



The Modesto City Schools Board of Education supports civility within "Choose Civility" initiatives to improve the learning and work environment.

MODESTO CITY SCHOOLS
BOARD OF EDUCATION AGENDA
BOARD ROOM IN THE STAFF DEVELOPMENT CENTER
1337th REGULAR MEETING

March 11, 2013

Period for Public Presentations

6:15 p.m.*

In compliance with the Americans with Disabilities Act, if you need special assistance to participate in this meeting, please contact the Superintendent's office, 576-4141. Notification 48 hours prior to the meeting will enable the District to make reasonable arrangements to ensure accessibility to this meeting.

Any writings or documents that are public records and are 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.

*** Times are approximate. Individuals wishing to address an agenda item should plan accordingly.**

A. INITIAL MATTERS:

4:45 to 4:46 1. **Call to Order.**

4:46 to 6:00 2. **Closed Session.**

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

- .1 Public Employee Performance Evaluation
Title: Superintendent
- .2 Conference with Legal Counsel: Anticipated Litigation
Number of Cases: One
- .3 Conference with District Labor Negotiator: Craig Rydquist regarding employee organizations: Modesto Teachers' Association and California School Employees Association, Chapter No. 007; and Unrepresented Employees (Managers and Administrators).
- .4 Public Employee Discipline/Dismissal/Release

A. INITIAL MATTERS (continued):

- .5 Public Employee Appointment.
 ➤ Director, Assessment & Evaluation

6:00 to 6:01 3. **Moment of Silence.**

6:01 to 6:05 4. **Pledge of Allegiance.**

Jackzeny Mancilla Sixth Grade Garrison Elementary
Alexis Roma Sixth Grade Garrison Elementary

6:05 to 6:13 5. **Announcements.**

Character Education Recognition:

Tatiana Coria, 4th Grade, Garrison Elementary: **Perseverance**
Joshua Sisney, 8th Grade, La Loma Junior High: **Responsibility**
Audrey Hodge, 12th Grade, Gregori High: **Loyalty**

Special Recognition:

The Board would like to recognize the following students who were selected to represent Modesto City Schools in the **ACSA/Stanislaus County Office of Education Every Student Succeeding Program:**

Hector Del Alto, Marshall Elementary
Noah Holland, Fremont Elementary
Ronza Sampuor, Davis High
Aliyah Schiesz, Enochs High

These students were nominated by their teachers/principals because they have overcome serious challenges, succeeded beyond expectations or just won their hearts.

MCS Heroes:

George Gardner, K-8 Music Chairperson
David Houck, Assistant Principal, Elliott Alternative Ed. Center
Jeannie Ramsey, Principal's Secretary, Elliott Alternative Ed. Center

6:13 to 6:14 6. **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

A. INITIAL MATTERS (continued):

Board in approving consent items is set forth in the explanation of the individual items.

6:14 to 6:15 7. **Approval of Order of Discussion/Action Items.**

6:15 to 6:45 8. **Period for Public Presentations.**

Board Bylaw 9322 (b):

Subject Matter:

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 five minutes.

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

B. DISCUSSION AND ACTION ITEMS:

6:45 to 6:50 1. Board of Education Student Representative Report.

6:50 to 6:55 2. Modesto Teachers Association Report.

6:55 to 7:00 3. California School Employees Association Report.

7:00 to 7:05 4. Modesto City Schools Managers Report.

7:05 to 7:15 5. Request to Address the Board by Mack Wilson of the Dr. Parker Committee.

7:15 to 7:20 6. Approval of Proposal to Name the Stadium at Gregori High School the *Don Lanphear Stadium* in Honor of Don Lanphear.

7:20 to 7:35 7. Approval of Resolution No. 12/13-26 for the Reduction in Number of Certificated Employees (PKS), Criteria for Assignments and Tiebreak Criteria.

7:35 to 7:50 8. Approval of Second Interim Financial Report for 2012/13 and Positive Financial Certification.

B. DISCUSSION AND ACTION ITEMS (continued):

- 7:50 to 8:00 9. Approval of Authorization to Seek Bids for Beyer High School's Gymnasium Bleacher Replacement.
- 8:00 to 8:10 10. Approval of Authorization to Seek Bids for Swimming Pool Equipment Replacement at Various High Schools (Beyer, Davis, Johansen and Modesto).
- 8:10 to 8:20 11. Approval of First Reading of Proposed Revisions to Board Policy 5131, Student Conduct Code, K-6.
- 8:20 to 8:30 12. Approval of First Reading of Proposed Revisions to Board Policy 5132, Student Conduct Code, 7-12.
- 8:30 to 8:40 13. Approval of First Reading of Proposed Revisions to Board Policy 5128 and Review of Administrative Regulation 5128 Junior High/Middle School Graduation Ceremonies.
- 8:40 to 8:50 14. Approval of First Reading of Proposed Revisions to Board Policy 6146.5 and Review of Administrative Regulation 6146.5 Junior High/Middle School Graduation Requirements/Standards of Proficiency.
- 8:50 to 8:55 15. Approval of First Reading of Proposed Revisions to Board Bylaw 9322 Board of Education – Board Agenda and Meetings.
- 8:55 to 9:05 16. Approval of First Reading of Possible Revisions to Board Policy 6161.11 and Review of Administrative Regulation 6161.11 Supplementary Instructional Materials.
- 9:05 to 9:10 17. Approval of Resolution 12/13-25 in Support of Assembly Constitutional Amendment 2.
- 9:10 to 9:15 18. Report of Meetings Attended by Board of Education Members.
- 9:15 to 9:20 19. Items to be Placed on Future Board of Education Agendas.
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PROPOSED CONSENT AGENDA**C. BUSINESS ITEMS:**

- CONSENT 1. Approval of Services Agreement for California Property Record Systems.
- CONSENT 2. Approval of Acceptance of Gifts.

D. CURRICULUM AND INSTRUCTION ITEMS:

- CONSENT 1. Approval of High School Course Outlines: Industrial Technology and ROP.

PROPOSED CONSENT AGENDA (continued)

D. CURRICULUM AND INSTRUCTION ITEMS (continued):

- CONSENT 2. Approval of CAHSEE Waivers for Special Education Students at Davis, Downey, Gregori, Johansen, and Modesto High Schools.

- CONSENT 3. Approval of Amendment of Services Agreement with City of Modesto for Healthy Eating Active Living (HEAL) Zone Initiative Support Activities at Marshall School.

- CONSENT 4. Approval of Amendment of Services Agreement Between Modesto City Schools SELPA and Maxim Healthcare Services for the 2012-2013 School Year.

- CONSENT 5. Ratification of Services Agreement with Phil Tulga for the Modesto City Schools After School Education and Safety Program.

E. HUMAN RESOURCES ITEMS:

- CONSENT 1. Approval of Designated Personnel Action Items:
 - .1 Approval of Certificated Personnel Terminations.
 - .2 Approval of Certificated Personnel Leaves of Absence.
 - .3 Approval of Certificated Personnel Employment.
 - .4 Approval of Certificated Personnel Other Appointments.
 - .5 Approval of Certificated Personnel Stipend Appointments.
 - .6 Approval of Certificated Personnel Stipend Deletions.
 - .7 Approval of Certificated Personnel Substitute Appointments.
 - .8 Approval of Classified Personnel Terminations.
 - .9 Approval of Classified Personnel Leaves of Absence.
 - .10 Approval of Classified Personnel Employment.
 - .11 Approval of Classified Personnel Other Appointments.
 - .12 Approval of Classified Personnel Substitute Appointments.

F. MISCELLANEOUS ITEMS:

- CONSENT 1. Approval of Designated Student Expulsions:
 - .1 EL-25-2012-13 .2 HS-71-2012-13 .3 HS-72-2012-13

- CONSENT 2. Approval of Minutes for the February 25, 2013 Regular Meeting of the Board of Education and revisions to the February 28, 2011, January 17, 2012, March 12, 2012, May 7, 2012, and February 4, 2013 Board of Education meeting minutes.

END OF CONSENT AGENDA

G. REPORTS AND COMMUNICATIONS:

- 1. Report on Summary of Investment Portfolio as of December 31, 2012.

G. REPORTS AND COMMUNICATIONS (continued):

2. Schedule of 2012-13 School Advisory Committee Meetings.

H. ADJOURNMENT

MODESTO CITY SCHOOLS

TO: Board of Education Regular Meeting
SUBJECT: Request to Address the Board by Mack Wilson of the Dr. Parker Committee March 11, 2013

BACKGROUND

Modesto City Schools Board Bylaw 9322 states that members of the public may place matters directly related to school business on the agenda of the Board meeting. Written request to do this shall be received in the Superintendent's office eight (8) working days prior to the Board meeting. The written request shall include a description of the matter and whatever information concerning the matter the person making the request may have.

ISSUE

Mack Wilson of the Dr. Parker Committee requested to address the Board regarding suspension and expulsion rates among minority students.

PROCEDURE

Mack Wilson will address the Board and staff regarding the issue stated above.

Prepared and Submitted to the
Governing Board at the
Request of a Community
Member by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Board of Education Regular Meeting
SUBJECT: Approval of Proposal to Name the Stadium at Gregori High School the *Don Lanphear Stadium* in Honor of Don Lanphear
March 11, 2013

BACKGROUND

Board Policy and Administrative Regulation 7511 provide the criteria and procedures for naming specified facilities and grounds. The procedures provide that the Board “accept proposal(s) when the proposal is first submitted to the Board. (This was done at the February 25, 2013 meeting.) In the interim between the acceptance of the initial proposal and the next regularly scheduled meeting, additional proposals may be received by the Superintendent and shall, if they meet the criteria and standards, be submitted to the Board of Education at that next regular meeting... (No additional proposals have been received.) The Board of Education has the final responsibility to accept or reject any and all proposals at the second meeting.” The Board was provided the required biographical information and evidence of support for the proposal.

ISSUE

The Board needs to take formal action to approve the proposal.

RECOMMENDATION

It is recommended that the Board of Education approve the proposal to name the stadium at Gregori High School the *Don Lanphear Stadium* in honor of Don Lanphear.

Prepared and Recommended to the
Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of Resolution No. 12/13-26 for the Reduction in Number of Certificated Employees (PKS), Criteria for Assignments and Tiebreak Criteria March 11, 2013

BACKGROUND

The District anticipates that it will not receive sufficient funding for the number of certificated positions currently funded. Education Code sections 44949, 44955, and 44955.5 govern the layoff of probationary and permanent certificated employees. The Education Code establishes the procedures for layoffs, which is initiated by the adoption of a resolution authorizing a reduction of certificated employees.

In addition, the Education Code provides that a senior employee whose position is reduced or eliminated must be credentialed and "competent" to perform the service of a junior employee in order to displace (or "bump") the junior employee. The Education Code also provides that the District must establish criteria based on the needs of the District and the students to distinguish between two or more employees that have a first paid service on the same date. This resolution reduces the number of certificated employees (PKS), and sets the assignment and tiebreak criteria.

ISSUE

The District needs to reduce various certificated positions in order to have the necessary budget savings for the 2013-14 school year.

The attached resolution initiates the layoff procedure. The attached resolution also defines the District's tiebreaking criteria for the 2012-13 reduction in force and defines the competence for assignments for the 2013-14 school year.

PROPOSAL

The District proposes to reduce the number of certificated employees (PKS), and implement the assignment and tiebreak criteria as defined in the attached resolution.

FISCAL IMPACT

The proposed reduction in number of certificated employees is due to the reduction of categorical funding, delivery of the instructional program, and program demands.

Approval of Resolution No. 12/13-26 for the Reduction in Number of Certificated Employees (PKS), Criteria for Assignments and Tiebreak Criteria

RECOMMENDATION

It is recommended that the Board of Education approve Resolution No. 12/13-26 for the reduction in number of certificated employees (PKS), criteria for assignments and tiebreak criteria.

Recommended by:

Approved for Recommendation
to the Governing Board by:



Craig Rydquist
Associate Superintendent, Human Resources



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

GOVERNING BOARD RESOLUTION NO. 12/13-26

**REDUCTION IN NUMBER OF CERTIFICATED EMPLOYEES (PKS),
CRITERIA FOR ASSIGNMENTS AND TIEBREAK CRITERIA**

WHEREAS, the Governing Board has determined that the following particular kinds of services are to be reduced or discontinued no later than the beginning of the 2013-14 school year:

- Reduce 14.5 FTE Instructional Coach, K-6, Site
- Reduce 2.8 FTE English Learner Counselor (7-12)
- Reduce 1.5 FTE School Nurse
- Reduce 11.5 FTE Library Media Teacher, K-6
- Reduce 0.6 FTE Classroom Teacher, 9-12, ROP Auto
- Reduce 2.5 FTE Classroom Teacher, 9-12, ROP, Nurse Assistant Precertification
- Reduce 2.0 FTE Classroom Teacher, 9-12, Social Science

WHEREAS, the Governing Board has determined that each of the foregoing services constitutes a particular kind of service ("PKS") within the meaning of Education Code section 44955; and

WHEREAS, the Governing Board has considered all positively assured attrition which has occurred to date; and

WHEREAS, the Governing Board has determined that as between certificated employees who first rendered paid service to the District on the same date, certain criteria should be used in determining the order of termination based upon the needs of the District and the students thereof; and

WHEREAS, it is necessary for the Governing Board to determine the criteria for determining the qualifications of individual certificated employees affected by program reductions for possible reassignments for the 2013-14 school year.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Education for Modesto City Schools that:

It shall be necessary to terminate at the end of the 2012-13 school year the employment of an equal number of full-time equivalent certificated positions as a result of the reduction in particular kinds of services as set forth above; and

The Superintendent or her designee is hereby directed to take all appropriate action needed, including sending the appropriate notices to all employees whose positions may be affected by virtue of this action; and

The Superintendent or her designee is also authorized to negotiate and sign layoff agreements with any employees in order to implement this resolution.

NOW, THEREFORE BE IT FURTHER RESOLVED, the criteria used to determine the order of termination of certificated employees who first rendered paid service to the District on the same date, and the weight to be given to such criteria, shall be the following:

- A. Individuals who are deemed “highly qualified” under No Child Left Behind Act to be deemed “highly qualified” will be given preference. If these factors are identical then;
- B. Individuals with a BCLAD will be given preference. If these factors are identical then;
- C. Individuals with a CLAD, SDAIE or an equivalent certificate will be given preference. If these factors are identical then;
- D. Individuals with credentials and actual teaching experience in the actual subject areas of math, science, English and Special Education will be given preference. If these factors are identical then;
- E. Individuals whose credentials, authorizations or certifications enable them to serve in the greatest number of different K-12 teaching positions will be given preference. If these factors are identical then;
- F. Individuals with valid extra-duty experience within the District (i.e., coaching, class sponsorship or other student-related activities) will be given preference. If these factors are identical then;
- G. Years of total service, as defined in Education Code section 44908, with any California Public School District. If these factors are identical then;
- H. A lottery shall be conducted among those remaining.

NOW, THEREFORE BE IT FURTHER RESOLVED, for purposes of making assignments and reassignments of certificated employees the Governing Board has determined competency shall mean, at a minimum, possession of a preliminary, clear, professional clear, lifetime, or other full credential in the subject matter the employee seeks to displace a junior employee.

THE FOREGOING RESOLUTION was introduced at a special meeting of the Board of Education held on the eleventh day of March, 2013, by Governing Board Member _____ who made the motion, which motion duly seconded by _____ was, upon roll call, carried into Resolution and passed by the following vote:

AYES: Governing Board Members:

NOES: Governing Board Members:

ABSTAINED: Governing Board Members:

ABSENT: Governing Board Members:

ATTEST

Pamela Able
Superintendent
Modesto City Schools

Resolution No. 12/13-26
March 11, 2013

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of Second Interim Financial Report for 2012/13 and Positive Financial Certification March 11, 2013

BACKGROUND

Education Code Section 42130 *et seq* requires that districts prepare two interim financial reports and projections during the fiscal year. The Board of Education is required to file one of three certifications with the County Office of Education for each interim report.

1. Positive The District **will be able** to meet its financial obligations for the current and two subsequent fiscal years.
2. Qualified The District **may not** meet its financial obligations for the current and two subsequent fiscal years.
3. Negative The District **will not be able** to meet its financial obligations for the current and two subsequent fiscal years.

ISSUE

The second interim report, based on January 31 financial data, is due to the Stanislaus County Office of Education by March 15, 2013. The report requires Board approval to be finalized.

PROPOSAL

The Board of Education can make a **positive certification** that the District **will be able** to meet its financial commitments for the current and subsequent fiscal years based upon the following reports (copies of the complete report are available in the Business Office). All current year assumptions are based on known factors at the time of this report.

1. General Fund Summary

These reports show the originally adopted budget, adjusted operating budget, actual through January 31, projected year-end totals, and differences. There are three separate reports for the combined restricted and unrestricted general fund, the unrestricted portion of the general fund budget, and the restricted portion of the general fund budget.

Projected year-end totals maintain the required 3% Unrestricted General Fund reserve levels and meet all mandatory obligations. The figures also include an annual estimate of the salary and expenditure savings rather than the historical periodic reductions that have been reflected at interim reporting periods.

Approval of Second Interim Financial for 2012/13 and Positive Financial Certification

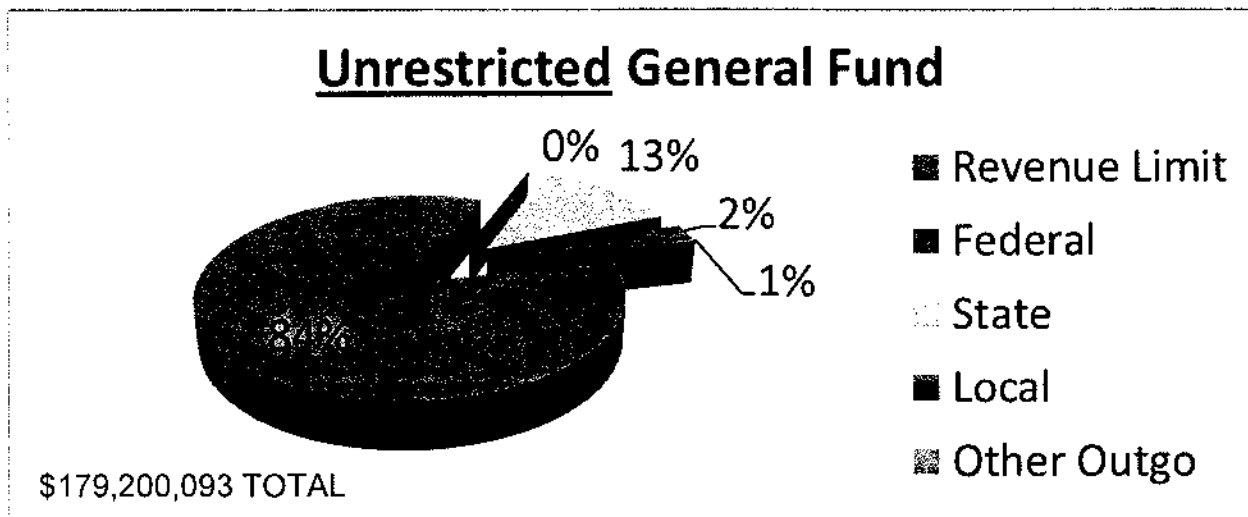
2. Average Daily Attendance Report

ADA calculations have changed since adoption. At first interim, an additional 39.08 ADA was reported to reflect the realized increased in 2011/12. The official reporting of period 1 attendance took place in December and enrollment has materialized into average daily attendance.

3. Multi-Year Financial Projection

A District's financial certification must include a look forward for the two subsequent fiscal years. This forces a look at the long-term effects of current financial decisions.

The three-year financial projections are based on known factors and estimates of future costs of current district operations.



Revenue Limit

- 12/13 current COLA of 3.24%
- 13/14 projected COLA of 0%
- 14/15 projected COLA of 0%
- 12/13 thru 14/15 revenue limit deficit factor of 22.272%
- Local Control Funding Formula is not approved, therefore is not reflected

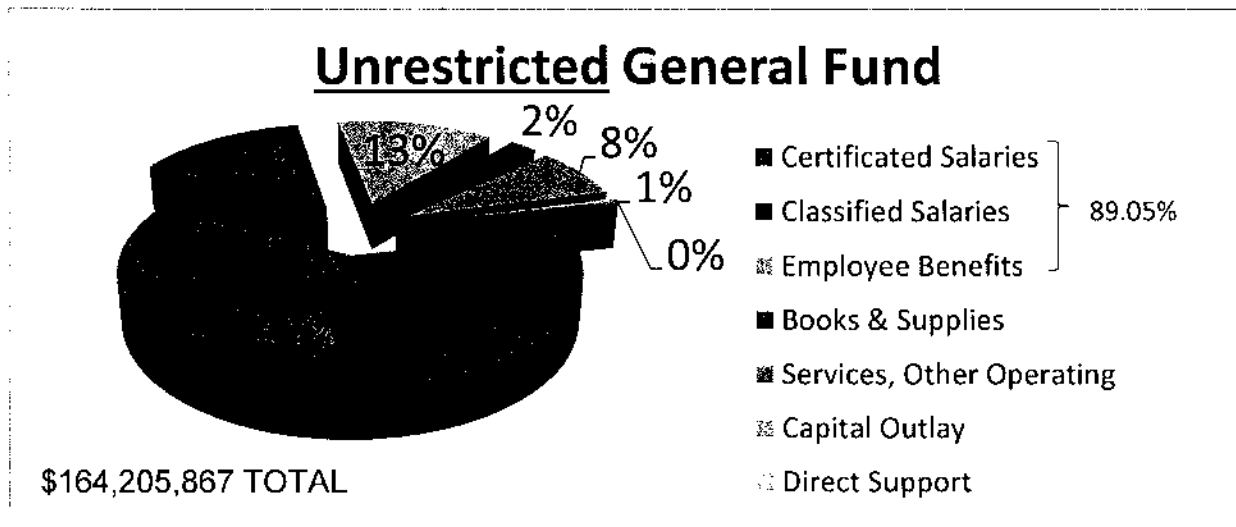
Federal Revenue

- No reflection for federal sequestration

State Revenue

- 12/13 Establish Mandate Block Grant
- 13/14 Elimination of K-3 CSR flexibility funding

Approval of Second Interim Financial for 2012/13 and
Positive Financial Certification



Expenditures

- Estimated **annual** savings by major object code reflected in all fiscal years.
- Addition of one-time three day furlough buy back for 2012/13 for classified, certificated and management unit members
- Elimination of negotiated 2009/10 and 2010/11 furlough agreements with classified unit members by July 1, 2013
- Elimination of negotiated 2009/10 and 2010/11 salary reduction agreement with classified unit members by July 1, 2013
- Elimination of negotiated 2009/10 and 2010/11 furlough agreements with certificated and management unit members by July 1, 2014
- Elimination of negotiated 2009/10 and 2010/11 salary reduction agreements with certificated and management unit members by July 1, 2014
- Posting of 2011/12 carryover at First Interim in various categorical resources
- Approved Operation Department, Security Division not reflected
- 2013/14 restricted budget reflects an additional \$7.25 million in on-going cuts to remain fiscally self-sustaining
- 2014/15 restricted budget reflects an additional \$3.1 million in on-going cuts to remain fiscally self-sustaining

Fund Balance

- Prior year audit adjustments are reflected
 - 2011/12 Revenue Limit growth adjustment \$536,864
 - County Cash Fair Market Value \$156,776
- Assign the County Cash Fair Market Value Adjustment.
- Continue "assigned" designations as approved by the Governing Board.

4. Cash Flow Summary

Districts monitor both fund balance and actual cash balances available to pay obligations. Since many funding sources are distributed in arrears, diligent monitoring of cash on hand is required.

Approval of Second Interim Financial for 2012/13 and
Positive Financial Certification

The State has adjusted the deferrals in 2012/13 to reflect the passage of Proposition 30. At this time, there is approximately 37% of principal apportionment funding dollars delayed until the following year.

The Board has already authorized inter-fund borrowing and County fund borrowing to address potential cash shortages.

5. Criteria and Standards

The criteria and standards software automatically compares a district's financial and enrollment data to arbitrarily calculated averages. These comparisons can alert a district to financial anomalies but can also be arbitrary and not relevant to a particular district's situation. "Not met" standards require an explanation.

The format still does not factor in fiscal anomalies that skew the three-year average calculations. These variances can result in "not met" status for items throughout the criteria and standards. Variances occur as a result of the District posting deferred revenue and carryover in current year.

6. Other Funds

The status as of January 31 for all other special funds maintained by the District is shown.

FISCAL IMPACT

The second interim report and multi-year projection show that the District will be able to meet all of its financial obligations for the current and subsequent years. A positive certification can be filed.

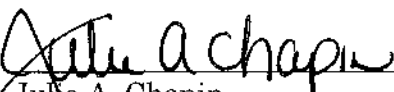
RECOMMENDATION

It is recommended that the Board of Education approve the Second Interim Financial Report for 2012/13 and Positive Financial Certification.

Originating Department: Budget

Recommended by:

Approved for Recommendation
To the Governing Board by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of Authorization to Seek Bids for Beyer High School's Gymnasium Bleacher Replacement March 11, 2013

BACKGROUND

Beyer High School was designed in the late 1960's with gymnasium construction completed in 1970; the existing gym bleacher system is original construction. To ensure the safe operation and extend the useful life of these original wooden bleachers, a preventive maintenance (PM) program was implemented; this PM program allowed Beyer bleachers to remain in safe operation for over 40 years. The Beyer bleacher system is now beyond its useful life and needs to be replaced.

ISSUE

Due to revised building code requirements, the replacement bleacher system will require extensive structural upgrades. American Disability Act (ADA) improvements to the building and surrounding areas are also code-mandated; this will include upgrading two public restrooms contained within the gym's roofline, reconfiguration of all ADA parking spaces in the main parking area, and path of travel improvements by replacing concrete sidewalks surrounding all entrances/exits to the gym. The fire alarm will also be upgraded to be compliant with recent code changes.

With funding identified, it is recommended that the project be authorized for competitive bid in accordance with Public Contract Code. All public works projects over \$45,000 must be competitively bid.

PROPOSAL

It is proposed that the replacement of Beyer High School's Gymnasium bleachers be advertised for bid in the Modesto Bee, Builders Exchange and all interested contractors be contacted.

Approval of Authorization to Seek Bids for Beyer High School's Gymnasium Bleacher Replacement

FISCAL IMPACT


The preliminary cost is estimated to not exceed \$945,000. Funding for this project will come from the Deferred Maintenance Fund.

RECOMMENDATION

It is recommended that the Board of Education approve authorization to seek bids for Beyer High School's Gymnasium bleacher replacement.


Originating Departments: Maintenance and Construction

Reviewed and Recommended by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation
to the Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of Authorization to Seek March 11, 2013
Bids for Swimming Pool Equipment
Replacement at Various High Schools
(Beyer, Davis, Johansen and Modesto)

BACKGROUND

The District owns and operates six pools with varying types of equipment to maintain water quality and energy efficiency. Four of the pools, with the exception of Downey and Sonoma, have chemical equipment that is nearing or beyond its useful life. In addition, Beyer, Davis and Johansen do not currently utilize energy efficient pool covers.

ISSUE

In order to maintain safe and efficient delivery and use of pool chemicals, such as chlorine, acid and carbon dioxide, the District must replace existing chemical feed and related backwash control systems. Staff has determined the best approach to simplify operation and standardize maintenance is to replace each system with a common platform. The revised platform is computer based and intranet capable. Each replacement will include an energy efficient pool pump drive.

This project also includes the purchase of energy efficient pool covers and powered removal devices for Beyer, Davis and Johansen. A Pacific Gas and Electric (PG&E) Company rebate will fund approximately 50% of the cost of these covers.

With funding identified, it is recommended that the project be authorized for competitive bid in accordance with Public Contract Code. All public works projects over \$45,000 must be competitively bid.

PROPOSAL

It is proposed that the replacement of swimming pool equipment be advertised for bid in the Modesto Bee and Builders Exchange and all interested contractors be contacted. Pool covers will be competitively bid by the District Purchasing department as equipment purchase only.

Approval of Authorization to Seek Bids for Swimming Pool Equipment Replacement at Various High Schools (Beyer, Davis, Johansen and Modesto)

FISCAL IMPACT

The preliminary cost to replace equipment and purchase pool covers is estimated to not exceed \$285,000, net the PG&E rebate. Funding for this project will come from the Deferred Maintenance Fund.

RECOMMENDATION

It is recommended that the Board of Education approve authorization to seek bids for swimming pool equipment replacement at various high schools (Beyer, Davis, Johansen and Modesto).


Originating Department: Maintenance and Construction

Reviewed and Recommended by:

Approved for Recommendation
to the Governing Board by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of First Reading of Proposed Revisions March 11, 2013
to Board Policy 5131, Student Conduct Code, K-6

BACKGROUND

The Student Conduct Code provides direction and guidance to school administrators in determining appropriate consequences for serious disciplinary offenses as well as informing students and parents of expected student behavior. An annual review of the Student Conduct Code is performed to help keep it closely aligned with the California State Education Code and to make appropriate revisions to Board policy.

ISSUE

Revisions to the K-6 Student Conduct Code are being proposed to align with new laws passed by state legislature. Additional language is also being recommended to reflect the District's current practice of providing students with interventions and other means of correction in order to change behaviors. Input from site administrators and MTA representatives was solicited in each of these areas.

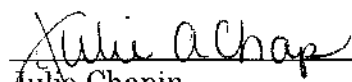
RECOMMENDATION

It is recommended that the Board of Education approve the first reading of proposed revisions to Board Policy 5131, Student Conduct Code, K-6.

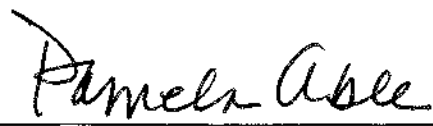
Originating Department: Child Welfare and Attendance

Reviewed and Recommended by:

Approved for Recommendation
to the Governing Board by:



Julie Chapin
Associate Superintendent, Business Services
Chief Business Official



Pamela Able
Superintendent

BEHAVIOR EXPECTATIONS AND CONSEQUENCES

Consequences are determined by the number of violations occurring in one school year with the exception of offenses 6, 10, 11, 13, and 14. Prior offenses may warrant consequences starting at Step 2.

A school may have additional rules unique to its site as long as they do not conflict with the Student Conduct Code (E.C. 35291.5).

DURING SUSPENSION:

1. Student shall not report to school during the period of suspension, except in the case of in-school suspension, unless coming to the office on official business by prior arrangement with a school administrator. Student is expected to be under the supervision of a parent during school hours when serving suspension days at home. (7:00 a.m. - 4:30 p.m.) (P.C. 653B; P.C. 627)
2. Student is not to attend any school event at any school campus during home suspension.
3. The responsibility of obtaining and doing classwork lies with the student. The teacher may require the student to complete any assignments and tests missed during the suspension.

When referenced throughout the remainder of this document, the following abbreviations will apply

<i>E.C.</i>	=	<i>California Education Code</i>
<i>P.C.</i>	=	<i>California Penal Code</i>
<i>C.A.C.</i>	=	<i>California Administrative Code, Title 5</i>
<i>BP</i>	=	<i>Board Policy (Modesto City Schools)</i>
<i>AR</i>	=	<i>Administrative Regulation (Modesto City Schools)</i>

LEVEL I OFFENSES**CAUSES FOR HOME SUSPENSION
OR
OTHER ALTERNATIVE CONSEQUENCES**

→ ~~WHEN "SUSPENSION" IS INDICATED ON PAGES 21-31, THE SITE ADMINISTRATOR WILL DETERMINE WHETHER THE CONSEQUENCE SHOULD INCLUDE, BUT NOT BE LIMITED TO, HOME SUSPENSION/IN-SCHOOL SUSPENSION/SATURDAY SCHOOL/INTERVENTION GROUP/DETENTION/COMMUNITY SERVICE. COMMUNITY SERVICE MAY INCLUDE, BUT IS NOT LIMITED TO, WORK PERFORMED ON SCHOOL GROUNDS DURING NONSCHOOL HOURS IN THE AREAS OF OUTDOOR BEAUTIFICATION, CAMPUS BETTERMENT, AND TEACHER OR PEER ASSISTANCE PROGRAMS. (E.C. 48900.6)~~

→ WITH THE EXCEPTION OF SERIOUS VIOLATIONS OF THE STUDENT CONDUCT CODE, CORRECTIVE MEASURES WILL NORMALLY BEGIN AT A MINIMAL LEVEL AND THEN PROCEED TO MORE SERIOUS LEVELS. THESE PROCEDURES MAY INCLUDE BUT ARE NOT LIMITED TO: COUNSELING, PARENT CONFERENCE, BEHAVIOR PLAN, CLASSROOM INTERVENTIONS, COMMUNITY SERVICE, RESTITUTION, CONFLICT RESOLUTION, PARENT SUPERVISION IN SCHOOL, DETENTION, LOSS OF SCHOOL PRIVILEGES, CLASS SUSPENSION, BEHAVIOR CONTRACT, SATURDAY SCHOOL, IN-SCHOOL SUSPENSION, HOME SUSPENSION, ALTERNATIVE EDUCATION TRANSFER, EXPULSION RECOMMENDATION.

LAW ENFORCEMENT AGENCIES MAY BE NOTIFIED AT THE DISCRETION OF THE ADMINISTRATION.

IF THE NATURE OF THE OFFENSE MAKES AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION RECOMMENDATION APPROPRIATE, THE STUDENT WILL BE SUSPENDED FIVE DAYS FOR THE INFRACTION.

→ **STUDENT MAY BE SUSPENDED ON THE FIRST OFFENSE IF IT IS DETERMINED THAT THE PUPIL'S PRESENCE CAUSES A DANGER TO PERSONS OR PROPERTY OR THREATENS TO DISRUPT THE INSTRUCTIONAL PROCESS. (E.C. 48900.5)**

GANG RELATED OFFENSES - A STUDENT MAY BE SUSPENDED FOR FIVE DAYS ON THE FIRST OFFENSE AND RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION.

→ **OFFENSES 1-11, 13-15 AND 27-29 ONLY – IF DEPENDING ON THE SERIOUSNESS OF THE ACT LEADS TO A DETERMINATION THAT THE PRESENCE OF THE STUDENT CAUSES A DANGER TO PERSONS, THE STUDENT MAY BE RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION ON THE FIRST OR SUCCEEDING OFFENSES.**

1. **POSSESSING, USING, OR BEING UNDER THE INFLUENCE OF** an alcoholic beverage or intoxicant of any kind. Possessing not more than one ounce of marijuana. Using or being under the influence of marijuana or any controlled substance (as defined in Section 11053 of the Health and Safety Code). (E.C. 48915 and E.C. 48900, sub-section c)

1st Offense: 5-day suspension and notification of appropriate law enforcement agency. May be assigned to a substance abuse counseling program.

2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

→ Note: Does not include over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

6. **CAUSING OR ATTEMPTING TO CAUSE DAMAGE TO PROPERTY** - cutting, defacing, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Penal Code Sec. 594) (E.C. 48900, sub-section f)

→ Note: If a prior offense was committed during the previous two school years, damage valued in excess of \$25.00 will warrant consequences starting at Step 2.

→ 1st Offense: ~~1-day suspension-~~ Behavioral interventions and/or other alternative means of correction.

2nd Offense: 3-day suspension-

3rd Offense: 5-day suspension and recommendation for expulsion.

Note: Parent/guardian will be held responsible for damage to school district property up to the State established limit. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage up to the State established limit. (E.C. 48904).

7. **THREATENING, INTIMIDATING, MENACING OR HARASSING (INCLUDING SEXUAL HARASSMENT) ANY OTHER PERSON** (E.C. 48900 sub-section a, r, and/or k) (E.C. 48900.2) (E.C. 48900.4) Possible removal from campus or separation of student. (See pages 40-42)

- 1st Offense: Warning to student and/or other alternative ~~consequences~~ means of correction.
- 2nd Offense: 3-day suspension.
- 3rd Offense: 5-day suspension and recommendation for alternative education program or expulsion.
- Note: In the event an allegation of sexual harassment is not resolved informally to the satisfaction of a complainant, the complainant may use the District complaint process for formal resolution of such complaints. (AR 5145.7)

9. **ENGAGING IN AN ACT OF BULLYING**, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. (E.C. 48900, sub-section r)

- 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.
- 2nd Offense: 3-day suspension.
- 3rd Offense: 5-day suspension and possible recommendation for alternative education program or expulsion.
- Note: Any act committed against school staff would warrant consequences starting at step 2.

→ ~~Bullying is one or more acts by a pupil or group of pupils directed against another pupil or school personnel in order to cause fear, distress or harm. Bullying can be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), emotional (spreading rumors, manipulating social relationships, extorting, or intimidating) or a combination of the three.~~

→ Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or a group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed towards one or more pupils that has been or can be reasonably predicted to have the effect of one or more of the following:

- A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupil's person or property.
- B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

- C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

→ An “electronic act” is defined as transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web Site by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

10. **STEALING OR ATTEMPTING TO STEAL SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section g)

- Note: If a prior offense was committed during the previous two school years, stolen items of value greater than \$25.00 will warrant consequences starting at Step 2.
- 1st Offense: ~~1-day suspension~~ Behavioral interventions and/or other alternative means of correction.
- 2nd Offense: 3-day suspension and possible recommendation for alternative education program.
- 3rd Offense: 5-day suspension and recommendation for expulsion.

11. **KNOWINGLY RECEIVING STOLEN SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section l)

- Note: If a prior offense was committed during the previous two school years, stolen items of value greater than \$25.00 will warrant consequences starting at Step 2.
- 1st Offense: ~~1-day suspension~~ Behavioral interventions and/or other alternative means of correction.
- 2nd Offense: 3-day suspension
- 3rd Offense: 5-day suspension and recommendation for expulsion.

13. **COMMITTING AN OBSCENE ACT OR ENGAGING IN HABITUAL PROFANITY OR VULGARITY** either verbally or in writing. (E.C. 48900, sub-section i)

- Note: A student **may** be suspended on the first offense for 5 days if such behavior ~~disrupts school activities, (E.C. 48900, sub-section k) threatens to disrupt the instructional process, or causes a danger to persons or property~~ (E.C. 48900.5).
- 1st Offense: Warning to student and/or alternative consequences means of correction.
- 2nd Offense: 1-day suspension.

3rd Offense: 3-day suspension and possible recommendation for alternative education program.

→ Note: If a prior offense was committed during the previous two school years, any act committed against school staff would warrant consequences starting at Step 2.

14. **USE OF SLURS** either verbally or in writing based on race, religion, ethnic background or national origin, language, gender, sexual orientation, economic status, physical or developmental disabilities, or other special needs. (E.C. 48900, sub-section k) (BP 5145.4)

→ Note: A student **may** be suspended on the first offense for 5 days if such behavior ~~disrupts school activities, (E.C. 48900, sub-section k) threatens to disrupt the instructional process, or~~ causes a danger to persons ~~or property~~ (E.C. 48900.5).

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 3-day suspension.

3rd Offense: 5-day suspension and possible recommendation for alternative education program.

→ Note: If a prior offense was committed during the previous three school years, any act committed against school staff would warrant consequences starting at Step 2.

15. **POSSESSING ANY OBJECTS** of a dangerous nature (unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal) ON CAMPUS if the principal deems expulsion inappropriate. (E.C. 48900 sub-section b)

Note: Toy guns (imitation) are considered objects of a dangerous nature. Look-a-like (imitation) toy guns refers to a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900 sub-section m). Possession of any toy weapon that appears to be real to a reasonable person or that is used in a threatening manner may result in alternative placement or recommendation for expulsion. (E.C. 48900, sub-section m) Also, see page 33, number 5.

Note: Laser pointers are considered objects of a dangerous nature.

→ Note: ~~Principal must report in writing to the superintendent who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915)~~

→ 1st Offense: Warning to student and/or other alternative ~~consequences~~ means of correction.

2nd Offense: 1-day suspension.

3rd Offense: 3-day suspension and possible recommendation for alternative education program.

16. **BEHAVIOR ON BUS**

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: Not allowed to ride the bus for 3 days.

3rd Offense: Not allowed to ride the bus for 5 days.

4th Offense: Not allowed to ride the bus for 10 days.

5th Offense: Not allowed to ride the bus for 20 days or the remainder of the current semester/trimester, whichever is greater.

6th Offense: Not allowed to ride the bus for the remainder of the school year.

Note: Depending on the seriousness of the act, the student may lose bus privileges for the remainder of the school year on the first or succeeding offenses.

Note: Depending on the circumstances, alternatives to suspension from the bus may be used as determined by the site administrator.

17. **POSSESSING OR USING TOBACCO** (or any products containing tobacco or nicotine products) in grades 7-12. (E.C. 48900, sub-section h)

Tobacco and nicotine products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (E.C. 48011, sub-section h)

→ 1st Offense: ~~1-day suspension.~~ Behavioral interventions and/or other alternative means of correction.

2nd Offense: 2-day suspension

3rd Offense: 3-day suspension and possible recommendation for alternative education program.

Note: No school shall permit the smoking or use of tobacco, or any product containing tobacco, or nicotine products, by pupils of the school while pupils are on campus, or while attending school-sponsored activities or while under the supervision and control of school district employees. (E.C. 48901)

Confiscated materials will be returned to parents upon request. Confiscated materials will not be returned to students.

18. **FAILING TO IDENTIFY ONES SELF** or giving false information to school personnel. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 2-day suspension.

3rd Offense: 4-day suspension and possible recommendation for alternative education program.

19. **BEING IN A PARKING LOT OR OUT OF BOUNDS** without proper authorization. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 1-day suspension.

3rd Offense: 3-day suspension.

20. **TAMPERING WITH PROPERTY OF THE SCHOOL DISTRICT** or belongings of any other person. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 1-day suspension

3rd Offense: 3-day suspension and possible recommendation for alternative education program.

21. **LOITERING ON OR ABOUT ANY CAMPUS** without apparent lawful purpose. (E.C. 48900, sub-section k) (Penal Code 653B and 627)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 1-day suspension.

3rd Offense: 3-day suspension and possible recommendation for alternative education program.

Note: A student may be subject to arrest according to Penal Code 653B if he/she loiters at or near any school or public place at or near where students attend or normally congregate, or re-enters or comes upon such school or place after being asked to leave by a school official. According to PC 653B, punishment for loitering includes a fine not to exceed \$1,000 and/or imprisonment in the county jail not to exceed six months.

23. **POSSESSING OF ANY OBJECT NOT OF A DANGEROUS NATURE** (i.e. items a school administrator identifies as disruptive.) (E.C. 48900, sub-section k) (Unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.)

Note: Unauthorized object may be confiscated by school authorities. The Principal/Designee will decide whether to return the object to the student or the parent/guardian.

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: Detention, Saturday School, or other alternatives to home suspension.

3rd Offense: 1-day in-school suspension.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

24. **FORGING, FALSIFYING, ALTERING, OR USING FORGED SCHOOL CORRESPONDENCE, PASSES, OR RE-ADMIT SLIPS** (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or other alternative ~~consequences~~ means of correction.

2nd Offense: 1-day suspension

3rd Offense: 3 day suspension and possible recommendation for alternative education program.

→ 25. **CHEATING** (E.C. 48900, sub-section k)

1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 1-day suspension.

3rd Offense: 3-day suspension.

26. **POSSESSING OR USE OF ANY ELECTRONIC SIGNALING DEVICE** that operates through the transmission or receipt of radio waves, including, but not limited to paging and signaling equipment, without prior consent of the principal or the designee of the principal. **Electronic signaling devices shall be turned off during school hours and not be visible.** (No pupil shall be prohibited from using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and use of which is limited to health-related purposes or during a school-wide emergency affecting the school or community.) (E.C. 48901.5)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: Detention, Saturday School, or other alternatives to home suspension.

3rd Offense: 1-day in-school suspension.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

Note: Unauthorized object may be confiscated by school authorities. The Principal/Designee will decide whether to return the object to the student or the parent/guardian.

Note: Use of cell phones to bully, harass or cheat may result in more severe consequences to be determined by the site administrator. (E.C. 48900 r)

27. **WILLFUL DEFIANCE OR DISOBEDIENCE**: A willful act, verbal or non-verbal, that demonstrates deliberate resistance or refusal to obey a reasonable request or directive issued by a school district employee. Student's action does not create a safety risk. (E.C. 48900, sub-section k)

→ ~~1st Offense: Warning to student and/or alternative consequences.~~

→ ~~2nd Offense: Alternative consequences (counseling, detention, Saturday School, work detail, etc.). Notification to parent.~~

→ ~~3rd Offense: 1-day suspension.~~

→ Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including in-school suspension) may be imposed only after other means of correction have failed to bring about proper conduct unless the student's presence poses a danger to other persons.

Examples: Including but not limited to: Chewing gum/eating/drinking in class, willfully defying staff in non-safety related incident, student walking from staff and/or refusing to talk to staff about an incident in non-safety situation, non-habitual use of profanity or vulgarity, verbal insults/put-downs/name calling (non-discriminatory), horseplay, etc.

28. **INTERFERING WITH THE PEACEFUL CONDUCT OF THE CAMPUS OR CLASSROOM:** Any willful act of a minor but annoying nature, verbal or non-verbal, that disrupts the educational process, distracts from the educational environment, or interrupts any administrative, disciplinary, or other activity sponsored or approved by the district. (E.C. 48900, sub-section k)

→ ~~1st Offense: Warning, and/or alternative consequences.~~

→ ~~2nd Offense: Detention, Saturday School or other alternative consequence.~~

→ ~~3rd Offense: 1-day suspension~~

→ ~~4th Offense: 3-day suspension.~~

→ Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including in-school suspension) may be imposed only after other means of correction have failed to bring about proper conduct unless the student's presence poses a danger to other persons.

→ Examples: Including but not limited to: Minor altercation not resulting in actual fight (i.e. pushing/shoving), ~~minor bullying~~ etc.

29. **WILLFUL DEFIANCE CAUSING A MAJOR CAMPUS OR CLASS DISRUPTION:** Any willful major act of insubordination, verbal or non-verbal, that causes a major campus disruption and significantly distracts from or interrupts the educational environment, or any administrative, disciplinary, or other activity sponsored or approved by the district. Student's behavior creates a clear threat to the safety of self or others. (Penal Code Sec. 148.1) (E.C. 48900, sub-section k)

→ 1st Offense: 3-day suspension. (If it is determined that the action created a danger to other persons.)

2nd Offense: 5-day suspension. Recommendation for alternative education program or expulsion. Mandatory removal from campus.

Examples: Including but not limited to: Activating a fire alarm, physical altercation, instigating a fight, etc.

LEVEL II OFFENSES**SUSPENSION REQUIRED****POSSIBLE RECOMMENDATION FOR EXPULSION**

→ ~~unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance (E.C. 48915 sub-section a).~~

2. **UNLAWFUL POSSESSION ANY CONTROLLED SUBSTANCE** as listed in Chapter 2 (commencing with Section 11053) of the Health and Safety Code, except for the first offense of possession of not more than one ounce of marijuana, other than concentrated cannabis. (E.C. 48915 and E.C. 48900, sub-section c, 48900 sub-section p)

1st Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

→ Note: Does not include over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of First Reading of Proposed Revisions March 11, 2013
to Board Policy 5132, Student Conduct Code, 7-12

BACKGROUND

The Student Conduct Code provides direction and guidance to school administrators in determining appropriate consequences for serious disciplinary offenses as well as informing students and parents of expected student behavior. An annual review of the Student Conduct Code is performed to help keep it closely aligned with the California State Education Code and to make appropriate revisions to Board policy.

ISSUE

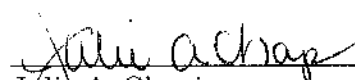
Revisions to the 7 -12 Student Conduct Code are being proposed to align with new laws passed by state legislature. Additional language is also being recommended to reflect the District's current practice of providing students with interventions and other means of correction in order to change behaviors. Other proposed revisions include a specific section pertaining to classroom citizenship expectations and consequences, and extra-curricular activity eligibility related to student debt. Input from site administrators and MTA representatives was solicited in each of these areas.

RECOMMENDATION

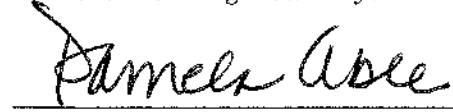
It is recommended that the Board of Education approve the first reading of proposed revisions to Board Policy 5132, Student Conduct Code, 7-12.

Originating Department: Child Welfare and Attendance

Reviewed and Recommended by:


Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation
to the Governing Board by:


Pamela Able
Superintendent

BEHAVIOR EXPECTATIONS AND CONSEQUENCES

Consequences are determined by the number of violations occurring in one school year with the exception of offenses 6, 10, 11, 12, and 13. Prior offenses may warrant consequences starting at Step 2.

A school may have additional rules unique to its site as long as they do not conflict with the Student Conduct Code (E.C. 35291.5).

EXCEPTIONS: The number of offenses and the consequences relating to extra-curricular activities eligibility for substance abuse violations carry over from year to year in grades 7-8 and 9-12, but not from junior high to high school.

DURING SUSPENSION:

1. Student shall not report to school during the period of suspension, except in the case of in-school suspension, unless coming to the office on official business by prior arrangement with a school administrator. Student is expected to be under the supervision of a parent during school hours when serving suspension days at home. (7:00 a.m.- 4:30 p.m.) P.C. 653G, P.C. 627
2. Student is not to attend any school event at any school campus during home suspension.
3. The responsibility of obtaining and doing classwork lies with the student. The teacher may require the student to complete any assignments and tests missed during the suspension.

When referenced throughout the remainder of this document, the following abbreviations will apply:

<i>E.C.</i>	=	<i>California Education Code</i>
<i>P.C.</i>	=	<i>California Penal Code</i>
<i>C.A.C.</i>	=	<i>California Administrative Code, Title 5</i>
<i>BP</i>	=	<i>Board Policy (Modesto City Schools)</i>
<i>AR</i>	=	<i>Administrative Regulation (Modesto City Schools)</i>

LEVEL I
OFFENSES

CAUSES FOR HOME
SUSPENSION OR
OTHER ALTERNATIVE
CONSEQUENCES

(See pages 40-45 regarding extra-curricular activities eligibility)

→ ~~WHEN "SUSPENSION" IS INDICATED ON PAGES 22-33, THE SITE ADMINISTRATOR WILL DETERMINE WHETHER THE CONSEQUENCE SHOULD INCLUDE, BUT NOT BE LIMITED TO, HOME SUSPENSION/IN-SCHOOL SUSPENSION/SATURDAY SCHOOL/INTERVENTION GROUP/DETENTION/COMMUNITY SERVICE. COMMUNITY SERVICE MAY INCLUDE, BUT IS NOT LIMITED TO, WORK PERFORMED ON SCHOOL GROUNDS DURING NONSCHOOL HOURS IN THE AREAS OF OUTDOOR BEAUTIFICATION, CAMPUS BETTERMENT, AND TEACHER OR PEER ASSISTANCE PROGRAMS. (E.C. 48900.6)~~

→ WITH THE EXCEPTION OF SERIOUS VIOLATIONS OF THE STUDENT CONDUCT CODE, CORRECTIVE MEASURES WILL NORMALLY BEGIN AT A MINIMAL LEVEL AND THEN PROCEED TO MORE SERIOUS LEVELS. THESE PROCEDURES MAY INCLUDE BUT ARE NOT LIMITED TO: COUNSELING, PARENT CONFERENCE, BEHAVIOR PLAN, CLASSROOM INTERVENTIONS, COMMUNITY SERVICE, RESTITUTION, CONFLICT RESOLUTION, PARENT SUPERVISION IN SCHOOL, DETENTION, LOSS OF SCHOOL PRIVILEGES, CLASS SUSPENSION, BEHAVIOR CONTRACT, SATURDAY SCHOOL, IN-SCHOOL SUSPENSION, HOME SUSPENSION, ALTERNATIVE EDUCATION TRANSFER, EXPULSION RECOMMENDATION.

LAW ENFORCEMENT AGENCIES MAY BE NOTIFIED AT THE DISCRETION OF THE ADMINISTRATION.

IF THE NATURE OF THE OFFENSE MAKES AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION RECOMMENDATION APPROPRIATE, THE STUDENT WILL BE SUSPENDED FIVE DAYS FOR THE INFRACTION.

→ **STUDENT MAY BE SUSPENDED ON THE FIRST OFFENSE IF IT IS DETERMINED THAT THE PUPIL'S PRESENCE CAUSES A DANGER TO PERSONS OR PROPERTY OR THREATENS TO DISRUPT THE INSTRUCTIONAL PROCESS. (E.C. 48900.5)**

GANG RELATED OFFENSES - A STUDENT MAY BE SUSPENDED FOR FIVE DAYS ON THE FIRST OFFENSE AND RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION.

→ **OFFENSES 1-14 AND 28-30 ONLY - IF DEPENDING ON THE SERIOUSNESS OF THE ACT LEADS TO A DETERMINATION THAT THE PRESENCE OF THE STUDENT CAUSES A DANGER TO PERSONS, THE STUDENT MAY BE RECOMMENDED FOR AN ALTERNATIVE EDUCATION PLACEMENT OR EXPULSION ON THE FIRST OR SUCCEEDING OFFENSES.**

1. **POSSESSING, USING, OR BEING UNDER THE INFLUENCE OF** an alcoholic beverage or intoxicant of any kind. Possessing not more than one ounce of marijuana. Using or being under the influence of marijuana or any controlled substance (as defined in Section 11053 of the Health and Safety Code). (E.C. 48915 and E.C. 48900, sub-section c)

1st Offense: 5-day suspension and notification of appropriate law enforcement agency. May be assigned to a substance abuse counseling program.

Note: The suspension will be reduced to three days if the student completes a district-approved intervention program.

Ineligibility for extra-curricular activities would then be reduced from eighteen school weeks to nine school weeks.

2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

→ Note: Does not include over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

Note: Students appearing at school functions and having consumed or having in their possession alcoholic beverages or drugs may be handled by police action. (Penal Code Sec. 647) (Health and Safety Code Sec. 11550)

6. **CAUSING OR ATTEMPTING TO CAUSE DAMAGE TO PROPERTY** - cutting, defacing, or otherwise injuring any school district property, or the malicious injury or destruction of any other person's real or personal property. (Penal Code Sec. 594) (E.C. 48900, sub-section f)

- Note: If a prior offense was committed during the previous three school years, damage valued in excess of \$25.00 will warrant consequences starting at Step 2.
- Offenses will not carry over from junior high to high school.
- 1st Offense: ~~1-day suspension.~~ Behavioral interventions and/or other alternative means of correction.
- 2nd Offense: 3-day suspension and possible recommendation for alternative education program
- 3rd Offense: 5-day suspension and recommendation for expulsion.
- Note: Parent/guardian will be held responsible for damage to school district property up to the State established limit. When the minor and parent are unable to pay for the damages, the school district shall provide a program of voluntary work for the minor in lieu of the payment of monetary damages. Parents or guardian of the student are also liable for the amount of a reward paid for information leading to the apprehension of person(s) causing damage up to the State established limit. (E.C. 48904).

7. **THREATENING, INTIMIDATING, MENACING OR HARASSING (INCLUDING SEXUAL HARASSMENT) ANY OTHER PERSON** (E.C. 48900 sub-sections a, r and/or k) (E.C. 48900.2) (E.C. 48900.4) Possible removal from campus or separation of student. (See pages 49-52)

- 1st Offense: Warning to student and/or other alternative ~~consequences~~ means of correction .
- 2nd Offense: 3-day suspension.
- 3rd Offense: 5-day suspension and recommendation for alternative education program or expulsion.
- Note: In the event an allegation of sexual harassment is not resolved informally to the satisfaction of a complainant, the complainant may use the District complaint process for formal resolution of such complaints. (AR 5145.7)

9. **ENGAGING IN AN ACT OF BULLYING**, including, but not limited to, bullying committed by means of an electronic act, as defined in subdivisions (f) and (g) of Section 32261, directed specifically toward a pupil or school personnel. (E.C. 48900, sub-section r)

- 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.
- 2nd Offense: 3-day suspension.
- 3rd Offense: 5-day suspension and possible recommendation for alternative education program or expulsion.

Note: Any act committed against school staff would warrant consequences starting at step 2.

→ ~~Bullying is one or more acts by a pupil or group of pupils directed against another pupil or school personnel in order to cause fear, distress or harm. Bullying can be physical (hitting, kicking, spitting, pushing), verbal (taunting, malicious teasing, name calling, threatening), emotional (spreading rumors, manipulating social relationships, extorting, or intimidating) or a combination of the three.~~

→ “Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, and including one or more acts committed by a pupil or a group of pupils as defined in Section 48900.2, 48900.3, or 48900.4, directed towards one or more pupils that has been or can be reasonably predicted to have the effect of one or more of the following:

- A) Placing a reasonable pupil or pupils in fear of harm to that pupil’s or those pupil’s person or property.
- B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
- C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.
- D) Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school.

→ An “electronic act” is defined as transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web Site by means of an electronic device, including but not limited to, a telephone, wireless telephone or other wireless communication device, computer, or pager.

10. STEALING OR ATTEMPTING TO STEAL SCHOOL PROPERTY OR PRIVATE PROPERTY (E.C. 48900 sub-section g)

→ Note: If a prior offense was committed during the previous three school years, stolen items of value greater than \$25.00 will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.

→ 1st Offense: ~~2-day suspension.~~ Behavioral interventions and/or other alternative means of correction.

2nd Offense: 4-day suspension and recommendation for alternative education program.

3rd Offense: 5-day suspension and recommendation for expulsion.

11. **KNOWINGLY RECEIVING STOLEN SCHOOL PROPERTY OR PRIVATE PROPERTY** (E.C. 48900 sub-section l)

→ Note: If a prior offense was committed during the previous three school years, stolen items of value greater than \$25.00 will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.

→ 1st Offense: ~~2-day suspension.~~ Behavioral interventions and/or other alternative means of correction.

2nd Offense: 4-day suspension and recommendation for alternative education program.

3rd Offense: 5-day suspension and recommendation for expulsion.

12. **COMMITTING AN OBSCENE ACT OR ENGAGING IN HABITUAL PROFANITY OR VULGARITY** either verbally or in writing. (E.C. 48900, sub-section i)

→ Note: A student **may** be suspended on the first offense for 5 days if such behavior ~~disrupts school activities, (E.C. 48900, sub-section k) threatens to disrupt the instructional process, or causes a danger to persons or property~~ (E.C. 48900.5).

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 3-day suspension.

3rd Offense: 5-day suspension and possible recommendation for alternative education program.

→ Note: If a prior offense was committed during the previous three school years, any act committed against school staff will warrant consequences starting at Step 2. Offenses will not carry over from junior high to high school.

13. **USE OF SLURS** either verbally or in writing based on race, religion, ethnic background or national origin, language, gender, sexual orientation, economic status, physical or developmental disabilities, or other special needs. (E.C. 48900, sub-section k) (BP 5145.4)

→ Note: A student **may** be suspended on the first offense for 5 days if such behavior ~~disrupts school activities, (E.C. 48900, sub-section k) threatens to disrupt the instructional process, or causes a danger to persons. or property~~ (E.C. 48900.5).

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 3-day suspension.

3rd Offense: 5-day suspension and possible recommendation for alternative education program.

→ Note: If a prior offense was committed during the previous three school years, any act committed against school staff would warrant consequences starting at

→ Step 2. Offenses will not carry over from junior high to high school.

14. **POSSESSING ANY OBJECTS** of a dangerous nature (unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal) **ON CAMPUS** if the principal deems expulsion inappropriate. (E.C. 48900 sub-section b)

Note: Toy guns (imitation) are considered objects of a dangerous nature. Look-a-like (imitation) toy guns refers to a replica of a firearm that is substantially similar in physical properties to an existing firearm as to lead a reasonable person to conclude that the replica is a firearm. (E.C. 48900 sub- section m). Possession of any toy weapon that appears to be real to a reasonable person or that is used in a threatening manner may result in alternative placement or recommendation for expulsion. (E.C. 48900, sub- section m) Also, see page 35, number 5.

Note: Laser pointers are considered objects of a dangerous nature.

→ Note: ~~Principal must report in writing to the superintendent who will advise the governing board that expulsion is inappropriate due to the nature of the particular circumstances which shall be indicated in the report of the incident. (E.C. 48915)~~

→ 1st Offense: Warning to student. Notification of parent and/or other alternative ~~consequences~~ means of correction .

2nd Offense: 3-day suspension.

3rd Offense: 5-day suspension and possible recommendation for alternative education program.

15. **FORGING, FALSIFYING, ALTERING, OR USING FORGED SCHOOL CORRESPONDENCE, PASSES, OR RE-ADMIT SLIPS** (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or other alternative ~~consequences~~ means of correction.

2nd Offense: 2-day suspension.

3rd Offense: 4-day suspension and possible recommendation for alternative education program.

17. **POSSESSING OR USING TOBACCO** (or any products containing tobacco or nicotine products) in grades 7-12. (E.C. 48900, sub-section h)

Tobacco and nicotine products include, but are not limited to, cigarettes, cigars, miniature cigars, clove cigarettes, smokeless tobacco, snuff, chew packets, and betel. (E.C. 48900, sub-section h)

→ 1st Offense: ~~1-day suspension.~~ Behavioral interventions and/or other alternative means of correction.

2nd Offense: 2-day suspension.

3rd Offense: 3-day suspension.

Note: No school shall permit the smoking or use of tobacco, or any product containing tobacco, or nicotine products, by pupils of the school while pupils are on campus, or while attending school-sponsored activities or while under the supervision and control of school district employees. (E.C. 48901)

Confiscated materials will be returned to parents upon request.
Confiscated materials will not be returned to students.

18. **FAILING TO IDENTIFY ONESELF** or giving false information to school personnel. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 2-day suspension.

3rd Offense: 4-day suspension and possible recommendation for alternative education program.

19. **TAMPERING WITH PROPERTY OF THE SCHOOL DISTRICT** or belongings of any other person. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: 2-day suspension.

3rd Offense: 4-day suspension and possible recommendation for alternative education program.

21. **BEING IN A PARKING LOT OR OUT OF BOUNDS** without proper authorization. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.
 2nd Offense: 1-day suspension.
 3rd Offense: 3-day suspension.

22. **GAMBLING AND WAGERING**, or habitually being present where gambling and wagering are taking place. (E.C. 48900, sub-section k)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.
 2nd Offense: 2-day suspension.
 3rd Offense: 4-day suspension and possible recommendation for alternative education program.

23. **LOITERING ON OR ABOUT ANY CAMPUS** without apparent lawful purpose. (E.C. 48900, sub-section k) (Penal Code 653B and 627)

Note: A student may be subject to arrest according to Penal Code 653B if he/she loiters at or near any school or public place at or near where students attend or normally congregate, or re-enters or comes upon such school or place after being asked to leave by a school official. According to PC 653B, punishment for loitering includes a fine not to exceed \$1,000 and/or imprisonment in the county jail not to exceed six months.

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.
 2nd Offense: 2-day suspension.
 3rd Offense: 4-day suspension and possible recommendation for alternative education program.

25. **POSSESSION OF ANY OBJECT NOT OF A DANGEROUS NATURE** (i.e. items a school administrator identifies as disruptive.) (E.C. 48900, sub-section k) (Unless in the case of possession of any such object, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.)

Note: Unauthorized object may be confiscated by school authorities. The Principal/Designee will decide whether to return the object to the student or the parent/guardian.

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.
 2nd Offense: Detention, Saturday School, or other alternatives to home suspension.

3rd Offense: 1-day in-school suspension.

Note: All subsequent violations are subject to additional referrals to in-school suspension.

Note: Modesto City Schools is not responsible for the loss or damage of personal property, because of vandalism or theft. Students are responsible for all of their personal belongings.

26. **POSSESSING OR USE OF ANY ELECTRONIC SIGNALING DEVICE** Students may possess electronic signaling devices on campus during the school day, while attending school-sponsored activities, or while under the supervision and control of a school district employee. **Electronic signaling devices shall be turned off during school hours and not be visible.** (No pupil shall be prohibited from using an electronic signaling device that is determined by a licensed physician or surgeon to be essential for the student's health and use of which is limited to health-related purposes or during a school-wide emergency affecting the school or community.) (E.C. 48901.5)

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction. Parent notification.

2nd Offense: Detention, Saturday School, or other alternatives to home suspension.

3rd Offense: 1-day in-school suspension.

Note: All subsequent violations are subject to additional referrals to In-school suspension.

Note: Unauthorized object may be confiscated by school authorities. The Principal/Designee will decide whether to return the object to the student or the parent/guardian.

Note: Use of cell phones to bully, harass or cheat may result in more severe consequences to be determined by the site administrator. (E.C. 48900 r)

27. **BEHAVIOR ON BUS**

→ 1st Offense: Warning to student and/or alternative ~~consequences~~ means of correction.

2nd Offense: Not allowed to ride the bus for 3 days

3rd Offense: Not allowed to ride the bus for 5 days

4th Offense: Not allowed to ride the bus for 10 days

5th Offense: Not allowed to ride the bus for 20 days or the remainder of the current semester/trimester, whichever is greater.

6th Offense: Not allowed to ride the bus for the remainder of the school year.

Note: Depending on the seriousness of the act, the student may lose bus privileges for the remainder of the school year on the first or succeeding offenses.

Note: Depending on the circumstances, alternatives to suspension from the bus may be used as determined by the site administrator.

28. **WILLFUL DEFIANCE OR DISOBEDIENCE:** A willful act, verbal or non-verbal, that demonstrates deliberate resistance or refusal to obey a reasonable request or directive issued by a school district employee. (E.C. 48900, sub-section k)

→ ~~1st Offense: Warning to the student, Parent contact.~~

→ ~~2nd Offense: Alternative consequences (counseling, detention, Saturday School, work detail, etc.). Parent contact.~~

→ ~~3rd Offense: 1 day In-school suspension~~

→ ~~4th Offense: 2 day In-school suspension~~

→ Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including in-school suspension) may be imposed only after other means of correction have failed to bring about proper conduct unless the student's presence poses a danger to other persons.

Examples: Including but not limited to: Eating/drinking in class, willfully defying staff in non-safety related incident, non-habitual use of profanity or vulgarity, verbal insults/put-downs/name calling (non-discriminatory), horseplay, etc.

29. **INTERFERING WITH THE PEACEFUL CONDUCT OF THE CAMPUS OR CLASSROOM:** Any willful act of a minor but annoying nature, verbal or non-verbal, that disrupts the educational process, distracts from the educational environment, or interrupts any administrative, disciplinary, or other activity sponsored or approved by the district. (E.C. 48900, sub-sections k, r)

→ ~~1st Offense: Warning and/or alternative consequences. Parent contact.~~

→ ~~2nd Offense: Detention, Saturday School or other alternative consequences. Parent contact.~~

→ ~~3rd Offense: 1 day suspension~~

→ ~~4th Offense: 3 day suspension and possible recommendation for alternative education program.~~

→ Depending on the circumstances, the frequency and severity of the offense, behavioral interventions and alternatives to suspension may be used as determined by the site administrator. Suspension (including in-school suspension) may be imposed only after other means of correction have failed to bring about proper conduct unless the student's presence poses a danger to other persons.

→ **Examples:** Including but not limited to: Minor altercation not resulting in actual fight (i.e. pushing/shoving), ~~minor bullying~~ etc.

30. **WILLFUL DEFIANCE CAUSING A MAJOR CAMPUS OR CLASS**

→ **DISRUPTION:** Any willful major act of insubordination, verbal or non-verbal, that causes a major campus disruption, creates a danger to other persons, and severely distracts from or interrupts the educational environment, or any administrative, disciplinary, or other activity sponsored or approved by the District. (Penal code Sec. 148.1) (E.C. 48900, sub-section k)

→ 1st Offense: 5-day suspension. (If it is determined that he action created a danger to other persons.)

2nd Offense: 5-day suspension. Recommendation for alternative education program or expulsion. Mandatory removal from campus.

Examples: Including but not limited to: Activating a fire alarm, physical altercation, instigating a fight, etc.

LEVEL II OFFENSES

SUSPENSION REQUIRED

POSSIBLE RECOMMENDATION FOR EXPULSION

→ ~~unless the principal or superintendent finds that expulsion is inappropriate, due to the particular circumstance. (E.C. 48915 sub-section a)~~
(See pages 40-45 regarding extra-curricular activities eligibility)

2. **UNLAWFUL POSSESSION ANY CONTROLLED SUBSTANCE** as listed in Chapter 2 (commencing with Section 11053) of the Health and Safety Code, except for the first offense of possession of not more than one ounce of marijuana, other than concentrated cannabis. (E.C. 48915 and E.C. 48900, sub-sections c, p)

1st Offense: 5-day suspension, suspension reductions-see Page 22, and notification of appropriate law enforcement agency.

Note: The suspension will be reduced to three days if the student completes a district-approved intervention program.

2nd Offense: 5-day suspension, possible recommendation for expulsion, and notification of appropriate law enforcement agency.

3rd Offense: 5-day suspension, recommendation for expulsion, and notification of appropriate law enforcement agency.

→ Note: Does not include over-the-counter medication used by the student, or medication prescribed for the student by a physician (AB 2537).

LOSS OF PRIVILEGES/EXTRA-CURRICULAR ACTIVITIES

It is the goal of the District to work with parents to assist students in becoming self-directed and responsible for their own behavior.

When students do not meet the clearly defined and communicated expectations outlined in this Student Conduct Code, the student will not be allowed to participate in extra-curricular activities which are limited to:

- 1. After school recreation (7-8), ~~athletics (9-12)~~
- 2. Student clubs (9-12)
- 3. ~~Student government (7-12)~~
- 4. ~~Spirit leaders/Cheerleaders (9-12)~~
- 5. Special field trips not a part of regular classroom work (7-12) *
- 6. School dances (7-8)
- 7. School assemblies (7-8)
- 8. ~~Extra-curricular public performances of music, dance, drama, and speech (the loss of these privileges shall not apply to class activities to publicize and/or promote school activities and feeder schools which are conducted during the school day) (7-12)~~

* NOTE: THE PRINCIPAL/DESIGNEE MAY MAKE EXCEPTIONS REGARDING ACADEMIC AND ATTENDANCE INELIGIBILITY ONLY, FOR SPECIAL FIELD TRIPS NOT A PART OF REGULAR CLASSROOM WORK (7-12). HOWEVER, SUCH FIELD TRIPS MUST BE DIRECTLY RELATED TO THE EDUCATIONAL PROGRAM.

EXTRA-CURRICULAR ACTIVITY ELIGIBILITY

1. ACADEMIC

In order for a pupil to participate in extra-curricular activities as listed on Page 40, the pupil shall achieve a grade point average of 2.0 with no more than one "F".

Grades 7-8

The eligibility grading periods shall be the first quarter, first semester, third quarter and second semester.

The grading periods shall be considered consecutive and uninterrupted. Therefore, the second semester grade of the 7th grade shall be the basis for determining the first quarter eligibility for the 8th grade year.

Three weeks after grades are released to students, any junior high student has five (5) school days to petition the principal/designee to be placed on academic probation and regain privileges. A student must maintain a "C" grade and satisfactory citizenship in each class to remain on probation.

Grades 9-12

Academic, attendance, substance abuse, behavior, and classroom citizenship eligibility consequences shall not carry over from junior high to high school. **Ineligibility due to Modesto City Schools textbook or library book debts shall carry over from junior high to high school and will be effective beginning 2nd quarter.**

The eligibility grading periods shall be the first quarter, first semester, third quarter and second semester.

The grading periods shall be considered consecutive and uninterrupted. **Therefore, the second semester grade of the previous year shall be the basis for determining the first quarter eligibility for the following year. EXCEPTION: Initial high school eligibility will be waived for all incoming ninth grade students not meeting the district academic eligibility criteria. This shall be a one-time waiver for the first quarter of the fall semester only.**

7-12 Summer School Grades--Effect on Eligibility

Summer school grades shall be included to determine eligibility.

In calculating eligibility, a summer school grade will replace the grade of a "like" course taken previously.

Grades/units earned in summer school classes which do not replace grades earned previously in "like" courses will be averaged with grades from the previous grading period.

Summer school grades shall not impair a student's academic eligibility achieved in the previous grading period.

2. ATTENDANCE

Truancy

Absences will be considered unexcused and may affect extra-curricular eligibility if not cleared within 7 school days after the student returns from the absence.

A student may not participate in extra-curricular activities as listed on Page 40 for nine (9) weeks if the student reaches step 4 of the truancy policy (described on page 5).

If the student reaches step 5, the student is ineligible to participate for nine (9) additional weeks from the date the student reached step 5 of the truancy policy (described on page 6).

If a student reaches step 6 of the truancy policy (described on page 7), the student is ineligible to participate in extra-curricular activities as listed on Page 40 for the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.

A student reaching Step 6 of the truancy policy is also ineligible for 8th grade/ senior trips; 8th grade graduation dance/high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12).

Excessive Absenteeism

Students who are absent fifteen (15) days in one school year may be placed on Attendance Supervision which imposes the requirement that future absences be verified by a licensed medical practitioner.

If a student on Attendance Supervision accumulates five (5) unexcused absences (absences without medical verification), the student will be ineligible to participate in extra-curricular activities as listed on Page 40 the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.

3. SUBSTANCE ABUSE

A. A student who is suspended for:

1. Possession of not more than one ounce of marijuana, or possession, use, or being under the influence of an alcoholic beverage, or intoxicant; or
2. For possession of drug paraphernalia is ineligible to participate in extra-curricular activities according to the following guidelines:

1st Offense: Student is ineligible to participate in all extracurricular activities listed on Page 40 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12) for 18 school weeks from the time of the suspension. (Unless the student completes a district-approved intervention program. Completion of the program will reduce the period of ineligibility to nine school weeks.)

2nd Offense: Student is ineligible for the length of the expulsion. If the student receives a suspended expulsion, the student is ineligible to participate in all extracurricular activities listed on Page 40 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12) for 18 school weeks from the time of the first day of suspension unless the student completes a District approved intervention program. Completion of the program will reduce the period of ineligibility to nine school weeks.

B. A student who possesses a controlled substance (except for the first offense of possession of not more than one ounce of marijuana other than concentrated cannabis) or who sells, furnishes, or unlawfully offers, arranges, or negotiates to sell an alcoholic beverage, controlled substance, drug-paraphernalia, or an in-lieu substance (look-a-like purported to be a controlled substance) is ineligible to participate in extra-curricular activities according to the following guidelines:

1st Offense: Student is ineligible for the length of the expulsion. If the student receives a suspended expulsion, the student is ineligible to participate in all extracurricular activities listed on Page 40 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12); spirit leaders/cheerleaders (9-12); student government (7-12) for 18 school weeks from the date of suspension unless the student completes a District approved intervention program. Completion of the program will reduce the period of the ineligibility to nine school weeks.

4. **BEHAVIOR**

Students who are home suspended for four (4) days and/or home suspended twice within a quarter are to be declared "unsatisfactory" and may not participate in extra-curricular activities as listed on Page 40 as well as 8th grade/senior trips; 8th grade graduation dance, winter formal, high school prom; 8th grade/senior graduation ceremonies; athletics (9-12) spirit leaders/cheerleaders (9-12); student government (7-12) for nine school weeks commencing from the time of the suspension.

→ If an additional suspension occurs during the nine school week period, the period of ineligibility is to be extended for nine school weeks effective the date of the subsequent suspension, but will not extend beyond the current school year. Students who are on involuntary transfer to alternative education will be ineligible to participate in extra-curricular activities as listed on Page 40, including the Winter Formal and Senior Prom, athletics (9-12), spirit leaders/cheerleads (9-12), student government (7-12) for the remainder of the school year at the regular campus unless the student returns to the regular campus after successfully completing an alternative education program.

5. **CLASSROOM CITIZENSHIP** (Consequences for citizenship marks do not carry from junior high to high school.)

Students who receive two or more "unsatisfactory" citizenship marks from teachers may not participate in extra-curricular activities as listed on Page 40 until the next regular reporting period (the following quarter).

For grades (7-8), if a student received two or more "unsatisfactory" citizenship marks, the student may petition the principal to be placed on behavioral probation three weeks after grades are released to students if the student has improved citizenship marks. Once the student is placed on behavioral probation, the student will be eligible to take part in extra-curricular activities as listed on Page 40 if the student maintains a "C" grade and satisfactory citizenship in each of the student's classes. The reporting periods shall be considered consecutive and uninterrupted. Therefore, the fourth quarter citizenship marks of the previous year shall be the basis for determining first quarter eligibility for the following year. The effective date to determine eligibility shall be the day report cards are released to student.

Students who receive two or more unsatisfactory marks in the third quarter shall also be ineligible for 8th grade/senior trips; 8th grade graduation dance/high school prom; and 8th grade/senior graduation ceremonies.

Note: If the high school prom occurs before third quarter marks become final, the second quarter citizenship marks determine eligibility.

8TH GRADE STUDENTS/THIRD QUARTER CITIZENSHIP MARKS

An 8th grade student who receives two unsatisfactory citizenship marks the 3rd quarter may regain the privilege of participating in the 8th grade trip, 8th grade graduation dance, and 8th grade graduation ceremony if teacher verification of improved citizenship is substantiated by the school administration.

6. **DEBTS OWED FOR LOSS OR DAMAGE TO SCHOOL DISTRICT PROPERTY**

→ Students with outstanding Modesto City School debts (K-12) will not be allowed to participate in extra-curricular activities as listed on Page 40 as well as 8th grade/senior trips; 8th grade graduation dance/high school prom; 8th grade/senior graduation ceremonies; athletics (9-12), spirit leaders/cheerleaders (9-12); student government (7-12) until the debt is paid or until the student ~~completes~~ establishes a program of voluntary work as provided by the Education Code 48904 in lieu of payment.

Notification to the parent/guardian regarding the debt will be made in writing.

The effective date to determine eligibility shall be 3 days after the issuance of the notification letter.

Loss of privileges includes participation in the graduation ceremony (grades 7-12) if the parent/guardian is notified of the debt at least three days prior to the ceremony.

Note: Attendance, substance abuse, behavior, and classroom citizenship eligibility consequences shall not carry over from junior high to high school.

→ However, any student who owes for outstanding school debts will remain ineligible to participate in extra-curricular activities, grades 7-12, athletics (9-12), spirit leaders/cheerleaders (9-12), student government (7-12), until the debt is paid or until the student ~~completes~~ establishes a program of voluntary work as provided in Education Code 48904 in lieu of payment. **EXCEPTION: Initial high school eligibility will be waived for all incoming ninth grade students not meeting the district academic eligibility criteria. This shall be a one-time waiver for the first quarter of the fall semester only.**

ALL 7-12 STUDENTS

The District reserves the right to exclude a student from the graduation ceremony or other activities for a flagrant infraction to the Student Conduct Code irrespective of the student's citizenship status.

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of First Reading of Proposed Revisions to Board Policy 5128 and Review of Administrative Regulation 5128 Junior High/Middle School Graduation Ceremonies March 11, 2013

BACKGROUND

It is the intent of the Board of Education that the students who have satisfactorily completed the requirements of the District and the State of California for graduation from junior high/middle school receive a diploma of graduation and be honored at a dignified ceremony.

Board Policy and Administrative Regulation 5128 specifies the requirements for graduation and regulations for participating in the junior high/middle school graduation ceremonies.

ISSUE


Revisions to Board Policy 5128 are being recommended to revise the junior high/middle school graduation requirements to eliminate the U.S. Constitution test as a graduation requirement and graduation ceremony participant requirement. Instead, the test would be changed to a benchmark assessment.

RECOMMENDATION


It is recommended that the Board of Education approve the first reading of proposed revisions to Board Policy 5128 and review Administrative Regulation 5128 Junior High/Middle School Graduation Ceremonies.

Prepared and Recommended by:

Approved for Recommendation
To the Governing Board by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

Board Policy

BP 5128

STUDENTS

Junior High/Middle School Graduation Ceremonies

It is the intent of the Board of Education that the students who have satisfactorily completed the requirements of the District and the State of California for graduation from junior high/middle school receive a diploma of graduation and be honored at a dignified ceremony.

Participation in junior high/middle school graduation ceremonies shall be limited to students who have:

1. Satisfactorily completed the required core courses of study.
(See Board Policy 6146.5)
2. Passed proficiency expectations in any combination of two or more areas: reading, writing or math (Board Policy 6146.5).
- ~~3. Received a passing grade on a District U.S. Constitution test (Board Policy 6146.5).~~
3. 4. Adhered to attendance and behavior expectations defined in the Student Conduct Code, 7-12 (Board Policy 5132).

The Board of Education expects that such ceremonies be conducted in an atmosphere that is in keeping with the importance of the occasion. It is expected that the audience and graduates will remain seated during the ceremonies, that they will give proper attention to the speakers and other participants during the ceremony, and that they will refrain from disruptive behavior that will distract from the recognition that each graduate deserves as he/she is individually honored.

ADOPTED: October 21, 2002
REVISED: August 23, 2010

MODESTO CITY SCHOOLS

Administrative Regulation

AR 5128

STUDENTS

Junior High/Middle School Graduation Ceremonies

The following regulations apply to all junior high/middle schools:

1. Participation in Graduation Ceremonies
 - a. Students enrolled in a junior high/middle school may participate in ceremonies at the junior high/middle school if District proficiency and core course requirements and test requirements (including a passing grade on the District's U.S. Constitution test) have been met prior to the graduation ceremony.
 - b. Students must also have adhered to attendance and behavior expectations as defined in the Student Conduct Code.
2. Appropriate graduation ceremonies will be provided to honor graduating 8th grade students for each District junior high/middle school. As part of the ceremonies, each graduating 8th grade student will be recognized by having his/her name read and each will receive a District diploma of graduation from a member of the Board of Education, a District administrator, or an individual approved by the Superintendent.
3. Graduation speakers are limited to approved 8th grade students, teachers, and/or site/District administrators.
4. The principal will develop and implement a procedure to ensure that each reader of graduate names will pronounce student names correctly and provide a reasonable interval between the announcement of each student's name and the presentation of the diploma.

AR 5128 (a)

STUDENTS**Junior High/Middle School Graduation Ceremonies**

5. The graduation ceremonies will be conducted on the day, time, and place approved by the Board of Education.
6. The facilities and seating arrangements to be used for graduation ceremonies at each site will be decided by the principal. The use of off-campus facilities for graduation exercises must be approved by the Superintendent/designee.
7. The school principal/designee shall remove or cause to be removed from the ceremonies and/or premises students or others who are in violation of current law or in violation of the Modesto City Schools policy relating to graduation exercises. Graduating 8th grade students so removed may pick up their diplomas at a later date.
8. The school principal has the right and the authority to suspend the graduation ceremonies immediately prior to their beginning or during the ceremony if, in his/her judgment, allowing the ceremony to continue would be dangerous or would not be in the best interest of the graduates, the school, or the District.

REVIEWED: October 21, 2002
August 2, 2010

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of First Reading of Proposed Revisions to Board Policy 6146.5 and Review of Administrative Regulation 6146.5 Junior High/Middle School Graduation Requirements/Standards of Proficiency March 11, 2013

BACKGROUND

In 2009-10 the Junior High Task Force discussed the U.S. Constitution test as a graduation requirement and graduation ceremony participation requirement. The Junior High Task Force consisted of a representative body of teachers and administrators from the four Modesto City Schools junior high schools. During the 2009-10 school year, the Task Force suggested the Constitution Test should not be used as a graduation requirement.

On October 10, 2012, the junior high school principals brought forward a recommendation to change the junior high graduation requirement in Board Policy 6146.5 Junior High/Middle School Graduation Requirements/Standards of Proficiency. The proposed change was to drop the current U.S. Constitution test requirement for all 8th grade students. The Director of Educational Services met with representative social science teachers from all junior high schools on October 15, 2012 to gather input and feedback related to the Constitution test. The consensus from all junior high social science teachers was to change the Constitution test requirement – changing the test from a graduation requirement to a benchmark assessment.

Furthermore, the social science teachers intend to bolster the rigor of the Constitution benchmark, if approved by the Board, by aligning the new assessment to the Common Core State Standards for literacy. The results of the October 15, 2012 meeting with the representative junior high social science teachers were shared with the junior high principals at the November 14, 2012 principal's meeting. The principals all agreed with the changes requested by the junior high principals. The agreed upon changes to Board Policy 6146.5 by junior high administration and social science teachers is to eliminate the U.S. Constitution test as a junior high school graduation requirement and graduation ceremony participation requirement.

ISSUE

Proposed revisions to Board Policy 6146.5 Junior High/Middle School Graduation Requirements/Standards of Proficiency are being recommended to eliminate the U.S. Constitution test as a junior high graduation ceremony requirement.

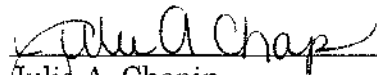
Approval of First Reading of Proposed Revisions to Board Policy 6146.5 and Review of Administrative Regulation 6146.5 Junior High/Middle School Graduation Requirements/Standards of Proficiency

RECOMMENDATION


It is recommended that the Board of Education approve the first reading of proposed revisions to Board Policy 6146.5 and review Administrative Regulation 6146.5 Junior High/Middle School Graduation Requirements/Standards of Proficiency.

Prepared and Recommended by:

Approved for Recommendation
To the Governing Board by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

Board Policy

BP 6146.5

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

I. Graduation Course Requirements

Students shall receive diplomas of graduation from junior high/middle school only after completing the prescribed course of study and meeting the standards of proficiency established by the District.

1. Pass required core courses:

English	Four (4) semesters
Mathematics	Four (4) semesters OR Completion of Math 7 or equivalent
Science	
Life Science (Grade 7)	Two (2) semesters
Physical Science (Grade 8)	Two (2) semesters
Social Science	
World History (Grade 7)	Two (2) semesters
U. S. History (Grade 8)	Two (2) semesters

2. Other:

→ ~~U.S. Constitution Test~~ In order to receive a diploma of graduation, students must receive a passing grade on a District U.S. Constitution test.

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

II. Standards of Proficiency/Subject Failure

Grade 8

Retention in Grade 8 shall be based on the following:

1. Proficiency Expectations--Students must pass proficiency expectations in any combination of two or more areas: reading, writing or math.
2. Subject Failure--Students will be retained if they receive three or more "F"s" on any semester grade in the following subjects: math, English, social science or science. (All courses are one semester.)

Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs

I. Graduation Course Requirements

The Governing Board recognizes that course requirements and proficiency standards adopted for students enrolled in regular educational programs may not be appropriate for all students enrolled in the District special education programs.

Students enrolled in Strands A and B are not required to pass the District's proficiency tests. Students completing the course requirements for Strands A and B will receive Certificates of Completion.

Students enrolled in Strand C shall receive diplomas of graduation for junior high/middle school only after completing the prescribed course of study and meeting the standards of proficiency established by the District.

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs

1. Pass required core courses:

English	Four (4) semesters
Mathematics	Four (4) semesters
Reading	Four (4) semesters
Science	Two (2) semesters
Social Science	Two (2) semesters

2. Other:

→ ~~U.S. Constitution Test~~ In order to receive a diploma of graduation, students must receive a passing grade on a District U.S. Constitution Test.

II. Standards of Proficiency/Subject Failure

Grade 8

Retention in grade 8 shall be based on the following:

- Proficiency Expectations**--Students must pass Strand C proficiency expectations in any combination of two or more areas: reading, writing or math.
- Subject Failure**--Students will be retained if they receive three or more "F's" on any semester grade in the following subjects: English, math, reading, social science or science. (All courses are one semester.)

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs

III. Certificates of Completion

Grade 8

→ Students who meet all requirements for their program but fail to pass the ~~U.S. Constitution Test or~~ Strand C proficiencies will receive Certificates of Completion and may participate in graduation.

Students with exceptional needs should meet the regular District graduation standards to the extent that their disabilities permit. Certain students with diagnosed disabilities that prevent them from attaining the District's regularly adopted course requirements and proficiency standards may need differential standards.

The Individualized Education Program (IEP) team will determine if a student's disabilities preclude the student from attaining the District's regular standards.

The determination and development of appropriate differential proficiency standards will be included in the process of developing and managing the student's individualized education program.

IV. Mode of Testing

Determined by the I.E.P. team. Accommodations/modifications may include, but not be limited to:

1. Change of sensory modality, such as Braille or sign language.
2. Modification of the written format, such as large print or fewer questions on one page.
3. Alteration of time constraints, such as more test time or more breaks.

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs

4. Change in test conditions, such as offering the test individually or in small groups.
5. Use of calculator.
6. Test may be read (this does not include a test of reading).

V. ~~Accommodation/Modification Use~~



~~When needed to access the test, pupils with disabilities shall take the U.S. Constitution test with the accommodations and modifications approved by their Individualized Education Program teams or 504 Plan teams. These accommodations and modifications include, but are not limited to those accommodations and modifications that the pupil has regularly used during instruction and classroom assessment.~~

ADOPTED: September 9, 2002
REVISED: May 12, 2003
November 22, 2004
August 23, 2010

MODESTO CITY SCHOOLS Administrative Regulation

AR 6146.5

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

I. Course Requirements

Students are required to complete course requirements as specified in Board Policy 6146.5. In order to receive a diploma of graduation, students must complete the course requirements and ~~successfully pass a test on the U.S. Constitution~~ meet all proficiency requirements.

A. Notification Requirements--Parents/guardians of students in grades 7-8 shall:

1. Receive a copy of the graduation requirements at the beginning of each school year or at the time of enrollment.
2. Receive a written reminder of the graduation requirements and remediation options prior to the issuance of report cards each semester of grades 7 and 8.

~~3. Receive notification if their student has failed the required U.S. Constitution test and the remediation and make-up option.~~

B. Remediation/Make-up--Students failing a semester of any required course will have opportunities to meet requirement through alternative modes of instruction. ~~Students not passing the U.S. Constitution test will have opportunities for remediation and be provided a second opportunity to pass the test prior to the graduation ceremony.~~

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

II. **Standards of Proficiency**

→ Students shall be assessed periodically to measure skills in specific areas required by Board Policy 6146.5. All proficiency tests requirements shall be given in English. A separate assessment will be conducted of the student's proficiency in each skill area.

Proficiency assessment results shall be used by the instructional staff to determine whether a student needs additional assistance in mastering basic skills. The instructional staff will determine the appropriate instructional program necessary to assist the student.

A. **Reading, Writing and Mathematics**

Students in grade 7 will be assessed in reading, writing and mathematics. Students not declared proficient in grade 7 must pass proficiency standards in grade 8.

All students in the junior high/middle school are required to pass proficiency expectations in any combination of two or more areas: reading, writing and mathematics.

B. **Notification Requirements**

→ Notice shall be sent to all parents/guardians of students in grades 7-8 to inform them that the student shall not graduate from the junior high/middle school unless the prescribed proficiency standards are met. If a student does not demonstrate proficiency in two or more areas, the parent/guardian shall be notified in writing regarding the results and ~~the requirement to pass at least two out of three tests~~ how to meet proficiency requirements.

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

C. Remediation/Make-up

Students not demonstrating proficiency in the 7th grade will have alternative additional instruction during grade 8 and be reassessed.

III. **Diploma of Graduation**

A. A student shall receive a diploma of graduation from the junior high/middle school if proficiency and graduation requirements have been met by the end of the 8th grade year. All graduation requirements must be met **prior** to the commencement exercise if students wish to participate in the graduation ceremony.

→ B. A student may also receive a diploma of graduation from the junior high/middle school by taking a remedial course(s) during the summer following the 8th grade year, if available, and passing meeting the proficiency test(e) or graduation requirements, if available.

IV. **Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs**

Special education students enrolled in Strands A or B at the comprehensive sites or in an alternative education program shall be assessed annually by the special education teacher as part of the annual review, Individual Education Program (IEP) process. The special education teacher will determine progress toward meeting the goals and benchmarks established in each student's IEP quarterly.

→ ~~Students enrolled in Strands A or B are not required to pass the U.S. Constitution test.~~ Students completing the course requirements for Strands A or B will receive Certificates of Completion.

AR 6146.5 (c)

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs

→ Students enrolled in Strands C or D shall be assessed periodically to measure skills and specific areas required by Board Policy 6146.5 (b). ~~The U.S. Constitution test shall be given in English.~~ Assessment results shall be used by the instructional staff to determine whether a student needs additional assistance in mastering basic skills. The Individual Education Program (IEP) team will determine the appropriate instructional program necessary to assist the student.

→ ~~Where necessary to access the test, pupils with disabilities shall take the U.S. Constitution test with those accommodations and modifications that are necessary and appropriate to address the pupil's identified disability (ies) and that have been approved by their individualized education program teams or 504 plan teams including, but not limited to, those accommodations that the pupil has regularly used during instruction and classroom assessment.~~

I. Mode of Testing

Approved accommodations and modifications for the U.S. Constitution test must be reflected in the pupil's Individualized Education Program or 504 plan.

→ Students must pass all required courses in Strand C, ~~pass 2 of 3 Strand C proficiencies and the U.S. Constitution test~~ and meet proficiency requirements to be awarded a diploma. Students who are unable to ~~pass~~ meet proficiency ~~and/or the U.S. Constitution test~~, but pass all required courses will be awarded a Certificate of Completion.

INSTRUCTION

Junior High/Middle School Graduation Requirements/Standards of Proficiency

Junior High/Middle School Differential Graduation Requirements/Standards of Proficiency for Individuals with Exceptional Needs

→ **II. Frequency of Assessment**

Strand C (Parallel Curriculum)
Strand D (Identical Curriculum)

→ ~~Students enrolled in Strands C and D shall take the U.S. Constitution test in grade 8. Students who do not pass the U.S. Constitution test will have opportunities for remediation and be provided a second opportunity to pass the test prior to the graduation ceremony.~~

→ **III. II. Diploma of Graduation**

Strand C

Special education students enrolled in **Strand C** who are not able to meet the minimum proficiency and/or graduation requirements may be placed through the IEP process in **Strands A or B** and receive Certificates of Completion provided that they meet the graduation requirements for the appropriate strand.

Strand D

Students in **Strand D** shall receive a diploma of graduation from the junior high school/middle school if graduation requirements have been met by the end of the 8th grade year.

REVIEWED: September 30, 2002
November 1, 2004
August 2, 2010

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of First Reading of Proposed Revisions to Board Bylaw 9322 Board of Education – Board Agenda and Meetings March 11, 2013

BACKGROUND

Board Bylaw 9322 describes the procedures and etiquette of Board meetings. This includes the presentation of agenda items to the Board, procedures for willful interruptions and period for public presentation.

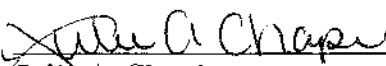
ISSUE

At the February 1, 2013 Special Board Workshop, the Board of Education decided to revise the maximum amount of time for any one speaker during the period for public presentation from five minutes to three minutes. Board Bylaw 9322 must be revised to reflect this change.


RECOMMENDATION

It is recommended that the Board of Education approve the first reading of proposed revisions to Board Bylaw 9322 Board of Education – Board Agenda and Meetings.

Prepared and Recommended by:


Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation
To the Governing Board by:


Pamela Able
Superintendent

MODESTO CITY SCHOOLS

Bylaw

BB 9322

BOARD OF EDUCATION

Board Agenda and Meetings

The Board of Education shall conduct regular meetings at least once each month and such other adjourned or special meetings as the Board may determine.

The Superintendent and the Board President shall determine the agenda and the order in which the items are to be taken up by the Board. Board members should contact the appropriate resource person before the Board meeting if additional information is desired.

The procedure for the conduct of discussion on each agenda item is as follows:

Presentation of Items

1. The President asks the Superintendent for the oral staff presentation.
2. The staff member makes the report without public interruption and reads the staff recommendation.
3. The President determines if the members of the Board have an understanding of the report.
4. The President opens the period for public comment on the agenda item.
 - a. All speakers who are recognized by the President are required to come to the rostrum and identify themselves.
 - b. After the first fifteen minutes of public discussion on a specific item, or any time thereafter on the discussion of the specific agenda item, the President shall have the discretion to limit further public statements to a maximum of five minutes per person if he/she determines that the statements

BB 9322 (a)

BOARD OF EDUCATION

Board Agenda and Meetings

are becoming repetitious of information already presented to the Board. If any member of the Board disagrees with the decision, the President shall call for a roll call vote on whether or not the members of the public shall be limited to a maximum of five minutes per person.

- c. Speakers may address questions to the President. Those questions, which in the opinion of the President or of any member of the Board serve to clarify, will be referred to the Superintendent for answering. Other questions shall be ruled out of order.
 - d. The President closes the period for public comment when in his/her judgment adequate information has been received or statements are repetitious of information already known to the Board.
5. Board questions to the Superintendent/staff and/or public presenters.
 6. Board discussion.
 7. Motion and second.
 8. Opportunity for members of the Board to state rationale for their impending vote.
 9. Action.

Procedures for Willful Interruptions of the Meeting

(Government Code Section 54957.9)

1. The President shall call for order. If appropriate, specific persons shall be warned and asked to stop the willful interruption.
2. If the willful interruptions continue, the President is authorized to have removed from the room those persons involved in such interruptions unless there is an objection from any Board member.

BOARD OF EDUCATION

Board Agenda and Meetings

In such a case, the person's removal shall occur only by majority vote of the Board.

3. If, after removal of persons causing willful interrupting, the willful interruptions continue which render the orderly conduct of the meeting unfeasible, the President shall ask the Board by Majority vote to require the room to be cleared except for non-disruptive members of the press or other news media so that the session may continue on the agenda.

Members of the public may place matters directly related to school business on the agenda of the Board meeting. Written request to do this shall be received in the Superintendent's office eight (8) working days prior to the Board meeting. The written request shall include a description of the matter and whatever information concerning the matter the person making the request may have.

Board members may request that an item be placed on the agenda by contacting the Board President/Superintendent prior to the formation of the agenda. Items requiring staff research that are requested after eight (8) working days prior to the Board meeting will be placed on the agenda at the discretion of the Board President and the Superintendent.

Period of Public Presentation

Subject Matter:

1. Members of the public may address the Board of Education on matters **not** on the agenda.
2. Complaints against specific District employees should be resolved through the District's Complaints Concerning School Personnel (Board Policy/Administrative Regulation 1312.1). 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.

BOARD OF EDUCATION

Board Agenda and Meetings

Procedure:

1. Individuals wishing to address the Board must fill out a "Public Presentation Request" card and submit it to the Board President **prior** to the Period for Public Presentation. Only those who have submitted cards will be called upon to speak.
2. 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 ~~five~~ three minutes.
→
3. The law limits the response of Board members, and prohibits the Board from taking any formal action.

REVISED: January 21, 1986
November 13, 2000
November 16, 2009

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of First Reading of Possible Revisions to Board Policy 6161.11 and Review of Administrative Regulation 6161.11 Supplementary Instructional Materials March 11, 2013

BACKGROUND

Instructional materials which are relevant to curriculum objectives and compatible with District goals and objectives may be used in the classroom. By using such materials, teachers can introduce content and instructional strategies that enrich the curriculum, enhance learning, help students make critical judgments, and stimulate their intellectual growth. Board Policy and Administrative Regulation 6161.11 establishes the criteria and process for selection of these instructional materials.


ISSUE

The Governing Board requested revisions be made to AR 6161.11 Instructional Materials regarding the members of the District Video Review Committee, their requirements to participate in the selection process (vote), and board notification of films being considered for review. Revision to AR 6161.11 is also being made to reflect administrative changes as a result of the elimination of the Director of Curriculum, 7-12 and the addition of the Director, Educational Services.


RECOMMENDATION

It is recommended that the Board of Education approve the first reading of possible revisions to Board Policy 6161.11 and review Administrative Regulation 6161.11 Supplementary Instructional Materials.

Prepared and Submitted by:


Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Submission
To the Governing Board by:


Pamela Able
Superintendent

MODESTO CITY SCHOOLS

Board Policy

BP 6161.11

INSTRUCTION

Supplementary Instructional Materials

Supplementary instructional materials which are relevant to curriculum objectives and compatible with District goals and objectives may be used in the classroom. By using such materials, teachers can introduce content and instructional strategies that enrich the curriculum, enhance learning, help students make critical judgments, and stimulate their intellectual growth.

Teachers shall carefully preview all supplementary instructional materials in order to ensure that, in their professional judgment, the materials are:

1. Directly related to content standards and the course of study in which they are being used.
2. Appropriate for students' ages and maturity levels.
3. Selected to support the basic program of instruction, stimulate learning, and promote principles of good citizenship.

When using supplementary materials, teachers shall provide appropriate introductory and follow-up activities. Supplementary materials shall not supplant the use of basic texts or teaching activities.

All materials must be used within legal copyright limits and guidelines/District policies regarding the use of copyrighted materials.

INSTRUCTION

Supplementary Instructional Materials

Feature Films/Videos

The Governing Board recognizes the benefit of access to a variety of supplementary instructional materials, including feature films and videos. (Although referred to throughout this policy and corresponding administrative regulation as films/videos, this policy includes other forms of electronic instructional materials, including laser discs, compact discs, video discs, etc.) However, the Governing Board also recognizes that a variety of feature films/videos exist, some of which may not be of curricular benefit to students and/or appropriate for student viewing at specified or all grade levels.

All feature films/videos shown shall be related to curriculum. The selection of supplementary instructional materials pursuant to this policy should be made with the objective of supporting the basic program of instruction, enriching curriculum, stimulating learning, and promoting principles of good citizenship.

Legal Reference

Education Code

35160 Authority of Governing Boards

35161 Powers and Duties Generally

51010 et seq Education Program

60000 et seq Instructional Materials and Testing

Board of Education v. Pico 457 U.S. 853 (1982)

McCarthy v. Fletcher (1989 207 Cal.App.3d 130

Borger v. Bisciglia 888 F.Supp. 97 (E.D. Wis. 1995)

77 Ops.Cal.Atty.Gen. 204 (1994)

ADOPTED: July 20, 1998

REVISED: November 13, 2001

MODESTO CITY SCHOOLS

Administrative Regulation

AR 6161.11

INSTRUCTION

Instructional Materials

Instructional Materials, Grades K-6

Instructional materials intended for instruction, including a text read to and/or by a class, instructional videos, software, CD ROMs, or other related technology resources are approved for classroom instruction if they meet any one of the criteria below:

1. Books/texts adopted by the Governing Board.
2. Supplementary books on the District adopted Passport to Literature list.
3. Standard reference materials (dictionaries, maps, charts), basic skills workbooks or practice books, and published sheet music.
4. Instructional video, software, CD ROMs, or other related technology resources on the Modesto City Schools Technology Resources approved list, Stanislaus County Office of Education approved list, or the CLRN (California Learning Resources Network) document.
5. Supplementary support materials which are age appropriate and directly relate to and support state content area standards and the district approved course of study.

AR 6161.11 (a)

INSTRUCTION

Instructional Materials

Instructional Materials, Grades 7-12

Instructional materials, including printed material, instructional videos, software, CD ROMs, or other technology resources are approved for classroom instruction if they meet any one of the criteria below:

1. Books/texts on a district approved course outline or the district approved Passport to Literature list according to the textbook approval process.
 - a. Core literature books and books on the Passport to Literature list have been reviewed and recommended by the site English chairpersons, the District Language Arts Coordinator, the ~~Director of Curriculum, 7-12~~ Director, Educational Services and approved by the Board of Education.
 - b. Books with graphic content have been identified and annotated. Parents must be notified by mail of the title of the book, the annotation, and their right to request an alternate book assignment.
2. Standard reference materials (dictionaries, maps, charts), basic skills workbooks or practice books, and published sheet music.
3. Instructional videos, software, CD Roms, or other technology resources on the Modesto City Schools Technology Resources list Stanislaus County Office of Education approved list, or the CLRN (California Learning Resources Network) list.
4. Supplementary support materials which are age appropriate and directly relate to and support state content area standards and the district approved course of study.

Dramatic productions/plays selected for classroom performance or school theatrical productions must be reviewed and approved by the school site principal.

AR 6161.11 (b)

INSTRUCTION

Instructional Materials

Instructional Videos, K-12

Instructional videos shall be selected with the objective of supporting the basic program of instruction, enriching curriculum, stimulating learning, and promoting principles of good citizenship and community values. (Although referred to throughout this administrative regulation as videos, this regulation includes other forms of electronic instructional materials, including laser discs, compact discs, video discs, etc.).

Instructional videos shown in the classroom must be directly related to the course curriculum and content standards in the approved course outline. Time spent on showing instructional videos shall not be excessive.

→ “You-Tube” or other video available via the internet may be used in the classroom if it contains age-appropriate material for students and is for an educational purpose. “You-Tube” videos do not have to be approved by the Board and the site principal may limit the use of such videos as needed.

Feature Films/Videos, K-12

Instructional use in the secondary classroom of feature films/videos initially intended and produced for movie theaters or made for television movies, regardless of rating, is limited to three (3) full feature film/videos per year. Exceptions may be granted by the principal/designee based on extenuating and unusual circumstances.

Feature film/video excerpts of approximately 15 minutes and documentary/instructional videos produced for classroom use are excluded from these limitations.

→ Requests for approval to show grade 7-8 students "PG-13" rated films/videos or grades 9-12 students "R" rated films/videos must be submitted per the process outlined in Administrative Regulation 6161.11 ~~(e) and (d)-(c)~~, (d) and (e).

The Governing Board recognizes that a determination as to whether certain films and videos are appropriate curricular tools will depend upon the content of the film or video as well as the age and maturity of the student audience.

AR 6161.11 (c)**INSTRUCTION****Instructional Materials**

However, the Governing Board must also be practical in recognizing that the Governing Board does not have the time or resources to review all films and videos to make a determination as to whether or not each specific film or video is an appropriate educational tool. It is the intent of the Governing Board to delegate this final determination to the Superintendent.

The Governing Board has reviewed the criteria and procedures utilized in establishing a rating system adopted by the Motion Picture Association of America. The Governing Board finds that the criteria used and judgment employed by the Motion Picture Association regarding the contents of a film or video's level of violence, offensive or raw language, nudity, sex, drug usage, and other elements for the purpose of establishing a rating to inform the public as to the contents of a film provide a solid foundation towards evaluating and determining the use of appropriate films in the educational setting.

Accordingly, the Governing Board finds as follows:

1. Films Rated "NC-17" Or "X"

The criteria utilized by the Motion Picture Association of America resulting in a rating of "NC-17" or "X" provide a reasonable basis for concluding that a film or video contains material which is obscene, vulgar, profane, does not reflect community standards, and/or is not related to legitimate curricular objectives and, therefore, is excluded for all grade levels.

2. Films Rated "R"

The criteria utilized by the Motion Picture Association of America resulting in a rating of "R" provide a reasonable basis for concluding that a film or video contains material involving violence, offensive or raw language, nudity, sex, drug usage, and other elements which are not appropriate for students in the elementary, middle or junior high school level.

Films rated "R" and unrated films of similar content (see above) may be shown at the high school level, provided the following occurs:

AR 6161.11 (d)

INSTRUCTION

Instructional Materials

- a. The film/video is on the approved Modesto City Schools Instructional Materials list/course outline. Parents/guardians will be notified by the District in advance of approved films and videos. They may select to opt the student OUT of the assignment by notifying the school and requesting an alternate assignment.
- b. If the film/video is not on the approved Modesto City Schools Instructional Materials list/course outline, it may not be shown until it has been reviewed and approved through the Feature Films/Video Selection Process described in Item 6 below.

3. Films Rated “PG-13”

The criteria utilized by the Motion Picture Association of America resulting in a rating of “PG-13” provide a reasonable basis for concluding that a film or video contains material involving violence, offensive or raw language, nudity, sex, drug usage, and other elements which are not appropriate for students in the elementary, middle or junior high school level.

Films rated “PG-13” and unrated films of similar content (see above) may be shown at the middle or junior high school level provided the following occurs:

- a. The film/video is on the approved Modesto City Schools Instructional Materials list/course outline. Parents/guardians will be notified by the District in advance of approved films and videos. They may select to opt the student OUT of the assignment by notifying the school and requesting an alternate assignment.
- b. If the film/video is not on the approved Modesto City Schools Instructional Materials list/course outline, it may not be shown until it has been reviewed and approved through the Feature Films/Video Selection Process described in Item 6 below.

AR 6161.11 (e)

INSTRUCTION

Instructional Materials

- c. Recognizing the timeliness and nature of certain off-air video recordings, a commercial or public broadcast may be shown if directly related to specific course objectives and if copyright policy is followed.

4. Films Rated “PG”

The criteria utilized by the Motion Picture Association of America resulting in a rating of “PG” provide a reasonable basis for concluding that a film or video contains material of a mature nature which may not be appropriate for students in the elementary or middle school level.

Films rated “PG” and unrated films of similar content (see above) may be shown at the elementary school level provided the following occurs:

- a. The film/video is on the approved Modesto City Schools Instructional Materials list/course outline.

Parents/guardians will be notified by the district in advance of approved films and videos. They may select to opt the student OUT of the assignment by notifying the school and requesting an alternate assignment.

- b. If the film/video is not on the approved Modesto City Schools Instructional Materials list/course outline, it may not be shown until it has been reviewed and approved through the Feature Films/Video Selection Process described in Item 6 below.
- c. Recognizing the timeliness and nature of certain off-air video recordings, a commercial or public broadcast may be shown if directly related to specific course objectives and if copyright policy is followed.

INSTRUCTION

Instructional Materials

5. **Films Rated "G"**

The Governing Board finds that films/videos rated "G" are appropriate for viewing by all grade levels provided the teacher or staff member choosing to present the film/video identifies the curricular objective for the film/video. All "G" rated films/videos are subject to the approval of the principal.

6. **Feature Films/Video Selection Process**

- a. Requests for approval of feature films/videos are submitted to the ~~Director of Curriculum, 7-12~~ Director, Educational Services. The ~~Director of Curriculum,~~ Director, Educational Services may deny the request based on the district criteria for "R" or "PG-13" rated films or present the request to the District Video Review Committee. Denials may be appealed to the District Video Review Committee.

- b. The District Video Review Committee is a curriculum-based committee composed of two teachers per high school ~~and~~ one teacher per junior high, administrators ~~and~~ two parents/guardians per high school and one parent/guardian per junior high. ~~who~~ The Committee approves ~~approve~~ films/videos for recommendation to the Superintendent for final review. Committee members must view the films to participate in the selection process (vote).

Films/videos will be assessed based on district criteria, including sensitive content, relevance to the curriculum and course standards, and extent of classroom time spent viewing videos as well as the guidelines adopted by the Stanislaus County Board of Education.

- c. The Superintendent, as the Governing Board's designee, makes the final determination of the videos/films to be submitted to the Governing Board for approval and inclusion on the "Modesto City Schools Instructional Materials: Films/Videos List" and reflected in course outlines.

INSTRUCTION

Instructional Materials

- d. The Governing Board will be provided with an itemized list of all films considered for the Feature Films/Video Selection Process two (2) months prior to presentation to the Governing Board.
- d. e. Parents will be notified annually of the films which may be shown at the school site. The notification will include the films' ratings and sensitive content as well as inform parents of the right to "opt out" their student from viewing any particular film or films. An "opt out" form will be attached to the notifications for the convenience of the parent.

REVIEWED: June 29, 1998
July 10, 2000
November 13, 2001
March 22, 2004

MODESTO CITY SCHOOLS

TO: Board of Education Regular Meeting
SUBJECT: Approval of Resolution 12/13-25 in Support of Assembly Constitutional Amendment 2 February 25, 2013

BACKGROUND

Existing law establishes the California public elementary and secondary schools and the system of public community colleges, and provides for a system for their funding. Provisions of the California Constitution require that a minimum amount of aggregate funding be allocated to school districts and community college districts. School districts, community college districts, and other local educational agencies receive a portion of their funding through apportionments of state funds made in accordance with payment schedules.

Assembly Constitutional Amendment No. 2 (ACA 2) was originated by Assemblymembers Nestande and Olsen to prohibit the Legislature from deferring payments to California's schools.

ISSUE

Assemblymember Kristin Olsen presented ACA 2 at the February 25, 2013 Board meeting and encouraged Modesto City Schools to support ACA 2 with a resolution; Board Vice President Marks requested such a resolution.

PROPOSAL

The Modesto City Schools Board of Education supports this measure to amend the California Constitution, which requires apportionment of state aid to school districts to be made no later than the times specified by the statutory payment schedule that was in effect during the 2000-01 fiscal year, except that the Legislature may require by statute that these apportionments be made earlier in the fiscal year.

RECOMMENDATION

It is recommended that the Board of Education approve Resolution 12/13-25 supporting Assembly Constitutional Amendment 2.

Approved for Recommendation at
the Direction of a Board Member
by:



Pamela Able
Superintendent

**MODESTO CITY SCHOOLS
Resolution #12/13-25**

**Supporting the Amendment of the California Constitution to Prevent
Education Deferrals in the Annual California Budget Act (ACA 2)**

WHEREAS, the state's reliance on education deferrals to balance its budget is disproportionately unfair to K-12 education and community colleges compared to other parts of the state budget and significantly puts students at risk of a failed education system because of inadequate funding, and is derailing our state's education progress by affecting the ability to provide basic education services to millions of California students as guaranteed by the California Constitution; and

WHEREAS, school districts continue to see reserves dwindle and are forced to take out loans to cover the shortfall in payments, which adds more financial strain each year by increasing the burden of servicing those debts; and

WHEREAS, the state aid portion of school district revenue limits uniquely accommodate differences in property taxes collected at the local level, and as such, low property tax wealth school districts suffer disproportionately more than wealthy property tax districts because school district cash deferrals are applied only to the state aid portion of the revenue limit, this practice directly nullifies the very tool used by the state to provide equitable educational opportunity and thereby violates children's fundamental right of basic educational equality and opportunity to learn guaranteed by the California Constitution; and

WHEREAS, over \$10 billion annually is now used as a budget mechanism to fund other government programs by withholding funds for our schools and colleges and not paying what is owed to them under constitutional K-12 school and community college funding guarantees, thus misleading Californians on the true cuts and actual funding available to operate our schools and community colleges; and

WHEREAS, receiving \$1 out of every \$5 owed to K-12 schools and community colleges after the end of the academic school year has taken a demoralizing toll on the teaching professions of both systems by contributing to education program uncertainty and unprecedented educator layoffs; and

WHEREAS, programs for K-12 education programs have been reduced or eliminated, including career, vocational, and technical education, university preparation, afterschool programs, sports, arts and music, counseling services, and community colleges have reduced access to courses needed to graduate on time, as well as drastic increases in class sizes; and

WHEREAS, a Constitutional Amendment will prohibit the Legislature and the Governor from siphoning off General Fund revenues dedicated to education by deferring payments to California schools and community colleges; and

WHEREAS, prohibiting the annual Budget Act from containing deferrals of mandatory payment to local schools and community colleges will end the practice of deferring payments of state aid to California schools and community colleges; and

WHEREAS, eliminating the practice of deferrals to K-12 schools and community colleges will improve our children's and students' education by helping to secure school district and community college financial health, thereby reducing the risk of school district or community college district insolvency and the disruption of education programs and services resulting from emergency budget cuts;

NOW, THEREFORE, BE IT RESOLVED that the Modesto City Schools Governing Board supports a Constitutional Amendment to prohibit deferrals of funds guaranteed to local schools and community colleges by the California Constitution and calls on the California Legislature to pass this measure and a Budget Act that ends education deferrals in order to put our students on a path to success, while rejecting the unconstitutional practice of raiding of education funds that has damaged our schools and community colleges, while honoring the voter-approved, minimum school funding law, Proposition 98.

THE FOREGOING RESOLUTION was passed and adopted at the regular meeting of the Board of Education held on the 11th day of March, 2013 by Governing Board Member _____, who made the motion, which motion being duly seconded by _____, was upon roll call, carried into Resolution passed by the following vote:

AYES:

NOES:

ABSTAINED:

ABSENT:

ATTEST:

DATE March 11, 2013

Pamela Able
Superintendent, Modesto City Schools

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Services Agreement March 11, 2013
for California Property Record Systems

BACKGROUND:

The California Department of Education requires that a physical inventory of equipment be performed and the results reconciled with the property records at least once every two years.

ISSUE:

The District must hire a qualified firm to conduct the physical inventory of equipment and reconcile the asset inventory records.

PROPOSAL:

District staff has negotiated with California Property Record Systems (CPRS) and agreed upon a price of \$32,500. CPRS staff is specially trained and has experience working with the District to perform the services required.

FISCAL IMPACT:

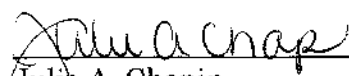
The total cost of \$32,500 is budgeted within the General Fund.

RECOMMENDATION:


It is recommended that the Board of Education approve the Services Agreement for California Property Record Systems.

Originating Department: Purchasing

Reviewed and Recommended by:


Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation
to the Governing Board by:


Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent

Regular Meeting

SUBJECT: Approval of Acceptance of Gifts

March 11, 2013

The District received the following gifts:

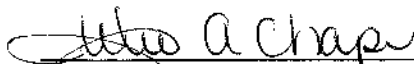
1. Gallo Center for the Arts, \$895.74 to the Parent and Community Involvement Department for student transportation fees to attend "The Piano Lesson" performance at the Gallo Center for the Arts in honor of Black History Month.
2. Donations for Block MT Awards Banquet at Mark Twain Junior High School from:
 - Nancy Barr, \$150
 - Melanie Hardy, \$100
 - Ted Wendt and Mary Sue Jackson, \$150
 - Modesto Teachers Association, \$300
 - Freda and Rod Motto, \$250
 - Randall Murley, \$300
3. Donations for the Choir at Downey High School from:
 - Sulma Rackard, \$20
 - Maria Castillo and Richard Wilkinson, \$50
4. Mark and Carolyn Frink, \$50 for the Newspaper Club at Enochs High School.
5. The Shaving Bar, \$150 for the Graphic Arts Club at Enochs High School.
6. Bob and Eva Gunn, \$100 for the John Leonardo Scholarship at Modesto High School.
7. Donations for the Mock Trial Club at Modesto High School from:
 - Gerrit and Lori Dorrepaal, \$100
 - Dori Filippini, \$300
 - Brenda and David Klein, \$150
 - Mercer Foods, \$500

RECOMMENDATION:


It is recommended that the Board of Education approve the acceptance of gifts with appreciation as listed above.

Recommended by:

Approved for Recommendation to
the Governing Board by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of High School Course Outlines: March 11, 2013
Industrial Technology and ROP

BACKGROUND

Course outlines are developed for each junior high and high school class by a committee of representative teachers and administrators. The outlines include instructional texts and materials, expectations for student learning, units of study, unit credit, grading, and other course elements. The course outlines and texts are then submitted to Associate Principals, Principals, and the Director, Educational Services, for review and recommendation.

ISSUE

The following course outlines, including texts, have been approved by representative teachers, the High School Associate Principals, Principals, and the Director, Educational Services.

Revised Courses

Electrical Technology ROP
Industrial Technology and Engineering Academy 1-2
Industrial Technology and Engineering Academy 3-4
Special Studies Industrial Technology Engineering Academy


Copies of course outlines are available for review in the office of Educational Services.

RECOMMENDATION

It is recommended that the Board of Education approve the high school course outlines: Industrial Technology and ROP.


Originating Department: Educational Services

Reviewed and Recommended by:



Virginia M. Johnson
Associate Superintendent,
Educational Services

Approved for Recommendation
to the Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO Pamela Able, Superintendent Regular Meeting

SUBJECT: Approval of CAHSEE Waivers for Special Education March 11, 2013
Students at Davis, Downey, Gregori, Johansen,
and Modesto High Schools

BACKGROUND

Students receiving Special Education services or with 504 plans may have modifications on the CAHSEE if they are listed in their IEP's (Individual Education Program) or 504 plans.

ISSUE

Modifications fundamentally alter what a test measures, which invalidates the test score.

PROPOSAL

State regulations allow for the parent/guardian of a student who earns the equivalent of a passing score (350) with the use of a modification to request a waiver from the District's Governing Board. Waivers have been submitted for five special education students at Davis, one special education student at Downey, one special education student at Gregori, three special education students at Johansen, and one special education student at Modesto High School. Copies of the waivers are available for review in the Special Education Office.

FISCAL IMPACT

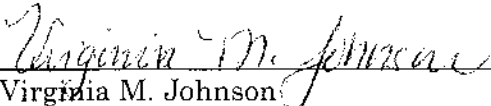
There is no fiscal impact on the general fund.

RECOMMENDATION


It is recommended that the Board of Education approve the CAHSEE waivers for Special Education students at Davis, Downey, Gregori, Johansen, and Modesto High Schools.

Originating Department: Special Education

Reviewed and Recommended by


Virginia M. Johnson
Associate Superintendent
Educational Services

Approved for Recommendation
to the Governing Board by:


Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Amendment of Services Agreement with City of Modesto for Healthy Eating Active Living (HEAL) Zone Initiative Support Activities at Marshall School March 11, 2013

BACKGROUND

The Healthy Eating Active Living (HEAL) Zone Initiative promotes students' physical activity during lunch recess by providing recreational activities and supervising structured games. The District has contracted with the City of Modesto to provide recreation leaders to implement enrichment programs in the After School Education and Safety (ASES) Program.

ISSUE

Marshall School is adding recreation leaders to provide recreational activities and supervise structured games during lunch recess through the Healthy Eating Active Living (HEAL) Zone Initiative.

FISCAL IMPACT

The current Services Agreement with the City of Modesto shall not exceed \$465,557.58. The additional services for Marshall School will increase this agreement by \$4,282.71 for a total compensation not to exceed \$469,840.29. A copy of the Services Agreement is available in the Intervention Programs office.

RECOMMENDATION

It is recommended that the Board of Education approve the amendment of Services Agreement with the City of Modesto for Healthy Eating Active Living (HEAL) Zone Initiative Support Activities at Marshall School.

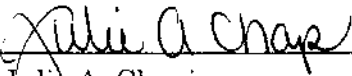
Originating Department: Intervention Programs

Reviewed and Recommended by:




Virginia M. Johnson,
Associate Superintendent
Educational Services

Reviewed by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation to the
Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Amendment of Services Agreement March 11, 2013
Between Modesto City Schools SELPA and Maxim
Healthcare Services for the 2012-2013 School Year

BACKGROUND

The Special Education Department contracts with outside providers to serve our Special Education population. Service Agreements for these providers are submitted throughout the year.

ISSUE

Modesto City Schools SELPA currently utilizes services from Maxim Healthcare Services to provide nursing support to special education students. Due to an increase in the number of special education students in need of nursing services, the service agreement with Maxim Healthcare Services must be amended. A copy of the agreement is available in the Special Education Office.

FISCAL IMPACT

On May 29, 2012, the Board approved a Services Agreement with Maxim Healthcare Services not to exceed \$40,000. This original agreement will be amended/increased by \$68,000 for a total compensation to Maxim Healthcare Services not to exceed \$108,000.

RECOMMENDATION

It is recommended that the Board of Education approve the amended Services Agreement between Modesto City Schools SELPA and Maxim Healthcare Services for the 2012-2013 school year.

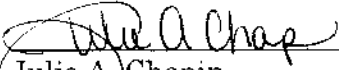
Originating Department: Special Education

Prepared and Recommended by:



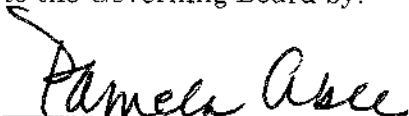
Virginia M. Johnson
Associate Superintendent
Educational Services

Reviewed by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation
to the Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Ratification of Services Agreement with Phil Tulga March 11, 2013
for the Modesto City Schools After School Education
and Safety Program

BACKGROUND

Phil Tulga has provided enrichment activities for students in the Modesto City Schools After School Education and Safety Program. As part of the After School Education and Safety grant, the District must partner with organizations to provide enrichment activities. Additional services are needed for the remainder of the 2012-13 school year.

ISSUE

Phil Tulga's services (to terminate on May 23, 2013) will exceed the \$10,000 threshold and a Services Agreement is required. A copy of the Services Agreement is available in the Intervention Programs office.

FISCAL IMPACT

To date, Phil Tulga's services have been paid through requisitions totaling \$8,775.00. The Services Agreement will increase the total compensation to Mr. Tulga not to exceed \$22,000. All costs for Mr. Tulga's services will be paid from the After School Education and Safety grant.

RECOMMENDATION

It is recommended that the Board of Education ratify the Services Agreement with Phil Tulga for the Modesto City Schools After School Education and Safety Program.

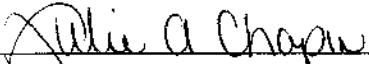
Originating Department: Intervention Programs

Reviewed and Recommended by:




Virginia M. Johnson
Associate Superintendent
Educational Services

Reviewed by:



Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Recommendation to the
Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Designated Personnel Action Items March 11, 2013

The following designated personnel action items are attached for approval by the Board of Education:

CERTIFICATED

.1	Approval of certificated personnel terminations	33 items
.2	Approval of certificated personnel leaves of absence	6 items
.3	Approval of certificated personnel employment	2 items
.4	Approval of certificated personnel other appointments	10 items
.5	Approval of certificated personnel stipend appointments	114 items
.6	Approval of certificated personnel stipend deletions	1 items
.7	Approval of certificated personnel substitute appointments	5 items

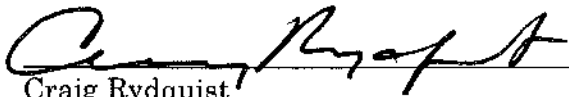
CLASSIFIED

.8	Approval of classified personnel terminations	3 items
.9	Approval of classified personnel leaves of absence	16 items
.10	Approval of classified personnel employment	13 items
.11	Approval of classified personnel other appointments	5 items
.12	Approval of classified personnel substitute appointments	6 items

It is recommended that the Board of Education approve the attached designated personnel action items.

Recommended by:

Approved for Recommendation
to the Governing Board by:



Craig Rydquist
Associate Superintendent, Human Resources



Pamela Able
Superintendent

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel terminations:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
1. Adachi, Barbara	CDP Head Start Teacher, Part Day	Elem. Dist.	Retirement	05/24/13
2. Aguilera, Leopold	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
3. Amador, Gary	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
4. Barker, Bradley	Library Media Teacher, 7-12	Elem. Dist.	Retirement	05/23/13
5. Benson, Elizabeth	Instructional Coach, K-6, Site	Elem. Dist.	Retirement	05/23/13
6. Bjarnason, Kathleen	Resource Specialist, Pref-12	H.S. Dist.	Retirement	05/23/13
7. Borges-Herzog, Mabel	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
8. Camarda, Shelley	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
9. Couture, Sharon	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
10. Cox, Karen	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
11. Dickerson, Robbie	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
12. Fenske, Thomas	Classroom Teacher, 7-8	Elem. Dist.	Retirement	05/23/13
13. Filippi, Dana	Special Day Class Teacher, P-12	H.S. Dist.	Retirement	05/23/13
14. Flores, Ramona	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
15. Frassrand, Allan	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel terminations:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
16. Gardner, Dawn	Instrumental Music Teacher, K-8	Admin.	Retirement	05/23/13
17. Gardner, George	Instrumental Music Teacher, K-8	Admin.	Retirement	05/23/13
18. Hill, Elaine	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
19. Hutton, Carolyn	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
20. Joe, Irene	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
21. Lamont, John	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
22. Maas, Daniel	Instrumental Music Teacher, K-8	Admin.	Retirement	05/23/13
23. Mattos, Melvin	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
24. McGinnis, Marcia	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
25. Nelligan, Aletha	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
26. Rodriguez, Bonnie	CDP State Preschool Teacher, Part Day	Admin.	Retirement	05/24/13
27. Starling, Susanne	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13
28. Stimson Jr., Raymond	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
29. Tetrick, Nancy	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel terminations:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
30. Tharpe, Teresa	Library Media Teacher, 7-12	H.S. Dist.	Retirement	05/23/13
31. Torres, Martha	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
32. Toy, Olivia	Classroom Teacher, K-6	Elem. Dist.	Retirement	05/23/13
33. Westphal, Dwayne	Classroom Teacher, 9-12	H.S. Dist.	Retirement	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel leaves of absence:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Beebe, Julie	Principal, Alternative Education Program	H.S. Dist.	Paid Leave of Absence	01/29/13	06/30/13
2. Budding, Debra	Library Media Teacher, 7-12	H.S. Dist.	Paid Leave of Absence	02/19/13	05/23/13
3. Paris, Erin	Classroom Teacher, 9-12	H.S. Dist.	Revised - Paid Leave of Absence	01/07/13	03/01/13
4. Peterson, Hannah	Language, Speech & Hearing Specialist	Admin.	Paid Leave of Absence	03/11/13	05/03/13
5. Smith, Kimberly	Classroom Teacher, K-6	Elem. Dist.	Paid Leave of Absence	01/15/13	01/30/13
6. Van Horn, Starrlene	Classroom Teacher, K-6	Elem. Dist.	Paid Leave of Absence	01/09/13	02/08/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel employment:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Antal, Richard	50% Classroom Teacher, K-6	Elem. Dist.	New Hire - Temporary	02/07/13	05/23/13
2. Osgood, Jana	20% English Language Counselor, 80% Classroom Teacher, 9-12	H.S. Dist.	From: 100% Classroom Teacher, 9-12	01/30/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel other appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Albritton, Kermit	Hourly	Elem. Dist.	Extended Summer School Teacher	02/05/13	05/22/13
2. Bleau, Andrea	Monthly	H.S. Dist.	Band/Guard Coach-Paid by Booster	02/10/13	05/23/13
3. Delucchi, Teresa	Hourly	Elem. Dist.	Academic Intervention	02/05/13	05/23/13
4. Fowler, John	Hourly	Elem. Dist.	Extended Summer School Teacher	02/05/13	05/22/13
5. James, Shannda	Hourly	Admin.	Special Education Home & Hospital Teacher	02/13/13	06/30/13
6. Johnson, Andrew	Hourly	H.S. Dist.	Tutoring/Peer Assistance Program	09/10/12	05/23/13
7. Manriquez, Erika	Hourly	Elem. Dist.	Extended Summer School Teacher	02/05/13	05/22/13
8. Mohler, Amy	Hourly	Elem. Dist.	Academic Intervention	02/04/13	06/30/13
9. Oswald, Nanette	Hourly	Elem. Dist.	Academic Intervention	01/29/13	05/23/13
10. Simpson, Nichelle	Hourly	Elem. Dist.	Academic Intervention	02/01/13	06/30/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel stipend appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Alania, Jhony	Stipend	H.S. Dist.	Girls' Varsity Soccer Head Coach	02/04/13	05/11/13
2. Albert, Kathryn	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
3. Aldana, Christopher	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
4. Anderson, Shari	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	03/08/13
5. Antal, Richard	Stipend	Elem. Dist.	School Improvement Grant	02/07/13	05/23/13
6. Asuncion, Bridgit	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
7. Avrett, Lisa	Stipend	H.S. Dist.	Boys' Frosh/Soph Swimming Coach	02/04/13	05/11/13
8. Avrett, Lisa	Stipend	H.S. Dist.	Girls' Frosh/Soph Swimming Coach	02/04/13	05/11/13
9. Barton, Paula	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
10. Basey, Glenn	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
11. Beatty, Susan	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
12. Bevier, Amanda	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel stipend appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
13. Bilodeau, Joseph	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
14. Bispo, Frank	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
15. Blevins, Kelene	Stipend	H.S. Dist.	Girls' Frosh/Soph Soccer Coach	02/04/13	05/11/13
16. Bradley, Scott	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
17. Bryan, Lindsay	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
18. Bullion, Timothy	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
19. Butterfield, Christian	Stipend	H.S. Dist.	Boys' Freshman Baseball Head Coach	02/04/13	05/11/13
20. Butterfield, Christian	Stipend	H.S. Dist.	Sixth Period Sports Assignment	02/04/13	05/11/13
21. Cloward, Christopher	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	03/08/13
22. Creech, James	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
23. Cruz, Charity	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
24. Cruz, Leanne	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel stipend appointments:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
25. De La Rosa, Noel	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
26. Degroot, Linda	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
27. Elliott, Rosalyn	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
28. Farina, Annamaria	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
29. Ferrante, Mark	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
30. Foote, Theresa	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
31. Frederick, Lin Marie	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
32. Fromm, Brandon	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
33. Gahan, John	Stipend	H.S. Dist.	Boys' Golf Coach	02/04/13	05/11/13
34. Gahan, John	Stipend	H.S. Dist.	Sixth Period Sports Assignment	02/04/13	05/11/13
35. Galas, Nadene	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
36. Garcia Jr., Timothy	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	03/08/13
37. Garrido, Carlos	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel stipend appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
38. Gates, Karen	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
39. Harless, Danee	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
40. Harris, Daniel	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
41. Harter, Elma	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
42. Hensley, Angela	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
43. Hicks, Christopher	Stipend	H.S. Dist.	Boys' Frosh/Soph Swimming Coach	02/05/13	05/11/13
44. Holliday, Tammy	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
45. Holliday, Thomas	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
46. Ibanez, Jacqueline	Stipend	H.S. Dist.	Girls' Frosh/Soph Soccer Coach	02/04/13	05/11/13
47. Jackson, Tonja	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
48. Karras, Cindi	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel stipend appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
49. Kirk, Donald	Stipend	H.S. Dist.	Combined Track Assistant Coach	02/04/13	05/11/13
50. Kirk, Donald	Stipend	H.S. Dist.	Sixth Period Sports Assignment	02/04/13	05/11/13
51. Lafontaine, Brandi	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
52. Lankford, Scott	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
53. Lash, Brad	Stipend	Admin.	Eighth Period Assignment	01/07/13	05/23/13
54. Lazo, Liliana	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
55. Leventini, Paul	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
56. Lindblom, Erik	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
57. Lish, Sean	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
58. Litke, Gertrude	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	03/08/13
59. Litke, Gertrude	Stipend	H.S. Dist.	Boys' Varsity Swimming Coach	02/04/13	05/11/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS**Date of Board Meeting:****March 11, 2013****Action: Approval of certificated personnel stipend appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
60 . Litke, Gertrude	Stipend	H.S. Dist.	Girls' Varsity Swimming Coach	02/04/13	05/11/13
61 . Litke, Gertrude	Stipend	H.S. Dist.	Sixth Period Sports Assignment	02/04/13	05/11/13
62 . Long, Tracy	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
63 . Mayer, Denise	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
64 . McGill, Melody	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
65 . McGrath, James	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
66 . McGrath, James	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
67 . McHale, William	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
68 . McSwain, Lynn	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
69 . Medina, Armando	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
70 . Mizutani-Neuffer, Joanne	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of certificated personnel stipend appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
71. Moore, Eileen	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
72. Moore, Kevin	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
73. Moore, Kreg	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
74. Munthe, Mitch	Stipend	H.S. Dist.	Eighth Period Assignment	01/08/13	05/23/13
75. Nitta, Curtis	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
76. Nowicki, Maria	Stipend	H.S. Dist.	Girls' Frosh/Soph Swimming Coach	02/04/13	05/11/13
77. Ollar Jr., Lee	Stipend	Elem. Dist.	ASR - CoEd Track, 8th	03/19/13	05/18/13
78. Ortega, Daniel	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
79. Osgood, Jana	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
80. Pacheco, Dan	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
81. Padilla, George	Stipend	H.S. Dist.	Girls' Sophomore Softball Coach	02/08/13	05/11/13
82. Pressman, Christopher	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
83. Price, Karen	Stipend	Admin.	Eighth Period Assignment	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel stipend appointments:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
84. Radelet, Karen	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
85. Ramirez, Keith	Stipend	H.S. Dist.	Girls' Frosh/Soph Soccer Coach	02/11/13	05/11/13
86. Richards, Michael	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
87. Rios, Jose	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
88. Robertson, Gary	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
89. Roe, William	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
90. Roseman, Steven	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
91. Ruiz, Kevin	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	03/08/13
92. Santos, Dennis	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
93. Sather, Steven	Stipend	H.S. Dist.	Boys' Tennis Coach	02/04/13	05/11/13
94. Sather, Steven	Stipend	H.S. Dist.	Sixth Period Sports Assignment	02/04/13	05/11/13
95. Satnat, Jennifer	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
96. Schilperoort, Michael	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: **March 11, 2013**

Action: Approval of certificated personnel stipend appointments:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
97. Severe, Douglas	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
98. Shepherd-Matlock, Aimee	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
99. Spiker, Kerstin	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
100. Standley, Erin	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	03/08/13
101. Taylor, Janet	Stipend	H.S. Dist.	Combined Track Head Coach	02/04/13	05/11/13
102. Taylor, Jason	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
103. Thomas, Clay	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
104. Toscano, Marilyn	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
105. Tyler, Stephen	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
106. Underwood, Lance	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
107. Vesey, Timothy	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
108. Watt, Robert	Stipend	H.S. Dist.	Boys' Sophomore Baseball Coach	02/04/13	05/11/13
109. Watt, Robert	Stipend	H.S. Dist.	Sixth Period Sports Assignment	02/04/13	05/11/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel stipend appointments:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
110. Wend, Dennis	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
111. Westphal, Dwayne	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13
112. White, Edward	Stipend	Elem. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
113. White, Kristy	Stipend	H.S. Dist.	Eighth Period Assignment - Revised	01/07/13	05/23/13
114. Winfrey, David	Stipend	H.S. Dist.	Eighth Period Assignment	01/07/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of certificated personnel stipend deletions:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
1. Rivera, Marcos	Stipend	H.S. Dist.	Eighth Period Assignment	01/22/13 05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS**Date of Board Meeting: March 11, 2013****Action: Approval of certificated personnel substitute appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Bryon, Jevan	Teacher		Substitute	02/13/13	06/30/13
2. Burrow, Joshua	Teacher		Substitute	02/13/13	06/30/13
3. Charles, Ernesto	Teacher		Substitute	02/13/13	06/30/13
4. Fannell, Jamie	Teacher		Substitute	02/13/13	06/30/13
5. Hernandez, Ivanna	Teacher		Substitute	02/13/13	06/30/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of classified personnel terminations:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
1. Gonzalez Jr., Juan	Head Custodian III - Robertson Road	Elem. Dist.	Resignation (from classified bargaining unit only)	02/21/13
2. Lopes, Linda	Typist Clerk II - Elliott Education Center	H.S. Dist.	Retirement	02/28/13
3. Raby, Benjamin	Equipment Mechanic - Transportation	Admin.	Resignation	02/28/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of classified personnel leaves of absence:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Acosta, Luzdivina	Media Center Assistant	Elem. Dist.	Unpaid Leave of Absence	03/01/13	03/28/13
2. Ales, Cathy	Head Custodian III	Elem. Dist.	Revised Paid Leave of Absence	10/18/12	03/21/13
3. Ales, James	Nutrition Services Truck Driver	Admin.	Revised Paid Leave of Absence	10/04/12	03/08/13
4. Barrell, Karleen	Instr. Para., Sp. Ed., PH/SH	H.S. Dist.	Paid Leave of Absence	02/07/13	05/23/13
5. Brambila, Betty	Nutrition Services Asst. I	Elem. Dist.	Revised Paid Leave of Absence	10/23/12	03/01/13
6. Brown, Valerie	Medical Procedures Specialist	Admin.	Paid Leave of Absence	02/04/13	03/05/13
7. Madrigales, Jacqueline	Instr. Para., Sp. Ed., SH/Autism	Elem. Dist.	Unpaid Leave of Absence	02/25/13	03/28/13
8. Martinez, Antonina	Bakery Technician	Admin.	Paid Leave of Absence	02/13/13	04/10/13
9. Nevarez, Maria	Nutrition Services Asst. I	Elem. Dist.	Unpaid Leave of Absence	02/19/13	02/23/13
10. Nunes, Kelly	Library Assistant II	Elem. Dist.	Revised Paid Leave of Absence	01/07/13	04/30/13
11. Palmer, Bonnie	Assistant Director, Nutrition Services	Admin.	Paid Leave of Absence	02/28/13	03/08/13
12. Reynoso, Juanita	Instr. Para., Preformal	Elem. Dist.	Paid Leave of Absence	02/05/13	02/22/13
13. Russo-Patton, Mary	School Secretary	H.S. Dist.	Paid Leave of Absence	12/06/12	05/24/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of classified personnel leaves of absence:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
14. Stein, Dee Ann	Nutrition Services Asst. I	Elem. Dist.	Paid Leave of Absence	01/31/13	03/01/13
15. Trevino, Melinda	Typist Clerk II	H.S. Dist.	Paid Leave of Absence	01/22/13	02/15/13
16. Vincent, Debra	Instr. Para., Sp. Ed., SH/Autism	Elem. Dist.	Unpaid Leave of Absence	02/14/13	05/23/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of classified personnel employment:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
1. Atnip, Susan	High School Bookkeeper - Beyer	H.S. Dist.	From: Typist Clerk II	03/18/13
2. Balaoing, Dawn	Nutrition Services Asst. I - Johansen	H.S. Dist.	New Hire	02/14/13
3. Corn, Cecilia	Nutrition Services Asst. I - Gregori	H.S. Dist.	New Hire	02/15/13
4. Costa, Regina	Typist Clerk II - Fremont	Elem. Dist.	New Hire	10/01/09
5. Einhell, Kassi	Instr. Para., Sp. Ed., PH/SH - Sonoma	Elem. Dist.	New Hire - Replacement	02/15/13
6. Escalera, Gilbert	Nutrition Services Asst. I - Beyer	H.S. Dist.	New Hire	02/13/13
7. Gonzalez Jr., Juan	Supervising Custodian IV - Roosevelt	Elem. Dist.	New Hire - Replacement	02/22/13
8. Kramer, Tammi	Nutrition Services Asst. I - Gregori	H.S. Dist.	New Hire	02/15/13
9. Martinez, Eva	Nutrition Services Asst. I - Tuolumne	Elem. Dist.	From: Nutrition Services Asst. I - Gregori	02/19/13
10. Mirko, Miles	Computer Technician II - Computer Systems	Admin.	New Hire - Replacement	02/19/13
11. Ponce, Irene	Assistant to the Nutrition Services Supervisor 9-12 - Gregori	H.S. Dist.	From: Nutrition Services Asst. I	02/19/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of classified personnel employment:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES
12. Vaughn, Carissa	Instr. Para., Sp. Ed., PH/SH - Gregori	H.S. Dist.	New Hire	02/15/13
13. Wilcox, Ginger	Nutrition Services Asst. I - Johansen	H.S. Dist.	New Hire	02/14/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMSDate of Board Meeting: **March 11, 2013****Action: Approval of classified personnel other appointments:**

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Busch, Christopher	School Operations Manager, K-6 - Robertson Road	Elem. Dist.	Short-Term	02/04/13	06/28/13
2. Carranza, Christobal	Student Helper	H.S. Dist.	Part-Time	02/22/13	06/30/13
3. Dozier, Kari	Yard Duty Supervisor	Elem. Dist.	Part-Time	02/28/13	06/30/13
4. Marquez, Crystal	AVID Tutor	H.S. Dist.	Part-Time	02/28/13	06/30/13
5. Martinez, Cristian	AVID Tutor	H.S. Dist.	Part-Time	02/28/13	06/30/13

MODESTO CITY SCHOOLS PERSONNEL ACTION ITEMS

Date of Board Meeting: March 11, 2013

Action: Approval of classified personnel substitute appointments:

NAME	CLASSIFICATION	LOCATION	DESCRIPTION/ACTION	EFFECTIVE DATES	
1. Cardenas, Salvador	Classified		Substitute	02/08/13	06/30/13
2. Dickson, Sinclair	Classified		Substitute	02/08/13	06/30/13
3. Jimenez, Carman	Classified		Substitute	02/08/13	06/30/13
4. Kunisch, James	Classified		Substitute	02/08/13	06/30/13
5. Luna, Esteban	Classified		Substitute	02/08/13	06/30/13
6. Marty, Rudy	Classified		Substitute	02/22/13	06/30/13

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Student Expulsion, March 11, 2013
EL-25-2012-2013

BACKGROUND:

The principal recommended that the above designated student, EL-25-2012-2013, be expelled for violation of Education Code 48900:

- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.

and Education Code 48915:

Subdivision (a)

- (3) Unlawful possession of any controlled substance, as defined in Chapter 2 (commencing with Section 11053 of Division 10) of the Health and Safety Code, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.

ISSUE:

A stipulated expulsion agreement was reached between Modesto City Schools and the parent/guardian and student. A signed copy of the agreement is attached.

RECOMMENDATION:

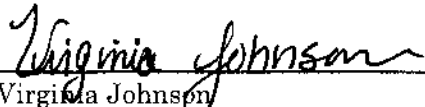
Student be expelled from all schools in the District according to Board Policy 5132. Student should apply for readmission in January, 2014, for enrollment in the Spring Semester of the 2013/2014 school year. Consideration for readmission will be based upon certification of completion of the student's rehabilitation plan.

If the student completes the rehabilitation plan, the student will apply to the Director, Child Welfare and Attendance, to determine the appropriate educational placement based on the needs of the student and the District.

Approval of Student Expulsion, EL-25-2012-2013


Originating Department: Child Welfare and Attendance

Reviewed and Recommended by:



Virginia Johnson
Associate Superintendent
Educational Services

Approved for Recommendation to
the Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Student Expulsion, March 11, 2013
HS-71-2012-2013

BACKGROUND:

The principal recommended that the above designated student, HS-71-2012-2013, be expelled for violation of Education Code 48900:

- (i) Committed an obscene act or engaged in habitual profanity or vulgarity.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

ISSUE:

A stipulated expulsion agreement was reached between Modesto City Schools and the parent/guardian and student. A signed copy of the agreement is attached.


RECOMMENDATION:

Student be expelled from all schools in the District according to Board Policy 5132. Student should apply for readmission in January, 2014, for enrollment in the Fall Semester of the 2013/2014 school year. Consideration for readmission will be based upon certification of completion of the student's rehabilitation plan.

If the student completes the rehabilitation plan, the student will apply to the Director, Child Welfare and Attendance, to determine the appropriate educational placement based on the needs of the student and the District.


Originating Department: Child Welfare and Attendance

Reviewed and Recommended by:



Virginia Johnson
Associate Superintendent
Educational Services

Approved for Recommendation to
the Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Approval of Student Expulsion, March 11, 2013
HS-72-2012-2013

BACKGROUND:

The principal recommended that the above designated student, HS-72-2012-2013, be expelled for violation of Education Code 48900:

- (b) Possessed, sold, or otherwise furnished any firearm, knife, explosive, or other dangerous object unless, in the case of possession of any object of this type, the pupil had obtained written permission to possess the item from a certificated school employee, which is concurred in by the principal or the designee of the principal.
- (c) Unlawfully possessed, used, sold, or otherwise furnished, or been under the influence of any controlled substance listed in Chapter 2 of Division 10 of the Health and Safety Code, an alcoholic beverage, or an intoxicant of any kind.
- (k) Disrupted school activities or otherwise willfully defied the valid authority of supervisors, teachers, administrators, school officials, or other school personnel engaged in the performance of their duties.

and Education Code 48915:

Subdivision (a)

- (3) Unlawful possession of any controlled substance, as defined in Chapter 2 (commencing with Section 11053 of Division 10) of the Health and Safety Code, except for the first offense for the possession of not more than one ounce of marijuana, other than concentrated cannabis.

ISSUE:

A stipulated expulsion agreement was reached between Modesto City Schools and the parent/guardian and student. A signed copy of the agreement is attached.

Approval of Student Expulsion, HS-72-2012-2013

RECOMMENDATION:

Student be expelled from all schools in the District according to Board Policy 5132. Student should apply for readmission in January, 2014, for enrollment in the Spring Semester of the 2013/2014 school year. Consideration for readmission will be based upon certification of completion of the student's rehabilitation plan.

If the student completes the rehabilitation plan, the student will apply to the Director, Child Welfare and Attendance, to determine the appropriate educational placement based on the needs of the student and the District.


Originating Department: Child Welfare and Attendance

Reviewed and Recommended by:



Virginia Johnson
Associate Superintendent
Educational Services

Approved for Recommendation to
the Governing Board by:



Pamela Able
Superintendent

MODESTO CITY SCHOOLS

TO: Pamela Able, Superintendent Regular Meeting
SUBJECT: Report on Summary of Investment Portfolio March 11, 2013
as of December 31, 2012

BACKGROUND

The District periodically invests funds with the State's Local Agency Investment Fund (LAIF), the California Asset Management Program (CAMP) and in specific securities as allowed under the Government Code and Board policy.

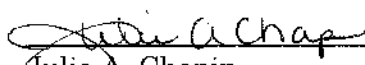
ISSUE

The Board of Education should periodically review the District's investments.


FISCAL IMPACT

The District's investments as of December 31, 2012 are shown on the attached report and are in compliance with the Board's investment policy and all Government Code requirements. The District's investment advisor, Public Financial Management, provides the market value of individual securities. LAIF, CAMP and the County Treasury provide market value information for those funds.

Submitted by:


Julie A. Chapin
Associate Superintendent, Business Services
Chief Business Official

Approved for Submission
to the Governing Board by:


Pamela Able
Superintendent

Modesto City Schools
Portfolio Summary
December 31, 2012

INVESTMENTS	Par	Original Cost	Book Value	Percent of Portfolio	Market Value	Year-to-Date Interest	Yield
District Operating Funds:							
Stanislaus County Treasury *	N/A	N/A	\$ 105,060,523.58	94.93%	\$ 105,060,523.58	\$ 458,044.99	0.73% **
Bank of the West - Revolving Cash Fund	N/A	N/A	\$ 64,142.80	0.06%	\$ 64,142.80	\$ -	0.00%
Local Agency Investment Fund *	N/A	N/A	\$ 209,158.74	0.19%	\$ 209,158.74	\$ 355.96	0.32% ***
California Asset Management Program Cash Reserve Portfolio *	N/A	N/A	\$ 4,454,204.88	4.02%	\$ 4,454,204.88	\$ 6,279.27	0.18%
Natixis Funding Corp (Lease Revenue Bond Debt Service Sinking Fund) ****	N/A	N/A	\$ 710,725.79	0.64%	\$ 710,725.79	\$ 13,312.98	3.83%
Key Government Finance (Capital Lease Escrow - Buses) Federated Government Obligations Fund IS *	N/A	N/A	\$ -	0.00%	\$ -	\$ 155.19	0.02%
City of Ceres - Redevelopment Agreement	N/A	N/A	\$ 171,942.00	0.16%	\$ 171,942.00	\$ -	0.00%
Total Assets of Portfolio:			\$ 110,670,697.79	100.00%	\$ 110,670,697.79	\$ 478,148.39	

Note: All funds are under the management of outside parties, either the State of California, County of Stanislaus, California Asset Management Program, or Public Financial Management, Inc.

* Available daily, upon demand

** Yield for funds on deposit at Stanislaus County Treasury is shown as net. Gross yield is 25 basis points higher, charged as administrative fee

*** Annual interest earnings exceed current invested value - these funds have been significantly drawn down during the year, in order to manage cash flow Challenges caused by the State's Budget Crisis - previous balances were significantly higher, when the higher interest was earned.

**** Investment under a Master Repurchase Agreement

MODESTO CITY SCHOOLS

TO: Board of Education Regular Meeting
SUBJECT: Schedule of 2012-13 School Advisory Committee Meetings March 11, 2013

The following schedule is provided for information:

Beard Elementary School Site Council/ELAC – 3:00 p.m. – Beard School Library

March 21, 2013 April 25, 2013

Bret Harte Elementary School Site Council – 3:30 p.m. – Bret Harte Conference Room

March 19, 2013

Bret Harte Elementary ELAC – 2:45 p.m. – Bret Harte Conference Room

March 19, 2013

Burbank Elementary School Site Council – 3:00 p.m. – Burbank Conference Room 11A

March 18, 2013 April 15, 2013 May 20, 2013 (*Family Learning Center*)

Burbank Elementary School ELAC – 9:00 a.m. – Burbank Conference Room 11A

March 14, 2013 May 20, 2013 (*Family Learning Center*)

Burbank Elementary School Safety Committee – 3:00 p.m. – Burbank Conference Room 11A

March 4, 2013 May 20, 2013 (*Family Learning Center*)

Davis High School Site Council – 3:30 p.m. – Davis High School Library

April 16, 2013

Davis High School ELAC – 6:00 p.m. – Davis High School Library

April 9, 2013

Davis High School Safety Committee – 2:15 p.m. – Davis High School Discipline Office

May 13, 2013

Davis High School Injury Illness Committee – 1:15 p.m. – Davis High Supervision Office

March 14, 2013 April 25, 2013

Downey High School ELAC Committee – 6:00 p.m. – Hanshaw Middle School Library

April 18, 2013

Downey High School Site Council – 5:00 p.m. – Downey High School Library

March 20, 2013 May 8, 2013

Elliott Alternative Education Center Site Council – 12:45 p.m. – Elliott Staff Room

March 5, 2013

El Vista Elementary School Site Council – 5:00 p.m. – El Vista Rm. 24

March 5, 2013

Enochs High School Site Council – 2:30 p.m. – Enochs Library/Reference Room

May 2, 2013

Enochs High School ELAC – 2:30 p.m. – Enochs Library/Reference Room

May 8, 2013

Enslin Elementary School Site Council – 3:00 p.m. – Enslin School Library

March 7, 2013

April 11, 2013

May 2, 2013

Everett Elementary School Site Council – 3:00 p.m. – Everett School Library

March 14, 2013

Everett Elementary School ELAC – 3:00 p.m. – Everett School Library

April 25, 2013

Franklin School Site Council – 3:15 p.m. – Franklin Conference Room in Back of Library

March 21, 2013

Franklin School ELAC – 3:15 p.m. – Franklin Conference Room in Back of Library

March 12, 2013

Fremont Elementary School Site Council – 3:00 p.m. – Fremont School Room 12

March 21, 2013

April 18, 2013

Fremont Elementary School Safety Committee – 3:00 p.m. – Fremont School Room 12

March 14, 2013

Fremont Elementary School PTA – 6:00 p.m. – Fremont School Library

March 28, 2013

April 25, 2013

Fremont Elementary School PAC (Open Plan) – 6:30 p.m. – Fremont School Cafeteria

March 19, 2013

April 16, 2013

May 21, 2013

Garrison Elementary School Site Council – 3:00 p.m. – Garrison Library

March 21, 2013

April 25, 2013

Garrison Elementary ELAC – 3:00 p.m. – Garrison Library

March 12, 2013

April 23, 2013

Gregori High School Site Council – 3:00 p.m. – Gregori Building A Conference Room

April 9, 2013

Gregori High School ELAC – 7:00 p.m. – Gregori Library

April 10, 2013

May 1, 2013

Gregori High School Safety Advisory Committee – 2:15 p.m. – Gregori Library

March 4, 2013

May 6, 2013

Gregori High School Injury Illness Committee – 1:15 p.m. – Gregori Library

March 7, 2013

April 9, 2013

Hanshaw Middle School Site Council – 3:15 p.m. – Hanshaw Library

March 28, 2013 May 7, 2013

Hanshaw Middle School ELAC – 3:15 p.m. – Hanshaw Library

March 26, 2013 May 2, 2013

Johansen High School Site Council – 2:15 p.m. – Career Center

March 26, 2013 April 30, 2013

Johansen High School ELAC – 6:00 p.m. – Career Center

April 25, 2013

Kirschen Elementary School Site Council – 3:00 p.m. – Kirschen Library

March 21, 2013 April 25, 2013

Kirschen Elementary ELAC – 3:00 p.m. – Kirschen Cafeteria

April 4, 2013

Lakewood Elementary School Site Council – 3:15 p.m. – Lakewood Library

May 2, 2013

Lakewood Elementary ELAC – 3:15 p.m. – Lakewood Library

May 7, 2013

Lakewood Elementary School Safety Committee – 3:15 p.m. – Lakewood Library

March 21, 2013

La Loma Jr. High School Site Council – 8:00 a.m. – La Loma Rm. 15

March 12, 2013 May 7, 2013

La Loma Jr. High School Safety Committee – 8:00 a.m. – La Loma Rm. 41

March 21, 2013

La Loma Jr. High School ELAC – La Loma Rm. 41 – *Times posted next to each meeting*

March 14, 2013 – 6:00 p.m. April 30, 2013 – 3:30 p.m.

Mark Twain Junior High School Site Council – 4:00 p.m. – Mark Twain Library

March 12, 2013 May 14, 2013

Mark Twain Junior High School ELAC – 5:00 p.m. – Mark Twain Library

March 12, 2013 May 14, 2013

Marshall Elementary School Site Council – 3:00 p.m. – Marshall School Library

April 9, 2013 June 14, 2013

Marshall Elementary ELAC – 3:00 p.m. – Marshall Staff Room

March 26, 2013 June 18, 2013

Marshall Elementary Site Safety Committee – 8:00 a.m. – Marshall VP's Office

April 10, 2013

Marshall Elementary Second Cup of Coffee – 9:00 a.m. – Marshall Staff Room

March 22, 2013 April 26, 2013

Martone School Site Council – 3:00 p.m. – Martone School Library

April 9, 2013

Martone ELAC – 9:30 a.m. – Martone Cafeteria

March 14, 2013

MCS State & Federal DELAC – 6:00 p.m. – Staff Development Rms. 1 & 2

March 19, 2013 June 11, 2013

MCS State & Federal DAC – 6:00 p.m. – Staff Development Rms. 1 & 2

March 26, 2013 June 13, 2013

Modesto High School ELAC – 6:30 p.m. – Modesto High School Library

March 5, 2013 April 30, 2013

Modesto High School Safety Advisory Committee – 3:00 p.m. – MHS Conference Rm. 1

April 24, 2013

Modesto High Injury Illness Committee – 9:00 a.m. – MHS Custodian's Office

March 13, 2013

Muir Elementary School Site Council and ELAC – 3:00 p.m. – Muir Library

March 26, 2013 May 14, 2013

Robertson Road School Site Council – 9:00 a.m. – Robertson Road Cafeteria

March 15, 2013 April 17, 2013

Roosevelt Junior High School Site Council – 3:30 p.m. – Roosevelt School Library

April 16, 2013

Roosevelt Junior High School ELAC – 5:30 p.m. – Roosevelt School Library

April 16, 2013

Roosevelt Junior High School Safety Committee – 3:30 p.m. – Roosevelt School Library

TBA

Rose Avenue School Site Council – 3:00 p.m. – Rose Avenue Office Conference Room

March 12, 2013

Special Education Community Advisory Committee – 6:00 p.m. – MCS Staff Dev. Ctr. 1

March 6, 2013 April 10, 2013 June 5, 2013

Sonoma Elementary School Site Council – 3:15 p.m. – Sonoma School Library

March 19, 2013

Tuolumne Elementary School Site Council – 2:50 p.m. – Tuolumne School Rm. 23

March 14, 2013 April 11, 2013 May 16, 2013

Tuolumne Elementary ELAC - 2:50 p.m. - Tuolumne School Rm. 23

March 26, 2013 April 23, 2013

Tuolumne Elementary Safety Committee - 2:50 p.m. - Tuolumne School Rm. 23

March 12, 2013

Wilson Elementary School Site Council - 3:00 p.m. - Wilson School Library

March 7, 2013 May 9, 2013

Wilson Elementary ELAC - 4:00 p.m. - Wilson School Library

March 7, 2013 May 9, 2013

Wright Elementary School Site Council - 2:45 p.m. - Wright School Rm. 9

April 25, 2013

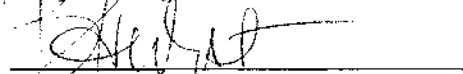
Wright Elementary ELAC - 10:00 a.m. - Wright School Cafeteria

April 19, 2013

Wright Elementary School Site Council - 2:45 p.m. - Wright School Rm. 9

May 2, 2013

Prepared by:



Beckie Hurst
Secretary

Approved for Submission to the Governing Board by:



Pamela Able
Superintendent