



KERN HIGH SCHOOL DISTRICT

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

BOARD OF TRUSTEES

Regular Meeting

August 1, 2011

OFFICIAL MINUTES

PRELIMINARY

Call to Order

The August 1, 2011 Regular Meeting of the Board of Trustees of the Kern High School District was called to order at 6:35 p.m. by Board President Bryan Batey, in Conference Room 'A' of the Administrative and Support Services Office, Kern High School District, 5801 Sundale Avenue, Bakersfield.

Members Present:

Bryan Batey, President
Chad Vegas, Vice President
Martha Miller, Member
William R. Perry, Ed.D., Member

Member(s) Absent:

Mike Williams, Clerk

Administrative Staff Member(s) Present:

Donald E. Carter, Ed.D., Superintendent
Bryon J. Schaefer, Ed.D., Assistant Superintendent, Business
Mike Zulfa, Assistant Superintendent, Instruction
Scott Cole, Assistant Superintendent, Business
Rebecca A. Shipley, Administrative Assistant to the Board of Trustees and Superintendent

Administrative Staff Member(s) Absent:

None

Election of Clerk Pro-Tem

It was moved by Trustee Vegas that Trustee Martha Miller be elected Clerk Pro Tem in the absence of Trustee Williams. The motion was seconded by Trustee Perry and carried with a four (4) yes, one (1) absent (Trustee Williams) vote.

Adoption of Agenda For Closed Session

Superintendent Carter announced no changes have been made to the Closed Session Agenda and asked for Board action to adopt. It was moved by Trustee Vegas, seconded by Trustee Miller and carried that the agenda for Closed Session be adopted as posted with no changes.

**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. No requests were submitted to address the Board of Trustees on the Closed Session agenda.

ADJOURNMENT TO CLOSED SESSION

**Adjournment to
Closed Session**

The Board of Trustees convened in Closed Session at 6:35 p.m. The following Closed Session agenda items were considered by the Board of Trustees:

***Discussion of Student Matters**

A. **Eighth Grade Student Expulsions Report**

The Board of Trustees received recommendations for expulsion from the Kern High School District Pupil Personnel Services Department recommending approval of the Eighth Grade Student Expulsions Report including expulsion recommendations for seven (7) students entering the Kern High School District from the Bakersfield City School District.

***Public Administrative Employee Appointment:**

A. Dean of Students, West High School

ADJOURNMENT FROM CLOSED SESSION

**Adjournment from
Closed Session**

The Board of Trustees adjourned from Closed Session at 6:50 p.m.

RECONVENING IN OPEN SESSION

**Reconvening in
Open Session**

The Board of Trustees reconvened in Open Session at 7:03 p.m. in the Board Room of the Kern High School District Administrative and Support Services Office.

**Adoption of
Final Agenda**

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

**Approval of Minutes
from Regular
Meeting of June 27,
2011 and Special
Meeting of July 1,
2011**

It was moved by Trustee Miller, seconded by Trustee Vegas and carried that the Minutes from the June 27, 2011 Regular Meeting and the July 1, 2011 Special Meeting be approved as presented.

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 or prior to this evening's Board meeting.

REPORT FROM CLOSED SESSION

**Closed Session
Report**

In Closed Session Trustees approved the appointment of Eugene “Chris” Christmas to the position of Dean of Students, West High School.

**Student Expulsions
and/or Reinstatements
Report**

It was moved by Trustee Vegas, seconded by Trustee Perry and carried with a four (4) yes, one (1) absent (Trustee Williams) 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.

SUPERINTENDENT’S REPORT

Superintendent’s Comments on District Activities

**Superintendent’s
Comments on
District Activities**

Superintendent Carter informed Trustees that a very successful Summer School just concluded, where students are able to recover course credits or repeat courses. Over 16,000 students were enrolled in the first session this year, and over 13,000 students enrolled in the second session. In addition, over 700 students were enrolled in the online learning for credit recovery. “We are pleased with that attendance.”

Senate Bill 614 has been signed by the Governor giving a 30-day extension to the Pertussin Immunization/Whooping Cough vaccine, which will allow schools time to work with parents who have not been able to complete that requirement by the opening day of school.

HEARING OF CITIZENS

Hearing of Citizens

No requests were submitted to address the Board of Trustees.

REPORTS

Reports of District Organizations

**Kern High Teachers
Association**

No report.

**Counselors’
Association**

No report.

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

Absent.

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

Absent.

**Management
Advisory Council** No report.

**Laborer's
International Union
of North America,
Local 220, Skilled
Trades Union, Unit D** Absent.

**Laborer's
International Union
of North America,
Local 220,
Supervisors, Unit F** Absent.

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

**Board of Trustee
Reports and/or
Inquiries** No reports.

SUPERINTENDENT'S OFFICE

**Item #1286:
Consideration and
Possible Adoption of
Supplemental
Resolution
Regarding the
Adoption of a
Trustee Area Plan
Based on the 2010
Census for Use at the
November 2012 and
Subsequent
Governing Board
Elections**

On June 6, 2011, the Board of Trustees selected going to a election process including Trustee areas and the Plan No. 2 was adopted by the governing board on June 27, 2011. California Education Code sections 5019(a) & (c)(1) and 5030 authorize the Kern County Committee on School District Organization ("County Committee"), upon application of a school district's governing board, to change the method of election in a school district under its jurisdiction. The Board of Trustees has determined that the public interest may be well-served by election of its governing board members in "by-trustee area" elections, i.e., elections in which "one or more members residing in each trustee area [is] elected by the registered voters of that particular trustee area" [Education Code section 5030(b)].

At the May 24, 2011 Board meeting, a duly-noticed public hearing was held to solicit public testimony regarding three draft trustee area plans presented by National Demographics Corporation (NDC), which were based upon 2010 Census data and criteria adopted by the Board at its May 10, 2011 meeting. A second Public Hearing was held at the Regular Meeting of June 6, 2011 for the purpose of soliciting public testimony regarding the draft plans presented by NDC.

After discussion and consideration of all input, the Board determined to recommend Plan 2 for adoption by the County Committee as the new electoral system and trustee area plan for Board of Trustees elections for the District and adopted a resolution at its June 6, 2011 meeting adopting Plan 2 and directing the Superintendent to bring back a supplemental resolution for the Board's consideration which describes the Board's rationale for adopting the plan selected.

The proposed Supplemental Resolution makes the following findings in support of the adoption of Trustee Area Plan 2 by the Board of Trustees:

1. Plan 2 meets the legally required criteria of population equality and compliance with Section 2 of the federal Voting Rights Act; and
2. Plan 2 complies with other criteria adopted by the Board, including geography (use of major streets and highways where possible), topography, compactness and contiguity, avoidance of head to head contest among incumbents, consideration of jurisdictional boundaries (high school attendance areas), and whole census geography; and
3. Plan 2, in contrast to some of the other plans, keeps the City of Shafter intact as a community of interest; and
4. Plan 2 results in the least variance among the different trustee areas in terms of the number of high school attendance areas represented in each trustee area; and
5. Plan 2 represents a balance among rural and urban areas in several of the trustee areas.

It was moved by Trustee Vegas and seconded by Trustee Miller to approve the Supplemental Resolution as presented. President Batey called for the vote, and the Resolution was approved by a four (4) yes, one (1) absent (Trustee Williams) vote.

Item #1335:
Approval of
Proposed Changes to
the Kern High
School District
Administrative Code
Policy Changes

Proposed changes to the Kern High School District Administrative Code in the following sections were presented by Superintendent Carter for approval:

Board Policy 3550: Food Service, Child Nutrition Program
Board Policy 3551(a): Food Service Operations
Board Policy 3553: Free and Reduced Meals, Confidentiality
Board Policy 6163.2: Animals at School, Instructional Purposes
Board Policy 1250: Visitors and Outsiders

It was moved by Trustee Miller, seconded by Trustee Perry and carried with a four (4) yes, one (1) absent (Trustee Williams) vote to approve the proposed changes as presented.

INSTRUCTIONAL SERVICES

Item #1329: Courses
of Study

Courses of Study for Centennial High School, Liberty High School and the Kern High School District were presented to the Board of Trustees for information only. The course 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

No Items.

BUSINESS SERVICES

Item #1319:
Approval of
Regulations and
Charges for
Community Use of
School Facilities for
the Year 2011-2012

It was moved by Trustee Miller and seconded by Trustee Perry to approve the “Regulations and Charges for Community Use of School Facilities for the Year 2011-2012” as presented. The motion carried with a three (3) yes, one (1) abstain (Trustee Vegas) and one (1) absent (Trustee Williams) vote.

Item #1322:
Approval of
Resolution for
Authorized
Individuals to Act as
Representatives
Before the Internal
Revenue Service
(IRS)

It was moved by Trustee Vegas that the Board of Trustees approve a Resolution naming Authorized Individuals to Act as Representatives Before the Internal Revenue Service (IRS), specifically:

Scott Cole, Assistant Superintendent of Business
Paul Bealessio, Director of Budgets
David Chalupa, Director of Fiscal Services

A copy of Internal Revenue Service Form 2848, Power of Attorney and Declaration of Representative was included with the agenda item for additional information. This Resolution is in addition to previous resolutions authorizing individuals to act as representatives on behalf of the Kern High School District with matters before the Internal Revenue Service (IRS).

The motion was seconded by Trustee Perry and carried with a four (4) yes, one (1) absent (Trustee Williams) vote. A copy of the approved Resolution is on file in the Business Division.

Item #1332:
Approval of
Resolution
Supporting the
Application and the
Identification of
Individuals
Authorized to
Implement Heavy-
Duty Engine
Incentive Program
School Bus CNG
Tank Replacement
Option

The San Joaquin Valley Air Pollution Control District is seeking applications to replace expired or expiring Compressed Natural Gas (CNG) tanks in school buses. The purpose of the School Bus CNG Tank Replacement Option 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 keeping low-emitting public school buses on the roadways. 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 Vegas, seconded by Trustee Miller, and carried with a four (4) yes, one (1) absent (Trustee Williams) vote to approve the Resolution Supporting the Application and the Identification of Individuals Authorized to Implement Heavy-Duty Engine Incentive Program School Bus CNG Tank Replacement Option as presented. A copy of the approved Resolution is on file with these official minutes.

CONSENT AGENDA

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

Consent Agenda

It was moved by Trustee Vegas, seconded by Trustee Miller and carried with a unanimous vote to approve the Consent Agenda as presented.

Superintendent's Office

No items.

Instructional Services

1. Item # 1211: Approval of Short Term Consultant Agreement with Horizon Intertainment LLC to present workshops on anti-bullying to students at South High School. *Funding Source: Principal's Budget*
2. Item # 1256: Approval of KHSD/BAS application for continued funding for the Carl D. Perkins Vocational and Technical Education Act of 1998 through the California Department of Education for the 2011-2012 school year.
3. Item #1263: Approval of KHSD/ROC application for continued funding for the Carl D. Perkins Vocational and Technical Education Act through the California Department of Education for the 2011-2012 school year.
4. Item #1266: Approval of 2011-2012 Food Sale Schedule for Kern High School District campuses.
5. Item #1275: Authorize the Manager of Special Education to approve the Individual Serve Contract for Nonpublic, Nonsectarian School Agency Services with *Colorado Boys Ranch* for an individual student.
6. Item #1277: Authorize the Manager of Special Education to approve the Master Contract Agreement for Nonpublic, Nonsectarian School Agency Services with *Colorado Boys Ranch* for the purpose of providing special education and related services to individuals with exceptional needs under authorization of Education Code sections 56157 and 563650 56366.7.
7. Item #1279: Authorize the Manager of Special Education to approve the Master Contract Agreement for Nonpublic, Nonsectarian School Agency Services with *Provo Canyon School* for the purpose of providing special education and related services to individuals with exceptional needs under authorization of Education Code sections 56157 and 563650 56366.7.
8. Item #1280: Authorize the Manager of Special Education to approve the Individual Serve Contract for Nonpublic, Nonsectarian School Agency Services with *Provo Canyon School* for two individual students.
9. Item #1281: Authorize the Manager of Special Education to approve the Individual Serve Contract for Nonpublic, Nonsectarian School Agency Services with *Provo Canyon School* for one individual student.
10. Item #1284: Authorize the Manager of Special Education to approve the Master Contract Agreement for Nonpublic, Nonsectarian School Agency Services with *Valley Achievement Center* for the purpose of providing special education and related services to individuals with exceptional needs under authorization of Education Code sections 56157 and 563650 56366.7.

11. Item #1285: Authorize the Manager of Special Education to approve the Individual Serve Contract for Nonpublic, Nonsectarian School Agency Services with *Valley Achievement Center* for seven individual students.
12. Item #1287: Approval of the 2011-12 Agriculture Incentive Grant Program for twelve Kern High School District school sites
13. Item #1310: Approval of the Out of Area Trip Request for Foothill High School FFA students to travel to Indianapolis, Indiana on October 19-25, 2011 to attend the National FFA Convention.
14. Item #1330 : Approval of Courses of Study
15. Item #1331: Approval of Short Term Consultant Agreement with Vickie Phillips, to provide a one day workshop on the topic “Changing Student Behaviors” for certificated staff members at Highland High School *Funding Source: Categorical/Quality Education Investment Act (QEIA)*

Personnel Services

1. Personnel Report for August 1, 2011.
2. Amendment to Service Provider Agreement with the Kern County Superintendent of Schools

Business Services

1. Item #1288: Acceptance of a donation of a front bumper from a 2004 Acura RSX, Model 548 donated to the Auto Body Repair/Program at the Kern High School District Regional Occupational Center.
2. Item #1289: Authorization to Solicit Bids for the Purchase of Football Helmets to be used District-wide.
3. Item #1290BU: Authorization to Enter into Agreements with Community Businesses to Support the Regional Occupational Center Partnership Academies for the 2011-2012 school year.
4. Item #1291: Authorization to Rescind Line Item No. 10 of Request for Quote (RFQ) No. 2375 –District-wide Purchase of Paper Goods from Gold Star Foods, Inc. in the amount of \$31,507.25 for wrapped 3-piece combo of spork, straw and napkin.
5. Item #1292BU: Authorization to Enter into a One-Year Sole Source Agreement between Kern High School District and Hall Ambulance Services, Inc. The proposed agreement will provide stand-by ambulance service to the Kern High School District (with the exception of Kern Valley High School). Hall Ambulance Services is the only licensed franchisee to provide ambulance services in the Kern High School District area. It would be futile and unavailing to comply with competitive bidding statutes for this contract.

6. Item #1293BU: Authorization to Enter into a Memorandum of Understanding between Kern High School District/Bakersfield Adult School and Bakersfield City School District. The proposed understanding will provide English as a Second Language (ESL), EL Civics, Citizenship, Bilingual General Education Diploma (GED), and/or Other Educational Services classes offered by Bakersfield Adult School. Term of understanding is July 1, 2011 through June 30, 2012.
7. Item #1294BU: Authorization to Enter into a Lease Agreement between Kern High School District and Caliente Stage Lines. The proposed agreement will provide for the lease of property as a bus garage facility for the 2011-2012 school year.
8. Item #1295BU: Authorization to Enter into an Agreement between Kern High School District/Special Education and Maxim Healthcare Services. The proposed agreement will provide nursing services to special needs students at various education sites. The total amount shall not exceed \$239,200.00. Term of agreement is July 1, 2011 through June 30, 2012.
9. Item #1296BU: Authorization to Enter into a Memorandum of Understanding (MOU) for Audiology Services between Kern High School District and Kern County Superintendent of Schools. The proposed MOU will provide Audiology Services for Special Education students. Term of agreement is July 1, 2011 to June 30, 2012.
10. Item #1297BU: Authorization to Enter into an Agreement between Kern High School District/Special Education and Terrio Physical Therapy-Fitness, Inc. The proposed agreement will provide occupational therapy services to special education students. Term of agreement is July 1, 2011 through June 30, 2012.
11. Item #1298BU: Authorization to Enter into an Agreement between Kern High School District/Pupil Personnel and Maxim Healthcare Services. The proposed agreement will provide daily nursing services to identified students pending staff availability. The total amount shall not exceed \$200,000.00. Term of agreement is July 1, 2011 through June 30, 2012.
12. Item #1299BU: Authorization to Enter into a Rental Agreement between Kern High School District/Special Education and Bakersfield Association for Retarded Citizens (BARC). The proposed agreement will provide one (1) classroom at the BARC facility for the Adult Based Learning Education (ABLE) Center. The rental amount is \$800.00 per month. Term of agreement is August 1, 2011 to June 30, 2012.
13. Item #1300BU: Authorization to Enter into a Short Term Consultant Agreement between Kern High School District/Food Services Department and Wanda Grant, Registered Dietician. The proposed agreement will provide dietician workshop for Food Services department employees.
14. Item #1301BU: Ratification of Recordation of the Notice of Completion for Bid No. 1919 – East Bakersfield High School Modernization 2005: Lath, Plaster, and Spray-Applied Fireproofing. This Notice of Completion recorded on June 9, 2011

15. Item #1302BU: Ratification of Recordation of the Notice of Completion for Bid No. 1920 – East Bakersfield High School Modernization 2005: Gypsum Drywall and Metal Stud Framing. This Notice of Completion recorded on June 3, 2011.
16. Item #1303BU: Ratification of Recordation of the Notice of Completion for Bid No. 1925 – East Bakersfield High School Modernization 2005: Architectural Specialties. This Notice of Completion recorded on June 24, 2011.
17. Item #1304BU: Ratification of Recordation of the Notice of Completion for Bid No. 2182 – Arvin High School Modernization 2005: Career Technical Education (CTE) Welding & Manufacturing Manifold Exhaust System. This Notice of Completion recorded on June 10, 2011.
18. Item #1305BU: Ratification of Recordation of the Notice of Completion for Bid No. 2466 – South High School Portable Classrooms Data, Telephone, and Public Address & Bell Notification System. This Notice of Completion recorded on June 27, 2011.
19. Item #1306BU: Ratification of Recordation of the Notice of Completion for Bid No. 2480 – South High School Portable Fire Alarm System. This Notice of Completion recorded on June 27, 2011.
20. Item #1307: Approval of Request by Minako America Corporation dba Minco Construction awardee for Bid No. 2705 – South High School Modernization Phase 2-2006: Underground Fire Alarm & Communications to Authorize the Substitution of Sub-Contractor. Due to scheduling conflicts, Telenet VoIP, Inc. will no longer be performing the work as proposed on the Sub-Contractor’s List. Minako America Corporation dba Minco Construction has requested approval to utilize Serban Sound and Communication for this project.
21. Item #1308BU Approval of Resolution Authorizing the District to Piggyback on the City of Bakersfield Bid No. 10-11-36 Annual Contract for the Purchase of Fuel (Diesel Only) for the District Transportation Department. The District Business Services Department has reviewed the specifications for these items and they meet District requirements.
22. Item #1309BU Approval of Change Order No. 3A for Bid No. 2165 – Arvin High School: CTEFP Modernization Phase Two for Agricultural & Natural Resources Industry, Building Trades & Construction, and Engineering & Design:

| | |
|---------------------------|-----------------|
| Contractor: | R S Wayne Inc. |
| Original Contract Amount: | \$ 1,108,166.64 |
| Adjusted Contract Amount: | \$ 1,139,597.32 |
| This <u>Increase</u> : | \$ 60,406.85 |
| New Total:\$ | 1,200,004.17 |
23. Item #1311BU Approval of Change Order No. 2B for Bid No. 2165 – Arvin High School: CTEFP Modernization Phase Two for Agricultural & Natural Resources Industry, Building Trades & Construction, and Engineering & Design:

| | |
|---------------------------|----------------|
| Contractor: | R S Wayne Inc. |
| Original Contract Amount: | \$ 734,018.80 |
| Adjusted Contract Amount: | \$ 730,343.37 |
| This <u>Increase</u> : | \$ 3,103.78 |
| New Total:\$ | 733,447.15 |

24. Item #1312BU: Approval of Change Order No. 1 for Bid No. 2471 – District-wide Annual Cultural Practices (Refers to Football Field Conditioning and Refurbishment):

| | |
|---------------------------|---------------|
| Contractor: | Nish-Ko, Inc. |
| Original Contract Amount: | \$ 88,826.00 |
| Adjusted Contract Amount: | \$ 0.00 |
| This <u>Increase</u> : | \$ 4,644.00 |
| New Total:\$ | 93,470.00 |

25. Item #1313: Award of Bid No. 2167 – Arvin High School Purchase of School Farm Equipment for Career Technical Education (CTE) Phase Two for Agricultural & Natural Resources Industry as follows:

| <u>Vendor</u> | <u>Approximate Vendor Total</u> |
|---------------|---------------------------------|
|---------------|---------------------------------|

| | |
|--|--------------|
| 1. Kern Machinery Inc., John Deere Co. | \$194,582.13 |
|--|--------------|

Items Awarded: John Deere 6430 Tractor, Frontier (Deere) LL1396 Drawn Box Scraper, John Deere 670-32 Offset Disk Harrow, John Deere 4024TF281-49 Diesel Engine, Frontier BD1110 Grain Drill, and Demco 300 Gallon Sprayer

| | |
|------------------------|-------------|
| 2. Coastline Equipment | \$99,131.18 |
|------------------------|-------------|

Item Awarded: John Deere JD310SJ Wheel Loader Backhoe

The bid for the Freeman 370 Hydro Baler is still being evaluated and may be awarded at a future date

26. Item #1315: Award of Bid No. 2431 – Foothill High School Drafting HVAC Refurbishment to Air Mechanical Heating & Air Conditioning, Inc. in the total base bid amount of \$43,875.00. The District received one other bid from Strategic Mechanical, Inc. in the total base bid amount of \$63,101.80
27. Item #1316: Award of Bid No. 2488 – Kern Valley High School Integrated Communication System Replacement to Serban Background Music, Inc. dba Serban Sound Systems in the total base bid amount of \$44,171.00. The District received no other bids
28. Item #1317: Award of Bid No. 2496 – Arvin High School Re-Roofing of Custodial Building to Graham Prewett, Inc. in the total base bid amount of \$54,000.00. The District received one other bid from Roof Systems, Inc. dba Nations Roof West in the total base bid amount of \$58,707.00
29. Item #1318BU: Approval of Change Order No. 41 for East Bakersfield High School Modernization 2005 for a total of \$1,992.00, as follows:

- a. Bid No. 1931-24 (Growth) – Electrical, Communications and Fire Alarm:

| | |
|---------------------------|----------------------|
| Contractor: | A-C Electric Company |
| Original Contract Amount: | \$ 331,924.00 |
| Adjusted Contract Amount: | \$ 489,984.60 |
| This <u>Increase</u> : | \$ 1,992.00 |
| New Total: | \$ 491,976.60 |

30. #1321BU Approval of Amendment to License Agreement between Kern High School District/Special Education and Arthritis Association of Kern County Adaptive Aquatics Center for the Use of the Pool, Spa, Dressing and Shower Facilities. The proposed amendment will increase the fixed fee to \$125.00 per hour and the scheduled time for use of property

ADJOURNMENT

Adjournment

President Batey adjourned the Regular Meeting of August 1, 2011 at 7:25 p.m.

J. Bryan Batey, President

Martha Miller, Clerk Pro Tem

JH/WRP:bs