

**NOTICE**  
**REGULAR MEETING OF THE GOVERNING BOARD**  
**TRACY UNIFIED SCHOOL DISTRICT**

**DATE: TUESDAY, MARCH 10, 2009**

**PLACE: DISTRICT EDUCATION CENTER  
BOARD ROOM  
1875 W. LOWELL AVENUE  
TRACY, CALIFORNIA**

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

**THERE WILL BE A TELECONFERENCE LOCATION FOR THIS MEETING. THE TELECONFERENCE LOCATION WILL BE AT COURTYARD PHOENIX NORTH/HAPPY VALLEY, 2029 WHISPERING WIND DRIVE, PHOENIX, ARIZONA. MEMBERS OF THE PUBLIC MAY BE PRESENT AT THE TELECONFERENCE LOCATION AND MAY ADDRESS THE BOARD FROM THAT LOCATION. THE TELECONFERENCE LOCATION WILL BE ACCESSIBLE TO THE DISABLED. ALL VOTES TAKEN AT THIS MEETING WILL BE BY ROLL CALL VOTE.**

**A G E N D A**

**1. Call to Order**

**2. Roll Call – Establish Quorum**

Board: G. Crandall, W. Gouveia, T. Guzman, T. Hawkins, K. Lewis, B. Swenson, J. Vaughn  
Staff: J. Franco, R. Davis, C. Goodall, S. Harrison and B. Etcheverry.

**3. Closed Session: 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.**

**3.1 Educational Services:**

**3.1.1 Findings of Facts:** FF#08-09/ 91, 93, 94, 95, 96, 97

**3.1.2 Waiver of Expulsion:** WE#08-09/7

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

**3.2 Human Resources:**

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

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

**3.2.2 Conference with Labor Negotiator**

Agency Negotiator: Ryan Davis

Assistant Superintendent of Human Resources

Employee Organization: CSEA, TEA

**4. Adjourn to Open Session**

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

**6. Closed Session Issues:**

**6a** Action on Findings of Fact # FF08-09/ 91, 93, 94, 95, 96, 97

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

**6b** Report Out of Action Taken on Waiver of Expulsion: WE#08-09/7

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

**7. Approve Regular Minutes of February 24, 2009.**

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

**8. Student Representative Reports: None.**

**9. Recognition & Presentations:** An opportunity to honor students, employees and community members for outstanding achievement:

**9.1** Recognize and Congratulate County High School Honor Band, County Middle School Honor Band, County High School Honor Choir, County Middle School Honor Choir, Central Regional Honor Choir, California All-State Honor Choir, Northern California Honor Band and California All-State Honor Band TUSD Students for Their Outstanding Achievements

**9.2** Kelly Elementary Site Update on Achievements & Activities

**9.3** Stein High School Update on Achievements & Activities

**10. Hearing of Delegations:** Anyone wishing to address the Governing Board on a non-agenda item may be heard at this time. Presentations shall be held to a reasonable length, normally not to exceed five (5) minutes. If formal action is required, the item will 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. (Please complete a speaker's card at the secretary's desk).

This is a period in which members of the public may address the Board on any subject within the Board's jurisdiction that is not on the agenda. The Brown Act does not allow the Board to take action or discuss items which are not on the agenda. This is because other members of the public have not been notified through the agenda that the subject of the statement would be discussed at this Board meeting.

The Board may ask for the item to be placed on a future agenda, direct the speaker to a person who can help, or provide the speaker with the correct procedure to follow to address his/her problem. All speakers have a constitutional right to free speech. As a protective measure, we would like to remind you that if you say something which might give another person the right to pursue legal recourse against you, there is a taped record of this meeting. This does not mean you cannot criticize employees of the District. However, we would suggest that you do it without using names. We would also suggest that you use the personnel complaint procedures. The board can only hear and address complaints which have been processed in line with the policy. We have copies of the policy and forms here, and staff will help you complete them.

**11. Information & Discussion Items:** An opportunity to present information or reports concerning items that may be considered by Trustees at a future meeting. **None.**

**12. PUBLIC HEARING:** None.

- 13. 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\_\_
- 13.1 Administrative & Business Services:**
- |               |   |              |
|---------------|---|--------------|
| <b>13.1.1</b> | Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>10-11</b> |
| <b>13.1.2</b> | Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>12-13</b> |
| <b>13.1.3</b> | Approve Payroll Report February, 2009   | <b>14-20</b> |
| <b>13.1.4</b> | 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 | <b>21-22</b> |
- 13.2 Educational Services:**
- |               |   |              |
|---------------|---|--------------|
| <b>13.2.1</b> | Approve Overnight Travel for West High School Dance Team to Attend USA Nationals Competition, March 26-30, 2009, in Anaheim, California               | <b>23</b>    |
| <b>13.2.2</b> | Approve Agreements for Special Contract Services for Assistant Softball Coaches Ed Smith, Christen Davis and Rachel Brockett for the 2008-2009 Season | <b>24-30</b> |
- 13.3 Human Resources:**
- |               |   |           |
|---------------|---|-----------|
| <b>13.3.1</b> | Approve Classified, Certificated and/or Management Employment   | <b>31</b> |
| <b>13.3.2</b> | Approve Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment | <b>32</b> |
- 14. 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.
- 14.1 Administrative & Business Services:**
- |                |  |              |
|----------------|--|--------------|
| <b>14.1.1</b>  | Certify Corrective Actions to the 2007-08 Findings and Recommendations of the Independent Annual Financial Report  | <b>33-45</b> |
| <b>Action:</b> | Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain__.  |              |
| <b>14.1.2</b>  | Certify the 2008-2009 Fiscal Year Second Interim Report (Under Separate Cover)   | <b>46-47</b> |
| <b>Action:</b> | Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain__.  |              |
| <b>14.1.3</b>  | Approve Resolution No. 08-26 Closing Delta Island School; and Approve Resolution No. 08-27 Finding that the Re-enrollment of Students from Delta Island School to Villalovoz School Qualifies as a Categorical Exemption from California Environmental Quality Act.                | <b>48-57</b> |
| <b>Action:</b> | Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain__.  |              |
| <b>14.1.4</b>  | Accept Bond Oversight Committee's Recommendation of Vavrinck, Trine, Day & Co., LLP to Prepare "Proposition 39" General Obligation Bonds (Measure E and Measure S) Annual Financial and Performance Audits and Approve and Award Proposal for the Fiscal Year Ending June 30, 2009 | <b>58</b>    |
| <b>Action:</b> | Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain__.  |              |

- |        |   |                                   |
|--------|---|-----------------------------------|
| 14.2   | <b>Educational Services:</b> None.  | Pg. No.                           |
| 14.3   | <b>Human Resources:</b>   |                                   |
| 14.3.1 | Approve Resolution No. 08-25 Authorizing Teachers to Teach Outside Their Major/Minor  | 59-61                             |
|        | <b>Action:</b> Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain___.   |                                   |
| 14.3.2 | Approve Job Description for Administrator of Bilingual and English Language Development Site Programs Elementary (K-5)  | 62-65                             |
|        | <b>Action:</b> Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain___.   |                                   |
| 14.3.3 | Ratify Contract with Office of Administrative Hearings  | 66-67                             |
|        | <b>Action:</b> Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain___.   |                                   |
| 14.3.4 | Approve Amended Resolution No. 08-20, Authorizing the Reduction or Discontinuance of Particular Kinds of Services   | 68-72                             |
|        | <b>Action:</b> Motion___; Second___. <b>Vote:</b> Yes___; No___; Absent___; Abstain___.   |                                   |
|        |   |                                   |
| 15.    | <b>Board Reports:</b> An opportunity for board members to discuss items of particular importance or interest in the district.   |                                   |
|        |   |                                   |
| 16.    | <b>Superintendent's Report:</b> 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. |                                   |
|        |   |                                   |
| 17.    | <b>Board Meeting Calendar:</b>  |                                   |
| 17.1   | March 24, 2009  |                                   |
| 17.2   | April 7, 2009 (Special – Budget)  |                                   |
| 17.3   | April 28, 2009  |                                   |
| 17.4   | May 12, 2009  |                                   |
| 17.5   | May 26, 2009  |                                   |
| 17.6   | June 09, 2009   |                                   |
| 17.7   | June 23, 2009   |                                   |
|        |   |                                   |
| 18.    | <b>Upcoming Events:</b>   |                                   |
| 18.1   | April 10-14, 2009   | Spring Break, YRE                 |
| 18.2   | April 10-19, 2009   | Spring Break, Traditional         |
| 18.3   | May 25, 2009  | No School, Memorial Day           |
| 18.4   | May 29, 2009  | Last Day of School                |
| 18.5   | May 30, 2009  | Graduation: West High 8:30 a.m.   |
|        |   | Graduation: Tracy High 10:30 a.m. |

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.

**Minutes of  
Regular Meeting of the Governing Board  
For Tracy Unified School District  
Held on Tuesday, February 24, 2009  
At Williams Middle School**

- 5:30 PM:** President Guzman called the meeting to order and adjourned to closed session.
- Roll Call:** Board: G. Crandall, W. Gouveia, T. Guzman, T. Hawkins, K. Lewis, B. Swenson, J. Vaughn.  
Staff: J. Franco, R. Davis, S. Harrison, C. Goodall, B. Etcheverry.
- 7:08 PM:** President Guzman called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.
- A moment of silence was held for Sgt. Daniel Hansen who was killed in Afghanistan.
- Closed Session:**
- 6a** Action on Findings of Fact # FF08-09/83, 85, 86, 87, 89, 90  
**Action:** Lewis, Crandall. **Vote:** Yes-7; No-0.
  - 6b** Report Out of Action Taken on Application for Reinstatement:  
AR#08-09/77, 78, 79  
**Action:** **Vote:** Yes -7; No-0.
  - 6c** Report Out of Action Taken on Consider Leave of Absence Request for  
Certificated Employee #UC-587, Pursuant to Article XX  
**Action:** Denied. **Vote:** Yes-7; No-0.
  - 6d** Report Out of Action Taken on Approve the Non-Reelection of Probationary  
Certificated Employees: #UC-588, #UC-589, #UC-591, #UC-592, #UC-593,  
#UC-594, #UC-595, #UC-596, and #UC-597, Pursuant to Education Code  
Section 44929.21(b)  
**Action:** **Vote:** Yes-7; No-0.
  - 6e** Report Out of Action Taken on Approve the Release of Temporary  
Certificated Employees: #UC-598, #UC-599, #UC-600, #UC-601, #UC-602,  
#UC-603, #UC-604, #UC-605, #UC-606, #UC-607, #UC-608, #UC-609,  
#UC-610, #UC-611, #UC-612, #UC-613, #UC-614, #UC-615, #UC-616,  
#UC-617, #UC-618, #UC-619, #UC-620, #UC-621, #UC-622, #UC-623,  
#UC-624, #UC-625, #UC-626, #UC-627, #UC-628, #UC-629, #UC-630,  
#UC-631, #UC-632, #UC-633, #UC-634, #UC-635, #UC-636, #UC-637, and  
#UC-638, Pursuant to Education Code Section 44954.  
**Action:** **Vote:** Yes-7; No-0.
  - 6f** Report Out of Action Taken on Approve Resolution 08-18 Authorizing the  
Non-Re-Election of Certificated Probationary and Temporary Employees  
**Action:** **Vote:** Yes-7; No-0.
- Employees Present:** C. Minter, J. Cardoza, R. Call, J. Carter, M. Silveira, H. Heerema, B. Willner, M. Belasco, B. Carter, A. Continente, D. Sonnenburg, A. Wells, V. Carranza, C. Fitzpatrick, N. Kettner, S. Sievers, J. Anderson, P. Hall, L. Dopp, S. Prioste,

S. O'Hara-Jones, J. Lopez, R. Soto, D. Cheeseman, K. Fistolera, W. Walker, A. Welch, P. Furtado, K. Inouye, J. McVey, J. Escobedo, N. Rock A. Lane, A. Medeiros, E. Rains, T. Haim  
J. Wadsworth, Tracy Press

**Press:**

**Visitors Present:**

D. Dong, K. Vander Ploeg, C. Vander Ploeg, S. Richardson, A. Winter, B. Champa, P. Mexicana, G. Cazares, S. Gonzalez, V. Quintero, M. Quinero, F. Romero, R. Barcenas, E. Martinez, E. Siortia, G. Mendez, J. Rodriguez, R. Beltran, D. Trang, T. Nguyen, M. Dinglasan, G. Bejarin, N. Karriem, M. Basulto, I. Garcia, L. Sevilla, J. Sevilla, L. Acosta, C. Ruiz, M. Lopez, S. McCarty, J. Arias, C. Arias, D. Mariani, M. Rodriguez, L. Gonzalez

**Minutes:**

**Approve Special Minutes of February 3, 2009.**

**Action:** Lewis, Hawkins. **Vote:** Yes-5; No-0; Abstain-2(Crandall, Swenson)

**Approve Regular Minutes of February 10, 2009.**

**Action:** Hawkins, Vaughn. **Vote:** Yes-7; No-0.

**Student  
Representative  
Reports:**

Tracy High's Xiomara Fonseca reported that students took the CAHSEE on February 3<sup>rd</sup> and several dates in March. Wednesday is the academic rally for students with a GPA of 3.0 and above. Last week was National FFA week and on March 14<sup>th</sup> students will be taking the SAT. March 4<sup>th</sup> is the spring concert and the first payment for Disneyland is March 6th. The Spanish lip sync competition is scheduled for March 31<sup>st</sup>.

West High's Pauline Montemayor reported that the basketball teams had their senior nights at their last home game of the season. The week of the 10<sup>th</sup> was FBLA Week and they held various lunchtime activities. During RAKA (Random Acts of Kindness Appreciation) week they recognized various groups on campus. They had a petting zoo on Friday, February 20<sup>th</sup> which was a huge success. The API held a cultural night and Interact is raising pennies for polio. This Friday is a basketball playoff game. Disneyland tickets are on sale for grad night.

Stein's Ricardo Ruiz reported that Stein held a school site council meeting this month. They are planning their senior breakfast. On February 17<sup>th</sup> students enjoyed a special art show. Students also attended a play. Stein received their WASC accreditation for 3 years.

Williams Middle School students Anisha Richardson, Ashly Tornio, and Hannah Tolle reported that they had a valentine day dance. Leadership puts on a rally every other month. They plan games and have prizes during lunch. They also have spirit week with crazy hair days. They started a basketball team and are having a pep rally this Friday. They play music on Friday and will be having a talent show. The students are currently collecting pennies for patients and have an upcoming fundraiser for Relay for Life. Every other Wednesday they have ASB meetings and approve clubs. They invite everyone to their multi cultural club event.

Monte Vista Middle School students Tamara Pintilly, John Jaeger, Edgar Cuevas and Saara Latifi presented a power point which highlighted their school activities. The AVID class makes visits to colleges and helps tutor at McKinley School. They review classroom objectives and students have after school tutoring programs available which gives them more time to focus on work, and less time to get in trouble. They have reward assemblies which encourages students to get good grades. Teachers volunteer to stay after school and help students. The drama club raised money to help produce future plays. They also had a "Monte Vista Idol" contest. Lots of kids showed up and tried out. The band performed at lunch for drug free Friday. They also held a mock election and over 600 students showed up to vote. They are busy with McHenry House donations, 6<sup>th</sup> grade orientation, WEB, which is to help students get familiar with their new school. They've had 2 dances this year and have been busy with spirit days, red ribbon week, college week and a food drive for interfaith ministries. Both the girls and boys won their basketball games.

#### **Recognition & Presentations:**

##### **9.1 Monte Vista Middle School Site Update on Achievements & Activities**

Principal, Stephanie Prioste, and Assistant Principal, Susan O'Hara-Jones, presented a power point about Monte Vista School. They reviewed the AVID class who are involved in community service, field trips and peer tutoring. They are beginning to recruit 5<sup>th</sup> graders for next year so they will have a semester of pre AVID activities. Their attendance has improved from 93% in 2006 to this year's 95.5%. The 8<sup>th</sup> grade promotion plan has been moved back to the site and it will be held at the Boys and Girls Club. They will also have a dance and trip to marine world. In academics they have been using Direct Instruction which is helping students. They are working with Ruth Miller and focusing in on CSTs. They have also experienced a reduction in suspensions from 262 in 06-07 to 155 in 08-09. The administrative team is working with students. There were 61 students last year that were not allowed to participate in graduation due to an "F". This year it is down to 24 students. There are 225 students that have had perfect attendance since the beginning of school.

Students from the Monte Vista Jazz Band then played a few pieces, directed by their teacher, Randy McMillan. The students also had improvised solos. The audience enjoyed the music very much.

##### **9.2 Recognize Tracy Breakfast Lions for their generous donation to the Tracy High and West High Athletic Programs**

Assistant Superintendent of Educational Services, Dr. Sheila Harrison, recognized Tracy Breakfast Lions, represented by Tom Hawkins for their donations of \$2760 to West High School and \$2760 to Tracy High School in support of the athletic programs. The funds donated were raised at the annual girls' basketball tournament. Three board members, Tom Hawkins, Bill Swenson and Walter Gouveia, also serve as Lions. Bill Willner and Roger Traina were also recognized Lions members in the audience.

**Hearing of  
Delegations**

President of CSEA, Denise Cheeseman would like to address a rumor that she heard. It is being said that the CSEA members on cut list are not important to the District and that's why they are on the cut list. She wanted everyone to realize that CSEA people on that list are extremely important. When she hears something like that it upsets her very much. She realizes that \$15.4 is a lot of money and you can't make that amount of reduction without layoffs. She would like to get the word out to these people that their importance to the District is not gauged by a list. Each individual whether they are CSEA, classified, teacher or manager are important to this District and everyone on the list is crucial.

Karen Fistolera shared her feelings about budget committee. She doesn't think it's fair that there are more teachers on the committee than there are CSEA members. She also feels that you should put your name next to your budget reduction idea. Education is not a privilege, it is mandatory. She's concerned about parents who are not able to pay for transportation or lunch. If sub drivers are cut, mechanics will have to drive and won't get their job done and would have to work overtime.

**Information &  
Discussion Items:**

**11.1 Administrative & Business Services:**

**11.1.1 Receive Report on State and District Budget**

Associate Superintendent, Dr. Casey Goodall, gave report on the budget. The state has finally passed its budget. At this time our proposed reductions are at essentially the same target we have been looking at all year. The state has made cuts to categorical and flexibility but they are not cutting general funds as much as they talked about. At the next board meeting we should know more how this will affect us. There will be an election on May 19<sup>th</sup> regarding Propositions 1a through 1e. The outcome could change the budget in some way that this budget depends on. There are several variables that will change between now and May. The next step is approving our 2<sup>nd</sup> Interim Report at the March 10<sup>th</sup> board meeting.

Dr. Goodall reminded the audience that our total budget is roughly \$120,000,000 and 70% of that is unrestricted money. It is from that 70% we have to make a lot of our cuts. The state funds about 90%.

**Public Hearing:**

**12.1. Educational Services:**

**12.1.1 Conduct a Public Hearing Regarding Filing a Specific Waiver Request for a Twelve Month Delay to Adopt K-8 Mathematics and K-8 English Language Arts Materials**

Director of IMC, Dr. Donna Sonnenburg, reported information on the waiver application process and timeline.

Opened Public Hearing at 8:25 p.m.  
No comments were made.  
Closed Public Hearing at 8:26 p.m.

**Consent Items:**

**Action:** Lewis, Hawkins. **Vote:** Yes-7; No-0.

**13.1 Administrative & Business Services:**

**13.1.1** Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**13.1.2** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**13.1.3** Approve Monthly Budget Adjustment Report for November, and December 2008

**13.1.4** Approve Monthly Budget Adjustment Report for January, 2009

**13.1.5** Approve Revolving Cash Fund Reports for November and December, 2008

**13.1.6** Approve Revolving Cash Fund Reports for January, 2009

**13.1.7** Approve Accounts Payable Warrants Report for November and December 2008 (Under Separate Cover)

**13.1.8** Approve Accounts Payable Warrants Report for January, 2009 (Under State Cover)

**13.1.9** 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 Overnight Travel for Three Tracy High Science Students and One Chaperone to Participate in the Junior Science and Humanities Symposium in Monterey, California, on March 12-14, 2009

**13.2.2** Approve Overnight Travel for THS Cheer Team and Coaches to Participate in the USA Spirit Nationals in Southern California on March 26-29, 2009

**13.2.3** Approve Participation in the State Summer School Program for 2009

**13.2.4** Approve Resolution #08-19 Establishing March as "Arts in Education Month"

**13.2.5** Receive Official Quarterly Williams/Valenzuela Uniform Complaint Report for Quarter Ending January 15, 2009

**13.2.6** Approve the 2008-2009 Consolidated Application, Part II, for the Tracy Unified School District

**13.3 Human Resources:**

**13.3.1** Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment

**13.3.2** Approve Student Clinical Placement Agreement with California State University, East Bay

**Action Items:****14.1****Administrative & Business Services:****14.1.1****Approve Recommendation to Commence Environmental Review for Closure of Delta Island School**

The discussion held on item 14.1.1 was also translated by Mercy Silveira.

Dr. Franco stated that this is a step necessary to move towards closing Delta Island School.

Luis Gonzales: He commented that we should not close Delta Island because of the current financial crisis since it has been there for many years. He thinks that if you bring back the middle school students removed you will see that the cost of students will be dropped. He agrees that the facilities need extensive repairs but wants to wait for a better year. If Delta Island is closed, it will be the only community in district that does not have a neighborhood school.

Barbara Champa: She is a parent and is upset that they asked for help and no one did. She thinks that the water problem could be solved and presented an invoice that will fix it. She said that filling out an application would provide free drinking water to the school. She contacted PG&E and based on their records the meters are 10-12 years old which she says makes them inefficient. She feels that Measure S should update the school. If the school remains open the ongoing court battle will be gone. The bussing issue of little kids riding the bus so long is not safe. If you close the school it will cause a severe hardship. She presented documents provided by the government and the water district. She claims that they will pay up to 10 million dollars for a project. Several parents' letters have been submitted to the newspaper.

Maglia Rodriguez: Is a parent at Delta Island and doesn't think all of the expenses are true. The kitchen is not even in use. She feels that two years ago when Holt School was closed they were told about this same problem. They were told then that the solution was to move the middle school students to Williams. Some parents do not drive. It is unfair to close it because it is here for migrant workers. She does not want the Board to close the school.

Leticia Acosta: She is here representing some parents from Delta Island. They are very disillusioned and upset and feel discriminated against because they feel that the amount of expenses is not correct. They have never seen anyone mowing the lawn. Part of the expenses is for the warehouse to bring materials to them. She believes they do not have this service. She believes that whether they are poor or rich, they are all the same. She would like to resolve the water problem and not close the school. It's true that Delta Island needs repairs but it is not

the only school that needs repairs. Delta Island is like a sanctuary for their children. Their test scores have gone up because they have dedicated teachers. Their children come first and they want this school because it is close to their homes.

**Action:** Lewis, Swenson. **Vote:** Yes-7; No-0.

**14.1.2** Cast Ballot for CSBA 2009 Delegate Assembly Election

**Action:** Crandall, Vaughn. **Vote:** Yes-7; No-0.

**14.1.3** Adopt Resolution No. 08-17 Establishing School Facilities Improvement District No. 3 Fund (Fund 23) for Proceeds from the Sale of Bonds

**Action:** Lewis, Swenson. **Vote:** Yes-7; No-0.

**14.2 Educational Services:**

**14.2.1** Adopt Board Policy 6171 and Acknowledge Administrative Regulation 6171 Title I (2<sup>nd</sup> Reading)

**Action:** Lewis, Vaughn. **Vote:** Yes-7; No-0.

**14.2.2** Approve Filing a Specific Waiver Request for a Twelve-Month Delay to Adopt K-8 Mathematics and K-8 English Language Arts Material

**Action:** Crandall, Gouveia. **Vote:** Yes-7; No-0.

**14.3 Human Resources:**

**14.3.1** Approve Resolution 08-20, Authorizing the Reduction or Discontinuance of Particular Kinds of Services

Dr. Franco realizes that there are many staff members attending this meeting who have questions on their school site and their own employment. The direction from the state is forcing us to make very painful decisions. It is not possible to make reductions of this magnitude without employee layoffs. The depth is still to be determined. Tonight we are beginning the legal process to make all necessary cuts and hopefully we will not have to make them all. More resolutions will have to be made in the future with the final decision on April 7<sup>th</sup>.

Diane Dong: She is here tonight as a parent and volunteer regarding the library at the high school. She realizes that budget cuts need to be made. She has volunteered weekly at the Tracy High Library. They are responsible for Freshman orientation. If the library technicians weren't there, who would teach students how to use the portal, internet or about cyber safety. They manage millions of dollars of resources without interruption of service to students. They will also be important to the opening of the library at Kimball High.

Deana Mariani is a library volunteer at Tracy High and also attended Tracy High. She feels that it is very well run and efficient and that the staff is very professional and dedicated. Textbook tracking has saved

the district thousands of dollars.

Assistant Superintendent, Ryan Davis, is sad to bring forth this resolution dealing with potential eliminations. The items on the resolution before the Board is in regards to the discontinuance of particular kinds of services taken from budget cut list. Approving this allows the District to give proper notice to employees. If after the April 7<sup>th</sup> deadline, the Board decides to not cut something, we can notify employees at that time. However if we do not pass this now, then we cannot make the cuts in a timely fashion. He then reviewed some amendments to the resolution which included item "b", which should read 4 FTE. It's the same number of positions but split differently. There is also a change to the language to item "ee" on page 3 which should read "teaching" positions. The previous item "ff" has been removed which is 2 library media teachers.

**Action:** As Amended. Lewis, Hawkins. **Vote:** Yes-7; No-0.

**14.3.2** Approve Resolution 08-21, Adopting the Tie Breaking Criteria in the Case of a Certificated Reduction in Force

**Action:** Crandall, Swenson. **Vote:** Yes-7; No-0.

**14.3.3** Approve Resolution 08-22, Adopting the Competency Criteria in the Case of a Certificated Reduction in Force

**Action:** Crandall, Vaughn. **Vote:** Yes-7; No-0.

**14.3.4** Approve Resolution 08-23 Authorizing Administrative Reassignments for the 2009-2010 School Year

**Action:** Lewis, Swenson. **Vote:** Yes-7; No-0.

**14.3.5** Approve Resolution 08-24, Authorizing the Reduction of Administrator's Work Year

**Action:** Swenson, Vaughn. **Vote:** Yes-7; No-0.

## **Board Reports:**

Trustee Gouveia sat in on a unification meeting for Lammersville School District. It was a very positive meeting. Trustee Vaughn commented that all employee unions, administration and staff should stick together. This is a statewide crisis and everybody is valued here. Do not believe any rumors that the board members think employees are not valued. He advised everyone to write to the Governor and the state legislators and be a part of the solution. There is budget information on the public website. Trustee Crandall reminded the audience that this is not the Board's fault. His wife is a classified employee and is worried about her job as well. He attended career day at West High and it's nice to do something positive. Trustee Hawkins has been in education forever. He has enjoyed education because they could control the schools. There is not that control anymore. It has embittered him because there is nothing that can be done about it. He has lots of empathy for Delta Island. They do a great job. He hates to see anyone laid off, but there is nothing we can do about it. He encouraged the audience to write or phone their legislators to help the cause. Trustee Crandall commented that California's funding for education went from 47<sup>th</sup> in nation to last. Trustee Lewis commented that the ideas on the lists that everyone keeps talking about did not come from any specific person, they are ideas that came in. The only reason it

didn't make the list was if it was illegal, had to be negotiated, didn't save money, or was a safety issue. If the Board listened to everyone we wouldn't cut anything and we wouldn't have our schools open. He attended DBAC and the city/schools liaison meeting. There were some initial talks about trying to do more joint use projects. The District currently shares the West High Pool with the City of Tracy. He attended the West High basketball game. He also attended Poet Christian's performance and it was exceptional. Trustee Swenson agrees with everything said about the budget problem. He attended Tracy High's Smokey Blues. Several wonderful young people performed there. The Monte Vista band was great. Trustee Guzman also agrees with everyone else regarding the budget. He would like everyone to work together and thanked them for coming out to Williams for this meeting.

**Superintendent  
Report:**

Dr. Franco thanked everyone for coming out. None of the ideas on the list of reductions are good ideas. Many are related to programs, activities and positions created by the people at this meeting. Since 2002, we have had to reduce \$9.5 million dollars. We have great things going on in this school district. Mock trial was last week and Smokey Blues has been hot for the last few weeks. Tracy's Got Talent was put on by TEEF and helped raised money for our District for scholarships and computers for our students. Tracy High's Academic Decathlon Team performed well. The West High boys' basketball team is at Elk Grove this weekend for a playoff game. Kimball High School has over 1000 students enrolled and is on schedule to open in August. We all need to support one another in these difficult times.

**9:28 P.M.  
Adjournment.**

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Clerk

Date



**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 27, 2009  
**SUBJECT:** Ratify Measure E Related 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 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, and the advance notice staff has in procuring the services or materials. 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 Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

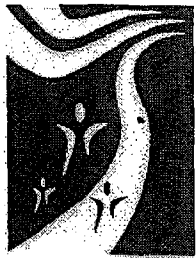
**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.

**BUSINESS SERVICES  
FACILITIES DEVELOPMENT DEPARTMENT  
MEASURE E BOND  
SUMMARY OF SERVICES**

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A. Vendor: Terrasearch, Inc.  
Site: Tracy High School – Modernization  
Item: Change Order - Ratify  
Services: Consultant to prepare site specific seismic ground motion analysis and seismic history for new cafeteria and library buildings per the request of the California Geologic Survey review.  
Cost: \$2,500.00  
Project Funding: Local Bond Funds & State School Building Fund (SSBF)

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**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 27, 2009  
**SUBJECT:** Ratify Routine 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 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, and the advance notice staff has in procuring the services or materials. 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 Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

**Prepared by:** Dr. Casey Goodall, Associate Superintendent for Business Services.

**BUSINESS SERVICES  
FACILITIES DEVELOPMENT DEPARTMENT  
SUMMARY OF SERVICES**

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A. Vendor: Regents of the University of California Cooperative Extension (UCCE),  
San Joaquin  
Site: Various School Sites  
Item: MOU - Ratify  
Services: UCCE will train 25 teachers or after school and preschool providers and provide nutrition education curriculum for eligible schools at no charge. The District will support and promote the training and provide a list of eligible schools where the nutrition education program will be delivered to the state office. This program is currently being taught at South/West Park and in the after school programs at Central, Delta Island, McKinley and Monte Vista. Willow Community Day School will be offered an opportunity to participate; participation is voluntary.  
Project Funding: No Cost to the District

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B. Vendor: Charles Walker Inspection Services  
Site: Kimball  
Item: Amendment to Agreement - Ratify  
Services: Additional DSA assistant inspector necessary to complete the Kimball School site.  
Cost: \$10,000.00 Per Month – Not to Exceed  
Project Funding: Developer Fees and State School Building Fund (SSBF)

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C. Vendor: Engineered Facility Equipment  
Site: Tracy High School – Locker Replacement  
Item: Change Order# 2-L - Ratify  
Services: Lockers would not fit on existing supports which required painting the adjacent wall systems to the new locker installation.  
Cost: \$4,974.11  
Project Funding: Deferred Maintenance 08/09

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D. Vendor: Engineered Facility Equipment  
Site: Tracy High School – Locker Replacement  
Item: Notice of Completion  
Services: Replaced the lockers in the Boy's and Girl's locker rooms and team rooms at Tracy High School.  
Original Contract: \$248,807.00    Change Order: \$10,167.00    Final Amount: \$258,974.00  
Completion Date: February 7, 2009  
Project Funding: Deferred Maintenance – 08/09

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E. Vendor: N.S. Construction and Painting  
Site: Tracy High School – HVAC Replacement  
Item: Notice of Completion  
Services: Replaced the HVAC units on the Tracy High School – EB Theater.  
Original Contract: \$67,000.00    Change Order: \$0.00    Final Amount: \$67,000.00  
Completion Date: February 27, 2009  
Project Funding: Deferred Maintenance – 08/09

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**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** *cg* Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** 2/25/09  
**SUBJECT:** Approve Payroll Report (February 2009)

**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 Report

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

**DATE: 2/10/09**

FUND 01 GROSS PAYROLL	\$	236,710.24
BENEFITS	\$	25,118.65
TOTAL	\$	261,828.89
FUND 11 GROSS PAYROLL - ADULT EDUCATION	\$	60,206.88
BENEFITS	\$	13,855.71
TOTAL	\$	74,062.59
FUND 12 GROSS PAYROLL - CHILD DEVELOPMENT	\$	2,488.75
BENEFITS	\$	216.71
TOTAL	\$	2,705.46
FUND 13 GROSS PAYROLL - CAFETERIA FUND	\$	8,656.08
BENEFITS	\$	976.02
TOTAL	\$	9,632.10
FUND 35 GROSS PAYROLL-COUNTY SCHOOL FACILITIES FUND	\$	-
BENEFITS	\$	-
TOTAL	\$	-
<b>DISTRICT TOTAL</b>	<b>\$</b>	<b>348,229.04</b>

Report: R0010A

Gross Wage &amp; Fringe Summary by Object for JANUARY SUPPL. 2/10/2009

Fiscal Year 2008/2009

Fund: 01 GEN FUND/CO SCHOOL SERV FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	38,473.36	0.00	38,473.36
1104	TEACHERS' SALARIES SUMMER SCHL	1,314.00	0.00	1,314.00
1105	TEACHERS' SALARIES SUBS	93,843.84	0.00	93,843.84
1120	HOME INSTRUCTION SALARIES	4,559.63	0.00	4,559.63
1200	CERT PUPIL SUPPORT SALARIES	2,048.02	0.00	2,048.02
1330	ASSISTANT SUPERINTENDENTS SAL	659.78	0.00	659.78
1900	OTHER CERTIFICATED SALARIES	7,647.51	0.00	7,647.51
2100	INSTRUCTIONAL AIDES' SALARIES	10,891.65	0.00	10,891.65
2105	INSTR AIDES SALARIES SUBS	4,115.71	0.00	4,115.71
2200	CLASSIFIED SUPPORT SALARIES	49,286.00	0.00	49,286.00
2205	CLASS SUPPORT SALARIES SUBS	5,137.10	0.00	5,137.10
2310	CLASS SUPERVISORS SALARIES	16.61	0.00	16.61
2400	CLERICAL & OFFICE SALARIES	10,720.74	0.00	10,720.74
2405	CLERICAL AND OFFICE SAL SUBS	1,695.24	0.00	1,695.24
2407	CLERICAL AND OFFICE SAL HOURLY	1,376.45	0.00	1,376.45
2900	OTHER CLASSIFIED SALARIES	2,553.19	0.00	2,553.19
2905	OTHER CLASSIFIED SALARY SUBS	2,011.41	0.00	2,011.41
3101	STRS ON 1000 SALARIES	0.00	7,986.15	7,986.15
3102	STRS ON 2000 SALARIES	0.00	192.01	192.01
3201	PERS ON 1000 SALARIES	0.00	426.89	426.89
3202	PERS ON 2000 SALARIES	0.00	2,975.76	2,975.76
3311	OASDI ON 1000 SALARIES	0.00	323.46	323.46
3312	OASDI ON 2000 SALARIES	0.00	3,260.60	3,260.60
3321	FICA-MED ON 1000 SALARIES	0.00	2,083.16	2,083.16
3322	FICA-MED ON 2000 SALARIES	0.00	1,268.34	1,268.34
3331	ALTER. RETIREMENT ON 1000 SAL	0.00	891.09	891.09
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	1,405.15	1,405.15
3412	HEALTH & WELFARE ON 2000 SAL	0.00	-335.00	-335.00
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	446.58	446.58
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	263.39	263.39
3601	WORKER'S COMP INS ON 1000 SAL	0.00	2,472.86	2,472.86
3602	WORKER'S COMP INS ON 2000 SAL	0.00	1,458.21	1,458.21
3911	TAXABLE FRINGE BEN ON 1000 SAL	360.00	0.00	360.00
01 Fund Total:		236,710.24	25,118.65	261,828.89

Fund: 11 ADULT EDUCATION FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	42,954.88	0.00	42,954.88
1105	TEACHERS' SALARIES SUBS	943.92	0.00	943.92
1200	CERT PUPIL SUPPORT SALARIES	3,229.80	0.00	3,229.80
2100	INSTRUCTIONAL AIDES' SALARIES	11,049.05	0.00	11,049.05
2200	CLASSIFIED SUPPORT SALARIES	306.57	0.00	306.57
2400	CLERICAL & OFFICE SALARIES	1,722.66	0.00	1,722.66
3101	STRS ON 1000 SALARIES	0.00	3,346.84	3,346.84
3202	PERS ON 2000 SALARIES	0.00	1,103.84	1,103.84
3312	OASDI ON 2000 SALARIES	0.00	744.49	744.49
3321	FICA-MED ON 1000 SALARIES	0.00	502.60	502.60
3322	FICA-MED ON 2000 SALARIES	0.00	174.12	174.12
3331	ALTER. RETIREMENT ON 1000 SAL	0.00	55.03	55.03

Report: R0010A

Gross Wage &amp; Fringe Summary by Object for JANUARY SUPPL. 2/10/2009

Fiscal Year 2008/2009

3411	HEALTH & WELFARE ON 1000 SALS	0.00	5,556.73	5,556.73
3412	HEALTH & WELFARE ON 2000 SALS	0.00	1,191.57	1,191.57
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	141.40	141.40
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	39.23	39.23
3601	WORKER'S COMP INS ON 1000 SAL	0.00	782.66	782.66
3602	WORKER'S COMP INS ON 2000 SAL	0.00	217.20	217.20

11 Fund Total:

60,206.88

13,855.71

74,062.59

Fund: 12 CHILD DEVELOPMENT FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	1,525.25	0.00	1,525.25
1340	CERT. ADMINISTRATOR SALARIES	494.70	0.00	494.70
2100	INSTRUCTIONAL AIDES' SALARIES	137.61	0.00	137.61
2900	OTHER CLASSIFIED SALARIES	331.19	0.00	331.19
3101	STRS ON 1000 SALARIES	0.00	105.38	105.38
3312	OASDI ON 2000 SALARIES	0.00	6.98	6.98
3321	FICA-MED ON 1000 SALARIES	0.00	22.12	22.12
3322	FICA-MED ON 2000 SALARIES	0.00	6.80	6.80
3331	ALTER. RETIREMENT ON 1000 SAL	0.00	10.91	10.91
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	15.69	15.69
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	6.06	6.06
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	1.44	1.44
3601	WORKER'S COMP INS ON 1000 SAL	0.00	33.55	33.55
3602	WORKER'S COMP INS ON 2000 SAL	0.00	7.78	7.78

12 Fund Total:

2,488.75

216.71

2,705.46

Fund: 13 CAFETERIA FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
2200	CLASSIFIED SUPPORT SALARIES	4,007.41	0.00	4,007.41
2205	CLASS SUPPORT SALARIES SUBS	4,586.52	0.00	4,586.52
2206	CLASS SUPPORT SALARY OVERTIME	62.15	0.00	62.15
3202	PERS ON 2000 SALARIES	0.00	269.23	269.23
3312	OASDI ON 2000 SALARIES	0.00	195.66	195.66
3322	FICA-MED ON 2000 SALARIES	0.00	125.51	125.51
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	215.88	215.88
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	25.96	25.96
3602	WORKER'S COMP INS ON 2000 SAL	0.00	143.78	143.78

13 Fund Total:

8,656.08

976.02

9,632.10

District Total:

308,061.95

40,167.09

348,229.04

**DATE: 2/27/09**

FUND 01 GROSS PAYROLL	\$ 6,299,579.50
BENEFITS	\$ 1,908,305.29
TOTAL	<b>\$ 8,207,884.79</b>
 FUND 11 GROSS PAYROLL - ADULT EDUCATION	 \$ 32,251.83
BENEFITS	\$ 10,494.74
TOTAL	<b>\$ 42,746.57</b>
 FUND 12 GROSS PAYROLL - CHILD DEVELOPMENT	 \$ 7,915.60
BENEFITS	\$ 3,583.88
TOTAL	<b>\$ 11,499.48</b>
 FUND 13 GROSS PAYROLL - CAFETERIA FUND	 \$ 98,122.65
BENEFITS	\$ 27,210.95
TOTAL	<b>\$ 125,333.60</b>
 FUND 35 GROSS PAYROLL-COUNTY SCHOOL FACILITIES FUND	 \$ -
BENEFITS	\$ -
TOTAL	<b>\$ -</b>
 <b>DISTRICT TOTAL</b>	 <b>\$ 8,387,464.44</b>

Report: R0010A

Gross Wage &amp; Fringe Summary by Object for FEBRUARY REGULAR 2/27/2009

Fiscal Year 2008/2009

Fund: 01 GEN FUND/CO SCHOOL SERV FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	4,218,810.53	0.00	4,218,810.53
1120	HOME INSTRUCTION SALARIES	7,670.80	0.00	7,670.80
1200	CERT PUPIL SUPPORT SALARIES	230,619.88	0.00	230,619.88
1300	CERT SUPRVSR'S & ADMINS' SAL	46,871.03	0.00	46,871.03
1310	CERT. SUPERVISOR SALARIES	15,553.93	0.00	15,553.93
1320	SUPERINTENDENTS SALARIES	14,887.67	0.00	14,887.67
1330	ASSISTANT SUPERINTENDENTS SAL	20,272.51	0.00	20,272.51
1340	CERT. ADMINISTRATOR SALARIES	311,892.83	0.00	311,892.83
1900	OTHER CERTIFICATED SALARIES	92,624.83	0.00	92,624.83
2100	INSTRUCTIONAL AIDES' SALARIES	282,564.91	0.00	282,564.91
2105	INSTR AIDES SALARIES SUBS	462.87	0.00	462.87
2200	CLASSIFIED SUPPORT SALARIES	525,620.06	0.00	525,620.06
2300	CLASS SUPRVSR'S & ADMINS' SAL	12,450.76	0.00	12,450.76
2310	CLASS SUPERVISORS SALARIES	41,155.66	0.00	41,155.66
2320	CLASS. ADMINISTRATOR SALARIES	73,896.81	0.00	73,896.81
2400	CLERICAL & OFFICE SALARIES	226,157.45	0.00	226,157.45
2407	CLERICAL AND OFFICE SAL HOURLY	143,177.98	0.00	143,177.98
2900	OTHER CLASSIFIED SALARIES	33,310.60	0.00	33,310.60
3101	STRS ON 1000 SALARIES	0.00	443,923.94	443,923.94
3102	STRS ON 2000 SALARIES	0.00	645.02	645.02
3201	PERS ON 1000 SALARIES	0.00	6,957.68	6,957.68
3202	PERS ON 2000 SALARIES	0.00	124,682.17	124,682.17
3311	OASDI ON 1000 SALARIES	0.00	3,948.45	3,948.45
3312	OASDI ON 2000 SALARIES	0.00	73,861.96	73,861.96
3321	FICA-MED ON 1000 SALARIES	0.00	62,414.49	62,414.49
3322	FICA-MED ON 2000 SALARIES	0.00	18,206.38	18,206.38
3331	ALTER. RETIREMENT ON 1000 SAL	0.00	-31.11	-31.11
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	2,307.30	2,307.30
3411	HEALTH & WELFARE ON 1000 SALS	0.00	627,133.19	627,133.19
3412	HEALTH & WELFARE ON 2000 SALS	408.39	232,473.21	232,881.60
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	14,879.55	14,879.55
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	4,019.14	4,019.14
3601	WORKER'S COMP INS ON 1000 SAL	0.00	82,373.24	82,373.24
3602	WORKER'S COMP INS ON 2000 SAL	0.00	22,250.38	22,250.38
3711	H & W CURRENT RETIREES ON 1000	0.00	110,683.66	110,683.66
3712	H & W CURRENT RETIREES ON 2000	0.00	77,576.64	77,576.64
3911	TAXABLE FRINGE BEN ON 1000 SAL	630.00	0.00	630.00
3912	TAXABLE FRINGE BEN ON 2000 SAL	540.00	0.00	540.00
01 Fund Total:		6,299,579.50	1,908,305.29	8,207,884.79

Fund: 11 ADULT EDUCATION FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1340	CERT. ADMINISTRATOR SALARIES	10,853.10	0.00	10,853.10
2200	CLASSIFIED SUPPORT SALARIES	3,712.95	0.00	3,712.95
2400	CLERICAL & OFFICE SALARIES	17,595.78	0.00	17,595.78
3101	STRS ON 1000 SALARIES	0.00	902.80	902.80
3202	PERS ON 2000 SALARIES	0.00	2,008.99	2,008.99
3312	OASDI ON 2000 SALARIES	0.00	1,236.84	1,236.84
3321	FICA-MED ON 1000 SALARIES	0.00	151.68	151.68

Report: R0010A

Gross Wage &amp; Fringe Summary by Object for FEBRUARY REGULAR 2/27/2009

Fiscal Year 2008/2009

3322	FICA-MED ON 2000 SALARIES	0.00	289.26	289.26
3411	HEALTH & WELFARE ON 1000 SALS	0.00	869.38	869.38
3412	HEALTH & WELFARE ON 2000 SALS	0.00	4,403.39	4,403.39
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	32.82	32.82
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	63.94	63.94
3601	WORKER'S COMP INS ON 1000 SAL	0.00	181.74	181.74
3602	WORKER'S COMP INS ON 2000 SAL	0.00	353.90	353.90
3911	TAXABLE FRINGE BEN ON 1000 SAL	90.00	0.00	90.00

11 Fund Total:	32,251.83	10,494.74	42,746.57
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## Fund: 12 CHILD DEVELOPMENT FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
1100	TEACHERS' SALARIES	3,139.00	0.00	3,139.00
2100	INSTRUCTIONAL AIDES' SALARIES	2,024.39	0.00	2,024.39
2400	CLERICAL & OFFICE SALARIES	2,752.21	0.00	2,752.21
3101	STRS ON 1000 SALARIES	0.00	310.76	310.76
3202	PERS ON 2000 SALARIES	0.00	367.10	367.10
3312	OASDI ON 2000 SALARIES	0.00	200.58	200.58
3321	FICA-MED ON 1000 SALARIES	0.00	33.21	33.21
3322	FICA-MED ON 2000 SALARIES	0.00	59.72	59.72
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	38.82	38.82
3411	HEALTH & WELFARE ON 1000 SALS	0.00	1,417.14	1,417.14
3412	HEALTH & WELFARE ON 2000 SALS	0.00	1,001.29	1,001.29
3501	STATE UNEMPLOY ON 1000 SALARY	0.00	9.42	9.42
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	14.35	14.35
3601	WORKER'S COMP INS ON 1000 SAL	0.00	52.14	52.14
3602	WORKER'S COMP INS ON 2000 SAL	0.00	79.35	79.35

12 Fund Total:	7,915.60	3,583.88	11,499.48
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## Fund: 13 CAFETERIA FUND

Object	Description	Wage Total	Fringe Total	Wage & Fringe Total
2200	CLASSIFIED SUPPORT SALARIES	78,639.60	0.00	78,639.60
2320	CLASS. ADMINISTRATOR SALARIES	6,073.50	0.00	6,073.50
2400	CLERICAL & OFFICE SALARIES	13,326.31	0.00	13,326.31
3202	PERS ON 2000 SALARIES	0.00	7,121.69	7,121.69
3312	OASDI ON 2000 SALARIES	0.00	4,089.21	4,089.21
3322	FICA-MED ON 2000 SALARIES	0.00	1,356.64	1,356.64
3332	ALTER. RETIREMENT ON 2000 SAL	0.00	1,216.16	1,216.16
3412	HEALTH & WELFARE ON 2000 SALS	83.24	11,503.23	11,586.47
3502	STATE UNEMPLOY ON 2000 SALARY	0.00	294.41	294.41
3602	WORKER'S COMP INS ON 2000 SAL	0.00	1,629.61	1,629.61

13 Fund Total:	98,122.65	27,210.95	125,333.60
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District Total:

6,437,869.58	1,949,594.86	8,387,464.44
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# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** *Casey Goodall* Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 3, 2009  
**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:

1. Tracy Unified School District/Kimball High School: From: Cadence, c/o KHS. The donation has an estimated value of \$10,000. The donation includes used desks, chairs, and filing cabinets for Kimball High.

**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. Casey Goodall, Associate Superintendent for Business Services.



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr.~~ Sheila Harrison, Assistant Superintendent Educational Services  
**DATE:** February 18, 2009  
**SUBJECT:** **Approve Overnight Travel for West High School Dance Team to Attend USA Nationals Competition, March 26 – 30, 2009, in Anaheim, California**

**BACKGROUND:** The USA Nationals Dance Competition is a two day annual event that encourages teams to develop and present their best routines in a fun and challenging environment. Teams from all around California, Arizona, and Nevada participate. Students will stay at the Anaheim Marriott in Anaheim, Ca. They will miss school on Friday, March 27 and Monday, March 30, 2009. Students are required to obtain teacher clearance for their absence and all work that will be missed. Time will be provided to complete their homework. Toni Glover, Coach and Melissa Siverling, Assistant Coach will chaperone 17 students throughout the trip. Students will be transported to and from the event by their parents.

**RATIONALE:** The dance team will have the opportunity to spend quality time together as a team while they compete against other dance teams from all over California, Nevada, and Arizona. The team has worked hard all year to develop their skill levels in dance performance in order to compete at this event. The team eagerly awaits their opportunity to represent West High School and the Tracy community at the competition. This meets Strategic Goal #7-Develop and Utilize Partnerships that Contribute to the Achievement of District Goals.

**FUNDING:** Cost not to exceed \$9,200.00. Cost includes hotel, Disneyland admission, and competition/registration fees. Students are individually responsible for the entire cost of their trip.

**RECOMMENDATION:** Approve Overnight Travel for West High School Dance Team to Attend USA Nationals Competition, March 26-30, 2009, in Anaheim, California.

**PREPARED BY:** Jeff Frase, Principal - West High School



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** *SA* Dr. Sheila Harrison, Assistant Superintendent of Educational Services  
**DATE:** February 27, 2009  
**SUBJECT:** **Approve Agreements for Special Contract Services for Assistant Softball Coaches Ed Smith, Christen Davis and Rachel Brockett for the 2008-2009 Season**

**BACKGROUND:** There is a need in the softball program at Tracy High for adequate supervision by knowledgeable coaches to ensure the players have a safe, educational and positive experience. Having exceptionally qualified staff is the primary aim of the programs. Ratification is necessary due to the coach's contracts starting on February 10, 2009. This agenda item needs to be ratified as the head coach was unaware of the Board procedures.

**RATIONALE:** Ed Smith, Christen Davis and Rachel Brockett are uniquely qualified to assist and enhance the softball program at Tracy High School. They have extensive softball experience as players and also as coaches. The experience and enthusiasm they bring to the players will ensure the overall success and safety of the program. Their duties will consist of assisting with daily practice, game management, scouting, and fundraising. This aligns with Strategic Goal #2: Provide a safe environment for students and staff that is conducive to learning.

**FUNDING:** Expenses for the Assistant Softball coaches will be paid out of the Tracy High School ASB softball account. Expenses will not exceed \$1750.00.

**RECOMMENDATION:** Approve Agreements for Special Contract Services for Assistant Softball Coaches Ed Smith, Christen Davis and Rachel Brockett for the 2008-2009 Season

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

**Tracy Unified School District**  
315 East Eleventh Street, Tracy California 95376-4095

## AGREEMENT FOR SPECIAL CONTRACT SERVICES

This Agreement, by and between Tracy Unified School District, hereinafter referred to as "District," and Ed Smith 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: **Assist with the coaching of the Tracy High Varsity Softball Team** including practices, tournaments, and fundraisers.
2. Contractor will provide the above service(s), as outlined in Paragraph 1, for a period of **February 10, 2009 to May 30, 2009**
3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:
  - A. District shall pay \$750.00 FLAT RATE (Flat Rate/Hourly), not to exceed a total of \$750.00. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.
  - B. District [ ☐ ] **SHALL**; [ ☒ ] **SHALL NOT** reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals, and lodging at rates not to exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed \$ for the term of this agreement.
  - C. District shall make payment on a [ ☐ ] **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 "Invoice of Non-Employee Consultant Services". Original paid receipts are required for lodging, airfare (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 term of this agreement shall commence on 2-10-2009, and shall terminate on 5-30-2009.
5. This agreement may be terminated at any time during the term by either party upon N/A ( 0 ) days written notice.
6. Contractor shall contact the District's designee, Greg Smith, with any questions regarding performance of the service outline above. District's designee shall determine if and when Contractor has completed the services described.
7. The parties intend that an independent contractor relationship is created by this contract and District assumes no responsibility for workers compensation liability. District likewise assumes no responsibility for liability for loss, damage, or injury to person(s) or property resulting from, or caused by, contractor's activities during or relating to the performance of service under this Agreement.

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 any 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.

8. This Agreement is for the personal services of the Contractor and Contractor may not assign the performance of the services to any persons who are not parties to this Agreement except for employees of Contractor.
9. 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.
10. 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.
11. Consultant/Contractor certifies that he or she is not an employee of the District and is self-employed in the performance of the services specified. Consultant agrees that he or she assumes all responsibility in relation to providing the District with an Employer Identification number or Social Security number as required by IRS regulations in relation to the conduct of his or her business.

AGREED:

Consultant Signature (1)

Social Security Number or TIN number (2)

Date

Title

Address

City/State/Zip

Phone Number

Date

Title

Account Number to be charged

Budget Approval

Date Approved by the Board

**Send All Copies to the Business Office**

- 1 Whenever organizational names are used, the authorized signature must include company title, such as president.
- 2 Whenever organizational names are used, the employer IRS Identification Number must be used instead of a Social Security Number.

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Glenda Borejko Page 2 03/10/1998

## AGREEMENT FOR SPECIAL CONTRACT SERVICES

This Agreement, by and between Tracy Unified School District, hereinafter referred to as "District," and **Rachel Brockett** 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: **Assist with the coaching of the Tracy High Sophomore Softball Team** including practices, tournaments, and fundraisers.
2. Contractor will provide the above service(s), as outlined in Paragraph 1, for a period of **February 10, 2009 to May 30, 2009**
3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:
  - A. District shall pay \$500.00 FLAT RATE (Flat Rate/Hourly), not to exceed a total of \$500.00. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.
  - B. District ☐ **SHALL**; ☒ **SHALL NOT** reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals, and lodging at rates not to exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed \$ for the term of this agreement.
  - C. District shall make payment on a ☐ **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 "Invoice of Non-Employee Consultant Services". Original paid receipts are required for lodging, airfare (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 term of this agreement shall commence on 2-10-2009, and shall terminate on 5-30-2009.
5. This agreement may be terminated at any time during the term by either party upon N/A ( 0 ) days written notice.
6. Contractor shall contact the District's designee, Greg Smith, with any questions regarding performance of the service outline above. District's designee shall determine if and when Contractor has completed the services described.
7. The parties intend that an independent contractor relationship is created by this contract and District assumes no responsibility for workers compensation liability. District likewise assumes no responsibility for liability for loss, damage, or injury to person(s) or property resulting from, or caused by, contractor's activities during or relating to the performance of service under this Agreement.

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 any 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.

8. This Agreement is for the personal services of the Contractor and Contractor may not assign the performance of the services to any persons who are not parties to this Agreement except for employees of Contractor.
9. 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.
10. 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.
11. Consultant/Contractor certifies that he or she is not an employee of the District and is self-employed in the performance of the services specified. Consultant agrees that he or she assumes all responsibility in relation to providing the District with an Employer Identification number or Social Security number as required by IRS regulations in relation to the conduct of his or her business.

**AGREED:**

Rachael Brock  
Consultant Signature (1)

\_\_\_\_\_  
Social Security Number or TIN number (2)

2-2-09  
Date

Assistant Softball Coach  
Title

Tracy, CA 95376  
Address  
City/State/Zip

\_\_\_\_\_  
Phone Number

2-2-09  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Account Number to be charged

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

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

**Send All Copies to the Business Office**

- 1 Whenever organizational names are used, the authorized signature must include company title, such as president.
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Glenda Borejko Page 2 03/10/1998

**Tracy Unified School District**  
315 East Eleventh Street, Tracy California 95376-4095

**AGREEMENT FOR SPECIAL CONTRACT SERVICES**

This Agreement, by and between Tracy Unified School District, hereinafter referred to as "District," and **Christen Davis** 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: **Assist with the coaching of the Tracy High Varsity Softball Team** including practices, tournaments, and fundraisers.
2. Contractor will provide the above service(s), as outlined in Paragraph 1, for a period of **February 10, 2009 to May 30, 2009**
3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:
  - A. District shall pay \$500.00 FLAT RATE (Flat Rate/Hourly), not to exceed a total of \$500.00. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.
  - B. District ☐ **SHALL**; ☒ **SHALL NOT** reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals, and lodging at rates not to exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed \$ for the term of this agreement.
  - C. District shall make payment on a ☐ **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 "Invoice of Non-Employee Consultant Services". Original paid receipts are required for lodging, airfare (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 term of this agreement shall commence on 2-10-2009, and shall terminate on 5-30-2009.
5. This agreement may be terminated at any time during the term by either party upon N/A ( 0 ) days written notice.
6. Contractor shall contact the District's designee, Greg Smith, with any questions regarding performance of the service outline above. District's designee shall determine if and when Contractor has completed the services described.
7. The parties intend that an independent contractor relationship is created by this contract and District assumes no responsibility for workers compensation liability. District likewise assumes no responsibility for liability for loss, damage, or injury to person(s) or property resulting from, or caused by, contractor's activities during or relating to the performance of service under this Agreement.

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 any 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.

8. This Agreement is for the personal services of the Contractor and Contractor may not assign the performance of the services to any persons who are not parties to this Agreement except for employees of Contractor.
9. 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.
10. 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.
11. Consultant/Contractor certifies that he or she is not an employee of the District and is self-employed in the performance of the services specified. Consultant agrees that he or she assumes all responsibility in relation to providing the District with an Employer Identification number or Social Security number as required by IRS regulations in relation to the conduct of his or her business.

AGREED:

Christa Davis  
Consultant Signature (1)

\_\_\_\_\_  
Social Security Number or TIN number (2)

2-2-09  
Date

Assistant Softball Coach  
Title

Tracy, CA 95376  
Address  
City/State/Zip

\_\_\_\_\_  
Phone Number

2-2-09  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Account Number to be charged

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

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

**Send All Copies to the Business Office**

- 1 Whenever organizational names are used, the authorized signature must include company title, such as president.
- 2 Whenever organizational names are used, the employer IRS Identification Number must be used instead of a Social Security Number.

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Glenda Borejko Page 2 03/10/1998



**TRACY**  
UNIFIED SCHOOL DISTRICT

# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Ryan Davis, Assistant Superintendent of Human Resources  
**DATE:** February 27, 2009  
**SUBJECT:** Approve Classified, Certificated, and/or Management Employment

## BACKGROUND:

Patterson, Marie

## BACKGROUND:

Granillo, Breanna

Henderson, Gary

Hermann, Rachel

McDaniel, Danette

Mullen, Pete

Webb, Justine

## CERTIFICATED

Adult School (part-time)  
Older Adult Instructor  
Class B-3, hourly paid on timesheet  
Funding: Adult Education

## COACHES

Pep Squad Advisor  
Kimball High School  
Stipend: \$2,436.22 (two separate stipends)

Assist. Cross Country Coach  
Tracy High School  
Stipend: \$3,896.19

Head Cross Country Coach  
Tracy High School  
Stipend: \$4,868.03

Boys' Tennis Coach  
Kimball High School  
Stipend: \$3,245.36

Wrestling Coach  
Kimball High School  
Stipend: \$4,868.03

Head Swim Coach  
Kimball High School  
Stipend: \$4,221.60

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

**Prepared by:** Ryan Davis, Superintendent of Human Resources



**TRACY**  
UNIFIED SCHOOL DISTRICT

# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Ryan Davis, Assistant Superintendent of Human Resources  
**DATE:** February 27, 2009  
**SUBJECT:** Accept Resignations/Retirements/Leave of Absence for Classified, Certificated, and/or Management Employment

## BACKGROUND:

## CLASSIFIED RESIGNATION

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Mayfield, Sheila School Sup. Assistant	McKinley	02/23/09	Personal
McKeon-Toste, Heather Kindergarten Para Educator	Central	03/06/09	Personal

**RECOMMENDATION:** Accept the Resignation/Retirements/Leaves of Absence for Certificated, Classified and/or Management Employees

**Prepared by:** Ryan Davis, Assistant Superintendent of Human Resources



# BUSINESS SERVICES MEMORANDUM

**To:** James Franco, Superintendent

**From:** Casey Goodall, Assoc. Superintendent for Business

**Date:** February 27, 2009

**SUBJECT:** Certify Corrective Actions to the 2007-08 Findings and Recommendations of the Independent Annual Financial Report

**BACKGROUND:** The board was presented with the annual external audit in January. The audit included one finding. Each year the Superintendent is required to certify that all corrective actions to the annual external audit have been reviewed and filed by the district's Governing Board. The Superintendent is also required to assure that corrective procedures have been implemented and will be used in the ensuing years.

**RATIONALE:** The attached forms document the corrective actions to the audit findings.

**FUNDING:** None.

**RECOMMENDATION:** Certify Corrective Actions to the 2007-08 Findings and Recommendations of the Independent Annual Financial Report

Prepared by: Casey Goodall, Assoc. Superintendent for Business Services



**SAN JOAQUIN COUNTY OFFICE OF EDUCATION**

**FREDRICK A. WENTWORTH**

**COUNTY SUPERINTENDENT**

**CERTIFICATION OF CORRECTIVE ACTION  
AUDIT FINDINGS AND RECOMMENDATIONS  
2007-2008**

**Tracy Unified School District**

**San Joaquin County, California**

☐

Certification of Corrective Action is hereby filed by the governing board of the school district.

\_\_\_\_\_  
Signature of Clerk/Secretary of the Governing Board

\_\_\_\_\_  
Date of Meeting

☐

Certification of Corrective Action:

**The Superintendent certifies that all corrective action(s) specified in the attached page(s) have been reviewed by the district's Governing Board and assures that corrective procedures have been implemented and will be used in the ensuing years.**

\_\_\_\_\_  
Signature of District Superintendent

\_\_\_\_\_  
Date

**FOR ADDITIONAL INFORMATION**

District

Contact:

Jill Carter

Phone:

209-830-3200

Submit the **original and one copy** of the Certification of Corrective Action, together with each Audit Finding Corrective Action form and corresponding documentation to:

**San Joaquin County Office of Education  
KT Yorba, Director, District Business Services  
2901 Arch-Airport Road  
Stockton, CA 95206**

Your response **must be submitted by March 15, 2009.**



## AUDIT FINDING CORRECTIVE ACTION

2007-2008

Tracy Unified School District

San Joaquin County, California

**FINDING CATEGORY** Internal Controls-Student Body Accounting

**FINDING #** 2008-1 **PAGE:** # 76

**Describe below specific corrective action used in resolving audit finding:**

Specifically address each individual item within the finding. Be certain that your responses are clear and concise. You will need to provide all documentation which supports the specific action taken toward resolving the finding; i.e., copies of amended reports, corrective action plans, etc.

**Attach all pertinent documentation. Number of attachments for this finding:** 10

The District has scheduled multiple training dates during the fiscal year 2008-09 and will carry this training into the 2009-10 school years to address all aspects of student body accounting. Additional, the District will monitor site activity for compliance with established District and State guidelines.

Tracy Unified School District  
Corrective Action Plan – Prior Year ASB Findings

**Monte Vista**

1. *The daily sales reports, tally sheets or other record of items sold, including the amount at which the items were sold, and the amount collected were not available to support the deposits made for the student store activity.*

We recommended that a procedure be implemented as to how to document cash receipts. For student store sales of small ticket items (pencils, pens), a tally sheet of each sale should accompany the deposit slip. For receipts that exceed a certain amount, a pre-numbered 3 part receipt should be used to support the deposit.

2. *The collections submitted to the bookkeeper by the club advisors were not always supported by invoices, tally sheets or other documentation. The deposits made in January lacked appropriate deposit documentation from club advisors.*

The school site has issued each of the club advisors with a pre-numbered 3 part receipt book to comply with cash receipt controls. The procedures noted above (under #1) also apply to club advisors that collect monies for deposit. Such documentation may include tally sheets, student lists (with date of payment and amount) or a pre-numbered 3 part receipt.

**Tracy High School**

3. *The daily sales reports, tally sheets or other record of items sold, including the amount at which the items were sold, and the amount collected were not available to support the deposits made for the student store activity.*

We recommended that a procedure be implemented as to how to document cash receipts. For student store sales of small ticket items (pencils, pens), a tally sheet of each sale should accompany the deposit slip. For receipts that exceed a certain amount, a pre-numbered 3 part receipt should be used to support the deposit.

4. *Although a physical count of inventory was taken quarterly, a perpetual inventory was not maintained and no comparison was made of the actual inventory counts to what was expected to be on hand. As a result, student store records did not have sufficient documentation to support the deposits made.*

The school site is looking into Point of Sale (POS) software that will track inventory on an on-going basis. Therefore, when actual inventory counts are taken, the count should agree with the ending inventory in the POS system.

**Duncan Russell/Stein HS**

5. *Bank deposits were not supported with documentation to identify the source of collections.*

After reviewing a sample of deposits, it appears that supporting documentation (copies of checks, receipts, tally sheets) are attached to the deposit slips. Although certain club advisors are not providing receipts for their collections, we have advised the bookkeeper to issue a pre-numbered receipt to the advisor.

I couldn't find any  
white slips

## MONTA VISTA MIDDLE SCHOOL

## Student Body Fund Deposit Slip

Date

2/13/09

Account Name

~~Yearbook Sales~~

Yearbook

Sales

Fundraising Project

Number of Checks #

5

\$ 145 Checks ✓

\$ \_\_\_\_\_ \$100's

\$ \_\_\_\_\_ \$50's

\$ 20 \$20's ✓

\$ \_\_\_\_\_ \$10's

\$ 60 \$5's ✓

\$ 10 \$1's ✓

\$ \_\_\_\_\_ Dollar Coins

\$ \_\_\_\_\_ Half Dollars

\$ \_\_\_\_\_ Quarters

\$ \_\_\_\_\_ Dimes

\$ \_\_\_\_\_ Nickels

\$ \_\_\_\_\_ Pennies

\$ 235 Total Deposit ✓

Club Account Sponsor (Staff Member)

School Secretary or Designee

12883

**ORDER SUMMARY**

Monte Vista Mid Sch - 2/13/2008 - Status: All

NAME: Magtibay, Maribelle

GRADE: 8

HOME ROOM: 22

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 30.00	\$ 30.00

NOTES:

TOTAL PURCHASED: \$30.00

**PAYMENT SUMMARY**

HANDLING FEE:	\$	0.00
DISCOUNT/ADJUSTMENT:	\$	0.00
TAX:	\$	0.00
NET AMOUNT:	\$	30.00

PAYMENT 1:	\$	30.00	2/13/2008
PAYMENT 2:	\$	0.00	
BALANCE DUE:	\$	0.00	

- PAID IN FULL -

Page: 1

**ORDER SUMMARY**

Monte Vista Mid Sch - 2/13/2008 - Status: All

NAME: Vasco, Brandon

GRADE: 8

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 30.00	\$ 30.00

NOTES:

TOTAL PURCHASED: \$30.00

**PAYMENT SUMMARY**

HANDLING FEE:	\$	0.00
DISCOUNT/ADJUSTMENT:	\$	0.00
TAX:	\$	0.00
NET AMOUNT:	\$	30.00

PAYMENT 1:	\$	30.00	2/13/2008
PAYMENT 2:	\$	0.00	
BALANCE DUE:	\$	0.00	

- PAID IN FULL -

**ORDER SUMMARY**

Monta Vista Mid Sch - 2/12/2009 - Status: All

NAME: Falso, Christian

HOME ROOM: holder

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 20.00	\$ 20.00

NOTES:

TOTAL PURCHASE: \$20.00

**PAYMENT SUMMARY**

HANDLING FEE:	\$	0.00	
DISCOUNT/ADJUSTMENT:	\$	0.00	
TAX:	\$	0.00	
NET AMOUNT:	\$	20.00	
PAYMENT 1:	\$	20.00	2/12/2009
PAYMENT 2:	\$	0.00	
BALANCE DUE:	\$	0.00	

-- PAID IN FULL --

Page: 1

**ORDER SUMMARY**

Monta Vista Mid Sch - 2/13/2009 - Status: All

NAME: Godeiroz, Marina

GRADE: 8

HOME ROOM: 12

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 20.00	\$ 20.00

NOTES:

TOTAL PURCHASE: \$20.00

**PAYMENT SUMMARY**

HANDLING FEE:	\$	0.00	
DISCOUNT/ADJUSTMENT:	\$	0.00	
TAX:	\$	0.00	
NET AMOUNT:	\$	20.00	
PAYMENT 1:	\$	20.00	2/13/2009
PAYMENT 2:	\$	0.00	
BALANCE DUE:	\$	0.00	

-- PAID IN FULL --

**ORDER SUMMARY**

Monte Vista MId Sch - 2/13/2009 - Status: All

NAME: Noble, Brian

GRADE: 7

HOME ROOM: 42

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 30.00	\$ 30.00

NOTES:

TOTAL PURCHASED: \$30.00

**PAYMENT SUMMARY**

HANDLING FEE: \$ 0.00  
 DISCOUNT/ADJUSTMENT: \$ 0.00  
 TAX: \$ 0.00  
 NET AMOUNT: \$ 30.00

PAYMENT 1: \$ 25.00 2/13/2009  
 PAYMENT 2: \$ 0.00  
 BALANCE DUE: \$ 5.00

- NOT PAID IN FULL -

Page: 1

**ORDER SUMMARY**

Monte Vista MId Sch - 2/13/2009 - Status: All

NAME: Vindick, Rachel

GRADE: 8

HOME ROOM: 42

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 30.00	\$ 30.00

NOTES:

TOTAL PURCHASED: \$30.00

**PAYMENT SUMMARY**

HANDLING FEE: \$ 0.00  
 DISCOUNT/ADJUSTMENT: \$ 0.00  
 TAX: \$ 0.00  
 NET AMOUNT: \$ 30.00

PAYMENT 1: \$ 30.00 2/13/2009  
 PAYMENT 2: \$ 0.00  
 BALANCE DUE: \$ 0.00

- PAID IN FULL -

**ORDER SUMMARY**

Monte Vista Mid Sch - 2/13/2009 - Status: All

NAME: Gillen, Carla

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 30.00	\$ 30.00

NOTES:

TOTAL PURCHASED: \$30.00

**PAYMENT SUMMARY**

HANDLING FEE:	\$	0.00
DISCOUNT/ADJUSTMENT:	\$	0.00
TAX:	\$	0.00
NET AMOUNT:	\$	30.00

PAYMENT 1:	\$	30.00	2/13/2009
PAYMENT 2:	\$	0.00	
BALANCE DUE:	\$	0.00	

- PAID IN FULL -

Page: 1

**ORDER SUMMARY**

Monte Vista Mid Sch - 2/13/2009 - Status: All

NAME: Amozgas, Jessica

GRADE: 8

HOME ROOM: 31

**OPTIONS ORDERED**

DESCRIPTION	QTY	UNIT PRICE	TOTAL PRICE
Yearbook	1	\$ 30.00	\$ 30.00

NOTES:

TOTAL PURCHASED: \$30.00

**PAYMENT SUMMARY**

HANDLING FEE:	\$	0.00
DISCOUNT/ADJUSTMENT:	\$	0.00
TAX:	\$	0.00
NET AMOUNT:	\$	30.00

PAYMENT 1:	\$	30.00	2/13/2009
PAYMENT 2:	\$	0.00	
BALANCE DUE:	\$	0.00	

- PAID IN FULL -

## MONTE VISTA MIDDLE SCHOOL

## Student Body Fund Deposit Slip

Date

2/23/09

Account Name

6th Gr. Club

Fundraising Project

Candy Sale

Number of Checks #

2

\$ 480 ✓ Checks

\$ \_\_\_\_\_ \$100's

\$ \_\_\_\_\_ \$50's

\$ \_\_\_\_\_ \$20's

\$ \_\_\_\_\_ \$10's

\$ \_\_\_\_\_ \$5's

\$ \_\_\_\_\_ \$1's

\$ \_\_\_\_\_ Dollar Coins

\$ \_\_\_\_\_ Half Dollars

\$ \_\_\_\_\_ Quarters

\$ \_\_\_\_\_ Dimes

\$ \_\_\_\_\_ Nickels

\$ \_\_\_\_\_ Pennies

\$ 480 ✓ Total Deposit

Club Account Sponsor (Staff Member)

School Secretary or Designee

12902

RECEIPT

DATE			No.	252061
RECEIVED FROM	Estimote		\$	275
Two hundred seventy five				DOLLARS
<input type="radio"/> FOR RENT	S.C. Donation			
<input type="radio"/> FOR				
ACCOUNT	275	<input type="radio"/> CASH		
PAYMENT	275	<input type="radio"/> MONEY ORDER	FROM	TO
BAL. DUE	0	<input checked="" type="radio"/> CHECK		
		<input type="radio"/> CREDIT CARD	BY	J/C

RECEIPT

DATE	2/23/09		No.	252062
RECEIVED FROM	Vanessa Zuniga		\$	205
Two hundred five				DOLLARS
<input type="radio"/> FOR RENT	SC Donation			
<input type="radio"/> FOR				
ACCOUNT	205	<input type="radio"/> CASH		
PAYMENT	205	<input type="radio"/> MONEY ORDER	FROM	TO
BAL. DUE	0	<input checked="" type="radio"/> CHECK		
		<input type="radio"/> CREDIT CARD	BY	J/C

# DEPOSIT TICKET

TRACY JNT UNIFIED SCHOOL DIST.  
GEORGE & EVELYN STEIN HIGH SCHOOL  
650 W. 10TH ST.  
TRACY, CA 95367

Pacific State Bank

TRACY BRANCH  
2850 N. TRACY BLVD., STE 101  
TRACY, CA 95376

4239224

Remove this tear-off receipt prior to sealing bag.

Date: 1-23-08  
Said to contain: \$ 916.07  
Signature: Richard Guidry

check from International Vending  
management, Inc.

01211414821 08 605818

012

916.07

DATE	1-23-08	DOLLARS	CI
CURRENCY			
COIN			
CHECKS (List each separately)			
1			
2			
3			
4			
5			
6			
7			
8			
9			
10			
11			
12			
13			
14			
15			
16			
17			
18			
19			
20			
21			
22			
23			
24			
25			
26			
27			
28			
29			
TOTAL FROM OTHER SIDE			

PLEASE RE-ENTER  
TOTAL HERE

916

DEPOSITS MAY NOT BE AVAILABLE FOR IMMEDIATE WITHDRAWAL FOR UNCOLLECTED FUNDS MAY BE PLACED ON DEPOSIT BY CHECK OR SIMILAR INSTRUMENTS. THIS DELAY YOUR ABILITY TO WITHDRAW SUCH FUNDS. THE DELAY WOULD NOT EXCEED THE PERIOD OF TIME PERMITTED BY

FOR PERIOD BEG.  
END.12/26/2007  
CHECK NO.  
CHECK DATE

PRODUCT	PRICE	UNITS	COMM. %	GROSS SALES	NET SALES	GROSS COMMISSION	ADJUSTMENTS	NET COMMISSION
Memo COMMISSIONS PD 200710.								
Deposited / 1-23-08 \$ 96.07								
TOTALS ▶								

DETACH AND RETAIN THIS STATEMENT  
THE ATTACHED CHECK IS IN PAYMENT OF ITEMS DESCRIBED  
ABOVE. IF NOT CORRECT PLEASE NOTIFY US PROMPTLY.  
OR RECEIPT DESIRED.



# BUSINESS SERVICES MEMORANDUM

**To:** James Franco, Superintendent  
**From:** C. Goodall, Associate Superintendent for Business  
**Date:** March 3, 2008  
**SUBJECT:** Certify the 2008-2009 Fiscal Year Second Interim Report

**BACKGROUND:** Education Code Section 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 forecasts, for the subsequent fiscal year. 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 to add an additional requirement that the Tracy Unified School District board review the assumptions supporting the multiple year projections. The review associated with these two levels of review will be included with the Second Interim Report document.

It should be noted that, while labor negotiations have been completed for the current year, and while none of the negotiated changes result in increased costs, the results of negotiated changes cannot be ratified until the district can certify that the school district is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent fiscal year.

The district is experiencing declining enrollment of approximately 100 students per year.

Also of concern, the state of California is facing a budget problem. Although the legislature passed, and the Governor approved, a state budget in February, the results of that budget are based on passage of propositions which will be before the voters in May. The state budget is also dependent on a projected level of tax revenues, which will not be confirmed until June.

The approved state budget results in reductions in revenue for the district. These reductions are included in the Second Interim Report. On the other hand, reductions in expenditures are also anticipated, but will not be approved by the Board until April 7<sup>th</sup>. Consequently, these reductions are not included in the Second Interim Report.

The First Interim Report confirms a qualified certification in which the district will be able to meet current obligations, but may not meet the obligations of future years.

**FUNDING:** The Second 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 forecasts, for the subsequent three fiscal years.

**RECOMMENDATION:** Certify the 2008-2009 Fiscal Year Second Interim Report



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** March 3, 2009  
**SUBJECT:** Approve Resolution No. 08-26 Closing Delta Island School; and  
Approve Resolution No. 08-27 Finding that the Re-enrollment of Students  
From Delta Island School to Villalovoz School Qualifies as a Categorical  
Exemption from California Environmental Quality Act

**BACKGROUND:** Anticipating severe budget reductions, Tracy Unified School District has taken a number of steps to identify areas to reduce costs. One of those steps was to form a Facilities Utilization Committee charged with establishing and reviewing criteria for closing schools and/or modifying school calendars from multi-track year round (MTYRE) to traditional. The work of the committee resulted in a recommendation to close Delta Island School and change the North School calendar for MTYRE to traditional. Prior to a final vote to close the school, the district considered physical environmental impacts of the closure. If it is determined that the closure has no significant physical environmental impacts, the District may file a Notice of Exemption with the County Clerk.

**RATIONALE:** At the February 24, 2009 Tracy Unified School District Board meeting, the TUSD Board approved a recommendation to commence an environmental review for the closure of Delta Island School. The District hired Benson Lee Consultants to document and consider the environmental implications of the closure of Delta Island School. Under CEQA, a "project" is considered to be an activity which may cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment along with other related activities. Under this initial study, Benson Lee, Consulting carefully reviewed the CEQA Environmental Checklist and Guidelines and categorical exemptions to determine if any potential physical environmental impacts will result from the proposed closure of the school and determined that no effects will occur. A written summary of the findings from the environmental review is attached. Therefore, the necessary Resolution No. 08-26 calling out these findings is attached to this agenda item for board approval.

Upon closure of the Delta Island School, the existing students would be transported by bus to Villalovoz Elementary School. Based upon the number of increased students at Villalovoz, a categorical exemption will be the appropriate level of CEQA documentation required for the re-enrollment of Delta Island students to Villalovoz School. A categorical exemption is applicable if it is determined that a project or action will not have a significant effect on the environment and falls under the actions defined in Section 15300 et seq. of the CEQA Guidelines. The increased enrollment of students at Villalovoz School qualifies as a "Categorical Exemption" from CEQA under Article 19, Section 15314 of the CEQA Guidelines because it is a minor addition to an

existing school site and does not increase original student capacity to the site by more than 25% or ten classrooms, whichever is less. Therefore the necessary Resolution No. 08-27 calling out these findings and the "Notice of Exemption" are attached to this agenda item for board approval.

**FUNDING:** Not applicable

**RECOMMENDATIONS:** Approve Resolution No. 08-26 Closing Delta Island School; and Approve Resolution No. 08-27 Finding that the Re-enrollment of Students from Delta Island School to Villalovoz School Qualifies as a Categorical Exemption from California Environmental Quality Act

**Prepared by:** Bonny Carter, Facilities Planner

## **BENSON LEE, CONSULTING**

1712 Cedar Street, #C  
Berkeley, CA 94703  
(510) 527-5926

### **MEMORANDUM**

March 3, 2009

To: Dr. Casey Goodall, Associate Supt. of Business Services,  
Bonny Carter, Facilities Director  
Tracy Unified School District

From: Benson Lee, Principal

Re: **Delta Island Elementary School - Closure of Facility**  
**CEQA Environmental Review Requirements**

At the direction of the Tracy Unified School District (District), Benson Lee, Consulting has examined the proposed closure of the existing Delta Island Elementary School and its possible implications upon District compliance with the environmental review requirements under the California Environmental Quality Act (CEQA) and its Guidelines.

Determination of District conformance with CEQA (see attached) has been based upon consideration of the "CEQA Environmental Checklist Form" (Appendix G of the Guidelines), categorical exemptions under section 15300 (et seq.), and the extensive experience of Benson Lee, Consulting in the preparation of numerous CEQA documents and related processing for nearly 125 school districts throughout the State of California, including the closure of educational facilities.

## **DELTA ISLAND ELEMENTARY SCHOOL CLOSURE COMPLIANCE WITH THE CALIFORNIA ENVIRONMENTAL QUALITY ACT**

### ***Proposed Project***

According to the Tracy Unified School District (District), the proposed action will include the closure of the existing Delta Island Elementary School. The facility is located at 11022 Howard Road, just east of the intersection of Tracy Boulevard/Howard Road, about over seven and one-half miles north of the central part of the City of Tracy. The site is surrounded by rural lands used for agriculture.

The school has an enrollment of approximately 132 students. Attendees are currently transported to the campus by four buses that leave the District maintenance yard near central Tracy in the morning and then return to the maintenance facility. The buses return to the school in the afternoon to pick up students, drop them off at residences before returning to the maintenance yard.

According to the District, upon closure of the school, the leased site will no longer be used by the District revert back to the owner under previous agreement. Existing students would then be bussed to the Villalovoz Elementary School about eight miles south in the City of Tracy.

### ***Environmental Review***

To determine if there are any potential environmental effects at the site of the Delta Island Elementary School that must be evaluated as a result of the proposed closure, the California Environmental Quality Act (CEQA) and its Guidelines were reviewed. In accordance with CEQA, any action or project that results in potentially significant *physical* environmental effects is subject to review. A significant effect on the environment" is considered "....a substantial, or potentially substantial, adverse change in any of the [existing baseline] physical conditions within the area affected by the project including land, air, water, minerals, flora, fauna, ambient noise and objects of historic or aesthetic significance. An economic or social change by itself shall not be considered a significant effect on the environment [unless there is a relevant physical impact]...."

The "CEQA Environmental Checklist Form" (Appendix G of the Guidelines), which provides a comprehensive list of environmental resources that may be affected by proposed projects or actions, was used to identify possible impacts. In addition, the checklist also provides criteria that define "threshold criteria" that would trigger a significant effect. Topics covered under the checklist include the following:

Aesthetics	Agriculture Resources	Air Quality
Biological Resources	Cultural Resources	Geology/Soils
Hazards/Hazardous Materials	Hydrology/Water Quality	Land Use/Planning
Mineral Resources	Noise	Population
Public Services	Recreation	Transportation/Traffic
Utilities/Services		

Based upon review of the environmental topics, the closure of the elementary school would not have a potentially significant impact compared to the baseline conditions that currently exist at the site. The

closure action will result in either no environmental change or reduce present impacts (e.g., noise, need to services). No impacts that would be considered significant were identified. In the event that existing structures or facilities are removed, any effects are expected to be short-term, intermittent, and less than significant.

To further determine if any type of CEQA environmental documentation would be warranted, section 15300 (et seq.) of the CEQA Guidelines was reviewed for any applicable categorical exemptions (a class of projects that are exempt from CEQA review due to their lack of/less significant impact for which a "Notice of Exemption" may be prepared). The results indicated that the closure action would not be subject to even this relatively low level of environmental review.

Since the school site would no longer be used for educational facilities or even be owned by the District, no CEQA-related action would apply to this agency for future use of the site.

District action to transfer students from Delta Island Elementary School to Villalovoz Elementary School is not expected to cause a significant impact. Students would be transported to and from the Villalovoz Elementary School by four busses from the District maintenance yard. The capacity of the Villalovoz Elementary School would also result in a less than significant impact that would qualify for a "Notice of Exemption" in accordance with section 15314 of the CEQA Guidelines.

## Notice of Exemption

To: ☒ Office of Planning and Research  
PO Box 3044, 1400 Tenth Street, Room 222  
Sacramento, CA 95812-3044

From: (Public Agency) Tracy Unified School  
District; 1875 West Lowell Avenue; Tracy, CA  
95376

(Address)

☒ County Clerk/Recorder/Assessor  
County of San Joaquin  
6 South El Dorado Street, Second Floor  
Stockton, CA 95202

Project Title: Villalovoz Elementary School - Addition of Students

**Project Location - Specific:** Existing site of Villalovoz Elementary School at 1550 Cypress Drive in the south-central part of the City of Tracy. The school, which was originally designed for a maximum enrollment of approximately 800, currently has an attendance of 539 students in grades K through 5.

**Description of Project:** The project will comprise the addition of 132 students to the Villalovoz Elementary School. Attendance will increase from 539 to 671 students. The additional enrollees will come from the Delta Island Elementary School, which will be closed. Four busses from the relatively nearby (one mile) maintenance yard, that are currently used to bus students to the Delta Island Elementary School, will be used to transport the tranferees to the Villalovoz Elementary School. No new additional classrooms will be needed to accommodate the increased number of students.

Name of Public Agency Approving Project: Tracy Unified School District

Name of Person or Agency Carrying Out Project: Tracy Unified School District

Exempt Status: (check one)

- ☐ Ministerial (Sec. 21080(b)(1); 15268);  
☐ Declared Emergency (Sec. 21080(b)(3); 15269(a));  
☐ Emergency Project (Sec. 21080(b)(4); 15269(b)(c));  
☒ Categorical Exemption. State type and section number: § 15314 - Minor Additions to Schools

**Reasons why project is exempt:** Consistent with section 15314 of the CEQA Guidelines for categorical exemptions, the proposed addition of 132 students to the present 539 at the Villalovoz Elementary School will not increase original attendance capacity by more than 25 percent nor will it result in the need for ten or more classrooms.

Lead Agency

Contact Person: Casey Goodall, Asso. Supt. Business Serv. Area Code/Telephone/Extension: (209) 830-1152

If filed by applicant:

1. Attached certified document of exemption finding
2. Has a Notice of Exemption been filed by the public agency approving the project? ☐ Yes ☐ No

Signature: \_\_\_\_\_ Date: \_\_\_\_\_ Title: Assoc. Supt. Bus.

☒ Signed by Lead Agency

☐ Signed by Applicant

Date received for filing at OPR: \_\_\_\_\_



**TRACY**  
UNIFIED SCHOOL DISTRICT

**TRACY UNIFIED SCHOOL DISTRICT  
RESOLUTION No. 08-26**

**CLOSING DELTA ISLAND SCHOOL**

**WHEREAS**, Tracy Unified School District, along with school districts throughout California, are experiencing critical financial conditions, and

**WHEREAS**, Delta Island School is the smallest school in the Tracy Unified School District, and is on a per square foot and a per student basis Delta Island School the most expensive school in the Tracy Unified School District to operate, and

**WHEREAS**, the Delta Island School facility needs extensive repairs, most significantly modifying the well system to meet San Joaquin County Environmental Health Department requirements, and

**WHEREAS**, there is no known aquifer in the Delta Island School area which can provide water to meet the San Joaquin County Environmental Health Department requirements, and

**WHEREAS**, potential health issues exist on the Delta Island School Site which will be expensive, if not impossible, to mitigate or repair, and

**WHEREAS**, an environmental review to document and consider the environmental implications for the closure of Delta Island School was completed by Benson Lee, Consulting, and

**WHEREAS**, the environmental review for the closure of Delta Island School determined that the closure of Delta Island School does not have an environmental effect, and

**WHEREAS**, the environmental review for the closure of Delta Island School recommends that a "Notice of Exemption" be filed for Villalovoz School in order to accommodate the Delta Island School population, and

**WHEREAS**, Villalovoz School offers quality educational programs,

**NOW THEREFORE**, let it be proclaimed that Delta Island School will be closed as of the end of the 2008-09 school year.

Resolved this 10<sup>th</sup> day of March, 2009, at a regular meeting of the Board of Education of the Tracy Unified School District by the following vote:

AYES:

NOES:

ABSENT:

ABSTENTION:

---

PRESIDENT, BOARD OF EDUCATION  
TRACY UNIFIED SCHOOL DISTRICT

Attest:

I certify that the foregoing resolution was adopted by the Board of Education of the Tracy Unified School District, County of San Joaquin, on the date shown above.

---

Clerk  
Board of Education  
Tracy Unified School District



**TRACY UNIFIED SCHOOL DISTRICT**

**RESOLUTION NO. 08-27**

**RESOLUTION FINDING THAT THE RE-ENROLLMENT OF STUDENTS FROM  
DELTA ISLAND SCHOOL TO VILLALOVOZ ELEMENTARY SCHOOL  
QUALIFIES AS A CATEGORICAL EXEMPTION FROM CALIFORNIA  
ENVIRONMENTAL QUALITY ACT**

**WHEREAS**, the California Environmental Quality Act (CEQA) is a statute that requires state and local agencies to identify the significant environmental impacts of their actions to avoid or mitigate those impacts;

**WHEREAS**, a public agency must comply with CEQA when it undertakes an activity defined by CEQA as a "project;"

**WHEREAS**, a project is an activity undertaken by a public agency or a private activity which must receive some discretionary approval from a government agency which may cause either a direct physical change in the environment or a reasonably foreseeable indirect change in the environment;

**WHEREAS**, a public agency is required to examine a project to determine whether the project is subject to CEQA or if the project is exempt;

**WHEREAS**, if the public agency has determined the project is exempt from CEQA, it is required to prepare a Notice of Exemption;

**WHEREAS**, Article 19, Section 15302 of the CEQA Guidelines, categorizes the increased enrollment of students at Villalovoz School as a "Categorical Exemption from CEQA under Article 19, Section 15314 of the CEQA Guidelines because it is a minor addition to an existing school site and does not increase original student capacity to the site by more than 25% or ten classrooms, whichever is less;

**NOW, THEREFORE BE IT RESOLVED** that the District finds that the re-enrollment of students from Delta Island School to Villalovoz School meets the CEQA exemption criteria because it is a minor addition to an existing school site and does not increase original student capacity to the site by more than 25% or ten classrooms, whichever is less;

**BE IT FUTHER RESOLVED** that the District Board authorizes the Superintendent to file a Notice of Exemption with the County Clerk of San Joaquin County.

**PASSED AND ADOPTED** by the Board of Trustees of the Tracy Joint Unified School District, County of San Joaquin, State of California this 10<sup>th</sup> day of March, 2009 by the following vote:

AYES:

ABSENT:

NOES:

ABSTAIN:

---

President of the Board of Trustees  
Tracy Joint Unified School District



**TRACY**  
UNIFIED SCHOOL DISTRICT

# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business  
**DATE:** March 3, 2009  
**SUBJECT:** Accept Bond Oversight Committee's Recommendation of Vavrinek, Trine, Day & Co., LLP to Prepare "Proposition 39" General Obligation Bonds (Measure E and Measure S) Annual Financial and Performance Audits and Approve and Award Proposal for the Fiscal Year Ending June 30, 2009

**BACKGROUND:** When a school bond measure is authorized pursuant to Section 1 of Article XIII A of the California Constitution as amended with the passage of Proposition 39 which was approved by voters on November 7, 2000, the School Board is subject to certain accountability requirements. Proposition 39 requires that each year the Board conduct an independent audit for the purpose of ensuring that the Bond proceeds have been expended only on specific projects as listed in the bond measure. In addition, each year the Board must conduct an independent financial audit of expended Bond proceeds until all of the Bond proceeds have been expended on the specific school facilities projects off the project list.

**RATIONALE:** It is at the School Board's discretion to approve and award the annual Proposition 39 bond audits to a certified auditing firm. District staff received combined financial and performance audit proposals from Stephen Roatch Accountancy and to Vavrinek, Trine, Day & Co., LLP:

<b>Firm:</b>	<b>1 Year (2008/09)</b>	<b>3 Year (2008/09 to 2010/11)</b>
Stephen Roatch Accountancy	\$16,000	\$49,500
Vavrinek, Trine, Day & Co.	\$13,000	\$39,000

Both the Measure E and Measure S Oversight Committees have reviewed these proposals and recommend Vavrinek, Trine, Day & Company LLP. for the 2008/09 audits on the basis of cost. They also recommend that the audits be awarded for one year (2008/09) and that District staff return next year with proposals solicited at that time.

**FUNDING:** The cost of the annual audits will be funded by bond proceeds.

**RECOMMENDATION:** Accept Bond Oversight Committee's Recommendation of Vavrinek, Trine, & Day LLP., to Prepare "Proposition 39" General Obligation Bonds (Measure E and Measure S) Annual Financial and Performance Audits and Approve and Award Proposals for the Fiscal Year Ending June 30, 2009

**Prepared by:** Bonny Carter, Facilities Planner



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Ryan Davis, Assistant Superintendent, Human Resources  
**DATE:** March 2, 2009  
**SUBJECT:** Adopt Resolution 08-25 Authorizing Teachers to Teach Outside of Their Major/Minor

**BACKGROUND:** Education Code Section 44263 authorizes teaching outside major and minor provided that the teacher has eighteen (18) semester hours of coursework, or nine (9) semester hours of upper division or graduate coursework in the subject area to be taught. The Tracy Unified School District currently has two (2) teachers teaching subjects outside of their majors and minors.

Education Code Section 44256(b) authorizes the holder of a multiple subject teaching credential or a standard elementary credential to teach any subject in departmentalized classes to a given class or group of students below grade 9, provided that the teacher has completed at least 12 semester units, or six upper division or graduate units of coursework at an accredited institution in each subject to be taught. The authorization shall be with the teacher's consent. The Tracy Unified School District currently has seven (7) teachers with Multiple Subject credentials who are teaching departmentalized classes.

**RATIONALE:** In all the above instances the teacher involved must give their consent and the Board must adopt a resolution (see attached) authorizing these assignments.

**RECOMMENDATION:** Adopt Resolution 08-25 Authorizing Teachers to Teach Outside of Their Major/Minor.

**Prepared by:** Ryan Davis, Assistant Superintendent of Human Resources.



**BEFORE THE BOARD OF TRUSTEES OF TRACY UNIFIED SCHOOL DISTRICT OF  
SAN JOAQUIN AND ALAMEDA COUNTIES, STATE OF CALIFORNIA**

**RESOLUTION 08-25  
AUTHORIZING TEACHERS TO TEACH OUTSIDE OF THEIR MAJOR/MINOR  
2008-2009**

BE IT RESOLVED that the Governing Board pursuant to Education Code Sections **44263** and **44256(b)** hereby authorizes assignment of a teacher licensed pursuant to the provisions of these sections, with his or her consent, to

Teach outside major and minor provided that the teacher has eighteen (18) semester hours of coursework, or nine (9) semester hours of upper division or graduate coursework in the subject area to be taught, and

Teach any subject in departmentalized classes to a given class or group of students below grade 9, provided that the teacher has completed at least twelve (12) semester units, or six upper division or graduate units of coursework.

Authorization shall remain valid for one year.

PASSED and ADOPTED by the Board of Trustees of the Tracy Unified School District, San Joaquin and Alameda Counties, State of California, this 10<sup>th</sup> day of March, 2009, by the following vote:

AYES:  
NOES:  
ABSENT:  
ABSTAIN:

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Ted Guzman, President, Board of Trustees  
Tracy Unified School District

**ATTESTED:**

I hereby certify that the foregoing resolution was adopted by the Board of Trustees of the Tracy Unified School District of San Joaquin and Alameda Counties on the date shown above

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Kelly Lewis, Board of Trustees  
Tracy Unified School District

<b>Name</b>	<b>Site</b>	<b>Assignment</b>	<b>Credential</b>	<b>Ed Code</b>
Stephen Anastasio	WHS	PE	Professional Clear MS	44263
Matthew Loggins	WHS	PE	Professional Clear SS: Math w/SA: Intro Science	44263
Lisa Mendez	FR	Math	Prof Clear MS w/SA: Art	44256(b)
Ferne Martin	FR	Math	Prof Clear MS	44256(b)
Nelly Baretta	MV	Math	Life Multiple Subject	44256(b)
Jolene Azevedo	MV	PE	Professional Clear Multiple Subject	44256(b)
Kristi Basacker	KE	Science	Professional Clear Multiple Subject	44256(b)
Karen Kelly	KE	Math	Professional Clear Multiple Subject w/SA: Science	44256(b)
Kathleen Teixeira	THS	Math	Professional Clear Multiple Subject	44256(b)



**TRACY**  
UNIFIED SCHOOL DISTRICT

# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Ryan Davis, Assistant Superintendent for Human Resources  
**DATE:** February 27, 2009  
**SUBJECT:** Approve Job Description for Administrator of Bilingual and English Language Development Site Programs, Elementary (K-5)

**Background:** In 1992 South/West Park School united two independent school sites into one in order to offer a unique educational program for students. By combining these sites, children in grades K-5 have had the opportunity to participate in a Gifted and Talented Program (G.A.T.E.), Bilingual Education Program or Conventional Program. Coordination of these programs has required guidance and direction for students and staff which has been provided by two principals for many years. Last year, upon the retirement of one of the principals, one principal position was replaced with an assistant principal position.

The demands upon administrators are great but even more so at South/ West Park. Providing a dynamic K-5 Bilingual Program requires that all program planning, training, notifications, special events/activities, and parent involvement be provided in English and Spanish. The site administrators are responsible for program implementation and meeting district and state requirements for all students. This often requires that curriculum and materials which are provided to schools by the district in English be designed and developed as a corollary for the Spanish instructional program. At an elementary school with a student population of 1200 students, an additional administrator with Bilingual skills and curriculum expertise are necessary to ensure the continued success of this educational program.


The job description for Administrator of Bilingual and English Language Development Site Programs, Elementary (K-5) needs to be created to accurately reflect job duties and responsibilities.

**Rationale:** The District continues the process of updating job descriptions to ensure that they accurately reflect current and essential functions of the position, District requirements, and any Federal, State or Department of Education requirements. It is important to update job descriptions periodically so that they accurately reflect current functions of the position. This agenda item meets Strategic Goal 1: Provide a variety of learning opportunities through standards based curriculum and assessment and research based instruction that ensures that all students meet or exceed grade level standards and results in closing the achievement gap, and Goal 2: Provide a safe environment for students and staff that is conducive to learning.

The changes and additions to the job description are being proposed to ensure it accurately reflects the essential functions of the position of Administrator of Bilingual and English Language Development Site Programs, Elementary (K-5) It is not made with the intention of reclassifying employees or making salary changes.

**Funding:** Title 1, EIA

**Recommendation:** Approve Job Description for Administrator of Bilingual and English Language Development Site Programs, Elementary (K-5)

**Prepared by:** Dr. Sheila Harrison, Assistant Superintendent for Educational Services 

## TRACY UNIFIED SCHOOL DISTRICT JOB DESCRIPTION

**POSITION TITLE:** Administrator of Bilingual and English Language Development Site Programs, Elementary (K-5)

**DEPARTMENT/DIVISION:** K-5 Elementary Schools

**POSITION SUMMARY:** The **Administrator of Bilingual and ELD Site Programs (K-5)**, under the direction of the school site principal, assumes responsibilities in administration for **Bilingual and ELD** curriculum, instructional programs, staff development and guidance, as well as the evaluation of **Bilingual and ELD** staff, and related administrative functions as assigned by supervisor. The **Administrator of Bilingual and ELD Site Programs, Elementary (K-5)**, will serve 195 days a year with normal working hours from 8:00 a.m. to 5:00 p.m.

### **ESSENTIAL FUNCTIONS:**

1. Assists supervising principal in administration of the school curriculum and instructional programs.
2. Assists in the coordination, implementation and development of all **Bilingual and ELD** school activities.
3. Assists in the implementation of student discipline and guidance.
4. Assists in planning and scheduling all **Bilingual and ELD** student-teacher and parent-teacher conferences.
5. Assists in monitoring and implementing Board policies, administrative procedures and **Bilingual and ELD program** budgets.
6. Maintains system for handling local school reports and records.
7. Assists in selection and employment of **Bilingual and ELD** certificated and classified personnel.
8. Assists in the evaluation and staff development of all **Bilingual and ELD** certificated and classified personnel.
9. Utilizes the **Bilingual and ELD** programs to promote effective parent and community relationships.
10. **May direct faculty meetings, encourage teachers to participate in curriculum development, decision making, and the assumption of responsibility for active participation.**
11. Participates as a member of the District management team, makes recommendations for District policy, and assists in the formation of District curriculum goals and objectives.
12. Assists the principal with attendance records and reports, scheduling, and budgetary accounting.
13. Participates in School Site Council, Open House, Back to School Night and other related school/community events and organizations.
14. Provides classroom instructional support programs and services.
15. Attends IEPs and SSTs for students in the **Bilingual and ELD** programs.
16. Serves as acting site administrator in the absence of the principal.
17. Maintains regular and prompt attendance in the workplace.
18. Performs other duties as assigned by supervising principal.

**POSITION TITLE: Administrator of Bilingual and English Language Development Site Programs, Elementary (K-5)**

**EDUCATION AND EXPERIENCE:**

Ability to carry out oral and written directions, read, write, and speak at a level sufficient to fulfill the duties to be performed. Previous school site teaching or administrative experience preferred. Valid California Administrative Service Credential, or enrolled in an approved Administrative Internship program. Appropriate valid California Teaching Credential required. Master's Degree preferred.

**SKILLS AND QUALIFICATIONS:**

1. Knowledge of elementary school curriculum.
2. Ability to provide strong instructional leadership.
3. Knowledge and understanding of effective instructional strategies for **Bilingual and EL students.**
4. **Knowledge of federal and state regulations regarding Bilingual and EL students.**
5. **Knowledge and understanding of the philosophy of Bilingual Education Programs.**
6. Knowledge of intermediate computer skills.
7. Ability to communicate effectively, orally and in writing in **English and Spanish.**
8. Strong interpersonal skills.
9. Ability to maintain cooperative working relationships with those contacted in the course of work.

**PHYSICAL REQUIREMENTS:**

Employees in this position must be/have the ability to:

1. Sit for extended periods of time.
2. Enter data/information into a computer terminal/typewriter and operate standard office equipment for extended periods of time.
3. See and read a computer screen and printed matter with or without vision aids.
4. Speak so that others may understand at normal levels and on the telephone.
5. Hear and understand at normal levels and on the telephone with or without hearing aids.
6. Stand and/or walk on hard and/or uneven surfaces for extended periods of time.
7. Reach overhead, grasp, push/pull up to 25 pounds for short distances.
8. Bend, squat, stoop and/or climb for extended periods of time.
9. Lift and/or carry up to 50 pounds at waist height for short distances.

**WORK ENVIRONMENT:**

Employees in this position will be required to work indoors in a standard office and/or classroom environment and outdoors with students on the playground and other areas where students and/or staff are gathered during activities. Employees in this position will come in direct contact with District staff, students, parents and the public.

**DAYS OF SERVICE:** 195

**SALARY:** LME 40

**BOARD APPROVED:**



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Ryan Davis, Assistant Superintendent of Human Resources  
**DATE:** February 27, 2009  
**SUBJECT:** Ratify Contract with Office of Administrative Hearings

**BACKGROUND:** Pursuant to Education codes 44949, 44955, and 44951, at the February 24, 2009 Board Meeting, the Board of Trustees approved Resolution 08-20 which authorized the reduction or discontinuance of particular kinds of service. No later than March 15 and before an employee is given notice by the governing board that his or her services will not be required for the ensuing year for the reasons specified in Section 44955, the governing board and the employee shall be given written notice by the superintendent of the district or his or her designee. The employee may request a hearing to determine if there is cause for not reemploying him or her for the ensuing year.

**RATIONALE:** Before requesting a hearing, a school district must confirm that it has a current contract in effect with Office of Administrative Hearings (OAH). Each year, the (OAH) conducts teacher reduction in force proceedings for school districts during a six-week period beginning in late March. The OAH may not schedule a school district's hearing until the contract is in effect.

**FUNDING:** The Hourly rate for Administrative Law Judge services is currently \$187.00, plus a \$66.00 filing fee per case.

**RECOMMENDATION:** Ratify Contract with Office of Administrative Hearings

**Prepared by:** Ryan Davis, Assistant Superintendent of Human Resources.

## A G R E E M E N T

THIS AGREEMENT, made and entered into on \_\_\_\_\_, by and between the State of California, hereinafter called STATE, through its duly appointed Director of the Office of Administrative Hearings, and the Tracy Unified School District, hereinafter called DISTRICT.

### WITNESSETH:

WHEREAS, the services of the Office of Administrative Hearings, Department of General Services, may be needed by DISTRICT for conducting hearings and issuing proposed decisions; and

WHEREAS, STATE has the authority to contract with DISTRICT for the rendering of hearing services pursuant to Government Code Section 27727, and is amenable to the furnishing of such services when required personnel are available by STATE,

NOW THEREFORE, IT IS MUTUALLY AGREED between the parties hereto as follows:

1. Upon request of DISTRICT, STATE will furnish the services of Administrative Law Judges to DISTRICT for the purpose of conducting hearings under the authority of Government Code Section 27727. The assignment of Administrative Law Judges for hearings will be at the discretion of the Director and/or Presiding Administrative Law Judges, who may elect to hear the matter themselves.

2. In consideration of the performance of such services by STATE, DISTRICT agrees to pay to STATE the cost of rendering such services. In the event a calendared case is taken off calendar, or needs to be re-calendared, other than by the Office of Administrative Hearings, and the Office of Administrative Hearings is unable to schedule the Administrative Law Judge for another case, DISTRICT agrees to pay STATE for the original hearing time or until the Judge is assigned to another case, whichever occurs first. Every effort will be made to promptly reassign the scheduled administrative law judge in the event a calendared matter is cancelled, taken off calendar, settled, re-calendared or continued. Costs shall be computed in accordance with the rates set forth in the Department of General Services Price Book current with the term of this Agreement. STATE agrees to submit invoices for services which are rendered hereunder.

3. This Agreement commences effective the date of first above written and shall continue in full force and effect until either party shall notify in writing the other party of its determination to terminate the Agreement, which termination shall occur sixty (60) days after the mailing of such notice.

IN WITNESS WHEREOF, this Agreement has been executed by and on behalf of the parties hereto, the day and year first above written.

TRACY UNIFIED SCHOOL DISTRICT

\_\_\_\_\_  
CASEY GOODALL,  
Associate Superintendent for Business Services

OFFICE OF ADMINISTRATIVE HEARINGS

\_\_\_\_\_  
NOAH VALADEZ, Chief of Administration



# HUMAN RESOURCES MEMORANDUM

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**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Ryan Davis, Assistant Superintendent of Human Resources  
**DATE:** March 3, 2009  
**SUBJECT:** Approve Amended Resolution 08-20, Authorizing the Reduction or Discontinuance of Particular Kinds of Services

**BACKGROUND:** Pursuant to Education Codes 44949, 44955, and 44951, the District administration is making a recommendation that will require the Governing Board of the Tracy Unified School District to reduce or discontinue particular kinds of services in order to reduce the number of certificated employees of the District.

**RATIONALE:** Reduction or discontinuance of particular kinds of services are needed to address budget cuts for the 2009/2010 school year.

**RECOMMENDATION:** Approve Amended Resolution 08-20, Authorizing the Reduction or Discontinuance of Particular Kinds of Services.

**Prepared by:** Ryan Davis, Assistant Superintendent of Human Resources



**TRACY UNIFIED SCHOOL DISTRICT  
AMENDMENT OF RESOLUTION NO. 08-20**

**REDUCTION AND ELIMINATION OF  
PARTICULAR KINDS OF SERVICE  
FOR THE 2009-2010 SCHOOL YEAR**

WHEREAS, on or about February 24, 2009, the Governing Board of the Tracy Unified School District adopted Resolution No. 08-20, Reduction and Elimination of Particular Kinds of Services for the 2009-2010 School Year.

WHEREAS, as a result of further analysis study of possible reductions needed to balance the budget, the Board has determined that it desires to amend its prior Resolution, and hereby determines that it shall be necessary to reduce the following particular kinds of certificated services of the District not later than the beginning of the 2009-2010 school year:

- a. Reduction of Elementary School Teaching Program, resulting in the elimination of 70.1 FTE certificated Teacher positions.
- b. Reduction of Elementary School Core Teaching Program 4.0 FTE, and reduction of Intermediate School Core Teaching Program 4.0 FTE, resulting in the elimination of 8.0 FTE certificated Teacher positions.
- c. Reduction of the "Language!" Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- d. Reduction of the Physical Education Program, resulting in the elimination of 4.6 FTE certificated Teacher positions.
- e. Reduction of the Mathematics Program, resulting in the elimination of 7.4 FTE certificated Teacher positions.
- f. Reduction of the Science Program, resulting in the elimination of 4.0 FTE certificated Teacher positions.
- g. Reduction of the Music Program, resulting in the elimination of 4.0 FTE certificated Teacher positions.

- h. Reduction of the Spanish Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- i. Reduction of the Reading/Direct Instruction Teaching Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- j. Reduction of the Technology Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- k. Reduction of the Drama Teaching Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- l. Reduction of the GATE Program, resulting in the elimination of 2.0 FTE certificated Teacher positions.
- m. Reduction of the Art Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- n. Reduction of the Computer Science Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- o. Reduction of the English Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- p. Reduction of the Business/Keyboarding Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- q. Reduction of the Social Science Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- r. Reduction of the Home Economics Program, resulting in the elimination of 1.0 FTE certificated Teacher positions.
- s. Reduction of the Career Technical Education Program, resulting in the elimination of 20 FTE certificated Teacher positions.
- t. Reduction of the High School Activities Director/Student Activities Advisor Program, resulting in the elimination of 1.2 FTE certificated Teacher positions.
- u. Reduction of the High School Athletic Director Program, resulting in the elimination of 1.2 FTE certificated Teacher positions.
- v. Reduction of the AG Science Academy Coordination Program, resulting in the elimination of .4 FTE certificated Teacher positions.
- w. Reduction of the International Baccalaureate Coordination Program, resulting in the

elimination of .4 FTE certificated Teacher positions.

- x. Reduction of the AVID Coordination Program, resulting in the elimination of .4 certificated Teacher positions.
- y. Reduction of the Performing Arts Coordination Program, resulting in the elimination of .8 FTE certificated Teacher positions.
- z. Reduction of the ELD Coordination Program, resulting in the elimination of .4 FTE certificated Teacher positions.
- aa. Reduction of the Advanced Placement Coordination Program, resulting in the elimination of .2 FTE certificated Teacher positions.
- bb. Reduction of the Space and Engineering Academy Coordination Program, resulting in the elimination of .2 FTE certificated Teacher positions.
- cc. Reduction of the High School Counseling Program, resulting in the elimination of 3.0 FTE certificated Counselor positions.
- dd. Reduction of the Middle School Counseling Program, resulting in the elimination of 2.0 FTE certificated Counselor positions.
- ee. Reduction of the Support Room Program, resulting in the elimination of 4.2 FTE certificated Teacher positions.
- ff. Reduction of the Adult School Teaching Program, resulting in the elimination of 7.0 FTE certificated Teacher positions.
- gg. Reduction of the School Psychologist Program, resulting in the elimination of 1.0 FTE certificated Psychologist positions.
- hh. Reduction of the Elementary School Administration Program, resulting in the elimination of 5.0 FTE certificated Assistant Principal Administrator positions and 1.0 FTE certificated Principal Administrator positions.
- ii. Reduction of the High School Administration Program, resulting in the elimination of 2.0 FTE certificated Assistant Principal Administrator positions.
- jj. Reduction of the District Educational Services Program, resulting in the elimination of 5.0 FTE certificated Administrator positions.
- kk. Reduction of the Special Education Program, resulting in the elimination of 1.0 FTE certificated Program Specialist positions.

WHEREAS, it is the opinion of the Governing Board that it is necessary by reason of the

above reduction or elimination of particular kinds of service to eliminate 150.7 certificated positions in the District at the close of the current school year in accordance with Education Code section 44955; and

WHEREAS, the Governing Board has considered all positively assured attrition which has occurred to date, that is, all deaths, resignations, retirements, non-reelections and other permanent vacancies in reducing those services.

NOW, THEREFORE, BE IT RESOLVED that it shall be necessary to terminate at the end of the 2008-2009 school year the employment of not more than 141.7 certificated employees of the District as a result of the above-reduction of services. The Superintendent or his designated representative is directed to take all appropriate action needed, including the sending of appropriate notices to all employees whose positions shall be affected by virtue of this action.

PASSED AND ADOPTED this 10<sup>th</sup> day of March, 2009 by the Board of Trustees of the Tracy Unified School District by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

\_\_\_\_\_  
Ted Guzman, President  
Board of Trustees  
Tracy Unified School District

Attested:

I certify that the foregoing resolution was adopted by the Board of Trustees of the Tracy Unified School District, County of San Joaquin, on the date shown above.

\_\_\_\_\_  
Kelly Lewis, Clerk  
Board of Trustees  
Tracy Unified School District