

**NOTICE**  
**REGULAR MEETING OF THE GOVERNING BOARD**  
**TRACY UNIFIED SCHOOL DISTRICT**  
**DECEMBER 15, 2020**

**PLACE: DISTRICT EDUCATION CENTER**  
**SUPERINTENDENT'S CONFERENCE ROOM**  
**1875 WEST LOWELL AVENUE**  
**TRACY, CALIFORNIA**

To View this meeting, please follow this link: [Board Meeting Live](#)

**TIME: 5:30 PM Closed Session**  
**7:00 PM Open Session**

**MODIFIED MEETING PROCEDURES DURING COVID-19 PANDEMIC:**

To view this meeting, please follow this link: [Board Meeting Live](#)

Select "Watch on Web Instead"

Once the event opens click "Join Anonymously"

As per Executive Order N-29-20 from Governor Newsom, the Tracy Unified School District Board of Education meetings will move to a virtual/teleconferencing environment using Microsoft Teams. The Governor's executive order on March 12, 2020, waived the requirement for a majority of board members to physically participate in a public board meeting at the same location.

To make a public comment, please follow this [Public Comment Link](#) available only on the date of the meeting, between 5:00 and 6:00 p.m. to place your comment.

**A G E N D A**

- |   | Pg. No. |
|---|---------|
| <b>1. Call to Order</b>   |         |
| <b>2. Roll Call – Establish Quorum</b><br>Board: S. Abercrombie, A. Alexander, A. Blanco, N. Erskine, Z. Hoffert, S. Kaur, L. Souza<br>Staff: B. Stephens, R. Pecot, T. Jalique, J. Stocking, B. Etcheverry                               |         |
| <b>3. Closed Session:</b> Opportunity to Address the Board Regarding Closed Session Items which follow. Closed session is limited to consideration of items specifically authorized under the Government Code and/or the Education Codes. |         |
| <b>3.1 Administrative &amp; Business Services:</b> None.  |         |
| <b>3.2 Educational Services:</b>  |         |
| <b>3.2.1</b> Approve Settlement Agreement for Special Contract Services with Contractor for Compensatory Education Services and Attorney Fees   |         |
| <b>Action:</b> Motion __; Second __. <b>Vote:</b> Yes __; No __; Absent __; Abstain __  |         |
| <b>3.2.2</b> Reinstatements: #20-21/#06, #20-21/#07   |         |
| <b>Action:</b> Motion __; Second __. <b>Vote:</b> Yes __; No __; Absent __; Abstain __  |         |
| <b>3.2.3</b> Early Graduation: WHS#10313480   |         |
| <b>Action:</b> Motion __; Second __. <b>Vote:</b> Yes __; No __; Absent __; Abstain __  |         |

**3.3 Human Resources:**

**3.3.1** Approve Resignation Agreement and Release of All Claims #UC 1166

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.2** Board Action Taken and Potential Unpaid Suspension Pending Further Resolution Including Potential Discharge – Classified Employee #UCL-372, School Supervision Assistant

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.3** Consider Non-Paid Leave of Absence for Certificated Employee #UC-1223, Pursuant to Article XX

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.4** Consider Non-Paid Leave of Absence for Classified Employee #UCL-354, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.5** Consider Non-Paid Leave of Absence for Classified Employee #UCL-373, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.6** Consider Non-Paid Leave of Absence for Classified Employee #UCL-374, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.7** Consider Paid and Non-Paid Leave of Absence for Classified Employee #UCL-375, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.8** Consider Non-Paid Leave of Absence for Classified Employee #UCL-376, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.9** Consider Non-Paid Leave of Absence for Classified Employee #UCL-377, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.10** Consider Paid Leave of Absence for Classified Employee #UCL-378, Pursuant to Article XXIII

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.12** Consider Public Employee/Employment/Discipline/Dismissal/Release

**Action:** Motion\_\_ ; Second\_\_ . **Vote:** Yes\_\_ ; No\_\_ ; Absent\_\_ ; Abstain\_\_

**3.3.13** Conference with Labor Negotiator

Agency Negotiator: Tammy Jalique

Associate Superintendent of Human Resources

Employee Organization: CSEA, TEA

**4. Adjourn to Open Session**

**5. Call to Order and Pledge of Allegiance**

**6. Administer Oath of Office:** Ana Blanco, Nathalia Hughes Erskine, Zachary Hoffert

**7. Board Organization:**

- 7.1** Elect Officers: President, Vice President, Clerk 1  
**Action:** Motion\_\_\_; Second \_\_\_. **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain-\_\_\_.
- 7.2** Appoint Representatives to the following committees: 2-3  
 Budget; Charter Schools; City Schools Liaison; District Attendance Area; Facilities  
 Advisory; Facility Use Policy Review; Special Ed; TAPFFA; Tracy Learning  
 Center/Ad Hoc Board Member; Tracy Parks  
**Action:** Motion\_\_\_; Second \_\_\_. **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain-\_\_\_.
- 7.3** Approve Board Meeting Calendar 4  
**Action:** Motion\_\_\_; Second \_\_\_. **Vote:** Yes \_\_\_; No \_\_\_; Absent \_\_\_; Abstain

**8. Closed Session Issues:**

- 8a** Report Out of Action Taken on Approve Settlement Agreement for Special  
**3.2.1** Contract Services with Contractor for Compensatory Education Services and  
 Attorney Fees  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8b** Report Out of Action Taken on Reinstatements: #20-21/#06, #20-21/#07  
**3.2.2**  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8c** Report Out of Action Taken on Early Graduation: WIIS#10313480  
**3.2.3**  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8d** Report Out of Action Taken on Approve Resignation Agreement and Release of  
**3.3.1** All Claims #UC 1166  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8e** Report Out of Action Taken on Board Action Taken and Potential Unpaid  
**3.3.2** Suspension Pending Further Resolution Including Potential Discharge –  
 Classified Employee #UCL-372, School Supervision Assistant  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8f** Report Out of Action Taken on Consider Non-Paid Leave of Absence for  
**3.3.3** Certificated Employee #UC-1223, Pursuant to Article XX  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8g** Report Out of Action Taken on Consider Non-Paid Leave of Absence for  
**3.3.4** Classified Employee #UCL-354, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8h** Report Out of Action Taken on Consider Non-Paid Leave of Absence for  
**3.3.5** Classified Employee #UCL-373, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8i** Report Out of Action Taken on Consider Non-Paid Leave of Absence for  
**3.3.6** Classified Employee #UCL-374, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8j** Report Out of Action Taken on Consider Paid and Non-Paid Leave of Absence  
**3.3.7** for Classified Employee #UCL-375, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8k** Report Out of Action Taken on Consider Non-Paid Leave of Absence for  
**3.3.8** Classified Employee #UCL-376, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_
- 8l** Report Out of Action Taken on Consider Non-Paid Leave of Absence for  
**3.3.9** Classified Employee #UCL-377, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_

**8m** Report Out of Action Taken on Consider Paid Leave of Absence for Classified  
**3.3.10** Employee #UCL-378, Pursuant to Article XXIII  
**Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_

**9. Approve Regular Minutes of November 10, 2020. 5-13**

**Action:** Motion\_\_\_; Second\_\_\_; **Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_

**10. Student Representative Reports: None.**

**11. Recognition & Presentations:** An opportunity to honor students, employees and community members for outstanding achievement: None.

**12. Information & Discussion Items:** An opportunity to present information or reports concerning items that maybe considered by Trustees at a future meeting.

**12.1 Administrative & Business Services:** None.

**12.2 Educational Services:**

**12.2.1 San Joaquin County COVID19 Update**

**13. Hearing of Delegations:** Anyone wishing to address the Governing Board on a non-agenda item may be heard at this time. Oral presentations shall be held to a reasonable length, normally not to exceed five (5) minutes. If formal action is required, the board may request that the item be placed on a future agenda and action will be taken at a future date. If information or a report is requested, the request for it must also be submitted in writing to the superintendent.

**14. PUBLIC HEARING: None.**

**15. Consent Items:** Actions proposed for consent are consistent with the approved practices of the district and are deemed routine in nature. Trustees receive board agenda background information in advance of scheduled meetings and are prepared to vote with knowledge on the consent items.

**Action:** Motion\_\_\_; Second\_\_\_; **Vote:** Yes\_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.

**Board approval of any agenda item requiring insurance is conditioned upon acceptance of appropriate insurance accepted by Tracy Unified.**

**15.1 Administrative & Business Services:**

- |               |  |              |
|---------------|--|--------------|
| <b>15.1.1</b> | Approve Accounts Payable Warrants (October, 2020)<br>(Separate Cover Item)   | <b>14</b>    |
| <b>15.1.2</b> | Ratify Routine Agreements, Expenditures and Notice of Completions<br>Which Meet the Criteria for Placement on the Consent Agenda   | <b>15-16</b> |
| <b>15.1.3</b> | Accept the Generous Donations from the Various Individuals,<br>Businesses, and School Site Parent Teacher Associations Listed Herein<br>with Thanks and Appreciation from the Staff and Students of the Tracy<br>Unified School District | <b>17-19</b> |
| <b>15.1.4</b> | Accept and Review the Status of School Connected<br>Organization/Booster Club Applications Submitted for the 2020/21<br>School Year  | <b>20-21</b> |
| <b>15.1.5</b> | Approve Payroll Reports (August 2020)  | <b>22-26</b> |
| <b>15.1.6</b> | Approve Revolving Cash Fund Reports (August 2020)  | <b>27-29</b> |

**15.2 Educational Services:**

<b>15.2.1</b>	Approve Agreement for Special Contract Services with CalFresh Healthy Living, San Joaquin County Public Health, for the 2020-2021 School Year	<b>30-33</b>
<b>15.2.2</b>	Approve Revised TUSD Master Plan for Services to English Learners (Separate Cover Item)	<b>34</b>
<b>15.2.3</b>	Approve all Out of State, Overnight, and Out of District Travel for Tracy High AG/FFA Teachers and Students for the 2020-2021 School Year	<b>35-40</b>
<b>15.3</b>	<b>Human Resources:</b>	
<b>15.3.1</b>	Accept Resignations/Retirements/Leave of Absence for Classified, Certificated, and/or Management Employment	<b>41-43</b>
<b>15.3.2</b>	Approve Classified, Certificated, and/or Management Employment	<b>44-47</b>
<b>15.3.3</b>	Approve a Variable Term Waiver for Single Subject Math Teacher- Waive Basic Skills Requirement	<b>48-49</b>

**16. Action Items:** Action items are considered and voted on individually. Trustees receive background information and staff recommendations for each item recommended for action in advance of scheduled meetings and are prepared to vote with knowledge on the action items.

**16.1 Administrative & Business Services:**

<b>16.1.1</b>	Certify 2020-2021 Fiscal Year First Interim Report (Separate Cover Item)	<b>50-51</b>
<b>Action:</b>	Motion__ ; Second__ . <b>Vote:</b> Yes__ ; No__ ; Absent__ ; Abstain __	

**16.2 Educational Services:**

<b>16.2.1</b>	Approve the District's Budget Overview for Parents for the 2020-2021 School Year	<b>52-56</b>
<b>Action:</b>	Motion__ ; Second__ . <b>Vote:</b> Yes__ ; No__ ; Absent__ ; Abstain __	
<b>16.2.2</b>	Approve Revision of the Tracy Unified Mathematics Placement Policy for Student Placement into Seventh and Ninth Grade Math Courses	<b>57-60</b>
<b>Action:</b>	Motion__ ; Second__ . <b>Vote:</b> Yes__ ; No__ ; Absent__ ; Abstain __	
<b>16.2.3</b>	Approve SELPA Local Plan for the 2020-2021 School Year (Separate Cover Item)	<b>61-62</b>
<b>Action:</b>	Motion__ ; Second__ . <b>Vote:</b> Yes__ ; No__ ; Absent__ ; Abstain __	
<b>16.2.4</b>	Approve the Tracy Independent Study Charter School (TISC'S) Budget Overview for Parents for the 2020-2021 School Year	<b>63-67</b>
<b>Action:</b>	Motion__ ; Second__ . <b>Vote:</b> Yes__ ; No__ ; Absent__ ; Abstain __	
<b>16.2.5</b>	Approve with Conditions, the Charter Renewal Proposal for the Tracy Learning Center's Discovery Charter School (Separate Cover Item)	<b>68-75</b>
<b>Action:</b>	Motion__ ; Second__ . <b>Vote:</b> Yes__ ; No__ ; Absent__ ; Abstain __	

**17. Board Reports:** An opportunity for board members to discuss items of particular importance or interest in the district.

**18. Superintendent's Report:** An opportunity for the superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities.

**19. Board Meeting Calendar:**

- 19.1** January 12, 2021
- 19.2** January 26, 2021
- 19.3** February 9, 2021
- 19.4** February 23, 2021
- 19.5** March 9, 2021
- 19.6** March 23, 2021

**20. Upcoming Events:**

- |             |                             |                            |
|-------------|-----------------------------|----------------------------|
| <b>20.1</b> | December 21-January 1, 2021 | Winter Break               |
| <b>20.2</b> | January 18, 2021            | No School, MLK Day         |
| <b>20.3</b> | February 8, 2021            | No School, Lincoln's Day   |
| <b>20.4</b> | February 15, 2021           | No School, President's Day |

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability. To make this request, please telephone the Superintendent's Office at 209.830.3201. If any person with a disability needs a disability-related modification or accommodation, including auxiliary aids or services, he/she should also contact the Superintendent's Office at least 24 hours prior to the meeting.



## ADMINISTRATIVE SERVICES MEMORANDUM

**TO:** Board of Education  
**FROM:** Dr. Brian Stephens, Superintendent  
**DATE:** December 1, 2020  
**SUBJECT:** (1)Elect Officers;  
(2)Appoint Representatives to the following committees:  
Budget; Charter Schools; City Schools Liaison; District Attendance Area;  
Facilities Advisory; Facility Use Policy Review; Special Ed, TAPFFA; Tracy  
Learning Center/Ad Hoc Board Member; Tracy Parks; and  
(3)Approve 2021 Board Calendar

**BACKGROUND:** Education Code Section 35143 requires the governing board of each school district to hold an annual organizational meeting. In a year in which a regular election for governing board members is held in our district, the meeting shall be held on a day within a 15-day period that commences with the date upon which an elected governing board member takes office. Organizational meetings, in years in which no such regular election for governing board members is conducted, shall be held during the same 15-day period on the calendar. This year the 15-day period will commence on December 11. Districts that have regular meetings between December 11 and December 26 can comply with the Education Code requirement by placing this matter on its agenda. The day and time of the annual meeting shall be selected by trustees at its regular meeting immediately prior to the first day of such 15-day period.

**RATIONALE:** Tuesday, December 15, 2020, is the date of the Tracy Unified School District Board of Trustee's regular meeting which complies with the Education Code requirement for holding the annual organizational meeting. Within 15 days prior to the date of the annual meeting, all board members and members-election shall be notified in writing of the date and time selected for the meeting.

**FUNDING:** N/A

**RECOMMENDATION:** (1)Elect Officers; (2)Appoint Representatives to the following committees: Budget; CALSSD; City Schools Liaison; District Attendance Area; Facilities Advisory; Facility Use Policy Review; Family Life; Legislative Action; SJCSBA; Special Ed; TAPFFA; Tracy Learning Center/Ad Hoc Board Member; Charter Schools; Tracy Parks; and (3)Approve 2021 Board Calendar.

**Prepared by:** Dr. Brian R. Stephens, Ed.D. Superintendent.

**TRACY UNIFIED SCHOOL DISTRICT  
APPROVED DECEMBER 17, 2019**

<b>2020 COMMITTEES:</b>	<b>ABERCROMBIE</b>	<b>ALEXANDER</b>	<b>COSTA</b>	<b>KAUR</b>	<b>PEKARI</b>	<b>SILCOX</b>	<b>SOUZA</b>
<b>OFFICERS</b>	<b>VICE PRESIDENT</b>		<b>CLERK</b>		<b>PRESIDENT</b>		
<b>BUDGET</b> Kaur, Pekari, Silcox (Alt-Alexander)		<b>ALTERNATE</b>					
<b>CHARTER SCHOOLS</b> Abercrombie, Kaur, Souza							
<b>CITY SCHOOLS</b> Alexander, Costa, Silcox (Alt-Pekari)					<b>ALTERNATE</b>		
<b>DISTRICT ATTENDANCE AREA</b> Abercrombie, Souza							
<b>FACILITIES ADVISORY</b> Cost, Pekari, Silcox (Alt-Abercrombie)	<b>ALTERNATE</b>						<b>2</b>
<b>FACILITY USE POLICY REVIEW</b> Abercrombie, Kaur, Pekari (Alt-Silcox)						<b>ALTERNATE</b>	
<b>SPECIAL ED</b> Souza							
<b>TAPFFA</b> Alexander, Costa, Silcox (Alt-Abercrombie)	<b>ALTERNATE</b>						
<b>TRACY LEARNING CTR/ AD HOC BOARD MEMBER</b> Abercrombie (Alt-Costa)			<b>ALTERNATE</b>				
<b>TRACY PARKS</b> Costa (Alt-Pekari)					<b>ALTERNATE</b>		

**TRACY UNIFIED SCHOOL DISTRICT  
ORGANIZATIONAL MEETING HELD DEC. 2020**

<b>2021 COMMITTEES:</b>	<b>ABERCROMBIE</b>	<b>ALEXANDER</b>	<b>BLANCO</b>	<b>ERSKINE</b>	<b>HOFFERT</b>	<b>KAUR</b>	<b>SOUZA</b>
<b>OFFICERS</b>							
<b>BUDGET</b> (Alt-)							
<b>CHARTER SCHOOLS</b>							
<b>CITY SCHOOLS</b> (Alt-)							
<b>DISTRICT ATTENDANCE AREA</b>							
<b>FACILITIES ADVISORY</b> (Alt-)							
<b>FACILITY USE POLICY REVIEW</b> (Alt-)							3
<b>SPECIAL ED</b>							
<b>TAPFFA</b> (Alt-)							
<b>TRACY LEARNING CTR/ AD HOC BOARD MEMBER</b> (Alt-)							
<b>TRACY PARKS</b> (Alt-)							



**TRACY**  
UNIFIED SCHOOL DISTRICT

# Board of Education<sup>†</sup> Calendar of Meetings 2021

The Board of Education holds its regular meetings in the Tracy Unified School District Education Center Boardroom located at 1875 W. Lowell Ave. Meetings begin at 7 p.m. The Board of Education's meeting agendas are posted for public viewing the Friday before each regular meeting in the Education Center lobby and on the District's website at [www.tracy.k12.ca.us](http://www.tracy.k12.ca.us). Copies of meeting agendas also are available by contacting the Superintendent's Office at 830-3201. Minutes of Board of Education meetings are available for public review in the Superintendent's Office on Mondays through Fridays between 8 a.m. and 5 p.m., and can be viewed on the District's website at [www.tracy.k12.ca.us](http://www.tracy.k12.ca.us).

BOARD MEETING DATES 2021	
	01/12/21
	01/26/21
	02/09/21
	02/23/21
	03/09/21
	03/23/21
	04/27/21
	05/11/21
	05/25/21
	06/08/21
	06/22/21
	08/10/21
	08/24/21
	09/14/21
	09/28/21
	10/12/21
	10/26/21
	11/09/21
	12/14/21

**Minutes of  
Regular Meeting of the Governing Board  
For Tracy Unified School District  
Held on Tuesday, November 10, 2020**

As per Executive Order N-29-20 from Governor Newsom, the Tracy Unified School District Board of Education meetings moved to a virtual/teleconferencing environment using Microsoft Teams. The Governor's executive order on March 12, 2020, waived the requirement for a majority of board members to physically participate in a public board meeting at the same location. The intent is not to limit public participation, but rather to protect public health by following the Governor's Stay at Home executive order. (Public Comments were available by online submission).

- 6:07 PM:** 1-3. President Pekari called the meeting to order and adjourned to closed session.
- Roll Call:** 4. Board: S. Abercrombie, A. Alexander (Arrived late to closed session), J. Costa, S. Kaur, (She was present in closed session and had technical issues during open session and not able to log on), B. Pekari, J. Silcox, L. Souza (Arrived late to closed session)  
Staff: B. Stephens, R. Pecot, T. Jalique, J. Stocking, B. Etcheverry
- 7:05 PM** 5. President Pekari called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.
- Closed Session:**
- 6a-3.2.1** Report Out of Action Taken on Approve Settlement Agreement for Special Contract Services with Contractor for Compensatory Education Services and Attorney Fees  
**Vote:** Yes-6; No-0; Absent-1(Alexander)
  - 6b-3.2.2** Report Out of Action Taken on Approve Settlement Agreement for Special Contract Services with Contractor for Mileage Reimbursement and Attorney Fees  
**Vote:** Yes-6; No-0; Absent-1(Alexander)
  - 6c-3.3.1** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-354, Pursuant to Article XXIII  
Approved. **Vote:** Yes-6; No-0; Absent-1(Alexander)
  - 6d-3.3.2** Report Out of Action Taken on Consider Paid Leave of Absence for Classified Employee #UCL-360, Pursuant to Article XXIII  
Denied. **Vote:** Yes-6; No-0; Absent-1(Alexander)
  - 6e-3.3.3** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-361, Pursuant to Article XXIII  
Approved. **Vote:** Yes-6; No-0; Absent-1(Alexander)
  - 6f-3.3.4** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-362, Pursuant to Article XXIII  
Denied. **Vote:** Yes-6; No-0; Absent-1(Alexander)

- 6g-3.3.5** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-363, Pursuant to Article XXIII  
Approved. **Vote:** Yes-6; No-0; Absent-1(Alexander)\_\_\_\_
- 6h-3.3.6** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-364, Pursuant to Article XXIII  
Approved. **Vote:** Yes-6; No-0; Absent-1(Alexander)
- 6i-3.3.7** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-365, Pursuant to Article XXIII  
Denied. **Vote:** Yes-6; No-0; Absent-1(Alexander)  
Trustee Alexander arrived to closed session at 6:22 p.m.
- 6j-3.3.8** Report Out of Action Taken on Consider Paid Leave of Absence for Classified Employee #UCL-366, Pursuant to Article XXIII  
Denied. **Vote:** Yes-7; No-0.
- 6k-3.3.9** Report Out of Action Taken on Consider Paid Leave of Absence for Classified Employee #UCL-367, Pursuant to Article XXIII  
Denied. **Vote:** Yes-7; No-0. \_\_\_\_
- 6l-3.3.10** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-368, Pursuant to Article XXIII  
Denied. **Vote:** Yes-7; No-0.
- 6m-3.3.11** Report Out of Action Taken on Consider Non-Paid Leave of Absence for Classified Employee #UCL-369, Pursuant to Article XXIII  
Denied. **Vote:** Yes-7; No-0. \_\_\_\_
- 6n-3.3.12** Report Out of Action Taken on Consider Non Paid Leave of Absence for Classified Employee #UCL-370, Pursuant to Article XXIII  
Denied. **Vote:** Yes-7; No-0.
- 6o-3.3.13** Report Out of Action Taken on Consider Paid Leave of Absence for Classified Employee #UCL-371, Pursuant to Article XXIII  
Approved. **Vote:** Yes-7; No-0.\_\_\_\_

**Minutes:**

7. Approve Special Minutes of October 20, 2020.  
**Action:** Silcox, Alexander. **Vote:** Yes-6; No-0; Absent-1(Kaur)  
Approve Regular Minutes of October 27, 2020.  
**Action:** Silcox, Alexander. **Vote:** Yes-6; No-0; Absent-1(Kaur)

**Visitors:**

None. Meeting was live streamed via Microsoft Teams.

**Student Rep Reports:**

8. Students prepared Video Presentations:  
**Tracy High:** Sophia Alejandre reported that students are remaining positive in these unpredictable times. They are still in distance learning and reminiscing about the good times last year of float building or visiting teachers. On the first Friday of October they held a spirited scavenger hunt with a list of items to find. Then they posted it to their Instagram account and tagged THS to show proof. Their mascot has started his own music channel and the first video was posted in October. They will continue to post videos about upcoming events. Sports have returned but no

games yet. Some have started practices and games are schedule to start in January. Students are hoping they will have a season. Students on campus always wear a mask. Virtual spirit week was held on Instagram. They had various dress up days. Virtual spirit activities were held throughout the week. Students are eager to get back and make high school memories. They will make the best out of the situation.

**West High:** Kaitlyn Durant and Gianna Uribe reported that they their virtual rush week went well. They sent out videos promoting clubs to the teachers to share with their students. They showed custodian love on October 2 which was national custodian day. Goodie bags and signs were made for each of them. They send birthday congratulations to Ms. Lee and Ms. Loreda and made posters for them. Students celebrated the lives of Ms. Toon, lunch lady Kelly, and para Gabey, who all recently passed away. They are currently planning a canned food drive competition with FFA AVID and JROTC.in November. They gave a special thank you to Trustees Silcox and Costa. They know that leaders make tough decisions and they appreciate everything they have done.

**Kimball High:** Julian Steffens reported that Leadership has been hard at work organizing Halloween activities. Students posted their favorite Halloween movie and chose their favorite things. They ended the week with themed escape rooms. Seniors chose a murder mystery, Juniors chose a haunted house, Sophomores chose them from the movie “It” and Freshman had an Area 51 theme. These were held on Oct. 29 and 30. Students gave great feedback and they are working on more activities to keep the students engaged.

**Alternative Ed Campus:** Gracelynn Juarez reported on what students did last week for Red Ribbon Week. She showed various activities, some virtual and some on campus. Students dressed up to show spirit, plant tulips and guessed how many candies were in the jar. Martin Gonzales won for the students and Ann Herrington won for the staff. Students decorated their classroom doors and held a red ribbon scavenger hunt. She then shared her student e-portfolio which contained her goals short-term and long-term goals. She ultimately would like to start her own business. She also showed a video that was about the value of the dollar and that no matter what happens to it, it will always have the value of a dollar. It helped her understand her value. Her greatest challenge in accomplishing her goals would be to work hard and be financially prepared. She also reviewed her college page and resume which contained research on her career, her Fafsa and her college application. This class was different because she had to learn to upload files and videos and it benefited her and she will continue to use this website.

**Recognition & Presentations:**

9. None.

**Information & Discussion Items:**

- 10.1      **Administrative & Business Services:** None.
- 10.2      **Educational Services:**
- 10.2.1    Report on San Joaquin County COVID19 Update

Julianna Stocking, Associate Superintendent of Educational Services. She stated that as of today there were 88 new cases for a total of 22,993 total cases in our county. It is assessed every 2 weeks. For the duration of October 25 through the 31<sup>st</sup> we were in the purple for the assessment and case rate. For test positivity we continued to stay in the orange. On November 17<sup>th</sup> we will know more as far as our status as a county. Our cases are increasing, and we are moving towards the purple which is something we need to consider moving into the winter.

#### **10.2.2** Report on Hybrid/Distance Learning Concurrent Instruction Model

Julianna Stocking, Associate Superintendent of Educational Services, presented a power point which shared the options for second semester, the supports in place and the communication of the implementation. Goal is to provide access to public education centered on rigor relevance and relationships for all students and provide COVID 19 safety measures for all students and staff.

These conditions are related to the opening in January. We are still officially in red and the options she is sharing tonight are contingent on us staying in red. These options are for January 4 through May 28 of 2021, unless we are designated to the purple tier. If we are designated purple, then we will stay in distance learning and will make the transition to the hybrid bell schedule. Our teachers have done an outstanding job in providing the best distance learning model for our students. Moving in the second semester we want to provide more access to our students. If we move back to purple, we will still be shifting to the hybrid bell schedule but will give them more online live instruction. She thanked the TEA team to agreeing to this. If we return to the purple at any time, we will stay in distance learning.

Last month we presented a few options to our community when our waiver was approved, and we went into red giving us the option to open all schools. It was then decided that we did not want disruption within the middle of a semester so gave us time to go back to table with TEA negotiations. They discuss how they could have a smooth transition for our students. Students on an IEP would be challenged if they did not have distance learning as an option. Our surrounding districts such as Escalon and Manteca, offer a concurrent model that offers both distance learning and in person learning known as hybrid. We listened to our community requesting an alternative and to be able to keep the option of district learning.

She then explained the 3 options should we continue to be in red. The first option is Hybrid in person learning. Students will attend 2 days per week if greater than 70% elect this. If less than 70% elect this, then instruction would increase to 4 days a week. The 70% number has to do with the ability to social distance. On Wednesdays, all students will have access to live synchronous instruction via distance learning. We will be sending out a survey tomorrow.

The second option is distance learning where students will access synchronous live instruction from home 5 days a week. They will log into class daily. Because we are shifting to the Hybridge bell schedule, students will be logging on to all 6 periods every day, for middle and high school. They will be able to keep their master schedule and stay enrolled in their special programs.

Dr. Stephens commented that if we move to orange, then there is the possibility that we would bring 100% of our students back 100% of the time. As guidelines are revised, we will work along with our county to ensure that students and staff are safe to bring back full time when we do so.

The third option is the TUSD Independent Study Charter School. Students will use Pathblazer online curriculum for grades K-5 and Edgenuity online curriculum for grades 6.-12. The TUSD Independent Study Charter School has a website with information and a link to the application. If interested, they would elect that in the survey that will be going out to families tomorrow. The next parent information session will be on November 12<sup>th</sup> in English and November 17<sup>th</sup> in Spanish.

Dr. Stephens commented that this has been a lengthy process, there was a lot going on at the bargaining table and they all came up with. He respects both teams they did a great job and appreciates all involved. The district will be offering equipment for teacher needs such as cameras, mics, etc. and Professional development is started support sessions this week.

Various board members spoke and thanked Ms. Stocking and staff for their work on these options. This has all been done with union input and they have appreciated the information sessions held every 2 weeks. They felt this plan will help many with their decisions to best serve their students. We cannot please everyone, but this has been a well thought out plan. The negotiation team has been open and doing what is best for kids. We have held 12 sessions with our teachers which does not include negotiations. Please remembers to complete the parent survey for each of your students.

## Hearing of Delegations

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11. The following comments submitted online, read aloud, and copy and pasted into these minutes:

Brandi Hoffert: My name is Brandi Hoffert and I asked for an investigation to be completed on Trustee Lori Souza for comments she made on Facebook on October 8th, 2020 that did not follow Board Bylaw 9010, but Superintendent Stephens has said that the district's legal counsel did not find any violation of district policy. At the last board meeting on October 27, Board President Brian Pekari read the bylaw that Lori Souza did not follow, but he did not read the entire bylaw. He left out the following part: "However, to ensure communication of a consistent, unified message regarding district issues, Board members are expected to respect the

authority of the Board to choose its representatives to communicate its positions and to abide by established protocols.” I have repeatedly asked Superintendent Stephens and Associate Superintendent of Human Resources Tammy Jalique to send me these “established protocols” board members are to abide by because Trustee Souza called my son and the classified union president liars on social media – if this is an appropriate protocol for the TUSD board to follow please let me know. In addition, Trustee Souza posted the following comment in a conversation with the Vice President of the classified union: “The email you sent from Mike was 100% racist.” If it is not an appropriate protocol for board members to call people liars on social media, and to call people out as racist, then I am again requesting a full investigation of Trustee Souza’s actions. In addition, at the last board meeting on October 27, a friend of Trustee Souza wrote a letter in defense of her character. In this letter, Karen Williams, Trustee Souza’s friend, said that I was a bully on Tracy Rants and Raves. I do not belong to the group Tracy Rants and Raves so this information was not correct. You shared information with your audience that was not factual and I am requesting a retraction of this information. Covid-19 has made it more difficult to communicate effectively and the videos of board meetings become an even more important tool for us. Please place all videos of board meetings on your website in a timely manner so that we as parents and community members can stay informed. The last few times I’ve looked, they haven’t been there. As stated earlier, I am requesting a full investigation of Trustee Souza in regard to the “established protocols” set forth by TUSD, and whether Trustee Souza was in violation of Board Bylaw 9010, and I am also requesting a retraction of comments made in the reading of Karen Williams’s letter.

Ana Blanco: Why, when in-person instruction is discussed, do the options now include placing undue burden upon teachers? Why is the independent study option not advised as an available option? Are there budgetary constraints that inform the decision first to have a forced choice between health and educational option (either charter school or in-person) and now to provide parents with a third option we are going to punish teachers with more work to do? This seems not well thought out and driven by Juliana Stocking? Are advisory committees being utilized?

Jessica Gomez: I want to speak to your school board about the work you are doing.

Lydia Lloyd: With 11 counties in ca moving back into more restrictive COVID measures, - 2 of those into Purple ( Sacramento and Stanislaus) and forecasts indicating worsening conditions over the next few months, we would like assurances that circumstances for health risk be assessed again in January before implementing any on site re-openings along with engaging the TUSD families and getting their input. As far as the options you will be discussing today We hope they are much more inclusive to the varied needs of the students. Especially those who risk losing diplomas in programs because they are a transfer student based on acceptance and also The IB programs that students are enrolled in. Last time the options left those students losing their credits, opportunities and affecting transcripts, not to mention children with learning disabilities (as this situation isn’t ideal for most of them), a change in curriculum etc., poses a harder time to process and make up work etc. So as you present and decide upon the 3 choices for school

in January 2021 we implore you to decide carefully and consult with the educators who would have insight into the many areas of concern for the students and themselves

Tiffanie Heben: I am happy to hear that a distance learning option will be offered to students whose families are not ready to send them back to school on January 4th. I understand this has been a difficult situation for everyone, and I am grateful that the concerns of parents have been heard and, hopefully, addressed by the new option. I also appreciate the notification sent out to parents about this school board meeting and the upcoming meeting on November 12th and the time provided before we have to make a decision about what option we will choose for our children. The more info we parents have, the better we can evaluate what to do about returning to school. I would still recommend that more info be put into the board agendas so that parents can use the public comment time efficiently. Other political bodies provide written reports in the agenda so that the public knows what will be discussed at the board meetings. Given that the public has to provide comments BEFORE the school board meetings, telling us more details about the board items in advance would avoid some unnecessary commenting and lessen the time of your meetings. I look forward to hearing the details about the distance learning option that will be discussed at tonight's meeting.

Dennis Lockard: We received phone calls telling us that there is a new 3-option plan for reopening in January that would be available for us to view online and that you would discuss it at the board meeting tonight. I cannot find any such plan anywhere on your website, nor do I see it on your agenda.

Amy Ceteras: I would like to make a suggestion that the 70/30 (criteria for determining if we will return as hybrid) be eliminated because looking at the results DISTRICT-WIDE does nothing to guarantee that each individual classroom or even school has a reduced amount of students on campus each day. Covid numbers rising again in our county and throughout California. When we come back to school, we should do everything possible to make social distancing practicable to protect students and staff. The 70/30 clause could mean that students could find themselves sitting in classrooms with 30 other students. Guaranteeing smaller class sizes would not only help with social distancing, but it would also help with making the process of reintroducing students to school and new procedures much easier. On top of that, our TUSD teachers will be tasked with teaching one cohort in person while teaching others at home at the same time. Starting this adventure would likewise, be easier with fewer student in the classroom/on campus at the same time. My second request is that the board considers implementing a mask policy for ALL students on TUSD campuses, including our K-2 students. Many districts in our state have adopted such a policy. Our younger students and the staff responsible for them deserve such protection. While I appreciate the fact that desk shields have been purchased, that only helps when students are seated at their desks, and many studies have shown that the Covid is in fact airborne. Thank you for your consideration.

**Public Hearing:**            **12.1        Administrative & Business Services:** None.

- 12.2 Educational Services:**  
**12.2.1** Conduct a Public Hearing on the Provisions of the Pctition for Renewal of the Charter of the Tracy Learning Center’s Discovery Charter School (Separate Cover Item)

President Pekari read a memo from the school district’s attorney  
 Opened public hearing at 8:15 p.m.  
 No comments were made.  
 Closed public hearing at 8:16 p.m.

**Consent Items:**

- 13. Board approval of any agenda item requiring insurance is conditioned upon acceptance of appropriate insurance accepted by Tracy Unified.**  
**Action:** Costa, Silcox. **Vote:** Yes-6; No-0; Absent-1(Kaur)
- 13.1 Administrative & Business Services:**  
**13.1.1** Ratify Routine Agreements, Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda  
**13.1.2** Accept the Generous Donations from the Various Individuals, Businesses, and School Site Parent Teacher Associations Listed Herein with Thanks and Appreciation from the Staff and Students of the Tracy Unified School District
- 13.2 Educational Services:**  
**13.2.1** Approve Revised School Site Plans and Budgets for the Remainder of the 2020-2021 School Year (Separate Cover Item)  
**13.2.2** Approve Agreement for Special Contract Services with Community Medical Center to Provide Mental Health Services to the TUSD School Readiness Preschool Program for the 2020-2021 School Year  
**13.2.3** Approve Agreement for Contract Services with Speech Therapy and Accent Group, Inc., for Independent Educational Evaluation/Speech and Language Assessment for the 2020-2021 School Year  
**13.2.4** Approve Agreement for Contract Services Between Freedom Soul Media Education Initiatives and West High School for the 2020-2021 School Year
- 13.3 Human Resources:**  
**13.3.1** Accept the Resignations/Retirements/Leaves of Absence for Certificated, Classified and/or Management Employees  
**13.3.2** Approve Classified, Certificated and/or Management Employment  
**13.3.3** Approve Declaration for a Provisional Internship Permit  
**13.3.4** Approve Unpaid Student Teaching, Field Experience, and Practicum Agreement with National University  
**13.3.5** Approve a Variable Term Waiver for John S. Morris- Certificate of Completion of Staff Development (SDAIE)  
**13.3.6** Approve Amendment for Current Memorandum of Understanding for Teacher Preparation Program Agreement with The Regents of the University of California

**Action Items:**

- 14.1 Administrative & Business Services:** None.

**Board Reports:**

Trustee Abercrombie appreciates everyone's hard work. It looks like it will still be challenging but hoping for 2020-2021 to be kinder. He wished everyone a Happy Thanksgiving. The high school students teamed up and made a DARE video. We then viewed the video. Trustee Alexander wished everyone a Happy Thanksgiving. Trustee Costa thanked the high school students for their reports. They do a very good job and still have activities. She enjoyed the DARE video. She then read a prepared statement that thanked several people for their support and friendship over the years. She commented on the leadership and dedication of Dr. Stephens and each cabinet members. She urged the new board members to take the governance classes offered by CSBA as this training will help them be good board members. She also reminded them that when the board votes on a decision that everyone should stand by it. This is a great district that many people have worked hard to make it that way. She thanked TUSD for her time on the board and wishes everyone well. Trustee Silcox commented that he has been on the board for the past 2 years and has coached for 14 years. His engagements with staff and teachers have been nothing but professional. He believes in the district leadership and school administration. He appreciates the relationships he has formed and wishes the best for those running the district. Trustee Souza thanked Trustees, Silcox, Costa and Pekari. She has learned a lot from Jill, and she appreciates that. Both she and Jeremy grew up here and she appreciates his time on the board. She will look to both of them for their guidance. Brian has put in a lot of time and dedication to students and staff. She is looking forward to clear communication with the new board members. We need to keep moving TUSD forward. Trustee Pekari commented that it has been an incredible experience and was honored to serve with everyone. He will still be very involved advocating for students. He thanked teachers, administrators, classified and students.

**Superintendent Report:**

Dr. Stephens thanked Julie Stocking for her presentation and all of the behind the scenes work. He also thanked the teachers and administrators for their work, it is not easy. He thanked board members, Costa, Pekari & Silcox for serving on the board. He has appreciated working with them.

**Adjourn: 8:34 p.m.**

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Clerk

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Date



TRACY  
UNIFIED SCHOOL DISTRICT

## BUSINESS SERVICES MEMORANDUM

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Assoc Supt of Business Services  
**DATE:** December 1, 2020  
**SUBJECT:** Approve Accounts Payable Warrants (October 2020)

**BACKGROUND:** Each month the Financial Services Department submits summaries of warrants issued monthly to the Board of Trustees for review.

**RATIONALE:** The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #6 – Forming Partnerships.

**FUNDING:** N/A.

**RECOMMENDATION:** Approve Accounts Payable Warrants (October 2020).

**Prepared by:** S. Reed Call, Director of Financial Services.



## **BUSINESS SERVICES MEMORANDUM**

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Assoc Supt of Business Services  
**DATE:** November 3, 2020  
**SUBJECT:** **Ratify Routine Agreements, Expenditures and Notice of Completions  
Which Meet the Criteria for Placement on the Consent Agenda**

**BACKGROUND:** To be valid or to constitute an enforceable obligation for or against the district, education code 17604 requires that all contracts must be approved and/or ratified by the board of trustees. This requirement is met in several different ways, depending on the value of the requisition, the types of services or materials being procured, the value of the fee, dedication, services or other requirements being offered to or by the District and the advance notice staff has in procuring the services or materials; or the timing required to negotiate the agreement on behalf of the District. Routine requisitions less than \$5,000 are ratified on the consent calendar when the board approves the warrants list. Except when specific exceptions are detailed in board policies and procedures, requisitions greater than \$15,000 are submitted as action items for board pre-approval. Also, Special Services and advice in financial, accounting, engineering, legal or administrative matters pursuant to Government Code 63060 meet the requirements.

Routine requisitions between \$5,000 and \$15,000, and requisitions greater than \$15,000 which meet specific criteria, may be ratified on the consent calendar by board approval of a summary list, more detailed than the warrants listing. This may also include ratification of "Notice of Completion" of construction projects.

**RATIONALE:** The attached summary of these requisitions with related support documentation details financial obligations greater than \$5,000 but which meet the criteria to be ratified in this format. The summary is organized alphabetically so that the project's back-up material is identified with the same letter in the lower left-hand corner.

**FUNDING:** Per attached summary of requisitions.

**RECOMMENDATION:** Ratify Routine Agreements, Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda.

**Prepared by:** Dr. Rob Pecot, Associate Superintendent for Business Services.

**BUSINESS SERVICES  
FACILITIES DEVELOPMENT DEPARTMENT  
DECEMBER 15, 2020  
SUMMARY OF SERVICES**

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A. Vendor: SurveyMonkey, Inc.  
Site: District-wide  
Item: Invoices for Annual Renewal (1/24/21 – 1/23/22)  
Services: SurveyMonkey provides access to electronic surveys that are created and accessed District wide. Various stakeholder surveys are required as part of the Local Control Accountability Plan (LCAP), the Healthy Kids Grant, to solicit parent feedback, and to meet State and Federal funding compliance requirements.  
Cost: \$4,500.00 for ten access licenses.  
Project Funding: District LCAP Funds

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B. Vendor: Document Tracking Services (DTS)  
Site: District-wide  
Item: Licensing Renewal Agreement  
Services: DTS provides electronic document templates for School Plans for Student Achievement (SPSA), School Accountability Report Card (SARC), and the Local Control Accountability Plan (LCAP). State and Federal compliance guidelines require that these reports are posted publically each year.  
Cost: \$4,875.00  
Project Funding: District LCAP Funds

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C. Vendor: Cosco Fire Protection  
Site: District-wide  
Item: Agreement  
Services: Conduct annual inspection of fire sprinkler systems and fire hydrant systems per NFPA 25. Repair and service to sprinkler risers and hydrants based on deficiencies found during inspections.  
Cost: <\$95,000.00  
Project Funding: Environmental Compliance

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D. Vendor: WGR  
Site: District-wide  
Item: Proposal/Agreement  
Services: WGR provides compliance support for the Districts Storm Water Management program.  
Cost: <\$4,290.00  
Project Funding: Environmental Compliance



## BUSINESS SERVICES MEMORANDUM

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Assoc Supt of Business Services  
**DATE:** November 5, 2020  
**SUBJECT:** **Accept the Generous Donations from the Various Individuals, Businesses, and School Site Parent Teacher Associations Listed Herein with Thanks and Appreciation from the Staff and Students of the Tracy Unified School District**

**BACKGROUND:** In order to assist the various school sites and departments in the District with the continued effort to enhance the educational, technological, health, and environmental needs of our students and staff, the following funds, materials, and/or equipment are to be considered for acceptance as donations:

Tracy Unified School District:

1. Tracy Unified School District: From Sutter Tracy Community Hospital for the amount of \$10,000.00 (ck. #2891999 - \$5,000.00 and ck. #2892000 - \$5,000.00). Sutter Tracy Community Hospital donated \$5,000.00 to West High School and \$5,000.00 to Kimball High School. These donations will benefit the High School's athletic programs.
2. Tracy Unified School District: From Medline Industries, Inc., 10,000 4oz bottles of hand sanitizer, value unknown. The sanitizer will be distributed to sites throughout the District and will benefit the health and wellness of T.U.S.D. students, staff and the Tracy Community.

Central Elementary School:

1. Tracy Unified School District/Central Elementary School: From Donor's Choose, various school/instructional supplies such as number lines, counters, base ten blocks, math tool kits, valued at \$555.89. This donation will benefit the students of Central School.

Freiler Elementary School:

1. Tracy Unified School District/Freiler Elementary School: From the Blackbaud Giving Fund by its agent Your Cause (PG&E) for the amount of \$504.00 (ck.

#1110185448). This donation will be used to purchase school supplies and will benefit the staff and students of Freiler School.

George Kelly Elementary School:

1. Tracy Unified School District/George Kelly Elementary School: From Donor's Choose, various school supplies such as composition books, folders, markers, pens, dice, colored pencils and dry erase markers, valued at \$691.87. This donation will benefit the students of Kelly School.
2. Tracy Unified School District/George Kelly Elementary School: From Donor's Choose, 10 Sorano Recorder bundle packs of 25 each. This donation will give students the opportunity to participate in music instruction during distance learning.

North Elementary School:

1. Tracy Unified School District/North Elementary School: From Donors Choose, 3 - Micro Bit Club 10 packs valued at \$668.00. With these devices, the students of North School will learn about coding, weather, electronics, and design and will be able to create projects in their homes.

Tracy High School:

1. Tracy Unified School District/Tracy High School: From Weibel Incorporated for the amount of \$600.00 (ck. #30897). This donation will benefit Tracy High School's Dance Team. It will be used towards the purchase of dance team warm up gear.
2. Tracy Unified School District/Tracy High School: From Island Gourmet, Inc. for the amount of \$1,000.00 (ck. #1936). This donation will benefit Tracy High School's Dance Team. It will be used towards the purchase of dance team warm up gear.
3. Tracy Unified School District/Tracy High School: From Cal Coast Window & Door Inc. for the amount of \$1,000.00 (ck. #1701). This donation will benefit Tracy High School's Dance Team. It will be used towards the purchase of dance team warm up gear.

**RATIONALE:** Acceptance is recommended in order to meet the District's strategic goals and to enhance and benefit the educational experiences of the students of the Tracy Unified School District. This agenda item meets Strategic Goal #2 – Create a quality and effective learning environment for all students.

**FUNDING:** Sites and departments of the District will incur responsibilities and costs associated with (some) of the donations which include, but are not limited to, supplies, repairs, maintenance of equipment, disposal/recycling. All items accepted by the Board of Trustees of the Tracy Unified School District are directed to the District's warehouse through the Materials Management Department for inclusion on the inventory list, marking for distribution and identification prior to site or department use or placement. All items needing inspection prior to installation or use are scheduled through the Materials Management and Operations and/or the Facilities Developments and budgeted accordingly. All technology items are reviewed and approved by the Director of Information Services and Educational Technology, prior to Board presentation.

**RECOMMENDATION:** Accept the Generous Donations from the Various Individuals, Businesses, and School Site Parent Teacher Associations Listed Herein with Thanks and Appreciation from the Staff and Students of the Tracy Unified School District.

**Prepared by:** Dr. Rob Pecot, Associate Superintendent for Business Services.



TRACY  
UNIFIED SCHOOL DISTRICT

## BUSINESS SERVICES MEMORANDUM

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Assoc Supt of Business Services  
**DATE:** November 11, 2020  
**SUBJECT:** **Accept and Review the Status of School Connected Organization/Booster Club Applications Submitted for the 2020/21 School Year**

**BACKGROUND:** The District recognizes the importance of having parent support/booster clubs that enhance and assist in furthering the educational opportunities of students. Community support organizations (CSO's) such as Parent Teacher Clubs, Parent Teacher Associations, Athletics Boosters, Band Boosters, Advisory Groups, and any other organizations approved by the Board, promote, encourage, and support the approved academic, co-curricular, and extra curricular activities of the district. The attached document reflects the current status of active School Connected Organizations for the current year. Those groups approved by prior Board Action are indicated as *Approved*. Those being submitted for current approval are indicated as *Recommended for Approval*. Those groups that have indicated an interest in approval, but have not yet met all approval requirements, are indicated as *Pending*. In addition to the status of *Approved*, *Recommended for Approval*, and *Pending*, each organization is marked as being either *Current* or *Revoked*. *Current* means the organization has submitted a current reconciled bank statement within the past two months and all other documentation is adequate. *Revoked* means the organization has failed to submit a current reconciled bank statement within the past two months, other documentation is inadequate, or some other condition exists for which additional compliance steps are required.

**RATIONALE:** Acceptance of this item indicates endorsement by the School Board of the current status of each recognized School Connected Organization or Booster Club in order to meet the District's strategic goal: strategic goal #5 – Continuously improve fiscal, facilities and operational processes.

**FUNDING:** There are no financial obligations associated with this agenda however sites and departments of the District may incur responsibilities and costs associated with donations made through the (CSO's) fundraising endeavors.

**RECOMMENDATION:** Accept and Review the Status of School Connected Organization/Booster Club Applications Submitted for the 2020/21 School Year.

**Prepared by:** Jill Carter, Director of School Business Support Services & Purchasing.



## 2020/2021 School-Connected Organization Booster Clubs

Organization	Status	Current Reviewed Bank Statements
Hirsch Elementary PTO		<i>Current</i>
Freiler Staff Parent Association		<i>Current</i>
George Kelly Parent Faculty Alliance		<i>Current</i>
Jacobson Staff Parent Association		<i>Current</i>
Jaguar Theatre Booster Club		<i>Current</i>
Kimball High School Athletic Booster Club		<i>Current</i>
Kimball High School Music Boosters, Inc		<i>Current</i>
North School Parent Club		<i>Current</i>
Poet Christian PTSA		<i>Current</i>
South/West Park Parent Club		<i>Current</i>
Tracy High Baseball Boosters, Inc		<i>Current</i>
Tracy High Bulldog Band Booster Club		<i>Current</i>
Tracy High School Football Boosters		<i>Current</i>
Tracy High Softball Booster Club	<i>Recommended for Approval</i>	
THS Volleyball Booster Club		<i>Current</i>
Villalovoz PFC		<i>Current</i>
WHS - Homefield Advantange Athletic Booster Club		<i>Current</i>
West High Science Boosters		<i>Current</i>

Revised 11/11/2020



TRACY  
UNIFIED SCHOOL DISTRICT

## BUSINESS SERVICES MEMORANDUM

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Assoc Supt of Business Services  
**DATE:** December 1, 2020  
**SUBJECT:** Approve Payroll Reports (October 2020)

**BACKGROUND:** Financial Services Department submits summaries of payroll warrants issued each month to the Board of Trustees for review.

**RATIONALE:** The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #7-Develop Powerful Educational Leaders.

**FUNDING:** N/A.

**RECOMMENDATION:** Approve Payroll Reports (October 2020).

**Prepared by:** S. Reed Call, Director of Financial Services.

Pay Date 10/09/2020

Fund 01

## LABOR DISTRIBUTION FOR EMPLOYEES SUMMARY

Fund	01	SACS Object	Amount	
		1100	209,665.58	Teachers' Salaries
		1200	1,266.70	Cert Pupil Support Salaries
		1900	1,429.34	
		2100	14,619.92	Instructional Aides' Salaries
		2200	51,000.45	Classified Support Salaries
		2300	739.90	
		2400	10,384.63	Clerical & Office Salaries
		2900	1,394.88	
		<b>Total Labor</b>	<b>290,501.40</b>	
Fund	01	SACS Object	Amount	
		3101	27,892.08	STRS On 1000 Salaries
		3102	133.28	STRS On 2000 Salaries
		3201	117.99	PERS On 1000 Salaries
		3202	8,107.86	PERS On 2000 Salaries
		3301	3,831.20	
		3302	4,943.81	
		3501	106.19	State Unemploy On 1000 Salary
		3502	39.09	State Unemploy On 2000 Salary
		3601	3,806.63	Worker'S Comp Ins On 1000 Sal
		3602	1,400.64	Worker'S Comp Ins On 2000 Sal
		<b>Total Contributions</b>	<b>50,378.77</b>	
Fund	11	SACS Object	Amount	
		1100	19,213.27	Teachers' Salaries
		1200	1,266.70	Cert Pupil Support Salaries
		2100	2,651.47	Instructional Aides' Salaries
		2400	273.00	Clerical & Office Salaries
		<b>Total Labor</b>	<b>23,404.44</b>	
Fund	11	SACS Object	Amount	
		3101	1,640.93	STRS On 1000 Salaries
		3202	339.81	PERS On 2000 Salaries
		3301	296.96	
		3302	223.73	
		3501	10.25	State Unemploy On 1000 Salary
		3502	1.47	State Unemploy On 2000 Salary
		3601	367.12	Worker'S Comp Ins On 1000 Sal
		3602	52.42	Worker'S Comp Ins On 2000 Sal
		<b>Total Contributions</b>	<b>2,932.69</b>	
Fund	12	SACS Object	Amount	
		2100	1,716.48	Instructional Aides' Salaries
		<b>Total Labor</b>	<b>1,716.48</b>	
Fund	12	SACS Object	Amount	
		3202	20.56	PERS On 2000 Salaries
		3302	65.01	
		3502	0.87	State Unemploy On 2000 Salary
		3602	30.78	Worker'S Comp Ins On 2000 Sal
		<b>Total Contributions</b>	<b>117.22</b>	

Fund 13	<b>SACS Object</b>	<b>Amount</b>	
	2200	3,694.37	Classified Support Salaries
	<b>Total Labor</b>	<b>3,694.37</b>	
Fund 13	<b>SACS Object</b>	<b>Amount</b>	
	3202	388.44	PERS On 2000 Salaries
	3302	224.65	
	3502	1.88	State Unemploy On 2000 Salary
	3602	66.21	Worker'S Comp Ins On 2000 Sal
	<b>Total Contributions</b>	<b>681.18</b>	

ESCAPE **ONLINE**

Pay Date 10/30/2020

Fund 01

## LABOR DISTRIBUTION FOR EMPLOYEES SUMMARY

Fund	01	SACS Object	Amount	
		1100	4,935,074.48	Teachers' Salaries
		1200	375,560.88	Cert Pupil Support Salaries
		1300	503,269.77	Cert Suprvrs' & Admins' Sal
		1900	115,151.76	Other Certificated Salaries
		2100	406,690.88	Instructional Aides' Salaries
		2200	776,901.49	Classified Support Salaries
		2300	181,062.63	Class Suprvrs' & Admins' Sal
		2400	456,625.91	Clerical & Office Salaries
		2900	39,627.32	Other Classified Salaries
		<b>Total Labor</b>	<b>7,789,965.12</b>	
Fund	01	SACS Object	Amount	
		3101	928,391.39	STRS On 1000 Salaries
		3102	6,132.27	STRS On 2000 Salaries
		3201	36,147.56	PERS On 1000 Salaries
		3202	364,284.96	PERS On 2000 Salaries
		3301	88,780.38	
		3302	131,082.35	
		3401	622,865.20	
		3402	251,304.37	
		3501	2,964.61	State Unemploy On 1000 Salary
		3502	929.39	State Unemploy On 2000 Salary
		3601	106,278.34	Worker'S Comp Ins On 1000 Sal
		3602	33,356.97	Worker'S Comp Ins On 2000 Sal
		3701	78,576.42	
		3702	37,292.51	
		<b>Total Contributions</b>	<b>2,688,386.72</b>	
Fund	09	SACS Object	Amount	
		1100	15,139.18	Teachers' Salaries
		1200	641.92	Cert Pupil Support Salaries
		<b>Total Labor</b>	<b>15,781.10</b>	
Fund	09	SACS Object	Amount	
		3101	1,598.69	STRS On 1000 Salaries
		3201	1,179.62	PERS On 1000 Salaries
		3301	607.77	
		3401	1,769.46	
		3501	7.90	State Unemploy On 1000 Salary
		3601	282.88	Worker'S Comp Ins On 1000 Sal
		<b>Total Contributions</b>	<b>5,446.32</b>	
Fund	11	SACS Object	Amount	
		1100	11,039.46	Teachers' Salaries
		1200	8,260.75	Cert Pupil Support Salaries
		1300	10,964.84	Cert Suprvrs' & Admins' Sal
		2100	6,299.29	Instructional Aides' Salaries
		2400	8,945.71	Clerical & Office Salaries
		<b>Total Labor</b>	<b>45,510.05</b>	
Fund	11	SACS Object	Amount	
		3101	4,887.82	STRS On 1000 Salaries
		3202	3,155.67	PERS On 2000 Salaries
		3301	408.67	
		3302	1,121.32	
		3401	2,139.65	
		3402	2,021.22	
		3501	15.14	State Unemploy On 1000 Salary
		3502	7.62	State Unemploy On 2000 Salary
		3601	542.49	Worker'S Comp Ins On 1000 Sal
		3602	273.29	Worker'S Comp Ins On 2000 Sal
		<b>Total Contributions</b>	<b>14,572.89</b>	

Fund 12	<b>SACS Object</b>	<b>Amount</b>	
	1300	2,107.90	Cert Suprvsrs' & Admins' Sal
	2100	10,494.23	Instructional Aides' Salaries
	2300	2,561.88	Class Suprvsrs' & Admins' Sal
	2400	4,116.57	Clerical & Office Salaries
	<b>Total Labor</b>	<b>19,280.58</b>	
Fund 12	<b>SACS Object</b>	<b>Amount</b>	
	3101	340.43	STRS On 1000 Salaries
	3102	410.99	STRS On 2000 Salaries
	3202	2,475.86	PERS On 2000 Salaries
	3301	27.97	
	3302	1,035.77	
	3401	196.08	
	3402	1,608.39	
	3501	1.05	State Unemploy On 1000 Salary
	3502	8.60	State Unemploy On 2000 Salary
	3601	37.78	Worker'S Comp Ins On 1000 Sal
	3602	307.83	Worker'S Comp Ins On 2000 Sal
	<b>Total Contributions</b>	<b>6,450.75</b>	
Fund 13	<b>SACS Object</b>	<b>Amount</b>	
	2200	140,519.83	Classified Support Salaries
	2300	33,938.19	Class Suprvsrs' & Admins' Sal
	2400	16,628.05	Clerical & Office Salaries
	<b>Total Labor</b>	<b>191,086.07</b>	
Fund 13	<b>SACS Object</b>	<b>Amount</b>	
	3202	33,262.78	PERS On 2000 Salaries
	3302	13,260.88	
	3402	14,735.99	
	3502	95.54	State Unemploy On 2000 Salary
	3602	3,425.26	Worker'S Comp Ins On 2000 Sal
	<b>Total Contributions</b>	<b>64,780.45</b>	

ESCAPE ONLINE



## **BUSINESS SERVICES MEMORANDUM**

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Assoc Supt of Business Services  
**DATE:** December 1, 2020  
**SUBJECT:** Approve Revolving Cash Fund Reports (October 2020)

**BACKGROUND:** Each month the Financial Services Department submits summaries of revolving cash fund checks issued monthly to the Board of Trustees for review.

**RATIONALE:** The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #6 – Forming Partnerships.

**FUNDING:** N/A.

**RECOMMENDATION:** Approve Revolving Cash Fund Reports (October 2020).

**Prepared by:** S. Reed Call, Director of Financial Services.

11/02/20

**TUSD**  
**REVOLVING CASH FUND**  
**October 2020**

Date	Num	Name	Memo	Paid Amount
10/06/2020	9675	UC Regents	PO21-01180	
			01-8150-0-0000-8110-4300-800-9502	-275.70
TOTAL				-275.70
10/13/2020	9676	CASEY WICHMAN	Overages report received late	
			01-0000-0-1110-1000-1101-706-8301	-544.70
TOTAL				-544.70
10/13/2020	9677	Family and Consumer Sciences	REQ21-01270 Corrina Holbrook CTE	
			01-3550-0-3800-1000-5800-600-2996	-50.00
TOTAL				-50.00
10/28/2020	9678	Center for Education & Employm...	Invoice # 07316760 REQ21-01329 Sean Brown	
			01-6500-0-5750-1110-5300-810-2542	-299.95
TOTAL				-299.95
10/30/2020	9679	DEPARTMENT OF MOTOR VEHIC...	PO21-00129 Fees	
			01-0723-0-1110-3600-5800-840-9702	-32.80
			01-0724-0-5750-3600-5800-840-9702	-49.20
TOTAL				-82.00
10/30/2020	9680	DEPARTMENT OF MOTOR VEHIC...	PO21-00129 Fees	
			01-0723-0-1110-3600-5800-840-9702	-32.80
			01-0724-0-5750-3600-5800-840-9702	-49.20
TOTAL				-82.00
10/30/2020	9681	DEPARTMENT OF MOTOR VEHIC...	PO21-00129 Fees	
			01-0723-0-1110-3600-5800-840-9702	-32.80
			01-0724-0-5750-3600-5800-840-9702	-49.20
TOTAL				-82.00
10/30/2020	9682	DEPARTMENT OF MOTOR VEHIC...	PO21-00129 Fees	
			01-0723-0-1110-3600-5800-840-9702	-32.80
			01-0724-0-5750-3600-5800-840-9702	-49.20
TOTAL				-82.00
10/30/2020	9683	CALIFORNIA HIGHWAY PATROL	PO21-00119 Fees	
			01-0723-0-1110-3600-5800-840-9702	-22.80
			01-0724-0-5750-3600-5800-840-9702	-34.20
TOTAL				-57.00

11/02/20

**TUSD**  
**REVOLVING CASH FUND**  
 October 2020

Date	Num	Name	Memo	Paid Amount
10/30/2020	9684	CALIFORNIA HIGHWAY PATROL	PO21-00119 Fees	
			01-0723-0-1110-3600-5800-840-9702	-22.80
			01-0724-0-5750-3600-5800-840-9702	-34.20
TOTAL				-57.00
10/30/2020	9685	CALIFORNIA HIGHWAY PATROL	PO21-00119 Fees	
			01-0723-0-1110-3600-5800-840-9702	-22.80
			01-0724-0-5750-3600-5800-840-9702	-34.20
TOTAL				-57.00
10/30/2020	9686	CALIFORNIA HIGHWAY PATROL	PO21-00119 Fees	
			01-0723-0-1110-3600-5800-840-9702	-22.80
			01-0724-0-5750-3600-5800-840-9702	-34.20
TOTAL				-57.00



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** November 19, 2020  
**SUBJECT:** **Approve Agreement for Special Contract Services with CalFresh Healthy Living, San Joaquin County Public Health, for the 2020-2021 School Year**

**BACKGROUND:** Tracy Unified School District (TUSD) and District's LCAP Parent Engagement goal supports the offerings of parenting classes and parent outreach workshops.

**RATIONALE:** There are many potential benefits to coordinating virtual parent outreach workshops at TUSD school sites. The San Joaquin County Public Health will provide CalFresh Healthy Living curricula that focuses on basic nutrition and mindfulness activities. This service aligns with TUSD's LCAP Goal 2) Provide a safe and equitable learning environment for all students and staff; Priority 3) Parent Engagement.

**FUNDING:** CalFresh Healthy Living, San Joaquin Public Health provides this service at no cost to the District.

**RECOMMENDATION:** Approve Agreement for Special Contract Services with CalFresh Healthy Living, San Joaquin Public Health, for the 2020-2021 School Year.

**Prepared by:** Dr. Deidre Hill-Valdivia, Coordinator of Prevention Services.

# TRACY UNIFIED SCHOOL DISTRICT

1875 W. Lowell Ave., Tracy, California 95376

## AGREEMENT FOR SPECIAL CONTRACT SERVICES

This agreement, by and between Tracy Unified School District, hereinafter referred to as "District," and CalFresh Healthy Living, San Joaquin County Public Health, hereinafter referred to as "Contractor," is for consultant or special services to be performed by a non-employee of the District. District and Contractor, herein named, do mutually agree to the following terms and conditions:

1. Contractor shall perform the following duties: To virtually engage parents in workshops that focus on basic nutrition and mindfulness activities for the 2020-21 school year.

Contractor shall do all work, attend all meetings, produce all reports and carry out all activities necessary for completion of the services described in this paragraph (1) AND OR [the attached hereto and incorporated herein by this reference as Exhibit "A".] This Agreement and its exhibits shall be known as the "Agreement Documents." Terms set forth in any Agreement Document shall be deemed to be incorporated in all Agreement Documents as if set forth in full therein. In the event of conflict between terms contained in these Agreement Documents, the more specific term shall control. If any portion of the Agreement Documents shall be in conflict with any other portion, provisions contained in the Agreement shall govern over conflicting provisions contained in the exhibits to the Agreement.

2. Contractor will provide the above services(s), as outlined in Paragraph 1, for a period of up to a total of 1-1.5 ( ) [X] HOURS [ ] DAYS, under the terms of this agreement at the following location All TUSD Schools.

3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:

- a. District shall pay \$0.00 per [X] HOUR [ ] DAY [ ] FLAT RATE, not to exceed a total of \$0.00. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.
- b. District [ ] SHALL [X] SHALL NOT reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals and lodging in the District, with rates not to exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed \$0.00 for the term of this agreement.
- c. District shall make payment on a [X] MONTHLY PROGRESS BASIS [ ] SINGLE PAYMENT UPON COMPLETION OF THE DUTIES and within thirty (30) working days from Contractor's presentation of a detailed invoice or on a claim form provided by District. Original paid receipts are required for lodging, air fare (passenger coupon or ticket stub), automobile rental, and parking. Claims for unusual expenses, such as teaching materials, photocopying, etc., must be accompanied by original paid invoices.

4. The terms of the agreement shall commence on July 1, 2020, and shall terminate on June 30, 2021.

5. This agreement may be terminated at any time during the term by either party upon 30 days' written notice of termination delivered by certified mail, return receipt requested.

6. Amendments, changes or modifications in the terms of this Agreement may only be made at any time by mutual written agreement between the parties hereto and shall be signed by the persons authorized to bind the parties hereto.
7. Contractor shall contact the District's designee, Deidre Hill-Valdivia, at (209) 830-3218 with any questions regarding performance of the services outlined above. District's designee shall determine if and when Contractor has completed the services described.
8. Contractor enters into this Agreement as an independent contractor and not as an employee of the District. The Contractor shall have no power or authority by this Agreement to bind the District in any respect except as provided herein. Nothing in this Agreement shall be construed to be inconsistent with this relationship or status. All employees, agents, contractors or subcontractors hired or retained by the Contractor are employees, agents, contractors or subcontractors of the Contractor and not of the District. The District shall not be obligated in any way to pay any wage claims or other claims made against Contractor by any such employees, agents, contractors or subcontractors, or any other person resulting from performance of this Agreement.
  - a. CONTRACTOR shall be required to provide proof (Certificate of Insurance) of comprehensive general liability insurance coverage in the amount of one million dollars (\$1,000,000.00) combined single limit per occurrence; two million dollars (\$2,000,000.00) general aggregate. A separate additional insured endorsement shall be provided to include the DISTRICT and its officers, officials, employees, agents and volunteers as additional insured in the policy. It is agreed that insurance coverage provided by CONTRACTOR herein is endorsed as primary and noncontributory to any similar insurance or self-insurance carried by DISTRICT. The DISTRICT reserves the right to adjust its insurance requirements as needed.
  - b. Contractor [ ☐ ] **WILL** [ ☒ ] **WILL NOT** have significant contact with students. If applicable, proof of professional liability insurance, to include one million dollars (\$1,000,000.00) per occurrence for Sexual Abuse/Molestation is also required. If applicable, CONTRACTOR will comply with the provisions of Education Code 45125 regarding the submission of fingerprints to the California Department of Justice and the completion of criminal background investigations of the CONTRACTOR and/or its employees.

Contractor agrees to hold harmless and to indemnify District for:

Any injury to person or property sustained by Contractor or by any person, firm or corporation employed directly or indirectly by the Contractor or by any of the individuals participating in or associated with him or her, however caused; and any injury to person or property sustained by any person, firm or corporation, caused by act, neglect, default or omission of Contractor, or any person, firm or corporation directly or indirectly employed by Contractor upon or in connection with this Agreement, or any of the participants arising out of or in the course of their term of this Agreement, and Contractor at his or her own cost, expense and risk, shall defend any and all actions, suits or other legal proceedings that may be instituted against District for any such claim or demand, and pay or satisfy any judgment that may be rendered against District in any such action, suit or legal proceedings or the result thereof. Nothing herein provided shall be construed to require Contractor to hold harmless or indemnify District for liability or damages resulting from the negligence or willful act or omission of District or its officers, agents or employees.

9. This Agreement is for the personal services of the Contractor and Contractor may not assign the performance of the services to any person or persons who are not parties to this Agreement except for employees of Contractor. None of the services covered by this Agreement shall be subcontracted without the prior written consent of the District, which will not be unreasonably withheld. Contractor shall be as fully responsible to the District for the negligent acts and omissions of its contractors and subcontractors, and of persons either directly or indirectly

employed by them, as it is for the negligent acts and omissions of persons directly employed by Contractor.

10. Contractor certifies that his or her current employer, if any, is fully cognizant of this Agreement and that payments hereunder are not in conflict with any federal, state, or local statutes, rules or regulations or with any policies of Contractor's current employer. Contractor covenants that neither it, nor any of its employees, agents, contractors or subcontractors has any interest, nor shall they acquire any interest, direct or indirect, in the subject of the Agreement, nor any other interest which would conflict in any manner or degree with the performance of its services hereunder. Contractor shall make all disclosures required by the District's conflict of interest code in accordance with the category designated by the District, unless the District determines in writing that Contractor's duties are more limited in scope than is warranted by the category designated by the District code and that a narrower disclosure category should apply. Contractor also agrees to make disclosure in compliance with the District conflict of interest code if, at any time after the execution of this Agreement, District determines and notifies Contractor in writing that Contractor's duties under this Agreement warrant greater disclosure by Contractor than was originally contemplated. Contractor shall make disclosures in the time, place and manner set forth in the conflict of interest code and as directed by the District.
11. District shall become the owner of, and entitled to, exclusive possession of all records, documents, graphs, photographic or other reproductions of any kind produced in the scope of services performed and no other uses thereof will be permitted except by permission of the District. Proprietary materials will be exempted from this clause.
12. Contractor shall keep itself fully informed of, shall observe and comply with, and shall cause any and all persons, firms or corporations employed by it or under its control to observe and comply with, applicable federal, state, county and municipal laws, ordinances, regulations, orders and decrees which in any manner affect those engaged or employed on the work described by this Agreement or the materials used or which in any way affect the conduct of the work.
13. Contractor shall not engage in unlawful employment discrimination. Such unlawful employment discrimination includes, but is not limited to, employment discrimination based upon a person's race, religious creed, color, national origin, ancestry, physical handicap, medical condition, marital status, gender, citizenship, or sexual orientation.
14. Contractor shall maintain and make available for inspection by the District and its auditors accurate records of all of its costs, disbursements and receipts with respect to any work under this Contract. Such inspections may be made during regular office hours at any time until six (6) months after the final payments under this Agreement are made to the Contractor.

#### AGREED:

\_\_\_\_\_  
Contractor Signature Title

\_\_\_\_\_  
IRS Identification Number

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_  
Tracy Unified School District

\_\_\_\_\_  
Date

\_\_\_\_\_  
Account Number to be Charged

\_\_\_\_\_  
Department/Site Approval

\_\_\_\_\_  
Budget Approval

\_\_\_\_\_  
Date Approved by the Board



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** November 18, 2020  
**SUBJECT:** Approve Revised TUSD Master Plan for Services to English Learners

**BACKGROUND:** The TUSD Master Plan for Services to English Learners provides the educational staff and community up to date information regarding the legal requirements for English learner programs. The plan explains and guides the placement, assessment, reclassification, and monitoring practices for English Learners. The last major revision to the district's EL Master Plan was in the fall of 2019. Due to school closure in Spring of 2020, many English learner students did not take or complete the English Language Proficiency Assessment for California (ELPAC) nor the California Assessment of Student Performance and Progress (CAASPP). Therefore, the reclassification process had to be revised to reflect that change. The revision is in Section IV: Annual Assessment and Reclassification page 8 of the EL Master plan. The District English Learner Advisory Committee (DELAC) has been informed about the revision to the Master Plan.

**RATIONALE:** The District Master Plan for Services to English Learners has undergone a revision to reflect changes in the reclassification process due to lack of state assessments. The revised plan needs to be approved by the local governing board. This request supports District Strategic Goal #1: Prepare all students to be well-rounded individuals with the knowledge and skills to pursue their college and/or career goals; and District Strategic Goal #2: Hire, support, develop, train, and sustain District employees who create a singleness of purpose focused on maximizing students' academic, social, and emotional potential.

**FUNDING:** There is no cost to the District.

**RECOMMENDATION:** Approve Revised TUSD Master Plan for Services to English Learners.

**Prepared by:** Julianna Stocking, Associate Superintendent of Educational Services.



## EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** November 10, 2020  
**SUBJECT:** **Approve all Out of State, Overnight, and Out of District Travel for Tracy High AG/FFA Teachers and Students for the 2020-2021 School Year**

**BACKGROUND:** Students and personnel of the Tracy High Agriculture Department and Future Farmers of America (FFA) travel yearly to numerous functions in order to receive training and in-service in the areas of Leadership and Education. Attached, on separate pages, please find the dates and functions recommended for approval.

**RATIONALE:** Learning for teachers and students goes beyond the classroom, and these types of activities motivate teachers and students to stay active in the learning process. They will be planning and making decisions for the coming school year. These activities align with Strategic Goal #1: Prepare all students to be well-rounded individuals with the knowledge and skills to pursue their college and/or career goals. Strategic Goal #2: Hire, support, develop, train, and sustain district employees who create a singleness of purpose focused on maximizing students' academic, social, and emotional potential, and Strategic Goal #3: Apply fiscal, operational and community resources to ensure a safe learning environment that supports staff and student goals.

**FUNDING:** Funding for the activities are District funds, Carl Perkins/VEA, Agriculture Incentive Grant, FFA Student Body Account, FFA Foundation. Fundraisers will be available to pay for those students who are unable to fund their own trip. District agriculture vehicles and District vehicles provide transportation, as well as District approved drivers.

**RECOMMENDATION:** Approve all Out of State, Overnight, and Out of District Travel for Tracy High AG/FFA Teachers and Students for the 2020-2021 School Year.

**Prepared by:** Mr. Jason Noll, Principal, Tracy High School.

# Tracy High School

## Agriculture Department/FFA Travel Schedule

### 2020-2021

<u>Date</u>	<u>Function</u>	<u>Funding</u>
1/3/21 thru May 21	Project Visits – observe student's work Various student homes (Teachers and students)	FFA-SBA FFA Foundation
Date-TBD (Sat)	Tracy Lions Club Crab Feed Tracy, CA (Teachers and Students)	N/C
1/8-9/21 (Fri-Sat)	Made for Excellence Leadership Seminar Sacramento, Ca (Out of district, overnight, teachers & students)	FFA-SBA Ag Incentive Grant ROP/CTE
1/8/21 Thru 4/30/21	Ag Proficiency Classes (Various days) MJC or Delta College (Out of district, teachers and students)	FFA-SBA Students
1/23/21 (Sat)	Reedley Mid-Winter Field Day Reedley, CA (Out of District, teachers and students)	FFA-SBA Students
1/19/21 (Tue)	FFA State Degree Scoring Interview Contest/Record Books Ripon, CA (Out of district, teachers and students)	FFA-SBA Ag District Funds
1/11-19/21 (Mon-Fri)	National Western Show Wichita Falls, Texas (Out of state/overnight, teachers and students)	Students ROP/CTE
1/30/21 (Sat)	FFA Crab Feed Elks Lodge Tracy, CA (Teachers, students and parents)	FFA Foundation

<u>Date</u>	<u>Function</u>	<u>Funding</u>
DATE-TBD (Sat)	Tracy Lions Cioppino Feed Tracy Portuguese Hall (Teachers, students and parents)	N/C
1/25/21 (Mon)	FFA Speech Contest/Regional Semi-Finals Linden, Ca (Out of district, teachers and students)	FFA-SBA ROP/CTE
1/30/21 (Sat)	Arbuckle Field Day Arbuckle, CA (Out of district, overnight, teachers and students)	FFA-SBA Students
2/10/21 (Wed)	Animal Buying for Fair Location – TBA (Out of District, teachers)	Students FFA-SBA ROP-CTE
2/8/2021 (Mon)	FFA Central Region Prof. Review Ripon, CA (Out of district, teachers and students)	FFA-SBA AG District Funds ROP-CTE
2/17/21 (Wed)	Learning about AG Field Day Ag Farm, Tracy High (Teachers and students)	FFA-SBA ROP/CTE
2/27/21 (Sat)	FFA/CATA Central Region Meeting Merced, CA (Out of district, teachers and students)	Ag District Funds
2/16/21 (Tue)	Feeder School Presentations Various Middles Schools Tracy, CA (Teachers and Students)	FFA-SBA Ag District Funds
2/23-26/21 (Tue-Fri)	Sacramento Leadership Experience Sacramento, CA (Out of district, overnight, teachers & students)	FFA-SBA Ag Incentive Grant ROP-CTE
3/2/21 (Tue)	State FFA Proficiency Scoring Galt, CA (Out of District, teachers and students)	FFA-SBA ROP/CTE

<u>Date</u>	<u>Function</u>	<u>Funding</u>
3/10/21 (Wed)	CATA Administrators Night Manteca, CA (Teachers and Admin.)	Ag Incentive Grant FFA- Foundation
3/4/21 (Thur)	FFA Sectional Parli-Pro Contest & Co-op Ripon, CA (Out of district, teachers and students)	FFA-SBA ROP/CTE
3/18/21 (Thur)	Field Trip UCDAVIS, Davis, CA (Out of district, teachers and students)	ROP/CTE Ag District Funds
3/9/21 (Tue)	FFA State Degree Ceremony Delta College Stockton, CA (Out of district, teachers and students)	FFA-SBA Students
3/17/21 (Wed)	National Day of AG Sacramento, CA (Out of district, teachers & students)	FFA-SBA ROP/CTE
3/13/21 (Sat)	Chico State Field Day Chico, CA (Out of district, overnighter, teachers, and students)	FFA-SBA Students
3/13/21 (Sat)	Merced Field Day Merced, CA (Out of district, teachers and students)	FFA-SBA Students
3/18-23/21 (Thur-Tue)	FFA State Leadership Conference Sacramento, CA (Out of district, overnigh, teachers and students)	FFA-SBA Students ROP/CTE FFA Foundation
3/27/21 (Sat)	Modesto JC Field Day Modesto, CA (Out of district, teachers and students)	FFA-SBA Students
3/26/21 (Fri)	Regional Parli-Pro Contest MJC Modesto, CA (Out of district, teachers and students)	FFA-SBA ROP/CTE

<u>Date</u>	<u>Function</u>	<u>Funding</u>
4/2/21 (Fri)	UC Davis Veterinary Medicine Ed. Day Davis, CA (Out of district, teachers and students)	FFA-SBA ROP/CTE
4/3/21 (Sat)	Plymouth Steer Show Plymouth, CA (Out of district, teachers and students)	FFA-SBA
4/3/21 (Sat)	Reedley Field Day Reedley, CA (Out of district, teachers, and students)	FFA-SBA
4/3/21 (Sat)	Consumnes River College Field Day Consumnes River, CA (Out of district, teachers and students)	FFA-SBA
4/7/21 (Wed)	Cuesta "AG Fair Mountain House, CA (Out of District, teachers and students)	FFA-SBA Students
4/21/21 (Wed)	Central Reg. FFA Speech Finals MJC Modesto, CA (Out of District, teachers and students)	FFA-SBA ROP/CTE
4/17/21 (Sat)	Fresno Field Day Fresno, CA (Out of district, teachers and students)	FFA-SBA
4/30-5/3/21 (Fri – Sun)	FFA State Finals San Luis Obispo, CA (Out of district, overnight, teachers & students)	FFA-SBA Students FFA Foundation ROP/CTE
5/6/21 (Thur)	FFA End of Year Banquet Tracy, CA (Students, teachers and parents)	FFA-SBA FFA Foundation
5/11/21 (Tue)	Delta-Cal Sectional Meeting/FFA Officer Election Delta College Stockton, CA (Out of district, teachers and students)	FFA-SBA

<u>Date</u>	<u>Function</u>	<u>Funding</u>
6/3/21 (Thur)	FFA Point Awards Trip Great America or Marine World (Out of district, teachers and students)	FFA-SBA FFA Foundation
6/28-29/21 (Mon-Tue)	FFA Officer Leadership Retreat Location -TBD (Out of District, overnight, teachers and students)	FFA-SBA FFA Foundation
6/12-21/21 (Sat-Sun)	AG Fest/S.J. County Fair Stockton, CA (Out of District, teachers and students)	FFA-SBA FFA Foundation
6/20-26/21 (Sun-Thurs)	Calif. Ag. Teachers State Conference San Luis Obispo, CA (Out of District, overnight, teachers only)	Ag District Funds ROP/CTE AG Incentive Grant

**\*\*\*Due to the Sectional, Regional and State CATA committees, and COVID restrictions, these dates and locations may change.**



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Tammy Jalique, Associate Superintendent of Human Resources  
**DATE:** December 3, 2020  
**SUBJECT:** Accept Resignations/Retirements/Leave of Absences for Classified, Certificated, and/or Management Employment

**BACKGROUND:**

**MANAGEMENT/CLASSIFIED  
CONFIDENTIAL RESIGNATION**

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Ensor, Donna H.S. Business Manager	Kimball High	11/1/2020	Accepted District H.S. Business Manager position
Flaig, Bryan Coordinator of Stem	DSC	12/31/20	Personal

**BACKGROUND:**

**CERTIFICATED RETIREMENTS**

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Robins, Auddie Lavonna Special Education, RSP	Tracy High	12/30/20	Retirement

**BACKGROUND:**

**CLASSIFIED RETIREMENTS**

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Guerrero, Diane Special Ed Para I	Villa	11/9/2020	Retirement
Jimenez, Ricky School Security Person	MOT	12/14/2020	Retirement

Lambertson, Linda Para Educator I	North	12/31/2020	Retirement
Ponce-Medina, Juanita Para Educator I	Williams	12/1/2020	Retirement
Seybold, Douglas Irrigation Specialist/Bus Driver/ Custodian	MOT	12/1/2020	Retirement

**BACKGROUND:**

**CLASSIFIED RESIGNATION**

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Alfaro, Carmen School Supervision Assistant	Central	11/4/2020	Personal
Alvarez, Guadalupe Bus Driver	Transportation	12/18/2020	Personal
Cebreros, Gabriela IEP Para Educator I	Villa	11/30/2020	Deceased
Chartier, Devin IEP Para Educator I	Stein	12/1/2020	Accepted Para Ed II position
Ciraulo, Alyssa Secretary to the Director of Special Ed	Special Ed	11/28/2020	Personal
Cull, Elizabeth Para Educator I	Kelly	12/1/2020	Accepted Clerk Typist I position
Grotle, Veronica Parent Liaison	North	11/7/2020	Personal
Hernandez, Julia Food Service Worker	Monte Vista	11/17/2020	Personal
Jorgenson, Tandi Special Ed Para I	Villa	11/7/2020	Personal
Molina, Elidia Bus Driver	McKinley	11/30/2020	Personal
Montano, David Utility Person III	MOT	11/23/2020	Accepted Irrigation Specialist/Bus Driver/ Custodian position

Munoz, Lidia Food Service Worker	West High	11/17/2020	Personal
Porritt, Jennifer School Supervision Assistant	Kelly	11/11/2020	Personal
Pulkownik, Adam Para Educator I	Williams	1/1/2021	Personal
Reddick, Linda Para Educator I	Jacobson	11/17/2020	Personal
Strasburg, Rebecca Food Service Worker	Villa	11/17/2020	Personal
Sucrese, Melissa Food Service Worker II	Tracy High	12/2/2020	Accepted Food Service Supervisor position
Sundar, Nicholas ISET Technician II	ISET	11/25/2020	Accepted ISET Technician III position
Sua, Janell Special Ed Para I	Tracy High	11/19/2020	Personal
Willner, William H.S. Custodian Supervisor	MOT	11/6/2020	Deceased

**RECOMMENDATION:** Accept Resignations/Retirements/Leave of Absence for Classified, Certificated, and/or Management Employment.

**Prepared by:** Tammy Jalique, Associate Superintendent for Human Resources



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Tammy Jalique, Associate Superintendent of Human Resources  
**DATE:** December 3, 2020  
**SUBJECT:** Approve Classified, Certificated, and/or Management Employment

**BACKGROUND:**

Ensor, Donna

**MANAGEMENT/CLASSIFIED  
CONFIDENTIAL**

District H.S. Business Manager (New)  
District Education Center  
Range 15, Step E - \$35.79 per hour  
8 hours per day  
Fund: General Fund

**BACKGROUND:**

Acierto, Russell

**CLASSIFIED**

ISSET Technician Level I (Replacement)  
ISSET  
Range 53, Step C - \$33.65 per hour  
8 hours per day  
Fund: General Fund

Chartier, Devin

Para Educator II (Replacement)  
Stein High  
Range 30, Step E - \$20.56 per hour  
6 hours per day  
Fund: Sped Idea Bas Grnt Entl

Cull, Elizabeth

Clerk Typist I (Replacement)  
George Kelly  
Range 23, Step E - \$18.31 per hour  
4 hours per day  
Fund: General Fund

Guerrero, Alejandro	Warehouse Delivery Driver (Replacement) District Service Center Range 35, Step A - \$20.10 per hour 8 hours per day Fund: General Fund
Hutchison, Lori	Food Service Worker I (Replacement) Tracy High Range 22, Step E - \$17.87 per hour 3 hours per day Fund: Child Nutrition- School Program
Montano, David	Irrigation Specialist/Bus Driver/Custodian (Replacement) Range 38, Step D - \$24.79 per hour 8 hours per day Fund: Special Ed Transportation and Ongoing and Major Maintenance
Quintor, Patricia	Special Ed Para Educator I (Replacement) McKinley Range 24, Step A - \$15.56 per hour 6 hours per day Fund: Special Education
Sucrese, Melissa	Food Service Supervisor (Replacement) Tracy High Range 34, Step A - \$19.59 per hour 8 hours per day Fund: Child Nutrition – School Program
Sundar, Nicholas	ISSET Technician Level III (New) ISSET Range 58, Step E - \$41.72 per hour 8 hours per day Fund: General Fund
Vasquez Perez, Rafael	Utility Person II (Replacement) MOT/West High Range 35, Step C - \$22.06 per hour 8 hours per day Fund: General Fund and Child Nutrition– School Program

## **BACKGROUND**

Anastasio, Jillian

## **COACHES**

Volleyball – Soph  
West High  
Stipend: 4,843.58

Andrews, Garrett	Football – Soph Asst West High Stipend: \$4,843.58
Durant, Tyler	Football – Frosh Asst West High Stipend: \$4,843.58
Field, Mischelle	Tennis – Head Tracy High Stipend: \$4,034.50
Gallardo, Roger	Baseball – Varsity Kimball High Stipend: \$6,051.75
Hayley, Chris (Interim)	Basketball Frosh Boys' Kimball High Stipend: \$4,034.50
Heinen, Casey	Swimming – Varsity Kimball High Stipend: 5,248.13
Kenney, Paulette	Volleyball – Varsity Boys' West High Stipend: \$6,051.75
Musleh, Omar	Football – Head Soph West High Stipend: \$6,051.75
Norwood, Corey	Football – Varsity Asst Kimball High \$5,248.13
Rhinehart, Mackenzie	Pep Squad – Asst Advisor Tracy High Stipend: 2,421.79
Romo, Tristan	Football – Head Frosh West High Stipend: \$5,652.67
Sanchez, Taryn	Pep Squad – Asst Advisor Kimball High Stipend: 2,421.79
Tailes, Armando	Golf Girls' West High Stipend: \$4,034.50

Toon, Megan	Volleyball – Varsity Girls’ West High Stipend: \$6,051.75
Vega, Victor	Football – Frosh Asst Kimball High Stipend: \$4,843.58
Vega, Victor	Track – Asst Coach Kimball High Stipend: \$4,843.58
Villa, Abel	Track – Varsity Asst Kimball High Stipend: \$4,843.58
Waters, Cassidy	Water Polo – Varsity West High Stipend: \$6,051.75
Wichman, Casey (Interim)	Golf – Girls’ West High Stipend: \$4,034.50

**RECOMMENDATION:** Approve Classified, Certificated and/or Management Employment

**Prepared by:** Tammy Jalique, Associate Superintendent of Human Resources



## HUMAN RESOURCES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Tammy Jalique, Associate Superintendent for Human Resources  
**DATE:** December 10, 2020  
**SUBJECT:** Approve Declaration for a Provisional Internship Permit

**BACKGROUND:** In response to the phasing out of emergency permits, the California Commission on Teacher Credentialing has instituted the use of the Provisional Internship Permit (PIP) effective July 1, 2005. It allows an employing agency to fill staffing needs by hiring individuals who have not yet met the subject matter competence requirement for an internship program. This permit can only be requested by the employing agency. The permits are issued for one year and service is restricted to that employing agency. Due to COVID-19 and the Executive Order signed by Governor Newsom this allows the Basic Skills Requirement to be deferred for one (1) year.

**RATIONALE:** The Provisional Internship Permit allows the employing agency to fill staffing needs by hiring individuals who have not yet met the subject matter competence requirement for an internship program. This agenda item meets District Goal #2: Hire, support, develop, train and sustain district employees who create a singleness of purpose focused on maximizing students' academic, social, and emotional potential.

**FUNDING:** There is no cost to the District

**RECOMMENDATION:** Approve Declaration for a Provisional Internship Permit.

**Prepared by:** Tammy Jalique, Associate Superintendent of Human Resources.

**BEFORE THE BOARD OF TRUSTEES  
TRACY UNIFIED SCHOOL DISTRICT  
COUNTY OF SAN JOAQUIN  
STATE OF CALIFORNIA**

**DECLARATION**

The Governing Board of Tracy Unified School District declares that the District has elected to employ the following teacher under a Provisional Internship Permit. The individual will be provided orientation, guidance and assistance during the valid period of the permit. She will also be provided assistance to seek and enroll in subject matter training, if necessary, in an effort to pass the subject matter competency exam. Once the exam is passed, she will be eligible for an Intern Permit.

Moises Alvarez; John C. Kimball High School; Math; 9<sup>th</sup>-12<sup>th</sup> Grades

**AYES:**

**NOES:**

**ABSTAIN:**

**ABSENT:**

\_\_\_\_\_  
Board President

Date: \_\_\_\_\_

**ATTEST:**

\_\_\_\_\_  
Board Vice President

Date: \_\_\_\_\_



## BUSINESS SERVICES MEMORANDUM

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Dr. Rob Pecot, Associate Superintendent for Business Services  
**DATE:** November 17, 2020  
**SUBJECT:** Certify 2020-2021 Fiscal Year First Interim Report

**BACKGROUND:** Education Code sections 42130 and 42131 require that the superintendent of each school district shall submit two reports to the governing board of the district during each fiscal year. The first report shall cover the financial and budgetary status of the district for the period ending October 31. The second report shall cover the period ending January 31. Both reports shall be approved by the district governing board no later than 45 days after the close of the period being reported. All reports required by this subdivision shall be in a format or on forms prescribed by the Superintendent of Public Instruction and shall be based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to Section 33127. The reports, and supporting data, shall be maintained and made available by the school district for public review.

The governing board of each school district shall certify, in writing, within 45 days after the close of the period being reported, whether or not the school district is able to meet its financial obligations for the remainder of the fiscal year and, based on current projections for the subsequent two fiscal years.

In addition, to the AB1200 oversight responsibilities generated in 1992, additional oversight responsibilities were added in 2004 with AB2756 requiring the San Joaquin County Office of Education and the Tracy Unified School District board review the assumptions supporting the multiple year projections. These two levels of review are included with the First Interim Report document.

Labor negotiations have been completed for all bargaining units, with a zero percent increase to all salary schedules and status quo on the district health insurance cap contribution. Based on current assumptions, the First Interim Report confirms a positive certification in which the district will be able to meet current obligations for the current and two subsequent fiscal years.

**FUNDING:** The first interim report generates no cost. It is merely a reporting of all projected revenues and expenses in the current and next two fiscal years. This report and the

actions required to implement the changes will ensure the district is able to meet its financial obligations for the remainder of the fiscal year and, based on current projections, for the subsequent two fiscal years.

**RECOMMENDATION:** Certify 2020-2021 Fiscal Year First Interim Report.

**Prepared by:** Dr. Rob Pecot, Associate Superintendent for Business Services.



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** November 23, 2020  
**SUBJECT:** **Approve the District's Budget Overview for Parents for the 2020-2021 School Year**

**BACKGROUND:** California Education Code (EC) Section 52064.1 requires each school district, County Office of Education (COE), and charter school (LEA) to develop the Local Control Funding Formula (LCFF) Budget Overview for Parents in conjunction with the LCAP by July 1 of each year. However, due to the COVID-19 pandemic, these requirements have been amended in SB 98, which now establishes that the Local Control and Accountability Plan (LCAP) and the annual update to the LCAP are not required for the 2020–21 school year. SB 98 supersedes the requirement to develop and adopt an LCAP by December 15, 2020, which was established by Executive Order N-56-20, and published in April 2020. The LCAP has been replaced by the Learning Continuity and Attendance Plan (LCP) for the 2020-2021 school year. In addition, Senate Bill (SB) 98 added EC Section 43509, which changed the adoption date for the Budget Overview for Parents for the 2020–21 school year. For the 2020–21 school year, local Governing Boards or governing bodies are now required to adopt and submit the Budget Overview for Parents on or before December 15, 2020, in conjunction with the LEA's First Interim Budget Report. The District Budget Overview for Parents requires LEA Governing Board approval, and is submitted in conjunction with the District's First Interim Budget Report, which also requires Governing Board approval.

**RATIONALE:** The purpose of the Budget Overview for Parents is to provide fiscal transparency to parents and all other stakeholders. The Budget Overview for Parents is required to contain the following information: The total projected General Fund revenue for the current school year as of the date of the First Interim Report, with the funds broken out as follows:

- The LCFF revenue
- The LCFF supplemental and concentration grants
- All other state funds
- All local funds
- All federal funds
- Federal CARES funds

The Statute then requires: *To the greatest extent practicable, the Budget Overview for Parents should use language that is understandable and accessible to parents and all other stakeholders.* This Agenda Item supports District Strategic Goal #3: Apply fiscal, operational and community resources to ensure a safe learning environment that supports staff and student goals.

**FUNDING:** There is no cost to the District.

**RECOMMENDATION:** Approve the District's Budget Overview for Parents for the 2020-2021 School Year.

**Prepared by:** Tania Salinas, Director of Continuous Improvement, State & Federal Programs.

# LCFF Budget Overview for Parents

Local Educational Agency (LEA) Name: Tracy USD

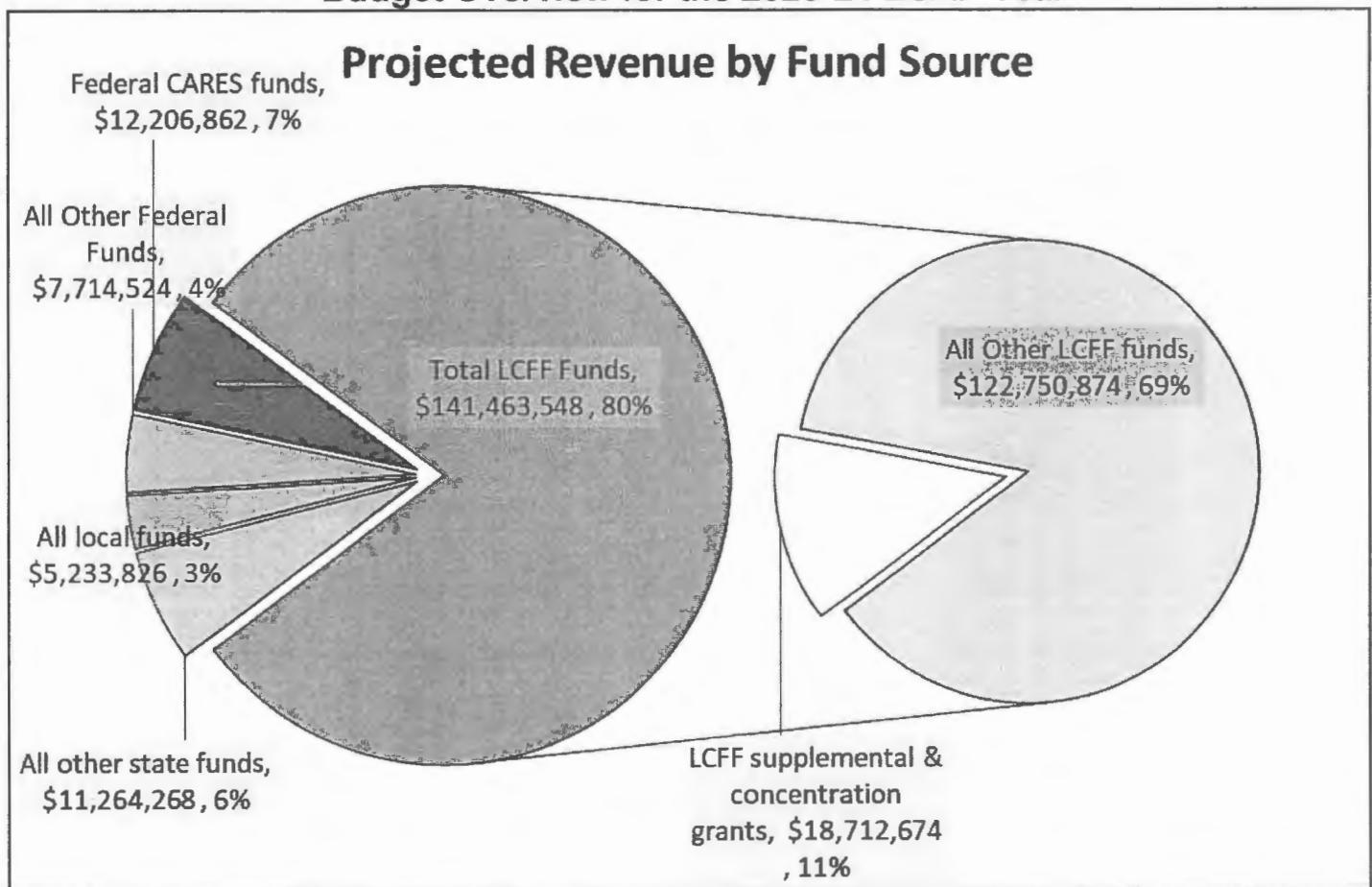
CDS Code: 39754990000000

School Year: 2020-2021

LEA contact information: Tania Salinas, Director of Continuous Improvement, State and Federal Programs

School districts receive funding from different sources: state funds under the Local Control Funding Formula (LCFF), other state funds, local funds, and federal funds. LCFF funds include a base level of funding for all LEAs and extra funding - called "supplemental and concentration" grants - to LEAs based on the enrollment of high needs students (foster youth, English learners, and low-income students).

## Budget Overview for the 2020-21 LCAP Year

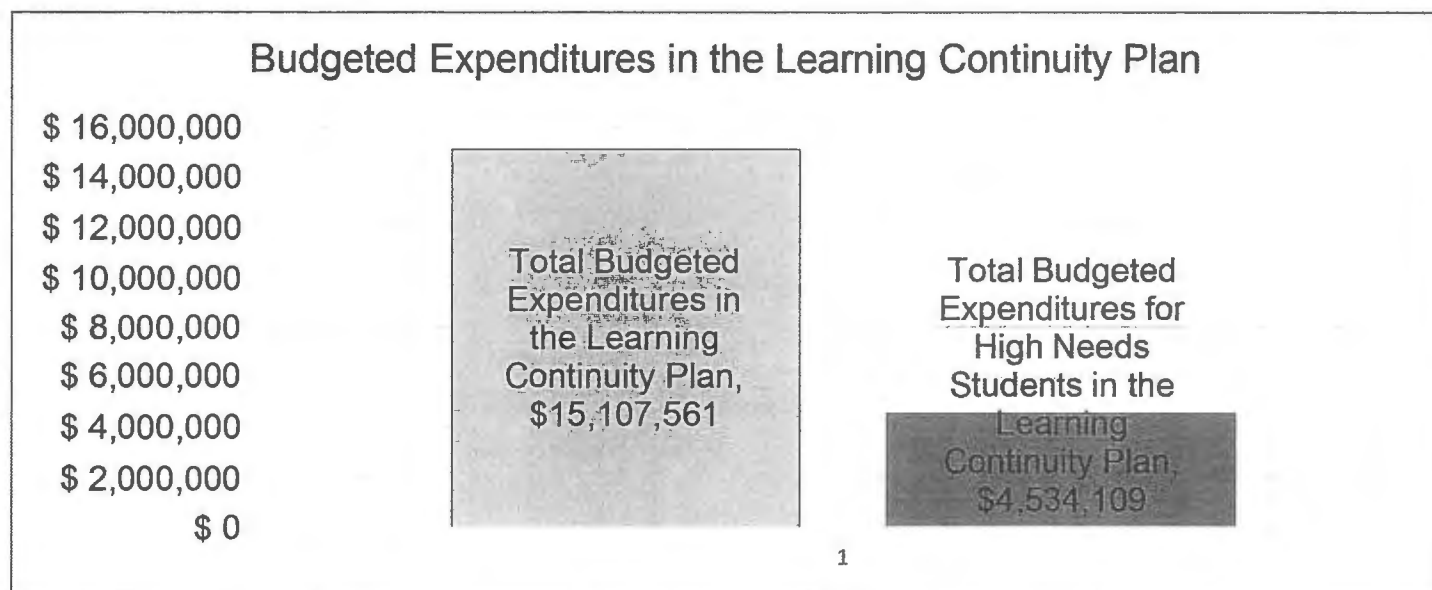


This chart shows the total general purpose revenue Tracy USD expects to receive in the coming year from all sources.

The total revenue projected for Tracy USD is \$177,883,028, of which \$141,463,548 is Local Control Funding Formula (LCFF), \$11,264,268 is other state funds, \$5,233,826 is local funds, and \$19,921,386 is federal funds. Of the \$19,921,386 in federal funds, \$12,206,862 are federal CARES Act funds. Of the \$141,463,548 in LCFF Funds, \$18,712,674 is generated based on the enrollment of high needs students (foster youth, English learner, and low-income students).

## LCFF Budget Overview for Parents

For the 2020-21 school year school districts must work with parents, educators, students, and the community to develop a Learning Continuity and Attendance Plan (Learning Continuity Plan). The Learning Continuity Plan replaces the Local Control and Accountability Plan (LCAP) for the 2020–21 school year and provides school districts with the opportunity to describe how they are planning to provide a high-quality education, social-emotional supports, and nutrition to their students during the COVID-19 pandemic.



This chart provides a quick summary of how much Tracy USD plans to spend for planned actions and services in the Learning Continuity Plan for 2020-2021 and how much of the total is tied to increasing or improving services for high needs students.

Tracy USD plans to spend \$185,456,230.00 for the 2020-21 school year. Of that amount, \$15,107,561.00 is tied to actions/services in the Learning Continuity Plan and \$170,348,669 is not included in the Learning Continuity Plan. The budgeted expenditures that are not included in the Learning Continuity Plan will be used for the following:

Expenditures not included in the Learning Continuity Plan include: health services, administrative services such as fiscal, personnel and operations including maintenance, facilities, security and transportation.

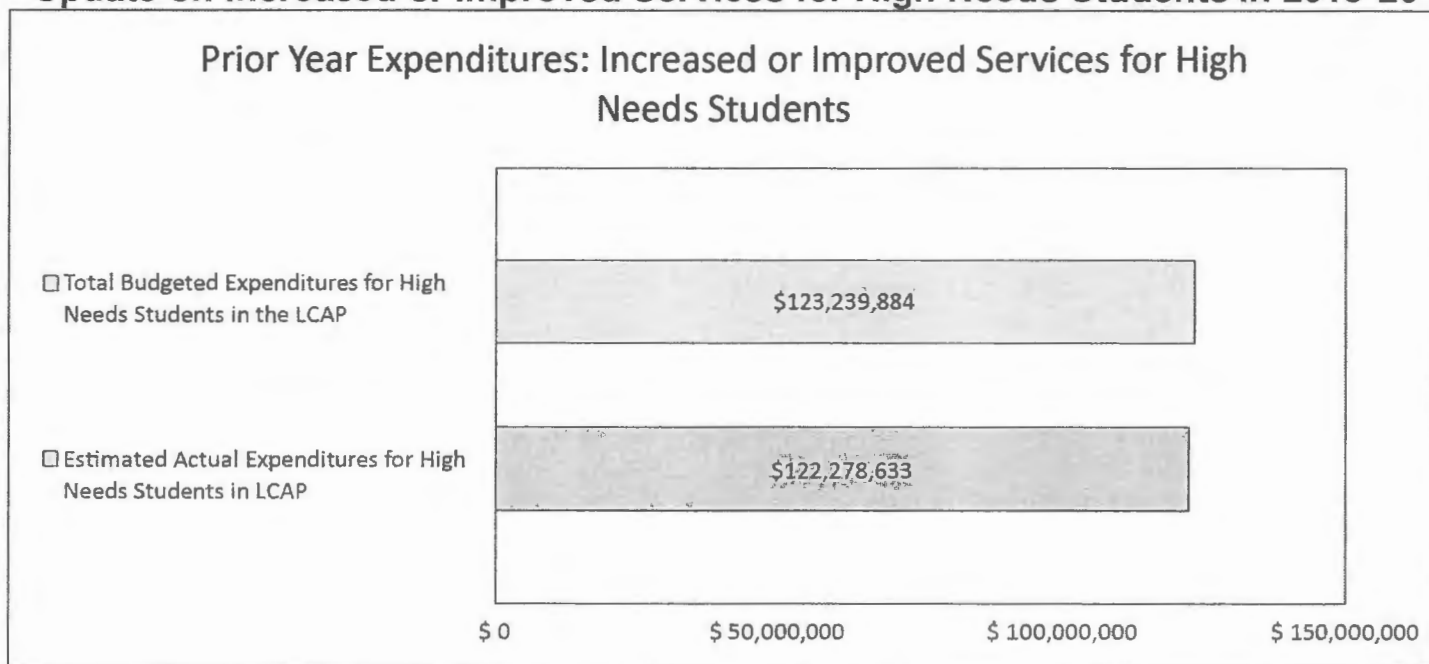
### Increased or Improved Services for High Needs Students in the Learning Continuity Plan for the 2020-2021 School Year

In 2020-21, Tracy USD is projecting it will receive \$18,712,674 based on the enrollment of foster youth, English learner, and low-income students. Tracy USD must describe how it intends to increase or improve services for high needs students in the Learning Continuity Plan. Tracy USD plans to spend \$4,534,109.00 towards meeting this requirement, as described in the Learning Continuity Plan.

TUSD has increased mental health services available for students, provided laptops and hot spots for all students, hosted Bridge Summer Program, Newcomer Language Academy and Credit Recovery Summer School options for at risk students.

# LCFF Budget Overview for Parents

## Update on Increased or Improved Services for High Needs Students in 2019-20



This chart compares what Tracy USD budgeted in the 2019-20 LCAP for actions and services that contributed to increasing or improving services for high needs students with what Tracy USD actually spent on actions and services that contributed to increasing or improving services for high needs students in the 2019-20 school year.

In 2019-20, Tracy USD's LCAP budgeted \$123,239,884.00 for planned actions to increase or improve services for high needs students. Tracy USD actually spent \$122,278,633.00 for actions to increase or improve services for high needs students in 2019-20.

The difference impacted the actions of which the amount of projected staff was less due to declining enrollment and less staff development opportunities. Due to Covid-19 and physical school closure not all projected staff development activities took place.



# EDUCATIONAL SERVICES

## MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Assoc Supt of Ed Services  
**DATE:** December 4, 2020  
**SUBJECT:** Approve Revision of the Tracy Unified Mathematics Placement Policy for Student Placement into Seventh and Ninth Grade Math Courses

**BACKGROUND:** The California Mathematics Placement Act of 2015 (SB359) requires school districts that serve students entering grade nine to adopt a fair, objective and transparent mathematics policy that uses multiple measures to appropriately place students in math courses upon entering high school. Appropriate placement increases students' chances of being competitive for college admissions and careers in the fields of science, technology, engineering, and mathematics (STEM). Tracy Unified is currently creating a *Leadership of STEM: The PreK-12 STEM Pathway*, a multi-disciplinary STEM project-based curriculum that is engineering- and computer science-centered. It ensures that every TUSD student has a STEM learning trajectory that progresses through elementary, middle, and high school. Moreover, STEM in TUSD will increase the number of underrepresented students (girls, students of color, and low-income students) engaged in STEM learning. Accurate placement in ninth grade mathematics will further increase access to STEM-related careers for our most underrepresented students.

**RATIONALE:** Success in Algebra I is crucial to students' overall academic success, their continued interest and engagement in mathematics, and the likelihood of their meeting California's a-g requirements. Enrollment into remedial math courses (Algebra Readiness, Algebra A/B two-year pathway) decreases the likelihood that a student will graduate from college and profoundly affects students' self-confidence and math success in high school. Tracy Unified is recommending updates to the current District Mathematics Placement Policy to ensure that students are not decelerated in mathematics due to the COVID-19 pandemic. The following Mathematics Policy updates are recommended to ensure accurate student math placement:

- Replace the CAASPP scores (currently suspended by the state) with FastBridge (a computer adaptive skills-based assessment that measures students' readiness).
- Adjust cutoff scores to reflect COVID-19 instructional minutes.
- Principals of eighth-grade students will be responsible for finalizing student placement recommendations as a part of a fair, objective, and transparent process.
- Continue to revisit student math placement in the spring 2021 & again in the fall of 2021 in compliance with the California Mathematics Placement Act of 2015.

**FUNDING:** There are no funds required.

**RECOMMENDATION:** Approve Revision of the Tracy Unified Mathematics Placement Policy for Student Placement into Seventh and Ninth Grade Math Courses.

**Prepared by:** Mrs. Melissa Beattie, Director of Professional Learning and Curriculum.



# EDUCATIONAL SERVICES

## TUSD Mathematics Placement Policy

### Philosophy

All students can learn mathematics at high levels in TUSD through a rigorous curriculum, strong instructional support, and intervention when needed.

### Rationale

Tracy Unified placement guidelines provide “a fair, objective, and transparent mathematics placement policy” for students entering 7th grade and 9th grade (California Mathematics Placement Act of 2015). District placement guidelines include FastBridge aMath Assessment scores, Mathematics Diagnostic Testing Project (MDTP) scores, standards-aligned common assessments, and mathematics grades. The policy serves to close the opportunity gap by ensuring appropriate mathematics placement for every student, which increases students’ chances of graduating from high school and being competitive for college admissions. –see the California Mathematics Placement Act of 2015 for more information

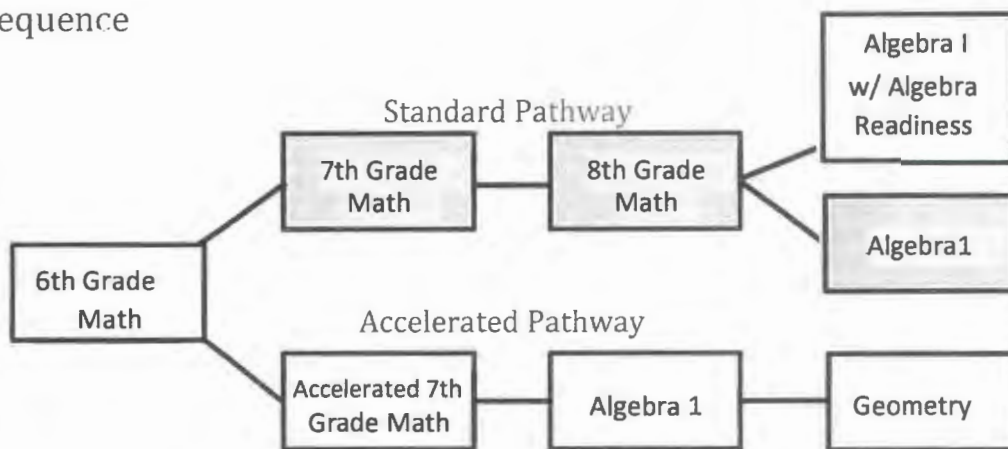
### Math Courses

Course Title	Course
Algebra 1 <i>(meets a-g math requirement *)</i> with Algebra Readiness Class <i>(math credit; meets graduation requirements)</i>	Algebra 1 with Algebra Readiness is a dual period class and is designed to provide students with an additional period of math to assist students in successfully completing the Algebra requirement for high school graduation.  The Algebra Readiness class emphasizes the foundational skills students need to be successful in Algebra I: student discourse, visual representations, and relational understandings. Topics covered include integers, equations, fractions, the coordinate system, and linear equations.
Algebra I <i>(meets a-g* math requirement)</i>	Algebra 1 is designed to provide for a full year of fundamentals in Algebra. Topics covered include integers, expressions, equations, inequalities, functions, sequences, linear equations, linear inequalities, systems, statistics, polynomials, quadratics, and exponential functions.
Geometry <i>(meets a-g* math requirement)</i>	Geometry is designed to provide for a full year of fundamentals in Geometry. Topics covered include constructions, transformation, congruence, triangles, proof, quadrilaterals, statistics, probability, similarity, trigonometry, solids, and circles.

**\*a-g are the UC admission requirements. More information can be found [here](#).**

pg. 1

## Course Sequence



## Course Placement Criteria

Student's Current Grade Level	Course Placement		
	Students must meet <u>two of the three</u> criteria. Exceptions will be approved by site principal.		
	Standard Pathway		Accelerated Pathway
GRADE 6	<b>7<sup>th</sup> Grade Math</b> <ul style="list-style-type: none"> <li>6<sup>th</sup> Grade Completion</li> </ul>		<b>Accelerated 7<sup>th</sup> Grade Math</b> <ul style="list-style-type: none"> <li><b>Grade:</b> 6<sup>th</sup> Grade Math, A or B</li> <li><b>FastBridge aMath:</b> scale score above 236 administered in spring</li> <li><b>MDTP:</b> 60%+ on the Preparedness for 7<sup>th</sup> Grade Mathematics MDTP administered in the spring</li> </ul>
GRADE 7	<b>8<sup>th</sup> Grade Math</b> <ul style="list-style-type: none"> <li>7<sup>th</sup> Grade Completion</li> </ul>		<b>Algebra 1</b> <ul style="list-style-type: none"> <li><b>Grade:</b> Accel. 7<sup>th</sup>, C or better</li> <li><b>FastBridge aMath:</b> scale score above 215 administered in the fall</li> <li><b>MDTP:</b> 60%+ on the Algebra 1/Integrated Math 1 Readiness MDTP administered in the fall</li> </ul>
GRADE 8	<b>Algebra I with Algebra Readiness</b> <i>(meets a-g)</i> <ul style="list-style-type: none"> <li><b>8<sup>th</sup> grade math grade:</b> F or D</li> <li><b>FastBridge aMath:</b> scale score below 218 administered in the fall</li> <li><b>MDTP:</b> 0%-39.9% on the Algebra 1/Integrated Math 1 Readiness MDTP administered in the fall</li> </ul>	<b>Algebra 1</b> <i>(meets a-g)</i> <ul style="list-style-type: none"> <li><b>8<sup>th</sup> grade math grade:</b> C or better</li> <li><b>FastBridge aMath:</b> scale score above 218 administered in the fall</li> <li><b>MDTP:</b> 40%+ on the Algebra 1/Integrated Math 1 Readiness MDTP administered in the fall</li> </ul>	<b>Geometry</b> <i>(meets a-g)</i> <ul style="list-style-type: none"> <li><b>Grade:</b> Algebra I, C or better</li> <li><b>FastBridge aMath:</b> scale score above 230 administered in the fall</li> <li><b>MDTP:</b> 60%+ on the Geometry Readiness MDTP administered in the fall</li> </ul>

## Placement Checkpoint

At least one placement checkpoint will occur within the first month of the school year to ensure accurate placement and to permit reevaluation of individual student progress as stated in the Mathematics Placement Act of 2015.



## EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** December 1, 2020  
**SUBJECT:** Approve SELPA Local Plan for the 2020-2021 School Year

**BACKGROUND:** Under the trailer bill language of the adopted budget in 2018 AB 1808, the governor required all Special Education Local Plan Areas (SELPAs) develop a local plan that conformed to a template to be provided by the CDE. The template was intended to provide the public with a format that would be uniform across the state. The timeline included local approval and submission to the California Department of Education by June 30, 2020.

A local plan committee was formed in the San Joaquin County SELPA including a cross representation of special education and general education educator and administrators along with parent representation. The local plan in the new format was developed, reviewed, and recommended with all required sections.

**RATIONALE:** The local plan has been reviewed at Council of Directors and the Community Advisory Committee. These meetings fall under the Brown Act and the public was provided the opportunity to participate and comment. The local plan was brought forward for approval by the Governance Council on June 1, 2020. The Governance council unanimously approved

**SUBSTANTIVE CHANGES:** San Joaquin County SELPA was last developed 2006. Compatibility of Local Plan and Local Control Accountability Plan for template uniformity. District, SELPA and COE requirements to post Local Plan on websites to share 3-year review of Local Plan. CAC reviewed plan (Section B) for input for 30 days prior to Governance Council Approval. Section B provided to CAC for input and review on April 10, 2020; no new single District SELPA can be created until after June 30, 2024.

**RECOMMENDATION:** Approve SELPA Local Plan for the 2020-2021 School Year.

**Prepared by:** Mr. Sean Brown, Director of Special Education.

**SELPA**

**Fiscal Year**

### Certification 5: Participating Local Educational Agency

The SELPA shall include a signed copy of the following local educational agency (LEA) certification for each participating agency when submitting the original, or revised local plan Governance and Administration (Section B).

LEA

The LEA certifies the SELPA local plan has been adopted by the LEA/county local governing board(s) and is the basis for the operation and administration of special education programs. The LEA will meet all applicable requirements of special education state and federal laws and regulations, and state policies and procedures. Be it further resolved, the LEA superintendent shall administer the local implementation of policies, procedures, and practices in accordance with special education state and federal laws, rules, and regulations, which will ensure full compliance. The Superintendent certifies the LEA is participating in a:

☐ Single LEA SELPA    ☒ Multi-LEA SELPA

This Governance and Administration was:

Adopted on the  day of ,   
 Yeas  Nays

The superintendent, or chief administrator of the LEA ensures the current local plan: Governance and Administration (Section B), Annual Budget Plan (Section D), and Annual Services Plan (Section E), including updates or revisions to Sections B, D, E, and/or Attachments, is posted on the LEA web site, is on file at each LEA, and is available to any interested party.

Web address where the SELPA local plan, including all sections, is posted.

LEA Superintendent/Chief Administrator

Date



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian R. Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** November 30, 2020  
**SUBJECT:** Approve the Tracy Independent Study Charter School (TISCS) Budget Overview for Parents for the 2020-2021 School Year

**BACKGROUND:** California Education Code (EC) Section 52064.1 requires each school district, County Office of Education (COE), and charter school (LEA) to develop the Local Control Funding Formula (LCFF) Budget Overview for Parents in conjunction with the LCAP by July 1 of each year. However, due to the COVID-19 pandemic, these requirements have been amended in SB 98, which now establishes that the Local Control and Accountability Plan (LCAP) and the annual update to the LCAP are not required for the 2020–21 school year. SB 98 supersedes the requirement to develop and adopt an LCAP by December 15, 2020, which was established by Executive Order N-56-20, published in April 2020. The LCAP has been replaced by the Learning Continuity and Attendance Plan (LCP) for the 2020-2021 school year. In addition, Senate Bill (SB) 98 added EC Section 43509, which changed the adoption date for the Budget Overview for Parents for the 2020–21 school year. For the 2020–21 school year, local Governing Boards or governing bodies are now required to adopt and submit the Budget Overview for Parents on or before December 15, 2020, in conjunction with the LEA's First Interim Budget Report. The TISCS Budget Overview for Parents requires LEA Governing Board approval and is submitted in conjunction with the District's First Interim Budget Report, which also requires Governing Board approval.

**RATIONALE:** The purpose of the Budget Overview for Parents is to provide fiscal transparency to parents and all other stakeholders. The Budget Overview for Parents is required to contain the following information: The total projected General Fund revenue for the current school year as of the date of the First Interim Report, with the funds broken out as follows:

- The LCFF revenue
- The LCFF supplemental and concentration grants
- All other state funds
- All local funds
- All federal funds
- Federal CARES funds

The Statute then requires: *To the greatest extent practicable, the Budget Overview for Parents should use language that is understandable and accessible to parents and all other stakeholders.* This Agenda Item supports District Strategic Goal #3: Apply fiscal, operational and community resources to ensure a safe learning environment that supports staff and student goals.

**FUNDING:** There is no cost to the District.

**RECOMMENDATION:** Approve the Tracy Independent Study Charter School (TISCS) Budget Overview for Parents for the 2020-2021 School Year.

**Prepared by:** Mary Petty, Director of Student Services and Principal of TISCS.

# LCFF Budget Overview for Parents

Local Educational Agency (LEA) Name: Tracy Independent Study Charter School

CDS Code: 39 75499 0139949

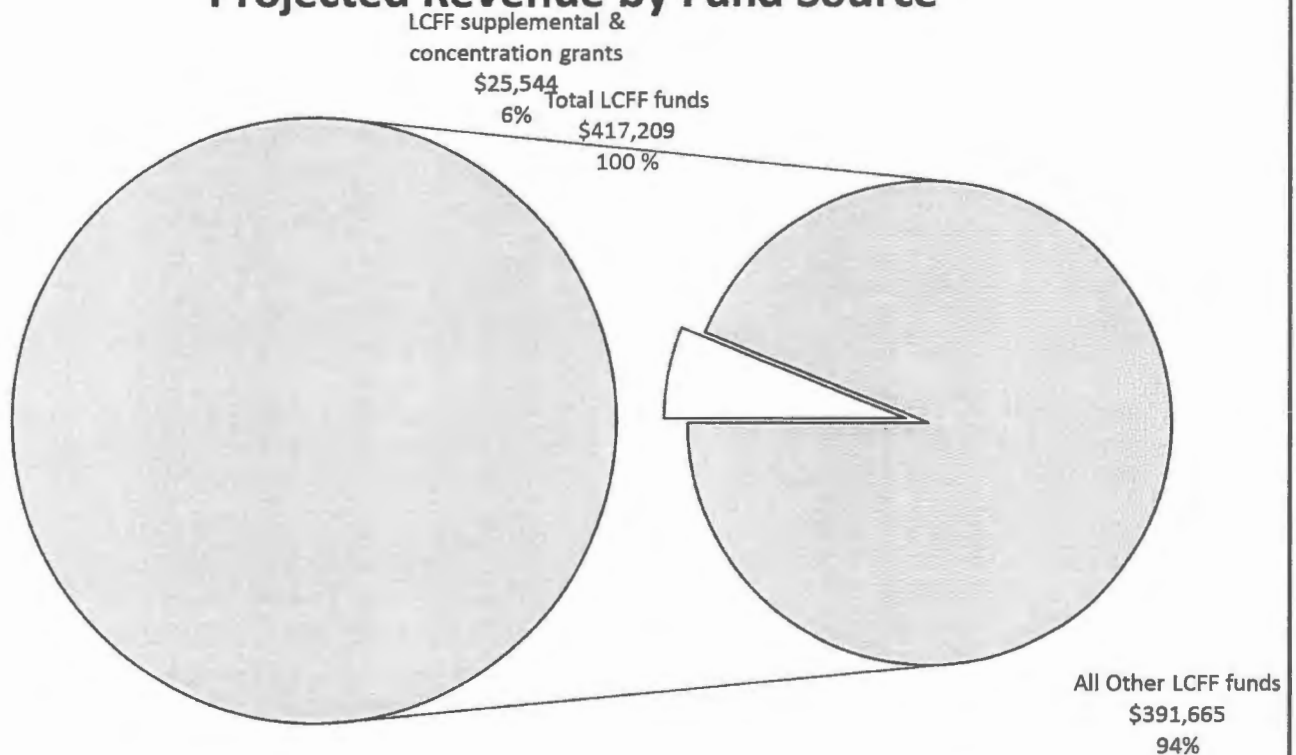
School Year: 2020-2021

LEA contact information: Mary Petty, Principal

School districts receive funding from different sources: state funds under the Local Control Funding Formula (LCFF), other state funds, local funds, and federal funds. LCFF funds include a base level of funding for all LEAs and extra funding - called "supplemental and concentration" grants - to LEAs based on the enrollment of high needs students (foster youth, English learners, and low-income students).

## Budget Overview for the 2020-21 LCAP Year

### Projected Revenue by Fund Source

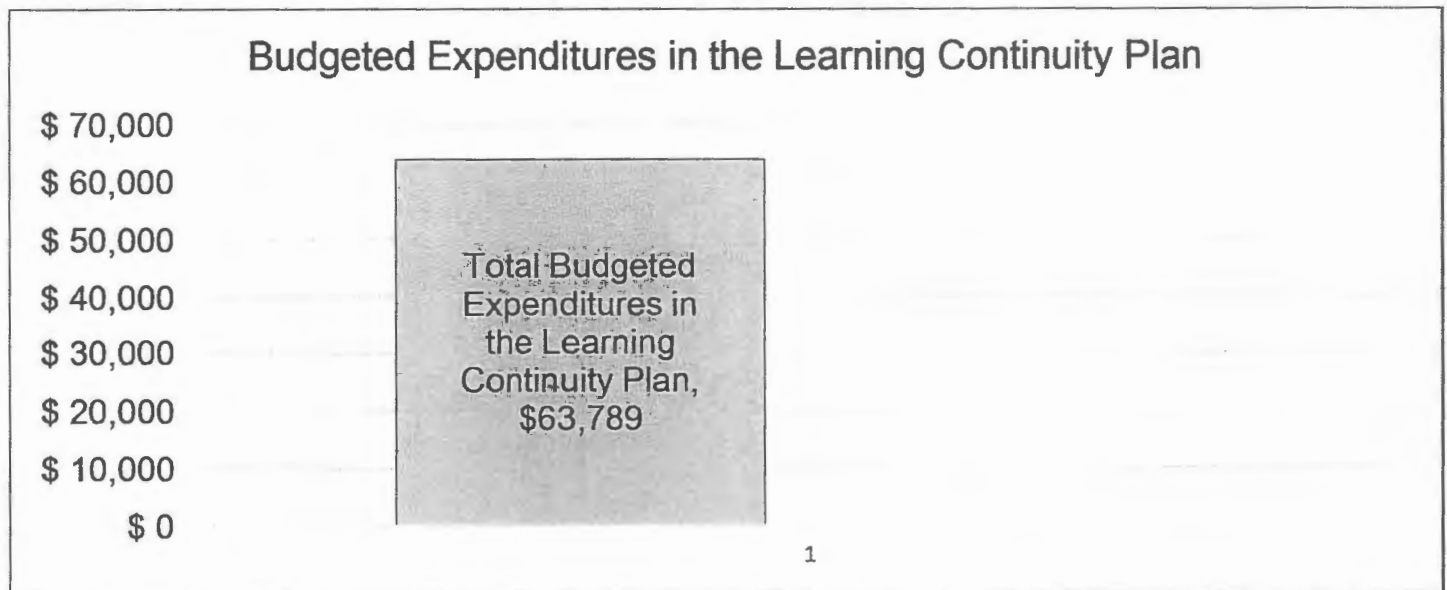


This chart shows the total general purpose revenue Tracy Independent Study Charter School expects to receive in the coming year from all sources.

The total revenue projected for Tracy Independent Study Charter School is \$417,209, of which \$417,209 is Local Control Funding Formula (LCFF), \$ is other state funds, \$ is local funds, and \$ is federal funds. Of the \$ in federal funds, \$ are federal CARES Act funds. Of the \$417,209 in LCFF Funds, \$25,544 is generated based on the enrollment of high needs students (foster youth, English learner, and low-income students).

## LCFF Budget Overview for Parents

For the 2020-21 school year school districts must work with parents, educators, students, and the community to develop a Learning Continuity and Attendance Plan (Learning Continuity Plan). The Learning Continuity Plan replaces the Local Control and Accountability Plan (LCAP) for the 2020–21 school year and provides school districts with the opportunity to describe how they are planning to provide a high-quality education, social-emotional supports, and nutrition to their students during the COVID-19 pandemic.



This chart provides a quick summary of how much Tracy Independent Study Charter School plans to spend for planned actions and services in the Learning Continuity Plan for 2020-2021 and how much of the total is tied to increasing or improving services for high needs students.

Tracy Independent Study Charter School plans to spend \$334,804 for the 2020-21 school year. Of that amount, \$63,789 is tied to actions/services in the Learning Continuity Plan and \$271,015 is not included in the Learning Continuity Plan. The budgeted expenditures that are not included in the Learning Continuity Plan will be used for the following:

Expenditures not included in the Learning Continuity Plan include: health services, administrative services such as fiscal, personnel and operations including maintenance, facilities, security and transportation.

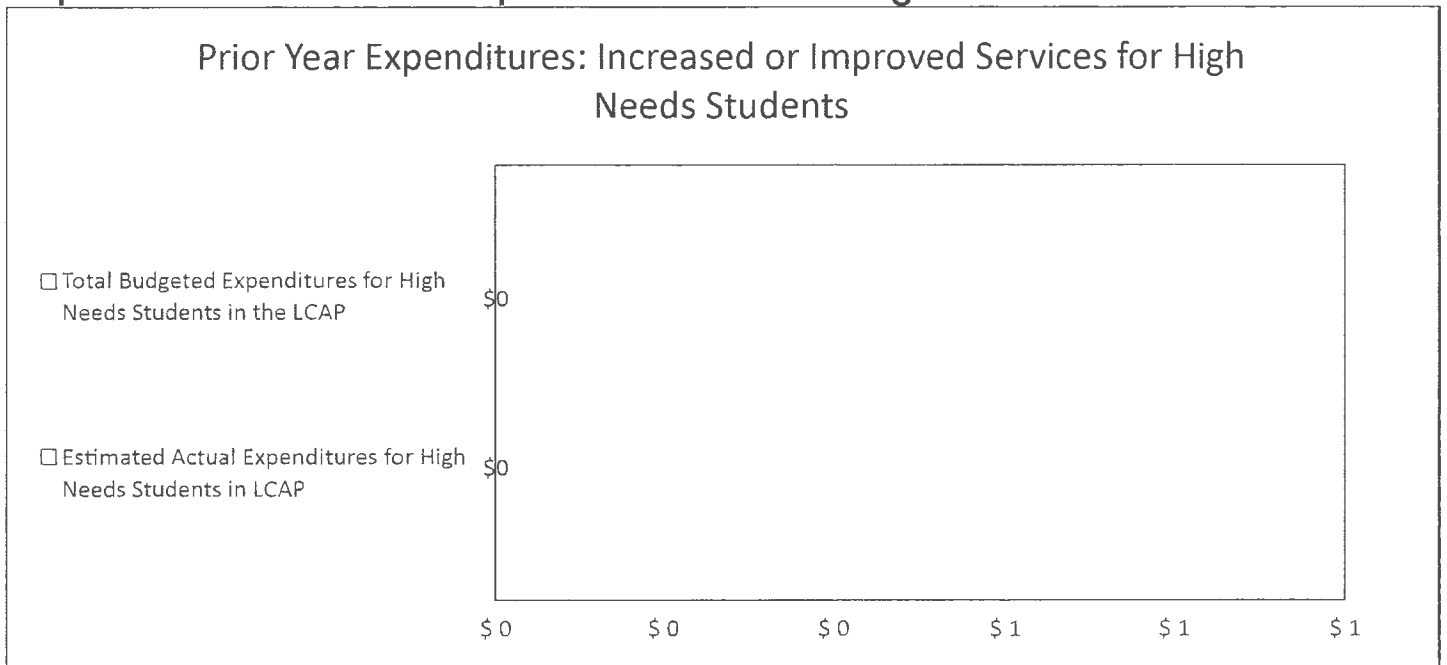
### Increased or Improved Services for High Needs Students in the Learning Continuity Plan for the 2020-2021 School Year

In 2020-21, Tracy Independent Study Charter School is projecting it will receive \$25,544 based on the enrollment of foster youth, English learner, and low-income students. Tracy Independent Study Charter School must describe how it intends to increase or improve services for high needs students in the Learning Continuity Plan. Tracy Independent Study Charter School plans to spend \$ towards meeting this requirement, as described in the Learning Continuity Plan.

TISCS is a new charter school this year, therefore we had no projected revenue this year.

# LCFF Budget Overview for Parents

## Update on Increased or Improved Services for High Needs Students in 2019-20



This chart compares what Tracy Independent Study Charter School budgeted in the 2019-20 LCAP for actions and services that contributed to increasing or improving services for high needs students with what Tracy Independent Study Charter School actually spent on actions and services that contributed to increasing or improving services for high needs students in the 2019-20 school year.

In 2019-20, Tracy Independent Study Charter School's LCAP budgeted \$0 for planned actions to increase or improve services for high needs students. Tracy Independent Study Charter School actually spent \$0 for actions to increase or improve services for high needs students in 2019-20.



## EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. Brian Stephens, Superintendent  
**FROM:** Julianna Stocking, Associate Superintendent of Educational Services  
**DATE:** November 30, 2020  
**SUBJECT:** **Approve with Conditions, the Charter Renewal Proposal for the Tracy Learning Center's Discovery Charter School**

**BACKGROUND:** On November 10, 2020, a public hearing was held for the Tracy Learning Center's petition for renewal of the Discovery Charter School charter. Staff, parents and students were given the opportunity to provide input and comments to the Board at the public hearing. The California Education Code requires that the Board of Trustees render a final decision on the renewal petition within ninety (90) days of the date of receipt of the charter petition. The Board of Trustees shall approve a charter renewal application if it is satisfied that the charter is consistent with the requirements set forth in the Tracy Unified School District's Charter School Board Policy 0420.4, Administrative Regulation 0420.4 and Education Code Sections 47605, 47607, and 47607.2.

**RATIONALE:** Discovery Charter School's current charter term will expire on June 30, 2021. Discovery Charter School has submitted a petition for a 5-year renewal of the charter per Education Code Section 47607.2. Tracy Unified School District staff and legal counsel have extensively reviewed Discovery Charter School's renewal petition to determine whether it meets the guidelines and criteria set forth in Education Code Sections 47605, 47607 and 47607.2; Tracy Unified School District Board Policy 0420.4 and Administrative Regulation 0420.4.

It is the determination of the District staff and legal counsel that the Discovery Charter School charter renewal petition inadequately addresses the above-mentioned guidelines and criteria. The specific facts set forth to support this finding are included as written factual findings specific to this particular petition and attached to this document. Therefore, the District staff and legal counsel recommend that the Tracy Unified School District Board of Trustees approve *with conditions*, the Discovery School Charter renewal for a five (5) year period from July 1, 2021 - June 30, 2026. (See attached document: Findings of Fact and Conditions on Renewal of Discovery Charter School).

**FUNDING:** Not applicable.

**RECOMMENDATION:** Approve with Conditions, the Charter Renewal Proposal for the Tracy Learning Center's Discovery Charter School.

**Prepared by:** Tania Salinas, Director of Continuous Improvement and State and Federal Programs.

## **FINDINGS OF FACT AND CONDITIONS ON RENEWAL OF DISCOVERY CHARTER SCHOOL**

Pursuant to Education Code Sections 47607 and 47607.2, the Tracy Unified School District (the “District”) Board of Trustees (the “District Board”) may either approve or deny the Discovery Charter School (“DCS” or the “Charter School”) charter renewal petition submitted to the District. Should the Board wish to approve the petition, staff recommends that the following conditions be imposed upon the renewal. The rationale for each is contained below:

### **Charter Renewal Requirements**

Education Code Sections 47607 and 47607.2 describe the requirements for charter renewal. According to the official calculations promulgated by the California Department of Education (“CDE”), DCS has been categorized as a “Middle Performing” charter school as a result of its results on the California School Dashboard. In considering the renewal of a Middle Performing charter school, the Education Code requires the District to “consider the schoolwide performance and performance of all subgroups of pupils served by the charter school on the state indicators included in the [California School Dashboard].” The District is required to provide greater weight to the performance on measurements of academic performance in determining whether to approve the renewal. In addition, the District must consider clear and convincing evidence of measurable increases in academic achievement, as defined by at least one year’s progress for each academic year in school, or of strong postsecondary outcomes.

The District may deny a charter renewal “only upon making findings, setting forth specific facts to support the findings, that the charter school has failed to meet or make sufficient progress toward meeting standards that provide a benefit to the pupils of the school, that closure of the charter school is in the best interest of pupils and that its decision provided greater weight to performance on measurements of academic performance.” (Education Code Section 47607.2(6).)

DCS provides evidence that ELPAC test scores in most areas and, as compared to the District, are strong. The District’s own analysis follows.

- In English Language Arts, DCS students, overall, outperformed the State, exceeded the State standard and showed increases in performance. In addition, all subgroups either exceeded the State standard or showed a significant improvement during the charter term.
- In mathematics, students overall performed slightly below the State, but all subgroups, except for the “white” subgroup, either exceeded the State Standard or showed improvement over the charter term.

DCS has not provided any data regarding internal formative or summative assessments to demonstrate individual, subgroup, or cohort growth.

### **Recommended Conditions:**

As internal formative assessments using verifiable data, as determined by the CDE, can assist the Charter School in monitoring individual, cohort, and subgroup mastery of grade-level content standards between ELPAC testing windows, the District strongly encourages DCS to develop an

plan for the internal use of verifiable data in order to clearly demonstrate students are achieving at least one year's progress for each year in school.

### **Element 1: Educational Program**

The educational program contained several provisions that were of concern to the District. Specifically, the petition:

1. Improperly cites to Education Code Section 46148 (pp. 23 and 35) when discussing the required length of the school day. Section 46148 does not apply to charter schools. Rather, Education Code Section 47612.5 (annual instructional minutes) and 5 CCR 11960 (number of instructional days) apply specifically to charter schools. While the listed numbers of minutes fulfill the requirements for charter schools, the erroneous citation causes some concern that, were DCS to change the length of its school day, school leaders would not have an accurate reference point.
2. Incorrectly cites the State Priorities (pp. 30-34) defined in Education Code Section 52060. While this appears to be an attempt to paraphrase for readability, the list omits the State Priority to promote parental participation in programs for unduplicated pupils and individuals with exceptional needs.
3. States that DCS uses a "full inclusion model" with no reference to designated and integrated instruction. The reference appears to refer to requirements under Proposition 227 which was repealed in 2016.
4. States that all classroom teachers are CLAD certified when discussing English Learners (p. 39), but does not identify CLAD certification as a qualification for teachers under Element 5 or in the detailed job descriptions and qualifications attached in the appendix.

### **Recommended Condition:**

That DCS addresses each of these areas of District staff concern by making revisions to the charter within 60 days of District Board action.

### **Element 4: Governance Structure**

TLC's corporate bylaws and Conflict of Interest Code, included in the appendix, are out of date and do not reflect DCS' affirmation that the Charter School follows Government Code 1090.

### **Recommended Conditions:**

That DCS provides an updated copy of TLC's corporate bylaws and conflict of interest code within 60 days of District Board action for District review. The documents must be approved by the Charter School's Board within 60 days from approval by the District.

### **Element 5: Employee Qualifications**

The Employee Qualifications Element contained two provisions that were of concern to the District. Specifically:

1. The employee qualifications and the attached job descriptions and qualifications in the appendix do not reference CLAD certification as a requirement, but Element 1 states, “Classroom teachers are all CLAD certified...” (p. 39, emphasis added).
2. The charter affirms that “All DCS teachers (core, enrichment and PE) have single-subject credentials.” This is an incomplete affirmation, Education Code 47605(l) requires teachers in charter schools to hold “the Commission on Teacher Credentialing certificate, permit, or other document required for the teacher’s certificated assignment.”

#### **Recommended Conditions:**

That DCS amend the charter petition and descriptions of employee qualifications within 60 days of District Board action to ensure accuracy in employee qualifications.

#### **Element 6: Health and Safety**

Pursuant to Education Code Section 47607(b), “[r]enewals ... shall include ... a reasonably comprehensive description of any new requirement of charter schools enacted into law after the charter was originally granted or last renewed.” The description of the health and safety procedures does not include a reasonably comprehensive description of new requirements. In particular, it lacks a description of:

1. A Suicide Prevention Policy
2. Measures taken to prevent human trafficking
3. An affirmation that DCS will abide by the California Healthy Youth Act
4. Measures taken to prevent bullying

#### **Recommended Conditions:**

That DCS amend the charter petition within 60 days of District Board action to provide a reasonably comprehensive description of these health and safety procedures.

#### **Element 7: Pupil Population Balance**

This Element does not include a reasonably comprehensive description of the means by which DCS will achieve a balance of special education pupils, and English learner pupils, including redesignated fluent English proficient pupils, reflective of the general population residing in the territorial jurisdiction of the District. This is particularly concerning because DCS currently has both a special education and English Learner population significantly lower than the District.

**Recommended Conditions:**

That DCS amend the charter petition within 60 days of District Board action to provide a reasonably comprehensive description of these methods.

**Element 8: Admission Policies and Procedures**

The District has significant concerns regarding the Charter Schools admission policies and procedures. In particular:

1. The charter purports to offer lottery exemptions to children of the TLC Board and staff, siblings of currently enrolled and newly admitted students, and students who reside in the District. Education Code Section 47605(e) only authorizes exemptions for returning students. Lottery preferences are authorized, but exemptions are not.
2. The charter states that the wait list carries over from year to year, as students and their parents can choose to remain on the wait list. If this is the case, then students new to the area may never have a reasonable opportunity to be admitted to DCS. Further, the student demographics in Tracy have changed substantially since the DCS charter was originally approved, and are continuing to change rapidly. If the waitlist is not extinguished annually, the Charter School may not reflect the balance of racial and ethnic students, special education students, English learner students, including redesignated fluent English proficient students, of the general population residing with the District. The charter indicates that a priority for in-district students will alleviate this concern, but there appears to be no distinction between newcomers to the District and longtime residents.
3. In addition, former DCS students who left DCS and want to re-enroll are placed back on the wait list, without details on how this aligns with the admission preferences described in the charter. There is also no clear definition or distinction between the priority wait list and wait list. As such, the admission policies and procedures are unclear and potentially suggest unequal opportunities for admission into DCS.
4. The Student Application included in the Appendix requires a great deal of personal information including country of birth, special education status, and discipline background, which are inappropriate for an application. It also appears to require student records including IEPs, grades and discipline history. Education Code Section 47605(e)(4)(B) specifically prohibits charter schools from requesting pupil records prior to enrollment, and the best practice is request only the applicant's contact information and any priority qualifications on an admission form.
5. In addition, the District was unable to locate the "Charter School Complaint Notice and Form," required by Education Code Section 47605(e)(4)(D) on the DCS website.
6. Education Code Section 47605(n) requires charter schools to notify parents and guardians that parental involvement is not a requirement for acceptance into or continued enrollment

at, the charter school. The charter petition does not affirm the Charter School's understanding of this requirement.

**Recommended Conditions:**

1. That DCS extinguish its wait list annually, and not carry it over from year to year, starting with the wait list for 2020-21.
2. That DCS make revisions to the charter petition within 60 days of District Board action to clarify the admission preferences and wait list procedures and include the affirmation that parent volunteer hours are not required.
3. That DCS must provide to the District a copy of the wait list established by the lottery by name, address, phone number, and grade level each year after names are drawn.
4. That DCS redesign its Admission Form to address the concerns in Paragraph 4, above, and provide it to the District within 60 days of District Board action.
- 5.
6. That DCS update its website to include the notice required by Education Code Section 47605(e)(4)(D).

**Element 10: Suspension and Expulsion Policies**

The District has two concerns regarding the Charter School's suspension and expulsion policies. In particular:

1. The charter petition inconsistently identifies the enumerated offenses "sold ... any controlled substance" and "Committed or attempted to commit a sexual assault..." both as discretionary offenses and as mandatory expulsion offenses.
2. As required by Education Code Section 47605(b)(5)(J)(ii), students recommended for expulsion are entitled to a hearing adjudicated by a neutral officer to determine whether the student should be expelled. The best practice is for the hearing to be held before either an administrative panel or the Board of Directors. The description of the expulsion process includes only the "hearing officer," effectively making this individual both judge and jury. In addition, this position may be appointed by either the Executive Director or the Board. It is unclear whether the Discipline Officer, who recommends the expulsion, reports to the Executive Director. This could raise conflict of interest concerns.

**Recommended Condition:**

1. That DCS amend the charter petition within 60 days of District Board action to clarify discretionary and mandatory expellable offenses consistent with legal requirements.

2. That DCS works with the TLC Board to ensure expulsion procedures provide appropriate due process and, if necessary, amend the charter petition within 60 days of District Board action to provide a reasonably comprehensive description of this process.

#### **Element 15: Charter School Closing Procedures**

PERS requires that charter schools that offer PERS must ensure that upon dissolution of the nonprofit public benefit corporation, all net assets are distributed to another public school that satisfies the requirements of paragraphs (a) through (e) of section III.A. of Notice 2015-07 issued by the Internal Revenue Service and the Treasury Department entitled “Relief for Certain Participants in § 414(d) Plans” or any final regulations implementing 26 U.S.C. § 414(d), or to a State, political subdivision of a State, or agency or instrumentality thereof. However, the charter petition describes that DCS will distribute all net assets upon dissolution in accordance with the distribution plan adopted by the corporation.

#### **Recommended Condition:**

That DCS makes revisions within 60 days of District Board action to the required section on closure procedures to address all statutory and regulatory requirements.

#### **Miscellaneous Charter Provisions:**

Pursuant to Education Code Section 47605(h) and consistent with TUSD AR 0420.4, petitioners must provide information regarding (1) the facilities to be used by the charter school, specifying where the charter school intends to locate, (2) the manner in which administrative services are to be provided, (3) potential civil liability effects, if any, upon the charter school and the school district, and (4) financial statements that include a proposed first-year operational budget, cashflow and financial projections for three years of operation.

While the charter petition briefly addresses its facilities (p. 67) and mentions a facilities use agreement (p. 78) in other sections of the charter, it does not provide a detailed description of DCS’s facilities. The charter petition does not discuss administrative services or potential civil liability effects. While the appendix includes the financial documents, the charter petition does not identify which financial documents have been included to ensure compliance with the Education Code requirements.

#### **Recommended Condition:**

That DCS makes revisions within 60 days of District Board action to the charter petition to address these required sections in compliance with the Education Code.