

**Modesto City Schools**  
**Board of Education Agenda 1466th Regular Meeting**  
September 13, 2021 6:00 PM  
Board of Education - Boardroom  
425 Locust St

In response to the Governor's Executive Order N-08-21 (as of 6/11/21)(original Executive Order N-25-20) and Resolution 19/20-17 Delegating Authority to Take Necessary Action to Protect Students and Staff from the Spread of Coronavirus (COVID-19), adopted by the Modesto City Schools (MCS) Board of Education on March 18, 2020. The MCS Board Meetings have been adjusted to follow health and safety precautions. MCS Board Meetings are live-streamed and recorded, and available for viewing at:

<https://www.youtube.com/channel/UC6RHJCeKy8rDxRHyrUPVJlw/>

**New Process for Making Public Comments** (as of 8/7/21) We value your comments and have created several options to ensure your voice is heard:

**In-Person (effective 8/7/21):**

Members of the public can make their comment in-person at the Boardroom located at 425 Locust Street. Public seating is available on a first-come, first-serve basis in the boardroom. 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.**

**IMPORTANT: It is highly recommended that all individuals attending the Board meeting wear a face covering while indoors. If you are displaying any symptoms of COVID-19 we ask that you please stay home and consult your health professional as to not expose others to the virus and instead submit your comment via email or voicemail per the instructions below. The Board assumes no liability for any health risks to members of the public who attend the Board meeting in-person.**

**By Email at [publiccomment@mcs4kids.com](mailto:publiccomment@mcs4kids.com) or by voicemail at 574-1525 prior to Noon (12:00 p.m.) on the day of the Board meeting. (Please keep your comment to 250 words – comments will not be read aloud at the Board meeting, but will be transcribed, printed and provided to each Board member prior to the start of the Board meeting. Copies will also be made available to the public at the Board meeting and added to the minutes and approved at a subsequent Board meeting.)**

Please provide the following:

1. Name
2. Affiliation (if any)
3. Phone number (in case we need further clarification)
4. Address (optional)
5. Topic or Item on the agenda you wish to address

**Note:** Public Comments received in Spanish will be translated.

**Board meeting will be translated in Spanish:** Please dial 1+(805)324-7680 (toll free)  
**Conference ID: 622 582 262#**

## **A. INITIAL MATTERS**

### **A.1. Call to Order – 5:15 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 District Labor Negotiator:  
RM regarding employee organizations: Modesto  
Teacher's Association and California Employee  
Association, Chapter No. 007; and Unrepresented  
Employee (Managers and Administrators)**

**A.2.2. Public Employee  
Discipline/Dismissal/Release**

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

### **A.4. Pledge of Allegiance and Posting of Colors**

**Krista Noonan**

Beyer High School Patriot Battalion JROTC Color Guard will post the colors and Pledge of Allegiance.

Retired Major Pranish Sharma

Cadet Victoria Bradley

Cadet Josie Fisher

Cadet Aniya Kirkendoll

Cadet Joyce Kirkendoll

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

### **A.6. Board of Education Members Reports**

### **A.7. Recognitions**

**Krista Noonan**

**A.7.1. Character Education: Ella Hernand, 11th  
Grade, Modesto High School, Responsibility**

**Krista Noonan**

**A.7.2. MCS Hero: Blanca Dominguez, Attendance  
Clerk, Modesto Virtual Academy**

**Krista Noonan**

### **A.8. 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.

The complete agenda is available at [www.mcs4kids.com](http://www.mcs4kids.com) as well as 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.9. Approval of Order of Discussion/Action Items**

#### **A.10. 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.

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**B. DISCUSSION AND ACTION ITEMS**

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

**B.2. California School Employees Association Report**

**B.3. (10 mins) Report on Equity Initiatives**

**Mark Herbst/  
Fallon Ferris  
Tim Zearley**

**B.4. (10 mins) Report on High School Boundary Committee Recommendations and Timeline and Approval of Appointment of Two Board Members to the High School Boundary Committee**

**B.5. (10 mins) Public Hearing and Approval of Resolution 21/22-06 that Modesto City Schools Provides Each Pupil at TK-12 Traditional Sites Sufficient Textbooks and/or Instructional Materials**

**Mike Rich**

**B.6. (10 mins) Approval of Revisions to Modesto City Schools' and Modesto Teachers Association's Collective Bargaining Agreement for 2020-23**

**Mike Henderson**

**B.7. (10 mins) Report on Sustainability Initiatives**

**Tim Zearley/  
Dr. Heather Contreras  
Tim Zearley**

**B.8. (15 mins) Approval of Unaudited Financial Statements for 2020/21**

**B.9. (10 mins) Approval of Modesto City Schools' 2022-23 School Calendar**

**Mike Henderson**

**C. BUSINESS ITEMS (PROPOSED CONSENT AGENDA)**

**C.1. Approval of Amendment No. 1 to the Facilities Lease for the Fairview and Shackelford Cafeteria Project Subject to Division of the State Architect Approval**

**C.2. Approval of Amendment No. 2 to the Facilities Lease for the Fairview and Shackelford Cafeteria Project Subject to Division of the State Architect Approval**

**C.3. Approval of Change Order No. 1 and Completion of**

**the Lease/Leaseback Agreement for Davis High School  
900 Wing Addition and Transportation Department  
Renovations Project**

**C.4. Approval of Resolution No. 21/22-05 Declaring the  
Week of October 11-15, 2021 as National School Lunch  
Week**

**C.5. Approval of Second Reading of Proposed Draft of  
Board Policy (BP): BP 3280, Sale or Lease of District-  
Owned Real Property**

**C.6. Approval of Second Reading of Proposed Revision  
of Board Policy (BP): BP 3555, Nutrition Program  
Compliance**

**C.7. Approval of Second Reading of Proposed Draft of  
Board Policy (BP): BP 4119.42/4219.42/4319.42,  
Exposure Control Plan for Bloodborne Pathogens**

**C.8. Approval of Second Reading of Proposed Draft of  
Board Policy (BP): BP 7150, Site Selection and  
Development**

**C.9. Approval of Second Reading of Proposed Draft of  
Board Policy (BP): BP 7310, Naming of Facility and  
Deletion of BP 7511, Naming of Schools/Facilities**

**C.10. Approval of Services Agreement with Keenan &  
Associates for Property and Casualty Claims  
Administration Services for Fiscal Year 2021-22**

**C.11. Ratification of Purchase Orders and VISA  
Payments for the Month of August 2021**

**C.12. Ratification of Services Agreements for COVID  
Related Services, 2021-22: The Plus Group, Inc, Therapy  
Travelers, LLC, Healthcare IT Leaders, LLC, Maxim  
Healthcare Staffing Services, Inc.**

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

**D.1. Approval of High School Band and Color Guard  
Competition Trips, 2021-2022**

**D.2. Approval of Instructional Agreement with Modesto  
Junior College for Ready, Set, Go**

**D.3. Approval of New and Revised High School Course  
Outlines: Science**

**D.4. Approval of New High School Course Outline:  
Career Technical Education**

**D.5. Approval of Out-of-State Travel: National FFA  
Convention - Indianapolis, Indiana**

**D.6. Approval of Schedule of Modesto City Schools  
Forensic Tournaments, 2021-2022**

**D.7. Approval of Second Reading of Proposed Revision  
of Board Policy (BP): BP 0430, Comprehensive Local  
Plan for Special Education**

**D.8. Approval of Second Reading of Proposed Revision  
of Board Policy (BP): BP 1312.3, Uniform Complaint**

## **Procedures**

**D.9. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 1340, Access to District Records**

**D.10. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 4119.11/4219.11/4319.11, Sexual Harassment**

**D.11. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 4119.12/4219.12/4312.12, Release of Employee Information**

**D.12. Approval of Second Reading of Proposed Draft of Board Policy (BP): BP 4157/4257/4357, Employee Safety**

**D.13. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5113.2, Work Permits**

**D.14. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5126, Awards for Achievement**

**D.15. Approval of Second Reading of Proposed Draft of Board Policy (BP): BP 5131.2, Bullying**

**D.16. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5131.6, Alcohol and Other Drugs**

**D.17. Approval of Second Reading of Proposed Draft of Board Policy (BP): BP 5141.22, Infectious Diseases**

**D.18. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5141.31, Immunizations**

**D.19. Approval of Second Reading of Proposed Draft of Board Policy (BP): BP 5141.5, Mental Health**

**D.20. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5141.52, Suicide Prevention**

**D.21. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5145.3, Nondiscrimination/Harassment**

**D.22. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5145.7, Sexual Harassment**

**D.23. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 5148.3, Preschool/Early Childhood Education**

**D.24. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 6142.7, Physical Education and Activity**

**D.25. Approval of Second Reading of Proposed Draft of Board Policy 6146.2, Certificate of Proficiency/High School Equivalency**

**D.26. Approval of Second Reading of Proposed**

**Revision of Board Policy (BP): BP 6159, Individualized Education Program**

**D.27. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 6159.1, Procedural Safeguards and Complaints for Special Education**

**D.28. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 6159.2, Nonpublic, Nonsectarian School and Agency Services for Special Education**

**D.29. Approval of Second Reading of Proposed Revision of Board Policy (BP): BP 6161.1, Selection and Evaluation of Instructional Materials**

**D.30. Approval of Legal Services Agreement with Gutierrez, Perry & Villarreal for the 2021-2022 school year.**

**D.31. Approval of Services Agreement with Michael Perea to Provide Training and Testing in CPR for Career Technical Education (CTE) Students, 2021-22**

**D.32. Approval of Services Agreement with School Innovations & Achievement (SIA) for Professional Development Training, 2021-22**

**D.33. Approval of Services Agreement with The JMH Team, Inc. for 2021-22**

**D.34. Approval of Services Agreement with T-Mobile and MCS for the 2021-22 Fiscal Year with reconfirmation in the continued use of the California Network and Telecommunications Program Contract c4-CVD-19-001-01 for E-rate and non e-rate purchases of services/equipment.**

**D.35. Ratification of Services Agreement with California Rehabilitation for School Sports Physicals and Services for 2021/22**

**D.36. Ratification of Services Agreement with MMSS, Inc., for Modesto City Schools High School Athletics Officials, 2021/22**

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

**E.1. Approval of Designated Personnel Action Items:**

**E.1.1. Approval of Certificated Personnel Terminations - 7 Items**

**E.1.2. Approval of Certificated Personnel Leaves of Absence - 7 Items**

**E.1.3. Approval of Certificated Personnel Employment - 50 Items**

**E.1.4. Approval of Certificated Personnel Other Appointments - 15 Items**

**E.1.5. Approval of Certificated Personnel Stipend Appointments - 55 Items**

**E.1.6. Approval of Certificated Personnel**



**Substitute Appointments - 43 Items**

**E.1.7. Approval of Classified Personnel**

**Terminations - 36 Items**

**E.1.8. Approval of Classified Personnel Leaves of  
Absence - 8 Items**

**E.1.9. Approval of Classified Personnel**

**Employment - 55 Items**

**E.1.10. Approval of Classified Personnel Other  
Appointments - 30 Items**

**E.1.11. Approval of Classified Personnel Substitute  
Appointments - 14 Items**

**E.2. Approval of Co-Sponsor Agreement with Teachers  
College of San Joaquin and San Joaquin County Office  
of Education for their Preliminary Administrative  
Services Credential Program**

**E.3. Approval of Proposed Job Description: Work  
Experience Educator, 9-12**

**E.4. Approval of Resolution No. 21/22-04 Authorizing  
Assignment of Teachers Outside of Credentialed  
Academic Major or Minor Under the Licensing of  
Certificated Personnel Law for the 2021-22 School Year**

**E.5. Approval of Second Reading of Proposed  
Revisions of Board Policy (BP): BP 4113, Assignment  
Certificated Personnel**

**E.6. Approval of Second Reading of Proposed  
Revisions of Board Policy (BP) 4115,  
Evaluation/Supervision**

**E.7. Approval of Second Reading of Proposed Revision  
of Board Policy (BP) 4301, Administrative Staff  
Organization & Personnel Handbook**

**E.8. Approval of Second Reading of Proposed Draft of  
Board Policy (BP) 6170.1, Transitional Kindergarten**

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

**F.1. Approval of Designated Student Expulsions: None**

**F.2. Approval of Proclamation Declaring the Month of  
September 15 through October 15, 2021 as National  
Hispanic Heritage Month**

**F.3. Approval of Second Reading of Proposed Revision  
of Board Bylaw (BB): BB 9012, Board Member  
Electronic Communications**

**F.4. Approval of Second Reading of Proposed Revision  
of Board Bylaw (BB): BB 9320, Meetings and Notices**

**F.5. Approval of Minutes for the August 16, 2021  
Regular Meeting of the Board of Education**

**G. REPORTS AND COMMUNICATIONS:**

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

**G.2. Report on Summary of Investment Portfolio as of**



**June 30, 2021**

**G.3. Items to be Placed on Future Board of Education  
Agendas**

**H. ADJOURNMENT**