



## KERN HIGH SCHOOL DISTRICT

5801 Sundale Avenue  
Bakersfield, CA 93309-2924  
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# BOARD OF TRUSTEES

## Special Board Meeting and Study Session

December 20, 2011

## OFFICIAL MINUTES

### PRELIMINARY

#### Call to Order

The December 20, 2011, Special Board Meeting and Study Session of the Board of Trustees of the Kern High School District was called to order at 12:00 p.m. by Board President 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  
Chad Vegas, Vice President  
Mike Williams, Clerk  
Martha Miller, Member  
William R. Perry, Ed.D., Member

#### Member(s) Absent:

None

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

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

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

None

#### 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 Williams, 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 12:00 p.m. The following Closed Session agenda items were considered by the Board of Trustees:

**Conference with Agency Labor Negotiator, Bryon J. Schaefer, Ed.D., Regarding  
Collective Bargaining Agreement(s) with Employee Group(s):**

- ✓ Kern High School Teachers Association  
Kern High School District Counselors Association  
California School Employees Association, Chapter 81  
California School Employees Association, Chapter 747  
Kern High School District Management & Confidential Association
- ✓ Kern High School District Nurses  
Laborer's International Union of North America, Local 220, Skilled  
Trader Union, Unit D  
Laborer's International Union of North America, Local 220, Supervisors,  
Unit F

**Conference with Legal Counsel Regarding Anticipated Litigation (Significant exposure to  
litigation pursuant to subdivision (b) of Government Code Section 54956.9 one (1)  
potential case.)**

**\*Public Employee Dismissal/Discipline/Release Pursuant to Education Code 44836**

**ADJOURNMENT FROM CLOSED SESSION**

**Adjournment from  
Closed Session**

The Board of Trustees adjourned from Closed Session at 1:30 p.m.

**RECONVENING IN OPEN SESSION**

**Reconvening in  
Open Session**

The Board of Trustees reconvened in Open Session at 1:35 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 Williams, seconded by Trustee Vegas and carried that the Final Agenda be approved with changes as announced by Superintendent Carter.

**REPORT FROM CLOSED SESSION**

**Closed Session  
Report**

In Closed Session, the Board of Trustees took action in Closed Session with a four (4) yes and one (1) abstain of Statement of Charges in Support of Suspension Without Pay and Termination From Employment, Regarding One (1) Classified Employee.

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

**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.

**SUPERINTENDENT'S REPORT**

**Superintendent's  
Comments on  
District Activities**

**Superintendent's Comments on District Activities**

No report.

**HEARING OF CITIZENS**

**Hearing of Citizens**

No requests were submitted to address the Board of Trustees.

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

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

*No reports, inquiries and/or items.*

**SUPERINTENDENT'S OFFICE**

*No items.*

**INSTRUCTIONAL SERVICES**

*No items.*

**PERSONNEL SERVICES**

*No items.*

**BUSINESS SERVICES**

*No items.*

**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. #1665: It is recommended that the Board of Trustees approve the Host Contract between Solution Tree/Janet Malone and East Bakersfield High School. The goal will be to have (40 core departments: English, Math, Science, History) trained. The training will be held two separate days, in the month of January. The training will focus on building the PLC at Work communication process and how to ask and answer the uncomfortable difficult questions of student learning and teacher preparations and delivery. *Funding Source: Categorical/Quality Education Investment Act (QEIA)*
2. #1667: It is requested that the Board of Trustees approve the Single School Plans for 2009-2010 for all Kern High School District Continuation High 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.

**Personnel Services**

*No items.*

**Business Services**

1. #1671: Authorization to Solicit Bids for District-wide Football Helmet Reconditioning and Certification Services
2. #1672: Authorization to Solicit Bids for Construction of Heating, Ventilation, and Air Conditioning (HVAC), Electrical, Landscaping and Irrigation, Window Replacement, and Miscellaneous Related Work for Additional Modernization at East Bakersfield High School
3. #1673: Authorization to Extend Bid No. 1674 – District-wide Annual Contract for Concrete for the Fifth and Final Year of a Potential Five-Year Contract with Southern Valley Concrete Construction. Southern Valley Concrete Construction proposed a 0.0% increase for the 2011-2012 contract year. The fourth year contract usage was approximately \$800,000.00

4. #1674: Authorization to Extend Request for Proposal (RFP) No. 2262 – District-wide Environmental Services for the Fourth Year of a Potential Five-Year Contract with Hazard Management Services (HMS), Inc. HMS, Inc. proposed a 0.0% increase for the 2011-2012 contract year. The third year contract usage was approximately \$175,000.00
5. #1675: Authorization to Extend Bid No. 2284 – District-wide Annual Contract for Exterior and Specialty Painting for the Fourth Year of a Potential Five-Year Contract with Mark Selbach Painting. Mark Selbach Painting proposed a 0.0% increase for the 2011-2012 contract year. The third year contract usage was approximately \$375,000.00
6. #1676: Authorization to Extend and Add One Site to Request for Proposal (RFP) No. 2321 – District-wide Science Laboratory Chemical Inventories for the Third and Final Year of a Potential Three-Year Contract with MS Environmental Solutions, Inc. MS Environmental Solutions, Inc. proposed a 0.0% increase for the 2011-2012 contract year. The additional site Tierra Del Sol Continuation High School. The second year contract usage was approximately \$10,000.00
7. #1677: Authorization to Extend Bid No. 2406 – District-wide Annual Contract for Flooring for the Second Year of a Potential Five-Year Contract with Metro-Floors, Inc. Metro-Floors, Inc. proposed a 3.5% increase for the 2011-2012 contract year. The first year contract usage was approximately \$200,000.00
8. #1678: Ratification of Recordation of the Notice of Completion for Bid No. 2469 – East Bakersfield High School Hex Building HVAC Replacement. This Notice of Completion recorded on November 8, 2011
9. #1679: *Award of Bid No. 2506 – District-wide Internet Service Provider (ISP) Services to Bright House Networks in the total bid amount of \$2,995.00 per month for 100Mb bandwidth. The bid from AT&T was found non-responsive due to they did not comply with bid specifications*
10. #1680: *Award of Bid No. 2509 – Frontier High School: Varsity Baseball and Softball Field Scoreboards to Piper & DeVries, Inc. dba Omega Construction in the total base bid amount of \$47,000.00. The District received other bids as follows:*

<u>CONTRACTOR</u>	<u>BID AMOUNT</u>
James E. Thompson, Inc. dba JTS Construction	\$55,000.00
Don Kinzel Construction, Inc.	\$56,500.00
Dobitz Construction, Inc.	\$56,690.00

11. #1681: *Award of Bid No. 2510 – District-Wide Purchase of Up to Two (2) Medium Duty Conventional Cab and Chassis Item No. 2 Only to Pape Kenworth in the total bid amount of \$171,559.26. The District received a “no bid” from Bakersfield Truck Center for Item No. 2. Further, reject all bids received from vendors for Item No. 1 – Medium Duty Cab and Chassis for ISB 6.7 Cummins Diesel*

12. ~~#1682: Bid No. 2729 – South High School Modernization Phase 2-2006 Off Site Concrete. Bid results will be available at Board meeting~~
13. #1683: Award of Bid No. 2730 – South High School Modernization Phase 2-2006 Chain Link Fencing to Harris Steel Fence Co., Inc. in the total base bid amount of \$163,422.00. The District received one other bid from Rudnick Fence Co. in the total base bid amount of \$168,000.00
14. #1684: Award of Bid No. 2731 – South High School Modernization Phase 2-2006 Ornamental Fencing to Rudnick Fence Co. in the total base bid amount of \$369,000.00. The District received no other bids
15. ~~#1685 Award of Bid No. 2733 – South High School Modernization Phase 2-2006 Signage. Bid results will be available at Board meeting~~
16. #1686: Approval of Resolution Authorizing the District to Piggyback on the City of Bakersfield Bid No. 11-12-36 Annual Contract for the Purchase of Fuel for the District Transportation Department. The District Business Services Department has reviewed the specifications for these items and they meet District requirements
17. #1687: Approval of Change Order No. 06A 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:	\$ 1,221,145.03
This <u>Decrease</u> :	\$ (6,600.15)
New Total:	\$ 1,214,544.88
18. #1688: Approval of Change Order No. 05B 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:	\$ 762,762.27
This <u>Decrease</u> :	\$ (3,827.10)
New Total:	\$ 758,935.17
19. #1689: Approval of Change Order No. 03C 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:	\$ 487,814.56
Adjusted Contract Amount:	\$ 501,359.97
This <u>Decrease</u> :	\$ (2,232.71)
New Total:	\$ 499,127.26
20. #1690: Authorization to Enter into a Healthy California Site Agreement between Kern High School District/Shafter High School and Kern County Superintendent of Schools. The proposed agreement will provide assistance once a month to all of the Health classes and offer nutritional education to the classes. Healthy snacks will be

prepared for the class and students will create a culminating project at the end of the semester. The project illustrates what the students have learned over the semester. The term of agreement is for the 2011-2012 school year

21. #1694: Authorization to Solicit Bids for District-wide Annual Contract of Fencing
22. #1695: Acceptance of a donation in the amount of \$100,000.00 from Ann Choung to Stockdale High School

## **BOARD STUDY SESSION**

### **Introduction to Board Study Session**

Superintendent Carter introduced the Board Study Session, commenting this Study Session will provide an opportunity for the Board of Trustees to get an update on the status of the budget, both on the State of California and as it impacts the Kern High School District and a second item presented is on Assembly Bill 1330.

### **Kern High School District Budget Update**

Assistant Superintendent Scott Cole gave a detailed report on the budget, stating prior to December 13, 2011, the day the Department of Finance released their last state revenue projections, the Superintendency and the Board had been looking at the budget through the lens of full mid-year (“trigger”) budget cuts and stated he wanted to make the Board aware the numbers they view today will be slightly different than what was seen in the past based upon the fact the Kern High School District did not have the most recent information about mid-year Budget cuts until today. Illustrated through a PowerPoint presentation, Assistant Superintendent Scott Cole guided the Board of Trustees through the Governor’s proposal for education addressing major problems with education finance, US Economic Outlook, California Economic Forecast, California Revenue Forecast, What does it mean for Education, Mid-year “Trigger” Cuts; and, Key Dates regarding Budget Development, as followings:

#### **There are three major problems in education finance:**

1. Low levels of funding – probably last in the nation now
2. Volatility of funding – year-to-year funding levels are totally unpredictable
3. Uncertainty of funding – estimates of funding are wildly uncertain from January to May to Budget enactment and beyond

#### **We will have all three of these problems until:**

1. The economic condition of the state improves and expansion begins
2. State revenues and spending reach an equilibrium
3. Education spending rises in priority at the state level
4. There is a stable, predictable source of ongoing funding for education

#### **US Economic Outlook**

The unemployment rate fell by 0.4 percentage point to 8.6 percent in November, and nonfarm payroll employment rose by 120,000, the U.S. Bureau of Labor Statistics reported. Employment continued to trend up in retail trade, leisure and hospitality,

professional and business services, and health care. Government employment continued to trend down.

**California Economic Forecast**

- Weaker job growth than expected
- Personal Income surprisingly strong despite weak job growth
- State revenue forecasts are dependent on federal fiscal and tax policy
- Double-dip recession is unlikely
- Data Limitations
- Franchise Tax Board info will be available to the LAO in December

**California Revenue Forecast**

- Personal Income Tax holding up well
  - Projected to grow 9.6% over the next two years
- Sales and Use Tax on the rise
  - Projected to grow at an average rate of 7.8% for the next three years
- Corporation Tax
  - Likely to bottom out in 2012 or 2013 before rebounding
- Policy changes reducing revenues
  - Changes in multistate business tax
  - Expanded use of tax credits

**What does it mean for Education?**

- Based upon the forecast, the 2012-2013 minimum guarantee would be more than \$4 billion higher than the revised 2011 – 2012 spending level (after trigger cuts).
- With a projected 2012 – 2013 overall state budget shortfall of \$13 billion, the state could consider suspending Prop 98.
- If Proposition 98 is suspended, funding for education will be in the hands of the legislators to decide.
- In theory, education’s share of a \$13 billion shortfall would be approximately \$5.2 billion.

**Mid-year “Trigger” Cuts**

- The Department of Finance announced that revenues are projected to be \$2.2 billion less than anticipated when the budget was enacted in June
- What this means for K-12 schools (Tier II cuts)
  - Transportation cut - \$248 million statewide (50% cut)
  - Revenue Limit cut - \$79.6 million statewide (approximately \$13 per ADA)
- What this means for the Kern High School District
  - Transportation - \$1.07 million dollar cut (50% cut)
  - Revenue Limit - \$530,000 cut (\$15.30 per ADA)
  - Total mid-year cut - \$1.6 million (\$47 per ADA)
- Cuts to transportation may be rolled into Revenue Limit cuts resulting in a total cut of \$1.9 million (\$55 per ADA)
- KHSD will see approximately \$65 million (29.3%) 2011 – 2012 dollars deferred to the 2012 – 2013 school year.
- This necessitates keeping cash reserves high.

**Key Dates – Budget Development**

- January 10 – Governor’s budget proposal for the next fiscal year released

(sometimes current year budget is adjusted)

- May 13 – Governor’s “May Revise” released
- June 15 – State legislature required by law to forward approved budget to governor
- June 30 – School districts required by law to have budgets for fiscal year beginning July 1 approved by Board of Trustees

**Assembly Bill 1330  
Career Technical  
Education**

Assistant Superintendent, Mike Zulfa informed the Board of Trustees and also asked for direction regarding Assembly Bill 1330 (AB1330) Graduation Requirements: Career Technical Education. In October the legislature passed a bill, AB 1330, and forwarded that bill to the Governor and the Governor did sign it into place and it is a possible modification of graduation requirements. Summarizing AB 1330 in its simplest form, Assistant Superintendent Zulfa stated this bill is a permissive law, which provides, the Kern High School District is not required to follow the modifications and graduation requirements of AB 1330; however, it does provide some flexibility in meeting graduation requirements.

Assistant Superintendent, Mike Zulfa explained, the existing law prohibits a pupil from receiving a diploma of graduation from high school unless he or she completes specified requirements, including, but not limited to, completing one course in visual or performing arts or foreign language. This bill, commencing with the 2012-2013 school year and would not require any modifications for this year’s seniors, would add completion of a course in career technical education, as defined, as an alternative to the requirement that a pupil complete a course in visual or performing arts or foreign language.

The potential impact for each pathway is shown below:

<b>Pathway</b>	<b>College Preparatory</b>	<b>Career Readiness</b>	<b>Individualized</b>
<b>Current Requirement:</b>	Must complete courses in fine arts and 2 years of foreign language  May take CTE Courses	Must take a class in fine art or foreign language  Must complete twenty credits in CTE pathway (30 credits in 2015)	Must take a class in fine art or foreign language  May take CTE Courses
<b>Adjusted with AB1330 in Effect:</b>	No changes	May take a class in fine art or foreign language  20 (or 30 credits) in CTE will fulfill the pathway and other requirement	May take a class in fine art or foreign language  10 credits in CTE would complete this requirement

The possible considerations include the following:

- Added flexibility in student schedules
- Students still allowed to take Fine Arts/foreign language
- Allows students to focus on their interests
- Decreasing exposure to the Arts/culture
- Possible confusion if the law sunsets with the class of 2017

Upon further and open discussion the Board of Trustees made a recommendation to seek public comment, by way of a Public Hearing to be held to encourage participation by parents, teachers, and members of the community interested in the affairs of the school district regarding AB 1330 which would change the high school graduation requirements for Fine Arts and Career Technical Education. A Public Hearing will be held at the next regular Board of Trustees meeting, January 9, 2012.

**ADJOURNMENT**

President Batey adjourned the Special Board Meeting and Study Session of the Board of Trustees of December 20, 2011 at 2:23 p.m.

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J. Bryan Batey, President

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Mike Williams, Clerk

JBB/MW:ga