

NOTICE
REGULAR MEETING OF THE GOVERNING BOARD
TRACY UNIFIED SCHOOL DISTRICT

DATE: TUESDAY, JANUARY 22, 2013

**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: J. Costa, G. Crandall, W. Gouveia, T. Guzman, K. Lewis, G. Silva, J. Vaughn
Staff: J. Franco, 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 Finding of Fact #12-13/46
 - 3.1.2 Application for Reinstatement #12-13/30
Action: Motion___; Second___. **Vote:** Yes ___; No___; Absent___; Abstain ___.
 - 3.1.3 PE Exemption #12-13/ WHS #10319101
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: Sheila Harrison
Assistant Superintendent of Educational Services & Human Resources
Employee Organization: CSEA, TEA
4. **Adjourn to Open Session**
5. **Call to Order and Pledge of Allegiance**
6. **Closed Session Issues:**

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| <p>6a Finding of Fact #12-13/46
 Action: Motion ___; Second ___. Vote: Yes ___; No ___; Absent ___; Abstain ___</p> <p>6b Report Out of Action Taken on Application for Reinstatement #12-13/30
 Action: Vote: Yes ___; No ___; Absent ___; Abstain ___</p> <p>6c Report Out of Action Taken on PE Exemption #12-13/ WHS #10319101
 Action: Vote: Yes ___; No ___; Absent ___; Abstain ___</p> | <p>Pg. No.</p> |
| <p>7. Approve Special Minutes of January 3, 2013.
 Action: Motion ___; Second ___. Vote: Yes ___; No ___; Absent ___; Abstain ___.</p> <p>Approve Regular Minutes of January 8, 2013.
 Action: Motion ___; Second ___. Vote: Yes ___; No ___; Absent ___; Abstain ___.</p> | <p>1-4</p> <p>5-8</p> |
| <p>8. Student Representative Reports: Kimball High: Brianna Pekari; Tracy High: Ivan Diaz; West High: Natasha Bartolome; Stein High: Justin Chapman-Varela; Monte Vista: Samina Popal, Joseph Bussey, and Nina Ross; Freiler: Macey Rio, Sahar Fayaz, Asha Birdi.</p> | |
| <p>9. Recognition & Presentations: An opportunity to honor students, employees and community members for outstanding achievement:</p> <p>9.1 Recognize and Congratulate Dr. Carol Anderson-Woo for Being Selected as the ACSA Region VII 2013 Curriculum and Instruction Administrator of the Year</p> <p>9.2 Williams Middle School Update</p> | |
| <p>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).</p> <p>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.</p> <p>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 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. You may obtain copies of the policy from Human Resources, and staff will assist you.</p> | |
| <p>11. Information & Discussion Items: An opportunity to present information or reports concerning items that may be considered by Trustees at a future meeting.</p> <p>11.1 Administrative & Business Services:</p> <p>11.1.1 Receive Report on State Budget Update</p> | |

11.2	Educational Services:	Pg. No.
11.2.1	Receive Report on the Common Core State Standards (CCSS) Rigor/Relevance Framework	10
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	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	11-12
13.1.2	Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda	13-14
13.1.3	Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda	15-16
13.2	Educational Services:	
13.2.1	Approve Overnight Travel for Kimball High School (KHS) Leadership to Attend the California Association of Student Leaders (CASL) Camp at the Double Tree in San Jose, CA on April 13-15, 2013	17
13.2.2	Approve Overnight Travel for Kimball High School Leadership to Attend California Association of Directors of Activities (CADA) Leadership Camp on July 17-21, 2013	18
13.2.3	Approve Overnight Travel for Kimball High School (KHS) Health Occupations Students of America (HOSA) Club Members and Advisors to Participate in the State Leadership Conference in Sacramento, CA March 21-24, 2013	19
13.2.4	Receive Update on Quarterly Williams/Valenzuela Uniform Complaint Reports for the Quarter Ending January 15, 2013.	20-21
13.3	Human Resources:	
13.3.1	Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment	22
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. 12-13 to Excuse Meeting Absence of Board Member Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	23-24
14.1.2	Accept the Fiscal Year 2011-12 Annual Financial Audit (Separate Cover Item) Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	25

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| 14.2 | Educational Services: | | Pg. No. |
| | 14.2.1 | Acknowledge Revised Administrative Regulation 5129 with New Number 5131.2, First Reading | 26-33 |
| | Action: | Motion___; Second___. Vote: Yes ___; No___; Absent___; Abstain ___. | |
| | 14.2.2 | Adopt Revised Board Policy 5129 with New Number 5131.2, (First Reading) | 34-39 |
| | Action: | Motion___; Second___. Vote: Yes ___; No___; Absent___; Abstain ___. | |
| 14.3 | Human Resources: | | |
| | 14.3.1 | Approve Delta College Agreement to Provide Field Experience and Use of Facilities, for Speech Language Pathology Assistant (SLPA) Students | 40-45 |
| | Action: | Motion___; Second___. Vote: Yes ___; No___; Absent___; Abstain ___. | |
| | 14.3.2 | Adopt Resolution No. 12-12 Authorizing Teachers to Teach Outside Their Credential Authorization | 46-49 |
| | 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 | February 12, 2013 | |
| | 17.2 | February 26, 2013 | |
| | 17.3 | March 12, 2013 | |
| | 17.4 | March 26, 2013 | |
| | 17.5 | April 23, 2013 | |
| 18. | Upcoming Events: | | |
| | 18.1 | February 11, 2013 | No School, Lincoln's Birthday |
| | 18.2 | February 18, 2013 | No School, Presidents' Day |
| | 18.3 | March 29 – April 5, 2013 | No School, Spring Break |
| | 18.4 | May 27, 2013 | No School, Memorial Day |
| | 18.5 | June 1, 2013 | Graduation |

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
Special Meeting of the Governing Board
For Tracy Unified School District
Held on Thursday, January 3, 2013**

5:50 PM President Silva called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.

Roll Call: Board: J. Costa, G. Crandall, W. Gouveia, T. Guzman, G. Silva, J. Vaughn
Staff: S. Harrison, C. Goodall, B. Etcheverry

Employees Present: J. Cardoza, J. Carter,

Press: G. Moore, D. Rizzo, Tracy Press

Visitors Present: J. Sangha, G. Srail, M. Barth, M. Gouveia,

Hearing of Delegations None.

Associate Superintendent of Business Services, Dr. Casey Goodall, commented that Dr. Franco is out ill tonight. He then reviewed the procedure of the meeting. There are 7 candidates and the board has received applications and has read through them. We will have candidates held in the general conference room and they will be interviewed one at a time and called in alphabetical order. Each will be asked 2 questions and have up to 5 minutes for each question to respond. The President will read the questions to the candidate and the Vice-President will be timing the candidate. After the last interview is completed, all will be called back to the board room. The Board will be asked to disclose their number 1 choice and will be recorded by Dr. Harrison, after which there will be discussion and/or a motion. If no motion, then they will move on to second the second choice until a motion is passed

Action Items: **15.1 Administrative & Business Services:**
15.1.1 Conduct Interviews and Approve Provisional Appointment of Board Member for Unexpired Two Year Term

The following questions were asked and answered by the candidates:
QUESTIONS:

- 1) Why do you want to be on the school board?
- 2) What role does a board member play in the governance of the school district?

Mr. Barth:

- 1) He has spent a lot of his life academically and has 5 college degrees. He has taught at universities and colleges and has previously been on the high school board. He resigned when his wife was hired as teacher. At that time, there were approximately 14,000 people in the community. Since then, his wife has retired. Tracy Unified did a good job education his

son who now has a Ph.D. Serving other people is the most satisfying thing you can do.

- 2) He believes the school system has 3 elements; students, staff and board. Each one has a power base and goals. The Board are the only people that truly represents the kids. He thinks the board sets goals, however sometimes the goals do not come through because of the budget. The members of the board need to come up things with it early or it will not happen. Also, the board receives a lot of complaints, they may not be valid, but the board is someone that they can come and talk to.

Ms. Behnam:

- 1) She is interested in getting into a seat on the Board. Diversity is growing in Tracy and the Tracy District. She feels we need someone who understands diversity and to be helpful and understand the needs of the schools, teachers, parents, students and staff. She thinks it's good to have an accent. She currently has a child in Tracy Unified and will have a grandchild in Tracy Unified next year. We need to understand cultures of the students and how to develop other cultures.
- 2) She could not answer this question.

Mr. Huffman:

- 1) Someone encouraged him to apply to the board. He taught here and enjoyed it. He is looking for somewhere else to make a difference. If the board doesn't think he'll make a difference, then he doesn't want to be voted in.
- 2) When you govern and lead you don't do the actual work, you just lead. It's the Board's job is to see the much bigger picture and facilitate the people doing the work. If you provide an atmosphere where the teachers thrive, then children will thrive. This is a good school district and a great district to work in.

Mr. Lewis:

- 1) He feels the same as he did 14 years ago. Back then, his kids were in school and he wanted to help the community. Now, he is comfortable with the board, understands the issues and brings a lot of experience to it. He is a person of brevity and that hasn't changed.
- 2) It's the Board's job to hire the superintendent, set the standards for the school, set the guidelines and goals. The board holds the superintendent in charge to make sure that it gets done. The board sets up board policies that are understandable and reasonable.

Ms. Mooney:

- 1) She thinks one of the most important jobs in the community is to participate in the insurance that all children have access to equitable, excellent education. There is a lot of work to be done. We have just learned that the Governor has interesting

thoughts about how to arrange funding. She feels that she can bring the experience both of being a teacher in 2 states and a business owner and an advocate to assist in crossing these uncertain waters. She understands that that's a challenge.

- 2) Boards have limited control or decisions that they can make. In the past, there has been limited ability to decide exactly where funding goes. Most important, is engaging the community in pursuing excellence in neighborhood schools. They have to be top notch. Parents should not be faced with decisions to move their child out of their neighborhood to another school that is better. Program Improvement schools are a state-wide problem. The more you engaged neighborhoods and community members to address issues, then all children have access to succeed.

Ms. Sangha

- 1) Her student goes to Tracy Unified. She has talked to a lot of people in the community. There is an achievement gap when it comes to education. She has found out details on how boards work. It is important to come up with good policies. She feels TUSD is doing a great job. This is her way to give back to the community. She is very involved in her children's education. There are many ESL learners and was surprised Punjabi was the #2 language. She is involved in TAAA. She believes that some kids want to study but do not have the opportunities. The board needs someone who has the passion to serve. If you live in the community, you have to give back. She has a business background and retired in 2008.
- 2) The board is the policy maker and gives direction to the Superintendent staff to implement. They work on curriculum, make sure our schools are safe, students have a good environment and the teachers are great. The budget issues are tough to handle. You cannot spend what you do not have. The board should make policies that are good for everyone.

Mr. Srail:

- 1) He feels he is in a unique position. He attended Jacobson, Monte Vista and West High. He has a vested interest in the district and believes the foundation of his career was based in TUSD. His brother is a pharmacist and his sister is an oncologist. This education brought success to himself and his family. He understands budgets and allocations. It also gives him a chance to give back to community.
- 2) The board should ensure a good education that is sufficient for students to move on to their career. We should give students a drive to go to trade school, college or some form of higher education. The boards job is to help students strive to move on, especially in this economy

Dr. Goodall then asked each board member to name their first choice. The board responded as follows: Trustee Silva: K. Lewis; Trustee

Vaughn: K. Lewis; Trustee Crandall: K. Lewis; Trustee Guzman: A. Mooney; Trustee Gouveia: J. Sangha; Trustee Costa: K. Lewis. Trustee Crandall then moved to appoint Kelly Lewis to the unexpired 2-year term, Trustee Costa seconded.

Trustee Guzman thanked everyone for participating. It was very difficult. Trustee Gouveia commented to bring their enthusiasm and abilities and work with the district. Trustee Crandall stated there are 7 people on the board for a reason. The votes are almost never unanimous. There's always a chance to get on the board in the future. Trustee Vaughn thanked everyone for coming out. It is an impressive group of applicants. He looks forward to working with them in another capacity in TUSD. Trustee Crandall thanked the group and appreciated them taking time to apply. It was a very impressive group of people. He reminded them that there is an election in two years and to continue their involvement with the community

Action: Appoint Kelly Lewis. Crandall, Costa.

Vote: Yes-4; No-2(Guzman, Gouveia)

6:42 p.m.

Clerk

Date

**Minutes of
Regular Meeting of the Governing Board
For Tracy Unified School District
Held on Tuesday, January 8, 2013**

- 5:20 PM:** President Silva called the meeting to order and adjourned to closed session.
- Roll Call:** Board: J. Costa, G. Crandall, W. Gouveia, T. Guzman, K. Lewis, G. Silva, J. Vaughn
Staff: J. Franco, S. Harrison, C. Goodall, B. Etcheverry
- 7:10 PM** President Silva 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 in honor of the victims and families of the Sandy Hook Elementary School tragedy.
- Closed Session:** **6a** Report Out of Action Taken on IntraDistrict Attendance Appeal #12-13/AA1
Action: Denied. **Vote:** Yes-5; No-0; Absent-1(Vaughn); Abstain-1(Lewis)
6b Finding of Fact #12-13/32, 34, 35, 36, 37, 38, 39, 40, 42,44
Action: Gouveia, Crandall. **Vote:** Yes-6; No-0; Abstain-1(Lewis)
6c Report Out of Action Taken on Application for Reinstatement #12-13/17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29
Action: **Vote:** Yes-5; No-0; Absent-1(Vaughn); Abstain-1(Lewis)
6d Report Out of Action Taken on Application for Enrollment #12-13/4
Action: Guzman, Gouveia. **Vote:** Yes-5; No-0; Absent-1(Vaughn); Abstain-1(Lewis)
6e Report Out of Action Taken on Consider Non-Paid Leave of Absence Request for Classified Employee #UCL – 173, Pursuant to Article XXIII
Action: Approved. Gouveia, Guzman. **Vote:** Yes-5; No-0; Absent-1(Vaughn); Abstain-1(Lewis)
- Employees Present:** J. Cardoza, C. Minter, J. Wilson, J. Bussey, B. Carter, K. Souza, D. Cheeseman, G. Krebbs, V. Carranza, C. Domenichelli, P. Hall, G. Wilson, L. Cuaresma, A. Arellano, P. Morreira, S. Mitchell, G. Cortes, P. Henderson, T. Morris, K. Souza, J. Anderson, N. Angel, T. Henderson, T. Zamora, E. Valadez, R. Arroniz, A. Sanchez, R. Watson, C. Valdez, L. Vaca, A. De La Torre, C. Pacheco, E. Silva, L. DeLaTorre, G. Alvarado, G. Krebbs, C. Black, L. Pacheco, S. Hagler
- Press:** None.
- Visitors Present:** Dr. M. Founts, R. Indran, R. Domenichelli, M. Isom, V. Freeman, S. Romo, Z. Payah
- Minutes:** **Approve Regular Minutes of December 11, 2012.**
Action: Crandall, Vaughn. **Vote:** Yes-6; No-0; Abstain-1(Lewis)
- Administer Oath:** San Joaquin County Superintendent of Schools, Dr. Mick Founts, administered the oath of office to new board member, Kelly Lewis.

Student Rep Reports:	None.
Recognition & Presentations:	<p>10.1 Recognize the Recipient of the Diversity & Equity Staff Recognition Award for the Fall Term of the 2012-13 School Year</p> <p>Trustee Silva presented Roxanne Ocampo with a certificate for recognition of the Diversity & Equity Award. She was hired in 2007 as a personnel tech for certificated in Human Resources. She is a member of the Diversity and Equity Committee.</p> <p>10.2 George Kelly School Update</p> <p>Principal of Kelly School, Jeanine Wilson, presented a power point on their EL program. Their API was 858, an increase of 31 points; their EL target was 774, and they had a growth of 40 for a total of 814. She reviewed the goals. Their program has a daily designated block of time, students are pulled out and grouped by English proficiency. They also use the Santillana program. ELD instruction emphasizes development of reading, writing listening and speaking. The 6th, 7th and 8th grade students are in ALAS (Academic Language and Support program). This is for long term English Learners (4+ years). Currently, they have 4 paras helping in addition to their 3 instructors.</p>
Hearing of Delegations	<p>Marion Isom addressed the board last year regarding her granddaughter's economics class at Stein. She received a "D" grade and an "A" grade. She has been trying to come to the board to get the grade rescinded. She believes the grade should be changed from a "D" to and "A". She has completed the lessons.</p> <p>Denise Cheeseman: She has 2 issues: 1) The Chapter 98 Executive Board was in attendance and were introduced. She is representing Chapter 98 and is the 2013 president this year. Their members wish everyone a safe, prosperous and happy new year. They are looking forward to a successful 2013. 2) Classified contract work concern: She learned that there is an unresolved grievance that is going to arbitration. This is the 2nd arbitration in the last year. She has served in this office before and was so proud that the working relationship established. TUSD and CSEA faced many difficult problems which were worked out. It is unsettling that they were not able to do this. This involves classified work, transportation routes and paras. There was a side letter signed that has since expired. They have worked hard to build the transportation department. She is trying to understand why they have gotten to this point with this grievance. They have trained employees that can do this job and do it for less. They are respectfully requesting that the board reconsider what is going on with this grievance. She is very concerned about the negative message that is being sent to the employees. Please keep our work in our district.</p>
Information & Discussion Items:	12.1 Administrative & Business Services: None.
Public Hearing:	13.1 Public Hearing: None.

- Consent Items:** **Action:** As amended 14.1.2 and 14.1.4, Lewis, Vaughn. **Vote:** Yes-7; No-0.
- 14.1 Administrative & Business Services:**
- 14.1.1** 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
- 14.1.2** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda
- 14.1.3** Ratify Measure S Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda
- 14.1.4** Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda
- 14.2 Educational Services:**
- 14.2.1** Ratify Master Contract with Applied Behavior Consultants, Inc., a Nonpublic School for the 2012-2013 School Year
- 14.2.2** Ratify Agreement for Special Contract Services with San Joaquin County Office of Education, Artist-in-Schools Program at Villalovoz Elementary School for the 2012 – 2013 School Year
- 14.2.3** Approve Agreement for Special Contract Services for DataWORKS Educational Research to Provide Parent Involvement Workshops to Central School for the 2012-2013 School Year
- 14.2.4** Approve Funding for the SJCOE Educational Foundation Grant for Louis Bohn Elementary School in the Amount of \$1,000 for the Purchase of Science Fair Technology Equipment
- 14.2.5** Approve Agreement for Special Contract Services with Capital World Language Project for the February 23, 2013 Staff Development Buy Back Day
- 14.2.6** Approve Overnight Travel for the Tracy High School Mock Trial Team and Advisors to Attend the NorCal Mock Trail Invitational in Atherton, CA on January 12-13, 2013
Speaker: Ron Indran is the Tracy High Mock Trial Coach. He is with the district attorney's office. Dr. Franco requested his help. The team has been invited to a competition and they are honored to be invited next weekend. He urged the board to approved the agenda item for travel and cost.
- 14.2.7** Approve Agreement for Special Contract Services Between Peacemakers and Monte Vista Middle School to Provide Parent Liaison Services Throughout the Second Semester of the 2012-2013 School Year
- 14.2.8** Approve Overnight Travel for Tracy High School Cheer Team and Coaches to Participate in Jammz Nationals Competition in Las Vegas, NV on February 6-8, 2013
- 14.3 Human Resources:**
- 14.3.1** Approve Classified, Certificated and/or Management Employment
- 14.3.2** Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment

Action Items: 15.1 **Administrative & Business Services:** None.

15.2 Educational Services:

15.2.1 Adopt Resolution No. 12-11 Approving the State Preschool Facilities Renovation and Repair (FRR) Contract for \$6,000 and to Authorize Designated Personnel to Sign Contract Documents

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

15.2.2 Approve Revisions to BP 5141.33 HEAD LICE (Second Reading)

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

Board Reports:

Trustee Lewis thanked the board for allowing him to come back and help the community and board make good decisions. Most decisions made through the years were good. He will be meeting with cabinet to get updated with finance, facilities, education, and Human Resource issues. He will miss the next meeting, due to a previously scheduled meeting in Florida. He had kept a note from Tom Hawkins on acronyms. He misses Tom, who was very dedicated to education and helped him as a fellow board member. Trustee Costa thanked those that made donations: Michelle and Timothy Najour in the amount of \$500.00 for Kimball High's golf team; Tracy Breakfast Lions to Tracy High FFA Program; and Compagna Dei Italia Bersaglieri in the amount of \$500.00 for Tracy High FEAST. Trustee Gouveia wished everyone a happy new year. Trustee Guzman wished everyone a happy new year and welcomed Kelly back to the board. He's already asking good questions and looking forward to having him on the board. Trustee Crandall welcomed Kelly back and stated that there is no substitution for experience and he brings that with him. Trustee Vaughn welcomed Kelly back for 2 more years. It's good to have him and he wished a happy new year to all staff, administration and students. Trustee Silva congratulated Kelly and wished a happy new year to all. He had the opportunity to be interviewed by West Ed. It was interesting to see their process and looks forward to working on goals together.

Superintendent Report:

Dr. Franco commented that he often gets the student from Czech and Scott Romo mixed up as they look alike. Scott is a good student and is also a member of the wrestling team. The Sandy Hook incident was a real disaster and we want to make sure our safety plans are up to date. The following weekend Chief Hampton of the Tracy Police Department had already set up an appointment with Paul Hall and staff to review our safety plans. He complimented the city for being ready to go and working with Paul. There is a number of things in place and they also attended the city council meeting to ensure the community of the district's safety and preparedness. He also congratulated Kelly for being appointed to the board.

7:58 p.m.

Clerk

Date



TRACY
UNIFIED SCHOOL DISTRICT

BUSINESS SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Casey Goodall, Associate Superintendent for Business
DATE: January 14, 2013
SUBJECT: Receive Report on State Budget

BACKGROUND: On January 10, 2013, Governor Brown released a State Budget proposal.

RATIONALE: Staff members are scheduled to attend a conference on January 15, 2013 at which components of the Governor's education budget proposal will be described in terms which will guide development of the Tracy Unified School District budget, which must be approved in June, 2013.

FUNDING: There are no costs associated with this agenda item, but funding impacts related to the state budget will be known on January 15, 2013.

RECOMMENDATION: Receive Report on State Budget.

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| <p>6a Finding of Fact #12-13/46
 Action: Motion __; Second __. Vote: Yes __; No __; Absent __; Abstain __</p> <p>6b Report Out of Action Taken on Application for Reinstatement #12-13/30
 Action: Vote: Yes __; No __; Absent __; Abstain __</p> <p>6c Report Out of Action Taken on PE Exemption #12-13/ WHS #10319101
 Action: Vote: Yes __; No __; Absent __; Abstain __</p> | <p>Pg. No.</p> |
| <p>7. Approve Special Minutes of January 3, 2013.
 Action: Motion __; Second __. Vote: Yes __; No __; Absent __; Abstain __.</p> <p>Approve Regular Minutes of January 8, 2013.
 Action: Motion __; Second __. Vote: Yes __; No __; Absent __; Abstain __.</p> | <p>1-4</p> <p>5-8</p> |
| <p>8. Student Representative Reports: Kimball High: Brianna Pekari; Tracy High: Ivan Diaz; West High: Natasha Bartolome; Stein High: Justin Chapman-Varela; Monte Vista: Samina Popal, Joseph Bussey, and Nina Ross; Freiler: Macey Rio, Sahar Fayaz, Asha Birdi.</p> | |
| <p>9. Recognition & Presentations: An opportunity to honor students, employees and community members for outstanding achievement:</p> <p>9.1 Recognize and Congratulate Dr. Carol Anderson-Woo for Being Selected as the ACSA Region VII 2013 Curriculum and Instruction Administrator of the Year</p> <p>9.2 Williams Middle School Update</p> | |
| <p>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).</p> <p>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.</p> <p>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 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. You may obtain copies of the policy from Human Resources, and staff will assist you.</p> | |
| <p>11. Information & Discussion Items: An opportunity to present information or reports concerning items that may be considered by Trustees at a future meeting.</p> <p>11.1 Administrative & Business Services:</p> <p>11.1.1 Receive Report on State Budget Update</p> | |



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. Jim Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources
DATE: January 11, 2013
RE: **Receive Report on the Common Core State Standards (CCSS) Rigor/Relevance Framework**

BACKGROUND: The Rigor/Relevance Framework is a tool developed by staff of the International Center for Leadership in Education to examine curriculum, instruction, and assessment. The Rigor/Relevance Framework is based on two dimensions of higher standards and student achievement. The Rigor/Relevance Framework is versatile; it can be used in the development of instruction and assessment. Likewise, teachers can use it to measure their progress in adding rigor and relevance to instruction and to select appropriate instructional strategies to meet learner needs and higher achievement goals. The Rigor/Relevance Framework has four quadrants. Each is labeled with a term that characterizes the learning or student performance at that level. The Rigor/Relevance Framework can serve as a bridge between school and the community. It offers a common language with which to express the notion of a more rigorous and relevant curriculum.

RATIONALE: It is important to update the School Board on changes in curriculum, instruction and assessment. Therefore, staff will provide an update on the Common Core State Standards (CCSS) Rigor/Relevance Framework. This meets District Strategic Goal #1: Prepare all students for college and careers and District Strategic Goal #2: Ensure that all students meet or exceed grade level standards and that the achievement gap is closed.

FUNDING: None

RECOMMENDATION: Receive Report on the Common Core State Standards (CCSS) Rigor/Relevance Framework

PREPARED BY: Dr. Sheila Harrison, Assistant Superintendent for Educational Services & Human Resources



BUSINESS SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Casey Goodall, Associate Superintendent for Business Services
DATE: January 22, 2013
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:

Kelly Elementary School:

1. Tracy Unified School District/Kelly Elementary School: From the George Kelly Elementary Parent Teacher Organization in the amount of \$700.00. This donation was given to various teachers for supplies in the classroom.
2. Tracy Unified School District/Kelly Elementary School: From the George Kelly Elementary Parent Teacher Organization in the amount of \$1,324.00. This donation is being used towards transportation fees associated with school field trips.

Tracy High School:

1. Tracy Unified School District/Tracy High School Future Farmers of America: From the Tracy Future Farmers of America Foundation in the amount of \$4,000.00 (ck.# 1149). This donation will benefit the Tracy High School Future Farmers of America program.
2. Tracy Unified School District/Tracy High School Girls Basketball: From the Tracy Breakfast Lions in the amount of \$2,483.29 (ck. #4450). This donation consists of proceeds from the Hawkins Basketball Tournament and will benefit the Tracy High School Girls Basketball teams.

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.



BUSINESS SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Casey Goodall, Associate Superintendent for Business Services
DATE: January 22, 2013
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**

A.	Vendor:	Tri-Mark Economy Restaurant Fixtures
	Site:	Food Service - West High
	Item:	Approve Purchase of Multiteria Serving Line Equipment
	Services:	Vendor to supply equipment
	Cost:	\$194,994.00
	Project Funding:	Food Services Budget Fund 13



BUSINESS SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Casey Goodall, Associate Superintendent for Business Services
DATE: January 11, 2013
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**

A. Vendor: RGM and Associates
Site: Tracy High School – EMS Locker Rooms and Boys Sub Gym
Item: Proposal –Work Order
Services: Construction management services on the installation of energy management system connections to the boys sub gym and boys and girls locker rooms.
Cost: \$960.00
Project Funding: Measure E Bond Funds

B. Vendor: Roebbelen Contracting, Inc.
Site: Tracy High School – Stadium and Improvement Project
Item: Change Order # 3
Services: Scope of work documented on the change order summary.
Cost: \$11,102.00 Deduction from contingency allowance previously included in contract.
Project Funding: Measure E Bond Funds and State School Building Fund (SSBF) Savings



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services
& Human Resources
DATE: January 9, 2013
SUBJECT: Approve Overnight Travel for Kimball High School (KHS) Leadership to Attend the California Association of Student Leaders (CASL) Camp at the Double Tree in San Jose, CA on April 13-15, 2013

BACKGROUND: The Kimball High School (KHS) Leadership class has been invited to attend a California Association of Student Leaders (CASL) Leadership Camp at the Double Tree in San Jose, CA on April 13-April 15, 2013. Seven (7) students, one (1) advisor, and two (2) District approved parents will attend this event. They will travel to San Jose, CA on the morning of April 13 and return home on Monday, April 15. They will also participate in an evening trip to Santa Cruz Beach Boardwalk, where they will continue networking and interacting with students from other campuses. One District approved parent and the advisor will be driving the students to the event. Supervision will be provided by the advisor and CASL event staff.

RATIONALE: As part of Kimball's commitment to improving and growing our student leaders, we are excited to be a part of this opportunity to learn from three nationally recognized speakers. At the same time, students will be attending over twelve individual workshops where they will gain insight and knowledge into activity ideas and organizational strategies for school events. Additionally, these students and the advisor will be able to network with high school students from various areas of California as they share ideas and learn what other schools are doing on their respective campuses. This meets District Strategic Goal #2: Ensure that all students meet or exceed grade level standards and that the achievement gap between the identified student subgroups is closed and District Strategic Goal #7: Develop and utilize partnerships to achieve District goals.

FUNDING: There will be no cost to the District. The total cost per member will be \$340.00, which includes entry fees, entrance to the Santa Cruz Beach Boardwalk, lodging, and meals. Funding for this trip will be paid through a combination of fundraising opportunities donations.

RECOMMENDATION: Approve Overnight Travel for Kimball High School (KHS) Leadership to Attend the California Association of Student Leaders (CASL) Camp at the Double Tree in San Jose, CA on April 13-15, 2013.

Prepared by: Cheryl Domenichelli, Principal, Kimball High School.



TRACY
UNIFIED SCHOOL DISTRICT

EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services
& Human Resources
DATE: January 9, 2013
SUBJECT: **Approve Overnight Travel for Kimball High School Leadership to Attend California Association of Directors of Activities (CADA) Leadership Camp on July 17-21, 2013**

BACKGROUND: The Kimball High School (KHS) Leadership class has been invited to attend a California Association of Directors of Activities (CADA) Summer Leadership Camp at UC Santa Barbara in Santa Barbara, CA from July 18-21, 2013. Six (6) to 15 students, one (1) advisor, and two (2) parents will attend this event. They will travel to Santa Barbara on the morning of July 17 and return home during the afternoon of July 21, 2013. Two (2) District approved parents and the advisor will be driving the students to the event. They will stay at the UC Santa Barbara dorms during the trip. Supervision will be provided by the advisor and CADA camp staff.

RATIONALE: As part of our commitment to improving and growing as student leaders, we are excited to be a part of this opportunity to learn from three nationally recognized speakers. At the same time, students will be attending several workshops where they will gain insight and knowledge into activity ideas and organizational strategies for school events. Students will be planning camp events that mirror events we would host on our KHS campus. Additionally, these students and the advisor will be able to network with high school students from all over the United States as they share ideas and learn what other schools are doing on their respective campuses. This meets District Strategic Goal #2: Ensure that all students meet or exceed grade level standards and that the achievement gap between the identified student subgroups is closed; and District Strategic Goal #7: Develop and utilize partnerships to achieve District goals.

FUNDING: There will be no cost to the District. The total cost per member will be \$550.00, which includes entry fees, lodging, and meals. Funding for this trip will be paid through a combination of fundraising opportunities and donations.

RECOMMENDATION: Approve Overnight Travel for Kimball High School Leadership to Attend California Association of Directors of Activities (CADA) Leadership Camp on July 17-21, 2013.

Prepared by: Cheryl Domenichelli, Principal, Kimball High School



TO: Dr. James C. Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent for Educational Services & Human Resources
DATE: January 9, 2013
SUBJECT: **Approve Overnight Travel for Kimball High School (KHS) Health Occupations Students of America (HOSA) Club Members and Advisors to Participate in the State Leadership Conference in Sacramento, CA March 21-24, 2013**

BACKGROUND: The Kimball High School (KHS) Health Occupations Students of America (HOSA) Club members would like to attend the California State Leadership Conference on March 21-24, 2013. Attending will give members the opportunity to attend informational workshops, compete in academic and skill oriented activities, submit members for special recognition and become a part of the larger State HOSA team. The Club will stay at the Sheraton Grand in Sacramento, CA. Transportation will be provided by District vans and/or parent's personal vehicle. Twenty-four students will be participating. Supervision will be provided by Mr. Medek and Mr. States (Club advisors), KHS staff members, parents and the Cal-HOSA event staff.

RATIONALE: The KHS HOSA Club is working hard during its third year as a club. They will be participating in activities to learn subject matter pertaining to health occupations. This includes several of the elective courses the students are taking (i.e. Medical Terminology). Many students are planning to participate in online regional testing and participation in this conference will provide an opportunity to gauge their own skills and performance. The HOSA Club is also an integral part of the upcoming area conference in February. Three KHS students, along with Club advisor and Bret States, Health Sciences pathway coordinator participated in a meeting on November 26, 2012 to plan for the area conference. Attendance at the state conference will give the team a great opportunity to represent Tracy at the National competition. This aligns with District Strategic Goal #1: Ensure that all students meet or exceed grade level standards and that the achievement gap between the identified student subgroups is closed; and District Strategic Goal #7: Develop and utilize partnerships to achieve District Goals.

FUNDING: The cost for each member includes \$105 for registration and housing for four nights. The hotel costs vary depending on the number of participants sharing a room. The cost per person is estimated at \$250 for the entire stay. The cost of the event is covered by a combination of the Perkins CTE grant, fundraising, and donations. The estimated total cost will not exceed \$9,500.

RECOMMENDATION: Approve Overnight Travel for Kimball High School (KHS) Health Occupations Students of America (HOSA) Club Members and Advisors to Participate in the State Leadership Conference in Sacramento, CA March 21-24, 2013.

PREPARED BY: Cheryl Domenichelli, Principal, Kimball High School



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources
DATE: January 15, 2013
SUBJECT: **Receive Update on Quarterly Williams/Valenzuela Uniform Complaint Reports for the Quarter Ending January 15, 2013.**

BACKGROUND: Pursuant to the Williams Settlement, the Valenzuela Settlement, and California *Education Code* Section 35186, every school must provide 1) sufficient textbooks and instructional materials, 2) school facilities that are clean, safe, and maintained in good repair, 3) a properly credentialed teacher for every classroom and 4) intensive remediation for up to two years for students who have completed grade 12 but not passed the California High School Exit Exam. Education Code, EC 35186(d), requires that school districts shall report summarized data on the nature and resolution of all Williams/Valenzuela uniform complaints on a quarterly basis to the county superintendent of schools and the governing board of the school district. The summaries shall be publicly reported on a quarterly basis at a regularly scheduled meeting of the governing board of the school district. The report shall include the number of complaints by general subject area with the number of resolved and unresolved complaints. The complaints and written responses shall be available as public records. There were no complaints filed under the Williams/Valenzuela settlements during the October 15, 2012 to January 15, 2013 reporting period.

RATIONALE: The quarterly report for the period of October 15, 2012 through January 15, 2013 has been submitted to the San Joaquin County Office of Education and must be reported to the local school board. The report summarizes the complaints received through the Williams Uniform Complaint Process as well as the resolution of each of those complaints. This report supports District Strategic Goal #2: Ensure that all students meet or exceed grade level standards and that the achievement gap between the identified student subgroups is closed and District Strategic Goal #3: Provide a safe and equitable learning environment for all students and staff.

FUNDING: No cost

RECOMMENDATION: Receive Update on Quarterly Williams/Valenzuela Uniform Complaint Reports for the Quarter Ending January 15, 2013.

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

San Joaquin County Office of Education
Valenzuela/CAHSEE Lawsuit Settlement
Quarterly Report on Williams Uniform Complaints
 [Education Code § 35186(d)]

District: Tracy Joint Unified School District

Person completing this form: Carol Anderson-Woo Title: Director of Curriculum, Accountability and Continuous Improvement

Quarterly Report Submission Date: ☒ January 15, 2013
 (check one) ☐ April 15, 2013
☐ July 15, 2013
☐ October 15, 2013

Date for information to be reported publicly at governing board meeting: 1/22/2013

Please check the box that applies:

- ☒ No complaints were filed with any school in the district during the quarter indicated above.
- ☐ Complaints were filed with schools in the district during the quarter indicated above. The following chart summarizes the nature and resolution of these complaints.

General Subject Area	Total # of Complaints	# Resolved	# Unresolved
Textbooks and Instructional Materials			
Teacher Vacancy or Misassignment			
Facilities Conditions			
CAHSEE Intensive Instruction and Services			
TOTALS			

Dr. James Franco
 Print Name of District Superintendent

James Franco
 Signature of District Superintendent Date



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources
DATE: January 14, 2013
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>
Kargal, Pallavi Para Educator I	Hirsch	01/04/13	Personal
McClelland, Jennifer K-8 Library Technician	Villalovoz	12/26/12	Personal
Tavares, Amanda School Supervision Assist.	Bohn	01/18/13	Personal

BACKGROUND:

CLASSIFIED RETIREMENT

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>
Neibel, Linda Para Educator II (APE)	Dist. Wide	01/26/13

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

Prepared by: Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources



ADMINISTRATIVE SERVICES MEMORANDUM

TO: Board of Education
FROM: Dr. James C. Franco, Superintendent
DATE: September 13, 2012
SUBJECT: Adopt Resolution No. 12-13 to Excuse Meeting Absence of Board Member

BACKGROUND: Board Bylaw 9250 and Education Code §35120 provide that a Board "...member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting...the absence was due to a hardship deemed acceptable by the board;"

RATIONALE: Board of Education member James Vaughn was absent for the regular meeting on December 11, 2012, due to illness. The Board of Education finds that James Vaughn's absence from the meeting of December 11, 2012, was due to hardship deemed acceptable by the Board of Education;

FUNDING: Unrestricted General Fund, Previously Budgeted.

RECOMMENDATION: Adopt Resolution No. 12-13 to Excuse Meeting Absence of Board Member.

Prepared by: Dr. James C. Franco, Superintendent



**TRACY UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 12-13
Resolution to Excuse Meeting Absence of Board Member**

WHEREAS, Board Bylaw 9250 and Education Code §35120 provide that a Board "...member may be paid for any meeting when absent if the board by resolution duly adopted and included in its minutes finds that at the time of the meeting...the absence was due to a hardship deemed acceptable by the board;"

WHEREAS, Board of Education member James Vaughn was absent for the regular meeting on December 11, 2012, due to illness.

NOW, THEREFORE, BE IT RESOLVED that the Board of Education finds that James Vaughn's absence from the meeting of December 11, 2012, is due to hardship deemed acceptable by the Board of Education;

BE IT FURTHER RESOLVED that the Board of Education therefore determines that Mr. Vaughn shall be paid for his absence from the meeting of December 11, 2012 and further directs that the adoption of this Resolution shall be recorded in the minutes of this meeting of January 22, 2013.

Resolved this 22nd day of January, 2013, 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



BUSINESS SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Casey Goodall, Associate Superintendent for Business Services
DATE: January 11, 2013
SUBJECT: Accept the Fiscal Year 2011-12 Annual Financial Audit

BACKGROUND: Education code 41020.3 requires that the governing body of each local education agency contract for auditing services and review, at a public meeting, the annual audit of the local education agency for the prior year, any audit exceptions identified in that audit, the recommendations or findings of any management letter issued by the auditor, and any description of correction or plans to correct any exceptions or management letter issue. This review shall be placed on the agenda of the meeting pursuant to Section 35145, which requires that the meeting be open to the public, that minutes be taken, and that an agenda be posted within the limitations of other regular board meetings.

RATIONALE: The audit for the 2011-12 fiscal year is complete and will be presented to the governing board for approval. The audit document represents the results of work completed in accordance with GASB Statement Number 34. The financial report states that in the auditor's independent opinion, the district's records represent fairly, in all material respects, the financial position of the Tracy Unified School District at June 30, 2011.

The audit confirms that the results of our operations and the cash flow of the district's funds for the year are in conformity with accounting principles generally accepted in the United States of America.

FUNDING: This report generates no cost.

RECOMMENDATION: Accept the Fiscal Year 2011-12 Annual Financial Audit.

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



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of
Educational Services & Human Resources
DATE: January 11, 2013
SUBJECT: Acknowledge Revised Administrative Regulation 5129 with New
Number 5131.2, (First Reading)

BACKGROUND: The Tracy Unified School District Board approved Administrative Regulation 5129 on May 22, 2012, after a revision had been completed and reviewed by the Office of Civil Rights (OCR) due to a past OCR complaint regarding a student being bullied and a hostile environment being present. The school officials took appropriate disciplinary action with the students involved; however there continued to be a hostile educational environment. Revisions to the Administrative Regulation 5129 were made to ensure increased implementation of the Bullying Prevention and to ensure investigations examine if a Title IX violation exists. Administrative Regulation 5129 was amended by the passage of Assembly Bill 173, adding additional scope to the definition of "Bullying", California Education Code 48900 (r) bullying which now includes posting to or creating a burn page, false impersonation or false profile of an individual (student) as a discretionary suspension or recommendation for expulsion.

RATIONALE: Revise Administrative Regulation 5129 to keep it current with the existing law (Assembly Bill 173) in accordance with California Education Codes 48900 (r). Change the Administrative Regulation number to 5131.2 from 5129, so that it aligns with California School Advisory Board (CSBA) as per GAMUT. This revision complies with District Strategic Goal #3: Provide a safe and equitable learning environment for all students and staff.

FUNDING: None

RECOMMENDATION: Acknowledge Revised Administrative Regulation 5129 with New Number 5131.2, (First Reading)

Prepared by: Paul Hall, Director of Student Services & Curriculum

Bullying Investigation Procedures

Bullying Investigation Procedures

A. Purpose and Scope

To provide guidance and direction for all District employees regarding Bullying / Harassment, including cyberspace and tech bullying.

B. Definition

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

1. Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupil's person or property.
2. Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.
3. Causing a reasonable pupil to experience substantial interference with his or her academic performance.
4. Causing a reasonable pupil to experience substantial interference with his or her ability to participate in or benefit from the services, activities, or privileges provided by a school. (~~Education Code 48900(r)~~)

~~Electronic act means the transmission of a communication, including, but not limited to, a message, text, sound, or image, or a post on a social network Internet Web site, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager. (Education Code 32261)~~

“Electronic act” means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device, computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

Bullying Investigation Procedures

(I) Posting to or creating a burn page. “Burn page” means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). “Credible impersonation” means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). “False profile” means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) “Reasonable pupil” means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

When bullying acts or conduct are based on the actual or perceived characteristics of gender, gender identity, gender expression or sexual orientation, or association with a person or group with one or more of these actual or perceived characteristics, staff members should address and refer complaints about such acts for consideration and investigation under the District’s Sexual Harassment Policy (BP 5145.7).

When bullying acts or conduct are based on the actual or perceived characteristics of disability, nationality, race or ethnicity or religion or association with a person or group with one or more of these actual or perceived characteristics, staff members should address such acts and refer complaints about such acts for consideration and investigation under the District’s Nondiscrimination/ Harassment Policy (BP 5145.3).

C. Forms Used and Additional References

Bullying /Harassment Claim Interview Sheet

Bullying /Harassment (Informal versus Formal Complaint –Summary of Procedures)

D. Procedures

The Tracy Unified School District expects students and/or staff to immediately report incidents of Bullying / Harassment to the principal or designee. Staff members are expected

Bullying Investigation Procedures

to immediately intervene when they see a bullying incident occur. Each complaint of Bullying / Harassment shall be promptly investigated. This policy applies to students whose behavior is related to school activity, students on school grounds, while traveling to and from school or a school- sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

General Procedures - Students

Any student who feels he or she is being bullied or harassed should immediately report such conduct to his or her teacher, the principal, or any other school administrator, without fear of reprisal. The student need not first report the Bullying/Harassment to his or her teacher, especially if the student believes the teacher engaged in or knowingly tolerated any Bullying/Harassment of the student. The student may make this report alone or with his or her parent/guardian.

An employee who receives a report of Bullying/Harassment of a student or who witnesses the Bullying/Harassment of a student shall immediately report the incident first to the site administrator or site designee then to the Assistant Superintendent for Educational Services and Human Resources (if alleged Bullying/Harassment is by an employee). Administrators, upon receiving a report of Bullying/Harassment from a student, shall provide the student with a copy of the Bullying/Harassment policy as well as the Administrative Regulation which contains procedures for filing complaints regarding Bullying/Harassment, parents/guardians of the student (victim) shall be contacted.

Each complaint of Bullying / Harassment shall be promptly investigated in a way that attempts to respect the privacy of all parties concerned. If the student requests that his or her name not be disclosed to the alleged harasser, an informal investigation of the allegations shall be conducted to the extent possible without disclosing the complainant's name. In order to file a formal complaint of Bullying/Harassment, the student must be willing to disclose his or her name to the alleged harasser. Parent or legal guardian shall be informed of the investigation.

General Procedures - Any Other Persons

Any person who alleges Bullying / Harassment by any employee or student in the District may file a complaint under the complaint procedures contained in Administrative Regulation 4119.11; 4219.11; and 5145.7.

E. Formal Complaint Procedures

The Board designates the following compliance officers to receive and investigate complaints and ensure compliance with law:

Bullying Investigation Procedures

Superintendent or designee

830-3200 ext. 1004, or e-mail: jfranco@tusd.net

Assistant Superintendent of Educational Services and Human Resources

830-3260 ext. 1304, or e-mail: sjharrison@tusd.net

Director of Student Services and Curriculum

830-3280 ext. 1601, or e-mail: phall@tusd.net

Principle or site designee please call site number, for e-mail please see site:

<https://www.tracy.k12.ca.us/Pages/MainHomePage.aspx>

All complaints can be mailed to: Tracy Unified School District, 1875 W. Lowell Ave.
Tracy, CA. 95376

It is desirable that complaints of Bullying / Harassment be resolved in a prompt and appropriate manner. If possible, such complaints should be resolved in an informal manner. If the complaint cannot be resolved informally, the following procedures shall be followed for filing a formal complaint of Bullying / Harassment.

Step 1: Filing of Complaint

Any individual, public agency or organization may file a written complaint of alleged Bullying/Harassment.

The complaint shall be presented to the Superintendent or designee, who will then give it to the appropriate compliance officer.

The Superintendent or designee will maintain a log of complaints received, providing each with a code number and a date stamp.

All complaints of Bullying / Harassment must be initiated, in writing within sixty (60) calendar days of the date the alleged violation occurred.

If a complainant is unable to put a complaint in writing due to conditions such as illiteracy or other disabilities, superintendent or designee shall help him/her to file the complaint.

Step 2: Investigation of Complaint

Within sixty (60) school days of receiving the complaint, excluding summer session, when the alleged violation occurred during the regular school year, the Superintendent or designee shall complete the investigation of the complaint. This time period may be extended by written agreement of the complainant.

Bullying Investigation Procedures**Step 3: Response**

Within sixty (60) days of receiving the complaint, the compliance officer shall prepare and send to the complainant a written report of the District's investigation and decision, as described in Step 4 below. If the complainant is dissatisfied with the compliance officer's decision, he/she may, within fifteen (15) calendar days, file his/her complaint, in writing, with the Board. The Board may consider the matter at its next regular Board meeting or at a special Board meeting.

The Board may decide not to hear the complaint, in which case the compliance officer's decision is final. If the Board hears the complaint, the compliance officer shall send the Board's decision to the complainant within seven (7) calendar days or within the time period that has been specified in a written agreement with the complainant.

Step 4: Final Written Decision

The report of the District's decision shall be written in English and in the language of the complainant whenever feasible or required by law. If it is not feasible to write this report in the complainant's primary language, the District will arrange a meeting at which a community member will interpret it for the complainant.

This report shall include:

- * The findings and disposition of the complaint.
- * Notice of the complainant's right to appeal the decision to the Tracy Unified School District Board of Trustees and procedures to be followed for initiating such an appeal.

If an employee or student is disciplined as a result of the complaint, this report shall simply state that appropriate action was taken and that the employee or student was informed of the District's Bullying Policy. The report shall not give any further information as to the nature of the corrective or disciplinary action. However, when a student is expelled as a result of a substantiated charge of bullying, the expulsion record shall be a non-privileged, disclose-able public record.

The Tracy Unified School District board decision is the final decision.

F. Corrective Action

A substantiated complaint of Bullying / Harassment may subject the offending employee or student to corrective action, up to and including suspension and discharge/expulsion. Such corrective action shall be consistent with the California Education Code and any collective bargaining agreement or student discipline code, if applicable.

Bullying Investigation Procedures

In the event of harassment by an individual who is not an employee or student of the District, the District will take whatever legal corrective action is reasonable and appropriate under the circumstances.

Even if the reported conduct is not considered Bullying / Harassment under this policy, it may be in violation of other rules and standards of conduct of the District. The District may discipline an employee or student for any inappropriate conduct discovered in investigating reports made under this policy, regardless of whether the conduct amounts to a violation of law or even a violation of this policy. Supervisors may be held personally liable under the law for acts of harassment.

G. Retaliation and Confidentiality

The District forbids retaliation against anyone for reporting Bullying / Harassment, filing a complaint pursuant to this policy, assisting in making a Bullying / Harassment complaint, or cooperating in a Bullying / Harassment investigation. Anyone experiencing or witnessing any conduct that believe to be retaliatory are to immediately follow the procedures outlined above. In an investigation and in imposing discipline, the District will attempt to preserve confidentiality to the extent the circumstances permit.

H. Notification – Students and Parents

A copy of the Bullying / Harassment Policy and Administrative Regulation shall be displayed in a prominent location in the main administrative building located at 1875 W. Lowell Ave., Tracy, CA and in a prominent location near each school principal's office.

Notice of the Bullying / Harassment Policy and the Administrative Regulation which contains the complaint procedures will be distributed to all students of the District at the beginning of the first trimester or semester of the school year, and to any new student at the time that the new student is enrolled. A copy of the Bullying / Harassment Policy and Administrative Regulation shall also appear in any publication of the District that sets forth the comprehensive rules, regulations, procedures, and standards of conduct for the institution

Notification – Students

A copy of the Bullying / Harassment Policy and Administrative Regulation shall be displayed in a prominent location in the main administrative building located at 1875 W. Lowell Ave., Tracy, CA and in a prominent location near each school principal's office.

Notice of the Bullying / Harassment Policy and Administrative Regulation which contain the complaint procedures will be sent to all students and parents or guardians upon enrollment and annually thereafter. A copy of the Bullying Policy and Administrative Regulation shall be provided as part of any orientation program conducted for new

Bullying Investigation Procedures

students at the beginning of each trimester, semester, or summer session, as applicable. Teachers shall discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of Bullying / Harassment.

Students may also file a separate claim of Bullying / Harassment with the Office of Civil Rights (OCR). The address and telephone number of the OCR is listed under the notifications section for employees.

- I. Reports Required Investigation report regarding allegations of harassment.
- J. Record Retention Student and Personnel file when appropriate.
- K. Responsible Administrative Units Human Resources Student Services
- L. Approved By
Assistant Superintendent of Educational Services and Human Resources
Director of Student Services & Curriculum



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James C. Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of
Educational Services & Human Resources
DATE: January 10, 2013
SUBJECT: Adopt Revised Board Policy 5129 with New Number 5131.2, (First Reading)

BACKGROUND: The Tracy Unified School District Board approved Board Policy 5129 on May 22, 2012, after a revision had been completed and reviewed by the Office of Civil Rights (OCR) due to a past OCR complaint regarding a student being bullied and a hostile environment being present. The school officials took appropriate disciplinary action with the students involved; however, there continued to be a hostile educational environment. Revisions to the Board Policy 5129 were made to ensure increased implementation of the Bullying Prevention and to ensure investigations examine if a Title IX violation exists. Board Policy 5129 was amended by the passage of Assembly Bill 173, adding additional scope to the definition of "Bullying," California Education Code 48900 (r) bullying which now includes posting to or creating a burn page, false impersonation or false profile of an individual (student) as a discretionary suspension or recommendation for expulsion.

RATIONALE: Revise Board Policy 5129 to keep it current with the existing law (Assembly Bill 173) in accordance with California Education Codes 48900 (r). Change the Board Policy number to 5131.2 from 5129, so that it aligns with California School Advisory Board (CSBA) as per GAMUT. This revision complies with District Strategic Goal #3: Provide a safe and equitable learning environment for all students and staff.

FUNDING: None.

RECOMMENDATION: Adopt Revised Board Policy 5129 with New Number 5131.2, (First Reading)

Prepared by: Mr. Paul Hall, Director of Student Services & Curriculum

BULLYING PREVENTION POLICY

The Tracy Unified School District believes that all students have a right to a safe and healthy school environment. **The Governing Board recognizes the harmful effects of bullying on student learning and school attendance and desires to provide safe school environments that protect students from physical and emotional harm. District employees shall establish student safety as a high priority and shall not tolerate bullying of any student.** The district, schools, and community have an obligation to promote the six pillars of character: Trustworthiness, Respect, Responsibility, Fairness, Caring, and Citizenship.

No student or group of students shall, through physical, written, verbal, or other means, harass, sexually harass, threaten, intimidate cyber-bully, cause bodily injury to, or commit hate violence against any other student or school personnel.

Definition

The Tracy Unified School District will not tolerate bullying which shall be defined as:

~~Bullying means any severe or pervasive physical or verbal act or conduct, including communications made in writing or by means of an electronic act, that is disruptive, that causes disorder, and invades the rights of others by creating an intimidating or hostile educational environment. Bullying acts or conduct can include sexual harassment, hate violence, discriminatory harassment, threats, or intimidation directed toward one or more pupils. Discriminatory harassment and sexual harassment are a violation of students' civil rights and are also prohibited by Board Policies 5145.3 Nondiscrimination/Harassment and 5145.7 Sexual Harassment.~~

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

(A) Placing a reasonable pupil or pupils in fear of harm to that pupil's or those pupils' person or property.

(B) Causing a reasonable pupil to experience a substantially detrimental effect on his or her physical or mental health.

(C) Causing a reasonable pupil to experience substantial interference with his or her academic performance.

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

(2) (A) “Electronic act” means the transmission, by means of an electronic device, including, but not limited to, a telephone, wireless telephone, or other wireless communication device,

BULLYING PREVENTION POLICY

computer, or pager, of a communication, including, but not limited to, any of the following:

(i) A message, text, sound, or image.

(ii) A post on a social network Internet Web site, including, but not limited to:

(I) Posting to or creating a burn page. "Burn page" means an Internet Web site created for the purpose of having one or more of the effects listed in paragraph (1).

(II) Creating a credible impersonation of another actual pupil for the purpose of having one or more of the effects listed in paragraph (1). "Credible impersonation" means to knowingly and without consent impersonate a pupil for the purpose of bullying the pupil and such that another pupil would reasonably believe, or has reasonably believed, that the pupil was or is the pupil who was impersonated.

(III) Creating a false profile for the purpose of having one or more of the effects listed in paragraph (1). "False profile" means a profile of a fictitious pupil or a profile using the likeness or attributes of an actual pupil other than the pupil who created the false profile.

(B) Notwithstanding paragraph (1) and subparagraph (A), an electronic act shall not constitute pervasive conduct solely on the basis that it has been transmitted on the Internet or is currently posted on the Internet.

(3) "Reasonable pupil" means a pupil, including, but not limited to, an exceptional needs pupil, who exercises average care, skill, and judgment in conduct for a person of his or her age, or for a person of his or her age with his or her exceptional needs.

Bullying Prevention

Strategies for bullying prevention and intervention shall be developed with involvement of key stakeholders in accordance with law, Board policy, and administrative regulation governing the development of comprehensive safety plans and shall be incorporated into such plans.

To the extent possible, district and school strategies shall focus on prevention of bullying by establishing clear rules for student conduct and strategies to establish a positive, collaborative school climate. Students shall be informed, through student handbooks and other appropriate means, of district and school rules related to bullying, mechanisms available for reporting incidents or threats, and the consequences for perpetrators of bullying.

The district may provide students with instruction, in the classroom or other educational settings, that promotes effective communication and conflict resolution skills, social skills, character/values education, respect for cultural and individual differences, self-esteem development, assertiveness skills, and appropriate online behavior.

School staff shall receive related professional development, including information about

BULLYING PREVENTION POLICY

early warning signs of harassing/intimidating behaviors and effective prevention and intervention strategies.

Based on an assessment of bullying incidents at school, the Superintendent or designee may increase supervision and security in areas where bullying most often occurs, such as classrooms, playgrounds, hallways, restrooms, cafeterias.

The Tracy Unified School District expects students and/or staff to immediately report incidents of bullying to the principal or designee. Staff members are expected to immediately intervene when they see a bullying incident occur. Each complaint of bullying shall be promptly investigated. This policy applies to students whose behavior is related to school activity, students on school grounds, while traveling to and from school or a school-sponsored activity, during the lunch period, whether on or off campus, and during a school-sponsored activity.

As appropriate, the Superintendent or designee shall notify the parents/guardians of victims and perpetrators. He/she also may involve school counselors, mental health counselors, and/or law enforcement.

~~To ensure bullying does not occur on school campuses, the Tracy Unified School District will provide staff development training on bullying prevention and cultivate acceptance and understanding in all students and staff to build each school's capacity to maintain a safe and healthy learning environment.~~

Complaints and Investigation

Students may submit to a teacher or administrator a verbal or written complaint of conduct they consider to be bullying. Complaints of bullying shall be investigated and resolved in accordance with site-level grievance procedures specified in AR 5131.2 –Bullying Prevention.

When a student is reported to be engaging in bullying off campus, the Superintendent or designee shall investigate and document the activity and shall identify specific facts or circumstances that explain the impact or potential impact on school activity, school attendance, or the targeted student's educational performance.

When the circumstances involve cyber-bullying, individuals with information about the activity shall be encouraged to save and print any electronic or digital messages sent to them that they feel constitute cyber-bullying and to notify a teacher, the principal, or other employee so that the matter may be investigated.

If the student is using a social networking site or service that has terms of use that prohibit posting of harmful material, the Superintendent or designee also may file a complaint with the Internet site or service to have the material removed.

Discipline

BULLYING PREVENTION POLICY

Any student who engages in bullying on school premises, or off campus in a manner that causes or is likely to cause a substantial disruption of a school activity or school attendance, shall be subject to discipline, which may include suspension or expulsion, in accordance with district policies and regulations.

Teachers should discuss this policy with their students in age-appropriate ways and should assure them that they need not endure any form of bullying. Students who bully are in violation of this policy and are subject to disciplinary action up to and including expulsion.

Tracy Unified School District will adopt a Student Code of Conduct to be followed by every student.

The Student Code of Conduct includes, but is not limited to:

Any student who engages in bullying may be subject to disciplinary action up to and including expulsion.

Students are expected to immediately report incidents of bullying to the principal or staff. Students can rely on staff to promptly investigate each complaint of bullying in a thorough and confidential manner.

If the complainant student or the parent of the student feels that appropriate resolution of the investigation or complaint has not been reached, the student or the parent of the student should contact the principal. If the complaint is not resolved at the school site/principal level the Office of Student Services should be contacted (830-3280). The school system prohibits retaliatory behavior against any complainant or any participant in the complaint process.

The procedures for intervening in bullying behavior include, but are not limited, to the following: All staff, students, and their parents will receive a summary of this policy prohibiting bullying at the beginning of the school year, as part of the student handbook and/or information packet, as part of new student orientation, and as part of the school system's notification to parents.

The school will make reasonable efforts to keep a report of bullying and the results of the investigation confidential.

Staff are expected to immediately intervene when they see a bullying incident occur. People witnessing or experiencing bullying are encouraged to report the incident. Such reporting will not reflect on the victim or witnesses in any way.

Legal Reference:**EDUCATION CODE****200-262.4 Prohibition of discrimination**

32261 Intergovernmental Agencies School Safety

32282 Comprehensive safety plan**35181 Governing board policy on responsibilities of students**

BULLYING PREVENTION POLICY

35291-35291.5 Rules

35294.2 School Safety Plan

48900-48925 Suspension or expulsion

48985 Translation of notices

PENAL CODE

647 Use of camera or other instrument to invade person's privacy; misdemeanor

647.7 Use of camera or other instrument to invade person's privacy; punishment

653.2 Electronic communication devices, threats to safety

UNITED STATES CODE, TITLE 47

254 Universal service discounts (e-rate)

COURT DECISIONS

J.C. v. Beverly Hills Unified School District, (2010) 711 F.Supp.2d 1094

Lavine v. Blaine School District, (2002) 279 F.3d 719

Management Resources:**CSBA PUBLICATIONS**

Safe Schools: Strategies for Governing Boards to Ensure Student Success, 2011

Providing a Safe, Nondiscriminatory School Environment for All Students, Policy Brief, April 2010

Cyber bullying: Policy Considerations for Boards, Policy Brief, July 2007

CALIFORNIA DEPARTMENT OF EDUCATION PUBLICATIONS

Health Education Content Standards for California Public Schools: Kindergarten Through Grade Twelve, 2008

Bullying at School, 2003

U.S. DEPARTMENT OF EDUCATION, OFFICE FOR CIVIL RIGHTS PUBLICATIONS

Dear Colleague Letter: Harassment and Bullying, October 2010

WEB SITESCSBA: <http://www.csba.org>California Cyber safety for Children: <http://www.cybersafety.ca.gov>California Department of Education, Safe Schools Office: <http://www.cde.ca.gov/lr/ss>Center for Safe and Responsible Internet Use: <http://cyberbully.org>National School Boards Association: <http://www.nsba.org>National School Safety Center: <http://www.schoolsafety.us>

U.S. Department of Education, Office for Civil Rights:

<http://www.ed.gov/about/offices/list/ocr>



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources
DATE: January 11, 2013
SUBJECT: Approve Delta College Agreement to Provide Field Experience and Use of Facilities, for Speech Language Pathology Assistant (SLPA) Students

BACKGROUND: The District has encouraged Institutes of Higher Education to place students in our facility to fulfill their student field experience with our School District. This agreement shall be effective January 23, 2013.

RATIONALE: Students will be placed with a permanent status Speech Pathologist within our District, which are willing to serve as master teachers with the approval of the site principal.

This agenda item meets District Strategic Goal #6: Develop and support a high performing work force, and District Strategic Goal #7: Develop and utilize partnerships to achieve District goals.

FUNDING: None

RECOMMENDATION: Approve Delta College Agreement to Provide Field Experience and Use of Facilities, for Speech Language Pathology Assistant (SLPA) Students.

Prepared by: Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources

AGREEMENT

SPEECH-LANGUAGE PATHOLOGY ASSISTANT (SLPA)
Field Experience and Use of Facilities
between
SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT
and
TRACY UNIFIED SCHOOL DISTRICT

This AGREEMENT between **San Joaquin Delta Community College District** of San Joaquin County, hereinafter referred to as “**DISTRICT**”, and **Tracy Unified School District**, a government agency under the laws of the State of California, hereinafter referred to as “**AGENCY**”.

WHEREAS, the Board of Trustees have approved a Speech-Language Pathology Assistant Program at San Joaquin Delta Community College and such program requires field experience and the use of service facilities; and

WHEREAS, the American Speech-Language-Hearing Association has set forth recommendations and guidelines for the Speech-Language Pathology Assistants training to include field experience; and

WHEREAS, California law passed as AB 205 sets forth recommendations and guidelines for registering Speech-Language Pathology Assistants in accordance with standards set by the American Speech-Language-Hearing Association; and

WHEREAS, it is to the mutual benefit of the parties hereto that students of the DISTRICT’s Speech-Language Pathology Assistant Program use the service facilities of the AGENCY for their field experience,

NOW, THEREFORE, in consideration of the covenants, conditions, stipulations hereinafter expressed and in consideration of the mutual benefits to be derived there from, the parties hereto agree as follows:

I. AGENCY

The AGENCY has the following duties and obligations:

1. Provide service facilities for learning experiences therein for students enrolled in the Speech-Language Pathology Assistant Program of DISTRICT who are designated by DISTRICT for such experience at the AGENCY (the field experience for any one student shall cover such period of time as may be specified by DISTRICT).
2. Maintain service facilities in conformance with standards of the California State Board of Medical Examiners and the American Speech-Language-Hearing Association and permit inspection of its service facilities upon request by the American Speech-Language-Hearing Association and the State Board of Medical Examiners.

3. Provide staff members who hold a current Certificate of Clinical Competence in Speech-Language Pathology issued by the American Speech-Language-Hearing Association, the California State License issued by the State Board of Medical Quality Assurance and certified Speech Language Pathologists certified through the State Department of Education to supervise Speech-Language Pathology Assistant students.
4. Permit such field experience in Speech-Language Pathology Assistant training by such students, individually and in groups, in all services of AGENCY herein contracted for, such services and the number of students receiving experience therein shall be by mutual agreement between parties and in accordance with the standards set forth by the American Speech-Language-Hearing Association.
5. Provide given service areas in such a manner that there will be no conflict of learning opportunities among groups of students, and permit the district faculty and students access to these service facilities, according to prearranged scheduling.
6. Permit members of the Speech-Language Pathology, medical, educational, and other appropriate staff to participate as their time may permit in the field experience of the students and their learning experiences in the Speech-Language Pathology Assistant Program.
7. Permit the AGENCY'S Director of Speech-Language Pathology and other designated Speech-Language Pathology personnel to attend meetings of the DISTRICT'S Speech-Language Pathology Assistant Program Faculty, or any committee thereof, to coordinate the field experience for the Speech-Language Pathology Assistant Program provided for under this Agreement.
8. Reserve the right after consultation with the DISTRICT, to refuse to accept for further Speech-Language Pathology Assistant Program field experience any of the college students who in AGENCY'S judgment are not participating satisfactorily, provided however, neither party shall discriminate with respect to the acceptance in or exclusion of students from the program.

II. DISTRICT

The DISTRICT has the following duties and obligations:

1. Designate the students enrolled in the Speech-Language Pathology Assistant Program of DISTRICT to be assigned for field experience in Speech-Language Pathology areas of AGENCY in such numbers as are mutually agreed to by both parties.
2. Supervise, in cooperation with the AGENCY supervisor, all instruction and learning experience and field experience given at AGENCY to the students so designated and provide faculty to supervise the field experience and learning experience given to them at AGENCY, provided however, that the responsibility for service to the client remain with the AGENCY.
3. Keep academic and field experience records of students participating in said program.

4. Provide and be responsible for the care and control of educational supplies and education equipment necessary for instruction, including library materials and audiovisual equipment and supplies which are not customarily available in the AGENCY for the Speech-Language Pathology Assistant field experience.
5. Be responsible for the supervision and control of the students in the activities of their field experience under the general supervision and delivery of service framework of AGENCY.
6. Agree that the students shall be subject to requirements and restrictions specified jointly by representatives of DISTRICT and AGENCY, and subject to AGENCY's rules and regulations governing conduct, copies of which shall be provided in advance to DISTRICT by AGENCY.
7. Be responsible for liability insurance, releases, and such other protective measures as AGENCY and DISTRICT mutually agree to be necessary.
8. Require DISTRICT's Speech-Language Assistant Program faculty to obtain the approval of AGENCY's Director of Speech-Language Pathology in advance of:
 - a. Student Speech-Language Pathology Assistant schedules.
 - b. Placement of students in field experience assignments.
 - c. Changes in field experience assignments.
9. In consultation and coordination and with the approval of the AGENCY's Director of Speech-Language Pathology and the Speech-Language Pathology Assistant staff, plan for the Speech-Language Pathology Assistant field experience to be provided to students under this agreement.
10. In consultation and coordination with the AGENCY's Director of Speech-Language Pathology arrange for periodic conferences between appropriate representation of the DISTRICT and AGENCY to evaluate the Speech-Language Pathology Assistant field experience program provided under this Agreement.
11. The AGENCY may require students to provide personal information such as a background clearance in accordance with Assembly Bill 1610 and Education Code 45125, and pass a tuberculosis examination or provide certification that they are free of communicable tuberculosis in accordance with Education Code 49406 prior to the start of the fieldwork program.

III. GENERAL CONDITIONS

1. Speech-Language Pathology Assistant students and faculty assigned by DISTRICT for field experience to AGENCY will not be, in any sense, employees of AGENCY. They will be there for the limited purposes expressed in this Agreement. The parties agree that the AGENCY shall have no monetary obligation to DISTRICT, to Speech-Language Pathology Assistant students or to Speech-Language Pathology Assistant Faculty.
2. Recognizing the risk to AGENCY when it permits its facilities to be used for field experience and in consideration of the training opportunity for students provided by

AGENCY, DISTRICT hereby assumes the risk of injury to the persons or property of students and faculty while on the premises of AGENCY or participating in field experience under this Agreement and to third persons or their property as the result of the acts or omissions of students and/or faculty.

3. DISTRICT will indemnify and hold AGENCY harmless from any and all claims and causes of actions which students or faculty may have or assert against AGENCY on accounts of illness, injuries to their persons or injuries to their property while on the premises of AGENCY or participating in field experience under this Agreement, except those caused by the wrongful or negligent acts or omissions of AGENCY, its officers, employees or agents.
4. DISTRICT will indemnify and hold AGENCY harmless from any and all claims and causes of action which third parties may have or assert against AGENCY on account of injuries to their persons or property as the result in whole or in part of the acts or omissions of students and/or faculty. AGENCY shall indemnify and hold DISTRICT harmless from any and all claims and causes of action which third parties may have or assert against DISTRICT on account of injuries or loss to their person or property as the result whole or in part of the acts or omissions of AGENCY employees, agents, or representatives.
5. District will obtain insurance coverage, insuring its obligations under this section, with limits of at least \$1,000,000 for injuries to any one persons, and \$2,000,000 for injuries to more than one person, arising out of the same occurrence, and \$1,000,000 for property damages, such insurance to be evidenced by certificate of insurance, policy rider, or other means acceptable to the parties hereto.
6. It is understood by the parties to this Agreement that the AGENCY remains responsible for client care at all times.
7. This contract may be modified by mutual agreement of the parties involved by giving thirty (30) days written notice. This contract shall be effective on the 23rd, day of January 2013 and shall be continuous with biennial review by the DISTRICT and AGENCY.
8. This Agreement may be terminated by either party six (6) months prior to commencement of each academic year with notice in writing sent by registered mail as follows:

AGENCY: Dr. Sheila Harrison
Assistant Superintendent for Human Resources
Tracy Unified School District
1875 W. Lowell Avenue
Tracy, CA 95376
(209) 830-3260
Email:sharrison@tusd.net

DISTRICT: Laurie Jensen
Dean of Health Sciences

San Joaquin Delta Community College
5151 Pacific Avenue
Stockton, CA 95207-6370
(209) 954-5454
ljensen@deltacollege.edu

Susan M. Kidwell, Director
Speech-Language Pathology Assistant Program
San Joaquin Delta Community College
5151 Pacific Avenue
Stockton, CA 95207-6370
(209) 954-5454
skidwell@deltacollege.edu

IN WITNESS THEREOF, the parties hereto have executed this contract the day and year written below.

SAN JOAQUIN DELTA COMMUNITY COLLEGE DISTRICT

By _____ Date _____
Kathleen Hart, Ph.D., Superintendent/President

TRACY UNIFIED SCHOOL DISTRICT

By _____ Date _____
Sheila Harrison, Ed.D., Assistant Superintendent of Human Resources

Approved by Tracy Unified School District Board of Directors

By _____ Date _____
Board Member



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources
DATE: January 11, 2013
SUBJECT: Adopt Resolution No. 12-12 Authorizing Teachers to Teach Outside Their Credential Authorization

BACKGROUND: Education Code Section 44263 authorizes teaching outside majors and minors 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 three teachers on this Education Code.

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 twelve (12) semester units, or six (6) upper division or graduate units of coursework at an accredited institution in each subject to be taught. The Tracy Unified School District currently has two teachers on this Education Code.

Education Code Section 44258.2 authorizes the holder of a single subject teaching credential or a standard secondary teaching credential may, with his or her consent, be assigned by action of the governing board to teach classes in grades 5 to 8, inclusive, in a middle school, if he or she has a minimum of 12 semester units, or 6 upper division or graduate units, of coursework at an accredited institution in the subject which he or she is assigned. The Tracy Unified School District currently has one teacher on this Education Code.

Education Code Section 44865 authorizes the holder of a valid teaching credential issued by the State Board or the Commission on Teacher Credentialing, based on a bachelor's degree, student teaching, and special fitness to perform, shall be deemed qualifying for assignment as a teacher in the following assignments, provided that the assignment of a teacher to a position for which qualifications are prescribed by this section shall be made only with the consent of the teacher:

- | | |
|--------------------------------------------|------------------------------------|
| (a) Home teacher | (f) Alternative schools |
| (b) Classes organized primarily for adults | (g) Opportunity schools |
| (c) Hospital classes | (h) Juvenile court schools |
| (d) Necessary small high schools | (i) County community schools |
| (e) Continuation schools | (j) District community day schools |
| | (k) Independent study |

The Tracy Unified School District currently has ten teachers on this Education Code.

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.

This agenda item meets District Strategic Goal #4 – Continuously improve fiscal and human resources, facilities and operational processes in order to support our efforts to meet or exceed district, state and federal targets.

FUNDING: None.

RECOMMENDATION: Adopt Resolution No. 12-12 Authorizing Teachers to Teach Outside Their Credential Authorization

Prepared by: Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources



**BEFORE THE BOARD OF TRUSTEES OF TRACY UNIFIED SCHOOL DISTRICT OF
SAN JOAQUIN AND ALAMEDA COUNTIES, STATE OF CALIFORNIA
RESOLUTION 12-12
AUTHORIZING TEACHERS TO TEACH OUTSIDE OF THEIR MAJOR/MINOR
2012-2013**

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. Education Code Section **44258.2** authorizes the holder of a single subject teaching credential or a standard secondary teaching credential may, with his or her consent, be assigned by action of the governing board to teach classes in grades 5 to 8, inclusive, in a middle school, if he or she has a minimum of 12 semester units, or six upper division or graduate units, of coursework at an accredited institution in the subject which he or she is assigned. Education Code **44865** hereby authorizes assignment of a teacher with a valid teaching credential issued by the State Board or the Commission on Teacher Credentialing, based on a bachelor's degree, student teaching, and special fitness to perform, shall be deemed qualifying for assignment as a teacher in the following assignments, provided that the assignment of a teacher to a position for which qualifications are prescribed by this section shall be made only with the consent of the teacher:

- | | |
|--------------------------------------------|------------------------------------|
| (a) Home teacher | (f) Alternative schools |
| (b) Classes organized primarily for adults | (g) Opportunity schools |
| (c) Hospital classes | (h) Juvenile court schools |
| (d) Necessary small high schools | (i) County community schools |
| (e) Continuation schools | (j) District community day schools |
| | (k) Independent study |

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 22nd day of January, 2013, by the following vote:

AYES:
NOES:
ABSENT:
ABSTAIN:

Greg Silva, 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.

Clerk
Tracy Unified School District