



KERN HIGH SCHOOL DISTRICT

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BOARD OF TRUSTEES

Annual Organizational Meeting December 8, 2008

OFFICIAL MINUTES

PRELIMINARY

Call to Order

The December 8, 2008 Annual Organizational Meeting of the Board of Trustees of the Kern High School District was called to order at 4:45 p.m. by Board President, J. Bryan Batey, in Conference Room 'C' 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
Bill Perry, 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 Heinrichs, seconded by Trustee Vegas 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 4:45 p.m.

ADJOURNMENT TO CLOSED SESSION

**Adjournment to
Closed Session**

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

Public Administrative Employee Quarterly Evaluation: Superintendent

Discussion of Student Matters

- A. Student Expulsions and/or Reinstatement Report
- B. Appeal of District Policy or Practice as it Relates to One (1) Individual Student Regarding an Expulsion Recommendation

Request for Waiver to Allow Passing Score on California High School Exit Exam with the use of Modifications for One Student

Conference with Agency Labor Negotiator, William R. Jones, Regarding Collective Bargaining Agreement(s) with Employee Group(s)

ADJOURNMENT FROM CLOSED SESSION

**Adjournment from
Closed Session**

The Board of Trustees adjourned Closed Session at 7:20 p.m.

RECONVENING IN OPEN SESSION

**Reconvening in
Open Session**

The Board of Trustees reconvened in Regular Session at 7:25 p.m. in the Board Room of the Kern High School District Administrative and Support Services Office.

Flag Salute

Mitch Olsen, President of the Kern High Teachers Association, led the Board of Trustees and members of the audience in the flag salute.

**Ceremonial Oath of
Office**

Superintendent Carter congratulated the two newly elected Trustees for four-year terms: Trustees Bill Perry and Chad Vegas. While the official Oath of Office was administered prior to the beginning of Closed Session this evening, Superintendent Carter re-administered the Oath of Office in front of family members, friends and supporters present in the audience, as follows:

I, _____, do solemnly swear (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance to the Constitution of the United States and the Constitution of the State of California; that I take this obligation freely, without any mental reservation or purpose of evasion; and that I will well and faithfully discharge the duties upon which I am about to enter.

**Adoption of
Final Agenda**

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

Approval of Minutes from Regular Board Meeting of October 6, 2008 and Special Board Meeting of October 24, 2008

It was moved by Trustee Heinrichs, seconded by Trustee Vegas and carried that the minutes from the Regular Meeting of November 3, 2008 and Special Meeting of November 13, 2008 be approved as mailed.

Election of President, Vice President and Clerk for the Board of Trustees; and, Election of Representative and Alternate to the Kern County Committee on School District Organization

It was moved by Trustee Vegas that the following slate of officers be elected for the Kern High School District Board of Trustees:

President: Joel Heinrichs
Vice President: Ken Mettler
Clerk: J. Bryan Batey

The motion was seconded by Trustee Perry and carried with a unanimous vote.

It was moved by Trustee Vegas, seconded by Trustee Heinrichs and unanimously carried that Trustee J. Bryan Batey be elected as the Representative to the Kern County Committee on School District Organization.

It was moved by Trustee Vegas, seconded by Trustee Heinrichs and unanimously carried that Trustee Bill Perry be elected as the Alternate to the Kern County Committee on School District Organization.

REPORT FROM CLOSED SESSION

Report from Closed Session

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

A Board Study Session and Special Board of Trustees meeting has been scheduled for 8:00 a.m. on Monday, December 15, 2008. Closed Session will be scheduled following the Board Study Session and Open Session. Both sessions will be held in the Board Room.

The next Regular Board of Trustees meeting has been scheduled for Monday, January 5, 2009, pending Board approval of the 2009 Board Meeting Schedule later in this Board meeting.

Student Expulsions and/or Reinstatements Report

It was moved by Trustee Vegas, seconded by Trustee Batey and carried with a unanimous vote that all recommendations included in the Student Expulsions and/or Reinstatements Report be approved as presented to the Board of Trustees in Closed Session.

Approval of Waiver to Allow Passing Score on California High School Exit Exam with the use of Modifications for One Student

It was moved by Trustee Batey, seconded by Trustee Vegas and unanimously carried to approve a waiver to allow a passing score on the California High School Exit Exam with the use of modifications for one (1) student from Highland High School. Due to confidentiality of student records, the name of the student is kept confidential.

SUPERINTENDENT'S REPORT

**Recognition of Kern
High School District
Trustee, Bob J.
Hampton, for
Service as a Kern
County School
Board Member**

Superintendent Carter introduced the recognition of Bob Hampton for his service to the Kern High School District Board of Trustees. "It is a pleasure to recognize this evening someone who have given dedicated services to this Board." Bob Hampton was first elected to the Board of Trustees in November of 1995 in a Special Election. He was re-elected for three additional four-year terms in November, 1996, 2000 and 2004. During his tenure on the Board of Trustees, Mr. Hampton served on many District committees including the Communications Advisory Committee, the Energy Academy Advisory Committee for Highland High School, and many Architectural Selection and District Audit Committees. He was also been elected to serve as an officer of the Board of Trustees including Clerk in 2004 and 2005, Vice President in 1998, 1999 and 2006; and, as President in 2000, 2001 and 2007. He also has served as the Board Representative to the Kern County Commission on School District Organization. Mr. Hampton has also served as a Delegate for Region 12B since 1997 and the Kern High School District's governing board representative for the California School Boards Association. Superintendent Carter reported it was interesting that during Mr. Hampton's career, he has attended approximately 312 board meetings.

The Board President and Superintendent Carter presented Mr. Hampton with an engraved plaque representing appreciation for his thirteen years of service as a governing board member. Superintendent Carter expressed his appreciation, and that of the Kern High School District staff, to Mr. Hampton for his years of service.

A Certificate of Recognition was presented on behalf of the Kern County Board of Education and several Kern High School District employee group organizations by Dr. Christine Frazier, Associate Superintendent. Dr. Frazier talked about her first meetings with Mr. Hampton and his reputation as Kern County's Biggest Cheerleader for Public Education. "He told us, things are going to get better. Your job is too important for you to hang your heads down. You need to hold your heads up high and know that you have the best job in this county because you represent the kids." She told Mr. Hampton that he was an inspiration to the 46 different school superintendents, the hundreds of district and school board members and thousands of kids. "You have to remain the cheerleader for the kids in our County. You have to stay committed to all of us."

Mitch Olson, President of the Kern High Teachers Association, expressed appreciation for the opportunity to publicly recognize Mr. Hampton. "His thirteen years of service to his community and his steadfast support of our schools justifies this recognition. As a board member, Bob has used simple, but wise, philosophies in his service: Hire good people and get out of their way, respect and recognize those you employ and serve, build the organization by building productive relationships. And he holds a unique set of experiences that give him an important perspective as an educational leader." Mr. Olson talked about the many conversations that he and Mr. Hampton have had over the years and how it was evident in each conversation that Mr. Hampton not understood the subject, but also empathized.

Counselors' Association President, Dawn Land-Walker, quoted Sydney Harris by saying, "The purpose of education is to turn mirrors into windows and you have done a good job polishing those windows to make them clearer. We appreciate all that you do. Thank you."

Representing C.S.E.A., Chapter 81, Bill Burdick presented Mr. Hampton with a Certificate of Appreciation for the many years of time, leadership, efforts and service as a Trustee.

Willie Sandoval, President of the Management Advisory Council, reported that Trustee Hampton was always there for the schools. “If you called this man tomorrow and needed something, he’d be the first one in line. He always had as his top priority the students and staff. We certain congratulate him on his service and we will miss him.”

Joe Brackley, Past President of the Kern High Faculty Association (now the Kern High Teachers Association) talked to members of the audience about the type of Trustee that Bob Hampton emulated. He commented that Mr. Hampton was always very positive and likened him to a well-known book author (A Time to Fight, by Jim Webb) who was a strong leader (former Secretary of the U. S. Navy, decorated Vietnam Veteran and recently-elected Senator from Virginia) with a strong voice. “You remind me a lot of him – you are cut from the same cloth.” In closing he thanked Trustee Hampton for his service.

Bob Hampton thanked everyone for the recognition and reinforced his model through all the years, “Hire good people and get out of their way.” He reported he was still around and involved in public education “because I love it.” He introduced his oldest daughter, Julie, and his granddaughter, Ashlynn, who were with Mr. Hampton in the Board meeting.

Trustee Vegas reported that, after his election in 2004, “...Bob was the first Board member to reach out to me as a new Board member and took me to lunch. He was gracious to me to actually reach out to me in spite of the fact that I was an opponent. I appreciated that he actually took me to a USC game actually a couple of weeks after that, and I really appreciated that. Just the constant willingness to do that and I learned from that, and even passed it on. In fact, after Bill (Perry) got elected, I took him out to lunch.”

Recognition of Retirees

Each year, at the Board of Trustees December meeting, Trustees recognize those retirees who have retired since the past June. On behalf of the Board of Trustees, Board President Heinrichs and Superintendent Carter presented each retiree with a retirement plaque and lifetime activity pass. Retirees include:

<u>Employee Name</u>	<u># of Years</u>	<u>Job Title</u>	<u>Department/School</u>
Kathy Bowers	8	Special Education	District Office
Mary Albertson	12	Bilingual Inst. Asst.	North High School
Linda Bower	12	Lead Food Serv. Worker	Central Kitchen
Thomas Lee	14	Custodian	Bakersfield High School
Ada Ram	14	Hourly Teacher	Bakersfield Adult School
Tanya Bachik	15	Personnel Secretary	Personnel Division
Judy Dreiling	15	Hourly Teacher	Bakersfield Adult School
Reyes Lozano, Jr.	15	Groundsworker	Stockdale High School
Larry Skeen	15	Custodian	Kern Valley High School
Abby Taylor	17	Bus Driver	Transportation Dept.
Patricia Weed	17	Clerical Specialist	Alternative Educ. Dept.
Susan Martin	18	Instruc. Assistant	Bakersfield Adult School
Lynn Bailey	20	Teacher	Stockdale High School
Roy Martin	23	IST Support Tech. II	Foothill High School
Harriett Reynolds	23	Bus Driver	Transportation Dept.
Robert Edelman	25	Teacher	Liberty High School
Ken Towery	25	Electrician Lead Worker	Maintenance & Oper.
Jennie Cisneros	26	School Health Ass't	East Bakersfield HS
Sharon Starr	27	Guidance Technician	Bakersfield High School
Janice Garcia	28	Food Service Worker	Central Kitchen

Delia Martinez	32	Sr. Attendance Clerk	East Bakersfield HS
Armando Loya	33	Bilingual Instruc. Ass't	Arvin High School

**Recognition of
North High School
FFA Student, Chris
Lewis, for national
FFA Award**

Staff recommends recognition of North High School's FFA student, Chris Lewis, for his accomplishments at the 81st National FFA Convention held in October 2008 in Indianapolis, Indiana. Chris Lewis, a senior at North High School, was named a winner in the National FFA's Agri Entrepreneur competition.

Chris fabricated a deluxe hay hook that is now marketed through Valley Feeders in Bakersfield. He had to create, fabricate and market his product as part of the application for the national award. His marketing plan included a two-year projected balance sheet along with the strengths and weaknesses of his competition. His \$1,000 award came from the Rural Development Unit of the U. S. Department of Food and Agriculture. Chris was one of only a handful of students who were invited to dine with the Secretary of Agriculture. Bryon Schaefer, North High School Principal, reported that student, Chris Lewis, is just another example of a fine North High School student, and introduced Chris Dickson, North High School agriculture teacher. Ms. Dickson introduced Chris to the Trustees and talked about the process he went through to develop and market his product. She also presented live poinsettia plants for the Trustees which were grown by the students of the North High School FFA Department.

Superintendent's Comments on District Activities

**Superintendent's
Comments on
District Activities**

No comments.

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

Several Hearing of Citizen cards were submitted as a request to address the Board of Trustees.

East Bakersfield High School, School Site Council

Jesse Aguilar, School Site Council representative, reported that East Bakersfield High School asked if the School Site Plan, which was being submitted as an action item for approval on this Board agenda is the same plan as was approved by the Council last year because their Council has not approved a new plan. Associate Superintendent Thompson confirmed it was the same report.

Presidential Inauguration Festival

Bernita Jenkins congratulated newly elected Trustees and reported she was a team leader for the Obama Presidential Campaign. Kern High School District teachers sent approximately 75-100 students to work on the campaign here in Kern County as part of their community service. "It was just a pleasure to have that many kids come out and make phone calls. It

was just amazing just to see our kids work as hard as they did.” She announced a new opportunity for students. “The Fox Theatre has opened up the theatre for an inauguration festival, where they will show the Inauguration on a full screen to show the Inauguration. While the event will be open to the public, Mrs. Jenkins reported it was the local Obama Team’s recommendation that students who worked so hard on the campaign and students (preferably seniors) who meet requirements of a certain GPA be invited to attend this festival. “The Fox Theatre has offered 500 seats for students to attend the event. We already have people that are willing to donate money so it would be less cost for the schools. We’re asking, as the Obama Team, that that this item be placed on the agenda and be thought about. It is an opportunity to go and sit and watch the Inauguration. I know we have TV’s in the classroom, but I also know that we have a 55-minute period.” She further reported this would be a grand opportunity for everyone to go and watch the Inauguration all at one time. The tickets for the students would be located in the balcony of the Fox Theatre. Trustee Vegas thanked Mrs. Jenkins for the report and stated, “I hope we do it. I can’t think of one of the more important days in the history of this country than the inauguration of a Black man as President of the United States. I would want as many students as possible to participate in that. From a civil rights perspective, that is a huge momentous occasion.” Board President Heinrichs reminded Trustees that no action could be considered at this Board meeting because the request had not been posted on the agenda, and the request would be referred to staff.

Representing an organization called Citizens to Elect Competent Board Members, Stephan Kiouses reported that several organizations in Kern County have already volunteered money for this special event (as mentioned earlier by Mrs. Jenkins), including his organization. Other organizations willing to donate include the local Democratic National Committee and the Bakersfield Democratic Club, including others. “We’ve just begun to raise money. A lot depends on whether or not the Board decides to accept donations from groups within the community and reported he would be willing to solicit additional donations to support this activity. Trustee Batey asked if the costs would be limited to bus transportation alone. Mr. Kiouses responded that there would be the cost of the bus transportation and providing substitutes for the classes when the teachers accompany the students to the Fox Theatre. He further reported that students would also be charged a nominal fee per person as well as a request from clubs on the high school campuses “kicking in some money to sponsor this event” for students. He also indicated that the local campaign representatives had some indications that African American students probably will not attend school on the day of the Inauguration, so “...this way, if we can make it a school event, where we make it an instructional moment, where we can get the ADA for the students plus make it a little special for them in a supervised environment.” Trustee Vegas asked, “Assuming that we don’t have to pay that much. I think we would all like to see that happen, or figure out a way to make it happen.” Mr. Kiouses asked for a soon decision on this request.

Trustee Heinrichs responded to the requests placed by Mrs. Jenkins and Mr. Kiouses and asked if Trustees had any concerns with placement of this item on a future agenda. Trustee Mettler responded that the Board of Trustees “...needs to be very cognizant that we can’t have taxpayer money subsidizing partisan items.” He referred to Mr. Kiouses and reported, “Some of the groups you are associated with have been involved with partisan politics. We have to be careful on that and we cannot assume that one particular ethnic group all voted for [President] Obama.” A brief discussion followed regarding whether or not the Presidential Inauguration was a nonpartisan activity. Board President Heinrichs provided a summation stating that there was some interest by the governing board, but also a concern that it not be a partisan activity. “Staff needs to look at this and obviously they can bring back a

recommendation. Staff will investigate it and give us a recommendation on whether it is advised, or not.”

Recent Incident Involving Trustee Mettler

Doug McAfee with Peace Bakersfield that, “...on October 24, 2008 one of your Board members attacked a young man at the corner of Stockdale and California doing a peaceful protect. He reported he was making a request that the Board of Trustees issue a statement of reprimand regarding the actions of Trustee Mettler. “The Police Department lacked good investigation and the District attorney failed to prosecute Ken Mettler for a crime that he committed. So, I’m asking the Board to make a statement one way or another, or how they feel about it.” He reported that his organization would be asking the State Attorney General to investigate the Bakersfield Police Department’s reactions to the 911 call and the [Kern County] District Attorney’s Office.

The next speaker was David Garcia II, who also referred to the October 24 incident, and stated that he was asking for the Board of Trustees to come to an agreement that these people are too right-wing and too-biased to be on the public Kern High School District Board. He reported, “Earlier Chad Vegas said he was for civil rights, surely he’s not for civil rights as you can totally see from the Yes on [Proposition] 8 campaign.”

Rob Badewitz reported he was present due to the actions of two Board members, Ken Mettler and Chad Vegas. He also reported that civil lawsuits would be filed against both Board members, especially Trustee Vegas because “...his public statements have caused me to be harassed. I am not a homosexual as I am engaged to be married.”

REPORTS

Reports of District Organizations

Kern High Faculty Association

Mitch Olson, President of the Kern High Teachers Association, reported that a colleague was missing due to his recent death. He reported on the passing of Mike Tucker, West High School teacher and acknowledged his service to the District. “His passion was working with our lowest performing students. He would spend the first ten minutes of every class learning more about the lives of his students. By highlighting him, we are highlighting the services of our mentor teachers.”

Counselors’ Association

No report.

California School Employees Assoc., Chapter #81

No report.

California School Employees Assoc., Chapter #747

Absent.

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 Heinrichs reported that both he and Trustee Mettler recently attended the Earl Warren Cup competition recently at Bakersfield High School. He reported it was a very impressive event.

SUPERINTENDENT'S OFFICE

**Proposed Schedule
of Regular Meetings
for the Board of
Trustees for
Calendar Year 2009** A proposed schedule of Regular Meetings for Calendar Year 2009 was presented to the Board of Trustees as an informational item by Superintendent Carter. Regular Meetings of the Board of Trustees are usually scheduled for the first Monday of every month. However, in the calendar year 2009, there are some exceptions:

1. Two Regular Meetings have been scheduled in the month of March due to the Easter Vacation schedule.
2. A Regular Meeting will be scheduled on the first Monday and the fourth (not the last Monday) Monday of June. There is no Regular Meeting in July due to vacation schedules throughout the District.
3. The September meeting has been scheduled on a Tuesday due to the Labor Day holiday.

It was moved by Trustee Mettler, seconded by Trustee Vegas and carried with a unanimous vote to approve the schedule of Regular Meetings for Calendar Year 2009. A copy of the approved Schedule of Regular Meetings is on file with these official minutes. A copy of the 2010 proposed schedule of Regular Meetings was also reviewed briefly by Superintendent Carter. Due to the holiday schedules, there will, once again, be exceptions to the tradition schedule of Regular Meetings held on the first Monday of the month.

**Kern High School
District
Organizational
Charts** The organizational charts for the Kern High School District for 2008-2009, as well as organizational charts for each of the three divisions (Business, Instruction and Personnel) and each school site were presented to the Board of Trustees for information and approval as part of the Board's Annual Organizational Meeting, and as required in the District Administrative Code, Regulation #201. A copy of the presented organizational charts is on file with these official minutes.

**Nominations for
California School
Boards Association
2008 Delegate
Assembly** The Kern High School District belongs to Region 12B of the Delegate Assembly from Kern and Tulare counties. CSBA delegates serve two-year terms. Those elected in 2009 will serve beginning April 1, 2009 through March 31, 2011. There are two Delegate Assembly meetings each year, one in May prior to CSBA's Legislative Action Conference in Sacramento and one preceding the CSBA Annual Education Conference in November/December. Each Delegate is required to attend these two meetings each year.

Included with the enclosed packet was a list of four (4) delegates whose term expires in 2009, and additional information regarding submitting a Candidate Statement for nomination. Delegates whose term expires in 2009, includes:

1. Kevin Burton (Fruitvale Elementary SD)
2. Blaine Geissel (Rosedale Union Elementary SD)
3. Steve Skalisky (Richland SD)
4. Dee Whitley (Panama-Buena Vista Union SD)

Trustees briefly discussed nominations; however, no motion was recorded for a nomination.

**Appointment of
Kern High School
District Trustee to
the California
School Boards
Association Delegate
Assembly
Representing Kern
High School District
in Sub-Region 12B**

According to the Bylaws and Standing Rules of the California School Boards Association, school districts with an ADA of 30,000 – 39,999 may appoint one delegate to represent their district. The term of each delegate is two years and begins on April 1. The current appointed delegate to represent Kern High School District is Trustee Bob J. Hampton, whose term expires in 2009. There are two Delegate Assembly meetings each year, one in May prior to CSBA's Legislative Action Conference in Sacramento and one preceding the CSBA Annual Education Conference in November/December. The nomination from a school district must be submitted to CSBA no later than February 27, 2009. Once a nominee is appointed by our Board, the biographical sketch form must be completed and submitted to CSBA.

It was moved by Trustee Vegas, seconded by Trustee Mettler and unanimously carried to approve the appointment of Trustee J. Bryan Batey as the Kern High School District delegate to Region 12B of the California School Boards Association Delegate Assembly for 2009.

INSTRUCTIONAL SERVICES

**Open Enrollment
for 2009-2010
School Year**

The Open Enrollment application period for the 2009-2010 school year has been set and Associate Superintendent Thompson reviewed the process with Trustees. Applications from incoming freshmen only (current 8th graders) will be accepted on January 30, 2009 from 2:00 to 8:00 p.m., and on January 31, 2009 from 10:00 a.m. to 1:00 p.m. Applications from current 9th, 10th, and 11th grade students will be accepted beginning March 23, 2009 through 3:00 p.m. on May 1, 2008. The Open Enrollment Program provides an opportunity for parents and their students to select a high school other than the one serving their attendance area. This can be done by applying for an Open Enrollment Transfer. Admission is granted provided that space is available at the requested school. Each high school has a pre-determined capacity for each grade level that may restrict some transfers. A copy of the Open Enrollment Program booklet was provided with the agenda and material, and a copy is on file with these official minutes.

Following the presentation, Associate Superintendent Thompson asked if any Trustee had questions. Trustee Heinrichs reported the Open Enrollment brochure "...was the most negative brochure there ever was." He talked about the question and answer section inside the brochure, and how the brochure appears to be designed to discourage open enrollment applications, rather than encourage them.

**Report from Kern
County
Superintendent of
Schools Regarding
Williams Site Visits**

As part of the Williams and Valenzuela lawsuit settlements, California Education Code Section 1240 and Assembly Bill 607 require that the County Office of Education provide each district with a quarterly report of findings in five areas: 1) if students have sufficient instructional materials in the four core subject areas; 2) Compliance with facilities maintenance using a Facilities Inspection Tool; 3) If the school has provided accurate data for

the annual School Accountability Report Card (SARC); 4) If a school has current teacher vacancies and mis-assignments; and, 5) the extent to which pupils who have not passed the California High School Exit Examination (CAHSEE) by the end of Grade 12 are informed that they are entitled to receive CAHSEE intensive instruction and services for up to two consecutive years after completion of grade 12 and the extent to which pupils who elected to receive services are served.

The Quarterly Report of Findings for the First Quarter, covering July-September, 2008 for the Kern High School District school sites was presented for information only by Associate Superintendent Thompson, who reported that all insufficiencies have been resolved

Courses of Study

Courses of Study for South and West high schools, the Bakersfield Adult School and the Kern High School District 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 Batey 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 8:29 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 8:30 p.m.

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

It was moved by Trustee Batey, seconded by Trustee Mettler and carried 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(s) is on file with these official minutes.

**PUBLIC HEARING
to Receive Input
Regarding the
Proposed 2008-2011
Agreement Between
Kern High School**

Kern High School District and the Kern High School Skilled Trades Union, Unit D, have reached a tentative 2008-2011 Collective Bargaining Agreement. In accordance with AB1200 (Statutes of 1991, Chapter 1213) and Government Code Section 3547.5, the Disclosure of Collective Bargaining Agreement has been available for public view and the public shall have an opportunity to express points of view regarding the Agreement at a public Board meeting. A Public Hearing was declared open at 8:30 p.m. to receive input regarding

**District and the
Kern High School
Skilled Trades
Union, Unit D**

the tentative 2008-2011 Collective Bargaining Agreement. No requests to address the Board of Trustees were received, and the Public Hearing was declared closed at 8:31 p.m.

**Ratification of 2008-
2011 Collective
Bargaining
Agreement Between
Kern High School
District and Kern
High School Skilled
Trades Union, Unit
D**

It was moved by Trustee Vegas, seconded by Trustee Perry and unanimously carried to ratify the 2008-2011 Collective Bargaining Agreement between Kern High School District and the Kern High School Skilled Trades Union, Unit D.

BUSINESS SERVICES

**Approval of 2008-
2009 First Period
Interim Financial
Report to the Board**

AB1266, Chapter 741 (1985 requires the district to prepare and submit certain interim financial reports to the Board of Trustees and then to the State Controller as official notification of whether or not the district will be able to meet its financial obligations for the remainder of the fiscal year. Under normal fiscal conditions, the Board of Trustees would be asked to approve the First Period Interim Report based upon the adopted budget and the District's expenditure projections. However, due to the State of California's negative financial forecasts, the Board of Trustees is asked to approve the District's First Period Interim Report utilizing the Governor's proposal of a \$2.5 billion mid-year cut to education. Two separate reports were included with the Board packet. The first report, Appendix A, was the First Period Interim Financial Report utilizing the Governor's proposed mid-year cut to education. This report indicates that the District can meet its financial obligations for the current fiscal year and the two subsequent years. The second report, Appendix B, was provided for information only. It is the First Period Interim Report based on the adopted budget and the District's expenditure projections.

It was moved by Trustee Batey, seconded by Trustee Mettler and carried with a unanimous vote that Appendix A, the First Period Interim Financial Report utilizing the Governor's proposed mid-year cut to education, be approved as presented by Associate Superintendent Scott. A copy of the approved Appendix A is on file with these Official Minutes and in the Business Division.

**Resolution of the
Governing Board of
the Kern High
School District
Regarding Annual
Accounting of
Development Fees
for Fiscal Year
2007-2008 in the
Following Fund or
Account: School
Facilities
Development Fee**

The Kern High School District shares the school facilities fee with its feeder elementary school districts. The fees are \$2.97 per square foot of assessable space of residential construction and \$0.47 per square foot of covered and enclosed space of commercial/industrial construction. Pursuant to Education Code Section 17623 and agreements with elementary districts sharing territory with the Kern High School District, generally 35% of the fee is distributed to the Kern High School District.

It was moved by Trustee Perry, seconded by Trustee Batey and carried with a unanimous vote that the Resolution of the Governing Board of the Kern High School District Regarding Annual Accounting of Development Fees for Fiscal Year 2007-2008 in the Following Fund or Account: School Facilities Development Fee as per Government Code Sections 66001(d) and 66006(b) be approved as presented. A copy of the approved Resolution is on file in the Business Division.

(the "Fund") as per
Government Code
Sections 66001(d)
and 66006(b)

Resolution for
Authorized
Individuals to Act as
Representatives for
the Kern High
School District
Before the Internal
Revenue Service
(IRS) for Tax
Matters Involving
Employment, Excise
and Civil Penalties
According to IRS
Form 2848, Power
of Attorney and
Declaration of
Representatives

In order to obtain information regarding the Kern High School District with the Internal Revenue Service (IRS), the IRS requires verification of representatives that are authorized to access information about the District. It was moved by Trustee Mettler, seconded by Trustee Batey and carried that the Resolution for Authorized Individuals to Act as Representatives for the Kern High School District before the Internal Revenue Service for Tax Matters Involving Employment, Excise and Civil Penalties According to IRS Form 2848, *Power of Attorney and Declaration of Representative*, be approved as presented. The authorization provides that Dennis Scott as Associate Superintendent of Business, David Chalupa as Director of Fiscal Services, and Paul Bealessio as Budget Director, all for Kern High School District. A copy of the approved Resolution is on file in the Business Division.

ADMINISTRATIVE REPORT

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

Administrative
Report

Board President Batey called for the motion to adopt the Administrative Report as presented. It was moved by Trustee Batey, seconded by Trustee Vegas and carried with a unanimous vote that all items on the Administrative Report be approved 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 agreement between Kern High School District and California Department of Education (CDE) for the Kern Resource Center standard agreement.
3. Approval of concurrent enrollments for the 2007-2008 school year.
4. Approval of Single School Plans for 2008-2009 for all Kern High School District schools. The Single Plan for Student Achievement (SPSA) is a plan of actions to raise the academic performance of all students to the level of performance goals established

under the California Academic Performance Index (API). State law requires that school-level plans for programs funded through the Consolidated Application be consolidated in a Single Plan For Student Achievement (Education Code Section 64001), developed by school-site councils with the advice of any applicable school advisory committees. (Copies of the plans will be available at the Board Meeting for review)

5. Approval of the following short term consultants:

- **Dr. Donald Mass**, to present small and large group trainings for staff at Highland High School in the Elements of Instruction, Instructional Effectiveness and Cooperative Learning. These training shall take place throughout the school year at \$1,500 per training. *Funding Source: Categorical/Quality Education Investment Act (QEIA)/Highland High School.*
- **Mr. Ron Rohac**, to provide an in-service to the Kern High School District Principals and Assistant Principals of Instruction.. Mr. Rohac is an expert in the field of Specially Designed Academic Instruction in English (SDAIE) focusing on the methodology necessary to successfully teach content area curriculum to second language learners. His practical approach to teaching will give our content area teachers the confidence and tools to work successfully with our English learner (EL) population. *Funding Source: Categorical Federal Funds/Title I/Special Projects.*

6. Approval of the following out of area trips:

- **Golden Valley High School** Color Guard students to travel to Dayton, Ohio to compete in the Winter Guard International (WGI) Percussion Championships to be held on March 30- April 5, 2009.
- **Stockdale High School** Color Guard students to travel to Dayton, Ohio to compete in the Winter Guard International (WGI) Percussion Championships to be held on March 30- April 5, 2009.

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 check donation in the amount of \$200.00 from Dwight and Chere Grimes to be deposited in the Independence High School stadium fund.
2. Approval to accept a donation of a Laguna Kick Wheel from Kurt and Suzanne Johnson to be used for instructional purposes in the Art Department program at Bakersfield High School.
3. Sale of Tax-defaulted property by Kern County Treasurer and Tax Collector.
4. Authorization to enter into a Sole Source License Agreement between Kern High School District and LANSA Inc. The proposed agreement will provide System i Modernization

Software Development to the Kern High School District. LANSA Inc. is the only firm to provide complete software modernization services. It would be futile and unavailing to comply with competitive bidding statutes for this contract. The value of this contract is \$93,214.00.

5. Authorization to enter into an agreement between Kern High School District and California State University, Bakersfield. The proposed agreement will provide use of Hillman Aquatic Center for swimming and diving practices. Term of agreement is February 2, 2009 to May 14, 2009.
6. Authorization to enter into an agreement between Kern High School District and California State University, Bakersfield. The proposed agreement will provide use of Hillman Aquatic Center for swimming and diving meets. Term of agreement is February 2, 2009 to May 14, 2009.
7. Authorization to enter into an agreement between Kern High School District and California State University, Bakersfield. The proposed agreement will provide use of Hillman Aquatic Center for swimming and diving championship meet. Term of agreement is May 5, 2009 to May 6, 2009.
8. Authorization to enter into an agreement between Kern High School District and North of the River Recreation and Park District. The proposed agreement will provide use of the North Beardsley Pool for District student programs. Term of agreement is February 2, 2009 to May 15, 2009.
9. Authorization to enter into an agreement between Kern High School District and North of the River Recreation and Park District. The proposed agreement will provide use of the Greenacres Pool for District student programs. Term of agreement is February 2, 2009 to May 15, 2009.
10. Authorization to enter into an agreement between Kern High School District and North of the River Recreation and Park District. The proposed agreement will provide use of the North of the River (NOR) Pool for District student programs. Term of agreement is February 2, 2009 to May 15, 2009.
11. Authorization to enter into an agreement between Kern High School District/Bakersfield Adult School and the County of Kern. The proposed agreement will provide an office space for educational referral to programs offered by Career Services Center/Workforce Investment Act at the Southeast Bakersfield Community Services Center.
12. Authorization to enter into an agreement between Kern High School District/Bakersfield Adult School and Kern County Child Support Services. The proposed agreement will provide a teen and older youth peer advisory group for Kern County Child Support Services. Term of agreement is December 2008 to June 30, 2009.
13. Authorization to enter into an agreement between Kern High School District/Bakersfield Adult School and Kern County Employers Training Resources. The proposed agreement will provide training for Nursing Assistant, Vocational Nurse and Pharmacy Technician certification training programs. Term of agreement is January 1, 2009 to June 30, 2009.

14. Authorization to enter into a Memorandum of Understanding between Kern High School District/Bakersfield Adult School and Church of God of Prophecy. The proposed understanding will provide English as a Second Language (ESL), ESL Distance Learning, and General Education Diploma (GED) - Distance Learning (DL) classes . Term of understanding is January 5, 2009 to June 30, 2010.
15. Authorization to enter into agreements between Kern High School District/Bakersfield Adult School and the following facilities. The proposed agreements will provide on-the-job training for Bakersfield Adult School students at “Career Resource Department” for the 2008-2009 school year:
- a. Dedicated Dental
 - b. San Joaquin Valley Pulmonary
 - c. Michael’s Crafts
 - d. Sunshine Center Preschool and Daycare

16. Authorization to enter into an agreement between Kern High School District/Food Services and Clinica Sierra Vista. The proposed agreement will provide supervised experience to student interns enrolled in the Dietetic Internship Program for the 2008-2009 school year.

17. Authorization to extend and add new line items of Bid No. 1600 – District-wide Annual Contract: Fencing for the third year of a potential five-year contract. San Joaquin Fence and Supply proposed 4.97% increase for the 2008-2009 contract year. The second year contract usage was approximately \$120,000.00. Terms of the contract are December 1, 2008 to November 30, 2009. The new line items are as follows:

<u>Line Item</u>	<u>Amount</u>
Temporary Fence Rental after 3 Months	\$.53 cents per foot per month
4’ x 20’ Roll Gate	\$1,081.60
5’ x 20’ Roll Gate	\$1,113.00
6’ x 20’ Roll Gate	\$1,144.60
8’ x 20’ Roll Gate	\$1,207.60

18. Authorization to extend Bid No. 2225 – District-wide Purchase of Computer Equipment, Peripherals, and Supplies for the second year of a potential five year contract with Dell Marketing, L.P. Dell Marketing, L.P. proposed a 0% increase from last year. The first year contract usage was approximately \$3,000,000.00

19. Approval of Professional Services Supplemental Authorization (PSSA) No. 4 for RFP No. 1420 – Architectural Design Services for Arvin High School Modernization 2005 to add architectural and engineering services for campus-wide security system:

Architect: BFGC Architects Planners, Inc.
 This Increase: \$ 35,200.00

20. Approval of Change Order No. 19 for Mira Monte High School (Comprehensive High School No. 1-2004) Portion Two for a total of \$198,902.25, as follows:

- a. Bid No. 1819-08 – Electrical Systems
 - Contractor: Howe Electric, Inc.
 - Original Contract Amount: \$ 12,590,000.00

Adjusted Contract Amount: \$12,643,279.92
This Increase: \$ 112,416.00
New Total: \$12,755,695.92

b. Bid No. 1860-03 – Playground Equipment

Contractor: Unified Sports, dba Jaypro Sports
Original Contract Amount: \$ 194,971.00
Adjusted Contract Amount: \$ 201,143.00
This Decrease: \$ (15,000.00)
New Total: \$ 186,143.00

c. Bid No. 1872-02 – Paving Package Number 4

Contractor: Griffith Company
Original Contract Amount: \$ 1,063,697.00
Adjusted Contract Amount: \$ 1,160,630.43
This Increase: \$ 11,391.12
New Total: \$ 1,172,021.55

d. Bid No. 1872-03 – Paving Package Number 4

Contractor: Griffith Company
Original Contract Amount: \$ 1,063,697.00
Adjusted Contract Amount: \$ 1,172,021.55
This Increase: \$ 90,095.13
New Total: \$ 1,262,116.68

21. Approval of Change Order No. 2 for East Bakersfield High School Modernization 2005 for a total of \$107,027.08, as follows:

a. Bid No. 1906-01 (Growth) – Ornamental Fencing, Chain Link Fencing and Wire Mesh Partitions

Contractor: Rudnick Fence Company
Original Contract Amount: \$ 155,000.00
Adjusted Contract Amount: \$ 0.00
This Increase: \$ 7,056.50
New Total: \$ 162,056.50

b. Bid No. 1903-02 (Modernization) – Asbestos Abatement and Building Demolition

Contractor: CST Environmental, Inc.
Original Contract Amount: \$ 297,800.00
Adjusted Contract Amount: \$ 299,300.00
This Increase: \$ 11,242.00
New Total: \$ 310,542.00

c. Bid No. 1928-01 (Growth) - Plumbing and Site Utilities

Contractor: Taft Plumbing Co., Inc.
Original Contract Amount: \$ 359,194.00
Adjusted Contract Amount: \$ 0.00
This Increase: \$ 28,438.00
New Total: \$ 387,632.00

- d. Bid No. 1933-01 (Growth) – Earthwork and Grading – Phase 1
 - Contractor: Valley Tree & Construction
 - Original Contract Amount: \$ 296,000.00
 - Adjusted Contract Amount: \$ 0.00
 - This Increase: \$ 26,031.12
 - New Total: \$ 322,031.12

- e. Bid No. 1933-02 (Growth) – Earthwork and Grading – Phase 1
 - Contractor: Valley Tree & Construction
 - Original Contract Amount: \$ 296,000.00
 - Adjusted Contract Amount: \$ 322,031.12
 - This Increase: \$ 19,612.06
 - New Total: \$ 341,643.18

- f. Bid No. 1936-01 (Growth) – Site Concrete
 - Contractor: James E. Thompson, Inc.
dba JTS Construction
 - Original Contract Amount: \$ 598,750.00
 - Adjusted Contract Amount: \$ 0.00
 - This Increase: \$ 14,647.40
 - New Total: \$ 613,397.40

22. Approval of Change Order No. 19 for Independence High School (Comprehensive High School No. 2-2004) for a total of (\$14,129.22), as follows:

- a. Bid No. 2014-05 – Concrete Block Masonry
 - Contractor: Nibbelink Masonry Construction Corporation
 - Original Contract Amount: \$ 2,130,000.00
 - Adjusted Contract Amount: \$ 2,101,127.95
 - This Decrease: \$ (18,877.00)
 - New Total: \$ 2,082,250.95

- b. Bid No. 2031-11 – Painting
 - Contractor: Ro's Precise Painting, Inc.
 - Original Contract Amount: \$ 393,200.00
 - Adjusted Contract Amount: \$ 403,420.00
 - This Increase: \$ 2,636.00
 - New Total: \$ 406,056.00

- c. Bid No. 2069-03 – Offsite Improvements
 - Contractor: Griffith Company
 - Original Contract Amount: \$ 1,949,612.00
 - Adjusted Contract Amount: \$ 2,019,774.19
 - This Increase: \$ 2,111.78
 - New Total: \$ 2,021,885.97

23. Approval of Professional Services Supplemental Authorization (PSSA) No. 1 for RFP No. 2400 – Architectural Services for Bakersfield High School Athletic Stadium Modernization to increase project budget and architectural and engineering services required by the scope of work expansion:

Architect: Klassen Corporation
This Increase: \$ 964,130.00

~~24. Award of Bid No. 2284 — District wide Annual Contract for Exterior and Specialty Painting to Selbach Painting in the total bid amount of \$156,295.35. The District received other bids as follows:~~

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
Webster Painting	\$223,527.90
U.S. National Corporation dba — Jimenez Painting Co.	\$226,893.50
Prime Painting Contractors, Inc.	\$233,188.00
Everlast Painting Co.	\$238,918.00
Frank Calistro, Inc.	\$269,942.00
Economos Painting	\$386,152.10
Color New Co.	\$825,245.40

25. The District received no bids for Bid No. 2286 – Bakersfield High School Fashion and Interior Design Remodel. Pursuant to California Uniform Public Construction Cost Accounting Commission Code Section 22038, request authorization to negotiate a contract with a contractor to perform the services required.

ADJOURNMENT

Adjournment

President Batey adjourned the Annual Organizational Meeting of December 8, 2008 at 9:00 p.m.

Joel Heinrichs, President

J. Bryan Batey, Clerk

JBB/KM:bs