

NOTICE
REGULAR MEETING OF THE GOVERNING BOARD
TRACY UNIFIED SCHOOL DISTRICT

DATE: TUESDAY, DECEMBER 12, 2006

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

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

A G E N D A

1. Call to Order

2. Roll Call – Establish Quorum

Board: G. Crandall, J. Feller, T. Guzman, T. Hawkins, K. Lewis, B. Swenson, J. Vaughn
Staff: J. Franco, J. Mousalimas, C. Goodall, S. Harrison and B. Etcheverry.

3. Closed Session: Opportunity to Address the Board Regarding Closed Session Items which follow. Closed session is limited to consideration of items specifically authorized under the Government Code and/or the Education Codes School Year.

3.1 Educational Services:

3.1.1 Findings of Facts: #FF06-07/79, 82, 87

3.2 Human Resources:

3.2.1 Consider Discharge of Probationary Classified Employee #UCL-88

Action: Motion___; Second___. **Vote:** Yes ___; No___; Absent___; Abstain___.

3.2.2 Consider Leave of Absence Request for Classified Employee #UCL-89

Action: Motion___; Second___. **Vote:** Yes ___; No___; Absent___; Abstain___.

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

Action: Motion___; Second___. **Vote:** Yes ___; No___; Absent___; Abstain___.

3.2.4 Conference with Labor Negotiator

Agency Negotiator: Jamie Mousalimas,

Assistant Superintendent of Human Resources

Employee Organization: CSEA, TEA

4. Adjourn to Open Session

5. Call to Order and Pledge of Allegiance

6. Closed Session Issues:

6a Action on Findings of Fact #FF06-07/79, 82, 87

Action: Motion___; Second___. **Vote:** Yes ___; No___; Absent___; Abstain___.

6b Report Out of Action Taken on Consider Discharge of Probationary Classified Employee #UCL-88

Pg. No.

Action: Vote: Yes ___; No ___; Absent ___; Abstain ___

6c Report Out of Action Taken on Consider Leave of Absence Request for Classified Employee #UCL-89

Action: Vote: Yes ___; No ___; Absent ___; Abstain ___

7. Approve Regular Minutes of November 28, 2006.

1-5

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

8. Board Organization:

8.1 Administer Oath of Office

8.2 Elect Officers

6-7

Action: Motion ___; Second __. **Vote:** Yes ___; No ___; Absent ___; Abstain

8.3 Appoint Representatives to the following committees:

Budget; CALSSD; City Schools Liaison; District Attendance Area; Facilities Advisory; Facility Use Policy Review; Family Life; Legislative Action; SJCSBA; TAPFFA; Tracy Learning Center/Ad Hoc Board Member; Tracy Parks; Tracy Tomorrow & Beyond.

Action: Motion ___; Second __. **Vote:** Yes ___; No ___; Absent ___; Abstain

8.4 Approve Board Meeting Calendar.

Action: Motion ___; Second __. **Vote:** Yes ___; No ___; Absent ___; Abstain ___.

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

9.1 Recognize Certificated Retirement

9.2 Recognize the West High School Freshman Football Team for Winning League Title

9.3 Recognize the West High School Varsity Football Team for Winning League Title

9.4 Villalovoz School Site Update on Achievements & Activities

9.5 IGC School Site Update on Achievements & Activities

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

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

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

person the right to pursue legal recourse against you, there is a taped record of this meeting. This does not mean you cannot criticize employees of the District. However, we would suggest that you do it without using names. We would also suggest that you use the personnel complaint procedures. The board can only hear and address complaints which have been processed in line with the policy. We have copies of the policy and forms here, and staff will help you complete them.

Pg. No.

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

11.1 Educational Services:

11.1.1 Tracy High School FFA National Convention Presentation

11.1.2 Receive Report on George and Evelyn Stein Continuation High School

8-13

11.1.3 Receive Report on Duncan-Russell Continuation High School

14-17

- 12. PUBLIC HEARING:** None.

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

Action: Motion___; Second___. **Vote:** Yes___; No___; Absent___; Abstain__

13.1 Administrative & Business Services:

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

18-21

13.1.2 Approve Monthly Budget Adjustment Report

22-26

13.1.3 Approve Revolving Cash Fund Reports for November, 2006

27-30

13.1.4 Approve Accounts Payable Warrants Reports for November, 2006 (Under
Separate Cover)

31

13.1.5 Accept the Annual Report on the Collection and Expenditures of
Development Fees for Fiscal Year 2005/06

32-37

13.1.6 Acknowledge Report on Heating, Ventilation, and Air Conditioning
Maintenance for November 2006

38-45

13.1.7 Authorize Assistant Superintendent for Business Services to Enter into
Agreement to Dispose of Damages, Obsolete and Surplus Furniture,
Computers and Equipment Through Direct Sale to Vendor in Lieu of
Disposal Expenses.

46-49

13.1.8 Authorize Assistant Superintendent for Business Services to Enter into
Agreement with School Services of California to Review Budget
Documents in Preparation of 2007-08 Budget Approval

50

13.2 Educational Services:

13.2.1 Approve Camfel Productions Presentation of "Commitment to
Excellence" at Art Freiler School on April 19, 2007

51-54

13.2.2 Ratify Contract with UC Regents MIND Institute

55-57

13.2.3 Approve Overnight Travel for IB Academy Staff and IB Diploma
Candidates to Point Bonita YMCA and Conference Center, Sausalito, CA,
on January 13-14, 2007

58

13.3 Human Resources:

13.3.1 Approve Classified, Certificated and/or Management Employment

59-60

		Pg. No.
13.3.2	Accept Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment	61-62
13.3.3	Approve Variable Term Waiver for Sharolyn Koon-English 9-12	63
14.	Action Items: Action items are considered and voted on individually. Trustees receive background information and staff recommendations for each item recommended for action in advance of scheduled meetings and are prepared to vote with knowledge on the action items.	
14.1	Administrative & Business Services:	
14.1.1	Certify 2006-2007 Fiscal Year First Interim Report (Under Separate-Cover)	64
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.1.2	Authorize the Director of Transportation to Bid and Award the Purchase of Three (3) Busses to Accommodate Transportation of Students Gained from Unification with Holt School District	65-66
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.1.3	Authorize District Staff to Apply to the Local Agency Formation Commission (LAFCO) to Approve Out of Agency Services as Provided by the City of Tracy to the Kimball High School Project	67-70
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.2	Educational Services:	
14.2.1	Approve Submission of an Intent to Submit An Application to the California Department of Education for the Pre-kindergarten and Family Literacy Program (PKFLP)	71-73
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.2.2	Adopt Resolution 06-16 Authorizing the Establishment of George and Evelyn Stein Continuation High School	74-76
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.2.3	Approve High Priority Schools Grant (HPSGP) Application for Delta Island School	77-98
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.3	Human Resources:	
14.3.1	Approve New Job Description and Authorize Hiring Two Positions for Bus Driver/Custodian/Groundskeeper	99-103
	Action: Motion___; Second___. Vote: Yes___; No___; Absent___; Abstain___.	
14.3.2	Adopt New/Revised Board Policies and Acknowledge New/Revised Administrative Regulations to be Compliance with CSBA Guidelines 1 st Reading	104-158
	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 January 9, 2007**
- 17.2 January 23, 2007**
- 17.3 February 13, 2007**
- 17.4 February 27, 2007**
- 17.5 March 13, 2007**
- 17.6 March 27, 2007**

18. Upcoming Events:

- | | | |
|-------------|---------------------------------------|---|
| 18.1 | December 16- January 1, 2007 | Winter Break, Traditional |
| 18.2 | December 20 – January 1, 2007 | Winter Break, Red & Blue Track |
| 18.3 | December 20 – January 31, 2007 | Winter Break, Green Track |
| 18.4 | January 15, 2007 | No School, Martin Luther King Day |
| 18.5 | January 31, 2007 | No School, Staff Dev. Day |
| 18.6 | February 12, 2007 | No School, Lincoln's Birthday |
| 18.7 | February 19, 2007 | No School, Presidents' Day |

If requested, the agenda shall be made available in appropriate alternative formats to persons with a disability. To make this request, please telephone the Superintendent's Office at 209/830-3201. If any person with a disability needs a disability-related modification or accommodation, including auxiliary aids or services, he/she should also contact the Superintendent's Office at least 24 hours prior to the meeting.

**Minutes of
Regular Meeting of the Governing Board
For Tracy Unified School District
Held on Tuesday, November 28, 2006**

- 5:30 PM:** President Machado called the meeting to order and adjourned to closed session.
- Roll Call:** Board: J. Feller, T. Hawkins, K. Lewis, G. Machado, B. Swenson, J. Vaughn; Absent: G. Crandall.
Staff: J. Franco, J. Mousalimas, C. Goodall, S. Harrison, B. Etcheverry.
- 7:05 PM:** President Machado called the Tracy Unified School District Board of Education to order and led those present in the Pledge of Allegiance.
- Closed Session:** **6a** Action on Findings of Fact #FF06-07/74, 75, 76, 77, 78, 81
Action: Lewis, Hawkins. **Vote:** Yes-6; No-0; Absent-1(Crandall)
6b Report Out of Action Taken on Application for Reinstatement #AR06-07/30
Action: **Vote:** Yes-6; No-0; Absent-1(Crandall)
6c Report Out of Action Taken on Waiver of Expulsion:#WE06-07/3, 4, 5, 6
Action: Pulled 5. **Vote:** Yes-6; No-0; Absent-1(Crandall)
6d Report Out of Action Taken on Consider Leave of Absence Request for Certificated Employee #UC-443, Pursuant to Article XX
Action: **Vote:** Yes-6 No-0; Absent-1(Crandall)
6e Report Out of Action Taken on Consider Leave of Absence Request for Certificated Employee #UC-444, Pursuant to Article XX
Action: **Vote:** Yes-6 No-0; Absent-1(Crandall)
- Employees Present:** G. Smith, M. Chivers, J. Wakefield, D. Wakefield, J. Silcox, R. Frame, S. Sievers
- Press:** Stockton Record
- Visitors Present:** T. Guzman, The Wingo Family, R. Elwood, K. Johnson, K. Fistolera, A. Camacho, M. Dixon, The Miller Family
- Minutes:** **Approve Regular Minutes of November 14, 2006.**
Action: Swenson, Vaughn. **Vote:** Yes-6; No-0; Absent-1(Crandall)
Minutes are public information and available for review in the Superintendent's Office during regular business hours.
- Student** Tracy High: Megan Wingo reported that this has been a busy month for

Representative Reports:

clubs. Scientifically speaking had its first science night and about 200 kids attended. Leadership held the Freshman tailgate party. Acadec had a scrimmage with the other teams in the county and won. In sports, they are at the end of the football season. They had had hopes to win the league. It was a good season. Basketball is starting. They played the foundation game against West last night. Finals are coming around the corner.

West High: Ryan Elwood reported that Mr. Calad shaved his head to celebrate West High's test scores. A swing dance club has been established with about 40 members. They will have a performance at next rally. The had a playoff rally for game and to recognize all fall sports that made it to the playoffs. Leadership class helped out at the community center and served a Thanksgiving dinner. They also received a plaque from John Day in appreciation of their work. They have a school wide canned food drive and have set up a grocery store for the Delta Island community. The boys' soccer team won the TCAL Championship. The tennis team made it into the first round of playoffs. The football team won the TCAL Championship and are in the playoffs.

Duncan Russell: Alejandro Camacho reported that math classes are working on structures and strategies. World History classes are working on essays entitled "Decision to Drop the Bomb". They are also working on improving their test scores. Key Club is working on a Sees Candy fundraiser. This will be his last meeting because he is graduating. Milan Dixon will take over.

Recognition & Presentation:**9.1 Recognize the West High Varsity Soccer Team for Capturing TCAL League Title and CIF Section Runner-Up**

Dr. Franco presented the team and their coaches with certificates. He also recited "Ode to Champions". Coach Perry thanked the Board for recognizing his team.

9.2 Recognize the Tracy High Sophomore Football Team for Capturing SJAA League Title

Dr. Franco presented certificates to the team and their coaches.

Dr. Franco Presented Gerry Machado with a plaque and thanked him for 4 years of service to the Board. The time and talents given to the Board have been appreciated.

Hearing of Delegations

Mike Chivers spoke about science camp. His daughter is currently in the 7th grade. Ordinarily they go in the 6th grade. They are now not able to go this year either. He understands why the District stopped contributing as much as they had. The cutbacks had to be made at that time. Now there seems to be more money and he thinks we should reconsider reinstating the financial

support of this program. He attended science camp as a student, counselor and a teacher. He would like the Board to reconsider reinstating science camp.

**Information &
Discussion Items:**

11.1 Administrative & Business Services: None

11.2 Educational Services:

11.2.1 Receive Report on Implementation of the Supplemental Counseling Program Through Hiring Up to an Additional Six Counselors

Director of Student Services, Rebecca Frame , reviewed how the funding will be implemented. The funds should be received this school year. The need at each site will be according to the number of “target” students at each site. We are currently in the hiring process.

Public Hearing:

None.

Consent Items:

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

13.1 Administrative & Business Services:

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

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

13.2 Educational Services:

13.2.1 Approve Special Services Contract with the Respect for All Project to Present at the Staff Development Buy Back Day on Wednesday, January 31, 2007

13.2.2 Ratify Master Contract and Individual Services Agreement with Reyn Franca School, NPS

13.2.3 Approve Overnight Travel for Tracy High Cheer and Dance Teams and Coaches to Participate in the USA Spirit Nationals in Southern California on March 22-25, 2007

13.2.4 Approve State Preschool Grant for \$611 and Resolution Certifying Linda Boragno-Dopp and Casey Goodall to be the Designated Personnel to Sign Contracts for the State Preschool Program for 2006-07.

13.2.5 Approve Overnight Travel for Tracy High Varsity Wrestling Team and Two Coaches to Attend the Artichoke Invitational Wrestling Tournament in Castroville, CA on January 5-6, 2007

13.2.6 Approve Overnight Travel for the Varsity Wrestling Team on December 8-9, 2006 to Attend the Lemoore Duals Wrestling Tournament in Lemoore, CA

13.2.7 Ratify Master Contract and Individual Services Agreement with Oak

Grove Institute

13.2.8 Approve Fantasy Theatre "That's History with a Twist" on December 6, 2006 at Art Freiler School

13.2.9 Hire Additional Counselors Utilizing AB 1802 Funding

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 Approve Revision to the Food Service Administrative Regulation AR 3553 – Free/Reduced Priced Meals – 2nd Reading – Intent to Adopt

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

14.1.2 Consider Claim No. 13-0506 TUSD

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

14.2 Educational Services:

14.2.1 Approve Addition of One School Resource Officer

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

Board Reports:

Trustee Lewis felt it was great working with Gerry and wished him luck. Trustee Feller was selected to attend the special ed advisory meeting. It reminds her how much she loves special ed. There is a nice mixture of parents, teachers and other staff members. It brings everybody on the same page. She also attended the facilities meeting. It is very beneficial to see all the work going on in our facilities department. It's been a pleasure to work with Gerry. I wish him good luck in his future. Trustee Swenson agrees with Joan that Denise is on the ball in providing detailed information. Jim has an outstanding leadership team with Janice, Sheila, Carol, Linda and Donna. He attended the Superintendent's Construction Tech meeting. There is a possibility of bringing this program back in 2008. He also thanked Gerry for his experience and wisdom while he was on the Board. Trustee Hawkins enjoyed working with Gerry while he's been on the Board. Science camp means a lot to him. In 1956 he took Jefferson and Houston School in Lodi to science camp. He remembers the things they did and it is an important part of a youngster's education. He agrees with Mike that he would like to see it returned. Someone would have to stay in the classroom for 2 months to get what they get in 1 week. Trustee Vaughn has enjoyed working with Gerry and thanked him for his experience. Trustee Machado thanked each and everyone on the Board. It's been a pleasure to work with all of them and with James Whigham who was on the Board during his first 2 years. He is pleased in the direction we are going. He welcomed Ted Guzman, who will be our new Board member. He is looking forward to

extra time and will travel this summer. He will also stay involved in LAFCO. May come back and sit in the audience. It's been a pleasure to work with Jamie, Sheila, Casey, Jessica and Denise. Thank you to Jim for his outstanding leadership.

**Superintendent
Report:**

Dr. Franco reported that Gregg is not with us tonight due to his work. One of Gerry's first projects on the Board was getting the walkway made from West High to ICGG. He was here when we had to cut the budget and help pick out our new high school site. Gerry is to be commended for his contributions to the school district. Today we worked in partnership with the Tracy Police Department and California Highway Patrol. Students were stopped as they left campus and had their driver's licenses check and made sure seatbelts were on. It was very positive. Last Tuesday, he and Denise attended the city council meeting and reported on the pool. They answered questions and the council seemed favorable towards the concept. At the conclusions it was agreed to continue with further discussions. We are now in the process of collecting joint partnership agreements from other districts to see how they do it. If this works out the pool can serve both of our needs.

**8:01 PM
Adjournment.**

James Vaughn, Clerk

Date



TRACY
UNIFIED SCHOOL DISTRICT

ADMINISTRATIVE SERVICES MEMORANDUM

TO: Board of Education
FROM: Dr. James Franco, Superintendent
DATE: December 6, 2006
SUBJECT: Elect Officers; Appoint Representatives to the following committees:
Budget; CALSSD; City Schools Liaison; District Attendance Area;
Facilities Advisory; Facility Use Policy Review; Family Life;
Legislative Action; SJCSBA; TAPFFA; Tracy Learning Center/Ad Hoc
Board Member; Tracy Parks; Tracy Tomorrow & Beyond.

BACKGROUND: Education Code Section 35143 and 72125 require the governing board of each school district to hold an annual organizational meeting. In a year in which a regular election for governing board members is held in our district, the meeting shall be held on a day within a 15-day period that commences with the date upon which an elected governing board member takes office. Organizational meetings, in years in which no such regular election for governing board members is conducted, shall be held during the same 15-day period on the calendar. This year the 15-day period will commence on December 1. Districts that have regular meetings between December 1 and December 15 can comply with the Education Code requirement by placing this matter on its agenda. The day and time of the annual meeting shall be selected by trustees at its regular meeting immediately prior to the first day of such 15-day period.

RATIONALE: Tuesday, December 12, 2006, is the date of the Tracy Unified School District Board of Trustee's regular meeting which complies with the Education Code requirement for holding the annual organizational meeting. Within 15 days prior to the date of the annual meeting, all board members and members-election shall be notified in writing of the date and time selected for the meeting.

FUNDING: N/A

RECOMMENDATION: Elect Officers; Appoint Representatives to the following committees: Budget; CALSSD; City Schools Liaison; District Attendance Area; Facilities Advisory; Facility Use Policy Review; Family Life; Legislative Action; SJCSBA; TAPFFA; Tracy Learning Center/Ad Hoc Board Member; Tracy Parks; Tracy Tomorrow & Beyond.

Prepared by: Dr. James Franco, Superintendent



TRACY
UNIFIED SCHOOL DISTRICT

Board of Education Calendar of Meetings 2007

The Board of Education holds its regular meetings in the Tracy Unified School District Education Center Boardroom located at 1875 W. Lowell Ave. Meetings begin at 7 p.m. The Board of Education's meeting agendas are posted for public viewing the Friday before each regular meeting in the Education Center lobby and on the District's website at www.tracy.k12.ca.us. Copies of meeting agendas also are available by contacting the Superintendent's Office at 830-3201. Minutes of Board of Education meetings are available for public review in the Superintendent's Office on Mondays through Fridays between 8 a.m. and 5 p.m., and can be viewed on the District's website at www.tracy.k12.ca.us.

BOARD MEETING DATES 2007
1/09/07
1/23/07
2/13/07
2/27/07
3/13/07
3/27/07
4/24/07
5/08/07
5/22/07
6/12/07
6/26/07
8/14/07
8/28/07
9/11/07
9/25/07
10/09/07
10/23/07
11/13/07
11/27/07
12/11/07



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: *JS* Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: December 12, 2006
SUBJECT: Receive Report on George and Evelyn Stein Continuation High School

BACKGROUND: In the Spring of 2005, Duncan-Russell Continuation High School moved to the Stein campus at 650 West 10th Street. Duncan-Russell Continuation High School has been in operation on the Stein campus for the 2006-2007 school year. At the beginning of the 2007-2008 school year, Duncan-Russell Continuation High School will return to its original home at 164 W. Grantline Road. George and Evelyn Stein Continuation High School will officially open at the start of the 2007-2008 school year.

George and Evelyn Stein Continuation High School will have the same quality program and high expectations as the District's continuation programs have in the past. George and Evelyn Stein Continuation High School will expand in staff to include 11 teachers and serve 190 students.

RATIONALE: George and Evelyn Stein Continuation High School will offer a variety of both academic and elective coursework with more opportunity for students to recover credits and graduate with their class. With additional teachers and support staff, George and Evelyn Stein Continuation High School will increase the enrollment and opportunities for students who need a second chance to catch up on credits. Students will either graduate from George and Evelyn Stein Continuation High School or transfer back to their comprehensive high school to graduate. This meets Strategic Goal #4, Developing the Whole Student.

FUNDING: Not applicable

RECOMMENDATION: Receive Report on George and Evelyn Stein Continuation High School

Prepared by: Cynthia Johannes, Principal

Master Plan for George and Evelyn Stein Continuation High School December 12, 2006

History and Master Plan for Alternative Education Programs:

In the spring of 2005, Duncan-Russell Continuation High School moved to the George and Evelyn Stein campus at 650 West 10th Street. Duncan-Russell Continuation High School has been in operation on the George and Evelyn Stein campus for the 2006-07 school year. At the start of the 2007-08 school year, Duncan-Russell Continuation High School will return to its original home at 164 W. Grantline Road. At 164 W. Grantline Road, Duncan-Russell Continuation High School will share the campus with Willow Community Day School.

At the start of the 2007-08 school year, George and Evelyn Stein Continuation High School will officially open. The official opening of a new continuation high school calls for approval by the Board of Trustees and the State Department of Education. The Board of Trustees first approves a resolution which includes a Board vote declaring the creation of a new continuation high school. The superintendent then notifies the State Department of Education of the plans to open George and Evelyn Stein Continuation High School at the start of the 2007-08 school year.

George and Evelyn Stein Continuation High School Goals:

- To open the new continuation high school
- To provide more alternative space for TUSD students
- To give students, who are within credit range of graduating, a program to graduate from high school
- To provide space for other programs

George and Evelyn Stein Continuation High School Proposed Program and Staffing:

George and Evelyn Stein Continuation High School will replicate the successful program developed for Duncan-Russell Continuation High School and expand to offer more courses and enrichment for students. Currently there are 9 teachers: 1 English, 1 Math, 1 Science, 1 Occupational Knowledge, 3 Social Studies, 1 Art, and 1 Resource. Two additional teachers will be added to George and Evelyn Stein Continuation High School: 1 English and 1 Home Economics for a total of 11 teachers.

George and Evelyn Stein Continuation School Facilities:

At the George and Evelyn Stein Continuation site eleven classrooms will be used for George and Evelyn Stein Continuation High School classrooms; one will be used for the Young Adult Resource Program; one will be used for the Tracy Adult Resource Program, plus a portable belonging to the Adult School. In addition there are classrooms utilized by the STEPS program-child care, infant center and parenting teens.

Timeline for creation of George and Evelyn Stein Continuation High School:

December	Board Report
December-April	Develop Program offerings and procedures
January	Submit application to the State Department of Education
February	Request approval of new graduation requirements
February-March	Furnish new classrooms

Budget considerations for George and Evelyn Stein Continuation High School:

The new George and Evelyn Stein Continuation High School will generate income from the regular average daily attendance process and the amount specified by the Continuation High School Foundation Program Table, a yearly amount of \$334,420. This foundation program funding will remain as an add-on to the district's revenue limit as long as the school remains in operation. It will be based upon 13 certificated employees, including the principal and the counselor, and the anticipated ADA of the new school, which will be 190 students.

Credit requirements:

Current

English.....	30
Social Studies.....	30
Science.....	20
Math (including Algebra 1).....	20
Fine Arts.....	10
Occupational Knowledge.....	5
Electives.....	65
Total.....	180

New

English.....	40
Social Studies.....	30
Science.....	20
Math (including Algebra 1).....	20
Fine Arts.....	10
Electives.....	65
Total.....	185

Summary:

George and Evelyn Stein Continuation High School will model the current Duncan-Russell Continuation High School. However, the program will be expanded in both requirements and elective opportunities. The Occupational Knowledge course will be eliminated and the 11th grade English class will incorporate the District Assessments of job application, resume and cover letter. Information and speakers about careers will be embedded in the regular course curriculum. Requiring 12th grade English will better prepare students for community college, trade school and the work force. Offering Home Economics will be a welcome addition to the program, as it offers new career paths. Many continuation students are kinesthetic learners and enjoy cooking and the various unit themes, including careers, which will be offered in the Home Economics class.

The staff at George and Evelyn Stein Continuation High School will continue to support, nurture and guide students towards a high school diploma and a worthy transition into adulthood. Students in the many programs on the George and Evelyn Stein campus will blend and thrive.

Roosevelt Ave.

12

Staff Parking

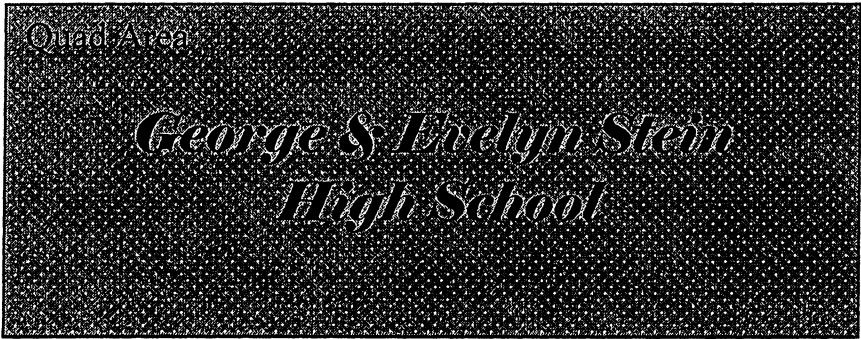
TARP

Multi-Purpose Room

Rest Room

Rest Room

13 Art	12 Science lab and Classroom
14 TARP	11 Future Home Ec.
Security Office	Future IMC
	10 Resource/ Tutoring
	9 U.S. History Childcare ROP
	8 YAP
	7 Future English
	6 STEPS classroom
	STEPS Infant Care
	5 Occ. Knowledge



1 Math	2 World History Economics	3 US History Government	4 English
Office Area		Staff Work Room	STEPS Toddlers

Rest Rooms

Student Parking

Elementary Bus Drop Off Only

Administration Parking

Tenth Blvd.

650 W. Tenth Street

Stein High School Class Schedule

Teacher	1 st Period 8:00- 8:45	2 nd Period 8:50-9:35	3 rd Period 9:40-10:25	Break 25 mins.	4 th Period 10:50-11:40	5 th Period 11:45-12:30	Break 15 mins.	Afternoon 12:45- 1:30	Afternoon 1:35-2:20	Afternoon 2:25- 3:15
MSL	MSL	MSL	MSL		MSL	MSL		Lunch	MSL	Prep
STEPS	STEPS	STEPS	STEPS		STEPS	STEPS		STEPS	Lunch	STEPS
Algebra	Math	Algebra			Math	MSL		Lunch	Math	Prep
Gov.	Gov.	Gov.			US History	Gov.		Lunch	Gov.	Prep.
English I	English II	English III			English III	CAHSEE		Lunch	Prep	English
Bio/Earth	Bio/ Earth	Bio/ Earth			Bio/ Earth	Bio/ Earth		Bio/ Earth	Lunch	Prep
ROP	US History	US History			US History	US History		Us History	Lunch	Prep
World H	Econ	Econ			World H	Econ		Lunch	World H	Prep
Algebra	Algebra	CAHSEE			CAHSEE	KEY Club		Math	Lunch	Prep
Art	Art	Art			Art	PE		Lunch	Prep	Art
CAHSEE	English III	English I			English II	English II		Lunch	Prep	English
Home Ec	Home Ec	Home Ec			Home Ec	Home Ec		Home Ec	Lunch	Prep
								Work Exper.	Work Exper.	Work Exper.
								IS	IS	IS



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: ~~Dr.~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: November 29, 2006
SUBJECT: Receive Report on Duncan-Russell Continuation High School

BACKGROUND: In the spring of 2005, Duncan-Russell Continuation High School moved to the George and Evelyn Stein campus at 650 West 10th Street. Duncan-Russell Continuation High School has been in operation on the George and Evelyn Stein campus for the 2006-2007 school year. At the start of the 2007-2008 school year, Duncan-Russell Continuation High School will return to its original home at 164 W. Grant Line Road. At 164 W. Grant Line Road, Duncan-Russell will share the campus with Willow Community Day School. The return of Duncan-Russell Continuation High School to its original site calls for a development of a new program to meet the needs of an additional 40 students.

RATIONALE: Duncan-Russell Continuation High School will be the new alternative for students in grades 9th through 12th who are far behind their class in credits. Students will have an opportunity to recover credits and develop a plan for earning a high school diploma. In order to accommodate as many students as possible and to allow for flexible scheduling, Duncan-Russell Continuation High School will operate morning and afternoon sessions. Students will be required to attend a minimum of 15 hours per week and be allowed a maximum of 30 hours of week. This meets Strategic Goal #4, Developing the Whole Student.

FUNDING: Small Continuation High School Funding

RECOMMENDATION: Receive Report on Duncan-Russell Continuation High School

Prepared by: Rebecca Frame, Director of Student Services and Curriculum

Master Plan for Duncan-Russell Continuation High School December 2006

History and Master Plan for Duncan-Russell Continuation High School Program:

In the Spring of 2005, Duncan-Russell Continuation High School moved to the George and Evelyn Stein campus at 650 West 10th Street. Duncan-Russell Continuation High School has been in operation on the George and Evelyn Stein campus for the 2006-2007 school year. At the start of the 2007-2008 school year, Duncan-Russell Continuation High School will return to its original home at 164 W. Grantline Road. At 164 W. Grantline Road, Duncan-Russell Continuation High School will share the campus with Willow Community Day School.

At the start of the 2007-2008 school year, Duncan-Russell Continuation High School will officially return to the 164 W. Grantline Road site. The return of Duncan-Russell Continuation High School to its original site calls for a development of a new program to meet the needs of 40 students.

Duncan-Russell Continuation High School Goals:

- To create a credit recovery program
- To assist students to work toward a high school diploma, a GED, or a Proficiency Certificate
- To give students, far behind in credits, a path to reach their goals

Duncan-Russell Continuation High School Proposed Program:

Duncan-Russell Continuation High School will serve up to 40 continuation high school students. George and Evelyn Stein High School has credit requirements for admittance that so that students attending George and Evelyn Stein have a reasonable expectation of earning a high school diploma. There are many students both new to the community and currently in our high schools that have fallen so far behind in credits that the student can not graduate with his/her class at the comprehensive high school or at George and Evelyn Stein High School. For these students there are no alternatives currently available. They can continue their enrollment in a comprehensive high school but they can not graduate. Students also can not transfer to the Adult School until age 17 ½ and sometimes the Adult School can not accept the 17 ½ year old student due to state mandated ratios on underage students in adult school. These students need an alternative.

An example of the student served at Duncan-Russell Continuation High School would be a 12th grader with 50 credits. This student can't graduate with his class. Even if the student takes additional coursework through the Tracy Adult School, the student is too far behind to complete a diploma at a comprehensive high school. However, the student needs to work toward a diploma or a certificate and needs an opportunity to recover credits.

Duncan-Russell Continuation High School will be the new alternative for students in grades 9th through 12th who are far behind their class in credits with priority given to 12th grade students. Students will have an opportunity to recover credits and develop a plan for earning a diploma. In order to accommodate as many students as possible and to allow for flexible scheduling, Duncan-Russell Continuation High School will operate a morning and afternoon session. Students will be required to attend a minimum of 15 hours per week and be allowed to attend a maximum of 30 hours per week. The morning and afternoon session will accommodate 20 students in each session. The one large classroom will be staffed with two full time teachers.

The two teachers will work with a total of 40 students having 20 students in the morning session and 20 students in the afternoon session. The high staff to student ratio will allow for intensive intervention and remediation, along with small group and individualized instruction. The teachers will develop, monitor, and grade credit recovery academic packages that can be completed outside the classroom to offer more credit recovery opportunities.

In the classroom, the students will work individually and in small groups with both textbooks and individualized computer programs. Rather than attempt to recover all subject areas, the student and parent will select two to four academic focus areas.

For example, a student may select to work on English at the 9th grade level and World History at the 10th grade level. With textbook programs, credit recovery packages, and the computerized programs the student will be able to complete the coursework and make up for previous failed classes. Once the credits have been recovered, the student would then select two or more subject areas. Students will be required to attend the morning or afternoon session. Those students willing to recover more credits may be allowed to attend both sessions dependent upon space availability. Students will also be encouraged to enroll in summer school and Adult School classes to recover credits.

Each student will have an individualized academic plan leading to a diploma or certificate. With a plan developed by the student, parent, and school counselor, the student will have a path towards a diploma. Some students may earn enough credits to enroll in George and Evelyn Stein High School and graduate. Some students will become age appropriate and transfer to the Tracy Adult School and graduate. Some students will work toward gaining the educational background needed to pass the General Education Diploma when age appropriate. Some students will prepare for and pass the California High School Proficiency Exam which allows them to leave high school with a certificate of completion. There will be many avenues for each student and each student will have a specific plan for earning his/her diploma or certificate.

Duncan-Russell Continuation High School Potential Staffing:

Duncan-Russell Continuation High will have two full time teachers. One teacher will teach math and the other science. As the teachers will teach 3 hours in the morning and 3

hours in the afternoon with a total of 20 students per session, there will be flexibility to allow the teachers to assist the Willow teachers in providing student supervision during the Willow teachers' lunch break.

Support staff will also be necessary for Duncan-Russell Continuation High School. The school will need administrative support, counseling support, clerical support, and paraprofessional support. The number of support staff and configuration of staffing for the entire site will be determined in Spring 2007 when the site budget is fully developed.

Funding:

Duncan-Russell Continuation High School has been receiving and will continue to receive small school funding.



BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent

From: Casey Goodall, Associate Superintendent for Business

Date: December 1, 2006

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

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

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

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

This agenda item meets Strategic Goal #8 – Provide Modern and Safe Facilities

FUNDING: Per attached summary of requisitions.

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

Prepared by: Casey Goodall, Associate Superintendent of Business Services

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

-
- | | | |
|----|------------------|--|
| A. | Vendor: | Wallace-Kuhl & Associates |
| | Site: | Tracy High School – Relocatable Classroom |
| | Item: | Proposal - Ratify |
| | Services: | Consultant to provide earthwork testing services; soils testing and observation during construction. |
| | Cost: | \$1,500.00 |
| | Project Funding: | Developer Fees |
-
- | | | |
|----|------------------|---|
| B. | Vendor: | Bockmon & Woody Electric Co. |
| | Site: | Tracy High School – Relocatable Classroom |
| | Item: | Proposal - Ratify |
| | Services: | Site contractor to over excavate and off-haul 2,500 square feet of dirt and replace with fabric and 1' A.B.; unforeseen additional cost to the project. |
| | Cost: | \$12,644.00 |
| | Project Funding: | Developer Fees |
-
- | | | |
|----|------------------|--|
| C. | Vendor: | North Tower Environmental |
| | Site: | McKinley Elementary School |
| | Item: | Proposal - Ratify |
| | Services: | Retrieve samples to identify suspected asbestos containing materials collected from the old trailer located on the north-west part of the school site. |
| | Cost: | \$2,000.00 |
| | Project Funding: | Unrestricted Facilities Funds |
-
- | | | |
|----|------------------|---|
| D. | Vendor: | Delta Oilfield Services |
| | Site: | McKinley Elementary School |
| | Item: | Proposal - Ratify |
| | Services: | Contractor to remove old trailer from school site and dispose of debris including asbestos abatement. |
| | Cost: | \$6,900.00 |
| | Project Funding: | Unrestricted Facilities Funds |
-
- | | | |
|----|------------------|---|
| E. | Vendor: | A.A. and Bob Allen, Inc. |
| | Site: | West High School |
| | Item: | Proposal - Ratify |
| | Services: | Contractor to provide 48 yards of infield mix for the baseball field at West High School. |
| | Cost: | \$2,275.68 |
| | Project Funding: | One time funding from Unallocated General Fund - Safety, Facilities & Fields |
-

F. Vendor: A.A. and Bob Allen, Inc.
Site: West High School
Item: Proposal - Ratify
Services: Contractor to provide 125 yards of infield mix for the warning track line on the baseball field at West High School.
Cost: \$7,003.75
Project Funding: One time funding from Unallocated General Fund - Safety, Facilities & Fields

G. Vendor: GoodLand Landscape Construction
Site: West High School
Item: Proposal - Ratify
Services: Contractor to provide 15,003 sq. ft. of sod for the baseball field at West High School.
Cost: \$3,798.95
Project Funding: One time funding from Unallocated General Fund - Safety, Facilities & Fields

H. Vendor: Pacific Power Systems
Site: Monte Vista-State Relocatable Classrooms and Fire/Intrusion Alarm System
Item: Change Order #3
Services: Additional 23 devices for new alarm system.
Cost: \$7,430.00
Project Funding: Developer and State School Building Fund (SSBF)/Deferred Maintenance

I. Vendor: Pacific Power Systems
Site: Monte Vista-State Relocatable Classrooms and Fire/Intrusion Alarm System
Item: Notice of Completion
Services: Contractor provided electrical and low voltage, plumbing and site work for four (4) relocatable classrooms and installed a new fire/intrusion alarm system.
Original Contract: \$457,000.00 Change Order: \$16,494.00 Total Amount: \$473,494.00
Completion Date: November 27, 2006
Project Funding: Developer and SSBF/Deferred Maintenance

J. Vendor: Bockmon & Woody Electric
Site: Delta Island School – Portable Restroom
Item: Notice of Completion
Services: Site contractor to provide electrical and low voltage and sewer connection for new portable restroom.
Original Contract: \$77,915.00 Change Order: (\$7,000.00) credit Total Amount: \$70,915.00
Completion Date: November 21, 2006
Project Funding: Deferred Maintenance/Williams Act Fund

K. Vendor: School Specialty
Site: Poet-Christian Elementary School
Item: Notice of Completion
Services: Carpet replacement for the library and computer lab.
Original Contract: \$11,913.50 Change Order: \$0.00 Total Amount: \$11,913.50
Completion Date: November 17, 2006
Project Funding: Deferred Maintenance

L. Vendor: School Specialty
Site: North Elementary School
Item: Notice of Completion
Services: Carpet replacement for Rooms 11-13, 21-23, 41-43 and 51-53.
Original Contract: \$34,538.60 Change Order: \$0.00 Total Amount: \$34,538.60
Completion Date: November 29, 2006
Project Funding: Deferred Maintenance

M. Vendor: School Specialty
Site: Delta Island School
Item: Notice of Completion
Services: Installed linoleum in kitchen area.
Original Contract: \$4,011.74 Change Order: \$0.00 Total Amount: \$4,011.74
Completion Date: August 18, 2006
Project Funding: Deferred Maintenance



BUSINESS SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent

FROM: Dr. Casey Goodall, Assoc. Superintendent for Business Services

DATE: December 1, 2006

SUBJECT: Approve Monthly Budget Adjustment Report

BACKGROUND: Each month the Financial Services Department submits a Budget Adjustment Report summarizing changes of amounts in object codes.

RATIONALE: These monthly reports include estimated revenues, expenditures, adjustments, and transfers and facilitate timely monitoring of the budget.

FUNDING: N/A

RECOMMENDATION: Approve Monthly Budget Adjustment Report

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 07

APPROVED			07/24/2006	11/01/2006	BUDGET	11/30/2006
FUND	OBJECT	DESCRIPTION	ADOPTED BUDGET	REVISED BUDGET	ADJUSTMENTS	REVISED BUDGET
01	1100	TEACHERS' SALARIES	48,825,790.00	49,317,280.00	-1,002,775.00	48,314,505.00
	1200	CERT PUPIL SUPPORT SALARIES	2,283,590.00	2,295,028.00	3,968.00	2,298,996.00
	1300	CERT SUPRVSRs' & ADMINS' SAL	4,368,840.00	4,298,636.00	22,480.00	4,321,116.00
	1900	OTHER CERTIFICATED SALARIES	998,932.00	1,106,021.00	117,519.00	1,223,540.00
	2100	INSTRUCTIONAL AIDES' SALARIES	3,415,573.00	3,458,554.00	234,784.00	3,693,338.00
	2200	CLASSIFIED SUPPORT SALARIES	6,293,838.00	6,337,990.74	127,618.71	6,465,609.45
	2300	CLASS SUPRVSRs' & ADMINS' SAL	1,241,344.00	1,260,474.00	81,555.00	1,342,029.00
	2400	CLERICAL & OFFICE SALARIES	4,204,793.00	4,237,387.06	19,330.32	4,256,717.38
	2900	OTHER CLASSIFIED SALARIES	456,527.00	464,039.00	19,845.00	483,884.00
	3101	STRS ON 1000 SALARIES	4,652,965.00	4,692,535.00	-72,465.00	4,620,070.00
	3102	STRS ON 2000 SALARIES	6,863.00	6,870.00	356.00	7,226.00
	3201	PERS ON 1000 SALARIES	17,187.00	17,409.00	27,887.00	45,296.00
	3202	PERS ON 2000 SALARIES	1,340,731.00	1,354,096.00	39,556.00	1,393,652.00
	3311	OASDI ON 1000 SALARIES	29,357.00	29,896.00	14,961.00	44,857.00
	3312	OASDI ON 2000 SALARIES	843,372.00	852,444.00	25,000.00	877,444.00
	3321	FICA-MED ON 1000 SALARIES	712,788.00	719,359.00	-10,563.00	708,796.00
	3322	FICA-MED ON 2000 SALARIES	209,238.00	211,254.40	6,692.00	217,946.40
	3331	ALTER. RETIREMENT ON 1000 SAL	.00	1,976.00	1,110.00	3,086.00
	3332	ALTER. RETIREMENT ON 2000 SAL	31,742.00	33,017.70	8,253.00	41,270.70
	3411	HEALTH & WELFARE ON 1000 SALS	7,675,311.00	7,702,950.00	-20,119.00	7,682,831.00
	3412	HEALTH & WELFARE ON 2000 SALS	3,030,281.00	3,054,959.00	142,984.00	3,197,943.00
	3501	STATE UNEMPLOY ON 1000 SALARY	28,246.00	28,571.00	-658.00	27,913.00
	3502	STATE UNEMPLOY ON 2000 SALARY	7,839.00	7,981.90	253.00	8,234.90
	3601	WORKER'S COMP INS ON 1000 SAL	1,524,713.00	1,539,011.00	-26,604.00	1,512,407.00
	3602	WORKER'S COMP INS ON 2000 SAL	422,611.00	426,623.00	11,392.00	438,015.00
	3711	H & W CURRENT RETIREES ON 1000	609,198.00	609,198.00	124,353.00	733,551.00
	3712	H & W CURRENT RETIREES ON 2000	381,449.00	381,449.00	157,523.00	538,972.00
	3801	PERS REDUCTION ON 1000 SALARY	7,339.00	7,339.00	3,213.00	10,552.00
	3802	PERS REDUCTION ON 2000 SALARY	438,373.00	448,455.00	-29,366.00	419,089.00
	3911	TAXABLE FRINGE BEN ON 1000 SAL	6,000.00	6,000.00	.00	6,000.00
	3912	TAXABLE FRINGE BEN ON 2000 SAL	4,000.00	4,000.00	2,480.00	6,480.00
	3999	BENEFIT PAYROLL ERRORS	.00	.00	.00	.00
	4100	TEXTBOOKS	1,001,556.00	1,089,424.00	-531.00	1,088,893.00
	4200	BOOKS OTHER THAN TEXTBOOKS	168,862.00	223,765.00	70,972.00	294,737.00
	4300	MATERIALS & SUPPLIES	5,669,002.00	8,978,754.65	938,102.26	9,916,856.91
	4400	NON-CAPITALIZED EQUIPMENT	426,879.00	1,368,536.00	110,612.00	1,479,148.00
	5200	TRAVEL & CONFERENCES	202,162.00	299,138.00	22,505.00	321,643.00
	5300	DUES & MEMBERSHIPS	32,283.00	48,841.00	1,925.00	50,766.00
	5400	INSURANCE	459,109.00	499,109.00	.00	499,109.00
	5500	OPERATIONS & HOUSEKEEPING SRVC	2,479,588.00	2,492,720.90	1,939.18	2,494,660.08
	5600	RENTS,LEASES,REPAIRS,IMPRVMTS	717,635.00	822,660.00	32,771.00	855,431.00
	5710	DIR COSTS FOR INTRPRG SERVICES	.00	.00	.00	.00
	5750	DIR COSTS FOR INTERFUND SVCS	.00	3,175.00	992.00	4,167.00
	5800	OTHER SVCS & OPER EXPENDITURES	3,025,225.00	3,952,065.00	96,100.00	4,048,165.00
	5900	INTERGOVERNMENTAL FEES	598,052.00	608,561.00	143.00	608,704.00
	6170	LAND IMPROVEMENTS	36,000.00	53,749.00	103,680.00	157,429.00
	6200	BLDGS & IMPROVEMENT OF BLDGS	1,518,371.00	773,590.00	89,116.00	862,706.00
	6400	EQUIPMENT	118,000.00	117,814.00	250,000.00	367,814.00
	6500	EQUIPMENT REPLACEMENT	2,500.00	2,500.00	.00	2,500.00

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 07

APPROVED			07/24/2006	11/01/2006	BUDGET	11/30/2006
FUND	OBJECT	DESCRIPTION	ADOPTED BUDGET	REVISED BUDGET	ADJUSTMENTS	REVISED BUDGET
01	7130	STATE SPECIAL SCHOOLS	40,000.00	40,000.00	.00	40,000.00
	7142	TUITION, EXCESS COSTS TO COE	303,609.00	303,609.00	.00	303,609.00
	7280	TRANS TO CHARTERS IN LIEU PROP	977,617.00	977,617.00	29,400.00	1,007,017.00
	7310	TRANSFERS OF INDIRECT COSTS	.00	.00	.00	.00
	7350	TRANS OF INDIRECT - INTERFUND	-200,724.00	-200,724.00	.00	-200,724.00
	7380	TRANSFERS OF DIR SUPP-INTERFND	-59,500.00	.00	.00	.00
	7438	DEBT SERVICE - INTEREST	17,561.00	17,561.00	.00	17,561.00
	7439	DEBT SERVICE - PRINCIPAL	90,777.00	133,761.00	-1,035.00	132,726.00
	7612	BETWEEN GEN FND & SP RSERVE FND	28,700.00	28,700.00	.00	28,700.00
	7613	ST SCH BLD FND OTH FND OF DIST	.00	472,051.00	.00	472,051.00
	7615	FROM GEN/SPC/BLDG TO DEF MAINT	561,716.00	677,116.00	.00	677,116.00
	7619	OTHER AUTH INTRFND TRANSFRS OUT	59,292.00	59,292.00	.00	59,292.00
TOTAL EXPENSE			112,343,102.00	118,754,189.35	1,777,254.47	120,531,443.82

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 07

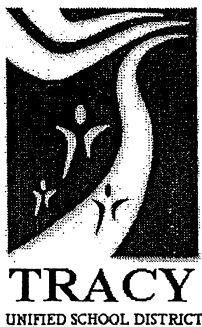
APPROVED			07/24/2006	11/01/2006	BUDGET	11/30/2006
FUND	OBJECT	DESCRIPTION	ADOPTED BUDGET	REVISED BUDGET	ADJUSTMENTS	REVISED BUDGET
01	8011	REVENUE LIMIT ST AID-CURR YEAR	65,397,936.00	65,397,936.00	-194,213.00	65,203,723.00
	8019	REVENUE LIMIT ST AID-PRIOR YRS	.00	.00	.00	.00
	8021	HOME OWNERS EXEMPTION	129,463.00	129,463.00	.00	129,463.00
	8040	COUNTY & DISTRICT TAXES	19,744,207.00	19,744,207.00	243,360.00	19,987,567.00
	8042	UNSECURED ROLL TAXES	658,702.00	658,702.00	.00	658,702.00
	8043	PRIOR YEARS' TAXES	59,656.00	59,656.00	.00	59,656.00
	8044	SUPPLEMENTAL TAXES	134,169.00	134,169.00	.00	134,169.00
	8045	ED REVENUE AUGMENT FUND (ERAF)	6,641,534.00	6,641,534.00	.00	6,641,534.00
	8091	REVENUE LIMIT TRANSFERS	1.00	1.00	.00	1.00
	8092	PERS REDUCTION TRANSFER	463,803.00	463,803.00	-21,686.00	442,117.00
	8181	SP ED-ENTITLEMENT	2,051,302.00	2,051,302.00	.00	2,051,302.00
	8182	SP ED-DISCRETIONARY GRANTS	255,850.00	255,850.00	.00	255,850.00
	8290	ALL OTHER FEDERAL REVENUES	1,678,512.00	2,077,593.00	52,732.00	2,130,325.00
	8311	OTH ST APPORTIONMENTS-CURR YR	1,569,968.00	1,826,214.00	.00	1,826,214.00
	8434	CLASS SIZE REDUCTION K-3	3,121,206.00	3,121,206.00	.00	3,121,206.00
	8550	MANDATED COST REIMBURSEMENTS	.00	.00	603,053.00	603,053.00
	8560	STATE LOTTERY REVENUE	2,172,388.00	2,201,060.00	.00	2,201,060.00
	8590	ALL OTHER STATE REVENUES	4,372,863.00	5,182,431.00	65,705.00	5,248,136.00
	8660	INTEREST	500,000.00	700,000.00	-100,000.00	600,000.00
	8675	TRANSPORTATION FEES FROM INDIV	55,000.00	55,000.00	.00	55,000.00
	8677	INTERAGENCY SVCS BETWEEN LEA'S	1,104,516.00	1,129,481.00	.00	1,129,481.00
	8689	ALL OTHER FEES & CONTRACTS	28,700.00	28,700.00	.00	28,700.00
	8699	ALL OTHER LOCAL REVENUES	1,635,073.00	1,936,427.35	20,427.47	1,956,854.82
	8792	TRANS OF APPORTION FROM CO OFF	3,464,525.00	3,464,856.00	.00	3,464,856.00
	8919	OTH AUTH INTERFUND TRANS IN	523,000.00	381,150.00	5,000.00	386,150.00
	8972	PROCEEDS FROM CAPITAL LEASES	.00	183,022.00	.00	183,022.00
	8980	CONTRIBUTE FROM UNRSTRCTD REV	.00	.00	.00	.00
	8990	CNTRIBUT/TRANS FRM RSTR/UNREST	.00	.00	.00	.00
TOTAL REVENUE			115,762,374.00	117,823,763.35	674,378.47	118,498,141.82

75 Tracy Jt. Unified School Dist.

Restricted and Unrestricted

FISCAL YR: 07

FUND	OBJECT	DESCRIPTION	BEGINNING BALANCE	11/01/2006 REVISED BALANCE	ADJUSTMENTS	11/30/2006 REVISED BALANCE
01	9770	DESIGNATED FOR ECON UNCERTAIN	-3,328,815.00	-3,328,815.00	.00	-3,328,815.00
	9780	OTHER DESIGNATIONS	.00	.00	.00	.00
	9790	UNDESIGNATED/UNAPPROPRIATED	-9,645,799.35	-5,296,101.35	1,102,876.00	-4,193,225.35
	9791	BEGINNING BALANCE	-9,791,342.35	-9,791,342.35	.00	-9,791,342.35
	9793	AUDIT ADJUSTMENTS	.00	.00	.00	.00
	9795	OTHER RESTATEMENTS	.00	.00	.00	.00
	9798	BUDGET FUND BALANCE OFFSET	13,210,614.35	8,860,916.35	-1,102,876.00	7,758,040.35
	9799	K12 NET GAIN OR LOSS	.00	930,426.00	1,102,876.00	2,033,302.00



BUSINESS SERVICES MEMORANDUM

To: Dr. James Franco, Superintendent

From: Dr. Casey Goodall, Assoc. Superintendent of Business Services

Date: December 1, 2006

Subject: Approve Revolving Cash Fund Reports (November, 2006)

Background: Each month the Financial Services Department submits summaries of revolving cash fund checks issued monthly to the Board of Trustees for review.

Rationale: The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #6 – Forming Partnerships.

Funding: N/A.

Recommendation: Approve Revolving Cash Fund Reports (November, 2006).

Prepared by: S. Reed Call, Director of Financial Services

Tracy Unified School District
REVOLVING CASH FUND
November 2006

Date	Num	Name	Memo	Paid Amount
11/2/2006	7832	FREDRIC H JONES & ASSOCIATES I...	YEOMAN/NOV 11/CONF	
			01-6275-0-1110-1000-5200-130-3104	-325.00
			KATRINA CARVALHO	-325.00
TOTAL				-650.00
11/2/2006	7833	FREDRIC H JONES & ASSOCIATES I...	JACOBS/NOV 6/CONF FEE	
			01-6275-0-1110-1000-5200-130-3104	-325.00
			NANCY LINK	-325.00
TOTAL				-650.00
11/2/2006	7834	IMPACT DESIGNS	SHIRTS	
			01-7395-0-1110-1000-4300-190-3904	-557.82
TOTAL				-557.82
11/3/2006	7835	CENTRAL REGION CATA	MADDUX/NOV 17/CONF	
			01-7010-0-1110-1000-5200-600-6114	-110.00
			PAT ROONEY	-105.00
TOTAL				-215.00
11/3/2006	7836	CACHE CREEK CASINO RESORT	MADDAX/NOV 17/HOTEL 2R	
			01-7010-0-1110-1000-5200-600-6114	-358.20
TOTAL				-358.20
11/3/2006	7837	BORENSON & ASSOCIATES	VOID: HORNSBY/NOV 7/CONF FEE	
TOTAL				0.00
11/6/2006	7838	TEHAMA COUNTY DEPT OF EDUCAT...	HAND/NOV 8/CONF FEE	
			01-7392-0-1110-2100-5200-800-1942	-75.00
TOTAL				-75.00
11/7/2006	7839	CITY OF TRACY	FACILITY RENT NOV 14 PO71973	
			01-6405-0-1110-2100-5600-800-2208	-250.00
TOTAL				-250.00
11/15/2006	7840	CARLA BOEHMER	VOID: PAYROLL	
TOTAL				0.00
11/15/2006	7841	COMP USA		
			01-7395-0-1110-1000-4300-430-3704	-134.30
TOTAL				-134.30

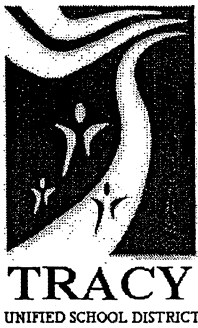
Tracy Unified School District REVOLVING CASH FUND

November 2006

Date	Num	Name	Memo	Paid Amount
11/15/2006	7842	CARLA BOEHMER	PAYROLL	
			01-7271-0-1110-2100-1900-800-8116	-387.05
TOTAL				-387.05
11/16/2006	7843	INTERNATIONAL BACCALAUREATE	SUPPLIES/EXAMS	
			01-4230-0-1110-1000-4300-600-2744	-894.00
TOTAL				-894.00
11/16/2006	7844	CENTRAL REGION CATA	Hepner/Moss 11/17&18/06 Conference	
			01-7010-0-1110-1000-5200-700-6512	-180.00
TOTAL				-180.00
11/16/2006	7845	CACHE CREEK CASINO RESORT	Hepner/Moss 11/17&18/06 Conference	
			01-7010-0-1110-1000-5200-700-6512	-360.00
TOTAL				-360.00
11/17/2006	7846	BUREAU OF EDUCATION RESEARCH	Bryan Chan 11/20/06 Conference	
			01-3010-0-1110-1000-5200-310-5204	-185.00
TOTAL				-185.00
11/20/2006	7847	SIAM CAFE	NOV 28 DINNER PO70296	
			01-0000-0-0000-7110-4300-800-1101	-87.50
TOTAL				-87.50
11/21/2006	7848	ARTHUR FLORE JR	DIFFERENTIAL PAY	
			01-7240-0-5001-3600-2200-806-9702	-218.71
			01-7230-0-0000-3600-2200-806-9702	-218.70
TOTAL				-437.41
11/21/2006	7849	AMERICAN FOOD SAFETY INSTITUTE	KRAUSE/NOV 27/CONF FEE	
			13-5310-0-0000-3700-5200-800-9802	-139.00
TOTAL				-139.00
11/22/2006	7850	CASBO	GOODALL/DEC 11/CONF	
			01-0000-0-0000-7300-5200-800-9202	-210.00
			REED CALL	-210.00
			JILL CARTER	-210.00
TOTAL				-630.00
11/22/2006	7851	CASH	BELL/DEC 5/CONF FEE	
			01-0000-0-0000-7200-5220-911-7250	-216.00
			BONNY CARTER	-216.00
TOTAL				-432.00

Tracy Unified School District
REVOLVING CASH FUND
November 2006

Date	Num	Name	Memo	Paid Amount
11/27/2006	7852	DIANE SOUZA	PAYROLL REFUND	
			11-6390-0-4150-2700-2400-569-2882	-37.50
			01-6285-0-1810-2700-2400-809-2826	-12.50
TOTAL				-50.00
11/29/2006	7853	COLLEGE BOARD WRO	COLLINS/DEC 2/CONF FEE	
			01-0000-0-1110-1000-5200-700-6752	-175.00
TOTAL				-175.00
11/29/2006	7854	C.E.E.A.	MORAES/DEC 5/CONF FEE	
			01-7090-0-1110-1000-5200-700-6504	-185.00
TOTAL				-185.00
11/29/2006	7855	LARRY BELL, MULTICULTURAL AME...	HILL/DEC 12/CONF FEE	
			01-0000-0-1110-1000-5200-100-3013	-595.00
TOTAL				-595.00
11/30/2006	7856	KEEP'EM IN STITCHES	SHIRTS	
			01-6405-0-1110-2100-4300-800-2208	-251.54
TOTAL				-251.54
11/30/2006	7857	KRAGEN AUTO	PO 72215 JACKS	
			01-8150-0-0000-8110-4300-800-9402	-245.67
TOTAL				-245.67
11/30/2006	7858	CMC-ASILOMAR	WITTKOWSKE/DEC 1/CONF	
			01-7395-0-1110-1000-5200-190-3904	-140.00
TOTAL				-140.00
11/30/2006	7859	CMC-ASILOMAR	WITTKOWSKE/DEC 1/HOUSING	
			01-7395-0-1110-1000-5200-190-3904	-210.00
TOTAL				-210.00



BUSINESS SERVICES MEMORANDUM

To: Dr. James Franco, Superintendent

From: Dr. Casey Goodall, Assoc. Superintendent of Business Services

Date: December 1, 2006

Subject: Approve Accounts Payable Warrants (November, 2006)

Background: Each month the Financial Services Department submits summaries of warrants issued monthly to the Board of Trustees for review.

Rationale: The Board of Trustees is required by law to approve the total expenditures of the district. The Board has requested to review detailed backup for expenditures. This agenda item meets Strategic Goal #6 – Forming Partnerships.

Funding: N/A.

Recommendation: Approve Accounts Payable Warrants (November, 2006).

Prepared by: S. Reed Call, Director of Financial Services



BUSINESS SERVICES MEMORANDUM

To: James C. Franco, Superintendent

From: C. Goodall, Assistant Superintendent for Business

Date: December 1, 2006

Subject: Accept the Annual Report on the Collection and Expenditure of Development Fees for Fiscal Year 2005/06

BACKGROUND: Effective January 1, 1997, SB 1693 amended the Government Code to add additional reporting requirements regarding development fees which are assessed on new development to mitigate the impact of that development on school facilities.

RATIONALE: The attached reports reflect the status of Development Fee funds in accordance with SB 1693.

Although it appears that mitigation payments are exempt from the annual reporting requirements of GC 66006(b)(1), since they are special taxes and not a "fee", they are included in the report in order to show a complete picture.

This agenda item supports Strategic Goal #8-*Provide Modern and Safe Facilities*.

FUNDING: Fund 25-9019: Developer Fees, Fund 25-9011: Mitigation, Fund 25-9012 Mountain House Mitigation.

TIMING: The report must be presented to the Board within 180 days of the close of the fiscal year.

RECOMMENDATIONS: Accept the Annual Report on the Collection and Expenditure of Development Fees for Fiscal Year 2005/06

Prepared by: Denise Wakefield, Director of Facilities, Construction, and Planning and Bonny Carter, Facilities Accountant/Analyst

**Tracy Joint Unified School District
Mitigation Fund
25-9011**

Beginning Balance	\$ 33,087,000.35
Revenue	
Fees Collected	\$ 2,942,007.00
Interest Earned/Misc.	1,381,485.97
	<hr/>
Total Revenue	\$ 4,323,492.97
Expenditures	
Building Improvements	
New Construction	
George Kelly School	\$ 160,000.00
North School Expansion	(650,000.00)
Kimball High School	1,750,000.00
Tracy Learning Center F&E	7,960.34
Relocatables	
South Trailer Demolition	20,876.00
Clover Restroom	69,503.18
State Relocatables	
Clover School	500,000.00
Bohn School	115,000.00
Jacobson School	98,500.00
Monte Vista Middle School	353,519.00
	<hr/>
Total Expenditures	\$ 2,425,358.52
Ending Fund Balance	<u>\$ 34,985,134.80</u>

**Tracy Joint Unified School District
Developer Fee Fund
25-9019**

Beginning Balance	\$	1,177,040.11
Revenue		
Fees Collected		1,085,918.57
Interest Earned/Misc.		38,781.26
		<hr/>
Total Revenue	\$	1,124,699.83
Expenditures		
Building Improvements		
Relocatables		
Jacobson Move to WHS	\$	44,931.13
State Relocatables		
Freiler School		118,809.00
Hirsch School		107,000.00
Williams Middle School		309,028.00
Tracy High School		(37,800.00)
West High School		403,171.00
Rents		313,668.24
		<hr/>
Total Expenditures	\$	1,258,807.37
Ending Fund Balance	\$	<u>1,042,932.57</u>

**Tracy Joint Unified School District
Mountain House Fund
25-9012**

Beginning Balance	\$	5,057,075.55
Revenue		
Fees Collected	\$	3,161,372.68
Interest Earned/Misc.		496,112.83
		<hr/>
Total Revenue	\$	3,657,485.51
Expenditures		
Building Improvements		
State Relocatables		
West High School		
Rents		6,000.00
Administrative		
		<hr/>
Total Expenditures	\$	6,000.00
Ending Fund Balance	\$	<u><u>8,708,561.06</u></u>

**Tracy Unified School District
Summary of Cash Flow
Facilities Planning
(2006 \$'s)**

Sources of Cash	2006/07	2007/08	2008/09	2009/10	2010/11	TOTAL
Developer Fees (9019)	\$ 764,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 50,000	\$ 964,000
Mitigation Fees	\$ 3,859,878	\$ 1,299,699	\$ 393,542	\$ -	\$ -	\$ 5,553,119
Redevelopment	\$ 334,915	\$ 368,407	\$ 405,247	\$ 445,772	\$ 490,349	\$ 2,044,690
State Bond Proceeds	\$ 961,650	\$ 13,600,000	\$ 23,390,000	\$ -	\$ -	\$ 37,951,650
Local Bond Proceeds	\$ 14,000,000	\$ 12,000,000	\$ 12,000,000	\$ -	\$ 13,000,000	\$ 51,000,000
Misc. Revenue	\$ 138,900	\$ 138,900	\$ 126,287	\$ 25,500	\$ 25,500	\$ 455,087
General Fund	\$ 1,205,146	\$ 913,400	\$ 800,000	\$ 800,000	\$ 800,000	\$ 4,518,546
Total Sources	\$ 21,264,489	\$ 28,370,406	\$ 37,165,076	\$ 1,321,272	\$ 14,365,849	\$ 102,487,092

Uses of Cash

Capital Project Expd	\$ 9,579,827	\$ 23,000,000	\$ 23,000,000	\$ -	\$ -	\$ 55,579,827
Capital Bond Project Expd	\$ 11,453,144	\$ 19,904,670	\$ 13,860,490	\$ -	\$ -	\$ 45,218,304
Modernization Expd	\$ 802,609	\$ 1,332,100	\$ 14,976,744	\$ 9,860,243		\$ 26,971,696
Portable Lease Expd	\$ 2,502,383	\$ 17,089	\$ 17,943	\$ 18,840	\$ 19,782	\$ 2,576,037
Administration/Misc.	\$ 2,637,537	\$ 1,954,031	\$ 1,888,524	\$ 1,853,112	\$ 1,923,781	\$ 10,256,985
Total Uses	\$ 26,975,500	\$ 46,207,890	\$ 53,743,701	\$ 11,732,195	\$ 1,943,563	\$ 140,602,849

NET CASH FLOW	\$ (5,711,011)	\$ (17,837,484)	\$ (16,578,625)	\$ (10,410,923)	\$ 12,422,286	\$ (38,115,757)
----------------------	-----------------------	------------------------	------------------------	------------------------	----------------------	------------------------

*Beginning Balance	\$ 38,572,396	\$ 32,861,385	\$ 15,023,901	\$ (1,554,724)	\$ (11,965,647)	\$ 456,639
Ending Balance	\$ 32,861,385	\$ 15,023,901	\$ (1,554,724)	\$ (11,965,647)	\$ 456,639	\$ 456,639

State Bond Revenue	2006/07	2007/08	2008/09	2009/10	2010/11	TOTAL
New Construction						
Kimball High School			\$ 15,800,000			\$ 15,800,000
Tracy High School	\$ 290,000	\$ 11,638,000				\$ 11,928,000
West High School Pool		\$ 712,000				\$ 712,000
West High School Theater		\$ 1,000,000				\$ 1,000,000
THS Demolition		\$ 250,000				\$ 250,000
Science Classrooms	\$ 322,000					\$ 322,000
Reimb. State Classrooms	\$ 349,650					\$ 349,650
Modernizations						\$ -
Tracy High School			\$ 7,590,000			\$ 7,590,000
Monte Vista Middle						\$ -
Total State Bond Revenue	\$ 961,650	\$ 13,600,000	\$ 23,390,000	\$ -	\$ -	\$ 37,951,650

Local Bond Revenue	2006/07	2007/08	2008/09	2009/10	2010/11	TOTAL
Total Local Bond Revenue	\$ 14,000,000	\$ 12,000,000	\$ 12,000,000		\$ 13,000,000	\$ 51,000,000

* Includes c/o balances from unrestricted gen fund & redevelopment

**Tracy Unified School District
Summary of Projected Capital Projects
(2006 \$'s)
TUSD District Facilities**

PROJECTS	2006/07	2007/08	2008/09	2009/10	2010/11	TOTAL
New Construction						\$ -
George Kelly	\$ 16,585					\$ 16,585
Kimball High School	\$ 6,605,604	\$ 23,000,000	\$ 23,000,000			\$ 52,605,604
Clover (Charter)	\$ 1,500,000					\$ 1,500,000
North K-8 Clsrm Additions	\$ 143,503					\$ 143,503
THS Relo Classroom	\$ 581,010					\$ 581,010
Science Classrooms	\$ 733,125					\$ 733,125
NEW CONSTRUCTION	\$ 9,579,827	\$ 23,000,000	\$ 23,000,000	\$ -	\$ -	\$ 55,579,827
Tracy High School Demo	\$ 561,923	\$ -				\$ 561,923
Tracy High School New West Bldg	\$ 2,164,845	\$ 13,418,797	\$ 13,860,490			\$ 29,444,132
West High School Stadium	\$ 5,196,694	\$ -				\$ 5,196,694
West High School Pool	\$ 3,273,451	\$ 947,075				\$ 4,220,526
West High School Theater	\$ 256,231	\$ 3,243,769				\$ 3,500,000
Contingency/Administration		\$ 2,295,029				\$ 2,295,029
NEW CONSTRUCTION BONDS	\$ 11,453,144	\$ 19,904,670	\$ 13,860,490	\$ -	\$ -	\$ 45,218,304
TOTAL NEW CONSTRUCTION	\$ 21,032,971	\$ 42,904,670	\$ 36,860,490	\$ -	\$ -	\$ 100,798,131
Modernizations						\$ -
Tracy High School	\$ 802,609	\$ 1,332,100	\$ 14,976,744	\$ 9,860,243		\$ 26,971,696
TOTAL MODERNIZATION	\$ 802,609	\$ 1,332,100	\$ 14,976,744	\$ 9,860,243	\$ -	\$ 26,971,696
Other Capital Projects						\$ -
Interim Housing - Site Work	\$ 678,126					\$ 678,126
State Relocatables/Private Rental	\$ 1,824,257	\$ 17,089	\$ 17,943	\$ 18,840	\$ 19,782	\$ 1,897,911
Misc Projects/Administrative	\$ 340,050	\$ 533,324	\$ 556,990	\$ 581,840	\$ 607,932	\$ 2,620,136
Redevelopment (restricted)/Equal	\$ 2,297,487	\$ 1,420,707	\$ 1,331,534	\$ 1,271,272	\$ 1,315,849	\$ 7,636,849
TOTAL OTHER CAP. PROJ.	\$ 5,139,920	\$ 1,971,120	\$ 1,906,467	\$ 1,871,952	\$ 1,943,563	\$ 12,833,022
TOTAL CAPITAL PROJECTS	26,975,500	46,207,890	53,743,701	11,732,195	1,943,563	\$ 140,602,849



BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent

From: C. Goodall, Assistant Superintendent for Business

Date: December 4, 2006

SUBJECT: Acknowledge Report on Heating, Ventilation, and Air Conditioning Maintenance for November 2006

Background: Tracy Unified School District has a goal of maintaining 98% of all HVAC units operating, and of those units which are not operational, to be repaired within 24 hours. On October 10th, the board authorized \$150,000 to initiate a Heating, Ventilation, Air Conditioning Preventive Maintenance Program. Interviews to hire the temporary employees were conducted on December 4th.

The attached data shows the efforts of district staff to meet the stated goals.

HVAC Goal 1: On which days in October were 98% of all HVAC units operational?

Yes: The attached graph, entitled 98% Goal Trend, shows that the goal was achieved for every day in October. A level of at least 99.06 was achieved for each date school was in session.

HVAC Goal 2: Were all inoperable units repaired within 24 hours?

No: The supplementary attached sheet, entitled HVAC Units Out of Operation is a snap shot of which HVAC units were not operational on October 30, 2006. This sheet also encompasses the data to answer the question testing HVAC goal 2.

Two classroom units have been inoperable for greater than 24 hours at McKinley Elementary School. These units provide heat, but do not cool. They are scheduled for replacement during the month of December.

One Unit was inoperable for greater than 24 hours at South School. This unit provides heat, but does not cool, and is scheduled for replacement during the month of December.

One unit has been inoperable for greater than 24 hours at Williams Middle School, heating strips are keeping the room warm. The unit is scheduled to be repaired in early December.

One unit at West High School Administration office is operable, but placement of the thermostat leads to uncomfortable temperatures in many of the rooms. This will be addressed in the EMS change-out.

Another unit in the West High School MS building was set to begin heating too late in the day. The clock has been changed to begin heating earlier in the day. Temperatures are being monitored to see if the problem has been corrected.

Four Swamp Coolers are being added to the Transportation Shop to allow for additional cooling. Installation is scheduled to be completed during the month of December.

Subsidiary Data 1: Were 75 HVAC filters replaced each day?

No: The attached graph, entitled Filters Changed Per Day, shows that the goal was not achieved on 12 of 19 work days in November. In response to information gained during the month of October, the crew was pulled from cleaning coils to ensure they remained on task replacing filters. Yet, fewer days in November met the goal than in October.

The supplementary attached data sheet, entitled Filters Changed (Data) Per Day, shows that one man-day was lost due to illness, 3 man-days to vacation, approximately 2 man days were lost to meetings to resolve issues, and another 2 days were lost to receiving and inventorying filters. [Note: because there are 47 different sized filters, and because they are stored in Conex boxes, storing and inventorying filters takes longer than desired, but is critical to be able to pull the appropriate filter for each unit.] The decrease in productivity will be reviewed during the month of December.

Subsidiary Data 2: Was Preventive Maintenance performed on 15 HVAC units each day?

No: the two member crew has not yet been officially formed. Interviews were conducted on December 4, 2006. Two temporary crew members began work on October 11th, and have been working as other work permits. The number of daily units maintained by the two member crew has never exceeded 10. The units have received no preventive maintenance for approximately ten years. It is thought subsequent work will progress more rapidly once each unit has received preventive maintenance the first time. It was stated last month that, if the crew completes six units per day, the 1060 units would be completed in 176 days. The crew has not been averaging 6 units per day.

To date, Bohn, Poet-Christian, Delta Island, McKinley, Williams, Villalovoz, Willow @ Duncan Russell, & West Park schools are complete. South School is partially complete.

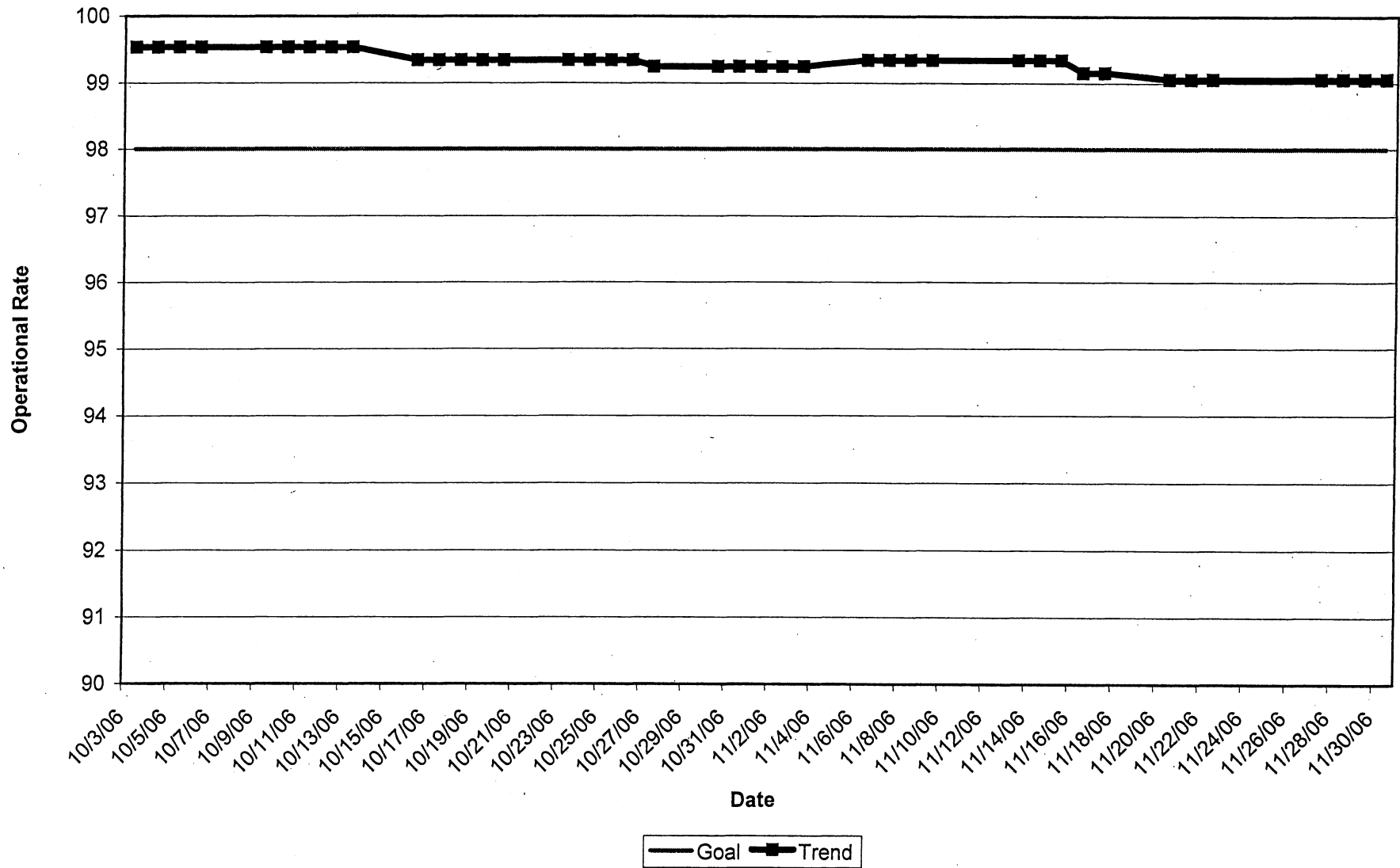
Rationale: The following proposed grounds staffing plans address the issues requested by the Board of Trustees:

Funding: This agenda item is informational only.

Recommendation: Acknowledge Report on Heating, Ventilation, and Air Conditioning Maintenance for October 2006

Prepared by: Casey Goodall, Associate Superintendent for Business Services, and Bill Willner, Director of Building Maintenance

98% Goal Trend



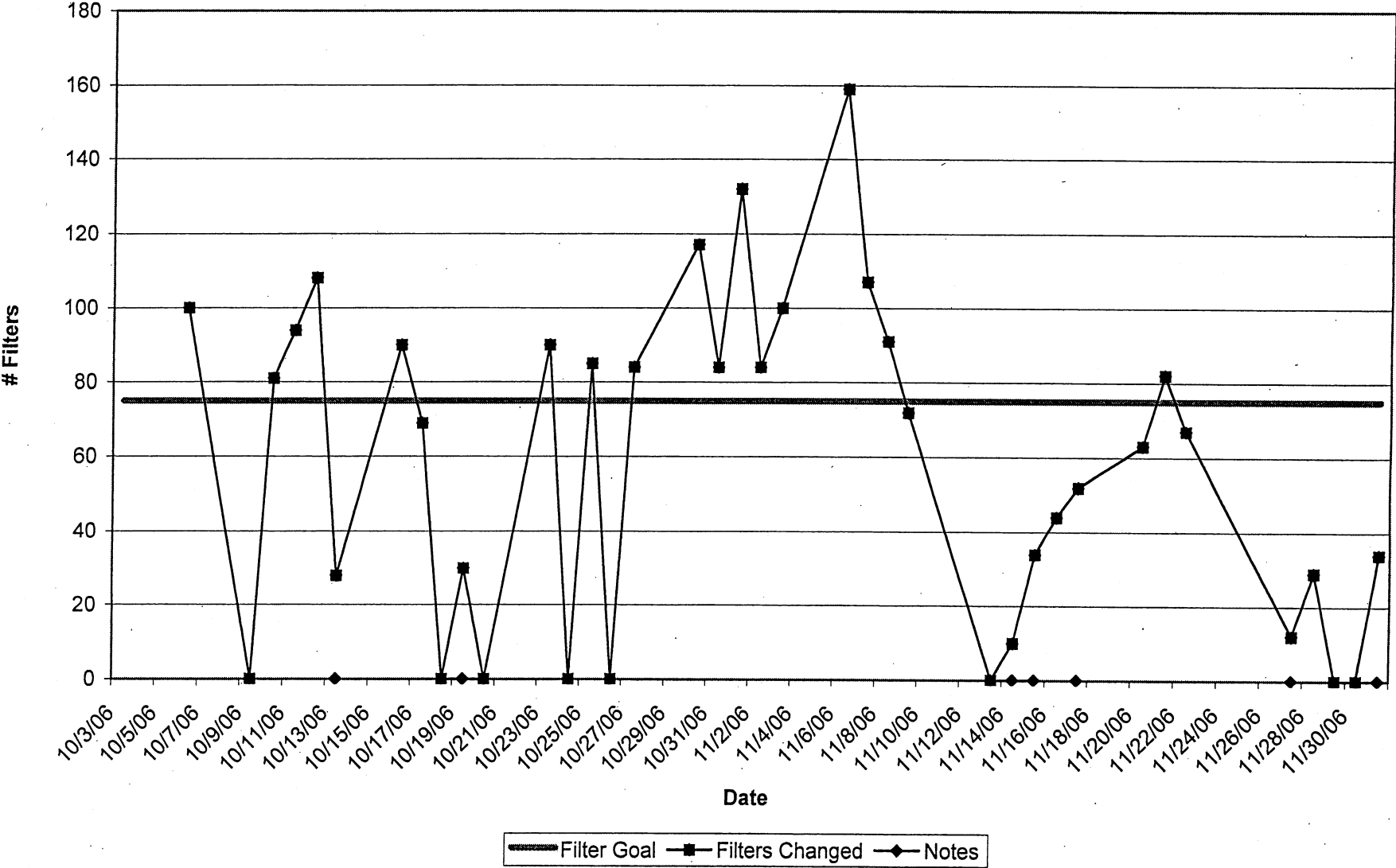
HVAC Units Out of Operation

Date:	30-Nov-06								
Site	# Units Installed	Units Down	Date Unit Reported Out of Operation	Time Unit Reported Out of Operation	Estimated Repair Date	Reason Unit Out of Operation/Status	Parts Ordered? PO#	Status	Notes
K-5 Sites									
Bohn	31								
Central	32								
Hirsch	39								
Jacobson	39								
McKinley	33	19	16-Oct-06			8-Dec-06 19 - Compressor Out Oct 16.	Replace Unit 19.		Unit heating, but not cooling.
		15	27-Oct-06			8-Dec-06 15 - Compressor Out Oct 27.	Replace Unit 15.		Unit heating, but not cooling.
South/West Park	65	19	16-Oct-06			8-Dec-06 19 - Compressor Out Oct 16.	Replace Unit 19		Unit heating, but not cooling.
Villalovoz	39								
K-8 Sites									
Delta Island	16								
Freiler	50								
Kelly	46								
North	38								
Poet Christian	37								
6-8 Sites									
Monte Vista	53								
Williams	76	1	11/20/2006			12/1/2006 Replace compressor. Heating strips keeping room warm.			
9-12 Sites									
Tracy High School	123								
West High School	170	1	16-Nov-06			12-Jan-07 Admin. Thermostat movement reqd during EMS changeout			
		1	16-Nov-06			4-Dec-06 MS Bldg. Change clock to start heat earlier.			
IGCG	26								
George Stein/DR	29								
Duncan Russell/Willow	10								
Other									
Tracy Adult School	8								
DEC	33								
ISET/IMC	10								
Transportation Portable	1								
Transportation/Maintenan	5	SWMP 1	1-Jul-06			8-Dec-06 Additional Swamp Coolers not yet installed			Units heating, but not cooling
		SWMP 2	1-Jul-06			8-Dec-06 Additional Swamp Coolers not yet installed			Units heating, but not cooling
		SWMP 3	1-Jul-06			8-Dec-06 Additional Swamp Coolers not yet installed			Units heating, but not cooling
		SWMP 4	1-Jul-06			8-Dec-06 Additional Swamp Coolers not yet installed			Units heating, but not cooling
Delta College	7								
Clover/TLC	44								
Total Units Installed*	1080								
Total Units Out of Operation		10							
Percent of Units Operations		99.06%							

Note: Total Units Installed does not count split systems in all Tech Data rooms throughout the district, window air conditioners, boilers, pumps, water heaters, and zoning controls & components, dampers, bypass dampers, fire dampers and several other related components. List will be updated with new information.

Examples: Hawley Westlake has 1 boiler, 1 pump, 28 zones with hydronic water coils for re-heat of each area independently. Wood shop/crafts area has 4 induct Reznor heaters for re-heat. Driver's Ed has 1 induct Reznor independent re-heat of office. Theater has 4 induct Reznor heaters for back stage, main stage and lobby.

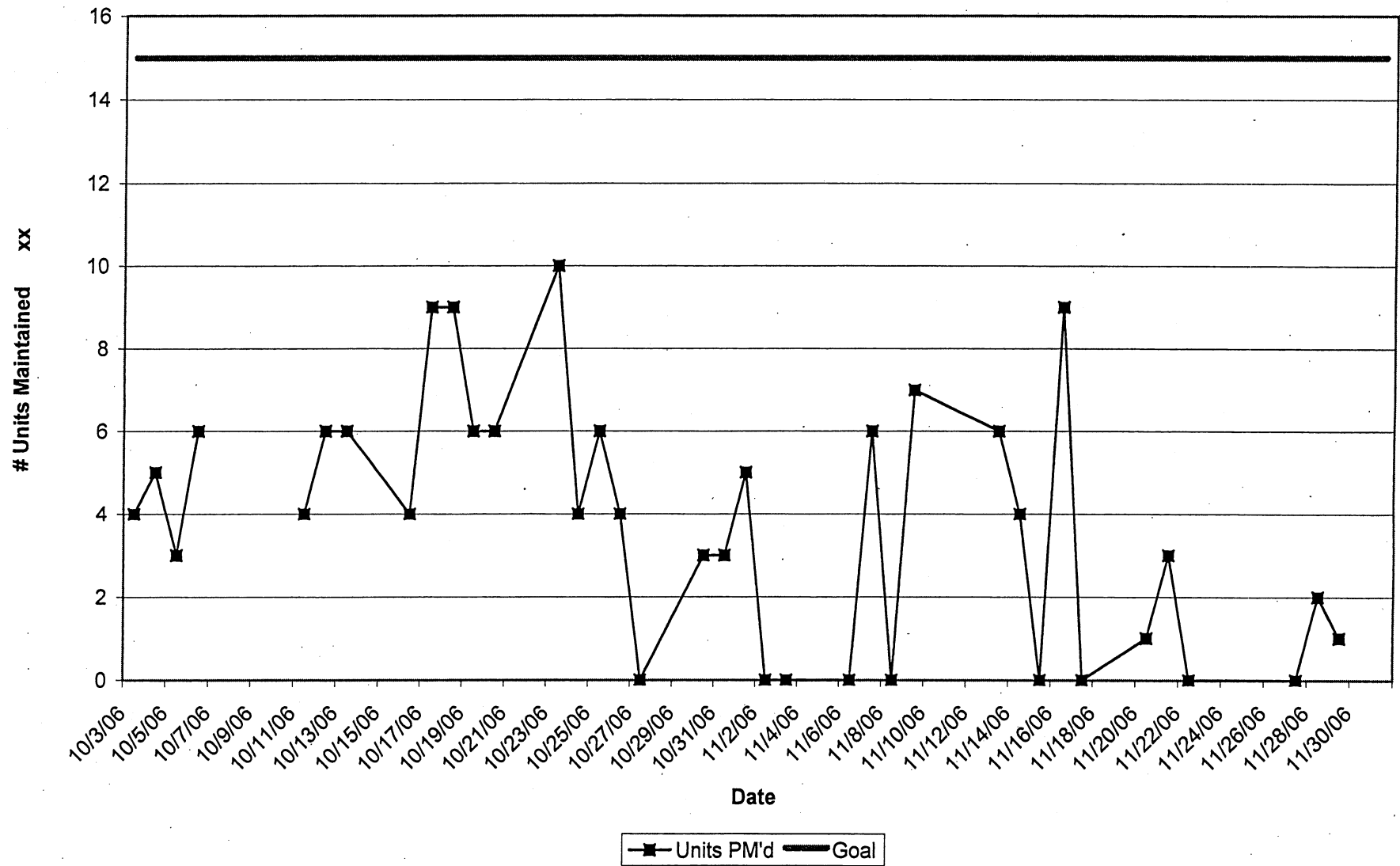
Filters Changed Per Day

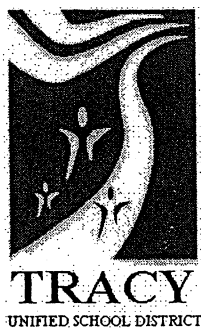


Filters Changed (Data) Per Day

Date	Day	Goal	Trend	PM Goal	Units	PM'd	Filter Goal	Filters Changed	Notes
1-Nov-06	Wednesday	98	99.25	15	5		75	132	
2-Nov-06	Thursday	98	99.25	15	0		75	84	
3-Nov-06	Friday	98	99.25	15	0	John out	75	100	
6-Nov-06	Monday	98	99.34	15	0		75	159	
7-Nov-06	Tuesday	98	99.34	15	6		75	107	
8-Nov-06	Wednesday	98	99.34	15	0		75	91	
9-Nov-06	Thursday	98	99.34	15	7		75	72	
13-Nov-06	Monday	98	99.34	15	6	Gary out training. John to get new trailer	75	0	Chris sick. Rick on vacation
14-Nov-06	Tuesday	98	99.34	15	4	Gary out training	75	10	Rick on vacation, helped John Rodarte
15-Nov-06	Wednesday	98	99.34	15	0	Gary out. John PNL	75	34	Rick on vacation.
16-Nov-06	Thursday	98	99.15	15	9		75	44	
17-Nov-06	Friday	98	99.15	15	0	Gary CSEA Negotiations. Truck broken. Load tools.	75	52	Meeting w/ Bill Willner
20-Nov-06	Monday	98	99.06	15	1		75	63	
21-Nov-06	Tuesday	98	99.06	15	3	Cleaned 6 units	75	82	
22-Nov-06	Wednesday	98	99.06	15	0	No crew available	75	67	
27-Nov-06	Monday	98	99.06	15	0	Vacation	75	12	Filter delivery & mtg w/ Bill Willner
28-Nov-06	Tuesday	98	99.06	15	2	meeting until lunch	75	29	
29-Nov-06	Wednesday	98	99.06	15	1	Gary sick. John helped Cornell fix broken unit	75	0	AC training. Pulled and inventoried filters
30-Nov-06	Thursday	98	99.06	15		Gary negotiations	75	0	Inventory of filters


Units PM'd October 2006





BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent

From:  C. Goodall, Assistant Superintendent for Business

Date: December 5, 2006

SUBJECT: Authorize Associate Superintendent for Business Services to Enter into Agreement to Dispose of Damaged, Obsolete and Surplus Furniture, Computers and Equipment.

BACKGROUND: District policy currently dictates that the disposal of equipment must meet the following conditions before a surplus is declared:

1) "Materials accumulated which have no further value to the program of the school district, from time to time, be disposed of in such a manner to provide maximum benefit to the school district." BP 3316

2) If the district is unable to use the equipment, an assessment must be made to determine which category the equipment falls under:

- Equipment about to be replaced
- Equipment beyond economic repair
- Obsolete due to changes in material make up (technology)
- Salvage and scrap
- Rubbish

3) The next step would be to sell the item for cash through the following steps:

a) "Ed Code 39520 requires the district to sell any personal property belonging to the district if the property is not required for school purposes, or if it should be disposed of for the purpose or replacement, or if it is

unsatisfactory or not suitable for school use". A notice of sale would then be posted in a public place.

Or

The district can sell the equipment through an auction sale. In either case, the district reserves the right to award to the highest responsible bidder, or reject all bids.

b) If the district fails to receive a qualified bid, a private sale without advertising can take place. The Board will need to reach a unanimous decision on whether the equipment met the criteria of "not exceeds value of \$2,500".

c) If the value of the equipment is insufficient to defray cost of sale (Ed Code 39521), the district can arrange for the disposal of the equipment in a local public disposal site.

The Tracy Unified School District Director of Materials Management has declared the surplus on the damaged, obsolete and surplus furniture, computers and equipment due to the fact the inventory has been replaced with newer, more modern and structurally safe inventory. The inventory has a negative value or at best, a break-even value.

The main concerns of district staff is that we are able to eliminate warranty issues for future use of these items, we reduce or eliminate hazardous waste from hitting our landfills and lastly, if we can help out others with our items, then we utilize companies that fulfill our requirements while helping out the environment and others who are less fortunate.

When disposing of damaged, obsolete & surplus furniture and equipment, bidding for this service is not required. Yet, to ensure district assets and tax dollars are used appropriately, the district contacted several vendors, including Tracy Delta Disposal, for their respective prices and Off Lease Clearing House, CEW CORP, Universal Waste Management, Inc., California Electronic Recovery and IT Source were the lowest for the electronic waste.

The bulk of our surplus items will be processed under a proposed agreement from Off Lease Clearing House, CEW CORP, Universal Waste Management, Inc., California Electronic Recovery and IT Source, all which programs that outlines salvaging plans that includes pick-up of obsolete items, they assume ownership of items, the associated warranty responsibility and the costs incurred for the disposal of toxic products as stated by law. The over all value of the inventory is negative or at best negligible as has been determined by the District. The inventory will have the drives wiped clean of information and then, if possible be resold or if not in sellable condition, then

be consumed for its parts and reused through reselling channels, or lastly, after disassembly of items, will be sold to recyclers. Off Lease Clearing House, CEW CORP, Universal Waste Management, Inc., California Electronic Recovery and IT Source provides a Certificate of Recycling and Destruction to ensure the district is safe from any hazardous materials disposal liability and guards our safety against any internal information being accessed after it is declared surplus. The District has no financial history in doing business with CEW CORP, Universal Waste Management, Inc. and IT Source, but utilized the services of Off Lease Clearing House in previous years.

RATIONALE: "Property for which no qualified bid has been received may be sold, without further advertising, by the Superintendent or designee."
(Education Code 39521)

As advised by District counsel, surplus equipment and furniture should not be sold to the public unless the District is able to certify that equipment is safe. In addition, surplus should only be sold to those whom can take title of the equipment and warrant safety through certification. The vendor, Off Lease Clearing House, provides a warranty on parts before donation or resale exchange takes place and provides a recycling program for all items that are toxic and not reused. Liability exposure to district is eliminated.

FUNDING: The labor time to palletize and load items.

RECOMMENDATION: Authorize Associate Superintendent for Business Services to Enter into Agreement to Dispose of Damaged, Obsolete and Surplus Furniture, Computers and Equipment through Direct Sale to Vendor in Lieu of Disposal Expenses.

Prepared by Gary M. Jayne, Director of Materials Management

0	Trailer	4ZEHH1015W1115113	G	1998	1006729	Load
19	Trailer	17XFE1219Y1004463	M	2000	953757	Texas Bragg
16	Van	1FDKE37G4KHA66310	O	1989	204925	Ford
7	Box Van	1FDKE37G6PHA57549	M	1993	41480	Ford
3	Trailer	4PSUE1020VL010238	T	1997	326290	A-Z

Transportation

193	Monitors
122	Computers
44	Printers
12	TVs
1	Fax
60	O/H projectors
11	VCRs
14	Power supplies
3	Copiers
2	Video Camera
8	Telephones (boxes)
33	Cords, keyboards & speakers (boxes)
11	Teacher desks
11	Adult chairs
6	File cabinets
214	Student chairs
5	Radio
1	Vacuum
3	Adding Machine
12	Typewriters
75	Phone routers
3	Micro wave ovens
1	Safe
2	Small Refrigerator
TOTAL	

DEC Warehouse Surplus List 12/4/06

ITEM



BUSINESS SERVICES MEMORANDUM

To: James Franco, Superintendent
From: C. Goodall, Assistant Superintendent for Business
Date: December 5, 2006

SUBJECT: Authorize Assistant Superintendent for Business Services to Enter Into Agreement with School Services of California to Review Budget Documents in Preparation of 2007-08 Budget Approval

BACKGROUND: On December 12, 2006, the Board will be asked to certify the First Interim Budget Report which, when taken in conjunction with possible salary settlements being negotiated with all bargaining groups, will indicate budget reductions may be necessary in the 2007-08 school year in order to meet all district financial obligations.

RATIONALE: School Services of California is professionally and specially trained and competent to review budget development assumptions, calculations, and documents to ensure the budget reflects revenues and expenditures as precisely as possible. A review by a group of outside experts will allow the district to review all budgeting assumptions and procedures, uses of categorical funding, exploration of additional or different funding opportunities, and take advantage of best budgeting practices throughout California. This review will ensure the District is using all resources as effectively as possible.

FUNDING: The cost of budget review is not expected to exceed \$4,000.

RECOMMENDATION: Authorize Assistant Superintendent for Business Services to Enter Into Agreement with School Services of California to Review Budget Documents in Preparation of 2007-08 Budget Approval



EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. Jim Franco, Superintendent
FROM: ~~Dr. Sheila Harrison~~, Assistant Superintendent of Educational Services
DATE: December 1, 2006
SUBJECT: Approve Camfel Productions Presentation of "Commitment to Excellence" at Art Freiler School on April 19, 2007

BACKGROUND: The multi-media company was founded in 1972 in Pasadena, California. They perform 3000 shows per year and are in every state in the contiguous United States.

RATIONALE: Camfel Productions will present on April 19, 2007 for approximately 400 students. Teachers have the opportunity to have in class activities leading up to and after the multi-screen performance. This supports Strategic Goal #2, Quality Learning Environment, providing students with real-world learning opportunities, and exposure to the performing arts.

FUNDING: Freiler Staff Parent Association will pay the \$695 cost.

RECOMMENDATION: Approve Camfel Productions Presentation of "Commitment to Excellence" at Art Freiler School on April 19, 2007

Prepared by: Marylee Barron, Principal, Art Freiler 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 CAMPBELL PRODUCTIONS, 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: "COMMITMENT TO EXCELLENCE"

ASSEMBLY ON APRIL 19, 2007, 1:30 PM

2. Contractor will provide the above services(s), as outlined in Paragraph 1, for a period of up to a total of 1 () HOURS/DAY(S) (circle one), under the terms of this agreement at the following location ART FRANKLIN SCHOOL, 2421 W. LOWELL AVE, TRACY, CA.

3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:

a. District shall pay \$ 695- per HOUR/DAY/FLAT RATE (circle one), not to exceed a total of \$ 695-. Contractor shall only be paid for work completed to the satisfaction of District through the termination date of this agreement.

b. District [] SHALL; [✓] SHALL NOT reimburse Contractor for out-of-pocket expenses incurred during Contractor's performance of the services, including: mileage, meals and lodging 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 \$ 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 APRIL 19, 2007, 2007, and shall terminate on APRIL 19, 2007, 2007.

5. This agreement may be terminated at any time during the term by either party upon day's written notice.

6. Contractor shall contact the District's designee, at (209) 83 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

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.

COMPANY HISTORY

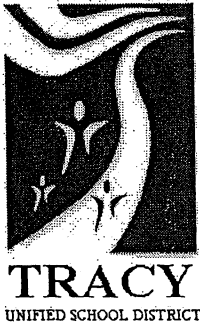
CAMFEL PRODUCTIONS was incorporated in Pasadena, California, on March 7, 1972, as a non-profit corporation gaining 501 (c) (3) classification from the Internal Revenue Service April 29, 1976.

CAMFEL films have won major awards at the International Film Festival of New York and the Religion in Media of Hollywood, California, as well as awards for special recognition and appreciation from MADD (Mothers Against Drunk Drivers), the Louisiana Highway Safety Commission, and the California League of Middle Schools.

CAMFEL PRODUCTIONS is best known for its three screen multi-media presentations. The multi-media productions first combined three large screens, seven slide projectors (increased to nine in 1983), and a 16mm movie projector, with current rock music and narration in a semi-documentary style. The themes are mainly youth oriented with new programs are produced each year. CAMFEL's multi-media assembly programs have become the nation's premiere assembly presentation being seen by almost three million students annually in the United States.

CAMFEL PRODUCTIONS three screen presentation are designed to promote positive values, such as dedication, patience and courage. Each program challenges viewers to examine their own values and attitudes, while showing how personal improvement and effort can bring about positive social changes. As one student wrote, "This is the first time I have been forced to think about life and what I can do to improve it".

A major challenge facing education is to communicate in a way that can hold a student's attention as well as create interest in the message. CAMFEL's use of multi-media does just that. These presentations are explosive, high-energy, & high-tech incorporating video, fast-paced still images, and chart-topping music to motivate students to push beyond the present to a better tomorrow. Carefully chosen lyrics, blockbuster movies, humorous sketches, student interviews and straight-to-the-point dialogue help viewers discover for themselves what it takes to recognize and fire up the possibilities inside each of us.



EDUCATIONAL SERVICES MEMORANDUM

To: Dr. James C. Franco, Superintendent
From: ~~Dr.~~ Dr. Sheila Harrison, Assistant Superintendent for Educational Services
Date: ~~★~~ December 1, 2006
Subject: Ratify Contract with UC Regents MIND Institute

BACKGROUND: Special education students may require assessment from outside service providers. Parents of a student with significant autism requested an augmented-assistive communication and full speech and language assessment. The District worked for three years with this family in order to achieve their signature on the IEP. TUSD agreed to fund an augmented communication and speech and language assessment from the MIND Institute in preparation for this child's upcoming triennial assessment; additionally the District would hope to avoid future litigation with this family, as well as preparing for any disagreement over eligibility and services by having the MIND Institute perform the assessments. The Ratification is necessary due to the fact that the assessment was conducted previously under a strict timeline.

RATIONALE: In this instance the in-depth assessment by outside providers is necessary to help the District avoid and possibly prepare for potential litigation. Nonpublic agency contracted services are part of the continuum of services districts must provide to students with exceptional needs. This request supports Strategic Goal #2 "Create Quality Learning Environments."

FUNDING: Expenses for this contract are billed at \$221.00 per hour. Total contract expenses will not exceed \$1187.60 including the facility use fees, through June 30, 2007. Funding for Nonpublic School tuition is built into our 602 funding base for special education. Expenditures that exceed the base funding are reimbursed at 70% from San Joaquin SELPA funds. Nonpublic agency expenses are budgeted in account #01-6500-0-5750-1180-5800-800-2542.

RECOMMENDATION: Ratify Contract with UC Regents Mind Institute

Prepared by: Nancy E. Hopple, Director of Special Education

TRACY UNIFIED SCHOOL DISTRICT

1875 W. Lowell Ave., Tracy, California 95376

AGREEMENT FOR SPECIAL CONTRACT SERVICES

This agreement, by and between Tracy Unified School District, hereinafter referred to as "District," and UC Regents MIND Institute 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 full assessment of speech and language skills including aphasia for _____
2. Contractor will provide the above services(s), as outlined in Paragraph 1, for a period of up to a total of (4) HOURS per year, under the terms of this agreement at the following UC Regents, MIND Institute Clinic
3. In consideration of the services performed by Contractor, District shall pay Contractor according to the following fee schedule:
 - a. District shall pay \$ 221.00 per HOUR, not to exceed a total of \$ 1,187.60 including facility use fees. 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 \$ _____ 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 November 17, 2006, and shall terminate on June 30, 2007.
5. This agreement may be terminated at any time during the term by either party upon thirty (30) days written notice.
6. Contractor shall contact the District's designee, Nancy E. Flynn (209) 830-3270 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.

Agreement for Special Contract Services - Page 2

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: ON BEHALF OF THE REGENTS OF THE UNIVERSITY
(ROBERT GLOS) OF CALIFORNIA/
MIDD
INSTITUTE

Consultant Signature (1)

Social Security Number (2)

11/27/06

Date

CONTRACTS OFFICER

Title

2315 STOCKTON BLVD

Address

SACRAMENTO, CALIFORNIA

95819

Tracy Unified School District

Date

Title

01-6500-0-5750-1180-5800-800-2542

Account Number to be Charged

James Hopple 11/20/06

Department/Sig 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: Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: November 30, 2006
SUBJECT: Approve Overnight Travel For 7 IB Academy Staff And 22 IB Diploma Candidates To Point Bonita YMCA And Conference Center, Sausalito, CA. On January 13 – 14, 2007

BACKGROUND: The International Baccalaureate honors program at Tracy High School was certified by the IBO, Geneva, Switzerland, in 1984. Since that time over 100 diploma candidates have successfully completed the entire internationally recognized program. The rigorous diploma program has four key elements: each candidate must take examinations in six subject groups, complete a two year Theory of Knowledge course, participate in at least 150 hours of community service, and complete a 4000 word extended essay project in a subject area of their choice.

RATIONALE: IB faculty members are requested by the diploma candidates each year to be advisors for the extended essay projects. This year, the students have chosen to write their extended essay projects in the areas of philosophy, biology, history, world religion and English. This process takes many additional hours for each student, teacher and the IB Academy staff. Therefore, a weekend of intense writing, revision, discussion, and one-on-one advising is requested to support the students in the successful completion of their extended essay projects. This year five teachers, the IB Academy Coordinator and the Academies Secretary, will oversee twenty two students with their essay projects at the Point Bonita YMCA in Sausalito, CA. This supports Strategic Goal # 1, Quality Curriculum and Strategic Goal #2, Quality Learning Environment.

FUNDING: The IB Grant will fund the staff portion (lodging, meals, district vans, and certificated extra services) and the IB Academy ASB account will cover the cost of the students. The cost breakdown is as follows: lodging, meals and snacks \$2,095.00, certificated extra services \$1,400.00, and district vans \$480.00. Cost of the event shall not exceed \$3,950.00 for no more than 29 faculty and students.

RECOMMENDATION: Approve Overnight Travel For 7 IB Academy Staff And 22 IB Diploma Candidates To Point Bonita YMCA And Conference Center, Sausalito, CA. On January 13 – 14, 2007

Prepared by: Pat Anastasio, Principal, Tracy High School



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: James Mousalimas, Assistant Superintendent of Human Resources *Jm*
DATE: December 12, 2006
SUBJECT: Approve Certificated, Classified and/or Management Employment

BACKGROUND:
Lowery, Jeanette

CLASSIFIED
Special Ed Para Educator I (New)
Art Freiler School
4 hours per day
Range 24, Step A - \$11.37 per hour
Funding: Special Ed

Mendoza, Monica

Special Ed Para Educator I (Replacement)
McKinley Elementary School
5 hours per day
Range 24, Step E - \$13.70 per hour
Funding: Special Ed – IDEA Grant

Pemberton, Christine

Special Ed Para Educator I (Replacement)
Central School
6 hours per day
Range 24, Step E - \$13.70 per hour
Funding: Special Ed – IDEA Grant

Shahhosseini, Tinoush

Para Educator I (New)
Tracy Adult School (ILC Program)
6 hours per day
Range 24, Step C - \$12.48 per hour
Funding: Adult Education

Sweeney, Lolita

Food Service Worker (New)
Williams Middle School
6 hours per day
Range 22, Step E - \$13.06 per hour
Funding: Child Nutrition School Program

Young, Kelley

Bus Driver (New)

Transportation

8 hours per day

Range 36, Step A - \$15.02 per hour

Funding: Transportation – Home to School

RECOMMENDATION: Approve Classified, Certificated and/or Management Employment

Prepared by: James Mousalimas, Assist. Supt. of Human Resources



TRACY
UNIFIED SCHOOL DISTRICT

HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: James Mousalimas, Assistant Superintendent of Human Resources *JM*
DATE: December 12, 2006
SUBJECT: Accept the Resignations/Retirements/Leaves of Absence for Classified, Certificated, and/or Management Employment

BACKGROUND:

CERTIFICATED RETIREMENT

NAME/TITLE

SITE

EFFECTIVE
DATE

REASON

Kennedy, Fred

West High

December 31, 2006

CLASSIFIED RESIGNATIONS

<u>NAME/TITLE</u>	<u>SITE</u>	<u>EFFECTIVE DATE</u>	<u>REASON</u>
Abreu, Julie Clerk Typist I	Tracy High School	12/04/2006	Personal
Beyer, Dana Para Educator I	George Kelly	12/01/2006	Personal
Hernandez, Andrea Clerk Typist I	Continuous Improvement	11/27/2006	Personal

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

Prepared by: James Mousalimas, Assist. Supt. of Human Resources



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent

FROM: James Mousalimas, Assistant Superintendent, H.R. *JM*

DATE: November 29, 2006

SUBJECT: Approve Variable Term Waiver for Sharolyn Koon – English 9-12 English

BACKGROUND: Variable term waivers provide additional time to complete the requirements for the credential that authorizes the service or to provide employing agencies time to fill the assignment with an individual who either holds an appropriate credential or qualifies under one of the available assignment options.

RATIONALE: In reviewing staffing for the 2006-07 school year it has been determined that TUSD has a need for a Variable Term Waiver in the area of English.

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

FUNDING: There is no cost to the District.

RECOMMENDATION: Approve Variable Term Waiver for Sharolyn Koon - English, 9-12.



BUSINESS SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Casey Goodall, Assistant Superintendent for Business
DATE: December 4, 2006
SUBJECT: Certify 2006-2007 Fiscal Year First Interim Report

BACKGROUND: Education Code Section 42130 and 42131 require that the superintendent of each school district shall submit two reports to the governing board of the district during each fiscal year. The first report shall cover the financial and budgetary status of the district for the period ending October 31. The second report shall cover the period ending January 31. Both reports shall be approved by the district governing board no later than 45 days after the close of the period being reported. All reports required by this subdivision shall be in a format or on forms prescribed by the Superintendent of Public Instruction, and shall be based on standards and criteria for fiscal stability adopted by the State Board of Education pursuant to Section 33127. The reports, and supporting data, shall be maintained and made available by the school district for public review.

The governing board of each school district shall certify, in writing, within 45 days after the close of the period being reported, whether or not the school district is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent fiscal year.

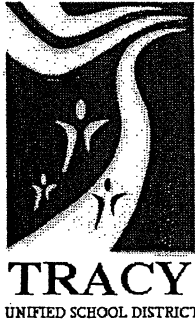
In addition to the AB1200 oversight responsibilities generated in 1992, additional oversight responsibilities were added in 2004 with AB2756 requiring the San Joaquin County Office of Education added an additional requirement that the Tracy Unified School District board review the assumptions supporting the multiple year projections. The review associated with these two levels of review will be included with the First Interim Report document.

It should be noted that labor negotiations have not yet been completed for the current year and will have an impact on the budget which is not reported in this budget analysis.

Furthermore, the state of California is still facing a budget deficit estimated to be approximately \$5.5 billion in the 2007-08 year. The assumption in this report is that there will be no current or future year reductions of funding from the state. The First Interim Report confirms a positive review in which the district will be able to meet current obligations and those of two future years.

FUNDING: The first interim report generates no cost. It is merely a reporting of all projected revenues and expenses in the current and next two fiscal years. This report and the actions required to implement the changes will ensure the district is able to meet its financial obligations for the remainder of the fiscal year and, based on current forecasts, for the subsequent three fiscal years.

RECOMMENDATION: Certify 2006-2007 Fiscal Year First Interim Report



BUSINESS SERVICES MEMORANDUM

To: Jim Franco, Superintendent

From: C. Goodall, Assistant Superintendent of Business Services

Date: November 30, 2006

Subject: Authorize the Director of Transportation to Bid and Award the Purchase of Three (3) Busses to Accommodate Transportation of Students Gained from Unification with Holt School District

BACKGROUND: Unification is planned to occur with the Holt School District on July 1, 2007. Closure of the current building is a part of the plan. Holt is a rural area, and transportation of the students to an existing TUSD school will be required. Holt School District currently owns two 1985 year model buses. Neither bus is currently CHP certified. One bus is in such disrepair, it cannot be CHP certified. The other bus needs repairs but could be CHP certified. Due to the age of these buses, staff recommends replacement of these two buses. Neither bus has been operated for at least three years and would meet our replacement requirements under Board Policy 3541.6

A third bus will be required to transport the three SDC students that currently live in the Holt School area but attend Tracy Unified School District Schools. These students are currently transported to Tracy by Holt employees in white vans.

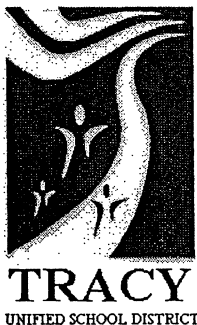
RATIONALE: To ensure the Transportation Department has the buses to accommodate the additional students from the merge with Holt School District.

This Board Agenda item meets strategic goal #8.

FUNDING: The total cost of three buses will not exceed \$250,000.00 and be paid from District One-Time Funds. It should be noted, however, that Unification with Holt School District will allow TUSD access to Holt reserve funds of approximately \$300,000.

RECOMMENDATION: Authorize the Director of Transportation to Bid and Award the Purchase of Three (3) Busses to Accommodate Transportation of Students Gained from Unification with Holt School District

Prepared by: Casey Goodall-Assistant Superintendent of Business Services
John Heerema-Director of Transportation



BUSINESS SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: Dr. Casey Goodall, Assistant Superintendent for Business
DATE: December 5, 2006
SUBJECT: **Authorize District Staff to Apply to the Local Agency Formation Commission (LAFCO) to Approve Out of Agency Services as Provided by the City of Tracy to the Kimball High School Project**

BACKGROUND: The District has been planning the construction of the John C. Kimball High School on property located on Lammers Road. The property is outside the jurisdictional boundaries of the City of Tracy but within the City's sphere of influence in anticipation of a later change of organization. Government Code Section 56133 requires that Tracy Unified School District receive written approval from LAFCO to utilize utility services from the City of Tracy. The City has approved both temporary and permanent connections for both water and sewer services and has agreed to provide the District with a "will serve" letter as part of this application process. The District has agreed to apply for annexation into the City of Tracy once the project is constructed and prior to official occupancy.

RATIONALE: In order to move forward with the required project approvals and begin construction in a timely manner, the attached application must be completed and sent to LAFCO for inclusion in the regularly scheduled January 2007 meeting.

FUNDING: No funding is required from this action.

RECOMMENDATION: Authorize District Staff to Apply to the Local Agency Formation Commission (LAFCO) to Approve Out of Agency Services as Provided by the City of Tracy to the Kimball High School Project

Prepared by: Denise Wakefield, Director of Facilities

LOCAL AGENCY FORMATION COMMISSION

Application for Approval of Out-of-Agency Service

Date: December 5, 2006

Agency: Tracy Unified School District
Contact Person: Denise Wakefield
Address: 1875 W. Lowell Avenue, Tracy, CA 94563
Phone #: (209) 830-3200 X 1154

(1)	(2)	(3)
Property owner: <u>Ernest J. Pombo</u>	<u>Hensley Properties LP</u>	<u>Francisco & Francis Bruno</u>
Address: <u>N/A</u>	<u>N/A</u>	<u>24606 S. Lammers R</u>
Phone #: <u>21</u>		
Property Address: _____		
Parcel # (s) <u>240-04-02</u>	<u>240-02-02</u>	<u>240-04-01</u>

Please complete all relevant questions

- Is the territory within the Agency's sphere of influence? If no, a sphere amendment must be requested concurrent with this application. **YES** NO
- Type of service to be provided?
water and sewer
- Please discuss the reason for the service agreement/contract. Explain why a jurisdictional change is not possible at this time. (Indicate if this is an emergency health and safety situation).
Obtaining services while project is under construction.
- Is reorganization of the territory anticipated at some future time? **YES** NO
If yes, when?
Prior to occupancy
- If development is proposed, please provide a description of the project.

High School

6. Is the project approval ministerial? YES **NO**

If the project approval is discretionary, attach all supporting development documentation including but not limited to:

<u>Development approval</u>	<u>Resolution attached?</u>
Tentative Map and Conditions	<input type="checkbox"/>
Subdivision Map or Parcel Map	<input type="checkbox"/>
Specific plan	<input type="checkbox"/>
General Plan Amendment	<input type="checkbox"/>
Rezoning	<input type="checkbox"/>
Other/ <u>State Agency Approval</u>	<input checked="" type="checkbox"/>

7. Please provide a detailed description of how services are to be extended to the property.

	(1) Temporary	(2) Permanent
a. Distance for connection:	Stubbed at site boundary	Will be located in road in front of site
b. Cost of improvements:	TBD	TBD
c. How is financing to occur?	School District Funds	School District Funds

ENVIRONMENTAL REVIEW

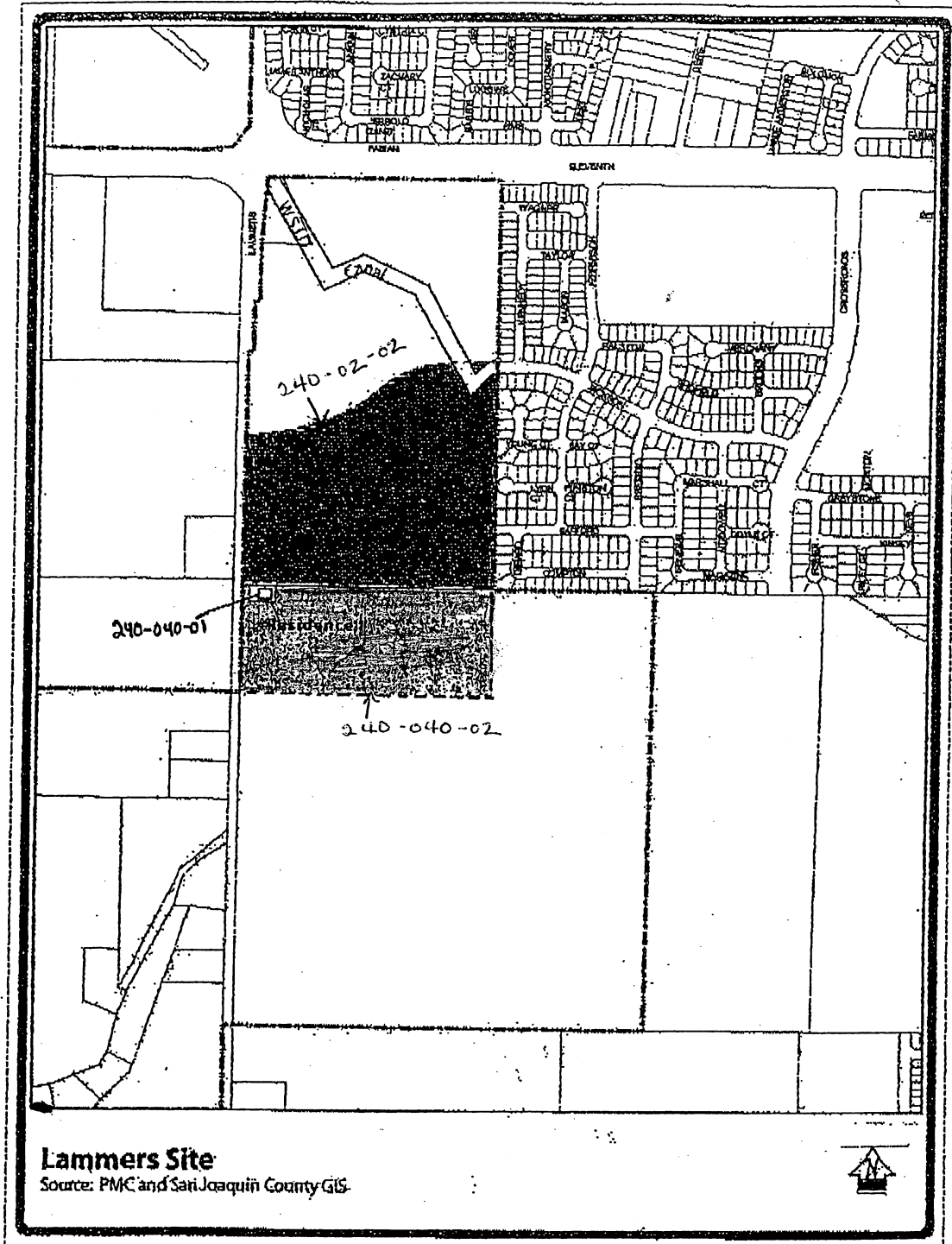
Please include a copy of environmental review conducted for the project. If exempt, please provide a copy of the Notice of Exemption.

MAPS

Please provide a vicinity map showing the property, district or city boundary, district or city sphere, and relevant proposed and existing infrastructure.

AGREEMENT/CONTRACT

Please attach a copy of the proposed agreement or contract.





TRACY
UNIFIED SCHOOL DISTRICT

EDUCATIONAL SERVICES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: *JS* Dr. Sheila Harrison, Assistant Superintendent of Educational Services
DATE: November 30, 2006
SUBJECT: Approve Submission of an Intent to Submit An Application To The California Department Of Education For The Prekindergarten And Family Literacy Program (PKFLP)

BACKGROUND: The Prekindergarten and Family Literacy Program (PKFLP) was established through the passage of Assembly Bill 172; the intent of this legislation is to provide families that meet the specific program eligibility requirements access to subsidized prekindergarten and family literacy programs. Participating programs must be located in the attendance areas of schools that have been ranked in the base Academic Performance Index (API) deciles 1 -3 in 2005. Fifty-five million dollars of the State budget have been set aside to implement PKFLP across the State of California; the allocation for San Joaquin County is \$1.28 million dollars. The Intent to Submit an Application for these funds is due to the state by December 29, 2006 and the application is due January 19, 2007.

RATIONALE: In applying for this funding, the District will have the opportunity to expand and/or implement prekindergarten and family literacy programs at one or more of the eligible schools. Expanding/implementing programs will alleviate some of the waiting lists for current subsidized and other programs and allow more students to attend a quality educational program prior to entering kindergarten. This agenda item supports Strategic Goal #4: Developing the Whole Student.

FUNDING: There is no cost to the District to apply for this funding.

RECOMMENDATION: Approve Submission of an Intent to Submit An Application To The California Department Of Education For The Prekindergarten And Family Literacy Program (PKFLP)

Prepared by: Brandi Harrold, School Readiness Program Specialist



CALIFORNIA DEPARTMENT OF EDUCATION

NEWS RELEASE

JACK O'CONNELL
State Superintendent
of Public Instruction

REL#06-146
FOR IMMEDIATE RELEASE
November 22, 2006

CONTACT: Hilary McLean
PHONE: 916-319-0818
E-MAIL: hmclean@cde.ca.gov

SCHOOLS CHIEF JACK O'CONNELL ANNOUNCES \$55 MILLION NOW AVAILABLE FOR PREKINDERGARTEN AND FAMILY LITERACY PROGRAMS

SACRAMENTO – State Superintendent of Public Instruction Jack O'Connell today announced that \$55 million is now available to expand high-quality preschool programs serving families throughout California.

"It is critical that we expand the availability of quality preschool programs in California," O'Connell said. "Research shows that children who have access to quality preschool programs do better in school, are less likely to drop out, and are less likely to be involved in crime. Expanding preschool programs will also help us close the achievement gap by preparing students for success in school with skills that will last a lifetime. I strongly encourage all eligible agencies to apply for these funds."

The funds were authorized by the passage of Assembly Bill 172, by Assembly member Wilma Chan (D-Oakland), which created the Prekindergarten and Family Literacy Program (PKFLP). Eligible programs, including those in school districts and private agencies, must operate and serve children within the attendance areas of elementary schools with 2005 API scores that fall within deciles 1 through 3.

All funded programs will provide kindergarten preparedness and family literacy opportunities to increase a child's readiness for school.

Completed applications are due to the Child Development Division on or before January 19, 2007. Information is listed on the CDE funding Web site at <http://www.cde.ca.gov/fq/fo/af/>. Karen Almquist, an analyst with the Child Development Division, is available to answer questions at kalmquis@cde.ca.gov.

###

Prekindergarten and Family Literacy Program
INTENT TO SUBMIT APPLICATION FORM
Due to CDD on December 29, 2006 by 5:00 p.m.

APPLICANT INFORMATION
PLEASE COMPLETE EVERY PORTION OF FORM

Agency Name	Tracy Joint Unified School District
Agency Address	1875 W. Lowell Ave.
Agency City	Tracy
Agency Zip	95376
Executive Director Name	Dr. Sheila Harrison
Contact Person E-mail Address	<u>bharrold@tusd.net</u>
Executive Director Phone	(209)830-3200

On behalf of the above agency, I hereby formally submit to the California Department of Education, Child Development Division, this "Intent to Submit Application" form. I understand that this form must be **received** by the Child Development Division by December 29, 2006 before 5:00 p.m.

In addition to the Part-Day program, our agency will apply for:

PDGCC (Full-Day Option) ☐

Child Care Facilities Revolving Loan Fund ☒

*Please note: The e-mail address included above will be used for RFA communication purposes.

Executive Director Signature:
Date: December 4, 2006

Please Mail to:
Management Bulletin 06-12
California Department of Education
Child Development Division
1430 N Street, Suite 3408
Sacramento, CA 95814-5901

Please Fax to:
(916) 323-6853
California Department of Education
Child Development Division
Management Bulletin 06-12



EDUCATIONAL SERVICES MEMORANDUM

To: Dr. Jim Franco, Superintendent
From: ~~Dr. Jim Franco~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services
Date: November 20, 2006
Subject: Adopt Resolution 06-16 Authorizing the Establishment of George and Evelyn Stein Continuation High School

Background: Duncan-Russell Continuation High School moved to the George and Evelyn Stein site for the opening of the 2006-2007 school year. For the 2007-2008 school year, the new continuation high school will officially open and be named George and Evelyn Stein Continuation High School. Duncan-Russell Continuation High School will return to its original site on 164 W. Grantline Road and share the campus with Willow Community Day School.

Rationale: As the District's enrollment has grown to almost 6,000 high school students there is a need to open an additional continuation high school. With George and Evelyn Stein Continuation High School and Duncan-Russell Continuation High School, there will be more seats for at risk high school students in need of credit recovery and alternative education. In order to open a new continuation high school, the Board of Trustees needs to adopt a resolution establishing the new continuation, George and Evelyn Stein Continuation High School. This agenda item supports strategic goal #4-Develop Responsible Individuals.

Funding: Not applicable

Recommendation: Adopt Resolution 06-16 Authorizing the Establishment of George and Evelyn Stein Continuation High School

Prepared by: Rebecca Frame, Director of Student Services and Curriculum



**TRACY UNIFIED SCHOOL DISTRICT
RESOLUTION No. 06-16**

**Of the Governing Board of the Tracy Unified School District
Authorizing The Establishment of George and Evelyn Stein
Continuation High School**

WHEREAS: Education Code section 48430-32 requires the establishment and maintenance of continuation education class in each high school and unified school district; and

WHEREAS: Education Code sections 42243.7 and 42244 and the California Administrative Code, Title 5, Education Section 11004, permit the adjustment of revenue limits to districts receiving approval for a continuation education high school from the "continuation high school" foundation program table; and

WHEREAS: In the judgment of the district superintendent and of the governing board, a continuation high school established as George and Evelyn Stein Continuation High School will best serve the needs of the students who attend continuation classes and the needs of the district as a whole;

THEREFORE, LET IT BE RESOLVED:

That the establishment of George and Evelyn Stein Continuation High School be designated, defined, and regulated by Education Code sections 53, 48430-32, 42243.7, and 42244; and by the California Administrative Code, Title 5, Education Section 11004; should be and is hereby authorized in and by the Tracy Unified School District, subject to the approval of the California Department of Education.

Adopted at a regular meeting of the Board of Education of the Tracy Unified School District held on December 12, 2006.

PASSED AND ADOPTED this 12th day of December, 2006, by the Board of Trustees of the Tracy Unified School District the following vote:

AYES:

NOES:

ABSENT:

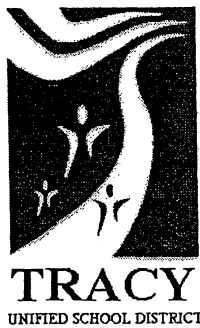
ABSTAIN:

**Gregg Crandall, President
Board of Trustees
Tracy Unified School District**

Attested:

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

**Tom Hawkins, Clerk
Board of Trustees
Tracy Unified School District**



EDUCATIONAL SERVICES MEMORANDUM

To: Dr. James Franco, Superintendent
From: ~~XX~~ Dr. Sheila Harrison, Assistant Superintendent of Educational Services
Date: December 1, 2006
Subject: Approve High Priority Schools Grant (HPSGP) Application for Delta Island School.

BACKGROUND: The state has allocated funds for schools in Deciles 1-2 to provide additional funds for school improvement under the High Priority Schools Grant Program (HPSGP). Delta Island School is eligible to apply for this grant. The school was required to work with an outside entity to develop this application. Delta Island's outside entity was Center for Language Minority Education and Research (CLMER) from California State University, Long Beach. Funded by the HPSGP Planning grant, CLMER provided classroom observations, focus meetings with teachers, students, parents and administrators to develop this plan. The results of the comprehensive school review process include the following: a data driven report of findings, a focused action plan for improving student achievement that will be included as the grant proposal, support and guidance on the action plan implementation and on-going support and coaching of instructional practices for teachers. The high priority schools grant is a three year grant that will provide approximately \$66,000 per year for three years beginning with the 2007/08 school year.

RATIONALE: The High Priority Schools Grant (HPSGP) provides additional funding to schools in Deciles 1-2 for school improvement. The application is required to receive this funding. This supports Strategic Goals #1 (Relevant and Meaningful Curriculum) and Strategic Goal #2 (Quality and Effective Learning Environment).

FUNDING: No cost to submit application.

RECOMMENDATION: Approve High Priority Schools Grant (HPSGP) Application for Delta Island School.

Prepared by: Ramona Soto, Principal Delta Island School

School Application for Funding

PLEASE MAIL AN ORIGINAL, THREE PAPER COPIES, AND
ONE ELECTRONIC COPY TO:

High Priority Schools Grant Program Office
Cohort 2 Application Packet
California Department of Education
1430 N Street, Suite 4401
Sacramento, CA 95814-5901

Please DO NOT submit by fax or e-mail

Must be received by January 12, 2007, 5 p.m.

Part I - Provide the requested school information on this form.

Name of School: <u>Delta Island</u>	Total school grant amount requested for this school:
LEA: <u>Tracy Unified School District</u>	FY 2006-07
County/District/School Code:	\$ <u>65,540</u>
County Name: <u>San Joaquin</u>	Date of approval by local governing board: <u>December 6, 2006</u>

External Entity: ☐ Institution of Higher Education ☐ Other
☐ County Office _____

Principal: Ramona Soto External Entity: CLMER/CSULB

Address: 11022 West Howard Address: 1250 Bellflower Blvd. EDI-18

City: <u>Stockton</u>	Zip: <u>95206</u>	City: <u>Long Beach</u>	Zip: <u>90840</u>
-----------------------	-------------------	-------------------------	-------------------

Phone: <u>209.953.5900</u>	Phone: <u>562.9855811</u>
Fax: <u>209.9535905</u>	Fax: <u>562.985.4528</u>
E-mail: <u>rasoto@tusd.net</u>	E-mail: <u>amorale3@csulb.edu</u>

Part II Signature of Principal or Designee

The principal submitting the application signs on behalf of all staff and parents/community members.

Date:

Sign in blue ink.

School Site Council/Advisory Group Signature Page

School Name Delta Island School

LEA Tracy Unified School District

County San Joaquin

The following members of the School Site Council or other HPSGP advisory group certify involvement in the development of the School Action Plan as required by legislation and outlined in the School Action Plan requirements. **(Sign in blue ink.)**

Type or Print Name and Position	Signature
Ramona Soto, Principal	
Silvia Arroyo, Teacher	
Debbie Patterson	
Cindy Carfeldt	
Lisa Rodriguez	
Jesus Juarez ^{parent} <i>Jesus Juarez</i>	<i>Jesus Juarez</i>
Lucila Juarez	

The School Site Council or other schoolwide advisory group must include the principal and representation from teachers and other staff of the school site, parents, and community members. For HPSGP purposes, the group must also include representation from the district and an exclusive bargaining representative. The group is not limited to these members and additional space should be used for other team members. Please duplicate this form as needed to accommodate the names and signatures of additional School Site Council members.

School Site Implementation Grant Budget Summary

Fiscal Year 2007-08

Name of School: Delta Island School	
Name of LEA: Tracy Unified School District	
County/District/School Code:	
County: San Joaquin	
School Contact: Ms. Ramona Soto	Telephone Number: 209. 953.5900
E-Mail: rasoto@tusd.net	Fax Number: 209. 953. 5905
SACS Resource Code: 7258 Revenue Object: 8590	2005-06 CBEDS School Enrollment: 164 Funding @ \$400 per student = \$65,500 (Multiply enrollment by \$400 to derive funding amount.)

Object Code	Description of Line Item	HPSGP Funds Budgeted
1000-1999	Certificated Personnel Salaries	\$10,875
2000-2999	Classified Personnel Salaries	\$ 1,259
3000-3999	Employee Benefits	\$3,402 (28%)
4000-4999	Books and Supplies	\$1,000
5000-5999	Services and Other Operating Expenditures	\$49,000
6000-6999	Capital Outlay	
7310 & 7350	Transfers of Indirect Costs	
7370 & 7380	Transfers of Direct Support Costs	
Total Amount Budgeted		\$65,540

NOTE: Please complete and submit a budget for each participating school.

Budget Justification/Detail

Provide sufficient line item detail to justify the budget. The budget justification page(s) must provide all required information even if the items have already been identified in another section. For each activity, list the costs associated and identify the object codes.

Please duplicate this form as needed.

Activity Description (See instructions)	Subtotal (For each activity)	Object Code
<u>Fetzer Writng Project Materials(10 kits @\$350)</u>	<u>\$3,500</u>	<u>4000</u>
<u>Substitute Teacher Writing Project 20 days @ \$150</u>	<u>\$3,000</u>	<u>1000</u>
<u>Substitute Teachers ELD Project 20 days @ \$150</u>	<u>\$3,000</u>	<u>1000</u>
<u>Paraprofessionals Parent Literacy Nights (60@ \$8.50</u>	<u>\$510</u>	<u>1000</u>
<u>Writing Project Consultant</u>	<u>\$30,000</u>	<u>5000</u>
<u>Edwalk & Plan Assessment Consultant</u>	<u>\$9,000</u>	<u>5000</u>
<u>ELD Consultant</u>	<u>\$9,500</u>	<u>5000</u>
<u>ELD Materials</u>	<u>\$1,000</u>	<u>4000</u>
<u>Teacher Extra Hourly (60 hrs. X 32.50) Literacy</u>	<u>\$ 1,950</u>	<u>1000</u>
<u>Employee Benefits (20%)</u>	<u>\$ 961</u>	<u>3000</u>
<u>Teacher Extra Hourly (ELD) 90 hrs x 32.50</u>	<u>\$2,925</u>	<u>1000</u>
 <u>Total</u>	 <u>\$65,346</u>	

Delta Island Elementary School



**Single Plan for Student Achievement
(2006-2007)
&
High Priority School Grant
(2007-2008)**

SECTION I: SCHOOL PROFILE

A. Description of any Significant Changes

1. Description of School Demographic composition

	Source	2005/06	2006/07
Enrollment (#)	Oct CBEDS	164	153
AFDC/Free & Reduced	Oct CBEDS	?	146
English Learners R-30	Mar R-30	117	NA
Fluent English ELs	Mar R-30	17	NA
Students redesignated to FEP	Mar R-30	23	NA
Ethnicity: White	Oct CBEDS	11	3
Hispanic	Oct CBEDS	148	145
African American	Oct CBEDS	0	1
Asian	Oct CBEDS	2	2

2. Description of Staff Characteristics/Changes in Staffing

	2005/06	2006/07
number of classroom teachers	8	8
number and type of support certificated staff (including special education staff)	3	3
number of classified staff	9	9
Number/percent of NCLB highly qualified teachers	NA	7/8 (87.5%)
Number/percent of teachers with EL Certification	NA	8/10 (80%)

3. Addition or Removal of categorical programs or feeder programs (check one)

☒ No significant changes
☐ Significant changes

4. Changes in District Core Programs (check one)

☐ No significant changes
☒ Significant changes

This is our second year of implementing the new Language Arts Program
 (Open court for k-5 and Holt for 6th-8th)

5. Changes in Facilities (check one)

☐ No significant changes
☒ Significant changes

Two new restrooms were installed on campus. A new alarm system is in the process of being installed. A new septic tank to be finished by fall and a new water filtering system by February. The kitchen has also been painted; new flooring and the sink and counters are in the process of being installed by November.

B. The **Educational Services Department** provides the following centralized services to schools receiving state and federal categorical funds under the Consolidated Applications:

1. Completion and filing of required documents pertaining to consolidated program.
2. Assistance in preparing and monitoring budgets and expenditures pertaining to consolidated programs.
3. Assistance in monitoring program activities to ensure that they are in compliance with state and federal requirements.
4. Assistance in planning, implementing, and evaluating staff development activities funded by consolidated funded programs.
5. Assistance in meeting state requirements for Coordinated Compliance Review and Program Quality Review.
6. Assistance in planning, implementing, and evaluating of effective parent participation programs.
7. Assistance in planning, implementing, and evaluating of supplementary programs to assist targeted populations.

SECTION II: Presentation of Data

A. Academic Program Survey – Essential Program Components: Self Assessment

The following evaluation is based on the Academic Program Survey and provides a rubric rating on a four point scale (0-3) for each area as well as a brief narrative assessment. The rubric is as follows:

(0) = Minimally – rarely used/found

(1) = Partially – sometimes used/found

(2) = Substantially – in regular use

(3) = Fully - in regular use in all classrooms and followed completely

ELEMENT	2005 Rating	2006 Rating	Comments
EPC #1 Instructional Program			
1.1	NA	2.7	K-5 has Open Court and 6 th -8 th Holt programs in place.
1.2	NA	2.3	Not all grades have adopted intervention materials.
1.3	NA	2.7	K-5 th use Scott Foresman, 6 th -McGraw Hill & 7 th -8 th -Prentise Hall.
EPC #2 ES/MS: Instructional Time HS: Student access to standards aligned core courses			
2.1	NA	2.7	Our k-8 th grade complies with most of the instructional minutes.
2.2	NA	1.6	We do not fully implement additional time for intervention.
2.3	NA	2.9	Adequate time is given for Math for all grades.
2.4	NA	1.4	Not all grades have additional time fro mathematics intervention.
EPC #3 School Principal's Instructional Leadership Training			
3.1	NA	3.0	Principal participated in AB75 training.
3.2	NA	3.0	Principal participated in AB75 training.
EPC #4 Credentialed Teachers and Teacher Prof. Development Opportunity			
4.1a/b	NA	3.0	All classified staff is fully credentialed.
4.2	NA	2.9	All teachers are AB466 trained.
4.3	Na	2.4	Not all teachers did the 80 hour practicum based on the district's adopted mathematic program.
EPC #5 Student Achievement Monitoring System			
5.1	NA	3.0	District has assessments imbedded to monitor student progress.
5.2	NA	3.0	District monitors assessments for math program.
EPC #6 On-Going Instructional Assistance and Support for Teachers			
6.1	NA	2.2	We do not have coaches to support teachers in delivering of the curriculum.

6.2	NA	1.8	We do not have coaches to support our teachers in delivering of math.
EPC #7 Teacher Collaboration by Gr. Level/Subject Matter			
7.1	NA	2.6	Teachers do have collaboration scheduled twice a month.
7.2	NA	2.4	The District provides Data Team training for collaboration.
EPC #8 ES/MS: Lesson Pacing Schedule; HS: Intervention Programs			
8.1	NA	2.9	A pacing guide is provided by the district.
8.2	NA	2.2	A pacing guide is provided by the district for the math curriculum.
EPC #9 Fiscal Support			
9.1	NA	2.3	A coaching support is not in place.
9.2	NA	2.1	We have not focused our budget on mathematics.

B. Academic Performance:

1a. AYP - Adequate Yearly Progress: Schools will meet or exceed their AYP goal of 26% proficient OR demonstrate an increase of 5% in percent of students scoring proficient for schools $\geq 26\%$.

Group (NCLB target)	2005 % Prof. ELA ($\geq 24.4\%$) HS = $\geq 22.3\%$	2006 % Prof. ELA ($\geq 24.4\%$) HS = $\geq 22.3\%$	26% Goal Met?	5% growth Goal Met?	2005 % Prof. Math ($\geq 26\%$) HS = $\geq 20.9\%$	2006 % Prof. Math ($\geq 26\%$) HS = $\geq 20.9\%$	26% Goal Met?	5% growth Goal Met?
School Total	15.2	12.1	No	No	12.8	14.0	No	No
Sub-group #1 Hispanic or Latino	12.0	10.0	No	No	11.1	12.0	No	YES
Sub-Group #3 Socioecon. Disad.	12.6	11.8	No	No	10.8	13.7	No	YES
Sub-group #4 ELL students	10.3	3.8	No	No	11.5	10.0	No	No

1b. AYP - Adequate Yearly Progress Schools will have a 95% participation rate in state testing

Group	% Tested ELA	Target Met Yes or No	% Tested Math	Target Met Yes or No
School Total	100	Yes	100	Yes
Subgroup #1 Hispanic	100	Yes	100	Yes
Subgroup #3 Socio-economically Disadvantaged	100	Yes	100	Yes
Subgroup #4 English Learners	100	Yes	100	Yes

Program Improvement Status for 2005/06: _____ Not in PI X in PI year 3

1c. API – Academic Performance Index: Schools will meet or exceed school's API growth target OR maintain a score of 800 or higher

Group	2005 API	2006 API Target	2006 API	Actual Growth	Target Met Yes or No
School Total	600	610	602	+2	No
Subgroup #1 Hispanic	594	602	593	-1	NO
Subgroup #3 Socio-economically Disadvantaged	588	593	601	+13	Yes
Subgroup #4 English Learners	602	610	574	-28	No

2. AMAO – Annual Measurable Achievement Objectives (Title III - EL Progress in English):

a. AMAO 1 – Percent of EL students making annual progress in English (05/06 target = 52%)

b. AMAO 2 – Percent of Students Attaining English Proficiency (05-06 target = 31.4%)

	# students tested	% meeting AMAO 1	Target Met? Y/N	% meeting AMAO 2	Target Met Y/N
2004/2005	103	63.1	Yes	39.6	Yes
2005/2006	98	59.8	Yes	37.5	Yes

C. School Safety

1. Reduction in the number and percentages of suspensions or expulsions

	2004/05		2005/06		% Decrease or Increase	Target Met
	#	%	#	%		
Suspensions	9	5.4	36	21	+15.6	No
Expulsions	0	0	1	.01	+.01	No

Reduction in the number of referrals

	2004/05		2005/06		% Decrease or Increase	Target Met
	#	%	#	%		
Referrals	44	27	32	19	-8%	Yes

2. There will be a 75% or higher percentage of parents, staff, and students responding positively to survey question regarding school safety.

School Safety

Group	% Agree 2005	% Agree 2006
Parents	91	
Staff	74	
Students	64	
Total	76	
Met Goal (Y/N)	Yes	Not available

D. School Climate and Leadership

1. There will be a 75% or higher percentage of parents, staff and students responding positively to survey questions regarding school climate, instructional issues, and parent relations:

School Climate

Group	% Agree 2005	% Agree 2006
Parents	94	
Staff	82	
Students	65	
Total	80	
Met Goal (Y/N)	Yes	Not available

2. The school will maintain 98% actual attendance, or an improvement of .5%.

School Year	Actual Attendance %	Target %	Difference (+ or -)	Target Met Yes or No
2004/2005	93.1	98%	-4.8	NO
2005/2006	95.4	98%	-2.6	NO

SECTION III: EVALUATION OF PRIOR YEAR'S PLAN

A. Evidence of school's progress towards meeting student achievement goals

1. Goal: Meet or exceed district AYP and API goals:

We did not meet our API target in any of the areas, but continue to see an increase in our total score. We have three sub-groups (Hispanic/Latino, English Language Learners, Socio-Economically Disadvantaged) which represent our school's total score. Delta Island is a rural school of 153 students. Most students are counted in all four categories, which explains our similar scores, even though we saw a drastic drop in our English Learners subgroup. Improving our ELD instruction at each appropriate level of proficiency for our students has benefited all of our students. We increased by 2 points school wide. We also had a 13 point gain in our socio-economically disadvantaged group. We had a 1 point loss in our Hispanic sub-group and a 28 point decrease for our English Learners. We have received and continue to receive training on differentiated ELD instruction for the past three years. Our focus is developing lessons to reach all ELD proficiency levels. We had a significant gain in newcomers to our site in 2004-2005, which means this is the first year their scores count in our scores, explaining our drop in our English Learners subgroup. We may have not met AYP, but did in AMAO's which proves our students are learning English. If they are learning English, we will improve our AYP scores in the future.

Our AYP increased in three out of the four areas for math, but decreased in all sub-groups in Language Arts. We see a drastic decrease in our English Language Learners in Language Arts. We had several new implementations last school year, which affected our results. We adopted a new Language Arts curriculum last year (Open Court for K-5 and Holt for 6th-8th). We shifted our English Language Staff Development (CLMER) from being driven by the ELD standards to state adopted text.

We did have a significant growth in math particularly due to more teachers being trained in structures and strategies, which helped teachers trained in using visuals and manipulatives to help teach concepts to our English Learners.

Our action plan for the school year of 2006-2007 includes the implementation of Nancy Fetzter writing strategies, structures and strategies training for our two new teachers continue ExCEL for flexible grouping with our Open Court/Holt curriculum, and the focus of CLMER to develop writing rubrics for all grades levels using the ELD proficiency levels.

2. Goal: Meet or exceed Title III AMAO 1 and AMAO2 targets:

Delta Island met the AMAO 1 and AMAO 2 goals in both 2004/2005 and 2005/2006. We are continuing to focus on second language development through staff development (CLMER) and implementation Structures and Strategies. These strategies include CLMER (differentiated Instruction using ELD standards) Nancy Fetzter, Structures and Strategies, which are used with the core curriculum of Open-Court, Holt and Santillana. Writing is also our school wide focus where we will be analyzing student work to create benchmark assessments to determine writing growth with Language Proficiency level to show growth using the ELD/ELA standards. Our ExCEL small group instruction continues to target proficiency levels for our ELL students. After school intervention are also added opportunities for language development.

We continue to meet our target, but did see a slight decrease in the percentage of students meeting the target compared to 2004-2005. Even though we did decrease slightly, we are still over 5% higher than what is expected. Our students are learning English. Meeting the AMAO targets will help our students continue to improve in state tests and will meet AYP in the future.

B. Evidence of school's progress towards meeting school safety goals

1. Goal: Reduction in percentage of suspensions/expulsions:

For the school year 2005-2006, Delta Island did not meet the goal for reduction in suspensions/expulsions. Suspensions increased by 15.6% from the previous year. We have observed our suspensions were mainly from primary grades. Suspensions have also increased in the Boys & Girls Club. This may be contributed to the mixture of all grade levels at our after-school program. For this year, the club has re-structured the entire program to separate students by grade level spans. Students are all together for a very short period of time during the beginning and end of the program. Most of the suspensions are for bullying and fighting and there is not tolerance at Delta Island for physical contact. We are providing assemblies on bullying and character development for this school year to help students make better decisions. We have also arranged a Conflict Manager training for students with Joan Stone, from the district Prevention Services Office, to train our middle school students to work with our students during their recess and breaks to solve conflict and make better decisions. This program was piloted at the end of last school year and will be in full session this year. We would like to see our future conflict managers trained at the end of the school year to begin implementation during the first week of the following school year. If improvement is seen with conflict managers, we would also like to train some responsible 4th graders as managers to better service the primary grades during all parts of the day.

2. Goal: 75% positive response to survey questions related to school safety:

Data from the surveys is not yet available

C. Evidence of school's progress towards meeting school climate and leadership goals

1. Goal: 75% positive response to survey questions related to school climate and leadership:

Data from the surveys is not yet available

2. Goal: Maintain 98% attendance or improve by 5%)

Delta Island did not meet the goals of 98% for the year 2005-2006; however, there was an increase from the previous year and only 2.6% away from our goal. We will continue to offer incentives to classes and school-wide for perfect attendance. We will also continue to advocate the importance of attendance in our newsletter and post our attendance percentages. We also discuss the topic during our monthly Parent/Teacher Committee meetings and post our number of students who travel to Mexico during the winter.

SECTION IV: SCHOOL PLAN FOR 2006/2007

A. School Governance and Planning Process

The 2006/2007 School Plan that follows was developed through the joint efforts of the entire Delta Island certificated staff, the School Site Council, which consists of 6 people (3 certificated staff, 2 parents and principal) Leadership Team (3 certificated staff and principal). Our staff developed the plan by analyzing the previous year's scores and developed the goals. School Site Council reviewed the plan, gave input and added comments to the sections. Their focus was the budget and verifying our budget addressed all of our goals. The Leadership Team reviewed the entire plan and focused on addressing the needs of our second language learners. The School Plan and budget will be approved by the School Site Council at the October 18th, 2006 meeting.

B. School goals for 2006/2007 - A Summary

Delta Island School is in year 3 of Program Improvement.

As a result the following required actions have been taken.

- Parents have been notified of Program Improvement status and offered school choice
- Supplemental educational services will be provided
- receiving technical assistance from the district and the Regional System of District and School Support (RSDSS) through San Joaquin County
- Professional development for staff

In addition they are implementing Corrective Action through the implementation of new ELD curriculum and through the outside assistance of CLMER.

Goal #1 – 26.5% of all students will score at the proficient or advanced level on the CST in Language Arts and there will be a 5% decrease of students not meeting district grade level standards.

Rationale: Less than 13% of our students are proficient in LA in State testing.

Goal #2 – 26.5 of all students will score at the proficient or advanced level n the CST in math and there will be a 5% decrease of students not meeting district grade level standards.

Rationale: Less than 15% of our students are proficient in Math CST.

Goal #3 – 60% of all ELL students will achieve one level of growth or more on the proficiency level score on CELDT test.

Rationale: Over 88% of our students are second language learners.

C. Activities for 2006/2007 School Plan

Site Goal #1 – Focus on L.A. (Reading & Writing)

District Goal: #1: Provide a relevant and meaningful curriculum

Outcome: 26.5% of students score will score at the proficient or advanced level on the CST in Language Arts and there will be a 5% of students not meeting district grade level standards.

Rationale: Less than 13% of our students are proficient in LA in State testing.

1. Language Arts

Indicate date initiated (I)

reviewed/revise (R) or completed (C).

Action Steps	Person Responsible	Resources	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1.1 Continue EXCEL structure to provide leveled instruction to students in English Language Arts.	Classroom Teachers and Paraprofessionals	Open Court Holt, Santillana, Journal Writing		I									C	
1.2 Continue to provide staff development using Nancy Fetzter Strategies focused on writing. Provide 6 days of demonstration in classrooms.	Classroom Teacher	Nancy Fetzter		I									C	
1.3. Continue to provide a Reading Clinic which is a pull-out intervention for targeted students using the Barton program.	Erika Burleigh	Linda Mood-Bell; Forms of Barton		I									C	
1.4 Provide staff development on Differentiated Instruction through CLMER with a focus on Writing.	Classroom Teachers & Paraprofessionals	Santillana; CLMER; Nancy Fetzter		I									C	
1.5 Support two teachers to attend the district's Structures & Strategies training which is focused on supporting English Learners. This will result in 100% of teachers being trained.	District Training & Teacher Implementation	Specific Strategies		I				C						
1.6 Continue to support Collaboration through Data Teams and Peer Coaching.	District Trained Leaders; Trained Teachers	Holt; Open Court		I			C							
1.7 Continue to provide after school intervention for students for students who need extra assistance in language arts	Carlfieldt	Open Court & Leveled Readers				I					C			
1.8 Purchase Library Books to supplement the school library.	Nancy & Ramona	IMC						I	C					

Evaluation Process:

- Data Team Analysis
- District Assessments
- CST

Site Goal 2 – Focus on Math Skills

District Goal: #1: Provide a relevant and meaningful curriculum

Outcome: 26.5% of students score at the proficient or advanced level on the CST in math and there will be a 5% decrease of students not meeting district grade level standards.

Rationale: Less than 15% of our students are proficient in Math CST.

2. Mathematics

Indicate date initiated(I)reviewed/revised

(R) or completed (C).

Action Steps	Person Responsible	Resources	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
2.1 Continue to support implementation of Scott Foresman Math at grades K-5.	K-5	Worksheets TE; Homework Big Book	I										C	
2.2 Continue to support implementation of Prentice Hall Mathematics for grades 6-8	6-8	Worksheets Text; TE; Workbook	I										C	
2.3 Continue to use Rowley Math in grades 1-5 to support the learning of basic math facts.	1-5	Practice Sheets		I									C	
2.4 Continue to use the Calendar Time program to provide ongoing review of math skills and concepts.	K-2	Math your way & Addition Teacher Supplies		I									C	
2.5 Continue to use Problem of Day provide ongoing review of math skills and concepts.	K,4,5	T-supplies Scott Foresman		I									C	
2.6 Continue to use Supplemental materials to support students through core instruction and intervention	All Grades	Jeff Simpson; District games; Intervention		I									C	
2.7 Provide after school intervention for students requiring additional assistance in Algebra	Walker	Current Adoption				I					C			

Evaluation Process:

- District Assessments
- CST

Rowley Math
Intersession

Site Goal 3 – Focus on ELD

District Goal: #1: Provide a relevant and meaningful curriculum

Outcome: 60% of all ELL students will achieve one level of growth or more on the proficiency level score on CELDT test.

Rationale: Over 88% of our students are second language learners.

3. English Language Development

Indicate date initiated (I)

reviewed/revised (R) or completed (C).

Action Steps	Person Responsible	Resources	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
3.1 Continue to contract with CLMER to provide staff development in writing using common rubrics	All Teachers	ELD Standards; CELDT Prof. levels	I										C	
3.2 Continue to provide staff development using Nancy Fetzter Strategies focused on writing. Provide 6 days of demonstration in classrooms.	All Teachers; Paraprofessionals	Nancy Fetzter Handouts	I										C	
3.3 Continue EXCEL structure to provide leveled instruction to students in English Language Arts.	All Teachers Paraprofessionals	Open Court; Santillana; Barton; Linda Mood bell;	R	I									C	
3.4 Implement the Santillana ELD curriculum at all grades to support the acquisition of English for our English Learners	All Teachers	Santillana Cards; Workbooks		I									C	
3.5 Support two teachers to attend the district's Structures & Strategies training which is focused on supporting English Learners. This will result in 100% of teachers being trained	District Staff Development (2 teachers)	District & County Office		I				C						
3.6 Continue to reinforce Structures and Strategies Implementation in all classes	All Teachers	District & County		I									C	
3.7 Continue to implement Differentiated Instruction in all classrooms	All Teachers	Open Court; HOLT ; Math; Santillana	R	I									C	

Evaluation Process:

- CELDT
- Writing Rubric Based on ELD standards
- Writing Portfolios & Peer Coaching & Observations

SECTION V: HPSG PLAN ACTIVITIES FOR 2007/2008

Process Used for Assessing Current School & LEA Conditions

Delta Island School is a rural K-8 school which became part of the Tracy Joint Unified School District eight years ago. The school student population is predominately Latino with a high percentage of low income and migrant families. Delta Island School's ethnic population is 98% Latino, and less than 2% other. Delta Island School is a school-wide Title I school. Eighty eight percent of the students are English Language Learners, and 6% of the students receive Special Education services. Special education services include RSP, Speech and Language support. A part-time RSP, Speech and Language teacher provide these services four days a week. Delta Island School may receive an additional 80 new students during the 2007-2008 school year. The school also has many families that are migratory and travel back in forth to Mexico, especially during the months of November and December.

The Delta Island School staff has carefully reviewed all formal student achievement data such as CST, CELDT and district assessment. These student data analysis sessions were conducted during months of September and October 2006. In addition, the Tracy Unified School District assisted the school by providing workshops in analyzing data to target at risk students.

The school is also in its initial stages of using the district wide "Data Teams" protocol system to review and assess on-going student learning and achievement. Use of this district system will allow teachers to work in kindergarten – fourth, and fifth-eighth grade teacher groups to share current student data to inform their instructional practices in the classroom.

A well-attended, public parent meeting was conducted during the month of November to inform the parents on the High priority School Grant process. The school principal, Tracy Unified School District director of curriculum and the outside external HPSG consultant facilitated the meeting. Along with the parents, members of the school site council participated. Parents were excited and enthusiastic about the availability of the grant and the resources and programs it would provide to their children.

Major Findings Including Current Barriers to Improved Student Academic Achievement

In October and September 2006, the principal initiated a thorough process to assess the barriers to improved student achievement. This process also included the development of the school's Academic Program Survey, and sessions with the external consultant hired to assist with the development and submission of the High Priority School Grant. The entire Delta Island teaching staff met on several Monday afternoons and completed the Academic Program Survey process with a final half-day Saturday session to complete and assess the results. After this process, the external consultant visited all classrooms and met with all stakeholders that included teachers, parents, district support staff, school support staff, and students. The school site council has also met and approved the school and HPSG budget. This meeting took place on December 6, 2006.

The specific barriers to improved student achievement at the school were determined by completion of the APS, surveys, and a series of meetings that included teachers, parents, students and support staff. These barriers include:

- Teachers' lack of time to implement the school/district adopted core curriculum programs in language arts, such as the "Open Court and Santillana programs.

- Teachers need additional training on the effective use of the “Open Court” pacing guides to implement the program and curriculum.
- The lack of parental support and parental skills needed to assist their children with the educational learning process at the school and home. Especially in the area of literacy and ELD
- The curriculum seems to be too advanced for the current academic level of the students.
- Teachers need additional support and training on how to modify and differentiate instruction for the specific ELD levels of the students.
- Teachers lack of time to plan, share student work and use data to assess program implementation.

Targeted Interventions

While the school and the district continue to provide the district’s core curriculum programs, the school has initiated several curricular and co-curricular programs such as the Linda Mood Bell Reading Program, Migrant Education services, and a Boys and Girls after school program. The school will commence a series of activities and interventions that will focus on improving student achievement of the schools ELL students in the area of English language arts and ELD.

Strategies to Attract, Retain & Fairly Distribute the Highest-Quality Staff

Tracy Joint Unified School District recruits highly qualified staff by recruiting credentialed teachers by conducting an annual job fair. They hold a competitive salary and benefit package to attract good candidates. All credentialed teachers must be NCLB compliant to be hired at the District.

Strategies to Increase Parent/Guardian Engagement

Delta Island School has identified the need for increased parent participation to improve student achievement. The school will make a specific effort to ensure that all parents have the opportunity to become involved in the educational process of their children.

In order to make sure that teacher parent communication is effective, the school will continue to assign Spanish speaking professionals or paraprofessional when needed to assist teachers. This is inclusive of student conferences, Special Education IEPs, and any other parent meetings such as, school site council, “Back to school Night” and others.

In addition, the school will commence monthly parents nights with a focus on parental involvement and student support, literacy and ELD. These parent activities and workshops will commence at the beginning of the 2007-2008 school year. Classroom teachers will organize and facilitate these sessions and activities.

District Support

The Educational Services Department at the district provides the following centralized services to schools receiving state and federal categorical funds under the Consolidated Applications:

- Completion and filing of required documents pertaining to consolidated program.
- Assistance in preparing and monitoring budgets and expenditures pertaining to consolidated programs.

- Assistance in monitoring program activities to ensure that they are in compliance with state and federal requirements.
- Assistance in planning, implementing, and evaluating staff development activities funded by consolidated funded programs.
- Assistance in meeting state requirements for Coordinated Compliance Review and Program Quality Review
- Assistance in planning, implementing, and evaluating of effective parent participation programs
- Assistance in planning, implementing, and evaluating of supplementary programs to assist targeted populations.

In addition, the Tracy Unified School District has played an important role in supporting the specific needs of Delta Island School since the school became part of the district. Additional support and leadership from the district is evident through the recent adoption of a district-wide reading program “Open Court”. The district has also supported the school by providing a student achievement data protocol and program. This district’ “Data Teams” project provides the school with a process or protocol on how to effectively use data to assess student achievement and inform instructional practice in the classroom.

Monitoring & Evaluating the Implementation of HPSG Activities and School Single Plan

The school will use monthly focus walks to ensure that identified and agreed upon HPSG funded programs, teacher and student activities and behaviors are being implemented and clearly visible to all stakeholders at the school. These focus walks will be coordinated by the external consultant and include teachers, school and district administration, and parents. A specific Delta Island focus walk template will be developed that will include all the agreed upon activities and behaviors. The data and the trends from the focus walks will be shared and discussed with the teachers at their bi-monthly staff development sessions.

The school’s DSLT will meet each trimester and review the findings of the focus walks, make suggestions, and provide feedback to the entire school community. The DSLT will also assess the implementation of the schools Single Plan for Student Achievement.

In addition, monthly assessment and discussion of the school plan activities inclusive of targeted HPSG activities will be conducted during the school’s Monday afternoon professional development sessions.

Monthly meetings of the school site school committee members and parents will be conducted. Data, and findings developed from the focused walks will be presented for discussion and comments. General information on the implementation of the school plan will also be presented for committee members and parents for comments, suggestions, and input.

The DSLT will meet annually to evaluate and make suggestions on the school’s Single Plan for Student Achievement based on annual student testing results such as STAR/CST, CELDT re-designation data, API, AYP and AMOs. The SSC, in coordination with the DSLT, will also meet annually to review this data and also make appropriate recommendations for the following school year. District and /or school fiscal and or personnel issues will also be taken into consideration at this meeting for any changes and/or modification to the school

District and School Leadership Team (DSLTT) Membership		
NAME	TITLE	ORGANIZATION
Ms. Ramona Soto	Principal	Delta Island School
Ms. Silvia Arroyo	Kindergarten Teacher	Delta Island School
Ms. Cindy Lauren	First/Second Grade Teacher	Delta Island School
Ms. Debbie Patterson	First/Second Grade Teacher	Delta Island School
Ms. Cindy Carlfeldt	Third Grade Teacher	Delta Island School
Ms. Yvonne Gomez	Fourth Grade Teacher	Delta Island School
Ms. Denise Sanchez	Fifth Grade Teacher	Delta Island School
Ms. Debbie Borba	Sixth Grade Teacher	Delta Island School
Mr. Westley Walker	Seventh/Eighth Grade Teacher	Delta Island School
Ms. Carol Anderson-Woo	District Director-Curriculum, Accountability & Continuous Improvement	Tracy Unified School District
Ms. Linda Dopp	District Director- Alternative Programs	Tracy Unified School District
Mr. Marc Wescott	P.E. Teacher	Delta Island School
Ms. Julie Rios	RSP Teacher	Delta Island School
Dr. Sheila Harrison	Assistant Superintendent-Educational Services	Tracy Unified School District

C. Activities for 2007/2008 School Plan

Site Goal #1 – Focus on L.A. (Reading & Writing)

“HPSG Activities” 2007-2008

District Goal: #1: Provide a relevant and meaningful intervention activities and/or program.

Outcome: 26.5% of students score will score at the proficient or advanced level on the CST in Language Arts and there will be a 5% of students not meeting district grade level standards.

Rationale: Less than 13% of our students are proficient in Language Arts state testing.

1.Language Arts

Indicate date initiated (I) reviewed/revised (R) or completed (C).

Action Steps	Person Responsible	Resources	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
1.1 All teachers will participate in the Nancy Fetzter coaching and modeling writing project.	Principal, Teachers	Consultant Workbooks	I	I									C	C
1.2 All teachers will participate in focused education walks that reflect and assess best ELA/ELD pedagogical practices.	Principal, & Teachers	Consultant Edwalk Templates		I									CC	
1.3. Targeted ELL students at the basic level on CST will participate in schools after school targeted intervention class.	Principal & Teachers	Teachers Curriculum CST Data		I									C	

Evaluation Process:

- Quarterly education walk data
- Annual education walk data
- Data team analysis
- CST Results

Site Goal 2 – Focus on Math Skills

“HPSG Activities” 2007-2008

District Goal: #1: Provide a relevant and meaningful curriculum

Outcome: 26.5% of students score at the proficient or advanced level on the CST in math and there will be a 5% decrease of students not meeting district grade level standards.

Rationale: Less than 15% of our students are proficient in Math CST.

2. Mathematics

2007-2008

Indicate date initiated (I) reviewed/revised (R) or completed (C).

Action Steps	Person Responsible	Resources	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
2.1 All teachers will review specific strategies and pedagogy needed by ELL students to access core math curriculum	Principal & Teachers,	Consultant Textbook ELD Levels	I										C	

Evaluation Process:

- Quarterly education walks data
- Annual education walk data
- Rowley Math
- Data team analysis
- CST Results

District Goal: #1: Provide a relevant and meaningful curriculum

Outcome: 60% of all ELL students will achieve one level of growth or more on the proficiency level score on CELDT test.

Rationale: Over 88% of our students are second language learners.

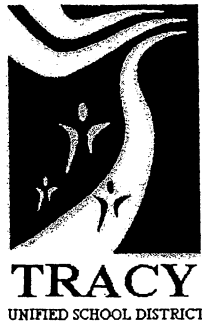
3. English Language Development

Indicate date initiated (I) reviewed/revised (R) or completed (C).

Action Steps	Person Responsible	Resources	Jul	Aug	Sep	Oct	Nov	Dec	Jan	Feb	Mar	Apr	May	June
3.1 All teachers will participate in ELD differentiated coaching and modeling project.	Principal & Teachers	ELD Levels Santillana materials Consultant		I									C	
3.2 All teachers will participate in quarterly student ELD progress reports/assessments	Principal Teachers	CELDT Levels Consultant		I									C	
3.3 All teachers will participate in focused education walks that reflect best ELA/ELD pedagogical practices.	Principal & Teachers	Edwalk template Consultant		I									C	

Evaluation Process:

- CELDT
- Writing Rubric Based on ELD standards
- Writing Portfolios
- Peer Coaching & Observation
- Education walk data
- CST



HUMAN RESOURCES

To: Jim Franco, Superintendent

From: James Mousalimas, Assistant Superintendent of Human Resources *JM*

Date: November 30, 2006

Subject: Approve New Job Description and Authorize Hiring Two Positions for Bus Driver/Custodian/Groundskeeper

BACKGROUND: Several presentations have been made to the board about current staffing levels in the Grounds Department. As a result, the Board requested that a proposal be presented which will facilitate maintaining our grounds in better condition.

In addition, the District has been struggling for approximately three years trying to attract bus drivers to many of the part-time positions often associated with the demand for bussing. In response to this problem, the district generated a position known as Bus Driver/Custodian in which the employee is assigned to an eight hour position, but the responsibilities shift throughout the day to include custodial duties as well as bus driving duties. This approach has been successful in attracting applicants to the vacant positions. Yet, demands for drivers of Special Education routes are increasing weekly, therefore new part-time vacancies have been generated.

RATIONALE: As a solution to the groundskeeping staffing shortage, staff is recommending a similar approach to solving the grounds problem. Bus Driving and Groundskeeping duties are largely seasonal work, both involving similar equipment operating skills. The greatest demand for grounds workers is during the warm summer months. The least demand for bus drivers is during the summer months in which traditional students are out of school. Both positions require driving vehicles.

Hiring new employees into this new job description allows daily and seasonal flexibility to deal with driving needs, grounds needs, custodial needs. The district benefits by

having a larger pool of employees eligible to accomplish work. The employee benefits by having a varied work day, limiting the total time driving a bus, working outdoors, or doing custodial duties.

FUNDING: The cost of each of the two positions is estimated to be \$56,500, for a total estimated cost of \$113,000.

RECOMMENDATION: Approve New Job Description and Authorize Hiring Two Positions for Bus Driver/Custodian/Groundskeeper

Prepared by: Bill Willner, Director of Building Maintenance, John Heerema, Director of Transportation & Casey J. Goodall, Assistant Superintendent for Business Services

TRACY UNIFIED SCHOOL DISTRICT JOB DESCRIPTION

POSITION TITLE: Bus Driver/Custodian/Groundskeeper

DEPARTMENT/DIVISION: Transportation/Grounds and Operations

POSITION SUMMARY: Under general supervision of the Director of Transportation, Director of Building Maintenance and/or Site and Departmental Administrator to perform bus driving duties, grounds keeping and custodial work in the cleaning and maintenance of school buildings, equipment and facilities.

ESSENTIAL FUNCTIONS:

1. Drives a bus over designated routes in accordance with time schedules.
2. Picks up and discharges school children.
3. Escorts children across streets, stopping traffic when necessary.
4. Transports students and teachers on field trips to various locations, sometimes choosing the best route and making departure and arrival times as scheduled.
5. Performs a complete daily safety check **and fills vehicles and equipment with fuel.**
6. Assists in maintaining bus in safe operating condition and advises on repairs needed.
7. Cleans windshields, headlights and may occasionally wash buses, operate mobile radio equipment on buses.
8. Maintains good order among students on buses following District policies regarding the disciplining of children. **Assists Director of Transportation in contacts with principals and/or parents regarding disciplinary problems.**
9. Drives other equipment such as cars, vans, **forklift, equipment and lawnmowers.**
10. Maintains a variety of records as required, including the daily bus **report and work orders.**
11. Updates route sheets to include accurate directions and other pertinent instructions.
12. When necessary to fulfill contracted hourly assignment, drivers may be directed to dispatch (operate two-way radio and phones), when necessary operate computer system, assist with related clerical paperwork, greet and screen visitors, distribute keys and related materials, wash district vehicles, deliver mail and packages.
13. **Delivers, loads and unloads, moves and rearranges furniture and equipment.**
14. Performs cleaning tasks in restrooms, classrooms, offices and outside areas, such as sweeping, scrubbing, waxing, dusting, disinfecting, vacuuming and shampooing; empties waste containers
15. Performs minor plumbing, water supply lines, sprinkler supply lines and electrical repairs.
16. Performs minor repair of furniture, cabinets, carpet and other equipment.
17. Removes graffiti from various surfaces such as wood, metal, glass, plaster, stucco, wallboard, brick and cement.
18. **Operates, cleans, services, repairs and maintains scrubbers, vacuum cleaners, carpet extractors and auxiliary mechanical equipment on vehicles and other related equipment and tools.**
19. **Performs general grounds maintenance work including trimming, pruning, edging and using hand or power tools.**
20. **Rake, sweep or pick up litter, leaves or trash from buildings, walkways and surrounding grounds and parking lots.**
21. Lifts and stores supplies
22. Reports safety, sanitation and fire hazards and removes objects hazardous to persons and property.
23. Follows proper procedures when handling blood and body fluids as per Blood Borne Pathogens policy.
24. May supervise student workers
25. Maintains regular and prompt attendance in the workplace **and keeps daily attendance records.**
26. **Irrigates, maintains and improves landscape areas including mowing lawns using hand mower or power mower.**
27. **Maintains athletic equipment, playgrounds and fields.**
28. **Sprays fertilizer and herbicides.**

POSITION TITLE: Bus Driver/Custodian/Groundskeeper

29. Prepares and treats soil for planting.

30. Cleans and lubricates equipment.

31. May be assigned Transportation, Custodial or Grounds duties as needed.

32. Performs other related duties as required.

EDUCATION AND EXPERIENCE: The ability to carry out oral and written directions read and writes at a level sufficient to fulfill the duties to be performed for the position described. Must complete and pass a 40 hour school bus training course; pass a drug test, pass the commercial driver's license test, which includes knowledge of passenger management and brakes. It is preferred each candidate have entry level experience in the custodial field and two years driving experience, which includes bus or truck operation. Ability to meet the requirements of the State Department of Motor Vehicles and Highway Patrol, possess or obtain a valid Class B Commercial License, California School Bus Driver's License and be insurable. High School diploma preferred.

SKILLS AND QUALIFICATIONS:

1. Knowledge of safe, defensive and efficient driving practices and techniques.
2. Knowledge of all laws, rules and regulations pertaining to the transportation of students including provisions of the California Motor Vehicle Highway Patrol Passenger Transportation Safety Handbook (HPH 82.7) and all revisions thereof.
3. Knowledge of Education Code applicable to the operation of vehicles transporting school students; methods, practices and procedures used in required first aid and emergency conditions.
4. Knowledge of the geography of the District.
5. Ability to read and develop a variety of routes, schedules and maps.
6. Ability to plan for, carryout and complete extra curricular trips including athletic trips.
7. Knowledge of and ability to demonstrate effective methods of student supervision and discipline.
8. Knowledge of operation, methods and practices followed in the use, maintenance and repair of tools, machinery and equipment.
9. Knowledge of plumbing and hardware techniques.
10. Knowledge of safe work practices.
11. Ability to estimate the scope of each work assignment and secure the necessary tools and materials to complete assignments.
12. Ability to diagnose equipment operating problems and execute required repairs.
13. Ability to use precision measuring equipment.
14. Ability to develop and maintain cooperative working relations with those contacted in the course of work.
15. Ability to keep accurate records of work performed.
16. Ability to work without immediate supervision in the field.
17. Must pass required physical examination and drug test.
- 18. Ability to operate mechanical and power-driven equipment.**
- 19. Knowledge of plant diseases and insects and control methods.**
- 20. Knowledge of approved methods of planting and caring for landscaping.**

PHYSICAL REQUIREMENTS: Employees in this position must have the ability to:

1. Sit for extended periods of time.
2. Stand, walk, bend, squat, stoop and/or climb for extended periods of time.
3. Right and left foot movements such as operating foot controls for extended periods of time.
4. Reach above shoulder level for extended periods of time.
5. Push/pull up to 50 lbs. for extended periods of time
6. Push/pull up to 100 lbs. for short periods of time.
7. Lift and carry up to 75 lbs. at waist height for short periods of time.
8. Repetitive foot and/or hand/arm movements (grasp/pinch, etc.) for extended periods of time.
9. Speak so that others may understand at normal levels and on the telephone.
10. Hear and understand at normal levels and on the telephone with or without hearing aids.

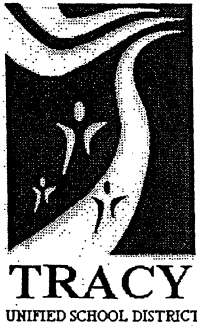
POSITION TITLE: Bus Driver/Custodian/Groundskeeper

WORK ENVIRONMENT: Employees in this position will be required to work indoors and outdoors under various weather and temperatures during the course of the required schedule. Employees will also be required to work on uneven ground. Employees will be exposed to noise, dust, fumes, **pollen**, gases and smoke levels depending on assignment being preformed. Must wear closed toe shoes and meet uniform requirement. As required, must wear protective devices such as gloves, earplugs, coveralls, safety boots, safety glasses and dust mask. Employees will be exposed to vibrations.

SALARY: Range 36

ADOPTED:

TUSD Board Approved



HUMAN RESOURCES MEMORANDUM

TO: Dr. James Franco, Superintendent
FROM: James Mousalimas, Assistant Superintendent for Human Resources *JM*
DATE: December 5, 2006
SUBJECT: Adopt New/Revised Board Policies and Acknowledge New/Revised Administrative Regulations to Be Compliant with CSBA Guidelines

BACKGROUND: In March of 2006 an audit was conducted of Board policies and administrative regulations. The audit identified the status of specific policies and regulations, and detailed requirements to bring these documents into compliance with guidelines with the California School Boards Association (CSBA). Recommended changes ranged from adding required policies, to making minor changes, to adopting language already in place, but for which no adoption date is identifiable.

RATIONALE: The attached policies and administrative regulations required minor changes to match CSBA guidelines or merely require formal approval to delineate an adoption date.

BP/AR	Required Change	Notes
BP & AR 4212.42 (Classified); BP & AR 4112.42 (Certificated); BP & AR 4312.42 (Management, Supervisory & Classified Confidential) - Drug and Alcohol Testing for School Bus Drivers/Commercial Vehicle Drivers	Adopt existing language with changes to be compliant with CSBA guidelines	Policies and Regulations reflect federal testing program for employees who drive "school transportation vehicle" and blood alcohol percentage levels specified in law and types of tests included in District's testing program

FUNDING: Not Applicable.

RECOMMENDATION: Adopt New/Revised Board Policies and Acknowledge New/Revised Administrative Regulations to Be Compliant with CSBA Guidelines

PREPARED BY: James Mousalimas, Assistant Superintendent for Human Resources

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

The Governing Board maintains a drug and alcohol-free workplace to ensure that District-provided transportation is safe for students, staff, and the public. The Superintendent or designee shall establish a drug and alcohol testing program for all District drivers, other employees who hold a commercial driver's license, and drivers of a "school transportation vehicle" as defined in Vehicle Code 34520.3 which is necessary to perform duties related to their employment with the District. Employees who drive vehicles which require the possession of a commercial driver's license to operate, including school bus drivers, are subject to federal law and regulations requiring a drug and alcohol testing program. ~~The Superintendent or designee shall implement this program beginning January 1, 1996.~~

The District's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers.

The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.

No driver may operate a district vehicle when his/her blood alcohol content is found to be .01 percent or greater. A driver shall not consume alcohol while on duty or for four hours prior to on-duty time and up to eight hours following an accident or until he/she undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses a controlled substance, unless so instructed by a physician.

Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the District's collective bargaining agreement.

The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the District's policy and procedure in accordance with law. In addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Legal Reference:

EDUCATION CODE

35160

Authority of Governing Boards

VEHICLE CODE

34500-344520.5

Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293

Motor carrier safety, especially:

1213.1

Placing drivers out-of-service

UNITED STATES CODE, TITLE 49

31306

Alcohol and controlled substances testing

41501-41507

Transportation Employee Testing Act

~~2717~~

~~Alcohol and controlled substances testing (Omnibus
Transportation Employee Testing Act of 1991)~~

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413

Procedures for Transportation Workplace Drug and
Alcohol Testing Programs

382.101-382.605

Controlled Substance and Alcohol Use and Testing;
especially

382.205

On-duty use

382.207

Pre-duty use

382.209

Use following an accident

~~395~~

~~Hours of Service of Drivers~~

~~Holliday v. City of Modesto (1991) 229 Cal. App. 3d 528, 540~~

~~International Brotherhood of Teamsters v. Department of
Transportation 932 F.2d~~

Policy Adopted:

Revised:

TUSD: 1/28/97

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

A. Purpose and Scope

To provide guidance and direction for administrative personnel regarding drug and alcohol testing for school bus drivers and other employees whose assigned duties require the operation of a commercial vehicle, **including any vehicle designed to transport 16 or more passengers**, as defined by Title 49 of the Code of Federal Regulations Section 382.107 or a **“school transportation vehicle”** as defined in Vehicle Code 34520.3. This includes casual, intermittent or occasional drivers as well as full-time, regularly employed drivers.

The Superintendent or designee shall contract for collection and testing services and shall ensure that testing procedures and facilities used for the tests conform with the requirements of the Code of Federal Regulations, Title 49, Part 40.

B. General

Notice

1. Before drug and alcohol tests are performed pursuant to the 49 CFR 382, the District shall inform drivers that the tests are required by these regulations.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application.

All drivers subject to this policy and regulation shall be individually notified, in advance and in writing, that they are subject to “reasonable suspicion”, “post-accident”, “random”, “return to duty” and “follow-up” testing for controlled substances and alcohol while employed by the District.

The District shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall also tell the driver which controlled substance(s) were verified as positive.

2. All drivers subject to this policy and regulation shall receive educational materials on alcohol misuse and controlled substance use (Code of Federal

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Regulations, Title 49, Part 382), together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify all of the following:

- a. The person designated by the District to answer drivers' questions about the materials.
- b. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382.
- c. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382.
- d. Specific information concerning driver conduct that is prohibited by Part 382.
- e. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382.
- f. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct driver.
- g. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382.
- h. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences.
- i. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment.
- j. The consequences for drivers found to have an alcohol concentration of .02 or greater but less than .04.
- k. The effects of drugs and alcohol on an individual's health, work and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program and/or referral to management.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- I. Other legal requirements, District policies and disciplinary consequences related to the use of alcohol and drugs.**

In addition,

- a. all stewards at the drivers' work locations shall receive the same training provided to supervisors for reasonable suspicion determinations.
 - b. all drivers shall be notified of the right to have a union representative present throughout the questioning and testing by a Medical Review Officer. If the driver requests union representation, questioning and testing shall be suspended for a period not greater than two (2) hours, during which time a union representative will be made available.
3. If a driver is under the care of a licensed physician and taking a prescription medication that has a significant potential to affect or impair safety and performance of duties, the driver must notify the supervisor before beginning the work shift.

In addition, drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Drivers using such a substance may continue to perform safety-sensitive functions only if the physician has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle.

4. Each driver shall sign a statement certifying that he/she has received a copy of the materials under B1. and B2. above.
5. Suggestions or concerns relating to this policy and regulation should be directed to the Associate Superintendent for Human Resources or the Assistant Superintendent for Business Services.

C. Forms Used and Additional References

District forms available through Human Resources Division.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

D. Procedure

Pre-Employment Tests

Tests for controlled substances and alcohol shall normally be conducted before the first time a driver performs any safety-sensitive function for the District.

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing driver requirements related to accidents. (49 CFR 382.107, 395.2)

The tests shall be required of an applicant only after he/she has been offered a position subject to this policy and regulation.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the District has been able to make all verifications required by law. (49 CFR 382.301)

Pre-employment testing shall also be required of employees returning to work after a layoff period if the employee was removed from the random testing pool. If the employee remains in the random testing pool, additional testing shall not be necessary. (49 CFR 382.301)

Reasonable Suspicion Testing

An alcohol or drug test shall be conducted if a supervisor or district official trained in accordance with law has reasonable suspicion that a driver has violated the district's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances. (49 CFR 382.307)

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours. (49 CFR 382.307)

A supervisor or district official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his/her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier. (49 CFR 382.307)

The Superintendent or designee shall ensure that an employee under reasonable suspicion is transported to the designated collection or testing site.

- ~~1. A reasonable suspicion test will be based upon a trained supervisor's conclusion, as a result of examining all of the pertinent facts, that prohibited controlled substance or alcohol use may have contributed to or caused a critical incident, or may limit an employee's capacity to function in a safety sensitive position. (The term supervisor shall include all supervisory and managerial staff members as defined in the Educational~~

~~Employment Relations Act, Government Code Section 3540 et seq.) A reasonable suspicion test must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. For suspicion of alcohol or controlled substance use, the observations may also include indications of chronic and withdrawal effects.~~

- ~~2. The observations must be made by a supervisor who has received a total of three (3) hours training in identifying indicators of probable alcohol misuse and in identifying indicators of probable controlled substance use. Training shall be conducted by a substance abuse professional.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- ~~3. If the reasonable suspicion observations are made by the immediate supervisor of the driver, they must be confirmed by the direct observation of another supervisor similarly trained.~~
- ~~4. Reasonable suspicion observations must be contemporaneous, i.e., they must be made just before, during or just after the driver's performance of a safety-sensitive duty.~~
- ~~5. Drivers for whom a reasonable suspicion determination has been made will be placed on paid administrative leave pending receipt of initial test results.~~
- ~~6. Tests based on reasonable suspicion of alcohol misuse shall be promptly administered.~~
 - ~~a. If the test is not given within two hours following the reasonable suspicion determination, the District shall prepare and maintain on file a statement of the reasons the test was not promptly administered.~~
 - ~~b. If requested by the driver, a copy of this statement shall be provided to the driver within a reasonable period of time.~~
 - ~~c. No test based on reasonable suspicion of alcohol misuse will be given that is not within eight hours of the reasonable suspicion determination.~~
- ~~7. A written record of the reasonable suspicion observations for use of controlled substances, dated and signed by all supervisors making the observations, must be made within 24 hours or before the result of the controlled substance test(s) are released, whichever is earlier. If requested by the driver, a copy of this record will be given to the driver within a reasonable period of time.~~
- ~~8. No supervisor who makes the reasonable suspicion observations can conduct the test or participate in the collection or chain of custody of any specimen for testing.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS****Return-To Duty Tests**

A controlled substance or alcohol test shall be conducted whenever a driver who has violated the district's controlled substance or alcohol prohibition returns to performing safety-sensitive duties. (49 CFR 382.309)

1. Employees whose conduct involved controlled substances cannot return to duty in a safety-sensitive function until the return-to duty controlled substance test produces a verified negative result. (49 CFR 382.605)
2. Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and District standards.

Follow-up Tests

A driver who violates the district's controlled substance or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a controlled substance or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law.

Follow-up alcohol testing shall be conducted just before, during, or just after the time when the driver is performing safety-sensitive functions. (49 CFR 382.311)

Post-Accident Testing

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

1. **Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life. (49 CFR 382.303)**
2. **Who receives a citation under state or local law for a moving traffic violation arising from the accident. (49 CFR 382.303)**
3. *Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved a serious medical injury.*
4. *Whose performance cannot be excluded as a contributing factor based on information available at the time of the accident.*

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention. (49 CFR 382.303)

No such driver shall use alcohol for eight hours after the accident, or until after he/she undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)

If an alcohol test is not administered within two hours of the accident or if a drug test is not administered within 32 hours, the District shall prepare and maintain records explaining why the test was not conducted. Tests shall not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs. (49 CFR 382.303)

Tests conducted by authorized federal, state or local officials shall fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the District. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations. (49 CFR 382.303)

- ~~1. A post-accident test must be based upon an accident for which the driver received a citation for a moving traffic violation or where there was a loss of human life, serious injury and/or significant property damage.~~
- ~~2. No post-accident test for alcohol will be given more than eight hours after the accident. No post-accident test for controlled substances will be given more than 32 hours after the accident. No such driver shall use alcohol or any controlled substance for eight hours after the accident or until after he or she undergoes a post-accident alcohol/controlled substance test, whichever occurs first.~~
- ~~3. All drivers shall be given necessary post-accident information, procedures and instructions by the District.~~

Random Testing

Alcohol and drug tests shall be conducted on a random basis at unannounced times throughout the year. The number of random alcohol and drug tests shall be at least equal to those required by federal regulations. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made. Tests for alcohol shall be conducted just before, during or just after the performance of safety-sensitive functions. (49 CFR 382.305)

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Employees off work due to leaves, vacation and layoffs shall be informed that they remain subject to random testing. Employees drawn for such testing shall be notified and tested as soon as practicable after they return to duty.

- ~~1. Unless required by a State or Federal agency, drivers shall be randomly tested as follows:~~
 - ~~a. The number of random alcohol tests annually must equal at least 25% of the average number of driver positions and not greater than one driver more than 25%.~~
 - ~~b. The number of random drug tests annually must equal at least 50% of the average number of driver positions and not greater than one driver more than 50%.~~
 - ~~c. These rates, which are required by Federal regulations, will be automatically adjusted to be consistent with changes, if any, in the minimum rates required by these regulations. (See 49 CFR 382.305, (a).)~~
- ~~2. The pool of persons subject to random testing shall include all school bus drivers and other employees whose assigned duties require the operation of a commercial vehicle as defined by Title 49 of the Code of Federal Regulations Section 382.107 during the month when the random selection occurs. Employees will not be recalled from approved leaves of absence for the purpose of alcohol or controlled substance testing.~~
- ~~3. The selection of drivers for random testing must be solely by chance utilizing a random number table of a computer-based random number generator matched with social security numbers.~~
- ~~4. The dates for random tests shall be unannounced and spread reasonably throughout the year. Each driver in the random pool must have an equal chance of selection each time random selections are made, regardless of whether the driver was previously tested that year.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Testing Procedures

All tests for alcohol or controlled substances must comply with the requirements for such tests set forth in Title 49 of the Code of Federal Regulations, Part 40. In addition:

1. The immediate supervisor of a driver shall not serve as either a collection site person for controlled substance testing or as a breath alcohol technician for alcohol testing of that driver.
2. All testing shall be conducted in a private setting and, in the case of testing, no direct observation of a driver's urination by a collection site person is permitted except for the reasons stated in Title 49 of the Code of Federal Regulations Section 40.25, (e), and then only by a same gender collection site person who is not employed by the District.
3. The testing laboratory for controlled substance testing must be a laboratory certified for such testing by the U.S. Department of Health and Human Services. A split sample test requested by a driver shall be conducted at a different certified laboratory than the one which conducted the initial test(s).
 - a. Any tests that do not comply with the requirements of paragraph (3) above shall be treated as negative tests.
 - b. A split sample test shall be paid for by the employee. If the test is negative, the District shall reimburse the employee for the cost of the test.

Note: The District will select the Laboratory. The District will formulate a procedure to address any complaints which surface regarding the laboratory. If the District determines that any complaint received from CSEA has validity, and if requested by CSEA, the District will meet with CSEA to evaluate whether a change of Laboratory is warranted.

4. A refusal to submit to an alcohol or controlled substance test means that a driver:
 - a. fails to provide adequate breath for alcohol testing without a valid medical explanation after he/she has received notice of the requirements for breath testing in accordance with the provisions of the District's policy; or

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- b. fails to provide an adequate urine sample for testing without a genuine inability to provide a specimen (as determined by a medical evaluation) after he/she has received notice of the requirements for urine testing in accordance with the provisions of the District's policy; or
 - c. engages in conduct that clearly obstructs the testing process.
- 5. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
- 6. The consequences of a driver's refusal to submit to an alcohol or controlled substance test required under post-accident, random reasonable suspicion or follow-up testing will be that the District will prohibit the driver from performing or continuing to perform safety-sensitive functions. During the period the driver is prohibited from performing or continuing to perform safety-sensitive functions, he/she will not receive pay.
- 7. If a driver refuses to submit to controlled substance or alcohol testing, that driver shall be subject disciplinary action in accordance with the District/CSEA collective bargaining agreement.

Positive Tests

- 1. A positive test for alcohol must be either (1) a confirmation test by an evidential breath testing device capable of printout and sequential numbering and must show an alcohol concentration of 0.01 grams of alcohol per 210 liters of breath or greater; or (2) any other test authorized by Title 49 of the Code of Federal Regulations. Such a test is positive even if that concentration is caused by prescribed medication.
- 2. The medical review officer will determine if a confirmation test for controlled substance is positive in accordance with Title 49 of the Code of Federal Regulations, part 40, by using a gas chromatography/mass spectrometry technique.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. No positive test for controlled substances or alcohol, conducted pursuant to this Side Letter, shall be reported to the District until:

a. For alcohol and controlled substances:

The medical review officer has made all reasonable efforts to contact the driver (and documented them), on a confidential basis, and attempted to give the driver an opportunity to discuss the test results and the driver's medical history, including medication, in confidence.

b. For controlled substances:

1) The medical review officer has given the driver, within 72 hours of the driver's notification that the test was positive, an opportunity to request that the remainder of the split sample be tested by a different laboratory, certified by the Department of Health and Human Services;

2) The remainder of the split sample has been tested and found to be positive, or no timely request for such a test is made by the driver.

4. If the medical review officer concludes that there is a legitimate medical explanation for the positive test, such as prescription or over-the-counter medication, or a negative result in the test of the remainder of the split sample, the medical review officer must report the test to the District as a negative test.

5. The medical review officer shall be a licensed physician with (1) special knowledge of substance abuse disorders, (2) appropriate medical training to interpret and evaluate an individual's confirmed positive test, and (3) knowledge of the medical use of prescription drugs and the pharmacology and toxicology of alcohol and controlled substances. The medical review officer shall not be an employee of the District.

Note: The District will select the Medical Review Officer. The District will formulate a procedure to address any complaints which surface regarding the Medical Review Officer. If the District determines that any complaint received from CSEA has validity, and if requested by CSEA, the District will meet with CSEA to evaluate whether a change of Medical Review Officer is warranted.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

6. The cut-off levels in this section are those required by Federal regulation.
 - a. They will be automatically adjusted to be consistent with changes, if any, in the levels specified by those regulations. (See 49 CFR 40.29, (f).)
 - b. On the date of this Side Letter, the most relevant cut-off levels are:
 1. 15 ng/ml (nanograms per milliliter) of marijuana metabolite;
 2. 150 ng/ml of cocaine metabolite;
 3. 300 ng/ml of opiate metabolite;
 4. 25 ng/ml of phencyclidine; or
 5. 500 ng/ml of amphetamine or methamphetamine.

Effects of a Positive Test

1. Any driver who tests positive under the testing procedures (random, post accident, reasonable suspicion, return to duty and follow-up tests) will:
 - a. if the positive test is an alcohol test showing an alcohol concentration of 0.01 or greater, but less than 0.04, be placed on unpaid administrative leave for 24 hours or, at the option of the District be assigned to duties that are not safety sensitive for the same time period. Additional discipline will be based upon an assessment of all relevant factors.
 - b. if the positive test is .04 or greater for alcohol, or positive for any controlled substances, they be subject to disciplinary action in accordance with the District/CSEA collective bargaining agreement.
2. In addition, drivers will also be subject to discipline if:
 - a. they refuse to submit to a test authorized by this policy and regulation;
 - b. they fail to complete rehabilitation recommended by the substance abuse professional which has been approved by the District; or
 - c. they subsequently tests positive for alcohol and/or for controlled substances after a return to duty test following completion of rehabilitation.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. A permanent driver is entitled to all due process rights pursuant to the District/CSEA collective bargaining agreement. A probationary driver, as a continuing part of the selection process, is subject to immediate termination.
4. Subject to the disciplinary provisions of the collective bargaining agreement, the driver shall be evaluated by a substance abuse professional, who shall determine what assistance, if any, is needed to resolve alcohol or controlled substance problems. Any assistance sought by the employee shall be paid for entirety by the employee.
5. With respect to all positive tests, nothing shall prohibit the District from taking adverse personnel actions in accordance with its authority independent from that conferred by 49 CFR part 382 which are consistent with other policies of the District.

Miscellaneous

1. Drivers will receive their regular pay for time required to take tests specified in this policy and regulation. The District will pay for these tests.
2. The parties agree to treat all test results as confidential medical records.

E. Reports Required

1. All records identified pursuant to 49 CFR 382.401 and 382.403 that the district must keep for varying periods of time.
2. Statements signed by Bus Drivers or other employees who are assigned duties requiring operation of commercial vehicles indicating that they have received copies of this policy and regulation.

F. Record Retention

1. All records identified pursuant to 49 CFR 382.401 and 382.403 that the district must keep for varying periods of time.
2. Statements signed by Bus Drivers or other employees who are assigned duties requiring operation of commercial vehicles indicating that they have received copies of this policy and regulation.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver. (49 CFR 382.405)

G. Responsible Administrative Unit

Human Resources
Business Services

**H. Approved By
The Administrator of the Division.**

Regulation Adopted: Revised:
TUSD: 1/98

List of Laboratories in California and Nevada that have been approved for Urine Drug Testing by the Department of Health and Human Services

Associated Pathologists Laboratories, Inc.
4230 So. Burnham Ave., Suite 250
Las Vegas, Nevada 89119-5412
(702) 733-7866

Sierra Nevada Laboratories, Inc.
888 Willow Street
Reno, Nevada 89502
(800) 648-5472

Centinela Hospital Airport Toxicology Laboratory
9601 So. Sepulveda Blvd.
Los Angeles, California 90045
(310) 215-6020

SmithKline Beecham Clinical Laboratories
7600 Tyrone Avenue
Van Nuys, California 91045
(818) 376-2520

National Health Laboratories Inc.
5601 Oberlin Drive, Suite 100
San Diego, California 92121
(619) 455-1221

TOXWORX Laboratories, Inc.
6160 Variel Avenue
Woodland Hills, California 91367
(818) 226-4373

National Toxicology Laboratories, Inc.
1100 California Avenue
Bakersfield, CA 93304
(805) 322-4250

UNILAB
18408 Oxnard Street
Tarzana, California 91356
(818) 343-8191/800-492-0800

Nicols Institute Substance Abuse Testing
7470-A Mission Valley Road
San Diego, California 92108-4406
(619) 686-3200/800-446-4728

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, California 94025
(415) 328-6200/800-446-5177

Poisonlab, Inc.
7272 Clairemont Mesa Road
San Diego, California 92111
(619) 279-2600/800-882-7272

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

The Governing Board maintains a drug and alcohol-free workplace to ensure that District-provided transportation is safe for students, staff, and the public. The Superintendent or designee shall establish a drug and alcohol testing program for all District drivers, other employees who hold a commercial driver's license, and drivers of a "school transportation vehicle" as defined in Vehicle Code 34520.3 which is necessary to perform duties related to their employment with the District. Employees who drive vehicles which require the possession of a commercial driver's license to operate, including school bus drivers, are subject to federal law and regulations requiring a drug and alcohol testing program. ~~The Superintendent or designee shall implement this program beginning January 1, 1996.~~

The District's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers.

The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.

No driver may operate a district vehicle when his/her blood alcohol content is found to be .01 percent or greater. A driver shall not consume alcohol while on duty or for four hours prior to on-duty time and up to eight hours following an accident or until he/she undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses a controlled substance, unless so instructed by a physician.

Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the District's collective bargaining agreement.

The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the District's policy and procedure in accordance with law. In addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Legal Reference:

EDUCATION CODE

35160

Authority of Governing Boards

VEHICLE CODE

34500-344520.5

Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293

Motor carrier safety, especially:

1213.1

Placing drivers out-of-service

UNITED STATES CODE, TITLE 49

31306

Alcohol and controlled substances testing

41501-41507

Transportation Employee Testing Act

~~2717~~

~~Alcohol and controlled substances testing (Omnibus
Transportation Employee Testing Act of 1991)~~

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413

Procedures for Transportation Workplace Drug and
Alcohol Testing Programs

382.101-382.605

Controlled Substance and Alcohol Use and Testing;
especially

382.205

On-duty use

382.207

Pre-duty use

382.209

Use following an accident

~~395~~

~~Hours of Service of Drivers~~

~~Holliday v. City of Modesto (1991) 229 Cal. App. 3d 528, 540~~

~~International Brotherhood of Teamsters v. Department of
Transportation 932 F.2d~~

Policy Adopted:

TUSD: 1/28/97

Revised:

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

A. Purpose and Scope

To provide guidance and direction for administrative personnel regarding drug and alcohol testing for school bus drivers and other employees whose assigned duties require the operation of a commercial vehicle, **including any vehicle designed to transport 16 or more passengers**, as defined by Title 49 of the Code of Federal Regulations Section 382.107 or a **“school transportation vehicle”** as defined in Vehicle Code 34520.3. This includes casual, intermittent or occasional drivers as well as full-time, regularly employed drivers.

The Superintendent or designee shall contract for collection and testing services and shall ensure that testing procedures and facilities used for the tests conform with the requirements of the Code of Federal Regulations, Title 49, Part 40.

B. General

Notice

1. Before drug and alcohol tests are performed pursuant to the 49 CFR 382, the District shall inform drivers that the tests are required by these regulations.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application.

All drivers subject to this policy and regulation shall be individually notified, in advance and in writing, that they are subject to “reasonable suspicion”, “post-accident”, “random”, “return to duty” and “follow-up” testing for controlled substances and alcohol while employed by the District.

The District shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall also tell the driver which controlled substance(s) were verified as positive.

2. All drivers subject to this policy and regulation shall receive educational materials on alcohol misuse and controlled substance use (Code of Federal

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Regulations, Title 49, Part 382), together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify all of the following:

- a. The person designated by the District to answer drivers' questions about the materials.
- b. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382.
- c. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382.
- d. Specific information concerning driver conduct that is prohibited by Part 382.
- e. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382.
- f. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct driver.
- g. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382.
- h. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences.
- i. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment.
- j. The consequences for drivers found to have an alcohol concentration of .02 or greater but less than .04.
- k. The effects of drugs and alcohol on an individual's health, work and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program and/or referral to management.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- I. Other legal requirements, District policies and disciplinary consequences related to the use of alcohol and drugs.**

In addition,

- a. all stewards at the drivers' work locations shall receive the same training provided to supervisors for reasonable suspicion determinations.
 - b. all drivers shall be notified of the right to have a union representative present throughout the questioning and testing by a Medical Review Officer. If the driver requests union representation, questioning and testing shall be suspended for a period not greater than two (2) hours, during which time a union representative will be made available.
3. If a driver is under the care of a licensed physician and taking a prescription medication that has a significant potential to affect or impair safety and performance of duties, the driver must notify the supervisor before beginning the work shift.

In addition, drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Drivers using such a substance may continue to perform safety-sensitive functions only if the physician has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle.

4. Each driver shall sign a statement certifying that he/she has received a copy of the materials under B1. and B2. above.
5. Suggestions or concerns relating to this policy and regulation should be directed to the Associate Superintendent for Human Resources or the Assistant Superintendent for Business Services.

C. Forms Used and Additional References

District forms available through Human Resources Division.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

D. Procedure

Pre-Employment Tests

Tests for controlled substances and alcohol shall normally be conducted before the first time a driver performs any safety-sensitive function for the District.

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing driver requirements related to accidents. (49 CFR 382.107, 395.2)

The tests shall be required of an applicant only after he/she has been offered a position subject to this policy and regulation.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the District has been able to make all verifications required by law. (49 CFR 382.301)

Pre-employment testing shall also be required of employees returning to work after a layoff period if the employee was removed from the random testing pool. If the employee remains in the random testing pool, additional testing shall not be necessary. (49 CFR 382.301)

Reasonable Suspicion Testing

An alcohol or drug test shall be conducted if a supervisor or district official trained in accordance with law has reasonable suspicion that a driver has violated the district's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances. (49 CFR 382.307)

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours. (49 CFR 382.307)

A supervisor or district official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his/her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier. (49 CFR 382.307)

The Superintendent or designee shall ensure that an employee under reasonable suspicion is transported to the designated collection or testing site.

1. ~~A reasonable suspicion test will be based upon a trained supervisor's conclusion, as a result of examining all of the pertinent facts, that prohibited controlled substance or alcohol use may have contributed to or caused a critical incident, or may limit an employee's capacity to function in a safety sensitive position. (The term supervisor shall include all supervisory and managerial staff members as defined in the Educational~~

~~Employment Relations Act, Government Code Section 3540 et seq.) A reasonable suspicion test must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. For suspicion of alcohol or controlled substance use, the observations may also include indications of chronic and withdrawal effects.~~

2. ~~The observations must be made by a supervisor who has received a total of three (3) hours training in identifying indicators of probable alcohol misuse and in identifying indicators of probable controlled substance use. Training shall be conducted by a substance abuse professional.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. ~~If the reasonable suspicion observations are made by the immediate supervisor of the driver, they must be confirmed by the direct observation of another supervisor similarly trained.~~
4. ~~Reasonable suspicion observations must be contemporaneous, i.e., they must be made just before, during or just after the driver's performance of a safety-sensitive duty.~~
5. ~~Drivers for whom a reasonable suspicion determination has been made will be placed on paid administrative leave pending receipt of initial test results.~~
6. ~~Tests based on reasonable suspicion of alcohol misuse shall be promptly administered.~~
 - a. ~~If the test is not given within two hours following the reasonable suspicion determination, the District shall prepare and maintain on file a statement of the reasons the test was not promptly administered.~~
 - b. ~~If requested by the driver, a copy of this statement shall be provided to the driver within a reasonable period of time.~~
 - c. ~~No test based on reasonable suspicion of alcohol misuse will be given that is not within eight hours of the reasonable suspicion determination.~~
7. ~~A written record of the reasonable suspicion observations for use of controlled substances, dated and signed by all supervisors making the observations, must be made within 24 hours or before the result of the controlled substance test(s) are released, whichever is earlier. If requested by the driver, a copy of this record will be given to the driver within a reasonable period of time.~~
8. ~~No supervisor who makes the reasonable suspicion observations can conduct the test or participate in the collection or chain of custody of any specimen for testing.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Return-To Duty Tests

A controlled substance or alcohol test shall be conducted whenever a driver who has violated the district's controlled substance or alcohol prohibition returns to performing safety-sensitive duties. (49 CFR 382.309)

1. Employees whose conduct involved controlled substances cannot return to duty in a safety-sensitive function until the return-to duty controlled substance test produces a verified negative result. (49 CFR 382.605)
2. Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and District standards.

Follow-up Tests

A driver who violates the district's controlled substance or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a controlled substance or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law.

Follow-up alcohol testing shall be conducted just before, during, or just after the time when the driver is performing safety-sensitive functions. (49 CFR 382.311)

Post-Accident Testing

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

1. **Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life. (49 CFR 382.303)**
2. **Who receives a citation under state or local law for a moving traffic violation arising from the accident. (49 CFR 382.303)**
3. ***Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved a serious medical injury.***
4. ***Whose performance cannot be excluded as a contributing factor based on information available at the time of the accident.***

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention. (49 CFR 382.303)

No such driver shall use alcohol for eight hours after the accident, or until after he/she undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)

If an alcohol test is not administered within two hours of the accident or if a drug test is not administered within 32 hours, the District shall prepare and maintain records explaining why the test was not conducted. Tests shall not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs. (49 CFR 382.303)

Tests conducted by authorized federal, state or local officials shall fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the District. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations. (49 CFR 382.303)

- ~~1. A post-accident test must be based upon an accident for which the driver received a citation for a moving traffic violation or where there was a loss of human life, serious injury and/or significant property damage.~~
- ~~2. No post-accident test for alcohol will be given more than eight hours after the accident. No post-accident test for controlled substances will be given more than 32 hours after the accident. No such driver shall use alcohol or any controlled substance for eight hours after the accident or until after he or she undergoes a post-accident alcohol/controlled substance test, whichever occurs first.~~
- ~~3. All drivers shall be given necessary post-accident information, procedures and instructions by the District.~~

Random Testing

Alcohol and drug tests shall be conducted on a random basis at unannounced times throughout the year. The number of random alcohol and drug tests shall be at least equal to those required by federal regulations. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made. Tests for alcohol shall be conducted just before, during or just after the performance of safety-sensitive functions. (49 CFR 382.305)

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Employees off work due to leaves, vacation and layoffs shall be informed that they remain subject to random testing. Employees drawn for such testing shall be notified and tested as soon as practicable after they return to duty.

1. ~~Unless required by a State or Federal agency, drivers shall be randomly tested as follows:~~
 - a. ~~The number of random alcohol tests annually must equal at least 25% of the average number of driver positions and not greater than one driver more than 25%.~~
 - b. ~~The number of random drug tests annually must equal at least 50% of the average number of driver positions and not greater than one driver more than 50%.~~
 - c. ~~These rates, which are required by Federal regulations, will be automatically adjusted to be consistent with changes, if any, in the minimum rates required by these regulations. (See 49 CFR 382.305, (a).)~~
2. ~~The pool of persons subject to random testing shall include all school bus drivers and other employees whose assigned duties require the operation of a commercial vehicle as defined by Title 49 of the Code of Federal Regulations Section 382.107 during the month when the random selection occurs. Employees will not be recalled from approved leaves of absence for the purpose of alcohol or controlled substance testing.~~
3. ~~The selection of drivers for random testing must be solely by chance utilizing a random number table of a computer-based random number generator matched with social security numbers.~~
4. ~~The dates for random tests shall be unannounced and spread reasonably throughout the year. Each driver in the random pool must have an equal chance of selection each time random selections are made, regardless of whether the driver was previously tested that year.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Testing Procedures

All tests for alcohol or controlled substances must comply with the requirements for such tests set forth in Title 49 of the Code of Federal Regulations, Part 40. In addition:

1. The immediate supervisor of a driver shall not serve as either a collection site person for controlled substance testing or as a breath alcohol technician for alcohol testing of that driver.
2. All testing shall be conducted in a private setting and, in the case of testing, no direct observation of a driver's urination by a collection site person is permitted except for the reasons stated in Title 49 of the Code of Federal Regulations Section 40.25, (e), and then only by a same gender collection site person who is not employed by the District.
3. The testing laboratory for controlled substance testing must be a laboratory certified for such testing by the U.S. Department of Health and Human Services. A split sample test requested by a driver shall be conducted at a different certified laboratory than the one which conducted the initial test(s).
 - a. Any tests that do not comply with the requirements of paragraph (3) above shall be treated as negative tests.
 - b. A split sample test shall be paid for by the employee. If the test is negative, the District shall reimburse the employee for the cost of the test.

Note: The District will select the Laboratory. The District will formulate a procedure to address any complaints which surface regarding the laboratory. If the District determines that any complaint received from CSEA has validity, and if requested by CSEA, the District will meet with CSEA to evaluate whether a change of Laboratory is warranted.

4. A refusal to submit to an alcohol or controlled substance test means that a driver:
 - a. fails to provide adequate breath for alcohol testing without a valid medical explanation after he/she has received notice of the requirements for breath testing in accordance with the provisions of the District's policy; or

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- b. fails to provide an adequate urine sample for testing without a genuine inability to provide a specimen (as determined by a medical evaluation) after he/she has received notice of the requirements for urine testing in accordance with the provisions of the District's policy; or
 - c. engages in conduct that clearly obstructs the testing process.
- 5. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
- 6. The consequences of a driver's refusal to submit to an alcohol or controlled substance test required under post-accident, random reasonable suspicion or follow-up testing will be that the District will prohibit the driver from performing or continuing to perform safety-sensitive functions. During the period the driver is prohibited from performing or continuing to perform safety-sensitive functions, he/she will not receive pay.
- 7. If a driver refuses to submit to controlled substance or alcohol testing, that driver shall be subject disciplinary action in accordance with the District/CSEA collective bargaining agreement.

Positive Tests

- 1. A positive test for alcohol must be either (1) a confirmation test by an evidential breath testing device capable of printout and sequential numbering and must show an alcohol concentration of 0.01 grams of alcohol per 210 liters of breath or greater; or (2) any other test authorized by Title 49 of the Code of Federal Regulations. Such a test is positive even if that concentration is caused by prescribed medication.
- 2. The medical review officer will determine if a confirmation test for controlled substance is positive in accordance with Title 49 of the Code of Federal Regulations, part 40, by using a gas chromatography/mass spectrometry technique.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. No positive test for controlled substances or alcohol, conducted pursuant to this Side Letter, shall be reported to the District until:
 - a. For alcohol and controlled substances:

The medical review officer has made all reasonable efforts to contact the driver (and documented them), on a confidential basis, and attempted to give the driver an opportunity to discuss the test results and the driver's medical history, including medication, in confidence.

- b. For controlled substances:
 - 1) The medical review officer has given the driver, within 72 hours of the driver's notification that the test was positive, an opportunity to request that the remainder of the split sample be tested by a different laboratory, certified by the Department of Health and Human Services;
 - 2) The remainder of the split sample has been tested and found to be positive, or no timely request for such a test is made by the driver.

4. If the medical review officer concludes that there is a legitimate medical explanation for the positive test, such as prescription or over-the-counter medication, or a negative result in the test of the remainder of the split sample, the medical review officer must report the test to the District as a negative test.
5. The medical review officer shall be a licensed physician with (1) special knowledge of substance abuse disorders, (2) appropriate medical training to interpret and evaluate an individual's confirmed positive test, and (3) knowledge of the medical use of prescription drugs and the pharmacology and toxicology of alcohol and controlled substances. The medical review officer shall not be an employee of the District.

Note: The District will select the Medical Review Officer. The District will formulate a procedure to address any complaints which surface regarding the Medical Review Officer. If the District determines that any complaint received from CSEA has validity, and if requested by CSEA, the District will meet with CSEA to evaluate whether a change of Medical Review Officer is warranted.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

6. The cut-off levels in this section are those required by Federal regulation.
 - a. They will be automatically adjusted to be consistent with changes, if any, in the levels specified by those regulations. (See 49 CFR 40.29, (f).)
 - b. On the date of this Side Letter, the most relevant cut-off levels are:
 1. 15 ng/ml (nanograms per milliliter) of marijuana metabolite;
 2. 150 ng/ml of cocaine metabolite;
 3. 300 ng/ml of opiate metabolite;
 4. 25 ng/ml of phencyclidine; or
 5. 500 ng/ml of amphetamine or methamphetamine.

Effects of a Positive Test

1. Any driver who tests positive under the testing procedures (random, post accident, reasonable suspicion, return to duty and follow-up tests) will:
 - a. if the positive test is an alcohol test showing an alcohol concentration of 0.01 or greater, but less than 0.04, be placed on unpaid administrative leave for 24 hours or, at the option of the District be assigned to duties that are not safety sensitive for the same time period. Additional discipline will be based upon an assessment of all relevant factors.
 - b. if the positive test is .04 or greater for alcohol, or positive for any controlled substances, they be subject to disciplinary action in accordance with the District/CSEA collective bargaining agreement.
2. In addition, drivers will also be subject to discipline if:
 - a. they refuse to submit to a test authorized by this policy and regulation;
 - b. they fail to complete rehabilitation recommended by the substance abuse professional which has been approved by the District; or
 - c. they subsequently tests positive for alcohol and/or for controlled substances after a return to duty test following completion of rehabilitation.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. A permanent driver is entitled to all due process rights pursuant to the District/CSEA collective bargaining agreement. A probationary driver, as a continuing part of the selection process, is subject to immediate termination.
4. Subject to the disciplinary provisions of the collective bargaining agreement, the driver shall be evaluated by a substance abuse professional, who shall determine what assistance, if any, is needed to resolve alcohol or controlled substance problems. Any assistance sought by the employee shall be paid for entirety by the employee.
5. With respect to all positive tests, nothing shall prohibit the District from taking adverse personnel actions in accordance with its authority independent from that conferred by 49 CFR part 382 which are consistent with other policies of the District.

Miscellaneous

1. Drivers will receive their regular pay for time required to take tests specified in this policy and regulation. The District will pay for these tests.
2. The parties agree to treat all test results as confidential medical records.

E. Reports Required

1. All records identified pursuant to 49 CFR 382.401 and 382.403 that the district must keep for varying periods of time.
2. Statements signed by Bus Drivers or other employees who are assigned duties requiring operation of commercial vehicles indicating that they have received copies of this policy and regulation.

F. Record Retention

1. All records identified pursuant to 49 CFR 382.401 and 382.403 that the district must keep for varying periods of time.
2. Statements signed by Bus Drivers or other employees who are assigned duties requiring operation of commercial vehicles indicating that they have received copies of this policy and regulation.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver. (49 CFR 382.405)

G. Responsible Administrative Unit

Human Resources
Business Services

**H. Approved By
The Administrator of the Division.**

Regulation Adopted: Revised:
TUSD: 1/98

List of Laboratories in California and Nevada that have been approved for Urine Drug Testing by the Department of Health and Human Services

Associated Pathologists Laboratories, Inc.
4230 So. Burnham Ave., Suite 250
Las Vegas, Nevada 89119-5412
(702) 733-7866

Sierra Nevada Laboratories, Inc.
888 Willow Street
Reno, Nevada 89502
(800) 648-5472

Centinela Hospital Airport Toxicology Laboratory
9601 So. Sepulveda Blvd.
Los Angeles, California 90045
(310) 215-6020

SmithKline Beecham Clinical Laboratories
7600 Tyrone Avenue
Van Nuys, California 91045
(818) 376-2520

National Health Laboratories Inc.
5601 Oberlin Drive, Suite 100
San Diego, California 92121
(619) 455-1221

TOXWORX Laboratories, Inc.
6160 Variel Avenue
Woodland Hills, California 91367
(818) 226-4373

National Toxicology Laboratories, Inc.
1100 California Avenue
Bakersfield, CA 93304
(805) 322-4250

UNILAB
18408 Oxnard Street
Tarzana, California 91356
(818) 343-8191/800-492-0800

Nicols Institute Substance Abuse Testing
7470-A Mission Valley Road
San Diego, California 92108-4406
(619) 686-3200/800-446-4728

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, California 94025
(415) 328-6200/800-446-5177

Poisonlab, Inc.
7272 Clairemont Mesa Road
San Diego, California 92111
(619) 279-2600/800-882-7272

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

The Governing Board maintains a drug and alcohol-free workplace to ensure that District-provided transportation is safe for students, staff, and the public. The Superintendent or designee shall establish a drug and alcohol testing program for all District drivers, other employees who hold a commercial driver's license, and drivers of a "school transportation vehicle" as defined in Vehicle Code 34520.3 which is necessary to perform duties related to their employment with the District. Employees who drive vehicles which require the possession of a commercial driver's license to operate, including school bus drivers, are subject to federal law and regulations requiring a drug and alcohol testing program. ~~The Superintendent or designee shall implement this program beginning January 1, 1996.~~

The District's testing program shall include pre-employment drug testing and reasonable suspicion, random, post-accident, return-to-duty, and follow-up drug and alcohol testing of drivers.

The Superintendent or designee shall contract for testing services and shall ensure that testing contractors and procedures are certified by the U.S. Department of Health and Human Services to conduct drug specimen analysis and to conform to the requirements of federal law.

No driver may operate a district vehicle when his/her blood alcohol content is found to be .01 percent or greater. A driver shall not consume alcohol while on duty or for four hours prior to on-duty time and up to eight hours following an accident or until he/she undergoes a post-accident test, whichever occurs first. A driver shall not report for duty or remain on duty that requires performing safety-sensitive functions when the driver uses a controlled substance, unless so instructed by a physician.

Any driver who tests positive for alcohol or drugs or who refuses to submit to a test shall be removed from safety-sensitive functions and may be subject to disciplinary action up to and including dismissal in accordance with law, administrative regulations, and the District's collective bargaining agreement.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

The Superintendent or designee shall ensure that each driver receives an explanation of the federal regulations and the District's policy and procedure in accordance with law. In addition, each driver shall sign a statement certifying that he/she has received a copy of the above materials. Representatives of employee organizations shall be notified of the availability of this information.

Legal Reference:

EDUCATION CODE

35160

Authority of Governing Boards

VEHICLE CODE

34500-344520.5

Safety regulations

CODE OF REGULATIONS, TITLE 13

1200-1293

Motor carrier safety, especially:

1213.1

Placing drivers out-of-service

UNITED STATES CODE, TITLE 49

31306

Alcohol and controlled substances testing

41501-41507

Transportation Employee Testing Act

2717

Alcohol and controlled substances testing (Omnibus
Transportation Employee Testing Act of 1991)

CODE OF FEDERAL REGULATIONS, TITLE 49

40.1-40.413

Procedures for Transportation Workplace Drug and
Alcohol Testing Programs

382.101-382.605

Controlled Substance and Alcohol Use and Testing;
especially

382.205

On-duty use

382.207

Pre-duty use

382.209

Use following an accident

395

Hours of Service of Drivers

~~Holliday v. City of Modesto (1991) 229 Cal. App. 3d 528, 540~~

~~International Brotherhood of Teamsters v. Department of
Transportation 932 F.2d~~

Policy Adopted:

Revised:

TUSD: 1/28/97

Management, Supervisory & Confidential

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS****A. Purpose and Scope**

To provide guidance and direction for administrative personnel regarding drug and alcohol testing for school bus drivers and other employees whose assigned duties require the operation of a commercial vehicle, **including any vehicle designed to transport 16 or more passengers**, as defined by Title 49 of the Code of Federal Regulations Section 382.107 or a **“school transportation vehicle”** as defined in Vehicle Code 34520.3. This includes casual, intermittent or occasional drivers as well as full-time, regularly employed drivers.

The Superintendent or designee shall contract for collection and testing services and shall ensure that testing procedures and facilities used for the tests conform with the requirements of the Code of Federal Regulations, Title 49, Part 40.

B. GeneralNotice

1. Before drug and alcohol tests are performed pursuant to the 49 CFR 382, the District shall inform drivers that the tests are required by these regulations.

The District shall notify a driver of the results of a pre-employment drug test if the driver requests such results within 60 calendar days of being notified of the disposition of his/her employment application.

All drivers subject to this policy and regulation shall be individually notified, in advance and in writing, that they are subject to “reasonable suspicion”, “post-accident”, “random”, “return to duty” and “follow-up” testing for controlled substances and alcohol while employed by the District.

The District shall notify a driver of the results of random, reasonable suspicion and post-accident drug tests if the test results are verified positive. The district shall also tell the driver which controlled substance(s) were verified as positive.

2. All drivers subject to this policy and regulation shall receive educational materials on alcohol misuse and controlled substance use (Code of Federal

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Regulations, Title 49, Part 382), together with a copy of the District's policy and regulations for meeting these requirements. Representatives of employee organizations shall be notified of the availability of this information. The information shall identify all of the following:

- a. The person designated by the District to answer drivers' questions about the materials.
- b. The categories of drivers who are subject to the Code of Federal Regulations, Title 49, Part 382.
- c. Sufficient information about the safety-sensitive functions performed by drivers to make clear what period of the work day the driver is required to comply with Part 382.
- d. Specific information concerning driver conduct that is prohibited by Part 382.
- e. The circumstances under which a driver will be tested for drugs and/or alcohol under Part 382.
- f. The procedures that will be used to test for the presence of drugs and alcohol, protect the driver and the integrity of the testing processes, safeguard the validity of test results and ensure that test results are attributed to the correct driver.
- g. The requirement that a driver submit to drug and alcohol tests administered in accordance with Part 382.
- h. An explanation of what constitutes a refusal to submit to a drug or alcohol test and the attendant consequences.
- i. The consequences for drivers found to have violated the drug and alcohol prohibitions of Part 382, including the requirement that the driver be removed immediately from safety-sensitive functions and the procedures for referral, evaluation and treatment.
- j. The consequences for drivers found to have an alcohol concentration of .02 or greater but less than .04.
- k. The effects of drugs and alcohol on an individual's health, work and personal life; signs and symptoms of a drug or alcohol problem (the driver's or a coworker's); and available methods of intervening when a drug or alcohol problem is suspected, including confrontation, referral to an employee assistance program and/or referral to management.

Management, Supervisory & Confidential

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- l. Other legal requirements, District policies and disciplinary consequences related to the use of alcohol and drugs.**

In addition,

- a. all stewards at the drivers' work locations shall receive the same training provided to supervisors for reasonable suspicion determinations.
 - b. all drivers shall be notified of the right to have a union representative present throughout the questioning and testing by a Medical Review Officer. If the driver requests union representation, questioning and testing shall be suspended for a period not greater than two (2) hours, during which time a union representative will be made available.
3. If a driver is under the care of a licensed physician and taking a prescription medication that has a significant potential to affect or impair safety and performance of duties, the driver must notify the supervisor before beginning the work shift.

In addition, drivers shall inform their supervisors if at any time they are using a controlled substance which their physician has prescribed for therapeutic purposes. Drivers using such a substance may continue to perform safety-sensitive functions only if the physician has advised the driver that the substance will not adversely affect his/her ability to safely operate a commercial motor vehicle.

4. Each driver shall sign a statement certifying that he/she has received a copy of the materials under B1. and B2. above.
5. Suggestions or concerns relating to this policy and regulation should be directed to the Associate Superintendent for Human Resources or the Assistant Superintendent for Business Services.

C. Forms Used and Additional References

District forms available through Human Resources Division.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

D. Procedure

Pre-Employment Tests

Tests for controlled substances and alcohol shall normally be conducted before the first time a driver performs any safety-sensitive function for the District.

Safety-sensitive functions include all on-duty functions performed from the time a driver begins work or is required to be ready to work until he/she is relieved from work and all responsibility for performing work. It includes driving; waiting to be dispatched; inspecting and servicing equipment; supervising, performing or assisting in loading and unloading; repairing or obtaining and waiting for help with a disabled vehicle; and performing driver requirements related to accidents. (49 CFR 382.107, 395.2)

The tests shall be required of an applicant only after he/she has been offered a position subject to this policy and regulation.

Exceptions may be made for drivers who have had the alcohol test required by law within the previous six months and participated in the drug testing program required by law within the previous 30 days, provided that the District has been able to make all verifications required by law. (49 CFR 382.301)

Pre-employment testing shall also be required of employees returning to work after a layoff period if the employee was removed from the random testing pool. If the employee remains in the random testing pool, additional testing shall not be necessary. (49 CFR 382.301)

Reasonable Suspicion Testing

An alcohol or drug test shall be conducted if a supervisor or district official trained in accordance with law has reasonable suspicion that a driver has violated the district's alcohol or drug prohibitions. This reasonable suspicion must be based on specific, contemporaneous, articulable observations concerning the driver's appearance, behavior, speech or body odors. The observations may include indications of the chronic and withdrawal effects of controlled substances. (49 CFR 382.307)

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Alcohol tests are authorized for reasonable suspicion only if the required observations are made during, just before or just after the period of the work day when the driver must comply with alcohol prohibitions. An alcohol test may not be conducted by the person who determines that reasonable suspicion exists to conduct such a test. If an alcohol test is not administered within two hours of a determination of reasonable suspicion, the district shall prepare and maintain a record explaining why this was not done. Attempts to conduct alcohol tests shall terminate after eight hours. (49 CFR 382.307)

A supervisor or district official who makes observations leading to a controlled substance reasonable suspicion test shall make a written record of his/her observations within 24 hours of the observed behavior or before the results of the drug test are released, whichever is earlier. (49 CFR 382.307)

The Superintendent or designee shall ensure that an employee under reasonable suspicion is transported to the designated collection or testing site.

1. ~~A reasonable suspicion test will be based upon a trained supervisor's conclusion, as a result of examining all of the pertinent facts, that prohibited controlled substance or alcohol use may have contributed to or caused a critical incident, or may limit an employee's capacity to function in a safety sensitive position. (The term supervisor shall include all supervisory and managerial staff members as defined in the Educational~~

~~Employment Relations Act, Government Code Section 3540 et seq.) A reasonable suspicion test must be based upon specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the driver. For suspicion of alcohol or controlled substance use, the observations may also include indications of chronic and withdrawal effects.~~

2. ~~The observations must be made by a supervisor who has received a total of three (3) hours training in identifying indicators of probable alcohol misuse and in identifying indicators of probable controlled substance use. Training shall be conducted by a substance abuse professional.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- ~~3. If the reasonable suspicion observations are made by the immediate supervisor of the driver, they must be confirmed by the direct observation of another supervisor similarly trained.~~
- ~~4. Reasonable suspicion observations must be contemporaneous, i.e., they must be made just before, during or just after the driver's performance of a safety-sensitive duty.~~
- ~~5. Drivers for whom a reasonable suspicion determination has been made will be placed on paid administrative leave pending receipt of initial test results.~~
- ~~6. Tests based on reasonable suspicion of alcohol misuse shall be promptly administered.~~
 - ~~a. If the test is not given within two hours following the reasonable suspicion determination, the District shall prepare and maintain on file a statement of the reasons the test was not promptly administered.~~
 - ~~b. If requested by the driver, a copy of this statement shall be provided to the driver within a reasonable period of time.~~
 - ~~c. No test based on reasonable suspicion of alcohol misuse will be given that is not within eight hours of the reasonable suspicion determination.~~
- ~~7. A written record of the reasonable suspicion observations for use of controlled substances, dated and signed by all supervisors making the observations, must be made within 24 hours or before the result of the controlled substance test(s) are released, whichever is earlier. If requested by the driver, a copy of this record will be given to the driver within a reasonable period of time.~~
- ~~8. No supervisor who makes the reasonable suspicion observations can conduct the test or participate in the collection or chain of custody of any specimen for testing.~~

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Return-To Duty Tests

A controlled substance or alcohol test shall be conducted whenever a driver who has violated the district's controlled substance or alcohol prohibition returns to performing safety-sensitive duties. (49 CFR 382.309)

1. Employees whose conduct involved controlled substances cannot return to duty in a safety-sensitive function until the return-to duty controlled substance test produces a verified negative result. (49 CFR 382.605)
2. Employees whose conduct involved alcohol cannot return to duty in a safety-sensitive function until the return-to-duty alcohol test produces a verified result that meets federal and District standards.

Follow-up Tests

A driver who violates the district's controlled substance or alcohol prohibition and is subsequently identified by a substance abuse professional as needing assistance in resolving a controlled substance or alcohol problem shall be subject to unannounced follow-up testing as directed by the substance abuse professional in accordance with law.

Follow-up alcohol testing shall be conducted just before, during, or just after the time when the driver is performing safety-sensitive functions. (49 CFR 382.311)

Post-Accident Testing

Alcohol and controlled substance tests shall be conducted as soon after an accident as practicable on any driver:

1. **Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved loss of human life. (49 CFR 382.303)**
2. **Who receives a citation under state or local law for a moving traffic violation arising from the accident. (49 CFR 382.303)**
3. *Who was performing safety-sensitive functions with respect to the vehicle, if the accident involved a serious medical injury.*
4. *Whose performance cannot be excluded as a contributing factor based on information available at the time of the accident.*

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Drivers shall make themselves readily available for testing, absent the need for immediate medical attention. (49 CFR 382.303)

No such driver shall use alcohol for eight hours after the accident, or until after he/she undergoes a post-accident alcohol test, whichever occurs first. (49 CFR 382.209)

If an alcohol test is not administered within two hours of the accident or if a drug test is not administered within 32 hours, the District shall prepare and maintain records explaining why the test was not conducted. Tests shall not be given if not administered within eight hours after the accident for alcohol or within 32 hours for drugs. (49 CFR 382.303)

Tests conducted by authorized federal, state or local officials shall fulfill post-accident testing requirements provided they conform to applicable legal requirements and are obtained by the District. Breath tests will validate only the alcohol test and cannot be used to fulfill controlled substance testing obligations. (49 CFR 382.303)

- ~~1. A post-accident test must be based upon an accident for which the driver received a citation for a moving traffic violation or where there was a loss of human life, serious injury and/or significant property damage.~~
- ~~2. No post-accident test for alcohol will be given more than eight hours after the accident. No post-accident test for controlled substances will be given more than 32 hours after the accident. No such driver shall use alcohol or any controlled substance for eight hours after the accident or until after he or she undergoes a post-accident alcohol/controlled substance test, whichever occurs first.~~
- ~~3. All drivers shall be given necessary post-accident information, procedures and instructions by the District.~~

Random Testing

Alcohol and drug tests shall be conducted on a random basis at unannounced times throughout the year. The number of random alcohol and drug tests shall be at least equal to those required by federal regulations. Drivers shall be selected by a scientifically valid random process, and each driver shall have an equal chance of being tested each time selections are made. Tests for alcohol shall be conducted just before, during or just after the performance of safety-sensitive functions. (49 CFR 382.305)

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

Employees off work due to leaves, vacation and layoffs shall be informed that they remain subject to random testing. Employees drawn for such testing shall be notified and tested as soon as practicable after they return to duty.

1. ~~Unless required by a State or Federal agency, drivers shall be randomly tested as follows:~~
 - a. ~~The number of random alcohol tests annually must equal at least 25% of the average number of driver positions and not greater than one driver more than 25%.~~
 - b. ~~The number of random drug tests annually must equal at least 50% of the average number of driver positions and not greater than one driver more than 50%.~~
 - c. ~~These rates, which are required by Federal regulations, will be automatically adjusted to be consistent with changes, if any, in the minimum rates required by these regulations. (See 49 CFR 382.305, (a).)~~
2. ~~The pool of persons subject to random testing shall include all school bus drivers and other employees whose assigned duties require the operation of a commercial vehicle as defined by Title 49 of the Code of Federal Regulations Section 382.107 during the month when the random selection occurs. Employees will not be recalled from approved leaves of absence for the purpose of alcohol or controlled substance testing.~~
3. ~~The selection of drivers for random testing must be solely by chance utilizing a random number table of a computer-based random number generator matched with social security numbers.~~
4. ~~The dates for random tests shall be unannounced and spread reasonably throughout the year. Each driver in the random pool must have an equal chance of selection each time random selections are made, regardless of whether the driver was previously tested that year.~~

Management, Supervisory & Confidential

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**Testing Procedures

All tests for alcohol or controlled substances must comply with the requirements for such tests set forth in Title 49 of the Code of Federal Regulations, Part 40. In addition:

1. The immediate supervisor of a driver shall not serve as either a collection site person for controlled substance testing or as a breath alcohol technician for alcohol testing of that driver.
2. All testing shall be conducted in a private setting and, in the case of testing, no direct observation of a driver's urination by a collection site person is permitted except for the reasons stated in Title 49 of the Code of Federal Regulations Section 40.25, (e), and then only by a same gender collection site person who is not employed by the District.
3. The testing laboratory for controlled substance testing must be a laboratory certified for such testing by the U.S. Department of Health and Human Services. A split sample test requested by a driver shall be conducted at a different certified laboratory than the one which conducted the initial test(s).
 - a. Any tests that do not comply with the requirements of paragraph (3) above shall be treated as negative tests.
 - b. A split sample test shall be paid for by the employee. If the test is negative, the District shall reimburse the employee for the cost of the test.

Note: The District will select the Laboratory. The District will formulate a procedure to address any complaints which surface regarding the laboratory. If the District determines that any complaint received from CSEA has validity, and if requested by CSEA, the District will meet with CSEA to evaluate whether a change of Laboratory is warranted.

4. A refusal to submit to an alcohol or controlled substance test means that a driver:
 - a. fails to provide adequate breath for alcohol testing without a valid medical explanation after he/she has received notice of the requirements for breath testing in accordance with the provisions of the District's policy; or

Management, Supervisory & Confidential

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

- b. fails to provide an adequate urine sample for testing without a genuine inability to provide a specimen (as determined by a medical evaluation) after he/she has received notice of the requirements for urine testing in accordance with the provisions of the District's policy; or
 - c. engages in conduct that clearly obstructs the testing process.
- 5. A driver who is subject to post-accident testing shall remain readily available for such testing or may be deemed by the District to have refused to submit to testing. This shall not be construed to require the delay of necessary medical attention for injured people following an accident or to prohibit a driver from leaving the scene of an accident for the period necessary to obtain assistance in responding to the accident, or to obtain necessary emergency medical care.
- 6. The consequences of a driver's refusal to submit to an alcohol or controlled substance test required under post-accident, random reasonable suspicion or follow-up testing will be that the District will prohibit the driver from performing or continuing to perform safety-sensitive functions. During the period the driver is prohibited from performing or continuing to perform safety-sensitive functions, he/she will not receive pay.
- 7. If a driver refuses to submit to controlled substance or alcohol testing, that driver shall be subject disciplinary action in accordance with the District/CSEA collective bargaining agreement.

Positive Tests

- 1. A positive test for alcohol must be either (1) a confirmation test by an evidential breath testing device capable of printout and sequential numbering and must show an alcohol concentration of 0.01 grams of alcohol per 210 liters of breath or greater; or (2) any other test authorized by Title 49 of the Code of Federal Regulations. Such a test is positive even if that concentration is caused by prescribed medication.
- 2. The medical review officer will determine if a confirmation test for controlled substance is positive in accordance with Title 49 of the Code of Federal Regulations, part 40, by using a gas chromatography/mass spectrometry technique.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. No positive test for controlled substances or alcohol, conducted pursuant to this Side Letter, shall be reported to the District until:
 - a. For alcohol and controlled substances:

The medical review officer has made all reasonable efforts to contact the driver (and documented them), on a confidential basis, and attempted to give the driver an opportunity to discuss the test results and the driver's medical history, including medication, in confidence.

- b. For controlled substances:
 - 1) The medical review officer has given the driver, within 72 hours of the driver's notification that the test was positive, an opportunity to request that the remainder of the split sample be tested by a different laboratory, certified by the Department of Health and Human Services;
 - 2) The remainder of the split sample has been tested and found to be positive, or no timely request for such a test is made by the driver.
4. If the medical review officer concludes that there is a legitimate medical explanation for the positive test, such as prescription or over-the-counter medication, or a negative result in the test of the remainder of the split sample, the medical review officer must report the test to the District as a negative test.
5. The medical review officer shall be a licensed physician with (1) special knowledge of substance abuse disorders, (2) appropriate medical training to interpret and evaluate an individual's confirmed positive test, and (3) knowledge of the medical use of prescription drugs and the pharmacology and toxicology of alcohol and controlled substances. The medical review officer shall not be an employee of the District.

Note: The District will select the Medical Review Officer. The District will formulate a procedure to address any complaints which surface regarding the Medical Review Officer. If the District determines that any complaint received from CSEA has validity, and if requested by CSEA, the District will meet with CSEA to evaluate whether a change of Medical Review Officer is warranted.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

6. The cut-off levels in this section are those required by Federal regulation.
 - a. They will be automatically adjusted to be consistent with changes, if any, in the levels specified by those regulations. (See 49 CFR 40.29, (f).)
 - b. On the date of this Side Letter, the most relevant cut-off levels are:
 1. 15 ng/ml (nanograms per milliliter) of marijuana metabolite;
 2. 150 ng/ml of cocaine metabolite;
 3. 300 ng/ml of opiate metabolite;
 4. 25 ng/ml of phencyclidine; or
 5. 500 ng/ml of amphetamine or methamphetamine.

Effects of a Positive Test

1. Any driver who tests positive under the testing procedures (random, post accident, reasonable suspicion, return to duty and follow-up tests) will:
 - a. if the positive test is an alcohol test showing an alcohol concentration of 0.01 or greater, but less than 0.04, be placed on unpaid administrative leave for 24 hours or, at the option of the District be assigned to duties that are not safety sensitive for the same time period. Additional discipline will be based upon an assessment of all relevant factors.
 - b. if the positive test is .04 or greater for alcohol, or positive for any controlled substances, they be subject to disciplinary action in accordance with the District/CSEA collective bargaining agreement.
2. In addition, drivers will also be subject to discipline if:
 - a. they refuse to submit to a test authorized by this policy and regulation;
 - b. they fail to complete rehabilitation recommended by the substance abuse professional which has been approved by the District; or
 - c. they subsequently tests positive for alcohol and/or for controlled substances after a return to duty test following completion of rehabilitation.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. A permanent driver is entitled to all due process rights pursuant to the District/CSEA collective bargaining agreement. A probationary driver, as a continuing part of the selection process, is subject to immediate termination.
4. Subject to the disciplinary provisions of the collective bargaining agreement, the driver shall be evaluated by a substance abuse professional, who shall determine what assistance, if any, is needed to resolve alcohol or controlled substance problems. Any assistance sought by the employee shall be paid for entirety by the employee.
5. With respect to all positive tests, nothing shall prohibit the District from taking adverse personnel actions in accordance with its authority independent from that conferred by 49 CFR part 382 which are consistent with other policies of the District.

Miscellaneous

1. Drivers will receive their regular pay for time required to take tests specified in this policy and regulation. The District will pay for these tests.
2. The parties agree to treat all test results as confidential medical records.

E. Reports Required

1. All records identified pursuant to 49 CFR 382.401 and 382.403 that the district must keep for varying periods of time.
2. Statements signed by Bus Drivers or other employees who are assigned duties requiring operation of commercial vehicles indicating that they have received copies of this policy and regulation.

F. Record Retention

1. All records identified pursuant to 49 CFR 382.401 and 382.403 that the district must keep for varying periods of time.
2. Statements signed by Bus Drivers or other employees who are assigned duties requiring operation of commercial vehicles indicating that they have received copies of this policy and regulation.

**DRUG AND ALCOHOL TESTING FOR SCHOOL BUS
DRIVERS/COMMERCIAL VEHICLE DRIVERS**

3. Employee drug and alcohol test results and records shall be maintained under strict confidentiality and released only in accordance with law. Upon written request, a driver shall receive copies of any records pertaining to his/her use of drugs or alcohol, including any records pertaining to his/her drug or alcohol tests. Records shall be made available to a subsequent employer or other identified persons only as expressly requested in writing by the driver. (49 CFR 382.405)

G. Responsible Administrative Unit

Human Resources
Business Services

H. Approved By
The Administrator of the Division.

Regulation Adopted: Revised:
TUSD: 1/98

List of Laboratories in California and Nevada that have been approved for Urine Drug Testing by the Department of Health and Human Services

Associated Pathologists Laboratories, Inc.
4230 So. Burnham Ave., Suite 250
Las Vegas, Nevada 89119-5412
(702) 733-7866

Sierra Nevada Laboratories, Inc.
888 Willow Street
Reno, Nevada 89502
(800) 648-5472

Centinela Hospital Airport Toxicology Laboratory
9601 So. Sepulveda Blvd.
Los Angeles, California 90045
(310) 215-6020

SmithKline Beecham Clinical Laboratories
7600 Tyrone Avenue
Van Nuys, California 91045
(818) 376-2520

National Health Laboratories Inc.
5601 Oberlin Drive, Suite 100
San Diego, California 92121
(619) 455-1221

TOXWORX Laboratories, Inc.
6160 Variel Avenue
Woodland Hills, California 91367
(818) 226-4373

National Toxicology Laboratories, Inc.
1100 California Avenue
Bakersfield, CA 93304
(805) 322-4250

UNILAB
18408 Oxnard Street
Tarzana, California 91356
(818) 343-8191/800-492-0800

Nicols Institute Substance Abuse Testing
7470-A Mission Valley Road
San Diego, California 92108-4406
(619) 686-3200/800-446-4728

PharmChem Laboratories, Inc.
1505-A O'Brien Drive
Menlo Park, California 94025
(415) 328-6200/800-446-5177

Poisonlab, Inc.
7272 Clairemont Mesa Road
San Diego, California 92111
(619) 279-2600/800-882-7272

