



**BOARD OF EDUCATION
REGULAR MEETING AGENDA**

March 12, 2024
6:30 P.M.

*Board of Education Board Room
1300 17th Street, City CENTRE - Bakersfield, CA 93301*

Any materials required by law to be made available to the public prior to a meeting of the Kern County Board of Education can be inspected during normal business hours at the Kern County Superintendent of Schools Office, 1300 17th Street, Seventh Floor, Bakersfield, CA 93301.

An individual who requires disability related accommodations or modifications, including auxiliary aids and service, in order to participate in the board meeting should contact the superintendent's office at (661) 636-4624 (Government Code 54954.2).

This meeting is being held in an in-person format. Members of the public wishing to provide comment to the Board can attend the meeting in person. Correspondence sent by mail or email to kcboe@kern.org before noon on the date of the board meeting on subjects within the Board's jurisdiction will be provided to the Board at the meeting and made available for public inspection. Members of the public may also observe the meeting via livestream at the following link: [\(1\) Kern County Board of Education - YouTube](#).

1.0 General Functions

1.1 Call to order time _____ p.m.

1.2 Pledge of Allegiance to the Flag

1.3 Roll Call	Present	Absent
Julie Beechinor, <i>Area 1</i>	_____	_____
Joe Marcano, <i>Area 2</i>	_____	_____
Mary M. Little, <i>Area 3</i>	_____	_____
Jose Gonzalez, <i>Area 4</i>	_____	_____
Paula Bray, <i>Area 5</i>	_____	_____
Daniel R. Giordano, <i>Area 6</i>	_____	_____
Lori Cisneros, <i>Area 7</i>	_____	_____
 Dr. John G. Mendiburu, <i>Superintendent</i>	 _____	 _____

1.4 Agenda Issues

1.5 Approval of the Minutes from February 13, 2024

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

2.0 Public Comments

The Board of Education appreciates comments from members of the public who have the opportunity to address the Board on agenda items (before the Board's consideration of the item) and on other matters within the Board's jurisdiction.

To move the meeting business along efficiently, individual speakers are allotted up to three minutes each, and the total time for comment on each agenda or other topic within the Board's jurisdiction will be limited to 20 minutes. In exceptional circumstances, the Board President may, with Board consent, reduce or increase the amount of time allowed or public input and/or the time allotted for each speaker, when such adjustment is necessary to ensure full opportunity for public input within the time allotted. Any such adjustment shall be done in an equitable manner, so as to allow a diversity of viewpoints. The President may also ask members of the public with the same viewpoint to select a few individuals to address the Board regarding that viewpoint.

To allow the Board to organize the public comments, persons wishing to speak will need to fill out a form before the board meeting begins, providing a name and the agenda item or other topic within the Board's jurisdiction on which they wish to speak. Items not appearing on the agenda cannot, by law, be the subject of board action.

3.0 Informational Items – No Action Taken

3.1 None

4.0 Action Items

All consent agenda items for the Kern County Board of Education are considered to be routine and will be enacted by one motion unless a board member requests separate action on a specific item. Approval is recommended on all items listed.

4.1 Consent Agenda

4.1.1 Graduation Diplomas

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

4.2 General Business

4.2.1 Adopt Resolution for National and Global Youth Service Days

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

4.2.2 Adopt Resolution for School Bus Driver Day

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

4.2.3 Accept and File Second Interim Report

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

4.2.4 Approve Transportation Plan-2024-25 Through 2029-30 (5 Year Plan)

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

4.2.5 Policy Second Read and Adoption – BB 6161.11 Supplementary Instructional Materials

Motion _____ Second _____ Ayes _____ Nays _____ Abstain _____

5.0 Report of County Board of Trustee Members

5.1 Members of the Board will report out on various topics.

6.0 Report of County Superintendent

6.1 The County Superintendent will report out on various topics.

7.0 Agenda Items for the Next Meeting

7.1 Items to be considered for the next agenda

8.0 Adjournment

8.1 Unless otherwise posted, the next regularly scheduled meeting will be held on April 9, 2024 at 6:30p.m.

8.2 Time of adjournment: _____p.m.



BOARD OF EDUCATION REGULAR MEETING MINUTES

February 13, 2024
6:30 P.M.

Board of Education Board Room
1300 17th Street, City CENTRE - Bakersfield, CA 93301

1.0 General Functions

1.1 Call to order time 6:30 p.m.

1.2 Pledge of Allegiance to the Flag

1.3 Roll Call

Board Members Present: Julie A. Beechinor, Paula E. Bray, Lori J. Cisneros, Daniel R. Giordano, Jose E. Gonzalez, Jr., Mary M. Little, Joe L. Marcano

Also Present: Dr. John G. Mendiburu, Superintendent, Mr. Christian Shannon, Deputy Superintendent, Dr. Lisa Gilbert, Deputy Superintendent, Ms. Desiree Von Flue, Assistant Superintendent, Jonathan Medina, Assistant Superintendent, Ms. Cathie Morris, Charter School Consultant, Mr. Steve Sanders, Chief of Staff, Ms. Abby Auffant, General Counsel, Melissa Allen, Assistant General Counsel, Mr. Mark Pafford, Attorney.

1.4 Agenda Issues

No issues.

1.5 Approval of the Minutes from January 9, 2024

Motion by Ms. Little, seconded by Mr. Marcano, to approve the minutes of January 9, 2023. Vote as follows:

Ms. Beechinor	yes	Mr. Giordano	yes	Ms. Little	yes
Ms. Bray	yes	Mr. Gonzalez	yes	Ms. Marcano	yes
Ms. Cisneros	yes				

2.0 Public Comments

Mr. Wayne Wong gave the highlights of community events he attended.

Mr. Dennis McLean reported that the state of education in California is poor despite the level of spending.

Ms. Meg Harwell gave a report on a book that was presented to the students in her classroom and how not all children's living spaces were represented in the book, and it became a learning moment for her so she made it important to make additional information available so that all her students can feel represented.

Mr. Marcus Smith, Ms. Jocelyne Martinez-Perez, Ms. Janelle Ruley, Ms. Crystal Ramos, Ms. Leylah Esquivel, Mr. R. J. Valentino, Ms. Kristen Watson, and Mr. Jess Sanders all spoke in support of the Grow Academy countywide charter petition.

Ms. Allysa Jones and Ms. Norma spoke in opposition to the Grow Academy countywide charter petition.

3.0 Closed Session

3.1 Conference with Legal Counsel-Existing Litigation

(Subdivision (a) of Government Code section 54956.9) Kern County Superior Court
Case number BCV-23-103771

3.2 Conference with Legal Counsel-Existing Litigation

(Subdivision (a) of Government Code section 54956.9) Kern County Superior Court
Case number BCV-23-100890

4.0 Action Items

4.1 Consent Agenda

Motion by Ms. Beechinor, seconded by Mr. Marcano, to approve the list of graduation diplomas (Exhibit 23-24-38). Vote as follows:

Ms. Beechinor	yes	Mr. Giordano	yes	Ms. Little	yes
Ms. Bray	yes	Mr. Gonzalez	yes	Ms. Marcano	yes
Ms. Cisneros	yes				

4.2 General Business

4.2.1 Approval of Grow Public Schools Countywide Charter Petition

Dr. Mendiburu distributed a letter of opposition to the countywide charter petition from school superintendents. Dr. Lisa Gilbert, deputy superintendent, KCSOS, reviewed the process, guidelines, and denial criteria when making a determination to approve a countywide charter petition. Dr. Gilbert reviewed the KCSOS staff findings stating that there were three items that could be addressed through a memorandum of understanding. If the petition is approved, then any student throughout the county can enroll in Grow's program and the charter will have just one authorizer now with the countywide petition. The findings and resolution approving the petition are Exhibit 23-24-39.

Dr. Rick Esquivel, Chief of Schools for Grow Public Schools, said that Grow is committed to a partnership with the county office and is committed to continuous improvement and the highest educational standards and agreed to the enhancements of the MOU.

Mr. Marcano made a motion, seconded by Ms. Little, to accept and adopt the findings titled "GROW Countywide Charter Petition Findings and Recommendations" and the resolution granting approval for the GROW Countywide Charter provided by the Kern County Superintendent of Schools staff as the Board's own findings and resolution and approve the petition for five years (beginning July 1, 2024 and ending on June 30, 2029), conditional on both parties signing the agreed upon Memorandum of Understanding. A roll call vote was taken:

Ms. Beechinor	yes	Mr. Giordano	yes	Ms. Little	yes
Ms. Bray	yes	Mr. Gonzalez	yes	Ms. Marcano	yes
Ms. Cisneros	yes				

4.2.2 Accept and File Mid-Year 2023-24 LCAP Update

Ms. Von Flue reported that this is a progress report for the LCAP and asked the Board for questions. The report is Exhibit 23-24-40. Motion by Ms. Bray, seconded by Mr. Marcano, to accept and file the report.

Ms. Beechinor	yes	Mr. Giordano	yes	Ms. Little	yes
Ms. Bray	yes	Mr. Gonzalez	yes	Ms. Marcano	yes
Ms. Cisneros	yes				

4.2.3 Approval of 2022-23 SARC-Community School

4.2.4 Approval of 2022-23 SARC-Court Schools

Ms. Von Flue reviewed the reports for both Community and Court schools and answered questions. The reports are Exhibit 23-24-41. Motion by Ms. Beechinor, seconded by Mr. Marcano, to approve the reports to be posted on the KCSOS website. Vote as follows:

Ms. Beechinor	yes	Mr. Giordano	yes	Ms. Little	yes
Ms. Bray	yes	Mr. Gonzalez	yes	Ms. Marcano	yes
Ms. Cisneros	yes				

4.2.5 CSBA 2024 Delegate Assembly Ballot

Ms. Little is the current board delegate to the California School Boards Association Delegate Assembly, and she stated that she has a number of commitments now and would like another board member to serve. Ms. Beechinor agreed to have her name put on the ballot to serve. A copy of the ballot is Exhibit 23-24-42. Motion by Ms. Little, seconded by Mr. Gonzalez, to nominate Ms. Beechinor and place Ms. Beechinor's name on the ballot to serve as the county office CSBA delegate assembler member. Vote as follows:

Ms. Beechinor	yes	Mr. Giordano	yes	Ms. Little	yes
Ms. Bray	yes	Mr. Gonzalez	yes	Ms. Marcano	yes
Ms. Cisneros	yes				

4.2.6 Board Bylaw 6161.11 Supplementary Instruction – First Read

Members of the public both in support of and in opposition to a book ban addressed the Board.

Dr. Mendiburu reported that he was asked to draft a written policy for reviewing supplemental materials used in KCSOS classrooms. KCSOS does not have any libraries and the policy pertains only county operated classrooms. California School Boards Association (CSBA) policy criteria was used to draft the policy, and this is not a book banning policy. The policy is Exhibit 23-24-43.

Ms. Cisneros had submitted language to Ms. Auffant, General Counsel, Schools Legal Service, that she would like to see added to the policy. Ms. Auffant addressed each part of the additional language reporting that the parts are already included in the policy language, did not apply because it referenced library books and our policy is for supplemental materials, or could not be included legally.

Board discussion was held. It was decided that board members should receive a copy of the requested changes that Ms. Cisneros provided, and then each board member should make edits and send them to Dr. Mendiburu for review. Ms. Beechinor requested additional information on the highlighted portion of the policy and clarification on how board members can change this policy. Dr. Mendiburu said the part that can be changed is that materials can be either annually or quarterly evaluated.

4.2.7 Presentation and Discussion of Student Representative to the Board

Mr. Sanders gave a list of proposed criteria for having a student serve on the Board. The students vote would not affect the vote of the Board and would be informational. The student would be from Valley Oaks Charter School or the Alternative Education program and would serve for a period of six months. If the Board is agreeable, then the office will move forward with it. Valley Oaks Charter School has a board and will make a recommendation for a student to serve.

5.0 Report of County Board of Trustee Members

Ms. Little attended the Bakersfield Prayer Breakfast, and it was awesome. Ms. Little stated that our nation is not a democracy; it is a republic and there are different sides, but she represents her constituents. She has seen many abused children and wants to uphold the morals that are right for our students. Ms. Little reported that she would like to see the student led pledge again. Ms. Von Flue has done a good job in finding students to lead the pledge, but most of us can find a student to do it. Ms. Little distributed a handout to board members.

Ms. Beechinor reported about an incident that happened on January 11 in the evening at her home when a runaway girl knocked on her door for help. The police were called, and the student has said that the school is her safe place and Ms. Beechinor is thankful for that. She has continued to follow up on the student.

Ms. Cisneros reported on a website called Discord that allowed a student to come in contact with a sexual predator stating this is an example of how important it is to monitor what our students are doing.

Mr. Gonzalez thanked the Board and KCSOS staff for the well wishes and prayers he received stating that it has pushed him to work towards a speedy recovery. 2023 has been a tough year for him so he is looking towards 2024 for a better year.

6.0 Report of County Superintendent

Dr. Mendiburu reported that Mr. Carlos Rojas will attend the March board meeting to give a legislative update. The Alternative Education is June 1, 2024 at 9 a.m. at Valley Oaks Charter School. The Leaders in Life Conference is March 14, 2024.

7.0 Agenda Items for the Next Meeting

7.1 Policy for reviewing classroom materials.

8.0 Adjournment

8.1 Unless otherwise posted, the next regularly scheduled meeting will be held on **March 12, 2024 at 6:30p.m.**

8.2 Time of adjournment: 9:47 p.m.

**RESOLUTION
of the
KERN COUNTY BOARD OF EDUCATION**

WHEREAS, the perpetuation of our democracy, freedom, way of life, and competitive marketplace is dependent on preparing each successive generation of our youth for the reins of leadership in our community, state, and nation; and,

WHEREAS, National and Global Youth Service Days reach out to our youth and work with them toward addressing the needs of our communities through hands-on volunteer efforts that, in turn, improve the quality of life; and,

WHEREAS, through service-learning activities, our youth learn about problems and potential solutions that they can take with them into adulthood and communicate to others in their home communities; and,

WHEREAS, such volunteer service learning activities do much to promote awareness and education to children, adults, the media, along with local, state, and national policymakers; now therefore,

BE IT RESOLVED that the Kern County Board of Education recognizes April 18-20, 2024 as National and Global Youth Service Days and urges our community members to continue their long-running efforts to support our youth as they evolve into our leaders of tomorrow.

BY ORDER OF THE KERN COUNTY BOARD OF EDUCATION

Date: March 12, 2024

*John G. Mendiburu, Ed.D.
Ex Officio Secretary
Kern County Superintendent of Schools*

**RESOLUTION
OF THE
KERN COUNTY BOARD OF EDUCATION**

WHEREAS, in recognition of school bus drivers throughout California, the State Assembly has designated the fourth Tuesday in April, or April 23, 2024, as School Bus Driver Day; and

WHEREAS, before an individual can qualify to operate a school bus, they must successfully pass examinations administered by the California Department of Motor Vehicles and the California Highway Patrol, which includes demonstrating a knowledge of first aid as well as competency to operate a school bus; and

WHEREAS, the county superintendent has a staff of 61 professional school bus drivers who collectively drive more than two million miles each year transporting students with special needs; and

WHEREAS, these special students are transported throughout Kern County often in challenging terrain, road and weather conditions; and

WHEREAS, many children we transport are medically fragile and drivers have at times had to administer emergency aid until medical personnel arrived; and

WHEREAS, despite these considerable challenges, many of the bus drivers we employ have transported children for hundreds of thousands of miles without a preventable accident, including one former driver who logged more than one million accident-free miles; and

WHEREAS, many of our transportation staff participate in annual "School Bus Rodeos" which test their skills in making difficult turns, parallel parking a 40-foot bus and other challenging maneuvers; and

WHEREAS, a considerable number of our drivers have developed relationships with families of these special children and even provide food baskets to those in need during the holiday season each year; now therefore be it

RESOLVED, that the Kern County Board of Education takes extreme pleasure in commending these dedicated drivers on "School Bus Driver Day" and know that the safe transport of our children always is their highest priority.

BY ORDER OF THE KERN COUNTY BOARD OF EDUCATION

Dated: March 12, 2024

*John G. Mendiburu, Ed.D.
Ex Officio Secretary
Kern County Superintendent of Schools*

**Kern County Superintendent of Schools
Transportation Plan
2024-25 Through 2029-30 (5 Year Plan)**

Transportation Services:

1. *The Kern County Superintendent of Schools (KCSOS) is a County Office of Education which provides support services for the 46 school districts in Kern County. We provide daily home-to-school transportation for PK-12 students, field/activity trips, CBI's (Community Based Instruction), after school programs, and related services. KCSOS Transportation primarily serves students with disabilities, on behalf of their home district, as specified in the student's Individualized Education Program (IEP). In addition, some general education students, homeless and foster youth, and students with a 504 plan receive home-to-school transportation as requested by their home districts. Individual districts request and contract with KCSOS for services they are unable to provide for their students. LEA's may provide no-cost transit passes to general education students for middle and high school students.*

2. *KCSOS operates a fleet of 84 buses that are specially equipped to enhance accessibility for students with disabilities. The vast majority of these buses have an integrated wheelchair lift, a large area cleared near the back of the bus, and internal fastening equipment to safely transport 2-4 passengers in wheelchairs at a time. The primary focus of the KCSOS transportation fleet is to provide students with disabilities home-to-school transportation with the appropriate accommodations and modifications, as specified in their Individualized Education Program or Section 504 plan. KCSOS provides transportation services for Special Education Local Plan Area (SELPA) students, homeless, foster youth, and other special transportation services as needed for students across the greater Kern County area.*

3. *Unduplicated homeless and foster youth students are offered home to school transportation at no cost from their local district. The Kern County Superintendent of Schools provides these services at no cost to the student on behalf of their districts via contracted services. All other unduplicated pupils, including those who are English language learners, low socioeconomic status, or foster youth, are eligible for no cost transportation services. With bus routes in all corners of the county, KCSOS is uniquely equipped to provide exceptional transportation services for unduplicated students living outside of their home district boundaries when their district is unable to meet the need.*

Board Approval Date: (must be on or before April 1, 2024)

KERN COUNTY BOARD OF EDUCATION

BOARD BYLAWS

SUPPLEMENTARY INSTRUCTIONAL MATERIALS

The Governing Board encourages the use of supplementary instructional materials to enrich the curriculum and enhance student learning. Such materials shall be aligned with goals, curriculum objectives, and academic standards of the county office of education, and shall supplement and not supplant the use of Board-adopted basic instructional materials that serve as the primary learning resources.

Supplementary instructional materials include, but are not limited to, instructional materials that are designed to serve one or more of the following purposes: (Education Code 60010)

1. To provide more complete coverage of one or more subjects included in a given course.
2. To meet the various learning ability levels of students in a given age group or grade level.
3. To meet the diverse educational needs of students with a language deficiency in a given age group or grade level.
4. To meet the diverse educational needs of students reflective of a condition of cultural pluralism.
5. To use current, relevant technology that further engages interactive learning in the classroom and beyond.

Supplementary instructional materials may be selected by the Superintendent or designee, school administrators, or teachers, as applicable, and obtained through donations to the district and/or available funding sources designated for these purposes.

The use of any supplemental instructional material shall not be rejected or prohibited by the Board or district on the basis that it includes a study of the role and contributions of any individual or group consistent with the requirements of Education Code 51204.5 and 60040, unless such study would violate Education Code 51501 or 60044. (Education Code 243)

Supplementary instructional materials shall be directly related to the course of study in which they are being used and shall be appropriate for the age and maturity level of the students.

The use or reproduction of supplementary instructional materials shall be in accordance with federal copyright law.

Appropriateness of Materials

Whenever a district employee proposes to use a supplementary resource which is not included in the approved learning resources of the district, the employee shall preview the material to determine whether, in the employee's professional judgment, it is appropriate for the grade level taught and is consistent with district criteria for the selection of supplementary instructional materials.

The employee shall confer with the Superintendent or designee as necessary to determine the compliance of the material with goals, curriculum objectives, and academic standards of the county office of education. Materials shall be continually evaluated in relation to evolving curricula, new formats of materials, new instructional methods, and the needs of students and teachers. Materials that contain outdated subject matter or are no longer appropriate shall be removed. The primary considerations should be the educational value, factual accuracy, appropriateness, including whether the material contains pervasive vulgarity or profanity, and relevance of the materials, as well as the ages and maturity of the students.

The Superintendent or designee may provide training to administrators and teachers in the selection and evaluation of supplementary instructional materials, including the criteria to be utilized and applicable legal considerations.

Complaints

Complaints concerning supplemental instructional materials shall be handled in accordance with Board Policy 1312 -Uniform Complaint Policy.