

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

**DATE: TUESDAY, FEBRUARY 14, 2012**

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

**TIME: 5:20 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, G. Silva, B. Swenson, 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 **Administrative & Business Services:**
    - 3.1.1 Conference with Legal Counsel
      - Anticipated Litigation (G.C. 54956.9(b))
      - Number of Potential Cases: One (1)
  - 3.2 **Educational Services:**
    - 3.2.1 Finding of Fact #11-12/49, 52, 53, 54, 55, 56, 58
    - 3.2.2 Application for Reinstatement #11-12/67, 68, 69, 70, 71, 72, 73, 74, 75  
**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent\_\_\_; Abstain\_\_\_
    - 3.2.3 Waiver of Expulsion #11-12/#5  
**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent\_\_\_; Abstain\_\_\_
    - 3.2.4 Request to Expunge Expulsion Records – RER#11/12-#2  
**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent\_\_\_; Abstain\_\_\_
    - 3.2.5 Early Graduation Request #11-12/#1  
**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent\_\_\_; Abstain\_\_\_
  - 3.3 **Human Resources:**
    - 3.3.1 Release Probationary Classified Employee #UCL-160  
**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent\_\_\_; Abstain\_\_\_
    - 3.3.2 Consider Public Employee/Employment/Discipline/Dismissal/Release  
**Action:** Motion\_\_\_; Second\_\_\_ **Vote:** Yes \_\_\_; No \_\_\_; Absent\_\_\_; Abstain\_\_\_

- 3.3.3** 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:**

**6a** Finding of Fact #11-12/49, 52, 53, 54, 55, 56, 58

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

**6b** Report Out of Action Taken on Application for Reinstatement #11-12/67, 68, 69, 70, 71, 72, 73, 74, 75

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

**6c** Waiver of Expulsion #11-12/#5

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

**6d** Report Out of Action Taken on Request to Expunge Expulsion Records RER#11/12-#2

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

**6e** Report Out of Action Taken on Early Graduation – EG#11-12/#1

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

**6f** Report Out of Action Taken on Release Probationary Classified Employee #UCL-160

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

**7. Approve Regular Minutes of January 24, 2012.**

**1-5**

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

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

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

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

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

The Board may ask for the item to be placed on a future agenda, direct the speaker to a person who can help, or provide the speaker with the correct procedure to follow to address his/her problem. All speakers have a constitutional right to free speech. As a protective measure, we would like to remind you that if you say something which might give another

person the right to pursue legal recourse against you. There is a 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.

**Pg. No.**

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

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

- 12. PUBLIC HEARING:** None.

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

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

**13.1 Administrative & Business Services:**

- |               |   |              |
|---------------|---|--------------|
| <b>13.1.1</b> | Approve Assembly, Service, Business and Food Vendors  | <b>6-11</b>  |
| <b>13.1.2</b> | Accept the Generous Donations From the Various Individuals, Businesses, and School Site Parent Teacher Associations Listed Herein With Thanks and Appreciation From the Staff and Students of the Tracy Unified School District | <b>12-13</b> |
| <b>13.1.3</b> | Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>14-15</b> |
| <b>13.1.4</b> | Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>16-17</b> |
| <b>13.1.5</b> | Ratify Measure S Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda   | <b>18-20</b> |

**13.2 Educational Services:**

- |               |  |              |
|---------------|--|--------------|
| <b>13.2.1</b> | Ratify Agreement for Special Contract Services with Nancy Fetzner to Provide Four (4) Days of Staff Development Training to Central School Staff for the 2011-2012 School Year                                 | <b>21-23</b> |
| <b>13.2.2</b> | Approve Overnight Travel for Mrs. Titian Lish, Rachel Anthony, Beau Mantor, Morgan Moreno, Katerina Pagsolangan, and Morgan Sterni to Attend the CA State Thespian Festival in Upland, CA on March 21-25, 2012 | <b>24</b>    |
| <b>13.2.3</b> | Ratify Agreement for Special Contract Services with the Parent Institute for Quality Education (PIQE) to Provide Training for Parents at Monte Vista Middle School for the 2011-2012 School Year               | <b>25-28</b> |

**13.3 Human Resources:**

- |               |  |              |
|---------------|--|--------------|
| <b>13.3.1</b> | Approve Classified, Certificated and/or Management Employment  | <b>29-31</b> |
| <b>13.3.2</b> | Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment | <b>32-33</b> |

- 14. Action Items:** Action items are considered and voted on individually. Trustees receive background information and staff recommendations for each item recommended for action in advance of scheduled meetings and are prepared to vote with knowledge on the action items. **Pg. No.**
- 14.1 Administrative & Business Services:**
- 14.1.1** Consider Suggested Names for the Tracy High School Administration/Classroom Building and Discuss Potential Changes to Board Policy and Administrative Regulation 7310 **34-37**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.1.2** Acknowledge Change to Administrative Regulation 3310.2 Purchasing Procedures (Second Reading) **38-45**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.1.3** Adopt Resolution No. 11-12 Authorizing the Imposition and Collection of Increased Developer Fees **46-53**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.1.4** Accept the 2010-11 Independent Annual Financial Audit and Performance Audit for Measure E and Measure S General Obligation Bonds (Separate Cover Item) **54**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.2 Educational Services:**
- 14.2.1** Approve High School AP Biology Textbook Adoption **55**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.2.2** Approve Adoption of High School Modern Language Textbooks **56-57**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.2.3** Adopt Revised Board Policy 6174 and Acknowledge Revised Administrative Regulation 6174 Education for English Language Learners (2<sup>nd</sup> Reading) **58-71**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.3 Human Resources:**
- 14.3.1** Approve the Traditional, Classified and Certificated Calendars for the 2012-13 School Year **72-75**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.3.2** Approve the Tentative Agreement Between the California School Employees Association and the Tracy Unified School District for the 2011-2012, 2012-13 and 2013-2014 School Years (Separate Cover Item) **76-79**
- Action:** Motion\_\_\_; Second\_\_\_. **Vote:** Yes \_\_\_; No\_\_\_; Absent\_\_\_; Abstain\_\_\_.
- 14.3.3** Approve Agreement for Student Teaching with Patten University **80-85**
- 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 28, 2012**
- 17.2 March 13, 2012**
- 17.3 March 27, 2012**
- 17.4 April 17, 2012**
- 17.5 May 8, 2012**
- 17.6 May 22, 2012**
- 17.7 June 12, 2012**
- 17.8 June 26, 2012**

**18. Upcoming Events:**

- |                               |                                   |
|-------------------------------|-----------------------------------|
| <b>18.1 February 20, 2012</b> | <b>No School, Presidents' Day</b> |
| <b>18.2 April 6-13, 2012</b>  | <b>No School, Spring Break</b>    |
| <b>18.3 May 28, 2012</b>      | <b>No School, Memorial Day</b>    |
| <b>18.4 June 1, 2012</b>      | <b>Last Day of School</b>         |

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 aid or services, he/she should also contact the Superintendent's Office at least 24 hours prior to the meeting.

**Minutes of  
Regular Meeting of the Governing Board  
For Tracy Unified School District  
Held on Tuesday, January 24, 2012**

- 5:30 PM:** President Costa called the meeting to order and adjourned to closed session.
- Roll Call:** Board: J. Costa, G. Crandall, W. Gouveia, T. Guzman, G. Silva, J. Vaughn  
Absent: B. Swenson  
Staff: J. Franco, S. Harrison, C. Goodall, B. Etcheverry
- 7:05 PM** President Costa called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.
- Closed Session:** 6a Finding of Fact #11-12/42, 43, 44, 45, 48, 50  
**Action:** Guzman, Crandall. **Vote:** Yes-6; No-0; Absent-1(Swenson)
- Employees Present:** C. Minter, J. Cardoza, J. Bussey, R. McMillan, C. Woo, S. O'Hara-Jones, P. Hall, K. Gill, J. Carter, J. Anderson, D. Sonnenburg, G. Garner, B. States, D. Moen, V. Geibig,
- Press:** D. Rizzo, Tracy Press
- Visitors Present:** D. Vang, E. Murphy, C. Alcala, J. Dominguez, M. Andrade, A. Shah, Z. Washington
- Minutes:** **Approve Regular Minutes of January 10, 2012.**  
**Action:** Guzman, Vaughn. **Vote:** Yes-6; No-0; Absent-1(Swenson)
- Student Rep Reports:** West High: Dustin Vang welcomed Mr. Sawyer as their new AP. The leadership class is learning about WASC and what it means. Students will be going around the campus explaining it to other students. They held their second renaissance assembly. The academic recognition program is going well. There were 336 students who applied for renaissance for first semester grades. This week the "West High's Got Talent" committee met. The competition date is yet to be determined but it will be held in new theater. The week of February 6<sup>th</sup> through the 10<sup>th</sup> will be the annual winter homecoming/slam jam. There will be spirit themes throughout the week. In February, the Sophomores will be working with Point Break.
- Tracy High: Michelle Andrade reported that the blood drive was successful. Their donation goal was met and they are planning another drive in March. Leadership held their annual secret pal week. On the last day before break, they had a great lunch catered by FEAST along with an ugly Christmas sweater contest. Their new focus is on Hoopla which will be held January 30<sup>th</sup> through February 3<sup>rd</sup>. The theme is Space Jam. The game will be against Franklin and should be a good game.
- Stein: Zachary Washington commented that they had 20 new students last week.

They have been showing them around and they like the school so far. Their Key Club is helping feed the needy. This month they have testing going on. The students have started "Pennies for Patients" which is a fundraiser for leukemia patients and a food drive. On January 30<sup>th</sup> they will have a speaker from ETI. Student, Corey Vander Ploeg's, photos are displayed in the DEC lobby and they are looking forward for the mural that will be hung in the library.

Kimball High: Aloukika Shah presented a poem about success. Kimball students are participating in "Teens for Jeans" for homeless children. The goal is to raise \$4,000 by February 12<sup>th</sup>. If the school wins the competition they will get \$5,000 and a new pair of Aeropostale jeans for every student on campus. Their spirit week is this week. The administration is being proactive about students taking AP testing. They have had over 100 applicants for freshman to get into the leadership class. They are having a button fundraiser which will benefit the animal shelter. The Key Club is helping at McHenry House. On February 4<sup>th</sup> Kimball is planning take a trip to Sac State. Drama is rehearsing for Oklahoma. Their principal, Cheryl Domenichelli has been named Principal of the Year by ACSA.

Monte Vista Middle School: Students presented a video which was made by the leadership team. It showed the AVID program and student, Ricardo Moreno, who was the idol winner. The video showed interviews from Mrs. OJ, Mr. Doyle and Ms. Deol. They enjoy a positive school culture. They like the school spirit and working with the kids. Also interviewed was Mr. Grimes, the boys' basketball coach. There have a lot of construction going on all over the campus. They showed a new classroom. Music teacher, Randy McMillan talked about band and after school music groups. The jazz band gave a live performance for the audience.

George Kelly School: Students reported on various activities offered at different grade levels including music, art, drama and sports. They are participating in the city recycling program. Their principal, Mrs. Gill, was named "Principal of the Year" which brought \$10,000 to the school which will help with after school sports programs. They are in 1<sup>st</sup> place in volleyball and are currently competing in basketball. Students are expected to keep a "C" average to play. The Science Fair students did a great job. They are looking forward to the Academic Pentathlon. They are excited that this is the first year that Kelly School will attend science camp. The band will be performing at Great America. They are rehearsing their 2<sup>nd</sup> musical *Willy Wonka and the Chocolate Factory*. Students are participating in the after school art program. They also offer kick boxing, which has no contact. Kelly Cash is given to students who have shown good character. In February, students will visit University of Merced. Students in the 5<sup>th</sup> grade are participating in the DARE program. The canned food drive collected over 3,000 cans. Students are building chains of kindness to go all the way down to Kimball High School. They bring families together with monthly family nights including movie nights, etc. They are getting ready for state testing and will have a talent show in May.

## **Recognition & Presentations:**

### **9.1 Williams Middle School Update on Staff Development Initiatives to Support Student Achievement**

This item is moved to the March 13<sup>th</sup> meeting.

<b>Hearing of Delegations</b>	None.	
<b>Information &amp; Discussion Items:</b>	<b>11.1</b>	<b>Administrative &amp; Business Services:</b>
	<b>11.1.1</b>	<p>Receive Report on Governor's January 2012-13 Budget Proposal</p> <p>Associate Superintendent of Business Services, Dr. Casey Goodall, presented a power point with an update on the budget. California's economy is still struggling. California is still down 1 million jobs from 2007 and will take 4.5 more years to recover. There is a projected \$9.2 billion dollar budget gap.</p> <p>The Governor proposes \$4 billion in cuts from Calworks, Cal Grant, Medi Cal, and other state mandates. He is proposing flat funding for k-12 education which assumes that the election in November will pass. We could suffer about a \$604,000 cut to us in transportation funding. There could be an increase in sales tax and income tax rates.</p> <p>If the tax measure fails, we lose transportation money and about another \$370 per student. We still don't know what will happen for sure.</p>
	<b>11.2</b>	<b>Educational Services:</b>
	<b>11.2.1</b>	<p>Receive Report on High School AP Biology Proposed Textbook Adoption</p> <p>Director of IMC, Dr. Donna Sonnenburg, and Kimball High Science Department Chair, Bret States, presented a power point which reviewed how the committee evaluated and recommended the textbook. The cost is \$41,000 and they will come back on February 14th for approval.</p> <p>Trustee Crandall left the meeting at 8:15 p.m. Trustee Crandall returned to the meeting at 8:16 p.m.</p>
	<b>11.2.2</b>	<p>Receive Report on High School Modern Language Programs and Proposed Textbook Adoptions</p> <p>Director of IMC, Dr. Donna Sonnenburg, along with teachers, Victoria Geibig and Diane Moen, presented a power point which revised how the committee evaluated and recommended the textbook. The cost is \$298,000 and they will come back on February 14<sup>th</sup> for approval.</p>
	<b>11.2.3</b>	<p>Receive Update on California Academic Partnership Program (CAPP) Grant</p> <p>Director of Staff Development, Janice Bussey, presented a power point which showed that Algebra will remain a priority focus in our District. We have aligned curriculum with essential blueprint standards; there is</p>



a placement process for identifying and placing students in the right level of algebra when they are ready; we provide coaching for teachers, professional development, and a second period of Algebra for students who need it. The district has received a new algebra grant from the California academic partnership program targeting West High, Monte Vista and Williams Middle School.

- Public Hearing:** 12.1 **Public Hearing:** None.
- Consent Items:**
- Action:** Vaughn, Crandall. **Vote:** Yes-6; No-0 absent-1(Swenson)
  - 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
    - 13.1.2** Approve Assembly, Service, Business and Food Vendors
    - 13.1.3** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda
    - 13.1.4** Ratify Measure S Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda
    - 13.1.5** Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda
  - 13.2 Educational Services:**
    - 13.2.1** Receipt Update on Quarterly Williams/Valenzuela Uniform Complaint Reports for the Quarter Ending January 17, 2012
    - 13.2.2** Ratify Contract with Invo HealthCare Associates, Inc. for the 2011-2012 School Year
    - 13.2.3** Approve Agreement for Special Contract Services with Dr. Edward Harris as Guest Conductor for the 2012 Tracy Unified School District Honor Band for a Total of Three Rehearsals and One Performance
    - 13.2.4** Approve Overnight Travel for Kimball High School Cheerleaders to Attend the National Cheerleading Association Competition at Knott's Berry Farm in Buena Park, CA on March 16-18, 2012
    - 13.2.5** Ratify Agreement for Special Contract Services with Parent Institute for Quality Education (PIQE) to Provide Training for Parents at Villalovoz Elementary School
    - 13.2.6** Approve Overnight Travel for Michael Costa, Lucas Colbert and Jack O'Brien to Attend the CBDA All-State Honor Band in Fresno, CA on February 16-19, 2012.
    - 13.2.7** Approve Overnight Travel for Tracy High School Cheer Team and Coaches to Participate in the Jamz Spirit Nationals in Las Vegas on February 23-26, 2012.
    - 13.2.8** Approve Agreement for Special Contract Services with Counseling and More (CAM) to Provide Training for Parents at Williams Middle School on February 7 – May 30, 2012.
  - 13.3 Human Resources:**
    - 13.3.1** Approve Classified, Certificated and/or Management Employment

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

**Action Items:**

**14.1 Administrative & Business Services:**

14.1.1 Accept the 2010-11 Independent Annual Financial Audit (Separate Cover Item)

**Action:** Crandall, Gouveia. **Vote:** Yes-6; No-0; Absent-1(Swenson)

14.1.2 Acknowledge Change to Administrative Regulation 3310.2 Purchasing Procedures (First Reading)

**Action:** Gouveia, Vaughn. **Vote:** Yes-6; No-; Absent-1(Swenson)

**14.2 Educational Services:**

14.2.1 Acknowledge Revised Administrative Regulation 4112.22 Staff Teaching English Language Learners

**Action:** Vaughn, Gouveia. **Vote:** Yes-6; No-0; Absent-1(Swenson)

14.2.2 Approve Title III Year 4 District Improvement Plan

**Action:** Crandall, Vaughn. **Vote:** Yes-6; No-0; Absent-1(Swenson)

Director of Curriculum, Accountability and Continuous Improvement, Carol Anderson-Woo, presented a power point that showed that 25% of our student population are English Learners. Because we've missed targets, we are in program improvement year 4, which requires a needs assessment to identify strengths and weaknesses and root causes of failure to meet targets.

Trustee Crandall left the meeting at 9:10 p.m.

Trustee Crandall returned to the meeting at 9:11 p.m.

14.2.3 Adopt Revised Board Policy 6174 and Acknowledge Revised Administrative Regulation 6174 Education for English Language Learners (1<sup>st</sup> Reading – Declare Intent to Adopt February 14, 2012)

**Action:** Guzman, Silva. **Vote:** Yes-6; No-0; Absent-1(Swenson)

**14.3 Human Resources:**

14.3.1 Approve Revised Job Description for School Supervision Assistant

**Action:** Vaughn, Gouveia. **Vote:** Yes-6; No-0; Absent-1(Swenson)

**Board Reports:**

Trustee Gouveia passed. Trustee Guzman passed. Trustee Crandall passed. Trustee Vaughn passed. Trustee Silva passed. Trustee Costa commented that they all enjoyed the music from Monte Vista tonight.

**Superintendent Report:**

Dr. Franco acknowledged our BSUs from each of the high schools for helping with the MLK Breakfast. Hats off to Cheryl Domenichelli for being named "Principal of the Year" by ACSA. This weekend local high schools participated in the Academic Decathlon in Stockton. Tracy High is the defending champion. At the Grand Theater this Saturday, the Honor Band concert will be held at 3:00 p.m.

9:35p.m.

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Date



# BUSINESS SERVICES MEMORANDUM

**TO:** James Franco, Superintendent  
**FROM:** C. Goodall, Associate Superintendent for Business Services  
**DATE:** February 3, 2012  
**SUBJECT:** Approve Assembly, Service, Business and Food Vendors

**BACKGROUND:** To be valid or to constitute an enforceable obligation against the district, education code 17604 requires that all contracts must be approved and/or ratified by the board of trustees. This requirement is met in several different ways, depending on the value of the requisition, the types of services or materials being procured, and the advance notice staff has in procuring the services or materials.

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

To that end, the attached list of vendors has met all of the criteria to provide assemblies at TUSD sites, and their presentation has been deemed appropriate for TUSD students.

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

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

**RECOMMENDATIONS:** Approve Assembly, Service, Business and Food Vendors

**PREPARED BY:** Cindy Everhart, Facility Use Secretary

Board Approved	Vendor	Insurance Expires
<b>ADDING THE FOLLOWING VENDORS FOR BOARD APPROVAL:</b>		
	CAM Counseling and More - Lettie Ordone. 640-4179, 832-1094, lordonecam@yahoo.com. Www.lordonecam.com	8/7/2012
	Sound Wave Mobile DJ Service - Dave Gomes - 510-938-7903, info@soundwavemobiledj.com, www.soundwavemobiledj.com	5/27/2012
	PIQE-Parent Institute for Quality Education - Teresa Guerrero - 238-9496/484-8404, tguerrero@piqe.org, www.piqe.org	6/10/2012
<b>↓ APPROVED LIST BELOW BY EXPIRATION DATE↓</b>		
9/13/11	Family Resource & Referral Center, Mona Perez-461-2721. First 5 Info-Healthy Eating habits, activities to promote good health.	3/17/2012
12/13/11	Rhythm Magic - Music Assembly. Michael Bayard - (916) 683-2575, bayard@rhythmmagic.com. Www.rhythmmagic.com	3/28/2012
11/8/11	Sounds in Motion-DJ and Sount -George or Jason (209) 522-5999, soundsinmotion@msn.com, www.soundsinmotiondj.com	4/22/2012
10/25/11	Mustard Seed Faith Christian Center-faith based organizations outreaches to community events. Paul Hall - 830-3280 or 59-707-7214. phall@mac@mac.com. Www.msfcc.mac@mac.com	4/30/2012
2/12/08	Sparkles the Clown, Terry Donaldson - 835-8383, www.sparklesdelight.com	5/1/2012
2/12/08	Ravioli the Clown - Denis Martinez - 835.3535, www.raviolitheclown.com	5/1/2012
5/10/11	DJ Ran Productions-Mobile Disc Jockey Services. djran@mail.com, www.djran-tracy.webs.com, 229-3802, djranproductions@live.com	5/1/2012
9/13/11	Youth for Christ - Point Break Adolescent Resources. Violence Prevention Services. Contact Joan Stone in Prevention Services 830-3218.	5/1/2012

Board Approved	Vendor	Insurance Expires
9/13/11	Athletic Perfection - Cheer Routine choreography. Jennifer Moore 609-8736, jennwhip29@hotmail.com, julie@athleticperfectioncheer.com, www.athleticperfectioncheer.com	5/14/2012
8/28/07	Horizon Intertainment - Teen Truth Anti Bully JC Pohl 818 755 8800 , jc@teentruthlive.com	5/18/2012
5/24/11	Café Art - Julie (925) 373-0222, admin@ceramic- cafeart.com, www.ceramic-cafeart.com	5/26/2012
9/13/11	Rachel's Challenge, Inc., Anti-Bulling, Character & Kindness Program. Tim Kiehne, 877-895-7060 x 709, tim@rachelschallenge.org, www.rachelschallenge.org	5/26/2012
10/11/11	City of Tracy Police Dept. "What not to bring to School" program. Irene Rose -831-4550	6/1/2012
10/11/11	Main Street Music, Inc. - Ken Cefalo, 835-1125, kencefalo@yahoo.com, www.tracyrocks.com	6/3/2012
12/14/10	David Greenberg-Author-360-560-7766. fax # 503-842- 1290. authilus@teleport.com. www.authorsillustrators.com/greenberg/greenberg.htm	6/18/2012
4/12/11	Marquis Entertainment - DJ (209) 951-1982, www.marquisentdjs.com, enmar3@yahoo.com	7/1/2012
4/12/11	Explorit Science Center - 530-756-0191, explorit@explorit.org, www.explorit.org	7/21/2012
4/12/11	LMG Attractions-Dave Tillman, DJ Services, www.lmgattractions.com, 275-0226	8/1/2012
11/13/07	Bureau of Lectures & Ancient Artifacts John Tacha or Terry Lyman 800.255.0084, (FIRE SHOW NOT ALLOWED) www.assemblyline.com/index.html bureau@assemblyline.com	8/20/2012
4/12/11	John Searle - Stage Workshops, johnsearles1@aol.com, www.johnsearlesfights.com/index.shtml	8/31/2012
3/8/11	Andrew Troisen, DDS. 833-1240	9/1/2012

Board Approved	Vendor	Insurance Expires
9/27/11	Marcel Eiland- DJ Services - 408-667-7803, maen3wera@gmail.com	9/8/2012
10/25/11	Amos Productions-DJ Services. Nicole - 1800-693-5003 or 925-449-3847. nicole@amospro.com or info@amospro.com	9/16/2012
1/25/11	Sorren Bennick Productions - Power of One Anti-Bullying Program, Sorren Bennick 1-866-816-5808, sorenbenick@sorenbenick.com; To view a video clip of the show, go to www.sorenbenick.com; enter the Power of One section, click on the Principals Only field, and use the password: "impact" and the username: "impact".	9/18/2012
10/24/11	Adriana Ribeiro - After school music lessons for students, 836-4056, adriankr@prodigy.net	10/1/2012
11/8/11	Famous Allstars - tumbling lessons. Michael Campos (209) 608-2476. famousallstars@gmail.com	10/28/2012
3/8/11	Peacemakers - Paul Hall -phall@tusd.net or Kevin James - kev4jam@sbcglobal.net	11/1/2012
12/13/11	Jumpstart Productions - Scott Greenburg Motivational speaker - (818) 785-7610, scott@scottgreenburg.com, www.scottgreenburg.com	9/24/2012
11/8/11	Fresh Entertainment - DJ/MC, Sound & Lighting Rental. Derek Mizuno 510-921-4373, derekmizuno@gmail.com	10/31/2012
8/28/07	Theater for Children, B Street Theater Programs, Lea Ladd, 916.443.5391 x112	12/1/2012
10/9/07	Mad Science, Danielle Mae Lee, danielle@madsciencesacto.com, 916-736-2924, Elena Michel elena@madsciencesacto.com (Fire & Ice Show not allowed)	12/1/2012
1/24/12	Larry Fagg - Fundraising. larryfagg@fundraisinglarryfagg.com. Student Discovery Program- 90 volunteer speakers @ high schools/college scholarship. larryfagg@sjcdiscovery.org. 408-242-2733	12/15/2012

Board Approved	Vendor	Insurance Expires
1/25/11	Kaiser Permanente - Dean Starnes, dean.starnes@kp.org, 510-987-2223, www.Kp.org/etp/ncal, Programs "Community Troupe", PEACE Signs "The Best Me", "Nightmare on Puberty ST." and "Secrets".	1/1/2013
8/9/11	Graphic & Wear, Steve Lewis, gicts@sbcglobal.net, steve@gicgraphicwear.com, www:gicgraphicwear.com, 723-9817	1/9/2013
10/11/11	Rumors Productions - Jenna Teyshak/Jon Tyner - 640-8000, jenna@rpcdj.com, www.rpcdj.com	2/1/2013
9/27/11	New Creation Bible Fellowship-Kevin James-408-595-5704, www.ncbfracy.org. Power Zone Camp	9/1/2013
10/23/07	Lawrence Hall of Science, 510-642-1700, pfsreq@berkeley.edu, www.lawrencehallofscience.org	Indemnification approved, Tier 1
12/13/11	Stockton Ports Baseball By The Books - reading incentive program. Free of charge-chance to win free tickets. Margaret Sacchet-644-1900, msacchet@stocktonports.com, www.web.minorleaguebaseball.com/index.jsp?sid=t524	NO Charge, Tier 1
10/9/07	McDonalds Tammi Beck 916-962-1982	NO Charge, Tier 1
10/9/07	NASA Karin Costa 650-604-6077	NO Charge, Tier 1
10/9/07	Otto the Auto Wendy Sanchez 415-565-2676 wendy_sanchez@csaa.com	NO Charge, Tier 1
10/9/07	Sandia Labs Joel Lipkan - jlipkin@comcast.net	NO Charge, Tier 1
2/10/09	JOE FOSS Institute, 480.348.0316, www.jfiweb.org	NO Charge, Tier 1
4/28/09	District 5 Dairy Princess, 639-1715	NO Charge, Tier 1
5/26/09	Get Real Behind The Wheel, Safe Driving Assembly targeted to 8th, 9th & 10th graders. Ken Ucci 209.601.6523 or Tom Simpson 612-4222. www.getrealbehindthewheel.org	NO Charge, Tier 1
5/26/09	Cowboys & Kids Reach Assembly, Penny Conway, www.reachkids.com, reachme@theriver.com	NO Charge, Tier 1

Board Approved	Vendor	Insurance Expires
2/23/10	Boys Scouts - Civil War History presentation Preston Gilliam, 209-830-1870 or pgilliam@pacbell.net	NO Charge, Tier 1
*Section 308.3 Open Flame. A person shall not utilize or allow to be utilized, an open flame in		
Please remind your staff that candles, incense, cigarettes, or any item with an open flame are not		
not permitted.		
<b>FOOD VENDORS:</b>		
OUTDOORS ONLY - Make sure barbeques are 10 feet away from any building or structure. Place		
8/23/11	How Ya Bean-Paul Vogt-681-1790, paul_vogt@howyabean.com, coffee, espresso, smoothies	2/11/2012
5/24/11	American Dog - Ray Rhead, 834-1364, ameridogg@comcast.net	4/23/2012
10/13/09	Famous Dave's BBQ Catering: 866-408-7427 fax 833-9043 www.famousdaves.com	10/1/2012
10/25/11	Mi Esperanza Taqueria - Mexican food vendor. Omar Mendoza - 832-3020. 918 Central Ave.	10/15/2012
12/8/09	Texas Roadhouse- Tim Lund, 830-1133, store_tracy@texasroadhouse.com,	12/1/2012
*Section 308.3 Open Flame. A person shall not utilize or allow to be utilized, an open flame in		
Please remind your staff that candles, incense, cigarettes, or any item with an open flame are not		





# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 14, 2012  
**SUBJECT:** **Accept the Generous Donations From the Various Individuals, Businesses, and School Site Parent Teacher Associations Listed Herein With Thanks and Appreciation From the Staff and Students of the Tracy Unified School District.**

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

1. Tracy Unified School District/Kimball High School ASB: From: Kimball High Athletic Booster Club. The donation is in the amount of \$585.00 (ch.#1224). This donation will be used for Kimball High School Volleyball.
2. Tracy Unified School District/Kimball High School ASB: From: Kimball High Athletic Booster Club. The donation is in the amount of \$1,035.00 (ch.#1223). This donation will be used for Kimball High School Soccer.
3. Tracy Unified School District/Kimball High School ASB: From: Kimball High Athletic Booster Club. The donation is in the amount of \$1,000.00 (ch.#1226). This donation will be used for Kimball High School Wrestling.
4. Tracy Unified School District/Kimball High School ASB: From: Kimball High Athletic Booster Club. The donation is in the amount of \$500.00 (ch.#1225). This donation will be used for the Kimball High School Band.
5. Tracy Unified School District/Tracy High School ASB: From: Tracy Breakfast Lions. The donation is in the amount of \$2,109.43 (ch.#4224). This donation will be used for Tracy High Girl's Basketball.
6. Tracy Unified School District/Tracy High School ASB: From: Campagna Dei Italia Bersaglieri. The donation is in the amount of \$500.00 (ch.#2258). This donation will be used for the Tracy High Catering Club.
7. Tracy Unified School District/North School: From: Scholarship America & Target Field Trips. The donation is in the amount of \$700.00 (ch.#576930). This donation will be used for North School field trips.

8. Tracy Unified School District/George Kelly School: From: Scholarship America & Target Field Trips. The donation is in the amount of \$700.00 (ch.#578811). This donation will be used for George Kelly School field trips.
9. Tracy Unified School District/North School: From: Career & College Clubs. The donation is in the amount of \$500.00 (ch.#12911 & #12912). This donation will be used for 7<sup>th</sup> Grade (\$250.00) and 8<sup>th</sup> Grade (\$250.00) students.
10. Tracy Unified School District/George Kelly School: From: Governor's Council on Physical Fitness. The donation is in the amount of \$10,000 (ch.#3039).
11. Tracy Unified School District/Kimball High School: From: Iron Mountain Films. The donation is in the amount of \$1,000.00 (ch.#5108).
12. Tracy Unified School District/Kimball High School ASB: From: Children's Dance Theatre. The donation is in the amount of \$750.00 (ch.#1178). This donation will be used for the Kimball High School Video Production.
13. Tracy Unified School District/Kimball High School: From: Jaguar Theater Booster Club. The donation is a Shure Wireless Microphone System, model #SLX14 and a Samson Hearworn Microphone, model #SE50T, with an estimated value of \$772.91. This donation will be used for the Kimball High School Drama Program.

**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:** February 3, 2012  
**SUBJECT:** Ratify Routine Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

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

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

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

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

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

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

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

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A.	Vendor:	Gallagher de Signs
	Site:	Kimball High School
	Item:	Agreement
	Services:	Contractor to hand paint the Kimball mascot and school name on the exterior of the Athletic Complex, identifying the school facility further as a learning institution both for students attending the school and for the community.
	Cost:	\$3,300.00 Not to Exceed
	Project Funding:	Site Start-up Funding

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# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 3, 2012  
**SUBJECT:** Ratify Measure E Related Expenditures and Notice of Completions Which Meet the Criteria for Placement on the Consent Agenda

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

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

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

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

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

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

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

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A. Vendor: Benson Lee Consulting  
Site: Tracy High School – Stadium Renovation  
Item: Agreement  
Services: Consultant to review and prepare documentation required of the California Environmental Quality Act (CEQA); which includes preparing the Notice of Exemption form.  
Cost: \$750.00 Not to Exceed  
Project Funding: Measure E Bond Funds and State School Building Fund (SSBF)

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B. Vendor: Rainforth Grau Architects  
Site: Tracy High School – Stadium Renovation  
Item: Amendment #1 to Agreement  
Services: The projects scope of work was revised to include the relocation and modernization of the relocatable classrooms. The project construction cost estimate increased from \$6,825,000 to \$8,550,474.80 which in turn increased the architectural fees from \$737,500 to \$904,542.73.  
Cost: \$167,042.73 Increase  
Project Funding: Measure E Bond Funds and SSBF

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C. Vendor: California Geological Survey (CGS)  
Site: Tracy High School – Stadium Renovation  
Item: Agreement - Ratify  
Services: The Department of Conservation will conduct an independent assessment of the District's geological hazard reports for the Tracy High School -- Stadium Renovation site.  
Cost: \$3,600.00  
Project Funding: Measure E Bond Funds and SSBF

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# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 3, 2012  
**SUBJECT:** Ratify Measure S 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 S 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 S BOND  
SUMMARY OF SERVICES**

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A. Vendor: AMS.NET  
Site: West High School Theatre and Small Gym  
Item: Quote - FOCUS  
Services: Cisco cameras, infrared lighting and installation services.  
Cost: \$66,867.68  
Project Funding: Measure S Bond Funds

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B. Vendor: AMS.NET  
Site: Williams Middle School  
Item: Quote - FOCUS  
Services: Cisco cameras, infrared lighting and installation services.  
Cost: \$2,903.32  
Project Funding: Measure S Bond Funds

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C. Vendor: AMS.NET  
Site: Stein High School  
Item: Quote - FOCUS  
Services: Cisco cameras, infrared lighting and installation services.  
Cost: \$17,856.42  
Project Funding: Measure S Bond Funds

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D. Vendor: AMS.NET  
Site: Central Elementary School  
Item: Quote - FOCUS  
Services: Cisco cameras, infrared lighting and installation services.  
Cost: \$13,407.84  
Project Funding: Measure S Bond Funds

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E. Vendor: Decotech Systems  
Site: Tracy High School - Cafeteria  
Item: Quote - Ratify  
Services: Extron Speakers for the cafeteria.  
Cost: \$3,231.03  
Project Funding: Measure S Bond Funds

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F. Vendor: INX  
Site: Multiple Schools – MDF/IDF Safety/Security Project  
Item: Quote - WSCA  
Services: Correction to Item A on 1/10/12 Board Agenda Consent List to show the quote affiliated with the WSCA agreement.  
Cost: \$48,300.00  
Project Funding: Measure S Bond Funds

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G. Vendor: Presido/INX  
Site: District Education Center – Server Project  
Item: Quote - WSCA  
Services: Correction to Item B on 1/24/12 Board Agenda Consent List to show the quote affiliated with the WSCA agreement.  
Cost: \$79,000.00  
Project Funding: Measure S Bond Funds

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H. Vendor: AMS.NET  
Site: Multiple Schools - Project #2011-009 Cisco IP Security Camera  
Item: Change Order #5  
Services: Time Extension for this change order only.  
Cost: \$0.00  
Project Funding: Measure S Bond Funds

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I. Vendor: Roebbelen Contracting  
Site: McKinley Elementary Modernization  
Item: Change Order #2  
Services: Scope of work documented on the change order summary  
Cost: \$12,780.00 Deduction from contingency allowance previously included in contract.  
Project Funding: Measure S Bond Funds

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J. Vendor: Roebbelen Contracting  
Site: Monte Vista Middle School Modernization  
Item: Change Order #2  
Services: Scope of work documented on the change order summary  
Cost: \$17,262.00 Deduction from contingency allowance previously included in contract.  
Project Funding: Measure S Bond Funds

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# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** *JS* Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** January 31, 2012  
**SUBJECT:** Ratify Agreement for Special Contract Services with Nancy Fetzer to Provide Four (4) days of Staff Development Training to Central School Staff for the 2011-2012 School Year

**BACKGROUND:** Through program evaluation and the results of District and State assessments, Central staff has identified the need to work on building a more comprehensive writing program. Ms. Fetzer has been providing Central teachers coaching in building academic language and writing strategies for the past 6 years. The teachers have found her methodology for building language and instructional strategies very useful and requested that Ms. Fetzer model writing lessons and provide critical feedback to previously trained teachers. Data reflects improved reading scores; however, improving comprehension skills will benefit all students. Ms. Fetzer will provide training to staff on improving reading comprehension. In addition, she will continue to work with grade level teams to plan and sequence their writing and reading curriculum for the year. This agenda needs to be ratified because the first training occurred on February 14, 2012, the day of the Board Meeting.

**RATIONALE:** Central School is committed to improving teacher instruction of the State standards and closing the achievement gap. Our goal is to have students meet District standards on writing assessments. Working with Nancy Fetzer will improve writing scores. Ms. Fetzer has presented at state-wide conferences and is a highly respected writing coach. Central staff requests approval to hire Nancy Fetzer to provide staff development in reading and writing to improve instructional practices to increase student achievement. This request supports District Strategic Goal #2: Ensure that all students meet or exceed grade level standards and that the achievement gap between identified student subgroups is closed and Goal #7: Develop and utilize partnerships to achieve District goals.

**FUNDING:** Expenses to hire Nancy Fetzer will be paid out of the Central School Site EIA account. Not to exceed \$7,000

**RECOMMENDATION:** Ratify Agreement for Special Contract Services with Nancy Fetzer to Provide Four (4) days of Staff Development Training to Central School Staff for the 2011-2012 School Year

**Prepared by:** Nancy Morgan Link, Principal, Central School

# TRACY UNIFIED SCHOOL DISTRICT

1875 W. Lowell Avenue, Tracy, California 95376

## AGREEMENT FOR SPECIAL CONTRACT SERVICES

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

1. Contractor shall perform the following duties: Provide ongoing Staff Development in reading and writing to improve instructional practices and thus increasing student achievement.
2. Contractor will provide the ~~above~~ services(s), as outlined in Paragraph 1, for a period of up to a total of 4 days HOURS/DAY (s)/FLAT RATE (circle one), under the terms of this agreement at the following location: Central School.
3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:
  - a. District shall pay \$7,000 per HOUR/DAY/FLAT RATE (circle one), not to exceed a total of \$ 7,000.00. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.
  - b. District [ ☐ ] SHALL; ~~[X] ] SHALL NOT~~ reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals and lodging in the district rates not to exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed \$ 0.00 for the term of this agreement.
  - c. District shall make payment on a [ ☐ ] MONTHLY PROGRESS BASIS, [ ☒ ] SINGLE PAYMENT UPON COMPLETION OF THE DUTIES and within thirty (30) working days from Contractor's presentation of a detailed invoice or on a claim form provided by District. Original paid receipts are required for lodging, air fare (passenger coupon or ticket stub), automobile rental, and parking. Claims for unusual expenses, such as teaching materials, photocopying, etc., must be accompanied by original paid invoices.
4. The terms of the agreement shall commence on February 14, 2012, and shall terminate on May 30, 2012.
5. This agreement may be terminated at any time during the term by either party upon 30 days written notice.
6. Contractor shall contact the District's designee, Nancy Morgan Link at (209) 830-3303 with any questions regarding performance of the services outlined above. District's designee shall determine if and when Contractor has completed the services described.
7. The parties intend that an independent contractor relationship be created by this contract and District assumes no responsibility for workers' compensation liability. District likewise assumes no responsibility for liability for loss, damage, or injury to person(s) or property resulting from, or caused by, the contractor's activities during or relating to the performance of service under this Agreement.

Contractor agrees to hold harmless and to indemnify District for:

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

8. This Agreement is for the personal services of the Contractor and Contractor may not assign the performance of the services to any person or persons who are not parties to this Agreement except for employees of Contractor.
9. Contractor certifies that his or her current employer, if any, is fully cognizant of this Agreement and that payments hereunder are not in conflict with any federal, state, or local statutes, rules or regulations or with any policies of Contractor's current employer.
10. District shall become the owner or, and entitled to, exclusive possession of all records, documents, graphs, photographic or other reproductions of any kind produced in the scope of services performed and no other uses thereof will be permitted except by permission of the District. Proprietary materials will be exempted from this clause.

**AGREED:**

\_\_\_\_\_  
Consultant Signature (1)  
\_\_\_\_\_  
Social Security Number (2)/Tax ID #  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Address & Phone #  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Tracy Unified School District  
\_\_\_\_\_  
Date  
\_\_\_\_\_  
Title  
\_\_\_\_\_  
Account Number to be Charged  
\_\_\_\_\_  
Department/Site Approval  
\_\_\_\_\_  
Budget Approval  
\_\_\_\_\_  
Date Approved by the Board

**Send all copies to the Business Office:**

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



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** *SH* Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** January 27, 2012  
**SUBJECT:** **Approve Overnight Travel for Mrs. Titian Lish, Rachel Anthony, Beau Mantor, Morgan Moreno, Katerina Pagsolingan, and Morgan Sterni to Attend the California State Thespian Festival in Upland, CA on March 21-25, 2012.**

**BACKGROUND:** Participation in the California State Thespian Festival is a prestigious honor for high school students. Students from Tracy High will be provided the opportunity to perform at the State Thespian Festival, compete for scholarships, and audition for the performing arts programs of various colleges. Mrs. Lish will transport the students in a District van, as well as chaperone the trip. They will stay at the Country Side Suites in Ontario, CA, just outside of Upland, CA.

**RATIONALE:** It is a goal of the Tracy High School (THS) Performing Arts Magnet to provide students with increased performance opportunities. THS students, Rachel Anthony, Beau Mantor, Morgan Moreno, Katerina Pagsolingan, and Morgan Sterni are uniquely qualified to participate in this event and represent their own and Tracy High's dedication to theatre. In addition, these students are recognized members of the International Thespian Society. This aligns with 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 Goal #3: Provide a safe and equitable learning environment for all students and staff.


**FUNDING:** Expenses for the California State Thespian Festival will be paid out of the ASB account via students' family contributions. The total estimated cost per person is \$433.33. Fundraiser(s) will be available to pay for those students who are unable to fund their own trip.

**RECOMMENDATION:** Approve Overnight Travel for Mrs. Titian Lish, Rachel Anthony, Beau Mantor, Morgan Moreno, Katerina Pagsolingan, and Morgan Sterni to Attend the California State Thespian Festival in Upland, CA on March 21-25, 2012.

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



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:**  Dr. Sheila Harrison, Assistant Superintendent for Educational Services and Human Resources  
**DATE:** February 8, 2012  
**SUBJECT:** Ratify Agreement for Special Contract Services with the Parent Institute for Quality Education (PIQE) to Provide Training for Parents at Monte Vista Middle School for the 2011-2012 School Year.

**BACKGROUND:** In the on-going endeavor to improve student achievement, Monte Vista Middle School plans to participate in professional development training which involves our parents as the primary educators. Two years ago Monte Vista Middle School had 87 parents graduate from the Parent Institute for Quality Education (PIQE). Our parents evaluated the program as informative and meaningful for them. They felt that the training had provided them with valuable skills to help their children in school. Ratification is necessary due to the late submission of the request by the principal.

**RATIONALE:** The PIQE training is designed to develop skills and techniques which will enable parents to address the educational needs of their school-aged children. Since it was so successful two years ago, the members of the Parent Teacher Group requested that the program be repeated for current parents, and this supports the site goal for increasing parent involvement in our childrens' education. This request also supports the District Strategic Goal #7: Develop and utilize partnerships achieve of District goals.

**FUNDING:** There is no cost to the District. This training will be paid from the site categorical Title 1 funding. The school site will pay \$5000.00 for the first class of 9 sessions and an additional \$2000.00 if necessary for an additional class caused by an over enrollment, for a total of \$7000.00. The site will pay for childcare for the families.

**RECOMMENDATION:** Ratify Agreement for Special Contract Services with the Parent Institute for Quality Education (PIQE) to Provide Training for Parents at Monte Vista Middle School for the 2011-2012 School Year.

**Prepared by:** Susan O'Hara-Jones, Principal, Monte Vista Middle School

# TRACY UNIFIED SCHOOL DISTRICT

1875 W. Lowell Avenue, Tracy, California 95376

## AGREEMENT FOR SPECIAL CONTRACT SERVICES

This agreement, by and between Tracy Unified School District, hereinafter referred to as "District," and the Parent Institute for Quality Education (PIQE), hereinafter referred to as "Contractor," is for consultant or special services to be performed by a non-employee of the District. District and Contractor, herein named, do mutually agree to the following terms and conditions:

1. Contractor shall perform the following duties: Provide educational training for parents of students enrolled at Monte Vists Middle School which will focus on developing and enhancing techniques which will help students to learn and to close the achievement gap.
2. Contractor will provide the above services(s), as outlined in Paragraph 1, for a period of up to a total of ten ( 10 ) HOURS(DAYS (circle one)), under the terms of this agreement at the following location: Monte Vista Middle School.
3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:
  - a. District shall pay \$7000.00 per HOUR/DAY/FLAT RATE (circle one), not to exceed a total of \$ \$7000.00. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.
  - b. District [ ] SHALL; [ X ] SHALL NOT reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals and lodging in the district rates not to exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed those currently in effect for employees of the District. Reimbursement of expenses shall not exceed \$ 0 for the term of this agreement.
  - c. District shall make payment on a [ X ] MONTHLY PROGRESS BASIS, [ ] SINGLE PAYMENT UPON COMPLETION OF THE DUTIES and within thirty (30) working days from Contractor's presentation of a detailed invoice or on a claim form provided by District. Original paid receipts are required for lodging, air fare (passenger coupon or ticket stub), automobile rental, and parking. Claims for unusual expenses, such as teaching materials, photocopying, etc., must be accompanied by original paid invoices.
4. The terms of the agreement shall commence on August 11, 2011, and shall terminate on June 1, 2012.
5. This agreement may be terminated at any time during the term by either party upon 30 day's written notice.
6. Contractor shall contact the District's designee, Susan O'Hara-Jones at (209) 830-3340 with any questions regarding performance of the services outlined above. District's designee shall determine if and when Contractor has completed the services described.
7. The parties intend that an independent contractor relationship be created by this contract and District assumes no responsibility for workers' compensation liability. District likewise assumes no responsibility for liability for loss, damage, or injury to person(s) or property resulting from, or caused by, the contractor's activities during or relating to the performance of service under this Agreement.

Contractor agrees to hold harmless and to indemnify District for:

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

8. This Agreement is for the personal services of the Contractor and Contractor may not assign the performance of the services to any person or persons who are not parties to this Agreement except for employees of Contractor.
9. Contractor certifies that his or her current employer, if any, is fully cognizant of this Agreement and that payments hereunder are not in conflict with any federal, state, or local statutes, rules or regulations or with any policies of Contractor's current employer.
10. District shall become the owner or, and entitled to, exclusive possession of all records, documents, graphs, photographic or other reproductions of any kind produced in the scope of services performed and no other uses thereof will be permitted except by permission of the District. Proprietary materials will be exempted from this clause.

**AGREED:**

\_\_\_\_\_  
Consultant Signature (1)

\_\_\_\_\_  
Social Security Number (2)

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

\_\_\_\_\_  
Address

\_\_\_\_\_

\_\_\_\_\_

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

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

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

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

\_\_\_\_\_  
Linda Boragno-Dopp, Director of Alternative Programs  
Budget Approval

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

Send all copies to the Business Office:





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## SERVICES ACCEPTANCE MEMORANDUM OF UNDERSTANDING

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**To:** Susan O'Hara-Jones Principal....

**From:** Teresa Guerrero, Executive Director

**Date:** June 7, 2011

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NOW, THEREFORE, in consideration of the recitals and mutual obligations of the parties herein expressed, The Parent Institute for Quality Education (PIQE) and Monte Vista Middle School agree as follow:

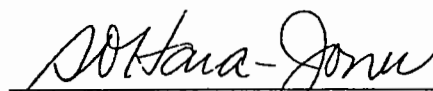
### RECITALS

- A. Scope of Services: PIQE will provide a parent training course for the parents of the children enrolled in the school above mentioned. PIQE will recruit parents by phone, provide a needs-assessment session, a series of weekly training sessions for parents culminating in a graduation ceremony with certificates given to parents who attend four sessions or more. The training is designed to develop skills and techniques which will enable parents to address the educational needs of their school-aged children.
- B. Location: Monte Vista Middle School 751 W. Lowell Avenue, Tracy, CA 95376
- C. Period of Performance: September 2011 – December 2011
- D. Compensation: \$5,000 for one class of 30 or less parent graduates, \$2,000 for each additional class. Graduates are those parents who attended four or more classes during the nine-week course.

School funding from: School budget and or Title 1

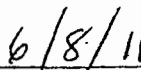
- E. In addition, schools where the PIQE program is provided will make available babysitting services as well as any refreshment to be provide to the parents

I accept these services at Monte Vista Middle School in the Tracy Unified School District under the terms and conditions noted.



Cheryl Domenichelli: Principal  
Susan O'Hara-Jones

Parent Institute Representative:



Date

  
Teresa Guerrero, Executive Director PIQE

Modesto Office: 1124 11<sup>th</sup> Street., Suite B • Modesto CA 95354 • (209) 238-9496 • Fax (209)238-9495

[www.piqe.org](http://www.piqe.org)



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr. James Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services & Human Resources  
**DATE:** February 3, 2012  
**SUBJECT:** Approve Classified, Certificated, and/or Management Employment

## BACKGROUND:

Fossett, Robin

Kargal, Pallavi

Mackay, Sharon

Matasol, Cinthya

McIntyre, Sharelle

## CLASSIFIED

Special Ed Para Educator I (Replacement)  
Monte Vista Middle School  
Range 24, Step A - \$12.51 per hour  
6 hours per day  
Funding: Special Ed IDEA Grant

Para Educator I (New)  
Hirsch Elementary School  
Range 24, Step C - \$13.73 per hour  
3 hours per day  
Funding: EIA

Para Educator I (New)  
\*Filled by current TUSD employee  
Williams Middle School  
Range 24, Step D - \$14.37 per hour  
1 hour per day  
Funding: General Fund

Food Service Worker (Replacement)  
\*Filled by current TUSD employee  
North School  
Range 22, Step C - \$13.11 per hour  
2.5 hours per day  
Funding: Child Nutrition-School Program

I.E.P. Para Educator I (New)  
Jacobson Elementary School  
Range 24, Step A - \$12.51 per hour  
4 hours per day  
Funding: Special Education

Nisbet, Michelle

Para Educator I (New)  
\*Filled by current TUSD employee  
Art Freiler School  
Range 24, Step E - \$15.07 per hour  
4 hours per day  
Funding: EIA

Segura, Martha

Bilingual Para Educator I (New)  
Art Freiler School  
Range 24, Step A - \$12.51 per hour  
4 hours per day  
Funding: EIA

Stewart, Jessica

Food Service Worker (New)  
\*Filled by current TUSD employee  
Kimball High School  
Range 22, Step E - \$14.37 per hour  
3 hours per day  
Funding: Child Nutrition – School Program

Tarnowski, Deborah

Para Educator I (New)  
\*Filled by current TUSD employee  
Jacobson Elementary School  
Range 24, Step E - \$15.07 per hour  
4 hours per day  
Funding: Title 1

Vaughn, Pamela

Para Educator I (Replacement)  
\*Filled by current TUSD employee  
George Kelly School  
Range 24, Step C - \$13.73 per hour  
3 hours per day  
Funding: EIA

Verduzco, Nicole

I.E.P. Para Educator I (New)  
Jacobson Elementary School  
Range 24, Step A - \$12.51 per hour  
3 hours per day  
Funding: Special Ed IDEA Grant

### **BACKGROUND:**

Gavin, Kimberly

Assistant Swim  
Kimball High School  
Stipend: \$3,245.36

McCray, Marsha

Assistant Swim  
Kimball High School  
Stipend: \$3,245.36

### **COACHES**

Wagner, Brian

Frosh Baseball  
West High School  
Stipend: \$3,245.36

Williams, Theodore

Head Track  
West High School  
Stipend: \$4,868.03

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

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



# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** ~~Dr.~~ Sheila Harrison, Assistant Superintendent of Educational Services  
 & Human Resources  
**DATE:** February 3, 2012  
**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>
Bennett, Kelley Student Body Bookkeeper	KHS	02/10/2012	Accepted position with SJCOE
Garcia, Kimberley Clerk Typist I	IGCG	01/20/2012	Personal
Hunter, Shannon Food Service Worker	WHS	01/09/2012	Personal
Moore, Alicia School Supervision Assist.	Jacobson	01/17/2012	Personal
Nisbet, Michelle Para Educator I	Villalovoz	01/27/2012	Accepted Para position at Art Freiler
Ochoa, Nanette Food Service Worker	THS	01/17/2012	Personal
Tarnowski, Deborah Para Educator I	Villalovoz	01/27/2012	Accepted Para position at Jacobson
Vaughn, Pamela School Supervision Assist.	George Kelly	01/27/2012	Accepted Para position at George Kelly

**BACKGROUND:****CLASSIFIED RETIREMENT**NAME/TITLESITEEFFECTIVE  
DATE

Heifner, Sandra

K-8 Library Technician

MVMS

06/06/2012

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

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



# BUSINESS SERVICES MEMORANDUM

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**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent, Business Services  
**DATE:** February 6, 2012  
**SUBJECT:** Consider Suggested Names for the Tracy High School  
Administration/Classroom Building and Discuss Potential Changes to Board  
Policy and Administrative Regulation 7310

**BACKGROUND:** During the September 13, 2011 School Board meeting, the Board directed the Superintendent to form a committee to recommend names for the Tracy High School administration building. Pursuant to Board Policy and Administrative Regulation 7310, a public notice was generated, submissions were sought, and a screening committee was formed, which consisted of:

1. Dr. Casey Goodall as the Superintendent's representative, chairperson of the committee, and a non-voting member.
2. Jason Noll, Principal
3. Renata Guzman, ASB President
4. Ally Headley, Senior Class President
5. Harold Reich, Community Member
6. David Lee, Community Member
7. Alan Hawkins, Community Member

The committee was asked to consider proposed names, make recommendations, and to consider possible changes to the policy governing naming buildings on school sites. The following names were considered:

1. Dr. Joseph S. West
2. West Building, The West Building
3. Emma Burns Souza Building
4. James C. Franco Building, or The Franco Building (Building A)
5. The Paula E. Weeks Building
6. Yokuts Building
7. Chief Estanislau Building
8. Coach George Albano Building
9. Dr. David Coykendall Building
10. John Hurley Building (Major John Hurley Building, John J. Hurley Building, Major John J. Hurley Building, Coach John Hurley Building)

11. "Retreat" Building
12. Dave Auchard Building
13. Larry Guillen Building
14. A.R. Souza Building
15. George Parker Building (George L. Parker Building)
16. Nick Eddy Building

After reviewing the policy and administrative regulation, the committee reflected on current names of schools and facilities in Tracy. The committee unanimously recommended that the building be named the "Dr. Joseph S. West" building, after the man who was called, on May 5, 1917, "the father of the high school" in Tracy because of his advocacy for construction of the first high school building in the area.

Subsequent to the committee meeting, several groups appear to have emerged with divergent opinions of how the building should be named.

After pulling the agenda item from the December 13, 2011 agenda, Trustees heard approximately 40 minutes of testimony during the consent portion of the meeting, primarily in support of naming the building for current Superintendent Dr. James C. Franco rather than for Dr. Joseph S. West as had been recommended by the committee. After hearing testimony from community members, the board directed staff to provide additional information and sort key questions and policy issues from issues of preference.

On January 10, staff identified six key questions:

Key Question #1: Must Board Policy & Administrative Regulation 7310 be modified to consider any of the recommended names?

Response: The current policy and administrative regulation does not limit the naming of buildings to people "retired from public service". However, the current policy and administrative regulation does limit the naming schools to people retired from public service for at least three years. The limitations are imposed locally, and the policy could be relaxed or removed if approved by a majority of the Board. The committee unanimously recommended the building be named the Dr. Joseph S. West Building.

Key Question #2: Does the existing policy require that the building be named "The West Building"?

Response: No. Board Policy 7310, Renaming of Individual Buildings or Facilities, states that:

Individual buildings or facilities named for a person will retain that person's name as long as the building or facility is used for instructional purposes by the district. Exceptions to this policy may occur only under extraordinary circumstances and after thorough study by the Board of Education.



To answer this question, one must know if the “West” Building named for a person? If the building was named after a person, are the circumstances facing the current School Board extraordinary?

Was the “West” Building named for a person? There are three known theories of why the building was originally known as the West Building. The building housed the original high school, which was called originally the West Side Union High School. Dr. Joseph S. West was known as “the father of the high school” when the building opened in 1917. The building was located on the west side of the campus. (ign. [Note: Dr. Joseph S. West was not directly related to Merrill F. West, for whom West High School is named. The similarity of names, plus the confusing factors that the “West Building” was on the east side of town and on East Street caused confusion with voters during the campaign to pass the bond to restore the building.] Therefore, it is not clear if the building was named after a person.

An additional consideration about the policy is that because the administration building at Tracy High School is an individual building, the name may be changed without changing the policy.

Key Question #3: What factors should be considered for making a determination?

Response: The naming committee considered all 16 names, but spent the majority of the meeting discussing the merits of Dr. Joseph S. West. A summary of the committee rationale for naming the Building after Dr. West is included in the board report, but additional documents were made available to Trustees. The recommendation to name the building after Dr. Franco was discussed briefly by the committee, but the rationale in favor of Dr. West was considered so strong, the option for Dr. Franco was rejected. The rationale was based on an inclination by the committee to honor a local educator from the early history of public education in Tracy, rather than to honor an esteemed educator whose contributions are more contemporary.

Key Question #4: How does the vote on this issue impact a decision about changing Board Policy 7310 Naming of Schools, Individual Buildings, or Facilities?

Response: It won’t because the current policy does not limit naming buildings for persons who have been retired from public service for at least three years. All of the proposed names (except Retreat) are eligible for consideration. No change in the policy is required to support any of these names.

Key Question #5: How does the vote on this issue impact any potential to name a different school after Dr. James C. Franco?

Response: The current policy imposes the following limitation: No two schools in the district shall be given the same name. The current policy also limits the name of schools to persons who have been retired from public office. Schools named for a person will retain that person’s name as part of the site’s name as long as the facility is used for instructional purposes by the district. Therefore, the only schools for which names can be

changed include: Central, McKinley (is it named after a street or after a president?), South/West Park, North, Monte Vista, Tracy High, and Willow.

Key Question #6: What are the merits and demerits of leaving the existing name: Building A?

Response: The current name of the building, Building A, was applied to reduce confusion experienced by voters during the Measure E campaign, is simple, and is an effective guide for students and community members to find classrooms. Voting to name the building Building A, might symbolize simplicity and order. On the other hand, to not name it after a person would decrease the opportunity to honor or recognize a person who has made significant contributions to the school.

**RATIONALE:** Different groups have developed that support each of two different proposed names. One might argue that maintaining the current name of “Building A” is the name which most facilitates good order on a high school campus. Naming the building after a person results in the memory or honor of that person.

**FUNDING:** There is no cost to this action.

**RECOMMENDATIONS:** Consider Suggested Names for the Tracy High School Administration/Classroom Building and Discuss Potential Changes to Board Policy and Administrative Regulation 7310

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



# BUSINESS SERVICES MEMORANDUM

**TO:** James Franco, Superintendent  
**FROM:** Casey Goodall, Associate Superintendent for Business Services  
**DATE:** January 17, 2012  
**SUBJECT:** Acknowledge Change to Administrative Regulation 3310.2 Purchasing Procedures  
(Second Reading)

**BACKGROUND:** Each year an independent auditor reviews expenditures made by the District and makes recommendations for improved internal controls. The current audit recommended changes be made to existing purchasing procedures. The recommended change was previously reviewed by the Board on January 24, 2012.

**RATIONALE:** The most recent insertions are bolded, deletions are marked with a strike through. Formatting will be corrected once changes are completed.

**FUNDING:** There is no cost for this change.

**RECOMMENDATION:** Acknowledge Change to Administrative Regulation 3310.2 Purchasing Procedures (Second Reading).

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

**PURCHASING PROCEDURES**

**A. Purpose and Scope**

To establish procedures for expending funds and procuring goods and services, controlling the procurement process by maintaining documented procedures, and retaining appropriate records to satisfy requirements of the education code, other district policies, and the district strategic plan.

The procurement function is one of the major responsibilities of the superintendent or his/her designee.

These duties have been centralized by our governing board within the Materials Management Department.

The Materials Management Department staff is familiar with and performs all purchasing activities within the limitations prescribed by law, legal opinions, and in accordance with our governing board policies.

Four fundamental functions of the purchasing department are as follows:

1. Authorize the purchase of the proper product required.
2. Have the product available when needed.
3. Order the proper amount of the product.
4. Secure competitive pricing.

The Board of Education requires every transaction between a buyer and a seller involving transfer of property, equipment, supplies or services be by purchase order or formal contract. These purchase orders, and other purchase obligations, are to be signed by the superintendent or designee. The specified items to be procured will utilize a pre-numbered purchase order system in all transactions where a formal legal contract is not required. In addition, the district will continue enforcing the following purchasing practices:

**PURCHASING PROCEDURES**

**B. General**

Insofar as possible, goods and services purchased shall meet the needs of the person or department ordering them at the lowest price consistent with standard purchasing practices. Maintenance costs, replacement costs and trade-in values shall be considered when determining the most economical purchase price.

The purchasing process exists in support of the following initiatives:

1. Compilation and processing of information to ensure timely delivery of goods, and monitoring and improving of supplier performance.
2. Purchasing of goods and services for the district which is intended to meet the needs of the person or department requesting them, yet will permit the efficient and effective use of public funds.
3. Setting customer service standards through surveys and to benchmark customer service performance against the best in the business.
4. Any purchase of supplies, equipment, services or any action that leads the district to be financially obligated and made by staff members without a purchase order approved by the business office may not be paid for by the district. Reimbursements are not an acceptable business practice for procurement of items needed by the district.
5. Any order delivered to the warehouse without a purchase order may not be accepted until a purchase order is issued.
6. Employees spending funds without proper authorization and who expect reimbursement must be aware that reimbursement will most likely be denied.

Every transaction between a buyer and a seller involving transfer of property, equipment, supplies or services shall be by Purchase Order, Travel and Conference Form, and/or by formal contract. These purchase orders, and other purchase obligations, are to be signed by the Superintendent or by a designee specified in writing and submitted to the San Joaquin County Office of Education. Except in the case of Travel and Conference expenditures, all materials and services items to be procured will utilize a pre-numbered purchase order system in all transactions where

## PURCHASING PROCEDURES

a formal legal contract is not required. All services will supplement the requisition document with a formal contract.

In addition, the district will enforce the following purchasing practices:

1. Any purchase of supplies, equipment, services or any action that leads the district to be financially obligated and made by staff members without a purchase order approved by the business office may not be paid for by the district. Reimbursements are not an acceptable business practice for procurement of items needed by the district.
2. Any order delivered to the warehouse without a purchase order may not be accepted until a purchase order is issued.
3. Employees spending funds without proper authorization and who expect reimbursement must be aware that reimbursement will most likely be denied.
4. **Employees expending funds with legal or regulatory restrictions or special reporting requirements shall ensure the expenditure is made within the parameters of the limiting program.**

### Recycled Materials

Whenever recycled products of equal fitness and quality are available at no more than the cost of recycled products, the district shall purchase recycled products. The district also may give preference to the suppliers of recycled products.

### Preference for California Products

Price, fitness and quality being equal, the district shall give preference to supplies manufactured, grown or produced in California, and shall next prefer supplies partially manufactured, grown or produced in California.

### Preference for Food Grown or Processed in the United States

When purchasing food, the district shall give preference to produce grown in the United States and/or processed in the United States insofar as this is economically feasible considering the total cost, quantity and quality of the food.

## PURCHASING PROCEDURES

### C. Forms Used and Additional References

- a. Attachment A: Purchasing Authorization Decision Flowchart
- b. Tracy Unified School District - Purchase Requisition
- c. San Joaquin County Schools - Purchase Order
- d. Warehouse Requisition
- e. Office Supply Stockless Form
- f. Procurement Card Handbook

### D. Procedure

#### Expenditure Authorization

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. Yet, a number of variables govern the appropriate steps included in the approval process, and the ultimate process by which approval is granted.

**Attachment A is a Purchasing Authorization Decision Flowchart which details the specific steps and the approval procedures given each set of variables.** In general, the approval requirements vary according to the object code which describes the expenditure, and the value of the expenditure. Therefore, the board approval process will be met in several different ways.

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.

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.

Requisitions which do not meet the criteria detailed in Attachment A for approval by consent, will be approved as action items by the board.

**PURCHASING PROCEDURES**

Standard Forms

Employees of the district are not authorized to purchase goods or services without following standard procedures and obtaining standard documentation. All expenditures must be authorized by a signature on a standard district form, signed by an authorized budget manager.

There are four types of forms used to requisition materials, supplies, and services:

1. Warehouse Form for purchases from the District Warehouse Catalogue;
2. Stockless form for purchases from Office Depot;
3. Requisition form for general purchases.
4. Travel and Conference form.

All requisitions for materials or services less than bid limits, other than requests for travel and conference, shall be ordered by use of a district requisition form. In addition, requests for Dues and Membership shall be accompanied by subscription application documents. These shall be approved by the board as described in attachment A, and submitted to the Materials Management Department for processing.

Requests for Travel and Conference will be made by completing a Travel and Conference Form, submitted to the Financial Services Department.

When a scenario exists which does not match the definition of an Emergency described below, but in which case action is required to permit the continuance of existing classes, or to avoid danger to life or property, and if electrical or plumbing services or equipment rental is required:

Emergency Requisitions

Emergencies may exist which may preclude the district from taking routine purchasing steps. An "Emergency" is defined by Public Contract Code 1102, as a "sudden, unexpected occurrence that poses a clear and imminent danger requiring immediate action to prevent or mitigate the loss or impairment of life, health, property, or mitigate the loss or impairment of life, health, property, or essential public services.

In these rare occurrences, the Superintendent or his designee, may contact the San Joaquin County Office of Education Superintendent to obtain



**PURCHASING PROCEDURES**

permission to repair or replace a facility, take any directly related and immediate action required by that emergency, and procure the necessary equipment, services, and supplies for those purposes, without giving notice for bids to let contracts.

Regular purchasing steps will be taken if staff is available and time permits, Otherwise, minimal maintenance or construction purchases may be made within the constraints described in attachment A without a requisition. When this option is used, however, all normal requisition documents will be completed within 72 hours.

**Bidding Requirements**

As governed in Administrative Regulation 3310.3, Public Contract Code Section 20111(a) requires school district governing boards to competitively bid and award any contracts for expenditures described therein.

**Open Purchase Orders**

An open purchase order is a Purchase order which has been issued to a vendor, against which specified purchases may be made for a specified period of time. When repeated purchases of the same type of supply items are expected, multiple purchase requisitions may be eliminated by submitting one purchase requisition to establish a standing/open order.

Open purchase orders are issued for supply type items and services only and are approved may be approved by the Purchasing Department, provided they are sufficiently justified.

To ensure compliance with bid limitations, the value of an Open Purchase Order will not exceed bid limits.

**E. Reports Required**

**F. Record Retention**  
Various

**G. Responsible Administrative Unit**  
Business Services

**H. Approved By**

Assistant Superintendent for Business Services

Reviewed by Board January 10, 2006



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James C. Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business Services  
**DATE:** February 3, 2012  
**SUBJECT:** Adopt Resolution No. 11-12 Authorizing the Imposition and Collection of Increased Developer Fees

**BACKGROUND:** At its January 25, 2012 meeting, the State Allocation Board authorized a new maximum developer fee. This action allowed the fee on residential construction to increase from \$2.97 to \$3.20 per square foot, and the fee on commercial/industrial construction to increase from \$0.47 to \$0.51 per square foot.

**RATIONALE:** These increases were anticipated in the District's Comprehensive School Facilities Capital Improvement and Finance Plan. It is, therefore, critical that these increases be implemented in order to ensure that the integrity of the financial plan is maintained and adequate revenues are available to continue the planned facility projects.

Fees collected in the feeder elementary school district areas will be split in the same ratio as in the past – 75% elementary and 25% high school area, but allowing the high school area to charge the difference in the fee up to the maximum rate.

**TIMING:** The increase in developer fees takes effect 60 days after enactment. April 14, 2012 will be the first date the increased developer fee can be charged.

**RECOMMENDATIONS:** Adopt Resolution No. 11-12 Authorizing the Imposition and Collection of Increased Developer Fees

**Prepared by:** Bonny Carter, Director of Facilities & Planning



***RESOLUTION NO. 11-12***

**RESOLUTION OF THE BOARD OF EDUCATION OF THE TRACY JOINT  
UNIFIED SCHOOL DISTRICT AUTHORIZING THE IMPOSITION AND  
COLLECTION OF INCREASED DEVELOPER FEES IN  
SAN JOAQUIN COUNTY, CALIFORNIA**

February 14, 2012

**WHEREAS**, the Tracy Joint Unified School District (hereinafter "District") adopted Resolution 10-13 in January 11, 2011 ("Resolution No. 10-13"), pursuant to authority granted the District through Government Code Section 65995 and Education Code Section 17620, et seq.; and

**WHEREAS**, Resolution No. 10-13 maintained the developer fee rate at the same level as the 2008 level which established a combined fee of Two Dollars and Ninety Seven Cents (\$2.97) per square foot of assessable space on any new residential development and Forty Seven Cents (\$.47) per square foot of assessable space on commercial/industrial development allocated proportionately as allowed by Education Code 17623; and

**WHEREAS**, Resolution No. 10-13 remains in full force and effect; and

**WHEREAS**, the terms of Assembly Bill 1600 (hereinafter "AB 1600"), Chapter 927 of the Statutes of 1988, became effective on January 1, 1989, and are codified at Government Code Section 66000, et seq.; and

**WHEREAS**, AB 1600 requires that any local agency which establishes, increases or imposes a fee as a condition of approval of a development project on or after January 1, 1989, shall make specified findings relating to the purpose and use of the fee and

relating to the reasonable relationship between the fee's use and the type of development, and the need for the public facility and the type of development; and

**WHEREAS**, any local agency imposing a fee as a condition of approval of a development project after January 1, 1989, must also determine a reasonable relationship between the amount of the fee and cost of the public facility or portion of the public facility attributable to the development on which the fee is imposed; and

**WHEREAS**, Government Code Section 66018 requires that prior to levying a new fee or service charge, or prior to approving an increase in an existing fee or service charge, a local agency must hold at least one public hearing at a regularly scheduled meeting, at which time oral or written presentations may be made, and the local agency must publish the time and place of the meeting, as well as a general explanation of the matter to be considered, in accordance with Government Code Section 6062a; and

**WHEREAS**, on June 13, 1995 the Tracy Joint Union High School District and the Tracy School District, as the predecessors to the District, adopted a study of the impact of new residential development on existing school facilities and the need for additional school facilities which will result from new development within the boundaries of the District, which study sets forth the relationship between new development and school facilities, the needed school facilities, and the estimated cost of those facilities. Said study is entitled "Comprehensive School Facilities Capital Improvement and Finance Plan" with the two addenda entitled "Residential Statutory Development Fee Justification" (June 1995) and "Non-Residential Statutory Development Fee Justification" (August 1995) (hereinafter collectively the "Study"); and

**WHEREAS**, the Tracy Joint Union High School District, through Resolution No. H96-19 and the Tracy School District through Resolution No. 96-25 approved an addendum to the Study on March 25, 1997, (the "First Addendum"); and

**WHEREAS**, the District has undertaken an update to the Study entitled "Updated Comprehensive School Facilities Capital Improvement and Finance Plan" (the "Updated Study") which was adopted on June 23, 1998; and

**WHEREAS**, the District has undertaken a review and update of the school facilities policies contained in the 1998 "Updated Comprehensive School Facilities Capital Improvement and Finance Plan" which were adopted on November 26, 2001; and

**WHEREAS**, the Updated Study and the "Non-Residential Statutory Development Fee Justification" were available for public inspection and review ten (10) days before the public hearing held prior to adoption of this Resolution; and

**WHEREAS**, the Updated Study demonstrates an expected increase in residential housing of over 25,000 units by the year 2012 within the District's boundaries based upon the projections from the City of Tracy Urban management Plan and the County of San Joaquin; and

**WHEREAS**, the District must impose development fees at the maximum amount allowed by law upon new residential development in order to provide sufficient revenues to construct and reconstruct school facilities needed to house students generated by new development within the District; and

**WHEREAS**, the District does not have available to it other sources of sufficient funds to construct facilities to house students generated by such development.

**NOW, THEREFORE, BE IT RESOLVED AS FOLLOWS:**

1. The Board hereby finds that notice of the public hearing on adoption of this Resolution 11-12 was published in accordance with Government Code Section 6062a, and that the public was given the opportunity to comment at the public hearing held prior to adoption of this Resolution No. 11-12.

2. The Board hereby reaffirms the findings made as part of Resolution No. 10-13, and specifically authorizes continuance of the fees imposed by that Resolution on new residential and commercial/industrial development until this Resolution No. 11-12 becomes effective.

3. The levy of the fees as described below is not subject to the California Environmental Quality Act ("CEQA") pursuant to Education Code Section 17621(a).

4. The Board hereby adopts and levies the following statutory school fees, to be effective sixty (60) days after adoption of this Resolution 11-12, and to be levied against all new residential construction and development within the boundaries of the District, which is not: (1) already covered by a separate agreement or Memorandum of Understanding between the District and a developer; (2) already part of CFD 97-1, which includes the statutory developer fee; or (3) otherwise conditioned through a legally binding agreement to provide full school impact mitigation by the City of Tracy or the County of San Joaquin.

a. Three Dollars and Twenty Cents (\$3.20) per square foot of assessable space on all new residential construction (including mobile homes under Education Code Section 17625) and other residential construction which adds more than 500 net square feet of assessable space to an existing residential structure unless exempted under Revenue and Taxation Code Section 74.3.

b. Fifty One Cents (\$.51) per square foot of assessable space for commercial/industrial development and Senior Citizen housing in accordance with Government Code Sections 65995.1 and 65995.2.

c. In areas of the District where there are feeder elementary school districts, the District shall levy the difference between the residential or commercial/industrial fee levied by the elementary school district and \$3.20 per square foot or \$.51 per square foot respectively.

d. The District may expend fees collected under this Resolution to pay for the cost of any updated study and in addition may expend up to three percent (3%) of the fees collected in any fiscal year for reimbursement of the administrative costs incurred in collecting the fees (Education Code Section 17620(a)(5)).

5. The District has previously adopted the Study, the Updated Study, the review of the 1998 Study, and the "Non-Residential Statutory Development Fee

Justification" with their findings and conclusions, and incorporates them by reference into this Resolution, and specifically finds:

a. The purpose of the fees authorized by this Resolution and by Resolution 10-13 is to finance public school facilities to house and provide educational services for increased student enrollment caused by new development within District boundaries. The Study shows an estimated enrollment increase of over 7,000 new students, causing the need for approximately 3 new elementary schools, 1 middle school and 3 high schools by the year 2012.

b. Development fees collected pursuant to this Resolution and Resolution No. 10-13 shall be used to finance new public school facilities (including additions to existing campuses) to house the additional students to be generated from new development as described in the Updated Study.

c. Pursuant to Government Code Section 66007(b), development fees shall be charged upon issuance of a building permit, and shall be paid prior to receiving a certificate of compliance from the District. The District designates the Associate Superintendent, Business Services as the official responsible for collection and determination of the fee.

d. There is a reasonable relationship between the use of the fees imposed by this Resolution and Resolution No. 10-13, and the type of development project upon which the fees are imposed in that the fees will be used to construct school facilities necessary to house additional students generated by residential development projects within the District, as set forth in the above-mentioned Updated Study.

e. There is a reasonable relationship between the need for additional school facilities and the type of project on which the fee is imposed in that new residential development within the District burdens the District's existing facilities by providing housing for additional school-age children who must be educated, creating a need for new school facilities and reconstructed school facilities to



house these students and provide other educational services to them. New commercial/industrial development within the District provides employment opportunities for individuals with school age children who may move into older homes within the District not subject to the Development Fee, or who may request that the District educate their school age children as a solution to transportation and childcare problems, although they may not reside within the boundaries of the District. Either situation will create a need for additional new school facilities or reconstructed school facilities to house students and provide other educational services to them. The District finds that the Non-Residential Statutory Development Fee Justification meets the requirement of Education Code Section 17621(e) with regard to the levy of fees on a commercial/industrial property.

6. The District finds that there is a reasonable relationship between the amount of the fee and the cost of the public facilities in that the cost of the necessary educational facilities resulting from each individual development exceeds the amount which would be generated through the development fees on each project, as set forth in the Updated Study. The Updated Study shows that the actual costs of the School facilities needed by the year 2012 on a per dwelling unit basis is approximately four and a half times the amount generated by the fees approved by this Resolution.

7. The District shall comply with the accounting and reporting requirements of Government Code Section 66001 (c) through (f).

8. The District has established an account for school facilities fees, appropriated funds for school facilities, and adopted a proposed plan for the expenditure of these funds.

9. Pursuant to Education Code Section 17624, the District will repay any fee levied after January 1, 1990 against a development project for which the building permit expires without the commencement of construction, less the amount of actual administrative costs incurred in repaying the fee.

11. The Board directs that the Associate Superintendent, Business Services shall transmit copies of this Resolution to the City of Tracy and to the County of San Joaquin.

[illegible]

I, \_\_\_\_\_, Clerk of the Board of Education of the Tracy Joint Unified School District, do hereby certify that the foregoing resolution was duly adopted by the Board of Education of said District at a regular meeting thereof held on February 14, 2012 and that it was so adopted by the following vote:

AYES:

NOES:

ABSENT:

ABSTAIN:

Clerk, Board of Education



# BUSINESS SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Casey Goodall, Associate Superintendent for Business  
**DATE:** February 7, 2012  
**SUBJECT:** **Accept the 2010-11 Independent Annual Financial Audit and Performance Audit for Measure E and for Measure S General Obligation Bonds**

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

**RATIONALE:** The audits for the 2010-11 fiscal year are complete and are being brought to the board for acceptance. The financial report states that in the auditor's opinion, the district's records represent fairly, in all material respects, the financial position and results of operations for the Bond Building Funds of Tracy Joint Unified School District. The objective of the performance audit is to provide an independent assessment of the District's compliance with certain state laws and procedures, specified by Tracy Joint Unified School District, to ensure that the bond funds have been expended only on the specific projects listed in the ballot measure. There were no recommendations or matters to report as a result of the financial and performance audits.

**FUNDING:** The costs of the annual audits are funded by bond proceeds.

**RECOMMENDATION:** Accept the 2010-11 Independent Annual Financial Audit and Performance Audit for Measure E and for Measure S General Obligation Bonds

**Prepared by:** Bonny Carter, Director of Facilities and Planning



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** *[Signature]* Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** January 31, 2012  
**SUBJECT:** Approve High School AP Biology Textbook Adoption

**BACKGROUND:** The College Board has recently revised the Advanced Placement (AP) Biology Program. The changes to the AP Biology program will take effect in the 2012-13 academic year necessitating the immediate need to adopt a new program. New revisions produce a course that emphasizes scientific inquiry and reasoning, as well as shifting the focus from content to skill acquisition.

The current District-adopted textbook for the AP Biology class at Kimball and West High Schools does not adequately support preparation of students for the AP examination. It is the recommendation of the AP Biology Adoption Committee that the District adopt the new publication of *Campbell Biology AP Edition*, 9th edition, Jane Reece, et. al. ©2011.

**RATIONALE:** The recommended textbook, *Campbell Biology AP Edition*, supports student learning by providing a textbook that promotes inquiry-based learning of essential concepts and will help develop reasoning skills. The following are some of the attributes and the qualities of the text that support student understanding of the course:

- The textbook meets the College Board objectives for the course
- Challenges students to move beyond memorization and gain a deeper understanding of the different areas of biology
- Inspires students by demonstrating the relationship of biology research on their daily lives, the field of biology, and global problems
- End-of-chapter questions organized according to Bloom's Taxonomy to explain and encourage higher-level thinking beyond memorization
- The textbook diagrams and figures are clear and easy to interpret; they emphasize the order of information in a way that makes it easy for visual learners to make connections between the figures and text descriptions
- Offers online teacher resources
- New AP Preface includes a guide that correlates the text to the current AP Biology Exam, as well as study and test-taking tips for students

This agenda item meets Strategic Goal #1: Prepare all students for college and careers, and 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.

**FUNDING:** Funding for the purchase of recommended materials in the amount of \$41,000 will be provided by State instructional textbook funds.

**RECOMMENDATION:** Approve High School AP Biology Textbook Adoption

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



# EDUCATIONAL SERVICES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** January 31, 2012  
**SUBJECT:** Approve Adoption of High School Modern Language Textbooks

**BACKGROUND:** The current District-adopted textbooks for the high school modern language courses were published in 1999. In addition to the content being outdated, the Spanish textbook is no longer available from the publisher. Therefore, we are unable to continue to meet the growth and replacement needs for modern language. Consequently, it is imperative that new textbooks be adopted.

As part of the instructional materials adoption process, the Modern Language Adoption Committee has been engaged in evaluating textbooks. Criteria for evaluating instructional materials were developed and used to review Spanish and French programs. These teachers evaluated 31 different textbooks, participated in publishers' presentations and piloted four programs. Based on the feedback from pilot teachers, the Modern Language Adoption Committee is recommending the following textbooks for the Spanish courses:

Course	Text	Publisher	Author	Copyright
Spanish 1	<i>Avancemos</i> , Lv 1	Holt McDougal	Gahala, Carlin, Heining-Boynton	2013
Spanish 2	<i>Avancemos</i> , Lv 2	Holt McDougal	Gahala, Carlin, Heining-Boynton	2013
Spanish 3 PreAP/IB	<i>Avancemos</i> , Lv 3	Holt McDougal	Gahala, Carlin, Heining-Boynton	2013
Spanish 4 AP	<i>Imagina</i>	Vista Higher Learning	Blanco & Tocainaza-Hatch	2011
Spanish 4 & 5 IB	<i>Avancemos</i> , Lv 4	Holt McDougal	Jarvis & Lebrede	2013
	<i>Manana</i>	Advance Materials	Contreras, Duranono, & Valentini	2011

For the French courses, they are recommending the following textbooks:

Course	Text	Publisher	Author	Copyright
French 1	<i>Bien dit!</i> Lv 1	Holt McDougal	Dimado, Champeny, Ponterio	2013
French 2	<i>Bien dit!</i> Lv 2	Holt McDougal	Dimado, Champeny, Ponterio	2013
French 3 PreAP/IB	<i>Bien dit!</i> Lv 3	Holt McDougal	Dimado, Champeny, Ponterio	2013
French 4 IB	<i>Le monde en francais</i>	Advance Materials	Abrioux, Chretien, & Fayaud	2011

**RATIONALE:** The textbooks being recommended for adoption demonstrate the highest correlation to the following evaluation criteria:

- Alignment with course objectives
- Instructional planning and support
- Current and relevant attention to culture
- Technology
- Online teacher resources

- Reteaching activities
- Listening and speaking activities

This agenda item meets Strategic Goal #1: Prepare all students for college and careers, and 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.

**FUNDING:** Funding for the purchase of recommended materials in the amount of \$298,000 will be provided by State textbook funds.

**RECOMMENDATION:** Approve Adoption of High School Modern Language Textbooks

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



# EDUCATIONAL SERVICES MEMORANDUM

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**TO:** Dr. Jim Franco, Superintendent  
**FROM:** *JS* Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** February 3, 2012  
**RE:** **Adopt Revised Board Policy 6174 and Acknowledge Revised Administrative Regulation 6174 Education for English Language Learners (2<sup>nd</sup> Reading)**

**BACKGROUND:** As part of the Federal Program Monitoring for the District, specific board policies and administrative regulations are reviewed by the California Department of Education. In preparation for the review scheduled for April 2012, pertinent District policies are being reviewed and revised if needed. There is also a need to create new board policies and administrative regulations in specific areas. Revisions are indicated on the attached documents. Bold-faced type indicates new language. Language to be deleted is indicated with strikethrough font.

**RATIONALE:** Board Policy 6174 and Administrative Regulation 6174 were originally approved in September 1997. The Administrative Regulation 6174 was updated in March 2006. Both the Board Policy and Administrative Regulations need to be updated once again to ensure compliance with state and federal regulations. This supports Strategic Goal #5 - Continuously improve fiscal, facilities and operational processes.

**FUNDING:** Not Applicable

**RECOMMENDATION:** Adopt Revised Board Policy 6174 and Acknowledge Revised Administrative Regulation 6174 Education for English Language Learners (2<sup>nd</sup> Reading)

**PREPARED BY:** Dr. Carol Anderson-Woo, Director of Curriculum, Accountability and Continuous Improvement.

## EDUCATION FOR ENGLISH LANGUAGE LEARNERS

The Governing Board intends to provide English language learners with a challenging core curriculum and instruction that develops proficiency in English ~~speaking, reading and writing~~ as **rapidly and effectively and efficiently** as possible **in order to assist students in accessing the full educational program and achieving the district's academic standards.**

~~When needed to provide equal opportunity for academic achievement and prevent any substantive academic deficits, English language learners may receive instruction in the core curriculum through any of the following:~~

- ~~1. The student's primary language~~
- ~~2. Specially designed academic instruction in English~~
- ~~3. Specially designed academic instruction in a combination of English and the student's primary language~~

The district's program shall be based on sound instructional theory and shall be adequately supported so that English language learners **can achieve results at the same academic level as their English-proficient peers in the regular course of study.**

~~As students progress in English proficiency, the amount and level of difficulty of instruction in English shall increase proportionately.~~

~~Instruction for English language learners shall be designed to promote positive self-concepts and cross-cultural understanding.~~

The Board encourages staff to exchange information with other districts and the county office of education about programs, options and strategies for English language learners that succeed under various demographic conditions.

The Superintendent or designee shall maintain procedures which provide for the identification, assessment and placement of English language learners and for their re-designation based upon criteria ~~approved by the Governing Board~~ **adopted by the Board and specified in administrative regulations.**

~~To ensure that the district is using sound methods that effectively serve the needs of English language learners, the Superintendent or designee shall annually examine program results, including reports of the students' academic achievement and their progress towards proficiency in English.~~

**To evaluate program effectiveness, the Superintendent or designee shall regularly examine program results, including reports of the English language learners' academic achievement, their progress towards proficiency in English and the progress of students**



## **EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)**

who have been redesignated as fluent English proficient. The Superintendent or designee shall annually report these findings to the Board and shall also provide the Board with regular reports from any district or schoolwide English learner advisory committees.

### **Type of Instruction**

Students who are English language learners shall be educated through "sheltered English immersion" or "structured English immersion" during a temporary transition period not normally intended to exceed one year. "Nearly all" of the classroom instruction in the district's sheltered English immersion program shall be in English, but with the curriculum and presentation designed for students who are learning the language. (Education Code 305, 306)

The district has defined the term "nearly all" as to provide that all classroom instruction be conducted in English. However, primary language support may be provided for clarification purposes and explanation of concepts as needed.

When an English language learner has acquired a reasonable level of English proficiency as measured by any of the state-designated assessments approved by the California Department of Education or any locally developed assessments and using other criteria developed by the district, he/she shall be transferred from a structured English immersion classroom to an English language mainstream classroom in which the instruction is "overwhelmingly" in English. (Education Code 305; 5 CCR 11301)

An English language learner has acquired a "reasonable level of English proficiency" when he/she has achieved an overall score of 4-Early Advanced or 5-Advanced on the California English Language Development Test (CELDT) and a score of 3-Intermediate or higher on all subscores (Listening, Speaking, Reading and Writing).

Upon the request of his/her parent/guardian, a student shall be placed in an English language mainstream classroom. (5 CCR 11301)

### **Parental Exception Waivers**

At any time during the school year, the parent/guardian of an English language learner may have his/her child moved into an English language mainstream program.

Parent/guardian requests for waivers from Education Code 305 regarding placement in a sheltered English immersion program shall be granted in accordance with law and administrative regulation.

If the Superintendent or designee denies the waiver request, he/she shall provide a written justification to the parent/guardian describing the reasons for the denial. A

## EDUCATION FOR ENGLISH LANGUAGE LEARNERS (Continued)

parent/guardian may appeal the Superintendent's decision in writing to the Board. The Board may consider the matter at its next regular Board meeting. The Board may decide not to hear the appeal, in which case the Superintendent's decision shall be final. If the Board hears the appeal, the Superintendent shall send the Board's decision to the parent/guardian within seven working days.

### Legal Reference:

#### EDUCATION CODE

<b>300-340</b>	<b>English language education for immigrant children</b>
<b>430-446</b>	<b>English Learner and Immigrant Pupil Federal Conformity Act</b>
33308.5	CDE guidelines not binding
44253.5-44253.10	Certification for bilingual-cross-cultural competence
48985	Notices to parents in language other than English
<b>51101</b>	<b>Rights of parents to information</b>
<b>51101.1</b>	<b>Rights for parents of English learners</b>
<del>52015</del>	<del>Components of school improvement plan</del>
52130-52135	Impacted languages act of 1984
52160-52178	Bilingual Bicultural Act
52180-52186	Bilingual teacher training assistance program
54000-54028	Programs for disadvantaged children
<b>60810-60812</b>	<b>Assessment of language development</b>
62001-62005.5	Evaluation and sunseting of programs

#### CODE OF REGULATIONS, TITLE 5

4320	Determination of funding to support program to overcome the linguistic difficulties of English learners
<b>11300-11316</b>	<b>English Language Learner Education</b>
<b>11510-11516</b>	<b>California English Language Development Test</b>

#### UNITED STATES CODE, TITLE 20

1701-1705	Equal Educational Opportunities Act
<b>6312</b>	<b>Local education agency plans</b>
<b>6801-6871</b>	<b>Title III, Language instruction for limited English proficient and immigrant students</b>

#### COURT DECISIONS

**Valeria G. v. Wilson, (9th Circuit) 2002 U.S. App. Lexis 20956**  
**California Teachers Association et al. v. State Board of Education et al., (9th Circuit, 2001) 271 F.3d 1141**  
**McLaughlin v. State Board of Education, (1999) 75 Cal.App.4th 196**  
 Teresa P. et al v. Berkeley Unified School District et al, (1989) 724 F.Supp. 698  
 Casteneda v. Pickard, (5th Cir. 1981) 648 F.2d 989

**EDUCATION FOR ENGLISH LANGUAGE  
LEARNERS (Continued)**

**ATTORNEY GENERAL OPINIONS  
83 Ops.Cal.Atty.Gen. 40 (2000)**

TUSD Adopted: 9/23/97; revised 1/24/2012

## **Education for English Language Learners**

### **Definitions**

**English learner means a student who does not speak English or whose native language is not English and who is not currently able to perform ordinary classroom work in English, also known as a limited English proficient or LEP child. (Education Code 306)**

**English language classroom means a classroom in which the language of instruction used by the teaching personnel is overwhelmingly the English language, and in which such teaching personnel possess a good knowledge of the English language. (Education Code 306)**

**English language mainstream classroom means a classroom in which the students either are native English language speakers or already have acquired reasonable fluency in English. (Education Code 306)**

**Sheltered English immersion or structured English immersion means an English language acquisition process in which nearly all classroom instruction is in English but with the curriculum and presentation designed for students who are learning the language. (Education Code 306)**

**Bilingual education/native language instruction means a language acquisition process for students in which much or all instruction, textbooks, and teaching materials are in the student's native language. (Education Code 306)**

### **Identification and Assessment**

#### **Purpose and Scope**

~~The Governing Board intends to provide English language learners with a challenging core curriculum and instruction that develops proficiency in English speaking, reading and writing as effectively and efficiently as possible.~~

#### **General**

~~It is the goal of the district to develop English language proficiency for all students as quickly and efficiently as possible.~~

~~English language development programs used in Tracy shall be designed based upon sound educational theory and practices.~~

~~District policies, procedures, and programs shall be in compliance with state and federal regulations.~~

#### **Forms Used And Additional References**

**Education for English Language Learners (Continued)**

1. Home language survey
2. Notification to Parents
3. Student Profile form
4. Instructional Placement Profile
5. Individual Learning plan
6. Redesignation form

**Procedures**

**Upon enrollment, each student's primary language shall be determined through use of a home language survey. (5 CCR 11307)**

Within 30 calendar days of their initial enrollment, students who are identified as having a primary language other than English, as determined by the home language survey, and for whom there is no record of results from an English language development test shall be assessed using the California English Language Development Test (CELDT). (5 CCR 11511)

All students shall have sufficient time to complete the CELDT as provided in the directions for test administration. (5 CCR 11516)

Any student with a disability shall take the CELDT with those accommodations for testing that the student has regularly used during instruction and classroom assessment as delineated in the student's individualized education program (IEP) or Section 504 plan that are appropriate and necessary to address the student's individual needs. (5 CCR 11516.5)

The district shall notify parents/guardians of their child's results on the CELDT within 30 calendar days. (5 CCR 11511.5)

Within 90 days of initial enrollment, students identified as having limited English proficiency shall be further assessed for primary language proficiency in comprehension, speaking, reading and writing. Students in grades K-2 shall be assessed only in comprehension and speaking. **The Superintendent or designee shall develop criteria for determining student needs on the basis of these assessments (former EC 52164.1, 62002)**

~~The Superintendent or designee shall send a notification of the results of English proficiency assessments to all parents/guardians of students who are assessed, whether the student is designated fluent English proficient or limited English proficient.~~

**Education for English Language Learners (Continued)**

~~These notifications shall be written in English and in the student's primary language. In addition, the notice shall be given orally when staff have reason to believe that a written notice would not be understood.~~

~~Parents/guardians also shall be notified of the results of any reassessments~~

Before students are enrolled in a program for English language learners, parents/guardians also shall receive information about the program and their opportunities for parental involvement as specified in law. This information shall include the fact that an individual student's participation in the program is voluntary on the part of the parent/guardian. (EC 52173)

Not later than 30 calendar days after the beginning of the school year, each parent/guardian of a student participating in, or identified for participation in, a language instruction program supported by federal Title III funds shall receive notification of the assessment of his/her child's English proficiency. The notice shall include all of the following: (Education Code 440; P.L. 107-110, Section 1112 20 USC 6312)

1. The reason for the student's classification as English language learner
2. The level of English proficiency
3. A description of the program for English language development instruction, including a description of all of the following:
  - a. The manner in which the program will meet the educational strengths and needs of the student
  - b. The manner in which the program will help the student develop his/her English proficiency and meet age-appropriate academic standards
  - c. The specific exit requirements for the program, the expected rate of transition from the program into classrooms not tailored for English language learner students, and the expected rate of graduation from secondary school if Title I funds are used for students in secondary schools
  - d. Where the student has been identified for special education, the manner in which the program meets the requirements of the student's IEP
4. Information regarding a parent/guardian's option to decline to allow the student to become enrolled in the program or to choose to allow the student to become enrolled in an alternative program
5. Information designed to assist a parent/guardian in selecting among available programs, if more than one program is offered

## Education for English Language Learners (Continued)

### Parents/guardians also shall be notified of the results of any reassessments

~~English language learners shall be redesignated as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English. The Superintendent or designee shall provide subsequent monitoring and support of redesignated students. This proficiency shall be assessed by means of the following criteria:~~

- ~~a. Teacher evaluation of the student's English language proficiency and curriculum mastery~~
- ~~b. Objective assessment of the student's English comprehension, speaking proficiency and writing skills~~
- ~~c. Parental opinion during a redesignation interview~~
- ~~d. Objective data on the student's academic performance in English including student performance on the CELDT test and the English Language Arts portion of the California Standards Test.~~

### 5. Parental Exception Waivers

At the beginning of each school year, parents/guardians shall be informed of the placement of their children in a structured English immersion program or bilingual program and shall be notified of an opportunity to apply for a parental exception waiver. (Education Code 310; 5 CCR 11303)

A parent/guardian may request that the district waive the requirements of Education Code 305, pertaining to the placement of a student in a structured English immersion program if the one of the following circumstances exists:

1. Students who already know English: The student already possesses good English language skills, as measured by standardized tests of English vocabulary comprehension, reading and writing, in which the student scores at or above the state average for his/her grade level or at or above the fifth-grade average, whichever is lower. (Education Code 311(a))
2. Older students: The student is age 10 years or older, and it is the informed belief of the school principal and educational staff that an alternate course of study would be better suited to the student's rapid acquisition of basic English skills. (Education Code 311(b))
3. Students with special needs: The student already has been placed, for a period of not less

**Education for English Language Learners (Continued)**

than 30 calendar days during that school year, in an English language classroom and it is subsequently the informed belief of the school principal and educational staff that the student has special physical, emotional, psychological or educational needs and that an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311(c))

The parent/guardian shall personally visit the school to apply for the waiver. (Education Code 310)

Upon request for a waiver, the Superintendent or designee shall provide to the parents/guardians: (Education Code 310, 311; 5 CCR 11303)

1. A full written description, and a spoken description upon request, of the intent and content of the structured English immersion program, any alternative courses of study and all educational opportunities offered by the district and available to the student, and the educational materials to be used in the different educational program choices
2. For a request for waiver pursuant to Education Code 311(c), notification that the student must be placed for a period of not less than 30 calendar days in an English language classroom and that the Superintendent must approve the waiver pursuant to Board-established guidelines

**Pursuant to Education Code 311(b) and 311(c), the principal and educational staff may recommend a waiver to a parent/guardian for a student 10 years or older and a student with special needs. Parents/guardians shall be informed in writing of any recommendation for an alternative program made by the principal and staff and shall be given notice of their right to refuse to accept the recommendation. The notice shall include a full description of the recommended alternative program and the educational materials to be used for the alternative program as well as a description of all other programs available to the student. If the parent/guardian elects to request the alternative program recommended by the principal and educational staff, the parent/guardian shall comply with district procedures and requirements otherwise applicable to a parental exception waiver, including Education Code 310. (5 CCR 11309)**

~~The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) (Students with Special Needs) shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11303)~~

When evaluating waiver requests pursuant to Education Code 311(a) for students who already know English (~~students who already know English~~) and other waiver requests for those students



**Education for English Language Learners (Continued)**

for who standardized assessment data are not available, other equivalent assessment measures may be used. These equivalent measures may include local assessments, local standards and teacher evaluations.

Parental exception waivers pursuant to Education Code 311(b) for students 10 years or older shall be granted if it is the informed belief of the principal and educational staff that an alternate course of educational study would be better suited to the student's rapid acquisition of basic English language skills. (Education Code 311)

Parental exception waivers pursuant to Education Code 311(c) for students with special needs shall be granted if it is the informed belief of the principal and educational staff that, due to the student's special physical, emotional, psychological or educational needs, an alternate course of educational study would be better suited to the student's overall educational development. (Education Code 311)

The principal shall consider all waiver requests made pursuant to Education Code 311(c) for students with special needs and shall submit a rationale of the decision regarding the waiver to the Superintendent. When determining whether or not to recommend the approval of the waiver request, the principal shall assume that the facts justifying the request attested by the parent/guardian are a true representation of the child's condition.

~~For all waiver requests, parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11303)~~

Each waiver shall be considered on its individual merits with great deference given to parental preference for student placement.

**The principal or designee shall act upon all parental exception waivers within 20 instructional days of submission to the principal. However, parental waiver requests pursuant to Education Code 311(c) for students with special need) shall not be acted upon during the 30-day placement in an English language classroom. These waivers shall be acted upon no later than 10 calendar days after the expiration of that 30-day English language classroom placement or within 20 instructional days of submission of the waiver to the principal, whichever is later. (5 CCR 11309)**

**All parental exception waivers shall be granted unless the principal and educational staff have determined that an alternative program offered at the school would not be better suited for the overall educational development of the student. (5 CCR 11309)**

Individual schools in which 20 students or more of a given grade level receive a waiver shall be required to offer such a class; otherwise they must allow the students to transfer to a public school in which such a class is offered. (Education Code 310)

**Education for English Language Learners (Continued)**

Students wishing to transfer shall be subject to the district's intradistrict and interdistrict attendance policies and administrative regulations. Students wishing to transfer to another district shall also be subject to the receiving district's interdistrict attendance policies and administrative regulations.

In cases where a parental exception waiver pursuant to Education Code 311(b) or (c) is denied, the parent/guardian shall be informed in writing of the reason(s) for the denial and, if relevant, ~~any procedures that exist to~~ **advised that he/she may appeal the decision to the Board if the Board authorizes such an appeal or to the court.** (5 CCR 11309)

Waiver requests shall be renewed annually by the parent/guardian. (Education Code 310)

**Reclassification/Redesignation**

The district shall continue to provide additional and appropriate educational services to English language learners for the purposes of overcoming language barriers until the English language learners have: (5 CCR 11302)

1. **Demonstrated English language proficiency comparable to that of the district's average native English language speakers**
2. **Recouped any academic deficits which may have been incurred in other areas of the core curriculum as a result of language barriers**

English language learners shall be redesignated as fluent English proficient when they are able to comprehend, speak, read and write English well enough to receive instruction in the regular program and make academic progress at a level substantially equivalent to that of students of the same age or grade whose primary language is English and who are in the regular course of study. (EC 52164.6)

The following measures shall be used to determine whether an English language learner shall be reclassified as fluent English proficient: (5 CCR 11303)

1. **Assessment of English Proficiency:** A student must have an overall score of 4-Early Advanced or Higher on the CELDT test and a score of 3-Intermediate or higher on all subsections (Listening, Speaking, Reading and Writing).
2. **Performance in Basic Skills:** The student's California Standardized Test (CST) of English Language Arts and Math must be at least B = Basic with a scale score of 325 or higher (indicating they are at least strong Basic) For students in grades 11 or 12 a passing score on CAHSEE (ELA and Math) may be used in lieu of CST.

**Education for English Language Learners (Continued)**

3. **Teacher Evaluation of Student Performance:** The student should have scores of 3 = At Level or 4 = Above Level on at least 70% of the district Language Arts and Math Assessments (K-8). At grades 6-12, students should be receiving a "C" grade or higher in his/her core academic classes.
4. **Parent consultation:** Parents/guardians shall receive notice and a description of the redesignation process, including notice of their right to participate in the process. The parent's opinion, suggestions and agreements are part of the documentation.
  - a. ~~Teacher evaluation of the student's English language proficiency and curriculum mastery~~
  - b. ~~Objective assessment of the student's English comprehension, speaking proficiency and writing skills~~
  - c. ~~Parental opinion during a redesignation interview~~
  - d. ~~Objective data on the student's academic performance in English including student performance on the CELDT test and the English Language Arts portion of the California Standards Test.~~

The Superintendent or designee shall provide subsequent monitoring and support for redesignated students, including but not limited to monitoring the performance of redesignated students in the core curriculum in comparison with their native-English speaking peers, monitoring the rate of redesignation, and ensuring correct classification and placement.

The Superintendent or designee shall develop a process to monitor the effectiveness of the district's program for English language learners. The district's program shall be modified as needed to help ensure language and academic success for each English language learner.

**Advisory Committees**

At the district level when there are more than 50 English language learners in the district and at each school with more than 20 English language learners, parent/guardian advisory committees shall be maintained to serve the advisory functions specified in law.

Parents/guardians of English language learners shall constitute committee membership in at least the same percentage as their children represent of the total number of students in the school. (Education Code 52176)

**Education for English Language Learners (Continued)**

The district's English language advisory committee shall advise the Board on at least the following tasks:

1. The ~~timetable for~~ and development of a district master plan of education programs and services for English learners, taking into consideration the school site plans for English learners
2. The districtwide needs assessment **on a school-by-school basis**
3. Establishment of a district program, goals and objectives for programs and services for English learners
4. Development of a plan to ensure compliance with applicable teacher or aide requirements
5. Administration of the **annual** language census
6. Review of and comment on the district's reclassification procedures
7. Review of and comments on the written notification ~~of initial enrollment~~ as required **to be sent to parents/guardians pursuant to 5 CCR 11300-11316** ~~in 5 CCR 11303~~
8. ~~Review and comments on any related waiver request~~

In order to assist advisory members in carrying out their responsibilities, the Superintendent or designee shall ensure that committee members receive appropriate training and materials. This training shall be planned in full consultation with the members. (5 CCR 11308)

**Reports Required**

~~Schools shall keep accurate records on the Student Information System.~~

**Records Retention**

~~Schools shall keep a copy of each student's Individual Learning Plan in his/her cum folder.~~

**Responsible Administrative Unit**

~~Site Principals~~

~~Curriculum and Special Projects Office~~

**Approved By**


~~Assistant Superintendent of Educational Services~~

Regulation Acknowledged 9/23/97; Revised 3/28/2008; Revised 1/24/2012



# HUMAN RESOURCES MEMORANDUM

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**TO:** Dr. James Franco, Superintendent  
**FROM:**  Dr. Sheila Harrison, Assistant Superintendent of Educational Services and Human Resources  
**DATE:** January 31, 2012  
**SUBJ:** **Approve the Traditional Classified and Certificated Calendars for the 2012-13 School Year**

**BACKGROUND:** The attached calendars for 2012-13 have been prepared by the administration and reviewed by the TEA and CSEA bargaining units.

**RECOMMENDATION:** Approve the Traditional Classified and Certificated Calendars for the 2012-13 School Year.

**PREPARED BY:** Nancy Kettner, Director of Human Resources and Employee Relations

**DRAFT****PROPOSED 2012-2013 TUSD Calendar**

S	M	T	W	T	F	S
1	2	3		5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

S	M	T	W	T	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

S	M	T	W	T	F	S
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

S	M	T	W	T	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21		23	24	25	26	27
28	29	30	31			

S	M	T	W	T	F	S
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4	5	6	7	8	9	10
11		13	14	15	16	17
18		20	21	22	23	24
25	26	27	28	29	30	

S	M	T	W	T	F	S
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9	10	11	12	13	14	15
16		18	19	20	21	22
23		25	26	27		29
30						

S	M	T	W	T	F	S
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20	21	22	23	24	25	26
27	28	29	30	31		













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28	29	30				

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23	24	25	26	27	28	29
30						

-  Holidays
  Minimum Day, all grades, K-12 (All Schools)
  Minimum Day, grades K-5 & K-8 (Bohn, Central, Freiler, Hirsch, Jacobson, Kelly, McKinley, North Poet, South/West Park, Villalovoz)
  Minimum Day, grades K-5, K-8 & 6-8 (M-1 schools plus Monte Vista and Williams)
-  Student Attendance Days
  Early Release Monday
  Minimum Day, grades 6-12 (Monte Vista, Williams, Tracy, West, Stein, Kimball)
  Minimum Day, grades 9-12, only (Tracy, West, Stein, Kimball)
-  P/T Conference (no students)
  Staff Development Day (no students)
  First & Last Days of School
  CST Testing Window

56

65

59

180

Tracy Unified School District  
Classified Calendar for 2012-13

Month	Dates	Work	Work	Holidays
		Days	Days	
		12-Mo	10-Mo	
July	2-6	4	0	Wednesday, July 4th - Independence Day Holiday
July	9-13	5	0	
July	16-20	5	0	
July	23-27	5	0	
July-Aug	30-3	5	0	
Aug	6-10	5	1	Fri, Aug. 10th - 1st day for 10-month traditional staff
Aug	13-17	5	5	Mon, Aug 13th - 1st Day of School
Aug	20-24	5	5	
Aug	27-31	5	5	Mon, Aug. 27th - District Welcome Back Program – 2 pm
Sept	3-7	4	4	Mon, Sept 3rd - Labor Day
Sept	10-14	5	5	
Sept	17-21	5	5	
Sept	24-28	5	5	
Oct	1-5	5	5	
Oct	8-12	5	5	
Oct	15-19	5	5	
Oct	22-26	5	4	Mon, Oct 22nd - Non Work Day for 10-mo. Employees (no pay)
Oct-Nov	29-2	5	5	
Nov	5-9	5	5	
Nov	12-16	4	4	Mon, Nov 12th - Vet. Day
Nov	19-23	3	0	Nov 19th-21st,, Non Work Day for 10-mo. Employees (no pay) Th-Fri, Nov 22nd-23rd Thanksgiving Break
Nov	26-30	5	5	
Dec	3-7	5	5	
Dec	10-14	5	5	
Dec	17-21	5	0	Win.Break Dec. 17th thru Jan 1st for 10-mo. Employees
Dec	24-28	3	0	Win.Break Dec. 17th thru Jan 1st for 10-mo. Employees; Mon-Tue Dec 24th-25th Winter Holiday
Dec-Jan	31-4	4	3	Tues, Jan 1st - New Years Day Holiday
Jan	7-11	5	5	
Jan	14-18	5	5	
Jan	21-25	4	4	Mon, Jan 21st, ML King's Day
Jan-Feb	28-1	5	5	
Feb	4-8	5	5	
Feb	11-15	4	4	Mon, Feb 11th - Lincoln's Day
Feb	18-22	4	4	Mon, Feb 18th - President's Day
Feb-Mar	25-1	5	5	
Mar	4-8	5	5	
Mar	11-15	5	5	
Mar	18-22	5	5	
Mar	25-29	4	4	March 29th, Spring Recess Day
Apr	1-5	4	0	Spring Break April 1st - 5th - 10-mo. Employees; April 1st Spring Recess Day
Apr	8-12	5	5	
Apr	15-19	5	5	
Apr	22-26	5	5	
Apr-May	29-3	5	5	
May	6-10	5	5	
May	13-17	5	5	Mon, May 13th – Awards Recognition - 2 pm
May	20-24	5	5	
May	27-31	4	4	Mon, May 27th Memorial Day; May 31st Last Day of School
June	3-7	5	0	
June	10-14	5	0	
June	17-21	5	0	
June	24-28	5	0	TOTAL Work Days 246 (12-mo); 181 Work Days (10-mo)
Total work days:		246	181	

TUSD - TRADITIONAL CERTIFICATED CALENDAR FOR 2012-13  
 Traditional FIRST YEAR Teachers: Contract year starts 8/2/12 (TTIP 7/30, 7/31, 8/1, 8/2, 8/3 & 8/6/12)  
 Traditional SECOND YEAR AND BEYOND Teachers: Contract year starts Thursday 8/9/12  
 School Starts for STUDENTS on Monday, 8/13/12

Month	Dates	Instr Days	Work Days Yr 1	Work Days 2nd year >	TTIP Extra Pay	Miscellaneous Information
Jul-Aug	30-3	0	1	0	4	TTIP Yr 1 Tchrs -July 30th - Aug 3rd – Aug 3rd Contract Day - Yr 1 Tchrs
Aug	6-10	0	3	2		TTIP Yr 1 Tchrs-Aug 6th - Site Contract Day; Required ALL Teachers - Thur Aug 9th Dist Staff Dev Day; Fri Aug 10th Site Based Planning/Prep
Aug	13-17	5	5	5		Mon, Aug 13th - 1st Day of Classes
Aug	20-24	5	5	5		
Aug	27-31	5	5	5		Mon, Aug. 27th, Dist. Welcome Back Program - 2 pm
Sept	3-7	4	4	4		Mon, Sept 3rd, Labor Day
Sept	10-14	5	5	5		
Sept	17-21	5	5	5		
Sept	24-28	5	5	5		
Oct	1-5	5	5	5		Fri, Oct 5th– Min Day K-12; 39 Days in 1 <sup>st</sup> Quarter; End of 1st Trimester, 39 Days
Oct	8-12	5	5	5		
Oct	15-19	5	5	5		
Oct	22-26	4	5	5		Mon. Oct 22nd Parent Conferences, Min Day Oct 24th-26th, K-5, K-8, 6-8
Oct-Nov	29-2	5	5	5		
Nov	5-9	5	5	5		
Nov	12-16	4	4	4		Mon, Nov 12th Veteran's Day
Nov	19-23	0	0	0		Mon-Wed, Nov 19th-21st, Board Designated Non work days - Th-Fri, Nov 22nd-23rd Thanksgiving Break
Nov-Dec	26-30	5	5	5		
Dec	3-7	5	5	5		
Dec	10-14	5	5	5		43 Days in 2 <sup>nd</sup> Qtr; 1st Sem = 82 days; Min Day Dec 12th-13th, 9-12; Min Day Dec 14th, 6-12
Dec	17-21	0	0	0		Winter Break Dec 17th thru Jan 1st
Dec	24-28	0	0	0		Winter Break Dec 17th thru Jan 1st
Dec- Jan	31-4	3	3	3		Dec 31st & Jan 1st - Winter Break
Jan	7-11	5	5	5		
Jan	14-18	5	5	5		
Jan	21-25	4	4	4		Mon, Jan 21st - ML King's Day
Jan-Feb	28-1	5	5	5		
Feb	4-8	5	5	5		Feb 8th End of 2 <sup>nd</sup> Trimester, 70 Days; Fri, Feb 8th, Min Day K-5 & K-8
Feb	11-15	4	4	4		Mon, Feb 11th - Lincoln's Day
Feb	18-22	4	4	4		Mon, Feb 18th - President's Day
Feb-Mar	25-1	5	5	5		
Mar	4-8	5	5	5		45 Days in 3rd Quarter; Fri, Mar 8th, Min Day 6-12
Mar	11-15	5	5	5		
Mar	18-22	5	5	5		
Mar	25-29	4	4	4		Mar 29th - Board designated non-work day
Apr	1-5	0	0	0		Spring Break April 1st-5th
Apr	8-12	5	5	5		
Apr	15-19	5	5	5		
Apr	22-26	5	5	5		
Apr-May	29-3	5	5	5		
May	6-10	5	5	5		
May	13-17	5	5	5		May 13th – Awards Recognition - 2 pm
May	20-24	5	5	5		Min Day, Friday, May 24 K-5, K-8 & 6-8
May	27-31	4	4	4		Memorial Day May 27th; 53 days in 4 <sup>th</sup> Qtr; 98 days in 2nd Sem; 71 days in 3rd Tri. May 29th-30th Min Day 9-12; Friday, May 31st Last Day & Min Day K-12

Instructional Days: 180 days; Work Days: 185+4 (1st Year Teachers) & 183 (2nd Year & Beyond Teachers)  
 Adopted by TUSD Board of Trustees: 1/\*\*/2012





# HUMAN RESOURCES MEMORANDUM

**TO:** Dr. James Franco, Superintendent  
**FROM:** Dr. Sheila Harrison, Assistant Superintendent for Educational Services and Human Resources  
**DATE:** February 3, 2012  
**SUBJECT:** Approve the Tentative Agreement between the California School Employees Association and the Tracy Unified School District for the 2011-2012, 2012-2013 and 2013-2014 School Years

**BACKGROUND:** The current three-year contract between the California School Employees Association (CSEA) and the Tracy Unified School District (TUSD) expired on June 30, 2011. The CSEA Negotiating Team and the District Negotiating Team have agreed to a tentative agreement settlement between CSEA and TUSD for a successor agreement for the 2011-2012, 2012-2013, and 2013-2014 school years. (Please see attached documentation.)

On January 19, 2012, CSEA ratified this agreement, and its contents will be presented to the Board of Trustees at the February 14, 2012 meeting.

In addition, to remain in compliance with AB 1200 and Government Codes 3547.5 and 3540.2. (d), Salary Settlement Agreement forms are attached for public disclosure.

This agenda item meets 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. This agenda item also meets Strategic Goal #7: Develop and utilize partnerships that contribute to the achievement of District Goals.

**RECOMMENDATION:** Approve the Tentative Agreement between the California School Employees Association and the Tracy Unified School District for the 2011-2012, 2012-2013 and 2013-2014 School Years

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



California  
School  
Employees  
Association

5375 West Lane  
Stockton, CA 95210

(209) 472-2170  
(800) 757-4229  
FAX: (209) 472-2089

[www.csea.com](http://www.csea.com)

Member of the AFL-CIO

*The nation's largest  
independent classified  
employee association*

*Member of the National  
Association of Classified  
School Employees  
(NACSE), representing  
independent public  
employees throughout  
the nation*



January 23, 2012

Sheila Harrison, Assistant Superintendent  
Human Resources and Educational Services  
Tracy Unified School District  
1875 W. Lowell Avenue  
Tracy, CA 95376

**Re: Ratification of Tentative Agreements**

Dear Dr. Harrison:

The California School Employees Association and its Tracy Chapter #98 ratified by a majority vote of the membership the recently negotiated Tentative Agreements.

We look forward to working with you in the future.

Sincerely,

CALIFORNIA SCHOOL EMPLOYEES ASSOCIATION

Carol Black  
Labor Relations Representative

CB/jpks

cc: K. Gardner, Area Director E  
R. Roach, Field Director  
D. McCowan, Regional Representative #42  
G. Garner, Chapter President #98  
File

**L. CERTIFICATION No. 1 of 2**

To be signed by the District Superintendent upon submission to the Governing Board and by the Board President upon formal Board action on the proposed agreement.

*The information provided in this document summarizes the financial implications of the proposed agreement and is submitted to the Governing Board for public disclosure of the major provisions of the agreement (as provided in the "Public Disclosure of Proposed Collective Bargaining Agreement") in accordance with the requirements of AB 1200 and Government Code Section 3547.5. The budget revisions, as itemized in Section G pages 3-4 and included in Column 2 of pages 5a-g and Columns B and D of pages 7a-c, are necessary to meet the costs of the agreement in each year of its term. The district must submit, to the County Superintendent of Schools, the budget revisions necessary to fulfill the terms of this agreement within 45 days (EC42142) or the next interim report (GC 3547.5 c), whichever comes first.*

*James Franco*

December 13, 2011

District Superintendent (or Designee) Signature

Date

Dr. Casey J. Goodall

(209) 830-3200

Contact Person

Phone Number

After public disclosure of the major provisions contained in this Summary, the Governing Board, at its meeting on  
December 13, 2011, took action to approve the proposed Agreement with the

Tracy School Management Association

Bargaining Unit and acknowledges

that the budget revisions as itemized in Section G pages 3-4 and included in Column 2 of pages 5a-g and Columns B and D of pages 7a-c are necessary to meet the costs of the agreement in each year of its term. The district must submit, to the County Superintendent of Schools, the budget revisions necessary to fulfill the terms of this agreement within 45 days (EC42142) or the next interim report (GC 3547.5 c), whichever comes first.

*Bill Costa*

12-13-11

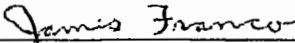
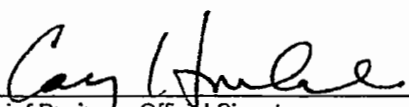
President (or Clerk), Governing Board Signature

Date

Special Note: The San Joaquin County Office of Education may request additional information, as necessary, to review the district's compliance with requirements.

**M. CERTIFICATION No. 2 of 2**

This certification must be signed by the District Superintendent and Chief Business Official at the time of Public Disclosure.

<p><i>In accordance with the requirements of Government Code Section 3547.5 (b), the Superintendent and Chief Business Official of</i></p> <p><i>Tracy Joint Unified School District,</i></p> <p><i>hereby certify that the District can meet the costs incurred under this agreement between the District and the Tracy School Management Association Bargaining Unit</i></p> <p><i>for the current and subsequent fiscal years.</i></p>	
<p>The budget revisions necessary to meet the cost of the agreement in the current year are itemized on page 3 in Section G 1. and included in Column 2 page(s) 5a through 5g of this disclosure. The budget revisions necessary to meet the cost of this agreement in each subsequent year of this agreement are itemized on page 4 in Section G 2 and 3 and are included in columns B and D of pages 7a through 7c of this disclosure.</p>	
 District Superintendent Signature	December 13, 2011 Date
 Chief Business Official Signature	December 13, 2011 Date



# HUMAN RESOURCES MEMORANDUM

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**TO:** Dr. James Franco, Superintendent  
**FROM:** *JA* Dr. Sheila Harrison, Assistant Superintendent of  
Educational Services & Human Resources  
**DATE:** January 24, 2012  
**SUBJECT:** Approve Agreement for Student Teaching with Patten University

**BACKGROUND:** We have encouraged teacher preparation institutions to place students in our schools to fulfill their teaching requirement for obtaining a teaching credential. This agreement will remain in effect from February 15, 2012 to May 23<sup>rd</sup>, 2013.

**RATIONALE:** Student teachers will be placed with permanent status teachers within our schools who are willing to serve as Master Teachers with the approval of the site principal. This agenda item meets strategic goal #6: Provide training and staff development opportunities that are designed to improve knowledge and skills of all employees, and goal #7: Develop and utilize partnerships that contribute to the achievement of District goals.

**FUNDING:** None.

**RECOMMENDATION:** Approve Agreement for Student Teaching with Patten University.

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



2433 Coolidge Avenue, Oakland, CA 94601  
(510) 261-8500

Form No. PU 7-STC

Document No. 11-242

AGREEMENT

THIS AGREEMENT entered in this 15<sup>th</sup> day of February 2012 by and between Patten University, hereinafter called the University, and the Tracy Unified School District of San Joaquin County, hereinafter called the District:

WITNESSETH

WHEREAS, pursuant to the provisions of Section 11006 of the Education Code, the governing board of any school district is authorized to enter into agreements with a state college, the University of California, or any other university or college accredited by the State Board of Education as a teacher education institution, to provide teaching experience through practice teaching to students enrolled in teacher training curricula of such institutions: and

WHEREAS, any such agreement may provide for the payment in money or in services for the services rendered by the school district of an amount not to exceed the actual cost to the school district of the services rendered; and

WHEREAS, it has been determined between the parties hereto that the payments to be made to the District or designated credentialed employee under this agreement do not exceed the actual cost to the District of the services rendered by the District;

NOW THEREFORE, it is mutually agreed between the parties hereto as follows:

I.

The District shall provide teaching experience through practice teaching in schools and classes of the District for not to exceed 10 per student semester units of practice teaching, not to exceed 4 students of the University assigned to practice teaching in schools or classes of the District. Such practice teaching shall be provided in such schools or classes of the District, and under the direct supervision and instruction of designated credentialed employees of the District, as the District and the University through their duly authorized representatives may agree upon.

The District may, upon reasonable notice, refuse to accept for practice teaching any student of the University assigned to practice teaching in the District, and upon request of the District, the University shall terminate the assignment of any student of the University to practice teaching in the District.

"Practice teaching" as used herein and elsewhere in this agreement means active participation in the duties and functions of classroom teaching under the direct supervision and instruction of designated employees of the District holding valid *CLEAR* credentials issued by the California Commission on Teacher Credentialing authorizing them to serve as classroom teachers in the schools or classes in which the practice teaching is provided.

II.

The University will pay the District or the designated credentialed employee for the performance of all services required to be performed under this agreement at the rate of thirty (\$30.00) dollars for each semester unit of practice teaching provided pursuant to this agreement.

The number of semester units of practice teaching to be provided for each student of the University assigned to practice teaching under this agreement shall be determined by the University as approved by the California Commission on Teacher Credentialing.

### III.

An assignment of a student of the University to practice teaching in schools or classes of the District shall be, at the discretion of the University, either for approximately eight (8) weeks or for approximately sixteen (16) weeks, but a student may be given more than one assignment by the University to practice teaching in such schools or classes as deemed necessary.

The assignment of a student of the University to practice teaching in the District shall be deemed to be effective for the purposes of this agreement, as of the date the University or student presents to the proper authorities of the District the assignment document properly signed by the administrative representative of the University effecting such assignment, but not earlier than the date of such assignment as shown on such document.

In the event the assignment of a student of the University to practice teaching is terminated by the University for any reason, the District or credentialed personnel, shall receive payment based upon the total number of assigned weeks in the classroom.

Absences of a student from assigned practice teaching shall not be counted as absences in computing the semester units of practice teaching provided the student by the District in order to avoid adjusting compensation for the District should absences occur. Compensation to the District is to be based upon semester units and completed weeks in the classroom. Actual computation of attendance for credit as semester units by student teachers is the obligation of the University.



IV.

In the event, if as a result of work undertaken herein, new material is created by the joint work of the District and student teachers from Patten University, it is deemed copyrightable by the District. All rights, title, and interest shall belong to the District and the following copyright notice shall appear on each of the copyrighted works: *Copyright 2011-2013, Tracy Unified School District. All rights reserved.*

V.

The proper payment shall be made in a timely manner to the District or designated credentialed employee in accordance with the provisions of this agreement at the close of each University semester, upon completion of the evaluation process and submission of the letter, and forms as included in the *Patten University Handbook for Teacher Candidates and Support Providers* in accordance with this agreement during said semester.

VI.

Absent District negligence: Patten University agrees to indemnify and hold the District, its officers, agents, officials, and employees from any and all damages, liabilities, loss, claims, actions, causes of action, judgments, fines, penalties, settlements or compromises arising from or related to any act or omission of Patten University, its officers, agents, or employees.

VII.

The term of this agreement shall commence on the 15<sup>th</sup> day of February 2012, and terminate on the 23<sup>rd</sup> day of May, 2013.

VIII.

Notwithstanding anything herein contained to the contrary, this agreement may be terminated and the provision of this agreement may be altered, changed, or amended, by written mutual consent of the parties hereto.

IX.

Notwithstanding any other provision of this agreement, the University shall not be obligated by this agreement to pay the District any amount in excess of a total of TWELVE HUNDRED DOLLARS (\$1,200).

Execution of this contract is hereby requested:

Tracy Unified School District

Patten University

Karen Ensor  
Dr. Karen Ensor, Associate Dean

Director of Contract Management

Ken Romines  
Dr. Ken Romines  
Academic Office

.....

I hereby certify upon my own personal knowledge that the unencumbered balance of the departmental budget provision for the period, function and object stated above is correct.

Bernadine Heinrich  
Bernadine Heinrich, CFO