.09

7.3 Commercial Warrants/Supplements:

- Batch #9 for \$18,426.95
- Batch #10 for \$ 5,134.80
- Batch #11 for \$11,616.54

Motion to approve 7.1 – 7.3: Stephens / Second: Howard / Ayes: 3 / Nays: 0 / Abstain: 0

8.0 BOARD REPORTS AND ORGANIZATIONAL ITEMS:

This item is provided as an opportunity for trustees to give district related reports and board activities.

8.1 Board President Stephens reported on the CSBA Conference he attended in San Diego.

9.0 CLOSED SESSION (AS NEEDED):

The Board may adjourn to closed session to discuss matters of personnel, security, negotiations, student discipline, litigation, or other matters as authorized by Government Code Sections 35157, 54956.6, 54956.8, 54956.9, 54957, 54957.6, 54957.10 and Education Code Sections 35136, 48912, and 48918.

TIME/Closed: 10:38

TIME/Open: 12:19

9.1 Conference with Legal Council – Anticipated Litigation/Significant exposure to litigation pursuant to government code section 54956.9 subdivision (b)

9.2 Conference with Labor Negotiators / Pursuant to Gov. Code §54957.6, the Board may meet with strict labor representative, Mr. Tensley.

10.0 REPORT FROM CLOSED SESSION (AS NEEDED):

Board president will report any action taken in the closed session.

TIME: 12:20

Reportable Action Taken: NONE

11.0 ADJOURNMENT:

The next regular Board meeting is scheduled for **January 17, 2012 @ 9:00 a.m.****

TIME: 12:20 p.m.

Motion: Stephens / Second: Bennett / Ayes: 3 / Nays: 0 Abstain: 0

Board Clerk or President: *J.C. Stephens* Date: *1-12-12*

Superintendent: *J.F. [Signature]* Date: *1/12/12*

**PROPOSED LANGUAGE FOR MINUTES – ELK HILLS SCHOOL DISTRICT
December 13, 2011**

b.3
2.1 Add'l
minutes
verbiage

William Hornback of Schools Legal Service gave a presentation on updated demographics for the district, including information from the 2010 census.

Mr. Hornback noted that the Board of Trustees adopted Resolution #4-2010-2011 on November 9, 2010, calling for review of 2010 census data and the evaluation of possible alternative election systems. He distributed demographics information from the 2010 census and other sources for voter registration and participation data. Informational materials summarizing the data were made available to the public.

Mr. Hornback noted the total population in the district has declined from 350 in 2000 to 277 in 2010, a decrease of about 21 percent. The largest minority group in the district remains Hispanic, representing about 30.3 percent of the population, up from 22 percent in 2000. African-American residents account for 1.1 percent of the district's total population and Native Americans account for another 5.1 percent. Residents who classified themselves as "Non-Hispanic White" accounted for 63.2 percent of the total population in 2010. 2010 Hispanic voting age population was 26.1 percent of total voting age population in the district. Hispanic citizen voting age population increased from 14.6 percent in 2006-2008 to 23.6-26.8 percent in 2010 according to the American Community Survey and Census Special Tabulation. Mr. Hornback noted that data indicates an increase in Hispanic electoral participation. Registration data indicated 6.7 percent of registered voters in the district had Spanish surnames in 2008, in comparison with 8.9 percent in 2010. Voters with Spanish surnames accounted for 7.9 percent of the voters in 2008, in comparison with 10.5 percent of voters in 2010.

Mr. Hornback indicated that the district has had only one Hispanic representative on the Board of Trustees since 1994 and that was accomplished by appointment. A review of contested elections from 1994 to 2010 showed that for 12 vacant seats, there were no Hispanic candidates and the district needed to appoint board members three times since 2000. Difficulty in finding qualified candidates contributed to a reduction from five to three trustees around 1999. Two current members ran uncontested in the last two elections. Mr. Hornback indicated that data shows the district is too small to generate any statistics reflecting any Racially Polarized Voting.

Mr. Hornback reviewed some potentially relevant advantages and disadvantages of the current at-large system versus a "by-trustee area" election system:

1. A trustee's representation in an at-large system is not confined to just his/her trustee area, so that all trustees must consider the good of the entire district. On the other hand, if a district is very large, it may be difficult for trustees and candidates to get to know their district-wide constituencies. It can also be more expensive and time-consuming for candidates to campaign.
2. With a "by-trustee area" system, voters may feel more connected because their geographical area has its "own" representative that they alone elected. However, there may be a tendency to give priority to issues impacting only a trustee's particular trustee area or the schools located within it. If board members focus only on the constituencies who elect them, this can preclude a broader policy perspective and interfere with a willingness to cooperate to achieve common goals, which can impact student achievement. This can also impact board cohesiveness and productivity in general.
3. An at-large system allows for a larger candidate pool, allowing voters to choose (or the board in the case of a vacancy) from a broader base of candidates and to support candidates from outside the immediate area where they live.
4. Where the board is already broadly representative of various school district communities of interest, including racial and ethnic minorities, there may be no need to move away from the at-large election system. On the other hand,

where the school board is not broadly representative of various school district communities of interest, the election system may be contributing to fewer opportunities for minorities to elect representatives of their choice.

5. In an at-large system, each voter has an equal influence in elections and can vote for any of the candidates running. In a by-trustee area system, the influence of voters may vary depending on the number of registered voters within a trustee area. The result can be that voters in trustee areas with smaller numbers of registered voters have more influence than in areas with higher voter registration rates.
6. Given the demographics of the district and its electoral history, a strong case can be made that Hispanic voters have more than sufficient voting strength in the district to elect their candidates of choice. However, an at-large system can still be subject to a claim under the California Voting Rights Act.
7. In a single-member by-trustee area system, voters get to vote on board candidates only once every four years, since they only vote for candidates running in the trustee area where the voter resides. In an at-large system, voters get to vote for board candidates every two years, regardless of where they live.
8. Where minority groups are under-represented on the board, "by-trustee area" elections MAY provide more opportunities for minorities to elect representatives of their choice. However, the system may also result in discouraging qualified candidates who might draw support from all areas of the district but do not have a constituency within their particular trustee area.

The trustees noted that no public concerns have been expressed in the recent past alleging that the at-large electoral system is in any way unfair. Superintendent Tensley confirmed that no demand letters seeking a change in the electoral system have been filed with the superintendent's office.

The board further discussed the pros and cons of a change in election system.

- Candidates currently can draw support from all parts of the district. The main residential area of the district is very small, only a few streets, and the board believes Hispanic voters are spread throughout the area, not concentrated in any one part of the community. The board feels that moving to by-trustee areas would further reduce the available candidate pools, to the detriment of the district and to any minority candidate whose support would be reduced by dividing the population into areas.
- The board feels the small size of the district makes it easy and inexpensive to run for office, and that it is important in such a small district that voters get to vote for each election rather than only once every four years.
- Mr. Hornback asked the trustees whether they felt that the size of the district could present an obstacle in running for the board. The trustees noted that the extremely small size of the district is such that size would not present an obstacle in running for the board, that campaigning throughout the district is not difficult, indicating that it is possible to walk the precincts and not necessary to spend significant amounts of money to campaign in the district.
- All board members expressed that the ability to vote on all school board seats every two years under the at-large system benefits the district and community more than the alternative of voting only once every four years within individual election areas.
- Board members did not believe that dividing into election areas would help minorities better elect their candidates of choice.

In light of the information presented, the trustees noted that it was not clear to them that a change in electoral system would be beneficial to the district at this time or would significantly increase the voting strength of minority voters in the district. Hispanic voters seem to be able to make their choices for school board members. By consensus, the board members expressed that their preferred approach would be to maintain the current at-large election system

for now, while continuing to watch for changes in district demographics and other factors which might make a by-trustee area election system more beneficial for the district and its students. Mr. Stevens asked Mr. Hornback to bring back a resolution expressing the board's intention to hold off on changing election systems for now, to monitor pending and new developments, including the 2020 census, and indicated that a public hearing will be set for public comment on the issue.