

PLEASE BRING THIS COPY OF THE AGENDA TO THE BOARD MEETING. THANK YOU!

NOTICE
REGULAR MEETING OF THE GOVERNING BOARD
TRACY UNIFIED SCHOOL DISTRICT

DATE: TUESDAY, OCTOBER 9, 2007

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

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

A G E N D A

1. Call to Order

2. Roll Call – Establish Quorum

Board: G. Crandall, J. Feller, T. Guzman, T. Hawkins, K. Lewis, B. Swenson, J. Vaughn
Staff: J. Franco, J. Mousalimas, 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: #FF07-08/12, 13

3.1.2 Application for Reinstatement: #AR07-08/1

Action: Motion___; Second___. **Vote:** Yes ___; No ___; Absent___; Abstain ___.

3.1.3 PE Exemption Request: THS #1004645, #1008081

Action: Motion___; Second___. **Vote:** Yes ___; No ___; Absent___; Abstain ___.

3.2 Human Resources:

**3.2.1 Consider Leave of Absence Request for Certificated Employee #UC-516,
Pursuant to Article XX**

Action: Motion___; Second___. **Vote:** Yes ___; No ___; Absent___; Abstain ___.

**3.2.2 Consider Leave of Absence Request for Certificated Employee #UC-517,
Pursuant to Article XX**

3.2.3 Consider Public Employee/Employment/Discipline/Dismissal/Release

Action: Motion___; Second___. **Vote:** Yes ___; No ___; Absent___; Abstain ___.

**3.2.4 Conference with Legal Counsel – Anticipated Litigation
(G.C. 54956.9(b))**

- Number of Potential Cases: one (1)

3.2.5 Conference with Labor Negotiator
Agency Negotiator: Jamie Mousalimas,
Assistant Superintendent of Human Resources
Employee Organization: CSEA, TEA

Pg. No.

4. Adjourn to Open Session

5. Call to Order and Pledge of Allegiance

6. Closed Session Issues:

6a Action on Findings of Fact # FF07-08/12, 13

Action: Motion___; Second___. **Vote:** Yes ___; No ___; Absent___; Abstain ___.

6b Report Out of Action Taken on Application for Reinstatement: #AR07-08/1, 2

Action: Vote: Yes ___; No___; Absent___; Abstain ___

6c Report Out of Action Taken on PE Exemption Request: THS #1004645, #1008081

Action: Vote: Yes ___; No___; Absent___; Abstain ___

6d Report Out of Action Taken Consider Leave of Absence Request for Certificated Employee #UC-516, Pursuant to Article XX

Action: Vote: Yes ___; No___; Absent___; Abstain ___

6e Report Out of Action Taken Consider Leave of Absence Request for Certificated Employee #UC-517, Pursuant to Article XX

Action: Vote: Yes ___; No___; Absent___; Abstain ___

7. Approve Regular Minutes of September 25, 2007.

Action: Motion___; Second ___. **Vote:** Yes ___; No ___; Absent ___; Abstain- ___.

1-6

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 McKinley parent, Dana Moffitt for being awarded the Spirit of Literacy – Parent of the Year Award by San Joaquin A+

9.2 South West Park School Site Update on Achievements & Activities

9.3 Tracy Adult School Site 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.

Pg. No.

11. Information & Discussion Items: An opportunity to present information or reports concerning items that may be considered by Trustees at a future meeting.

11.1 Administrative & Business Services: None

11.2 Educational Services:

- | | | |
|---------------|---|---|
| 11.2.1 | Receive Report on the Tracy High School Choral Salute to the 2008 Olympics on March 14-23, 2008 | 7 |
| 11.2.2 | Receive Report on the Title III Accountability Report | 8 |
| 11.2.3 | Receive Update on Tardy Policy Study | |

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:

- | | | |
|---------------|---|-------|
| 13.1.1 | Ratify Routine Expenditures and Notice of Completions Which Meet Criteria for Board Review and Approval | 9-11 |
| 13.1.2 | Ratify Measure E Related Expenditures and Notice of Completions Which Meet Criteria for Board Review and Approval | 12-13 |
| 13.1.3 | Approve Assembly Vendors and Site Assembly Utilization Calendars | 14-16 |

13.2 Educational Services:

- | | | |
|---------------|--|----|
| 13.2.1 | Ratify South/West Park School Staff Workshop to be Held on September 28, 2007 | 17 |
| 13.2.2 | Approve Overnight Travel for Anne Bednarz to Attend the American Council of Teachers of Language Convention at San Antonio, Texas, on Friday November 16, 2007 | 18 |

13.3 Human Resources:

- | | | |
|---------------|--|-------|
| 13.3.1 | Approve Classified, Certificated and/or Management Employment | 19-20 |
| 13.3.2 | Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment | 21 |

- | | | Pg. No. |
|---|---|---|
| 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: | | |
| 14.1.1 | Adopt Resolution No. 07-10 of the Board of Education of Tracy Joint Unified School District Counties of San Joaquin and Alameda Requesting the Board of Supervisors of the County of San Joaquin to Issue and Sell General Obligation Bonds of the District in the Aggregate Principal Amount of Not to Exceed \$20,000,000 | 22-29 |
| Action: | Motion___; Second___. Vote: Yes___; No___; Absent ___; Abstain__. | |
| 14.2 Educational Services: | | |
| 14.2.1 | Approve Adoption of High School Advanced Placement French Textbook | 30 |
| Action: | Motion___; Second___. Vote: Yes___; No___; Absent ___; Abstain__. | |
| 14.3 Human Resources: | | |
| 14.3.1 | Approve New Job Description and 12-Month, 8-Hour Human Resources Assistant Position for the Human Resources Department | 31-34 |
| Action: | Motion___; Second___. Vote: Yes___; No___; Absent ___; Abstain__. | |
| 14.3.2 | Approve Revised Job Description for Account Clerk | 35-38 |
| Action: | Motion___; Second___. Vote: Yes___; No___; Absent ___; Abstain__. | |
| 15. Board Reports: | An opportunity for board members to discuss items of particular importance or interest in the district. | |
| 16. Superintendent's Report: | An opportunity for the superintendent to share matters of special interest or importance which are not on the board agenda and/or special presentations of district programs or activities. | |
| 17. Board Meeting Calendar: | | |
| 17.1 | October 23, 2007 | |
| 17.2 | November 13, 2007 | |
| 17.3 | November 27, 2007 | |
| 17.4 | December 11, 2007 | |
| 18. Upcoming Events: | | |
| 18.1 | October 12, 2007 | Tracy High Homecoming |
| 18.2 | October 19, 2007 | West High Homecoming |
| 18.3 | October 29, 2007 | No School, Parent Conferences |
| 18.4 | November 12, 2007 | No School, Veteran's Day |
| 18.5 | November 19-23, 2007 | Thanksgiving Break - Traditional |
| 18.6 | November 21-23, 2007 | Thanksgiving Break - YRE |
| 18.7 | December 22- January 6, 2008 | Winter Break |

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, September 25, 2007**

- 5:30 PM:** President Crandall called the meeting to order and adjourned to closed session.
- Roll Call:** Board: G. Crandall, J. Feller, T. Guzman, T. Hawkins, K. Lewis, B. Swenson, J. Vaughn.
Staff: J. Franco, J. Mousalimas, C. Goodall, S. Harrison, B. Etcheverry.
- 7:06 PM:** President Crandall called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.
- Closed Session:** **6a** Action on Findings of Fact: #FF07-08/2, 5, 6, 8, 9, 10, 11
Action: (Pulled Item #2) Lewis, Guzman. **Vote:** Yes-7; No-0.
Action on #2: Lewis, Guzman. **Vote:** Yes-6; No-1(Swenson)
6b Report Out of Action Taken on Waiver of Expulsion: #WE07-08/1, 2
Action: **Vote:** Yes-7; No-0.
6c Report Out of Action Taken on Application for Early Graduation: WHS: 10305256; ICGC : 10215793, 1012687; 10210750; 10215286
Action: **Vote:** Yes-7; No-0.
6d Report Out of Action Taken on Consider Leave of Absence Request for Classified Employee #UCL-106, Pursuant to Article XXIII
Action: Denied. **Vote:** Yes-7; No-0.
- Employees Present:** C. Minter, J. Wakefield, K. Fistolera, J. Bussey, L. Fracolli, A. Lowery, K. Brown, P. Hall, M. Silveira, D. Wakefield, C. Johannes, D. Sonnenburg, F. Weinberg, K. Gill, N. Hopple
- Press:** None.
- Visitors Present:** C. Gary, A. Bassett, N. Dastgheyb, W. Dellafosse, P. Kaur, J. Reynolds
- Minutes:** **Approve Regular Minutes of September 11, 2007.**
Action: Guzman, Vaughn. **Vote:** Yes-6; No-0; Abstain-1(Swenson).
- Student Representative Reports:** Tracy High: Alaina Bassett is a Senior at Tracy High and involved in the Ag Science Program and leadership class. Dr. Franco emceed staff volleyball game. The proceeds went to the teacher whose son has a reoccurring brain tumor. Kiss a bulldog week is coming up. They are selling water bottles at lunch and you can donate to the teacher that you want to kiss the bulldog. Whichever teacher has the most money will have to kiss the bulldog. Thursday is a blood drive at Tracy High. The Homecoming theme

will be seasons, Winter, Spring, Summer and Fall. They had their first flower last night. All sports teams are getting ready for their seasons. Club rush week happened in the 2nd week of school. The PSAT and SAT sign ups are coming up. Students are getting back into the swing of things and the parking seems to be going fantastic. The rectangular lot fills up around 7:10 a.m. All students are excited to see the construction of the new west building.

Stein: Pooja Kaur is in her first year as Stein High. It is a very friendly and well organized campus. Each student has their own advisors. Most teachers are developing hands on projects and more activities for students. They have Cyber High available where students can get credits faster through online learning. They also have home economics and English 4 for the very first time. The special ed students have a back to school BBQ tomorrow night. The Key Club will be participating in "Kids in a Box". The proceeds help support McHenry House. Oct. 8-12 is science camp and Pooja will be one of the cabin leaders. Stein will have many more exciting activities and will keep the Board updated.

West High: Naficeh Dastgheyb report that September has been ongoing homecoming preparation. Their theme is "West Goes to Las Vegas". On September 17th they started the float parties and this week they will be voting for Homecoming Court. They had a successful back to school night. Friday was the first school rally which was a huge success. Unfortunately they lost to Tracy High. They also had an assembly on safe teen driving. Mr. Ucci helped get the message across. Two speakers presented their personal stories and expressed how vital it is to drive safe. They had their first dance of the year. On September 24th the "Invisible Children" came to the school and presented unfortunate conditions of children from Uganda. The Key Club is hosting "Kids in a Box". They are looking forward to a great year.

Recognition & Presentation:

9.1 Recognize Tracy High School Teacher Kirk Brown for being honored with the 2007 DiNA Award for Outstanding Public Support from BayBio.

Assistant Superintendent of Educational Services, Dr. Sheila Harrison, recognized Tracy High teacher, Kirk Brown, for receiving the DiNA award from Bay Bio. Bay Bio brings together Northern California's life science industry leaders and supports the bio science community. Members include organizations engaged in life science projects. The 2007 DiNa, Northern California's "life science oscar", is given to executives and stakeholders who have played a key role throughout the year. Kirk was selected to be honored for this outstanding award. He is the first educator to receive this award. TUSD recognizes and congratulates him for another fantastic achievement.

9.2 McKinley Elementary School Site Update on Achievements & Activities

Principal, Laurie Fracolli and teachers Jacalyn Davis, Jennifer Prins, Jeanette McLane presented a power point on the changes at McKinley School. There are

457 students currently enrolled. There are 228 students identified as EL learners. They have recently become eligible for Title I services and are currently going through the application process. They have 12 languages spoken at home and school. They have many upcoming events including Sandia Labs who come and present hands on science experiments. The teachers spoke about activities, parent club, Tiger shop, CATCH Program, and family learning night.

9.3 ICGG Site Update on Achievements & Activities

Associate Principal of ICGG, Amy Lowery, presented a power point which showed programs at ICGG such as the Freshman Academic Learning Community, Success and the Annex. Enrollment in the 9th grade has gone from 42 last year to 93 this year. Students have new opportunities for different classes. Two ICGG students also spoke about their learning experience at ICGG.

Dr. Franco introduced Kushwinder Gill, the new AP at North school. Previous to this position she was an outstanding science teacher at Freiler Elementary School.

Hearing of Delegations

Mr. Gary expressed his concern about the tardy policy. He believes that the current tardy policy is counter productive to the mission of the district and schools. He questions whether or not it is the right policy to maximize the learning of all students. He believes there are other consequences that would encourage students to come to school on time.

The Board requested a report on the District's current policy and comparisons to other districts. They would also like to know how it came about and when did it change.

Mercy Silveira invited the Board to celebrate Multicultural Day on Saturday, September 29th from 11:00 a.m. to 6:00 p.m. at the Grand Theater. It is free to the public.

Information & Discussion Items:

11.1 Administrative & Business Services:

- 11.1.1 Receive Report and Demonstration on Electronic School Board Agenda Directory of ISET, Cindy Minter, introduced Intercom Network representatives, Frank Resta and Barbara Montella. They led the Board in a "hands on" demonstration of how a meeting would be run using electronic school board. Cindy also presented a power point showing our copying costs and the cost of this program.

The meeting was adjourned at 9:30 p.m.
The meeting reconvened at 9:34 p.m.

The Board would like to know how accurate the numbers are for the return on investment. Trustee Crandall will email board presidents of other districts using it to get their feedback. Dr. Goodall will review all of the figures and costs. We will have another report at the October 23rd meeting.

11.2 Educational Services:

11.2.1 Receive Report on High School Advanced Placement French Program and Proposed Textbook Adoption

IMC Director, Dr. Donna Sonnenburg, and West High AP French teacher, Diane Moen, presented power point on the process of choosing new instructional materials. The current materials do not prepare the students for the current AP French exam and are not web based. The new books give opportunities for students to experience French culture and learn from web based instruction. This item will come back to the Board in 2 weeks for approval. It has already been taken to curriculum council. Trustee Lewis would like to see if this process could be done quicker.

Trustee Crandall left the meeting at 8:25 p.m.

Trustee Crandall returned to the meeting at 8:31 p.m.

Public Hearing:

None.

Consent Items:

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

13.1 Administrative & Business Services

13.1.1 Accept Donations

13.1.2 Ratify Routine Expenditures and Notice of Completions Which Meet Criteria for Board Review and Approval

13.1.3 Ratify Measure E Related Expenditures and Notice of Completions Which Meet Criteria for Board Review and Approval

13.2 Educational Services:

13.2.1 Ratify Agreement for Special Contract Services with Interim Health Services to Provide Nurses for Needed Nursing Services

13.2.2 Approve Overnight Travel for Nisla Fonseca and Victoria Geibig to Attend the IB Teacher Training Workshop, Spanish B, Level 2, at St. Pete Beach, Florida, From Wednesday, December 5 Through Sunday, December 9, 2007

13.2.3 Approve Overnight Travel for the West High Girls Varsity Basketball Team to Atascadero, California on December 6-8, 2007

13.2.4 Ratify Master Contract and Individual Services Agreements with NPS, North Valley School

13.2.5 Ratify Master Contract and Individual Services Agreement with Options in Education, NPS

13.2.6 Approve Out-of-State Travel to Redmond, WA, for Sara Windsor to Attend Microsoft E14 (Exchange) Customer Summit and Labs, January 9-11, 2008

13.2.7 Ratify Master Contract and Individual Services Agreements with NPS, Spectrum Center School

13.2.8 Approve Service Agreement for Special Contract Services with Carrie Rose,

Consultant, for the Parent Teacher Home Visit Project Training and Coaching to Provide a Presentation on September 28, 2007, at George and Evelyn Stein High School

- 13.2.9 Ratify Contract with Rick Bledsoe, ATP for Independent Assistive Technology Assessment and Training
- 13.2.10 Ratify Master Contract and Individual Services Agreement with Children's Home of Stockton, NPS
- 13.2.11 Approve Mad Science After School Science Programs at Wanda Hirsch Elementary School October 2007 Through May 2008
- 13.2.12 Approve Overnight Travel for the West High Boys Varsity Basketball Team to Pleasant Valley High School in Chico on December 6-8, 2007
- 13.2.13 Ratify Amendment No.1 to Professional Services Agreement with the City of Tracy and Tracy Unified School District
- 13.2.14 Approve Contract with DARE Officer, John Guzman, for Teaching DARE Classes in 5th Grade

13.3 Human Resources:

- 13.3.1 Approve Classified, Certificated and/or Management Employment
- 13.3.2 Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment
- 13.3.3 Approve Agreement with Jeff Hodges, Assistant Varsity Football Coach, for the 2007-08 Season
- 13.3.4 Approve Agreement with Mahina Tankersley, Assistant Varsity Volleyball Coach, for the 2007-08 Season

Action Items:

14.1 Administrative & Business Services:

- 14.1.1 Adopt Resolution #07-06, Recertifying the Appropriation Limits for the 2007-08 School Year for Tracy Joint Unified School District
Action: Hawkins, Vaughn. **Vote:** Yes-7; No-0.
- 14.1.2 Adopt Resolution #07-07 to Excuse Meeting Absence of Board Member
Action: Lewis, Swenson. **Vote:** Yes-6; No-0; Abstain-1(Crandall)
- 14.1.3 Adopt Resolution # 07-08 Finding that the TUSD Delta Island School Water Treatment System at Delta Island School Qualifies as a Categorical Exemption from California Environmental Quality Act
Action: Guzman, Vaughn. **Vote:** Yes-7; No-0.
- 14.1.4 Adopt Resolution #07-09 Approving an Agreement for the Acquisition of Real Property and Authorizing the Recording of the Deed in the Name of the District
Action: Lewis, Guzman. **Vote:** Yes-7; No-0.
- 14.1.5 Approve List of Qualified Special Testing and Inspection Firms to Perform Required Testing and Inspection Services on New Construction and Modernization
Action: Hawkins, Vaughn. **Vote:** Yes-7; No-0.
- 14.1.6 Approve List of Qualified Geotechnical Firms to Perform Required Engineering Services on New Construction and Modernization Projects

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

14.2 Educational Services: None.

14.3 Human Resources:

14.3.1 Approve the Attached Declaration for One Provisional Intern Permit for Lavette Richards, Science 9-12

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

14.3.2 Approve Revised Job Description for the Adult School Counselor at Tracy Adult School

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

Board Reports:

Trustee Guzman attended the opening of the Grand Theater. He enjoyed see the community members and students perform. Hats off to Matt Netto who presented an awesome performance of *America the Beautiful*. Trustee Vaughn attended the facilities committee meeting for the West High Theater and showed the chosen sketch. Trustees Lewis, Feller, Swenson, Hawkins and Crandall passed.

Superintendent Report:

Dr. Franco asked the Board members if any of them were interested in attending the County School Boards Dinner in Stockton which will be held on November 1st. Gregg and Ted will attend. He presented pictures of the West High pool under construction. The District is working to improve student achievement. The Tracy Hospital Foundation has the Festival of Trees coming up. They also sponsor the CATCH program which we have at 6 of our schools. Mr. Netto will bring a report at next board meeting for their trip to the Olympics in China. We will also put together a report on our tardy policy including the history of it and the use of support room. We will be working on gathering more information on the electronic school board agenda. Casey will work on the costs and Cindy will work with into the CSBA agenda online. Gregg will check with other school board presidents and see if they like it.

**10:09 PM
Adjournment.**

Tom Hawkins, Clerk

Date



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: ~~MA~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: ~~MA~~ September 25, 2007
SUBJECT: Receive Report on the Tracy High School Choral Salute to the 2008 Olympics on March 14-23, 2008

BACKGROUND: The Tracy High School Choral Department has been offered the opportunity to sing in Beijing, and Shanghai, China for the 2008 Olympic Pre-Festivals. Dr. Anna Hamre, the Director of Choral Activities at CSU Fresno, is putting together a delegation of high school and collegiate choirs to sing in the Pre-Festival for the 2008 Olympics. Dr. Hamre has an extensive resume and nation-wide reputation as a fine choral director. While in China, the THS Choirs will present several choral concerts at various sites in Beijing and Shanghai. We will sing a mass chorus selection called Lux Aeterna by Morten Lauridsen and our choir has been asked to prepare our own individual set of music.

RATIONALE: Inform the School Board about the Choral Salute to the 2008 Olympics. By performing at the 2008 Olympics the Tracy High School Choral Department will have the opportunity to absorb the sights and culture of China as it prepares for the Summer Games. Our tour includes: The Great Wall, The Chinese Opera, Shanghai Acrobats, The Temple of Heaven, The Imperial City, and Tiananmen Square just to name a few. This will be a worthwhile learning experience performing at such a prestigious event, as well as an incredible opportunity to perform abroad. This meets Strategic Goal #2, Quality Learning Environment.

FUNDING: There will be no cost to the District. The Tracy High Choral Department will pay for all expenses incurred to attend this event. Various fundraising activities will be held to pay for the trip. The total cost per person is \$2,795.00. It is anticipated that 70 people will attend this trip for an approximate total cost of \$195,650.

RECOMMENDATION: Receive Report on the Tracy High School Choral Salute to the 2008 Olympics on March 14-23, 2008

Prepared by: Pat Anastasio, Principal, Tracy High School



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: ~~JK~~ Dr. Sheila Harrison, Assistant Superintendent for Educational Services
DATE: September 28, 2007
SUBJECT: Receive Report on the 2006-07 Title III Accountability Report

BACKGROUND: The California Department of Education recently released the Title III Accountability Report for 2006-07. This report is a requirement under No Child left behind and indicates the status of the district in meeting the three Annual Measurable Achievement Objectives (AMAOs) which are related to the academic progress of English Learners.

RATIONALE: The report includes information on the district's status related to three areas of achievement for English Learners. There are three accountability measures under Title III. AMAO1 is based on the percent of English Learner students making annual progress in learning English as measured by the California English Language Development Test (CELDT). AMAO2 is based on the percent of English Learner students attaining English proficiency on the CELDT test. AMAO3 is the Adequate Yearly Progress (AYP) for the English Learner subgroup. Title III accountability is only at the local educational agency level. This supports Strategic Goal #1: Raise the academic achievement of all students while closing the achievement gap, and Goal #2: Provide a variety of learning opportunities in a safe, caring and accessible learning environment in order to improve student achievement.

FUNDING: No funds are involved.

RECOMMENDATION: Receive Report on the 2006-07 Title III Accountability Report

Prepared by: Carol Anderson-Woo, Director of Curriculum, Accountability and Continuous Improvement



BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent

From: Casey Goodall, Associate Superintendent for Business

Date: September 28, 2007

SUBJECT: Ratify Routine Expenditures and Notice of Completions Which Meet Criteria for Board review and Approval

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 Criteria for Placement on Consent Agenda

Prepared by: Casey Goodall, Associate Superintendent of Business Services

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

A. Vendor: Smyers Appraisals, Inc.
Site: Kimball High School
Item: Proposal
Services: Appraiser to provide updated appraisals of three parcels in the Lammers Road area.
Cost: \$2,700.00
Project Funding: Developer Fee Fund and State School Building Fund (SSBF)

B. Vendor: Kleinfelder
Site: Kimball High School
Item: Supplemental Services – Increase in Proposal
Services: Supplemental engineering services required to respond to DSA comments.
Cost: \$2,500.00
Project Funding: Developer Fee Fund and State School Building Fund (SSBF)

C. Vendor: Office Depot
Site: North School – Library Remodel
Item: Notice of Completion
Services: Contractor provided and installed shelving and F&E for North Library Remodel.
Cost: Original Contract \$68,719.86 Deduction: \$1,464.00 Total Amount: \$67,255.86
Project Funding: Redevelopment and Lottery Funds

D. Vendor: Bockman & Woody Electric Co., Inc.
Site: Central School and Williams Middle School
Item: Notice of Completion
Services: Contractor provided electrical and low voltage systems to portables delivered to Central School and to Williams Middle School.
Cost: Original Contract \$135,880.00 Total Amount: \$135,880.00
Project Funding: Central-Deferred Maintenance Fund/ Williams Act Emergency Repair Program
Williams-Developer Fee Fund and State School Building Fund (SSBF)

E. Vendor: Bockman & Woody Electric Co., Inc.
Site: Tracy High School – Electrical Switchgear Replacement
Item: Notice of Completion
Services: Contractor installed electrical switchgear at Tracy High School.
Cost: Original Contract \$22,592.00 Total Amount: \$22,592.00
Project Funding: Developer Fee Fund and State School Building Fund (SSBF)

F. Vendor: Rodgers Construction & Engineering
Site: Tracy High School – Parking Lot Improvements
Item: Notice of Completion – Ratify
Services: Contractor improved East parking lot area by providing forty-three (43) parking spaces.
Cost: Original Contract \$89,500.00 Total Amount: \$89,500.00
Project Funding: Developer Fee Fund and State School Building Fund (SSBF)



BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent

From: Casey Goodall, Associate Superintendent for Business

Date: September 28, 2007

SUBJECT: Ratify Measure E Related Expenditures and Notice of Completions Which Meet Criteria for Board Review and Approval

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 Criteria for Placement on Consent Agenda

Prepared by: Casey Goodall, Associate Superintendent of Business Services

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

A. Vendor: North American Technical Services
Site: West High School – Stadium and Pool Complex
Item: Proposal
Services: Provide D.S.A. inspection services at American Modular System plant on modular buildings for the West High School Pool & Stadium Complex.
Cost: \$3,732.00
Project Funding: Local Bond Funds and State School Building Fund (SSBF)

Vendor:

B. Vendor: RGA Environmental
Site: Tracy High School – 40 Classroom Building
Item: Proposal
Services: Environmental consultant to provide to conduct environmental consulting services for the THS storage building on NE corner to be demolished.
Cost: NTE \$2,500.00
Project Funding: Local Bond Funds and State School Building Fund (SSBF)


C. Vendor: Preston Pipelines, Incorporated
Site: Tracy High School – 40 Classroom Building
Item: Agreement
Services: Contractor to construct utility improvements, including storm drain system at Tracy High School.
Cost: \$453,453.00
Project Funding: Local Bond Funds and State School Building Fund (SSBF)

D. Vendor: Rodgers Construction
Site: Tracy High School – Modernization
Item: Agreement
Services: Contractor to provide building pad for interim housing at Tracy High School.
Cost: \$8,430.00
Project Funding: Local Bond Funds and State School Building Fund (SSBF)



BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent

From:  C. Goodall, Assistant Superintendent for Business

Date: September 26, 2007

SUBJECT: Approve Assembly Vendors and Site Assembly Utilization Calendars

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.

Rationale: School site assemblies require pre-approval to ensure three different documents are in place: an approved contract; a certificate of insurance; an endorsement letter naming the district an additional insured. In addition, all assemblies are reviewed to ensure the content is appropriate for student audiences, and that conflicts do not occur with other school site or district events.

To that end, the attached list of vendors has met all of the criteria to provide assemblies at TUSD sites, and their presentation has been deemed appropriate for TUSD students. Additionally, the attached calendar of events has been reviewed to ensure the date and time of the event does not conflict with other site or district events.

This list will be updated monthly and presented to the board for approval.

Funding: Per attached summary of requisitions.

Recommendation: Approve Assembly Vendors and Site Assembly Utilization Calendars

Prepared by: Cindy Everhart, Facility Use Secretary, and Bob Corsaro, Director of Risk Management, Environmental Compliance, & Safety

Assembly Vendor Approval List

Board Approved	School	Vendor	Assembly Date	Insurance Expires
8/28/2007	Williams	Horizon Intertainment - Anti Bully JC Pohl 818 755 8800	9/4/07	5/18/2008
8/28/2007	George Kelly	Academic Entertainment Timothy Busfield 916 442 5635	11/2/07	12/10/2007
8/28/2007	George Kelly	Academic Entertainment Timothy Busfield 916 442 5635	4/2/08	12/10/2007*
8/28/2007	McKinley	Fantasy Theater Timothy Busfield	4/18/08	8/28/2007*
	Freiler	Prismatic Magic Christopher Volpe 973-283-9006 chirs@prismaticmagic.com	10/11/07	4/16/2008
	North	Ranka's Marionette Theatre Scott Hill 707.578-5535info@rankastheatre.com	1/9/08	10/6/2007*
	North	Percussion Discussion Ken Bergmann's 925-755- 3786percuss@pacbell.net	3/4/08	2/26/2008
	McKinley	McDonalds Tammi Beck 916-962-1982	1/19/08	NO Charge, Tier 1
	McKinley	Sandia Labs Simone Williams 925- 294-2609 srwilli@sandia.gov	10/3/07	NO Charge, Tier 1
	McKinley	Otto the Auto Wendy Sanchez 415-565-2676 wendy_sanchez@csaa.com	8/29/07	NO Charge, Tier 1
	McKinley	NASA Karin Costa 650-604-6077	5/16/08	NO Charge, Tier 1
	Hirsch	Mad Science Danielle Mae Lee danielle@madsciencesacto.com 916- 736-2924	10/9/07	12/1/2007

*Will need insurance renewal before date of assembly 25

Assembly Vendor
Approval List

Board Approved	School	Vendor	Assembly Date	Insurance Expires
	McKinley	Magic of Dexter -Dexter 559-269-2273 www.motivationalschoolsshow.com dexter@magicofdexter.com	10/19/07	8/15/2008



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: ~~AK~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: September 24, 2007
SUBJECT: Ratify South/West Park School Staff Workshop to be Held on September 28, 2007

BACKGROUND: South/West Park holds an annual workshop every year. This activity provides concentrated time to work on program improvement and an excellent opportunity to strengthen the staff's "team" spirit. This year we will be working on strategies for English Learners using the newly purchased Avenues materials. The workshop will be held on September 28th at Santa Clara Office of Education located in San Jose, California. This is the Staff Development Day and all Certificated and Classified staff are encouraged to attend for the entire workshop. We expect there will be approximately 40 Certificated staff and 2 Classified staff members in attendance. This supports Strategic Goal #2, Quality Learning Environment. This agenda item needs to be ratified as during the transition of Principals, the agenda item was inadvertently misplaced.

RATIONALE: The South/West Park School Site Council has approved funding for the annual staff workshop to support the Staff Development component of the 2007/2008 School Plan.

FUNDING: Cost not to exceed \$3,000.00. This includes workshop, one night's accommodations, four meals for up to 65 people and mileage/parking for carpool drivers. It will be funded out of the Site Block Grant (100%).



RECOMMENDATION: Ratify South/West Park School Staff Workshop to be Held on September 28, 2007

Prepared by: Ramona Soto, Principal, South/West Park Elementary School.



TRACY
UNIFIED SCHOOL DISTRICT

EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM:  Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE:  October 2, 2007
SUBJECT: **Approve Overnight Travel For Anne Bednarz To Attend The American Council Of Teachers Of Language Convention At San Antonio, Texas, On Friday November 16, 2007**

BACKGROUND: The 2007 Annual Convention and World Languages Expo is sponsored by the American Council on the Teaching of Foreign Languages. By attending the various language workshops on foreign language, as well as the ACTFL Oral Proficient Interview (OPI) Assessment Workshop, modern language teachers are able to stay current on teachings of modern language and the Oral Proficiency Interview. In addition, teachers will be exposed to the latest language teaching materials and will be able to share this information with the Tracy High School Language Department upon return from the conference. The 2007 Annual Convention and World Languages Expo is an excellent opportunity for teachers to collaborate and network with other educators in the same field.

RATIONALE: This conference will benefit Tracy High School teachers in the department by finding out what is most recent and effective in modern language teaching. In addition, there will be an opportunity to examine new texts in anticipation of future adoptions. This supports Strategic Goal # 1, Quality Curriculum and Strategic Goal # 7, Leadership.

FUNDING: International Baccalaureate will pay the registration fee of \$295. Anne Bednarz will pay for the hotel and plane trip.

RECOMMENDATION: Approve Overnight Travel For Anne Bednarz To Attend The American Council Of Teachers Of Language Convention At San Antonio, Texas, On Friday November 16, 2007

Prepared by: Pat Anastasio, Principal, Tracy High School.



TRACY
UNIFIED SCHOOL DISTRICT

HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: James Mousalimas, Assistant Superintendent of Human Resources
DATE: October 9, 2007
SUBJECT: Approve Classified, Certificated, and/or Management Employment

BACKGROUND:
Arnold, Julia

CERTIFICATED
4th Grade (Replacement)
McKinley
Class II, Step 1 \$42,004
Funding: General Fund

BACKGROUND:
Deitz, Cindy

MANAGEMENT
Counselor (Replacement)
Tracy High
Class 7, Step A \$61,967.10
Funding: Grant/Supplemental
School Counseling

BACKGROUND:
Bem, Robert

CLASSIFIED
Custodian I (Replacement)
Hirsch Elementary School
8 hours per day
Range 31, Step A - \$14.73 per hour
Funding: General Fund

Carrillo, Roberto

Custodian I (Replacement)
McKinley Elementary School
8 hours per day
Range 31, Step B - \$15.41 per hour +ND
Funding: General Fund

Flores, Dana

Clerk Typist II (New)
Transportation
8 hours per day
Range 27, Step A - \$13.43 per hour
Funding: Transportation – Home to School

Snyder, Annie

Special Ed Para Educator I (Replacement)
Williams Middle School
6 hours per day
Range 24, Step D - \$14.37 per hour
Funding: Special Education

Teang, Kimpa

Food Service Worker (Replacement)
South/West Park
2.5 hours per day
Range 22, Step A - \$11.95 per hour
Funding: Child Nutrition-School Program

Vega, Veronica

Special Ed Para Educator I (Replacement)
George Kelly
6.5 hours per day
Range 24, Step A - \$12.51 per hour
Funding: Special Education

BACKGROUND:

Lagadon, Rae

COACHES

Assistant Pep Squad Advisor
West High School
Stipend of \$1,495.00

RECOMMENDATION: Approve Classified, Certificated and/or Management Employment

Prepared by: James Mousalimas, Assistant Superintendent of Human Resources



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: James Mousalimas, Assistant Superintendent of Human Resources *JM*
DATE: September 28, 2007
SUBJECT: **Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment**

BACKGROUND:

CLASSIFIED RESIGNATIONS

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Gupta, Ashimita School Supervision Assist.	Jacobson	09/30/2007	Seeking a permanent Para Educator I position
Cardoza, Cynthia Attendance Clerk	Jacobson	10/12/2007	Personal
Carrillo, Roberto Custodian I	WHS	09/21/2007	Accepted Custodian position at McKinley
Peralta, Johnny Custodian I	Villalovoz	10/12/2007	Personal

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

Prepared by: James Mousalimas, Assistant Superintendent of Human Resources



BUSINESS SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Casey Goodall, Associate Superintendent for Business
DATE: September 28, 2007
SUBJECT: Adopt Resolution #07-10 of the Board of Education of Tracy Joint Unified School District Counties of San Joaquin and Alameda Requesting the Board of Supervisors of the County of San Joaquin to Issue and Sell General Obligation Bonds of the District in the Aggregate Principal Amount of Not to Exceed \$20,000,000

BACKGROUND: On February 14, 2006, the Board of Trustees adopted a resolution ordering the election, requesting voters authorize the issuance of school bonds on the ballot held on Tuesday, June 6, 2006 election. The Proposition 39 measure was for the purpose of raising money for the acquisition and improvement of real property and required a 55% approval from voters. The bond measure received voter approval in excess of the 55% required and the District adopted a resolution certifying the results of the election to the County Board of Supervisors and that all election proceedings were accomplished according to law.

RATIONALE: To continue to fund the projects listed within the bond measure, the District must request authorization from the County Board of Supervisors to issue the second series of bonds in the amount of \$20,000,000. The first series of bonds in the amount of \$14,000,000 were issued in August 2006. The attached resolution allows for agents representing the District to prepare the official statements and solicit the sale of bonds under the legal terms and requirements.

FUNDING: No funding necessary

RECOMMENDATIONS: Adopt Resolution of the Board of Education of Tracy Joint Unified School District Counties of San Joaquin and Alameda Requesting the Board of Supervisors of the County of San Joaquin to Issue and Sell General Obligation Bonds of the District in the Aggregate Principal Amount of Not to Exceed \$20,000,000

Prepared by: Denise Wakefield, Director of Facilities



**TRACY JOINT UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 07-10**

RESOLUTION OF THE BOARD OF EDUCATION OF THE TRACY JOINT UNIFIED SCHOOL DISTRICT, COUNTIES OF SAN JOAQUIN AND ALAMEDA, REQUESTING THE BOARD OF SUPERVISORS OF THE COUNTY OF SAN JOAQUIN TO ISSUE AND SELL GENERAL OBLIGATION BONDS OF THE DISTRICT IN THE AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$20,000,000

WHEREAS, an election was duly and regularly held in the Tracy Joint Unified School District (the "District") on June 6, 2006 under the procedures specified in Proposition 39 (Article XIII A Section 1 paragraph (b) of the California Constitution) for the purpose of submitting to the qualified electors of the District the question whether general obligation bonds should be issued in the principal amount of \$51,000,000 (the "Bonds") for the purpose of raising money for real property acquisition or improvements, including the renovation and modernization of Tracy High School, including replacement of aging plumbing, updating of electrical and safety systems, the renovation and building of new classrooms, and the completion of the Merrill West High School (the "Project");

WHEREAS, it has been certified that more than 55% of the votes cast at said election were in favor of the issuance of the Bonds;

WHEREAS, the Board of Education of the District caused the first series of the Bonds to be issued in the principal amount of \$14,000,000 on August 8, 2006; and

WHEREAS, the Board of Education of the District wishes at this time to institute proceedings for the issuance and sale of the second series of the Bonds in the aggregate principal amount of not to exceed \$20,000,000; and

WHEREAS, Proposition 39 supplemented Chapter 1 by adding Chapter 1.5 thereto ("Chapter 1.5"), commencing with Section 15264 of the Education Code (Chapter 1 and Chapter 1.5 being referred to herein collectively as the "Bond Law"), and the District will issue the Bonds under the Bond Law; and

WHEREAS, Section 15266 and 15140 of the Bond Law require that general obligation bonds of the District shall be offered for sale by the board of supervisors of the county, the county

superintendent of which has jurisdiction over the District, as soon as possible following receipt of a resolution adopted by the Board of Education of the District;

NOW, THEREFORE, IT IS RESOLVED, DETERMINED AND ORDERED by the Board of Education of the Tracy Joint Unified School District, as follows:

Section 1. Request. The Board of Education of the Tracy Joint Unified School District hereby requests the Board of Supervisors of the County of San Joaquin to issue one series of the Bonds, to be designated the "Tracy Joint Unified School District (San Joaquin County, California) General Obligation Bonds, Election of 2006, Series 2007" (the "Series 2007 Bonds") for the purpose of raising money for the acquisition, construction, and rehabilitation of school facilities as set forth in the proposition authorizing the issuance of the Bonds; provided, that the aggregate principal amount of the Series 2007 Bonds (the "Bonds") shall not exceed \$20,000,000. The Board hereby finds and determines that all acts, conditions and things required by law to be done or performed have been done and performed in strict conformity with the laws authorizing the issuance of general obligation bonds of the District, and the indebtedness of the District, including the proposed issue of the Series 2007 Bonds, is within all limits prescribed by law.

Section 2. Approval of Board of Supervisors' Resolution. The resolution entitled, "A Resolution of the Board of Supervisors of the County of San Joaquin Authorizing the Issuance and Sale of Tracy Joint Unified School District (San Joaquin and Alameda Counties, California) General Obligation Bonds, Election of 2006, Series 2007, in the Aggregate Principal Amount of Not to exceed \$20,000,000 to Finance Real Property Acquisition and Improvements" (the "Bond Resolution") in substantially the form presented to the Board of Education at this meeting, together with any additions to or changes therein deemed necessary or advisable by the Board of Supervisors and the District Representative (as defined herein), is hereby approved. The provisions of the Bond Resolution relating to payment of principal of and interest on the Bonds are set forth in the Bond Resolution solely at the request of the District for the convenience of the District in the administration of its Bonds, and not to create any responsibilities for the Board of Supervisors of the County beyond the express statutory requirements contained in Sections 15140, 15146 and 15250 of the Act. The District agrees to carry out and perform all of its obligations under the County Resolution.

Section 3. Interest. The Series 2007 Bonds shall bear interest at the rate of not to exceed eight percent (8%) per annum, which interest shall be payable on the Series 2007 Bonds on February 1 and August 1 in each year, beginning August 1, 2008.

Section 4. Dates; Maturities. The Series 2007 Bonds shall be dated their date of delivery and mature on August 1 in the years 2008 through 2032, as more particularly set forth in the Notice of Sale for the Series 2007 Bonds, as set forth in Section 5 hereof.

Section 5. Sale of the Bonds. The Bonds shall be offered for sale and sold in accordance with the provisions of the Official Notice of Sale for the Series 2007 Bonds in substantially the form on file with the Assistant Superintendent, Business Services. The form of such Official Notice of Sale is hereby approved. The District Superintendent and the Assistant Superintendent, Business Services (each a "District Representative") are hereby individually authorized to approve any changes to the Official Notice of Sale which are recommended by the District's financial advisor, KNN Public Finance (the "Financial Advisor").

The Bonds shall be sold by competitive bids received in accordance with the Official Notice of Sale on July 25, 2006, or such other date as shall be selected by the Assistant Superintendent, Business Services. The District Representative is authorized to accept the best responsive bid(s) for the Series 2007 Bonds.

The District will determine the amount of the Series 2007 Bonds, based upon information supplied by County Treasurer and the Auditor-Controller of the County of San Joaquin and consultations with the Financial Advisor, and has requested the County Board of Supervisors to issue the Bonds in accordance with the terms of the Bond Resolution.

Section 6. Tax Covenants. The following shall apply to the Bonds under the Internal Revenue Code of 1986 and regulations and public guidance published thereunder (the "Tax Code"):

- (a) Private Activity Bond Limitation. The District shall assure that the proceeds of the Bonds are not so used as to cause the Bonds to satisfy the private business tests of section 141(b) of the Tax Code or the private loan financing test of section 141(c) of the Tax Code.
- (b) Federal Guarantee Prohibition. The District shall not take any action or permit or suffer any action to be taken if the result of the same would be to cause any of the Bonds to be "federally guaranteed" within the meaning of section 149(b) of the Tax Code.
- (c) Rebate Requirement. The District shall take any and all actions necessary to assure compliance with section 148(f) of the Tax Code, relating to the rebate of excess investment earnings, if any, to the federal government, to the extent that such section is applicable to the Bonds.
- (d) No Arbitrage. The District shall not take, or permit or suffer to be taken by the County of San Joaquin, the Paying Agent or otherwise, any action with respect to the proceeds of the Bonds which, if such action had been reasonably expected to have been taken, or had been deliberately and intentionally taken, on the date of issuance of the Bonds would have caused the Bonds to be "arbitrage bonds" within the meaning of section 148 of the Tax Code.
- (e) Maintenance of Tax-Exemption. The District shall take all actions necessary to assure the exclusion of interest on the Bonds from the gross income of the Owners of the Bonds to the same extent as such interest is permitted to be excluded from gross income under the Tax Code as in effect on the date of issuance of the Bonds.

Section 7. Preparation of Official Statement. The Board of Education of the District hereby approves, and hereby deems nearly final within the meaning of Rule 15c2-12 of the Securities Exchange Act of 1934, the preliminary Official Statement describing the Bonds, in substantially the form submitted by the Financial Advisor, and on file with the Assistant Superintendent, Business Services. The District Representative is hereby authorized to execute an appropriate certificate stating the Board of Education's determination that the Preliminary Official Statement has been deemed nearly final within the meaning of such Rule. Distribution of the preliminary Official Statement in connection with the sale of the Bonds is hereby approved. The District

Representative is hereby authorized and directed to approve any changes in or additions to a final form of the Official Statement, and the execution thereof by the District Representative shall be conclusive evidence of the approval of any such changes and additions. The Board of Education of the District hereby authorizes the distribution of the final Official Statement by the Underwriter. The final Official Statement shall be executed in the name and on behalf of the District by the District Representative.

The District Representative, in consultation with the Financial Advisor, is authorized and directed to execute the Official Statement and a statement that the facts contained in the Official Statement, and any supplemental or amendment thereto (which shall be deemed an original part thereof for the purpose of such statement) were, at the time of sale of the Bonds, true and correct in all material respects and that the Official Statement did not, on the date of sale of the Bonds, and does not, as of the date of delivery of the Bonds, contain any untrue statement of a material fact with respect to the District or omit to state material facts with respect to the District required to be stated where necessary to make any statement made therein not misleading in the light of the circumstances under which it was made. The District Representative shall take such further actions prior to the signing of the Official Statement as are deemed necessary and appropriate to verify the accuracy thereof.

Section 8. Continuing Disclosure. The District hereby covenants and agrees that it will comply with and carry out all of the provisions of the Continuing Disclosure Certificate. "Continuing Disclosure Certificate" shall mean that certain Continuing Disclosure Certificate executed by the District and dated the date of issuance and delivery of the Bonds, as originally executed and as it may be amended from time to time in accordance with the terms thereof.

Section 9. Official Actions. The District Representatives and any and all other officers of the District are each authorized and directed, for and in the name and on behalf of the District, to do any and all things and take any and all actions, including execution and delivery of any and all certificates, requisitions, notices, consents and other documents, which they, or any of them, may deem necessary or advisable in order to consummate the lawful sale and issuance of the Bonds. The Clerk of this Board of Education is hereby authorized and directed to cause a copy of this resolution, duly certified as to adoption, with the Clerk of the Board of Supervisors of the County of San Joaquin immediately upon the adoption hereof.

Section 10. Appointment of Paying Agent.

(a) The Bank of New York Trust Company, National Association, at its principal office in Los Angeles, California, is hereby appointed Paying Agent for the Bonds. The Paying Agent undertakes to perform such duties, and only such duties, as are specifically set forth in this Resolution and the Bond Resolution, and, even during the continuance of an event of default, no implied covenants or obligations shall be read into this Resolution and the Bond Resolution against the Paying Agent. The Paying Agent shall signify its acceptance of the duties and obligations imposed upon it by this Resolution and the Bond Resolution by executing and delivering to the District a certificate or other agreement to that effect.

The District may remove the Paying Agent initially appointed, and any successor thereto, and may appoint a successor or successors thereto, but any such successor shall be a bank

or trust company doing business in the State of California, having a combined capital (exclusive of borrowed capital) and surplus of at least fifty million dollars (\$50,000,000), and subject to supervision or examination by federal or state authority. If such bank or trust company publishes a report of condition at least annually, pursuant to law or to the requirements of any supervising or examining authority above referred to, then for the purposes of this Section 10 the combined capital and surplus of such bank or trust company shall be deemed to be its combined capital and surplus as set forth in its most recent report of condition so published.

The Paying Agent may at any time resign by giving written notice to the District and the Bondowners of such resignation. Upon receiving notice of such resignation, the District shall promptly appoint a successor Paying Agent by an instrument in writing. Any resignation or removal of the Paying Agent and appointment of a successor Paying Agent shall become effective upon acceptance of appointment by the successor Paying Agent.

(b) Paying Agent May Hold Bonds. The Paying Agent may become the owner of any of the Bonds in its own or any other capacity with the same rights it would have if it were not Paying Agent.

(c) Liability of Agents. The recitals of facts, covenants and agreements herein and in the Bonds contained shall be taken as statements, covenants and agreements of the District, and the Paying Agent assumes no responsibility for the correctness of the same, nor makes any representations as to the validity or sufficiency of this Resolution, the Bond Resolution or of the Bonds, nor shall incur any responsibility in respect thereof, other than as set forth in this Resolution and the Bond Resolution. The Paying Agent shall not be liable in connection with the performance of its duties hereunder, except for its own negligence or willful default.

In the absence of bad faith, the Paying Agent may conclusively rely, as to the truth of the statements and the correctness of the opinions expressed therein, upon certificates or opinions furnished to the Paying Agent and conforming to the requirements of this Resolution and the Bond Resolution; but in the case of any such certificates or opinions by which any provision hereof are specifically required to be furnished to the Paying Agent, the Paying Agent shall be under a duty to examine the same to determine whether or not they conform to the requirements of the Bond Resolution.

The Paying Agent shall not be liable for any error of judgment made in good faith by a responsible officer unless it shall be proved that the Paying Agent was negligent in ascertaining the pertinent facts.

No provision of this Resolution or the Bond Resolution shall require the Paying Agent to expend or risk its own funds or otherwise incur any financial liability in the performance of any of its duties hereunder, or in the exercise of any of its rights or powers, if it shall have reasonable grounds for believing that repayment of such funds or adequate indemnity against such risk or liability is not reasonably assured to it.

The Paying Agent may execute any of the powers hereunder or perform any duties hereunder either directly or by or through agents or attorneys and the Paying Agent shall

not be responsible for any misconduct or negligence on the part of any agent or attorney appointed with due care by it hereunder.

(d) Notice to Agents. The Paying Agent may rely and shall be protected in acting or refraining from acting upon any notice, resolution, request, consent, order, certificate, report, warrant, bond or other paper or document believed by it to be genuine and to have been signed or presented by the proper party or proper parties. The Paying Agent may consult with counsel, who may be of counsel to the District, with regard to legal questions, and the opinion of such counsel shall be full and complete authorization and protection in respect of any action taken or suffered by it hereunder in good faith and in accordance therewith.

Whenever in the administration of its duties under this Resolution or the Bond Resolution the Paying Agent shall deem it necessary or desirable that a matter be proved or established prior to taking or suffering any action hereunder, such matter (unless other evidence in respect thereof be herein specifically prescribed) may, in the absence of bad faith on the part of the Paying Agent, be deemed to be conclusively proved and established by a certificate of the District, and such certificate shall be full warrant to the Paying Agent for any action taken or suffered under the provisions of this Resolution or the Bond Resolution upon the faith thereof, but in its discretion the Paying Agent may, in lieu thereof, accept other evidence of such matter or may require such additional evidence as to it may seem reasonable.

(e) Compensation, Indemnification. The District shall pay to the Paying Agent from time to time reasonable compensation for all services rendered under this Resolution and the Bond Resolution, and also all reasonable expenses, charges, counsel fees and other disbursements, including those of their attorneys, agents and employees, incurred in and about the performance of their powers and duties under this Resolution and the Bond Resolution. A District Representative is hereby authorized to execute an agreement or agreements with the Paying Agent in connection with such fees and expenses. The District further agrees to indemnify and save the Paying Agent harmless against any liabilities which it may incur in the exercise and performance of its powers and duties hereunder which are not due to its negligence or bad faith.

Section 11. Indemnification of County. The District indemnifies and holds harmless, to the extent permitted by law, the County and its officers and employees ("Indemnified Parties"), against any and all losses, claims, damages or liabilities, joint or several, to which such Indemnified Parties may become subject because of action or inaction related to the adoption by the County Board of Supervisors of the Bond Resolution, or related to the proceedings for sale, award, issuance and delivery of the Series 2007 Bonds in accordance with the Bond Resolution and with this resolution, and the District shall also reimburse any such Indemnified Parties for any legal or other expenses incurred in connection with investigating or defending any such claims or actions.

Section 12. Effect. This Resolution shall take effect immediately.

* * * * *

The foregoing resolution was introduced by Board Member _____, who moved its adoption, seconded by Board Member _____, and adopted on October 9, 2007, by the following roll call vote:

Member	_____	_____
Member	_____	_____
Member	_____	_____
Member	_____	_____
Member	_____	_____

WHEREUPON, the President declared the above resolution adopted and

SO ORDERED,

President, Board of Education



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: ~~Dr. James Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: September 26, 2007
SUBJECT: Approve Adoption of High School Advanced Placement French Textbook

BACKGROUND: The College Board establishes curriculum for all Advanced Placement courses. The current District-adopted textbook for the Advanced Placement (AP) French class at West High School has been found to be outdated, and does not adequately prepare students for the AP examination. It is critical that instructional materials align with the curriculum. Therefore, it is imperative that a new textbook be considered for adoption. Criteria for evaluating instructional materials was developed and used to review five different textbooks.

The following textbook is being recommended for adoption for the West High School Advanced Placement French program: *Imaginez, le français sans frontières*, Vista Higher Learning Publishing.

RATIONALE: The textbook being recommended for adoption demonstrates the highest correlation to the following evaluation criteria:

- Alignment with course objectives
- Instructional planning and support
- Current and relevant vocabulary
- Technology
- Reinforcement activities
- Listening and speaking activities

This agenda item meets Strategic Goal #2: Create a Quality and Effective Learning Environment for all Students by providing materials for all staff to maximize the success of diverse learners (2.1.4).

FUNDING: Funding for the purchase of recommended materials in the amount of \$5,564 will be provided by State textbook funds.

RECOMMENDATION: Approve Adoption of High School Advanced Placement French Textbook.

Prepared by: Donna Sonnenburg, Director of Instructional Media Services and Curriculum



HUMAN RESOURCES MEMORANDUM

TO: James Franco, Superintendent
FROM: James Mousalimas, Assistant Superintendent for Human Resources
DATE: October 1, 2007
SUBJ: **Approve New Job Description and 12-month, 8-hour Human Resources Assistant Position for the Human Resources Department**

BACKGROUND:

During the 2006-07 school year, the District hired 85 teachers, 191 classified employees and 35 management employees. To provide effective customer service, existing Human Resources staff worked significant overtime and extra hours to keep pace with the workload. In addition, in June 2006, the Board approved the establishment of a Director of Personnel; this position requires clerical support due to the demanding job requirements. The District is anticipating higher than usual retirements from certificated, classified and management employees due to June 30, 2008 being the last date to qualify for full health benefits to age 65. This new position will provide the support needed to identify and hire the most qualified, effective employees.

RATIONALE:

The Human Resources Department provides effective customer service to our school sites and departments. In order to continue to provide this high quality service, additional support is needed. The Human Resources Assistant position will be a flexible one that can support certificated, classified and management hiring during peak times. Typically, certificated and management hiring are at their peak from February to August each year. The Human Resources Assistant will support the Personnel Technician and Personnel Clerk for Certificated Employees during these key months. The Human Resources Assistant will support the Personnel Technician and Personnel Clerk for Classified Employees during the rest of the year, on an as needed basis. In addition to these duties, the Human Resources Assistant will provide clerical support to the Director of Personnel. This position will report directly to the Director of Personnel who will determine when and how to assign this position to support the employee hiring processes.

The Human Resources Assistant will be partially funded from the savings created by the reorganization of the Facilities and Finance Departments (approximately \$33,800). It is anticipated that overtime and extra hour costs for the Human Resources Department will be reduced due to the additional support provided by this position.

This agenda item meets strategic goal #7, Educational Leadership.

FUNDING:

General Fund - Leadership/Management Classified/Confidential Salary Schedule, LMH, Range 5, \$32,796 – \$39,857.

RECOMMENDATION:

Approve New Job Description and 12-month, 8-hour Human Resources Assistant Position for the Human Resources Department

PREPARED BY: James Mousalimas, Assistant Superintendent for Human Resources

TRACY UNIFIED SCHOOL DISTRICT JOB DESCRIPTION

POSITION TITLE: Human Resources Assistant

DEPARTMENT: Human Resources

POSITION SUMMARY: Under the general direction of the Director of Personnel and the supervision of the Assistant Superintendent for Human Resources, performs a variety of clerical duties related to district personnel. This position has been designated as a confidential position per SB 160 – “...(c) “Confidential Employee” means any employee who, in the regular course of his/her duties, has access to, or possesses information relating to, his/her employer’s employer-employee relations.”

ESSENTIAL FUNCTIONS:

1. Answers phones, screens visitors, makes appointments and answers questions from employees and applicants regarding employment procedures and job vacancies.
2. Assists with recruitment, selection and employment activities for certificated, classified and management employees by typing correspondence, preparing packets, processing applications, preparing screening, and organizing and scheduling interviews.
3. Prepares letters, memoranda, reports, handbooks, questionnaires, handbooks, forms and job bulletins from marginal notes, rough drafts or verbal instructions.
4. Uses technology to input data; maintains files; and operates standard office equipment.
5. Performs a variety of specialized clerical duties including typing, word processing, proofreading, filing, verifying and posting information to records in support of the Director of Personnel.
6. Assists in posting and advertising certificated, classified and management vacancies.
7. Maintains certificated, classified and management applicant database.
8. Assists with filing and maintenance of certificated, classified and management employee records.
9. Processes incoming and outgoing mail.
10. Processes employees’ personal leave requests.
11. Oversees department budgets including requisitions, timesheets, conferences/travel, and budget transfers.
12. Maintains records of department expenditures and performs mathematical calculations.
13. Serves as a back-up for other Human Resources staff on an as-needed basis.
14. Maintains regular and prompt attendance in the workplace.
15. Performs other related duties as assigned.

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. High School diploma or equivalent required. One year of business college or one year of responsible clerical work, preferably in education.

SKILLS AND QUALIFICATIONS:

1. Ability to type at a speed of 45 words per minute from clear copy.
2. Knowledge of basic computer skills.
3. Ability to operate standard office equipment.
4. Ability to communicate effectively, orally and in writing.
5. Strong interpersonal skills.
6. Ability to make independent decisions and accurately interpret laws and practices.
7. Ability to maintain cooperative working relationships with those contacted in the course of work.

POSITION TITLE: Human Resources Assistant

PHYSICAL REQUIREMENTS:

Employees in this position must have the ability to:

1. Sit for extended periods of time.
2. Enter data in a computer terminal and operate standard office equipment.
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 speech at normal levels and on the telephone with or without hearing aids.
6. Stand, walk, and bend over.
7. Reach overhead, grasp, push/pull up to 25 pounds.
8. Lift and/or carry up to 25 pounds at waist height for short distances.

WORK ENVIRONMENT:

Employees in this position will be required to work indoors in a standard office environment and come in direct contact with District staff and the public.

SALARY: Classified Confidential, Range 5

DAYS OF SERVICE: 230

Board Approved:



HUMAN RESOURCES MEMORANDUM

To: Dr. James Franco
From: James Mousalimas, Asst. Supt. for Human Resources *JM*
Date: October 2, 2007
Subject: **Approve Revised Job Description for Account Clerk**

BACKGROUND:

The District and CSEA agreed to eliminate the Account Clerk I (range 33) and Account Clerk II (range 35) positions and combine them into one, Account Clerk (range 35) position. The Account Clerk job description has been revised to accurately reflect the current requirements and essential functions of the position.

RATIONALE:

The District periodically updates and revises job descriptions to ensure that they accurately reflect the requirements of the position. In addition, the Account Clerk II job description should be changed to accurately reflect the current title of Account Clerk. The District currently employees five Account Clerks, all of whom are properly placed at salary range 35.

FUNDING:

No Impact.

RECOMMENDATION: Approve Revised Job Description for Account Clerk

Prepared by: James Mousalimas, Assistant Superintendent for Human Resources

TRACY UNIFIED SCHOOL DISTRICT JOB DESCRIPTION

POSITION TITLE: Account Clerk II

DEPARTMENT/DIVISION: Business Services

POSITION SUMMARY:

Under general supervision, the Account Clerk II performs complex work in the keeping of financial and/or statistical records and provides a variety of clerical and technical support.

ESSENTIAL FUNCTIONS:

1. Serves as support for staff, committees, groups and organizations operating within the Department.
2. Assists with developing, updating and maintaining department budget(s).
3. Prepares and maintains department and/or state required financial statements for review.
4. Calculates and prepares a variety of daily, weekly, monthly and/or annual reports.
5. Opens, verifies, balances and adjusts accounts.
6. Posts, checks, assembles, tabulates, audits and compares statistical and financial data; enters data into computer.
7. **Performs a variety of typing assignments including statistical and financial data; may compose routine letters and memoranda from verbal and/or written instructions.**
8. Prepares, reviews, **distributes**, and corrects a variety of documents for accuracy and compliance with rules and regulations including payroll documents, travel claims, purchase orders, expenditure/revenue transfers, warrant cancellations, journal entries, deposit forms, etc.
9. **Types purchase orders and requisitions, and places orders for routine purchases and lease purchase agreements.**
10. **Confers with suppliers concerning orders, deliveries, back-orders, and follow-up.**
11. **Reviews purchasing activities and takes action as required.**
12. **Verifies compliance with all State, Federal, and local laws, regulations and procedures pertaining to purchase, delivery, receipt, storage, use, and payment of materials, supplies, and equipment.**
13. **Ensures that all items requiring Material Safety Data Sheets for hazardous chemicals are properly identified and received and that users are informed of special handling and data requirements.**
14. **Answers questions concerning the status of an order placed, and troubleshoot problems concerning websites.**
15. **Verifies budget and accounting codes and processes fund transfers.**
16. Reconciles department bank accounts.
17. Maintains fiscal records and/or worksheets for all calculations, extensions, and verifications related to record keeping for assigned accounting and/or fiscal areas.
18. Reviews, maintains, and processes fiscal/accounting records and transactions related to accounts payable and accounts receivable.
19. ~~Balances general ledger accounts for the department.~~
20. Monitors and records disbursement requests and receipts.
21. ~~Prepares and processes purchase requisitions and maintains purchase order log.~~
22. Maintains files in current status.
23. Verifies expenditures per department budget and contract, checks documents for proper budget authorization before processing.
24. Files claims for reimbursement of expenditures.

25. May prepare journal vouchers, entries to provide full documentation for all record keeping functions related to assigned department, program area(s) and/or district accounts.

POSITION TITLE: Account Clerk II

~~26. Processes fund transfers.~~

27. Maintains and balances general ledger accounts

28. Develops and assists in the implementation of policies and procedures for the department.

29. Maintains regular and prompt attendance in the workplace.

30. Performs other related duties as assigned.

EDUCATION AND EXPERIENCE:

The ability to carry out oral and written directions; write and speak at a level sufficient to fulfill the duties to be performed for the position described. High school diploma or equivalent required. A minimum of two years of successful experience in educational finance, business school or equivalent is required. Graduation from a two-year college in accounting, business or office management desired. Possess a valid California driver's license. Willingness and ability to travel throughout the District.

SKILLS AND QUALIFICATIONS:

1. Knowledge of English usage, grammar, spelling, punctuation and vocabulary.
2. Knowledge of methods of practices of financial record keeping, double-entry bookkeeping methods.
3. Knowledge of school district or construction industry practices and procedures in program/fund/project accounting.
4. Ability to calculate mathematical equations with speed and accuracy.
5. Ability to operate a variety of modern office equipment.
6. Ability to perform responsible clerical work requiring independent judgment with speed and accuracy with minimal supervision and direction.
7. Knowledge of intermediate computer skills including, but not limited to generating computer spreadsheets as a management tool, financial and inventory software.
8. Ability to type at a speed of 60 words per minute from clear copy.
9. Ability to prioritize multiple tasks and apply time management skills.
10. Ability to organize, schedule and follow-through on all office activities.
11. Ability to coordinate the flow of communications, schedule meetings and conferences.
12. Ability to maintain cooperative working relationships with those contacted in the course of work.

PHYSICAL REQUIREMENTS:

Employees in this position must have the ability to:

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

WORK ENVIRONMENT:

Employees in this position will be required to work indoors in a standard office environment and come in direct contact with school district staff, students, parents, and the public.

SALARY : Classified Range 35

Board Approved: TUSD 9/24/02