



## KERN HIGH SCHOOL DISTRICT

5801 Sundale Avenue  
Bakersfield, CA 93309-2924  
(661) 827-3154 FAX: (661) 827-3301

# BOARD OF TRUSTEES

Regular Meeting  
May 5, 2008

## OFFICIAL MINUTES

### PRELIMINARY

#### Call to Order

The May 5, 2008 Regular Meeting of the Board of Trustees of the Kern High School District was called to order at 6:20 p.m. by Board President, J. Bryan Batey, in Conference Room 'A' of the Administrative and Support Services Office, Kern High School District, 5801 Sundale Avenue, Bakersfield.

#### Members Present:

J. Bryan Batey, President  
Joel Heinrichs, Vice President  
Ken Mettler, Clerk  
Bob J. Hampton, Member  
Chad Vegas, Member

#### Member(s) Absent:

*None*

#### Administrative Staff Member(s) Present:

Donald E. Carter, Superintendent  
Dennis Scott, Associate Superintendent, Business  
William R. Jones, Assistant Superintendent, Personnel  
Joe Thompson, Assistant Superintendent, Instruction  
Rebecca A. Shipley, Administrative Assistant to the Board of Trustees and Superintendent

#### Administrative Staff Member(s) Absent:

*None*

#### Adoption of Agenda For Closed Session

Superintendent Carter announced one change to the Closed Session agenda and asked for Board action to adopt. It was moved by Trustee Hampton, seconded by Trustee Mettler and carried that the agenda for Closed Session be adopted.

#### Hearing of Citizens on Closed Session Agenda

President Batey asked if any citizen was present who wished to address the Board of Trustees on any item to be considered in Closed Session. Hearing no request to make comments, the Board adjourned to Closed Session at 6:35 p.m.

**ADJOURNMENT TO CLOSED SESSION**

**Adjournment to  
Closed Session**

The following Closed Session agenda items were considered by the Board of Trustees:

Discussion of Student Matters

Student Expulsions and/or Reinstatements Report

Approval of Beginning Teacher Support and Assessment Providers (BTSA), Site Coaches and Consulting Teachers

Public Administrative Employee Appointments:

- A. Dean of Athletics and Student Services, Frontier High School
- B. Dean of Administration, North High School

Conference with Labor Negotiator(s) for Un-represented Employees Regarding Contract(s) of Employment:

- A. Superintendent
- B. Associate Superintendent, Business
- C. Assistant Superintendent, Instruction
- D. Assistant Superintendent, Personnel

**ADJOURNMENT FROM CLOSED SESSION**

**Adjournment from  
Closed Session**

The Board of Trustees adjourned Closed Session at 6:45 p.m.

**RECONVENING IN OPEN SESSION**

**Reconvening in  
Open Session**

The Board of Trustees reconvened in Regular Session at 7:02 p.m. in the Board Room of the Kern High School District Administrative and Support Services Office.

**Flag Salute**

Jan Graves, Foothill High School teacher, led the Board of Trustees and members of the audience in the flag salute.

**Adoption of  
Final Agenda**

It was moved by Trustee Mettler, seconded by Trustee Hampton and carried that the Final Agenda be approved with changes as announced by Superintendent Carter.

**Report from  
Closed Session**

The Board of Trustees received the recommendations from the Kern High School District Hearing Panel on 207 discipline cases, including 204 students recommended for expulsion and three students recommended for a suspended expulsion. The Board of Trustees also received recommendations from various school sites regarding 32 suspended expulsions.

The Board of Trustees approved the Beginning Teacher Support and Assessment (BTSA) Providers for the 2008-09 school year. A complete list of the approved assignments is available from the Board's Administrative Assistant following tonight's Board meeting.

In Closed Session, the Board of Trustees approved two administrative Appointments to be effective August 13, 2008. Ryan Geivet has been appointed Dean of Athletics and Student Services at Frontier High School, and Joshua Williams was appointed Dean of Administration at North High School.

No other action was taken by the Board of Trustees in Closed Session.

Two Special Board of Trustee meetings have been scheduled in May. The first Special meeting will be held on Friday, May 9, at 8:30 a.m. in Conference Room A, and the second Special meeting is scheduled for Friday, May 16, at 10:30 a.m. in the Board Room. The next Regular Board of Trustees meeting has been scheduled for Monday, June 2, 2008.

**Approval of Minutes  
from Special Board  
Meeting of April 24,  
2008, and Regular  
Board Meeting of  
April 7, 2008**

It was moved by Trustee Hampton, seconded by Trustee Mettler and carried that the minutes from the Special Meeting of April 24, 2008 and the Regular Meeting of April 7, 2008 be approved as mailed.

**SUPERINTENDENT'S REPORT**

**Recognition of  
Stockdale High  
School Student  
Justin Koh**

Staff recommends that the Board of Trustees recognize Stockdale High School student, Justin Koh, for his Silver Medal win at the 39<sup>th</sup> International Chemistry Olympiad in Moscow, Russia on July 15-24, 2007. Justin was part of the U. S. Chemistry Olympiad team that competed with 252 other students from 65 nations in the annual event. Justin was chosen from a pool of 11,000 high school students nationwide. From this, twenty students representing eight states who excelled on the National U. S. Olympiad examination were chosen to participate in the two-study camp at the U. S. Air Force Academy in Colorado in June 2007. At the conclusion of the camp, the traveling team consisting of four students and two alternates were selected to compete in the International Chemistry Olympiad in Moscow. The students then traveled to Moscow, Russia in July where Justin earned a Silver Medal.

Stockdale High School principal, Ramon Hendrix, reported that Justin Koh is a very bright student, who is active in many academic activities on campus, including K. C. Mock Trial, Kern County Science Bowl, K. C. Academic Decathlon, and many fine arts programs, including the Stockdale High School Orchestra and the Kern County Honor Orchestra. Mr. Hendrix also reported that Justin Koh began his 6<sup>th</sup> grade year with Algebra II, and reported that Justin has already won at the State level for this year's competition and will compete at the 2008 International competition in Hungary in July.

Board President Batey and Superintendent Carter presented Justin Koh with a distinguished award in honor of his Silver Medal award at the International Chemistry Olympiad competition.

**Recognition of  
Liberty High School  
Teacher, Genevieve  
Champness, State  
Language Teacher  
of the Year**

The California Language Teachers Association selected three foreign language teachers to be honored with a 2008 Outstanding Teacher Award. One of the three teachers selected was Genevieve Champness, a French teacher at Liberty High School. Superintendent Carter reported that in the past five years, Kern High School District foreign language teachers have been selected for this awards program, including Tina Belton from North High School in 2001, Eva Patino from Centennial High School in 2002, Liliana McGee from Liberty High School in 2003 and Felisa Patino also from Liberty High School in 2006. Superintendent Carter and Board President Batey presented Ms. Champness with a framed Certificate of Excellence in recognition of her award.

**Recognition of  
Highland High  
School Students for  
2007 California  
State Fair First  
Place Awards**

Staff recommends that the Board of Trustees recognize six (6) students from Highland High School for their First Place wins in the Architectural Drafting component of the State Industrial Technology competition held at the 2007 California State Fair. The following students won First Place in individual categories:

Kyle Gonzales – 3D CAD Pictorial

Melissa Goodwin – 2D CAD Pictorial

Cody Hughes – CAD Drawn Dimensioned Architectural Plans

Chris Luevano, Danny Reyes and Brian Orihuela –Team Project:  
“Architectural Model with Plans.”

Student Chris Luevano was also the recipient of the Most Outstanding Project at the Fair award in the drafting division. A total of 53 students represented Highland High School at the California State Fair in Sacramento, and came home honoring their high school and themselves with four First Place awards, five Second Place Awards, and three Third Place awards. Additionally, 31 students did well enough to receive Honorable Mention awards.

Board President Batey and Superintendent Carter presented each student with a framed Certificate of Recognition. Superintendent Carter also introduced and commended Liberty High School advisor, Darrin Willis.

**Recognition of  
Service by Nancy  
Wheeler Smith on  
the Kern High  
School District  
Educational  
Foundation Board  
of Directors**

*Item postponed to a future Board meeting. Mrs. Smith was unable to attend.*

**Recognition of  
Teachers Nominated  
for Jim Burke**

The Jim Burke Education Foundation held its 13<sup>th</sup> Annual Awards presentation and reception on April 29, 2008 at the Kern County Superintendent of Schools Office. This annual event recognizes teachers for their outstanding dedication

**Education  
Foundation  
“Teacher of the  
Year” Award**

and excellence in the classroom. As a winner of this special award, the winner is presented with a Waterford crystal vase, a \$500.00 stipend and a \$500.00 contribution in their name to a department within their school.

The following high school teachers have been nominated for recognition:

Patrick Arvizu	Arvin High School
Craig Austin	Centennial High School
Sandra Bolen	Kern Valley High School
David Braun	South High School
Jose Castro	Liberty High School
Thelma Chapman	Bakersfield High School
Noelle Combs	East Bakersfield High School
Richard Des Lauriers	North High School
Jamie Fast	Stockdale High School
Daniel Halbur	Foothill High School
Douglas Kelley	Frontier High School
Tina Kwon	West High School
Mike Nichols	Shafter High School
Jack Oliver	Ridgeview High School
Jackie Phillips	Regional Occupational Center
Darren Willis	Highland High School

Superintendent Carter announced that Thelma Chapman, English Teacher from Bakersfield High School was selected at last week’s awards ceremony and extended his congratulations to all nominated teachers.

**Report on 2008  
Graduation  
Ceremonies**

The Calendar of high school graduation ceremonies was presented for Board information by Superintendent Carter who reported that this year’s ceremonies will begin Tuesday, May 27 and concluding on Friday, May 30, 2008. A copy of the schedule is also on file with these official minutes.

**Superintendent’s Comments on District Activities**

**Recognition of  
District Retirees**

Superintendent Carter announced the District’s bi-annual recognition of District retirees will be held at the June 2, 2008 Regular Meeting. A special reception will be held on the front lawn from 6:15 p.m. to 6:45 p.m. Formal recognition will take place during the Open Session of the Board of Trustees meeting beginning at 7:00 p.m.

**Rising Star Award,  
Jim Burke  
Education  
Foundation**

In 2006 the Jim Burke Education Foundation presented the first “Rising Star Award” to a nominated teacher for their commitment to excellence in the classroom. This award honors an academic teacher that has a minimum of two years of teaching/counseling experience, is employed full-time as a teacher, has worked with and particularly benefited students of average ability, and has provided outstanding service to his/her students, school and community.

In 2006 the first award was presented to Matthew Regpala, mathematics teacher at

Arvin High School. The 2007 award was presented to Jeremy Adams, an AP Government and AVID instructor at Bakersfield High School. This past Tuesday evening, the 2008 award was presented to Rebecca Farley, an English teacher at Foothill High School.

## **COMMUNICATIONS**

### **Communications**

No communications were shared with Trustees at the Board meeting. Superintendent Carter reported that all communications received for the Board of Trustees have been forwarded to the Trustees under separate cover.

## **HEARING OF CITIZENS**

### **Hearing of Citizens**

Paul Press requested to address the Board of Trustee regarding Board policy regarding athletics in the Kern High School District. He stated he wasn't there to complain, just to talk some policies that are in place in the Kern High School District. I want to make it publicly clear that I am not upset and I am not pointing a finger at anyone, I just think some things have been in place for so long...and the athletic policies are a little outdated. Gentlemen, you are the only ones in the San Joaquin Valley with some things set in place." He reported he is not a paid coach for the Kern High School District, has never taken a dime from the District, and has no interest in coaching for the Kern High School District, although he is a promoter for athletic events in Kern County, including being the director of the Arena Bowl, which was held in Bakersfield last Friday night.

Mr. Press referred to the Arena Bowl with over 5,000 in attendance and how an issue was brought to his attention three days before the event. One of the performances was a dance team including the "all star cheerleaders" from the high schools, who would be wearing their high school cheerleading uniforms. He reported receiving late notice that cheerleaders could not wear their high school uniforms for the presentations. He quoted from an internal Kern High School District email which had been shared with him, which stated, "*The Kern High School District does not issue, supply, or provide any type of equipment, protective gear, or uniforms for any non CIF sanctioned community events. Absolutely no KHSD equipment should be issued to any students participating in the "High School Arena Football Game" scheduled for May 2nd. School sites should not be sending cheerleaders to this event and the use of district issued cheerleading uniforms is prohibited.*"

Mr. Press went on to acknowledge that the reason for the internal email was because the Arena Bowl was not an official Kern High School District or CIF sanctioned event. He stated his opinion that the annual Bakersfield Christmas Parade is not an official Kern High School District function, yet high school bands participate each year. He continued by referring to wrestling tournaments held in the State of Las Vegas, which "...could not be a CIF-sponsored event because it is out of the State of California." (*File Note: Both events mentioned by Mr. Press are processed and approved as official Kern High School District events, including the national wrestling tournament which is sanctioned by CIF as an official tournament*

*for California teams.)* Mr. Press talked to Trustees about the importance of school pride and getting the high school students involved in community events.

Mr. Press also stated he wanted to bring some other issues as they came to his mind, including the fact that the use of "...your own gyms by your coaches in the summer, they must pay to use their own gym? The use of your football fields is not allowed for summer camps, or contact camps? Coaches must go and rent equipment that you do not know if it is certified. You're the only district in this valley that does not allow your coaches to use their gear during summer contact camps." He also told Trustees that he believed District coaches who put on passing camps during the summer are required to go out and purchase their own liability insurance, and spoke in favor to the high school district extending the football season back to the beginning of summer. "It doesn't cost you [District] any more [money]." And, "...last, but not least, I'd like to make you aware that your coaches are the lowest paid coaches around. You are the largest school district. I'm not getting paid, but I just could not believe it, when you have successful programs. In closing, he stated he was volunteering to sit on a citizens' committee ".....to help straighten out the District policies on athletics. I have a list of 20 others that will be here at the next meeting to help out."

## **REPORTS**

### **Reports of District Organizations**

**Kern High Faculty Association**

Kern High Faculty Association President, Mitch Olsen, referred to the Proclamation for May 14, 2008 to be named Day of the Teacher in the Kern High School District. He acknowledged all of the great work that has been done this year by the teachers in the District. "This has been a very trying year for me. It has been a trying year for all of us. The work that is done every day in the classroom is what makes me get up every day and go to work." He also invited Trustees to a picnic at Yokuts Park on May 14<sup>th</sup>.

**Counselors' Association**

No report.

**California School Employees Assoc., Chapter #81**

No report.

**California School Employees Assoc., Chapter #747**

No report

**Management Advisory Council**

No report

**Skilled Trades Union**

Absent

**Supervisory Union**

Absent

**BOARD OF TRUSTEE REPORTS, INQUIRIES AND/OR ITEMS FOR ACTION**

**Board of Trustee Reports and/or Inquiries**

Trustee Vegas reported he was delighted to see Jan Graves in the audience, who is recuperating from surgery for colon cancer. "I'm thankful you are here and thankful the results indicating it was Stage One and that she will not have to go through chemotherapy or radiation treatments."

Trustee Hampton reported meeting with CSBA Delegate Assembly, May 16-18, in Sacramento.

**Trustee Questions/Comments to Issues Raised by Paul Press**

With regards to the questions from Paul Press, Trustee Vegas reported he had responded to the email stating that he, personally, is always in favor of District students participating in community activities. He asked if there was a reason beyond current District policy that the request from Mr. Press was denied. Superintendent Carter responded the clearly the Kern High School District does have schools and students represent themselves out in the community. Our bands do participate in parades and those are scheduled on the school's master calendars. Choirs sing in the community and our leadership groups are performing out in the community. To my knowledge, this particular event was not calendared as a school event and was not a CIF-sanctioned event, but an event that CIF agreed to hold prior to the end of the school event. There was an agreement to move this event prior to the end of school by the CIF Central Section Commissioner. Assistant Thompson reported that CIF gave Mr. Press a one-year waiver to hold the event prior to the end of the school year, rather than during the summertime.

In response to the question raised by Trustee Vegas, Superintendent Carter reported the football equipment, cheerleading uniforms, etc. are all school property. "There was a time when cheerleaders had their own uniforms and following a lawsuit out of Pasadena, the Kern High School District schools purchased all of the school's equipment and uniforms. It is our policy that equipment or uniforms not be used for non-school events. School uniforms are used for parades because those are school events. A reference was made to a private soccer tournament. I am not aware that any of our soccer teams participate in any soccer tournament that is not CIF sanctioned. If a private school hosts that soccer tournament, it still needs CIF sanctioning in order to be a legitimate contest during the season. For example, even the out-of-state tournaments receive CIF sanctions before they are scheduled. A second email clarified that students themselves are neither encouraged or prohibited from participating in community events. If a student, on their own wants to contribute to any community event, the Kern High School District doesn't control that, but does control what is on the official school calendar."

Trustee Vegas asked, "Why would we consider it advantageous for the district to not have our schools represented there and up their profile in the community. Is it a liability issue? What would prevent us from wanting to promote our schools as

much as possible?” Associate Superintendent Scott responded it is a liability issue for the District. “Even though Mr. Press indicates he had liability coverage, if we own the equipment and the student is injured when wearing that equipment, we own that liability for those injuries. Another issue that comes up is when a student, or students, wear their uniform to an unsanctioned event, the public is confused as to whether this is a Kern High School District event, or who the event belongs to.

Trustee Vegas asked, “So, basically it is a liability issue? I’m not saying that’s a bad rationale, but essentially we are just trying to stay away from lawsuits.” Associate Superintendent Scott responded that the District is rated according to the liability claims. “Liability issues in the areas of athletic equipment have grown tremendously over the past several years, and each claim causes the premiums to increase, which takes funding away from other programs.”

Trustee Mettler reported he understood the questions and also had questions of his own relating to club versus team issues. He stated he understands the liability issues while also understanding that kids need to have a variety of experiences. He suggested a Board study session on athletics. Board President Batey responded by asking a couple of Trustees to meet with District staff and Mr. Press regarding the issues. Trustees Mettler and Vegas agreed to participate in the meeting.

Trustee Vegas also asked for staff responses to other questions/statements raised by Mr. Press. The first one he asked was if it is true that coaches are required to rent their own gyms during the summer? And, is that for school sanctioned things they are renting the gym for, or a private event? Associate Superintendent Scott responded the gyms are rented by coaches for their own private use, and the events are not Kern High School District activities. Trustee Vegas asked about the use of the football equipment during the summer for a coach’s private contact camps – are those private camps they are renting the equipment for? Associate Superintendent Scott responded those rentals are for private campus, and are not a part of the Kern High School District athletic program. Trustee Vegas asked about the passing leagues during the summer. Associate Superintendent Scott responded those leagues are private events and not Kern High School District activities. “In past years, those leagues have been sponsored by North of the River (NOR) Park and Recreation District.” Trustee Batey asked why that passing leagues were sponsored by NOR and not the Kern High School District. Superintendent Carter responded that one of the reasons is, during the summer months the coaches and athletic directors are not under contract to the District. “They have a 184-day contract and they are simply not employed during the summer.”

Trustee Heinrichs reported, “I completely get the equipment thing. What is confusing to me, is (outside of CIF), when is an event a school or district sponsored event. I understand that once it’s scheduled on a school’s calendar, it is a sponsored event.” Superintendent Carter responded that an event does become a school sponsored event when it is placed on the master calendar. That calendar is controlled by the principal of the school site. He continued to report, “With regards to cheerleaders making appearances or public service announcements, performing in videos for programs like *Life Interrupted*, ...or for *Safe and Sober Graduations*, we do encourage our students to participate in those types of programs.” Superintendent Carter also talked about the timing issue of this most recent event, the Arena Bowl. He continued to report that, “When it comes to

cheerleading competition, where there are throws being made, girls catching others and that sort of thing, there are clearly some issues about proper instruction, supervision, adequate training, etc. where timing of such a request has a lot to do with the request being placed on the master calendar.” Assistant Superintendent Thompson reminded Trustees that athletic events must be sanctioned by CIF in order to be included in the school’s master calendar of approved athletic competitions. The waiver this year was a one-year only waiver given by CIF for the Arena Football game to be scheduled within the school year. Dr. Thompson also suggested that clarification and resolution of this item include Mark Wyatt, Director of School Support Services.

**Approval of New  
Board Policy  
Regarding Use of  
the E-Verify  
Program in the  
Kern High School  
District**

Trustee Mettler is requesting that the Board of Trustees approve two new policy sections in the District Administrative Code, as follows:

**505 P Recruitment and Selection of Personnel**

- 505.1 In the selection of staff, the Kern High School District is committed to the basic principle of searching out the best qualified person for every vacancy.
- 505.2 Recognition is given to the concept that promotion from within is healthy for an organization. When outside candidates are considered, such applicants will be chosen only if the selection process indicates they are superior to local applicants. The District is committed to the encouragement of its employees to improve themselves promotionally by providing District staff development programs and by urging them to take advantage of these as well as other programs available through colleges and universities.
- 505.3 When certificated vacancies are listed, a search should be made particularly at placement offices of colleges and universities selected as having outstanding preparation programs.
- 505.4 In filling all vacancies, the District is committed to an equal opportunity/affirmative action program.
- 505.5 *The policy of the Kern High School District is to thoroughly screen the background of all potential Kern High School District employees. The Board of Trustees desires to assist the federal government in its enforcement of the rule of law regarding employment eligibility and validity of social security numbers in an effort to fight identity theft and illegal employment.*

**418 P Purchasing, Bids and Contracts**

The Board directs the administration to secure the best possible

prices for all projects, materials, equipment, and services. The low bid or quotation from a responsible bidder shall be accepted in all cases where quality is considered acceptable, the specifications are met, and there is no justifiable disadvantage to the District.

*418.6 The Board of Trustees requests that vendors, contractors, and sub-contractors with which the Kern High School District does business, be formally informed in writing about the E-Verify program and encouraged to participate in the E-Verify Program for all of their newly hired employees. The E-Verify Program is an internet based system to determine the employment eligibility of newly hired employees and the validity of their social security numbers.*

The E-Verify (formerly known as the Basic Pilot/Employment Eligibility Verification Program) is an internet based system operated by the Department of Homeland Security (DHS) in partnership with the Social Security Administration (SSA) that allows participating employers to electronically verify the employment eligibility of their newly hired employees. E-Verify is free and voluntary and, according to the U. S. Citizenship and Immigration Services, is the best means available for determining employment eligibility of new hires and the validity of their Social Security Numbers. A report on this proposal was given by Trustee Mettler at the April 7, 2008 Regular Meeting of the Board of Trustees.

A motion was received by Trustee Mettler and seconded by Trustee Vegas to approve the proposed Administrative Code policy sections #505P, Recruitment and Selection of Personnel, and #418P, Purchasing, Bids and Contracts as stated above and as presented in the Board packet. Board President Batey called for discussion. Trustees asked Trustee Mettler for clarification of the proposed language relating to Section 418P, specifically relating to whether or not the vendors, contractors and sub-contractors would be required or simply encouraged to participate in the E-Verify Program, and how this new policy would be communicated to those vendors, contractors and sub-contractors. Associate Superintendent Scott noted that the District does business with over 5,000 vendors, contractors and sub-contractors. Trustee Mettler stated it was not his intent to cause a large cost in order to communicate this information and Trustees discussed the process.

It was moved by Trustee Vegas to amend the original motion to accommodate the above requests. The motion was seconded by Trustee Heinrichs and carried with a four (4) yes, one (1) no (Trustee Hampton) vote.

It was moved by Trustee Heinrichs to revise the wording in Section #418P, Purchasing, Bids and Contracts, as follows:

**418 P Purchasing, Bids and Contracts**

The Board directs the administration to secure the best possible

prices for all projects, materials, equipment, and services. The low bid or quotation from a responsible bidder shall be accepted in all cases where quality is considered acceptable, the specifications are met, and there is no justifiable disadvantage to the District.

418.6 *The Board of Trustees requests that vendors, contractors, and sub-contractors ~~with~~ who bid projects or equipment with the Kern High School District ~~does~~ business, be formally informed in writing about the E-Verify program and encouraged to participate in the E-Verify Program for all of their newly hired employees. The E-Verify Program is an internet based system to determine the employment eligibility of newly hired employees and the validity of their social security numbers.*

This approved policy will have an implementation date of July 1, 2008. It was also moved by Trustee Heinrichs and seconded by Trustee Vegas that the original motion be approved with the amended language as stated above. The motion carried with a four (4) yes, one (1) no (Trustee Hampton) vote.

**Presentation of  
Proposal for New  
Board Policy  
Regarding Rental of  
School Facilities on  
Sundays**

Trustee Batey is requesting that the Board of Trustees receive a proposed change to Board Policy #412P, Rental of School Facilities, as follows:

**413 P Rental of School Facilities**

413.1 General Use

School buildings and facilities shall be made available for community use in compliance with State statutes, and policies and regulations of the Board, with first consideration being given to the needs of the schools or of the District. ~~Use of school facilities will not be permitted on Sundays by any non-school related group or organization if such use requires the consumption of electricity, natural gas, or large quantities of water.~~ *All rental of school facilities will be contingent upon the availability of Kern High School District personnel.*

**SUPERINTENDENT'S OFFICE**

**Approval of  
Proclamation  
Naming Week of  
May 18-24, 2008 as  
Classified School  
Employee Week in  
the Kern High  
School District**

Over 2,000 classified school employees provide valuable services to the schools and students of the Kern High School District, as well as contributing to the establishment and promotion of a position instructional environment. They serve a vital role in providing for the welfare and safety of the District's students and strive for excellence in all areas.

In 1986, Senate Bill 1552 decreed the third week of every May as statewide Classified School Employee Week resulted from legislation sponsored by CSEA. Two years later, it was adopted as California Senate Bill 1552 and decreed to be an official recognition of classified school employees. The union represents more than

230,000 classified employees in California. Classified professionals include secretaries, custodians, para-educators, bus drivers, clerks, warehouse workers and many other support employees in California's schools and community colleges.

It was moved by Trustee Hampton, seconded by Trustee Heinrichs and carried to approve the Proclamation Naming the Week of May 18-24, 2008 as Classified School Employee Week in the Kern High School District. In recognition of this special week, schools and District departments will plan special events to recognize the classified employees for their efforts.

**Approval of Proclamation Naming May 14, 2008 as "Day of the Teacher" in the Kern High School District**

This year's Day of the Teacher theme is "*California Teachers: Making a Difference Every Day*". California teachers set the standards for excellence every day. This year's event marks the 26<sup>th</sup> anniversary of the day established to give special recognition to teachers for their contributions to education and the lives of California's children. Day of the Teacher arose out of legislation co-sponsored by the California Teachers Association and the Association of Mexican American Educators. Senator Joseph Montoya authored the bill and it was adopted in 1982 as Senate Bill 1546. This year's theme was selected to emphasize that California teachers make daily differences in their classrooms. A copy of the proposed Proclamation was attached for additional information. It was moved by Trustee Hampton, seconded by Trustee Mettler and unanimously carried to approve the Proclamation naming May 14, 2008 as "Day of the Teacher" in the Kern High School District.

**Approval of Appointment of New Director, Bebe Burke, on the Kern High School District Educational Foundation Board of Directors**

Article VI of the Articles of Incorporation for the Kern High School District Educational Foundation, provides that directors in seats three through seven of the Foundation's Board of Directors, are members of the public selected by and serving at the pleasure of the governing board of the Kern High School District. All vacancies and term renewals on the Board of Directors are filled by a majority vote of the District's governing board. The Kern High School District Educational Foundation Board of Directors is pleased to the name of Mrs. Bebe Burke for Seat #4 for a five-year term (July 1, 2008 through June 30, 2013) for approval by the Board of Trustees with their unanimous support. It was moved by Trustee Hampton, seconded by Trustee Heinrichs and carried with a three (3) yes, two (2) absent (Trustees Mettler and Vegas left the room during this item) vote.

**Presentation of Request to Name the Kern Valley High School Softball Facility**

Requests for the naming of District facilities are submitted to the Superintendent's Screening Committee for the Naming of Facilities, which is chaired by John Teves, Public Information Officer. On behalf of the Committee, Mr. Teves presented a request to name the Kern Valley High School softball facility in honor of a former Kern Valley High School teacher. Janet L. Murphy was a highly respected former Kern Valley High School teacher, who passed away suddenly in 2005. Her career warrants school recognition of her service, and letters from Kern Valley High School staff in support of the naming request are attached to this agenda item for additional information.

The Kern High School District Administrative Regulations states that facility naming requests are presented to the Superintendent's Screening Committee for the Naming of Facilities to determine that the request meets the criteria as outlined in Section 428. Following that review, the request is then submitted to the Board of Trustees for information at one meeting, and for action to approve at the next Board

meeting. Mr. Teves presented a letter to the Board of Trustees certifying the Committee's unanimous support of the request is attached to this agenda item for information. This item will be placed on the June 2, 2008 Regular Meeting agenda for action to approve.

**Report to the Board  
of Trustees on  
Waiver of Sunday  
Practice Regulation  
for Mock Trial  
Teams**

Section 617.5 of the District Administrative Code, Administrative Regulation §617.5 states:

Weekend Practices:

Practices for school activities, such as dramatics, music rehearsal, etc. should not be scheduled on weekends. If weekend practices are necessary determined by the site principal, they may be scheduled only on Saturdays (no practices on Sundays). Extenuating circumstances may be appealed to the Assistant/Associate Superintendent for Instruction. Students shall not be penalized if they find it inadvisable to attend scheduled practices at any time if it conflicts with their religious activities or beliefs.

At the October 1, 2007, Trustees approved a waiver to the Administrative Regulation §617.5 with the following conditions:

1. The teacher-coach willingly volunteers his/her time to accommodate such an event
2. The attorney-coach agrees to the time suggested;
3. Both coaches are present at all times during the practice;
4. This waiver to expire March 30, 2008;
5. Weekend practices are limited to a maximum of six (6) hours per month, which is a 30-day period of time;
6. Site principals are authorized to cancel any practice they feel does not meet any of the first five conditions set forth previously;
7. Any violation of the conditions 1-5 previously mentioned will be grounds for cancellation of that school site's waiver; and,
8. Principals' Advisory Council shall report back to the Board of Trustees following expiration of the waiver following March 30, 2008 to present a recommendation on either continuing or modifying this waiver policy.

On behalf of the Principals' Advisory Council, David Reese presented the report and recommendation regarding either continuing or modifying this waiver policy. He reported that members of the Principals' Advisory Council held several discussions regarding this issue during the past school year. The first point of their discussion was the original need for a waiver on Sunday practices focused on the fact that one particular high school had a problem getting an attorney-coach for anything but Sunday practices. Another point of discussion was the fact that the waiver was only given to Mock Trial teams, which caused a few questions. Principals also reviewed how many schools took advantage of that waiver and to-date, no other high school has requested a need to utilize the waiver for Sunday practices. Mr. Reese reported the Principals' Advisory Council also reviewed the California Interscholastic Federation (CIF) rules, which do not allow any practices on Sundays for athletic events.

With regards to the question of whether or not the waiver should be continued, Mr. Reese reported that no individual high school principal has expressed a desire to continue the waiver and it is the unanimous recommendation of the Principals'

Advisory Council not to promote or further this waiver to the Administrative Regulation. All schools were able to find attorney coaches that would be able to participate in practices on Saturdays, so Sunday was not an issue.

Trustee Vegas asked about the issue that it was only given to the mock trial teams, and not other issues. He asked if other groups have to obtain coaches from other professional areas (like the attorney coaches for Mock Trial), or do they just utilize teacher coaches. Mr. Reese reported that the Kern County Mock Trial competition was the only program with the need of a specialized coach, such as an attorney with expertise in the law. There isn't a requirement that schools utilize the services of an attorney, it is important to have experts in the field. He used as an example the need to use business leaders with the Virtual Enterprise programs and experts on the U. S. Constitution with the "We the People...the Citizen and the Constitution" competition.

### **INSTRUCTIONAL SERVICES**

#### **Basic Textbook Adoption of 2008- 2009 School Year**

A list of new textbooks to be used beginning with the 2008-2009 school year have been evaluated and selected by subject area teacher committees at the individual schools. They have also been reviewed and approved by the District Textbook Review Committee. The new textbooks to be adopted will be on display in the Office of Instruction for public inspection and the Board of Trustees will be asked to adopt them at the Regular Meeting scheduled for June 2, 2008.

#### **Courses of Study**

Courses of Study for Bakersfield, Foothill, Kern Valley, Shafter, Stockdale and Vista Continuation high schools, and the Bakersfield Adult School, were presented to the Board of Trustees for information only. The courses of study will be on file in the Division of Instruction and available for public inspection until the next regular Board of Trustees meeting, when they will be presented for action to approve.

### **PERSONNEL SERVICES**

#### **Personnel Report**

It was moved by Trustee Mettler, seconded by Trustee Hampton and carried that the Personnel Report be approved as presented.

#### **PUBLIC HEARING on Submission of Application for Provisional Internship Permit(s) to California Department of Education for Certain Public Certificated Employee(s)**

The California Commission on Credentialing discontinued the issuance of multiple subject, single subject and education specialist emergency permits, and implemented the provisional internship permits as of June 6, 2006. The Office of Administrative Law approved the addition of Title 5 Section 80021.1, Pertaining to Provisional Staff Permits on June 4, 2005. This permit is available when the employing agency knows that there will be a teacher vacancy, yet is unable to recruit a suitable candidate.

A Public Hearing was declared open at 8:22 p.m. to receive public comments on the submission of an application for Provisional Internship Permit(s) to the California Department of Education for certain public certificated employees. No comments were received and President Batey declared the Public Hearing closed at 8:23 p.m.

#### **Approval of**

It was moved by Trustee Hampton, seconded by Trustee Heinrichs and carried with

**Submission of  
Application for  
Provisional  
Internship Permit(s)  
to California  
Department of  
Education for  
Certain Public  
Certificated  
Employees**

a four (4) yes, one (1) absent (Trustee Mettler left the room during this portion of the meeting) vote that the Resolution approving the submission of the application for Provisional Internship Permit(s) to the California Department of Education for certain public certificated employees be approved. A complete list of the certificated employee is on file with these official minutes.

**Adoption of  
Resolution  
Eliminating Services  
of Certain  
Certificated  
Employee(s) for the  
2008-2009 School  
Year**

*Item deleted from Final Agenda because wording for Resolution from Schools Legal Service was not yet available. Item will be posted on May 9, 2008 Special Meeting agenda for action.*

**Adoption of  
Resolution to  
Eliminate Certain  
Classified Position(s)**

Due to the loss of State funding for the Tobacco Use Prevention Education (T.U.P.E.) program, it is necessary to eliminate a 2.36 full-time equivalency (F.T.E.), which will affect six classified positions. It was moved by Trustee Vegas, seconded by Trustee Hampton and carried with a four (4) yes, one (1) absent (Trustee Mettler left the room during this portion of the meeting) vote that the Resolution regarding Layoff of Classified Positions be approved as requested.

**BUSINESS SERVICES**

**PUBLIC HEARING  
on the Proposed  
Adoption of  
Increased School  
Facilities Fees**

A proposed adoption of increased school facilities fees was introduced by Associate Superintendent Scott, who requested that a Public Hearing be opened. Government Code Section §6062(a) requires notices to be published twice in the local newspaper for at least five (5) days between the two publications and the first publication at least ten (10) days prior to the governing board meeting. Associate Superintendent Scott reported that the public notices were published in The Bakersfield Californian on April 21, 2008 and April 28, 2008. To date, no written or telephone inquiries have been received by the Business Division of the Kern High School District. Board President Batey opened a Public Hearing at 8:25 p.m. to receive public comment on the proposed increase of school facilities fees. No requests were received to address the Board of Trustees on this issue, and Board President Batey closed the Public Hearing at 8:26 p.m.

**Approval of  
Resolution of the  
Governing Board of  
the Kern High  
School District  
Regarding the**

On January 30, 2008, the State Allocation Board (SAB) increased the maximum Residential School Fee from \$2.63 to \$2.97 per residential building square foot and from \$.42 and \$.47 per commercial/industrial building square foot as authorized by Section 17620 of the Education Code. Based upon a fee sharing agreement with its feeder elementary schools, the Kern High School District collects 35% of the fees. A copy of a report entitled *Report on Construction Financing Needs through the*

**Proposed Adoption  
of Increased School  
Facilities Fees**

*School Year 2017-2018 and Level One School Fee Justification Study*, which documents the District's continuing need for school facilities fees and provides justification for the fee increase was provided under separate cover, is on file with these official minutes and is also available through the Business Division.

It was moved by Trustee Heinrichs, seconded by Trustee Hampton, and carried with a three (3) yes, one (1) no (Trustee Vegas) and one (1) absent (Trustee Mettler left the room during the consideration of this agenda item) vote.

**{Approval of}  
Resolution  
Supporting the  
Application and the  
Identification of  
Individuals  
Authorized to  
Implement Lower-  
Emission School Bus  
Program –  
Replacement  
Component –  
Heavy-Duty Engine  
Incentive Program**

A copy of a Resolution requesting that the Board of Trustees support the application and identification of individuals authorized to implement the Lower-Emission School Bus Program – Replacement Component, Heavy-Duty Engine Incentive Program was presented for approval. The San Joaquin Valley Air Pollution Control District is seeking applications to reduce emissions from school buses. The purpose of the Lower-Emission School Bus Replacement Component of the Heavy-Duty Engine Incentive Program is to assist the San Joaquin Valley Air Pollution Control District in attaining federal and state air quality standards by replacing old, high-emitting public school buses with low-emitting public school buses. The widespread use of lower-emitting heavy-duty engine technologies can provide significant improvements to air quality in the San Joaquin Valley. It was moved by Trustee Hampton, seconded by Trustee Heinrichs and carried with a four (4) yes, one (1) absent vote to approve the Resolution Supporting the Application and Identification of Individuals Authorized to Implement the Lower-Emission School Bus Program – Replacement Component, Heavy-Duty Engine Incentive Program.

**{Approval of}  
Resolution  
Supporting the  
Application and the  
Identification of  
Individuals  
Authorized to  
Implement Lower-  
Emission School Bus  
Program – Retrofit  
Component –  
Heavy-Duty Engin  
Incentive Program**

A copy of a Resolution requesting that the Board of Trustees support the application and identification of individuals authorized to implement the Lower-Emission School Bus Program – Retrofit Component, Heavy-Duty Engine Incentive Program was presented for approval. The San Joaquin Valley Air Pollution Control District is seeking applications to reduce emissions from school buses. The purpose of the Lower-Emission School Bus Retrofit Component of the Heavy-Duty Engine Incentive Program is to assist the San Joaquin Valley Air Pollution Control District in attaining federal and state air quality standards by encouraging the use of verified diesel emission control devices. The widespread use of these technologies can provide significant improvements to air quality in the San Joaquin Valley. It was moved by Trustee Hampton, seconded by Trustee Heinrichs and carried with a four (4) yes, one (1) absent vote to approve the Resolution Supporting the Application and Identification of Individuals Authorized to Implement the Lower-Emission School Bus Program – Retrofit Component, Heavy-Duty Engine Incentive Program.

*File Note: Trustee Mettler returned to the Board meeting at this point.*

**Appointment of New  
Committee Member  
to Citizens'  
Oversight  
Committee for the  
Kern High School  
District's Measure N  
(2004) Pursuant to  
Education Code**

Following the passage of the Kern High School District's Bond Measure 'N' in 2004, the Board of Trustees established and appointed an independent Citizens' Oversight Committee. The members were initially appointed for a term of two (2) years. In March 2007, the Board reappointed members for either two or one year terms. At the February 2008 Board of Trustees, Board President Batey asked Trustees to communicate through Trustee Hampton if they have suggestions regarding new members for the Citizens' Oversight Committee as representation is needed representing a senior citizens group, a community member and a parent/guardian. It was moved by Trustee Hampton to approve the appointment of

15278 and 15282

Tony Marion, a local businessman, to a two-year term ending 2010 to represent the area of Community Member on the Citizen's Oversight Committee.

ADMINISTRATIVE REPORT

*Items required by law and/or items in accordance with the District Administrative Code and/or the Education Code*

Administrative Report

It was moved by Trustee Vegas, seconded by Trustee Heinrichs and carried with a unanimous vote to approve the Administrative Report as presented.

Superintendent's Office

*No items*

Instructional Services

1. Approval of the courses of study on the attached list. These courses of study have been on file in the Office of Instruction and available for public inspection since the last board meeting.
2. Approval of the 2007-2008 Program Quality Review of Bakersfield Adult School's Child Care Center from the California Department of Education. The annual report is a self-evaluation of the child care program at Bakersfield Adult School.
3. Approval of the revised Section 504 Uniform Complaint Procedure and Williams Settlement Act Complaint Procedure Form. Technical correction in the language covered complaint topics to comply with changes in the California Education Code and California Code of Regulation, Title V.
4. Approval of the application for the Federal Career & Technical Education funds allocated by the State of California for the 2008-2009 academic year. The Kern High School District has an ongoing Carl D. Perkins Career & Technical Education Program that serves the comprehensive high schools. (Copy of application under separate cover).
5. Approval of the following short term consultants:
  - **Dr. Donald K. Maas** to present workshops on "Elements of Instruction" and "Cooperative Learning" for district teachers in the Beginning Teacher Support Assessment (BTSA) program. Funding Source: *Categorical/Beginning Teacher Support and Assessment (BTSA)*
  - Retro-active approval for **Dave Schmid** to conduct follow-up training for East Bakersfield High School Administrators, and teacher leaders. He will provide training for staff to use in collaborative sessions to help guide the Professional Learning Communities on the campus. *Funding Source: Categorical/Quality Education Investment Act (QEIA)/East Bakersfield High School*
  - **Edward Brown, Mark Jones, Gustavo Loera, Alexandra McDowell, Paul Mrowczynski, Ken Ramirez, Nicia Siercks, Matt Tassinari, Patricia Twyman** to participate in Career Technical Education (CTE)

activities pertaining to and relevant to CTE Standards and Framework development, and for model programs of study development for the Health Science and Medical Technology and/or Public Services Industry Sector for the state of California as delineated in the Perkins State Plan. These activities are a contractual agreement with the California Department of Education's High School Initiatives and Career Education Office and are funded solely through Carl D. Perkins funds. *Funding Source: Categorical/Carl Perkins*

- **Carolyn Simmons, The Write Tools** to provide a "Summer Writing Institute" for 50 Kern High School District teachers. The institute supports teachers' efforts to improve CAHSEE essay scores and meets the Program Improvement Essential Component #4 – Teacher Professional Development Opportunities. *Funding Source: Categorical/Staff Development & Guidance.*
- **Dr. Anthony S. Muhammad, New Frontier 21 Consulting, LLC** to conduct a full day presentation on "Professional Learning Communities to all Kern High School District teachers, school site Administrators, and Kern High School District Office Administrators. This supports Program Improvement Essential Component #4 – Teacher Professional Development Opportunities and Essential Component #7 – Teacher/Department and Subject matter Collaboration. *Funding Source: Categorical/Staff Development & Guidance.*

6. Approval of the following out of area trips:

- **East Bakersfield High School** Forensics team members to travel to Las Vegas, Nevada on June 15-21, 2008 to compete in the National Forensics Tournament.
- **Ridgeview High School** Forensics team members to travel to Las Vegas, Nevada on June 15-21, 2008 to compete in the National Forensics Tournament
- **South High School** Forensics team members to travel to Las Vegas, Nevada on June 14-21, 2008 to compete in the National Forensics Tournament

All of the necessary information (itinerary, travel arrangements, cost, etc.) have been provided in accordance with District Extra-Trip guidelines.

**Personnel Services**

*No Items.*

**Business Services**

1. Approval to accept a donation of a \$500.00 gift card from The Home Depot through The National Gardening Association to purchase plants and gardening supplies for Bakersfield Adult School's Child Care Center.
2. Authorization to enter into a Short Term Consulting Agreement with Cecil E.

Smart to provide project inspection services as outlined by Division of State Architect for North High School Sewer Relocation. Term of agreement is April 21, 2008 through July 20, 2008.

3. Approval of Change Order No. 3 for ReBid No. 1756 – Shafter High School Growth Expansion Modernization and New Cafeteria: Unit Masonry and Reinforced Unit Masonry - Buildings 100, 200, 300, 400, 600, 700, 800, 900, 1000, 1100, and 1200: (Modernization)

Contractor:	O’Neal Masonry Partners
Original Contract Amount:	\$ 272,775.00
Adjusted Contract Amount:	\$ 293,262.28
This <u>Increase</u> :	\$ 1,386.00
New Total:	\$ 294,648.28

Increase of 1 calendar day to March 6, 2008

4. Approval of Change Order No. 8 for Bid No. 1769 – Shafter High School Growth Expansion, Modernization and New Cafeteria: Aluminum Entrances and Store Front, Aluminum Windows, Glass and Glazing Skylights and Mirror Glass – Buildings 100, 200, 300. 400, 500, 600, 700, 800, 900, 1000, 1100, and 1200: (Modernization)

Contractor:	Kern Glass & Aluminum Company
Original Contract Amount:	\$ 346,861.00
Adjusted Contract Amount:	\$ 462,699.14
This <u>Increase</u> :	\$ 650.00
New Total:	\$ 463,349.14

Increase of 2 calendar days to August 6, 2007

5. Award of Bid No. 1887 – Purchase of Audio-Visual Equipment for Independence High School and Mira Monte High School as follows:

<u>VENDOR AWARDED</u>	<u>APPROXIMATE VENDOR TOTAL</u>	<u>ITEMS</u>
CDW Government, Inc.	\$146,450.16	2000 Lumen XGA Digital Projector, Network Laser Printer, Personal Laser Printer, and Color Network Laser Printer
Anderson Audio Visual	\$23,599.59	Video Distribution System, and Projector Lamps for Overhead Projectors
School Specialty Inc.	\$11,110.03	Overhead Projectors and

Projection Carts

6. Award of Bid No. 1892 – Mira Monte High School: Duplicating and Copier Machines to Image 2000 in the total bid amount of \$43,526.54 including eighteen months maintenance agreement. The bids from American Business Machines, Carney's Business Technology-Xerox Corporation, Turk's Kern Copy, Inc., AB Dick IPS, CA Reding Co., Xerox-Intelligent Documents Solutions, DANKA Office Imaging Co., and Ultrex were found to be non-responsive due to not meeting bid specifications.
7. Quarterly Report of Investments. (Under Separate Cover and on file with these official minutes)

**ADJOURNMENT**

**Adjournment**

President Batey adjourned the Regular Meeting of May 5, 2008 at 8:30 p.m.

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J. Bryan Batey, President

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Ken Mettler, Clerk

JBB/KM:bs