

# Modesto City Schools

## 1432nd Regular Meeting

September 09, 2019 6:00 PM

Staff Development Center Board Room

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's office, 209-574-1616. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

In compliance with the Title VI of the Civil Rights Act, if you need the assistance of a translator or interpreter to understand this agenda, please contact the Superintendent's office at 209-574-1616, to request that the agenda be translated for you either orally or in writing. If you require the assistance of an interpreter in order to participate in the meeting, please contact the Superintendent's office no later than noon on the Friday preceding the board meeting. This will allow the District to arrange for an interpreter to be present to ensure translation services at the meeting.

Any writings or documents that are public records and provided to a majority of the governing board regarding an open session item on this agenda will be made available for public inspection in the District office located at 426 Locust Street during normal business hours.

### A. INITIAL MATTERS

#### A.1. Call to Order - 4:30 p.m.

#### A.2. Closed Session

Public comment regarding closed session items will be received before the Board goes into closed session.

**A.2.1. Conference with Legal Counsel: Pending  
Litigation, Number of Cases: Two, US District  
Court Case No: 1:17-cv-0256-LJO-SKO, OAH Case  
No. 2019050922**

#### A.3. Moment of Silence - 6:00 p.m.

#### A.4. Pledge of Allegiance

#### A.5. Superintendent's Welcome/Announcements

#### A.6. Recognitions

**Krista Noonan,  
Rachelle Barkus**

#### A.7. Approval of Consent Agenda

Information concerning the consent items listed below has been forwarded to each Board member prior to this meeting for study and is on file at the Modesto-Stanislaus Library Reference Room, 1500 I Street; Modesto City Schools Superintendent's Office and Receptionist's Desk, 426 Locust Street, Modesto.

Copies of the complete agenda are available at the Board meeting, 425 Locust Street. Unless some member of the audience or Board member has a question concerning an item and asks that it be withdrawn from the consent list, the items are approved at one time by the Board. The action taken by the Board in approving consent items is set forth in the explanation of the individual items.

**A.8. Approval of Order of Discussion/Action Items**

**A.9. Period for Public Presentations**

Board Bylaw 9322 (b):

Members of the public may address the Board of Education on matters not on the agenda.

Complaints against specific District employees should be resolved through the District's Personnel Complaint Procedure. The right to address the Board does not exempt the speaker from any potential liability for defamation. The proceedings of the Board are recorded and are a part of the public record.

The Period for Public Presentation is limited to 30 minutes. Time will be allotted equally to individuals based on the number of request cards submitted. The maximum for any one speaker is three minutes.

The law limits the response of Board members and prohibits the Board from taking any formal action.

**B. DISCUSSION AND ACTION ITEMS**

**B.1. Student Representative to the Board Report**

**B.2. Modesto Teachers Association Report**

**B.3. California School Employees Association Report**

**B.4. Approval of Service Agreement with Anita L Archer, Ph.D. Inc**

**Lauren Odell**

**B.5. Report on Modesto City Schools 0.5% Professional Development Incentive**

**Lauren Odell**

**B.6. Report on Summer School 2019**

**Steve Hurst,  
Christi Allan &  
Christina  
Romero**

**B.7. Approval of Unaudited Financial Statements for 2018/19**

**Tim Zearley**

**B.8. Approval of Second Reading of Proposed Revisions to Board Policy and Administrative Regulation (BP/AR): BP/AR 1250, Visitors/Outsiders**

**Tim Zearley**

**B.9. Approval of First Reading of Proposed Deletions of the Following Board Bylaws (BB): BB 9002, Responsibility; BB 9003, General Duties; BB 9004, Superintendent Relationships; BB 9240, Participation in Public Meetings and Organizations; BB 9311, Formulation, Adoption, Amendment of Policies**

**John Walker**

**B.10. Approval of First Reading of Proposed Draft of Board Policy (BP) and Administrative Regulation (AR): BP/AR 6161.1, Selection and Evaluation of Instructional Materials; Adoption of Exhibit 6161.1, Selection of Instructional Materials**

**Mike Rich**

- B.11. Approval of First Reading of Proposed Revision of Board Policy (BP): BP 6161.11, Supplementary Instructional Materials** **Mike Rich**
- B.12. Approval of First Reading of Proposed Draft of Board Policy (BP) and Administrative Regulation (AR): BP/AR 1312.2 Complaints Concerning Instructional Materials; Adoption of Exhibit 1312.2 Request for Reconsideration of Instructional Materials; Deletion of Current MCS Exhibit 1312.2, Community Member's Request for Reconsideration of Instructional Materials or Library Resources** **Mike Rich**
- B.13. Approval of First Reading of Proposed Draft of Board Policy (BP) and Administrative Regulation (AR): BP/AR 6020, Parent Involvement; BP/AR 6171, Title I Programs** **LuzElena Perez**
- B.14. Approval of First Reading of Proposed Draft of Board Policy (BP) and Administrative Regulation (AR): BP/AR 1312.3, Uniform Complaint Procedures** **Stephen Beauchesne**
- B.15. Report of Meetings Attended by Board of Education Members**
- B.16. Items to be Placed on Future Board of Education Agendas**
- C. BUSINESS ITEMS (PROPOSED CONSENT AGENDA)**
- C.1. Approval of Resolution No. 19/20-04 Adopting a Recalculated 2018/19 Appropriations Limit and Calculating the 2019/20 Appropriations Limit for the Modesto City Elementary and High School Districts (Gann Limit)**
- C.2. Approval of Resolution No. 19/20-05 Authorizing the Execution and Delivery of a Quitclaim Deed With Respect to the Correction of a Ministerial Error In Connection With Vesting of Title to a Portion of The Mary Lou Dieterich Elementary School In Stanislaus Union School District**
- C.3. Approval to Accept Completion of Contract With Valley Precision Grading, Contract #R162201 for Sports Surfaces, Installation and Related Materials for the Downey High School Stadium Athletic field in The Amount of \$935,018.00.**
- C.4. Approval of Authorization to Award Bid #19-4691 Bakery Bid to Various Vendors**
- C.5. Approval of Authorization to Award Bid #19-4692 for Milk and Dairy Bi-Products to Foster Farms Dairy Crystal Creamery**
- C.6. Approval of Authorization to Award Bid #19-4720 Nutrition Services Automatic Pump-Fill Station Bid to East Bay Restaurant Supply, Inc. in the amount of \$308,449.62.**
- C.7. Approval of Authorization to Award RFP #19-4693**

**Unprocessed and Processed Produce Items to Various Vendors**

**C.8. Approval of Authorization to Seek Bids for District Office Secure Lobby and Staircase**

**C.9. Approval to Authorize Issuance of Request for Qualification for Lease-Leaseback Construction and Sitework Services for the Bret Harte Elementary School New Classroom Building**

**C.10. Approval to Accept Completion of Contract With Howk Well & Equipment Co., Inc., Bid No. 19-4694, a Landscape Water Well for Hanshaw Middle School and Bret Harte Elementary in the Amount of \$191,569.00.**

**C.11. Approval of July Revisions to the Adopted 2019/20 Budget**

**C.12. Approval of Second Reading of Drafts of Board Policies (BP) and Administrative Regulation (AR): BP/AR 0420.4, Charter School Authorization; BP 0420.41 Charter School Oversight; E 0420.41, Charter School Oversight; BP 0420.42, Charter School Renewal; BP 0420.43, Charter School Revocation**

**C.13. Approval of Second Reading of Draft of Board Policy (BP): BP 3312, Contracts**

**C.14. Approval of Second Reading of Drafts of Board Policies (BP): BP 3550, Food Service/Child Nutrition Program; BP 3551, Food Service Operations/Cafeteria Fund; BP 3552, Summer Meal Program; BP 3553, Free and Reduced Price Meals; BP 3555, Nutrition Program Compliance**

**C.15. Approval of Second Reading of Drafts of Board Policies (BP): BP 5111.1, District Residency; BP 5144.1, Suspension and Expulsion/Due Process; Deletion of BP 5111.3, Residency Requirements/Eligibility to Enroll**

**D. CURRICULUM AND INSTRUCTION ITEMS (PROPOSED CONSENT AGENDA)**

**D.1. Approval of Out-of-State Historically Black Colleges and Universities Tour to Montgomery, Alabama; Tuskegee, Alabama; and Atlanta, Georgia**

**D.2. Approval of Resolution No. 19/20-03 in Support of "Red Ribbon Week" (October 28-November 1, 2019)**

**D.3. Approval of Instructional Agreement to Provide Course Options at Modesto Junior College as the Modesto Engineering and Technical Program, 2019-20**

**D.4. Approval of Services Agreement with Central California Art Association/Mistlin Gallery**

**D.5. The Approval of Services Agreement with The Chartreuse Muse, Inc., for the 2019-2020 School Year**

**D.6. Approval of Services Agreement with Gallo Center for the Arts, 2019-2020**

**D.7. Ratification of Agreement for Delegation of**

**Ed Miller**

Activities Under Head Start Grant #09-CH-011214/01 for the period of September 1, 2019 through August 31, 2020.

D.8. Ratification of Athletic Schedules, Fall/Winter, 2019-2020

William Nelson

D.9. Ratification of Instructional Agreement with Modesto Junior College for the Middle College Pathway at Davis High School

D.10. Ratification of Partnership Agreement for Early Head Start Child Care Partnership Services for the period of September 1, 2019 through August 31, 2020.

**E. HUMAN RESOURCES ITEMS (PROPOSED CONSENT AGENDA)**

E.1. Approval of Designated Personnel Action Items:

Mike Henderson

E.1.1. Approval of Certificated Personnel Terminations - 9 items

E.1.2. Approval of Certificated Personnel Leaves of Absence - 19 items

E.1.3. Approval of Certificated Personnel Employment - 65 items

E.1.4. Approval of Certificated Personnel Other Appointments - 82 items

E.1.5. Approval of Certificated Personnel Stipend Appointments - 20 items

E.1.6. Approval of Certificated Personnel Substitute Appointments - 47 items

E.1.7. Approval of Classified Personnel Terminations - 26 items

E.1.8. Approval of Classified Personnel Leaves of Absence - 46 items

E.1.9. Approval of Classified Personnel Employment - 55 items

E.1.10. Approval of Classified Personnel Other Appointments - 33 items

E.1.11. Approval of Classified Personnel Substitute Appointments - 52 items

E.2. Public Notice to Approve Waiver Request of California Education Code 44253.11 to Submit Waiver Request to the California Commission on Teacher Credentialing

Mike Henderson

**F. MISCELLANEOUS ITEMS: (PROPOSED CONSENT AGENDA)**

F.1. Approval of Designated Student Expulsions: None

F.2. Approval of Second Reading of Drafts of Board Bylaw (BB): BB 9010, Public Statements; BB 9012 Board Member Electronic Communications; BB 9222, Resignation; BB 9224, Oath or Affirmation; BB 9240, Board Training

F.3. Approval of Minutes for the August 19, 2019

**Regular Meeting of the Board of Education**

**G. REPORTS AND COMMUNICATIONS:**

**G.1. Report on Construction Projects Progress  
Payments**

**G.2. Schedule of 2019-20 School Advisory Committee  
Meetings**

**H. ADJOURNMENT**