

**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 Petition 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 o 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 Jeremey 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.**

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date