

Banta Elementary School District

Management Review

March 6, 2007

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William Draa, Superintendent
Banta Elementary School District
22345 South El Rancho Road
Tracy, California 95376-9413

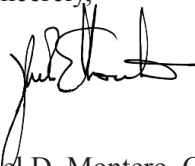
Dear Superintendent Draa:

In November 2006, the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement for a management assistance review with the Banta Elementary School District. The agreement specified that FCMAT would:

1. Assist the district in developing board policies, guidelines, and job descriptions to address the incremental increases to staff and administration at the district office and school sites as the student population increases.
2. Review the district's plan to address the impact of the planned housing developments in the area and provide recommendations and/or priorities for implementation.
3. Identify responsibilities within the district business office that will be required to conduct detailed tracking and management of upcoming capital projects; and provide an Excel template that can be used for this purpose.
4. Provide examples of fiscal standards and practices for budget development, monitoring, financial reporting, etc., that should be standard operating procedures for a growing district.

The attached final report contains the study team's findings with regard to the above areas of review. We appreciate the opportunity to serve you, and we extend our thanks to all the staff of the Banta Elementary School District.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel D. Montero", with a stylized flourish at the end.

Joel D. Montero, Chief Executive Officer
Fiscal Crisis and Management Assistance Team

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Foreword

FCMAT Background

The Fiscal Crisis and Management Assistance Team (FCMAT) was created by legislation in accordance with Assembly Bill 1200 in 1992 as a service to assist local educational agencies in complying with fiscal accountability standards.

AB 1200 was established from a need to ensure that local educational agencies throughout California were adequately prepared to meet and sustain their financial obligations. AB 1200 is also a statewide plan for county offices of education and school districts to work together on a local level to improve fiscal procedures and accountability standards. The legislation expanded the role of the county office in monitoring school districts under certain fiscal constraints to ensure these districts could meet their financial commitments on a multiyear basis. AB 2756 provides specific responsibilities to FCMAT with regard to districts that have received emergency state loans. These include comprehensive assessments in five major operational areas and periodic reports that identify the district’s progress on the improvement plans

Since 1992, FCMAT has been engaged to perform more than 600 reviews for local educational agencies, including school districts, county offices of education, charter schools and community colleges. Services range from fiscal crisis intervention to management review and assistance. FCMAT also provides professional development training. The Kern County Superintendent of Schools is the administrative agent for FCMAT. The agency is guided under the leadership of Joel D. Montero, Chief Executive Officer, with funding derived through appropriations in the state budget and a modest fee schedule for charges to requesting agencies.

Total Number of Studies 628

Total Number of Districts in CA..... 982

● Management Assistance..... 594 (94.59%)

● Fiscal Crisis/Emergency 34 (5.41%)

Note: Some districts had multiple studies.

● Districts (7) that have received emergency loans from the state.

(Rev. 2/7/07)

Study Agreements by Fiscal Year

Fiscal Year	Number of Studies
92/93	10
93/94	15
94/95	23
95/96	29
96/97	26
97/98	26
98/99	27
99/00	47
00/01	48
01/02	58
02/03	34
03/04	71
04/05	73
05/06	78
06/07	82 (Projected)

School District or COE name

Introduction

Banta Elementary School District is a one-school district that serves approximately 300 students in grades K-8. The district boundaries encompass approximately 35 square miles. A land development project, River Islands at Lathrop, expects to build more than 11,000 new homes within the district's boundaries over the next several years, possibly generating more than 6,000 students for the district in the next two decades. The district faces enormous facilities challenges as well as personnel and business operational challenges. The district has been proactive in planning for the expected changes and has negotiated several agreements such as a School Impact Mitigation Agreement with the developer, and a Joint Use of School Facilities Agreement with the city of Lathrop. The district recognizes that changes to the district's organizational structure and to its business and personnel management will be necessary to accommodate the anticipated enrollment growth.

The Banta Elementary School District requested that FCMAT assist the district to prepare for the anticipated student growth that will be generated by the River Islands at Lathrop project.

As defined in the study agreement, the scope and objectives of the study agreement requested that FCMAT:

1. Assist the district in developing board policies, guidelines, and job descriptions to address the incremental increases to staff and administration at the district office and school sites as the student population increases.
2. Review the district's plan to address the impact of the planned housing developments in the area and provide recommendations and/or priorities for implementation.
3. Identify responsibilities within the district business office that will be required to conduct detailed tracking and management of upcoming capital projects; and provide an Excel template that can be used for this purpose.
4. Provide examples of fiscal standards and practices for budget development, monitoring, financial reporting, etc., which should be standard operating procedures for a growing district.

Study Team

The team consisted of the following members:

Roberta Mayor, Ed.D.
Chief Management Analyst
Fiscal Crisis and Management
Assistance Team
Bakersfield, California

Eric Smith *
Deputy Superintendent
Berkeley Unified School District
Berkeley, California

Helena Hurst
Personnel Administrator, Retired
Personnel Commission Member
Gold River, California

* As a member of the review team, this individual served as a consultant for FCMAT and did not represent his employer.

The FCMAT study team visited the district on December 12, 2006 to meet with district and school administrators and staff, and to review records and documents. The team also met with the River Islands at Lathrop Project Director, Susan Dell'osso, who provided the team with an overview of the scope of the project and the tentative timeline of the implementation phases. The team spent several additional days conducting research and compiling sample documents. This report is a result of these activities and is organized as follows:

- Introduction
- Executive Summary
- River Islands at Lathrop Project
- Board Policies and Administrative Regulations
- Human Resources Issues
- Loss of Direct Service Status
- Maintenance, Grounds and Custodial Staffing
- Transportation and Food Services
- Potential Unification
- Appendices
 - A. Key Board Policies
 - B. Human Resources Functions the District Should Provide
 - C. Sample Checklist for New Employee Orientation
 - D. Items for Inclusion in the Annual Employee Notification
 - E. Groundskeeper Calculations
 - F. Referenced Education Codes
 - G. Suggested Worksheets for Tracking Facilities Capital Improvement Projects
 - H. Study Agreement

In addition to this report, the team members compiled a number of sample documents and policies to assist the district in developing its own necessary documents to prepare for the district's anticipated growth. Included under separate cover are:

- Samples of key board policies that the district must update and adopt to ensure that personnel and business procedures and practices are implemented appropriately and consistently.
- Samples of documents of employee policies and procedures that may be helpful to the district as it develops its own policies and procedural handbooks.
- Examples of standard operating procedures and practices for budget development, budget monitoring, financial reporting, etc.

Executive Summary

Within the Banta Elementary School District boundaries, a land development project, River Islands at Lathrop, expects to build more than 11,000 new homes over the next several years, possibly generating more than 6,000 students for the district in the next two decades. The district has been proactively preparing for the enormous challenges it will face in facilities, personnel and business operations with the anticipated increase in student enrollment and staff.

To achieve its vision and ensure that all students succeed, the board must possess written policies that define how it will respond in a variety of settings. The district should begin to update its board policies and administrative regulations in all district operational areas.

The number of district office support staff will need to increase to provide sufficient support services as the numbers of both students and personnel increase. The district will need to consider adding to its business department staff and providing cross training to the department staff to maintain support during staff absences and vacancies. The district may also need to consider establishing a personnel department at some time in the future as the number of district employees increases.

As the number of staff increases at the existing school site, the district should consider adding a personnel position with primary job duties to include the routine clerical personnel functions. When the district reaches a significant number of additional employees, a personnel management position should be assigned the responsibility of personnel administration.

Job descriptions have not been consistently reviewed, and some positions have no formal written job description. Existing job descriptions for classified positions should be reviewed for relevancy to the work performed. The current job descriptions are also not presented in a consistent format. Minimum qualifications necessary for successful completion of the duties are not included on all job descriptions.

As the district's student enrollment increases and approaches 901 ADA, it will lose its status as a direct services district and lose the services provided by the county office of education. Although the San Joaquin County Office of Education has indicated that it will hold the district harmless for one year after its ADA exceeds 901, nonetheless, the district should begin to contemplate funding these services in its own budgeting process threshold. The district is also heavily dependent on the county office of education for preparing a variety of state mandated reports. The preparation of these reports will require additional business office staff once these functions move to the district.

This report provides suggested staffing formulas for the district to consider in determining the number of grounds, maintenance and custodial staff that will be required as new school sites are constructed.

The district currently serves grades kindergarten through eighth grade. Ninth through twelfth graders in the district attend high school in the Tracy Unified School District. Depending on the number of students generated by the River Islands project, the district may seek to form its own unified district as early as fiscal year 2013-14. The district has indicated that when 600 to 800 secondary students live within the Banta Elementary District boundaries an effort to unify would be initiated. Should the district decide to proceed with unification, many logistical and legal issues will need to be addressed either by Education Code or through the district's petition.

Findings and Recommendations

The anticipated growth in student enrollment in the Banta Elementary School District will require a greater number of district and school site staff and administrators over time. Determining when new positions should be added to accommodate the growth will be a key element in the district's planning.

The number of district office support staff will need to increase to provide sufficient support services as the numbers of both students and personnel increase. The district will need to consider increasing its business department staff and providing cross training to the department staff to maintain support during staff absences and vacancies. The district may also need to consider establishing a personnel department at some time in the future as the number of district employees increases.

The number of district administrators may need to be increased and reconfigured, with various organizational charts considered. The River Islands at Lathrop project has agreed to provide funds to the district to currently support the employment of an additional district administrator, the Assistant Superintendent/Principal, to assist the Superintendent in preparing for the increased student enrollment. The district will need to fund new staff with anticipated new revenues from enrollment growth.

River Islands at Lathrop Project

Located at the upper end of the San Joaquin River delta, the project is a comprehensively designed community. Housing will be located along a central canal and/or lake and along the surrounding rivers. A major employment center and a new mixed use town center will support a variety of workplaces, retail shops, and entertainment and restaurant venues near the San Joaquin River. Eventually, the nearly 5,000-acre project will include approximately 11,000 homes.

Schools are an important element of the community's physical design of the project. To emphasize their importance, schools are located on carefully chosen, centralized sites that maximize their potential interaction with the community. Shared use of playfields, classrooms, and community facilities are envisioned.

To mitigate the impact of new residential and commercial/industrial development on the Banta Elementary School District, the project developer has entered into a Master School Impact Mitigation Agreement. The agreement specifies that the developer will finance and build six elementary schools (grades K-5) and two middle schools (grades 6-8). Each elementary school will house 650 students with a maximum permanent capacity of 750 students. Each middle school will house 750 students with a maximum permanent capacity of 900 students. The developer has also agreed to fund and build new administrative offices for the district once the 2,500th certificate of compliance for residential dwelling units has been issued.

The developer's school construction cost estimates assume that each elementary school will have a 628-student capacity containing 46,748 square feet of building and that each middle school will have a 756 student capacity containing 63,576 square feet of building. The California Department of Education, School Facilities Planning Division, recommends a minimum 10-acre site for elementary schools and a minimum 20-acre site for middle schools. Knowing the size, acreage and capacities of these facilities is essential to identifying the number of maintenance, custodial and grounds staff that will be needed by the district in the future.

Board Policies and Administrative Regulations

The Governing Board of the Banta Elementary School District, as advocates for students and schools, should create a shared vision for the district on behalf of and with extensive participation by the community, develop a structure to support that vision, and establish accountability for its implementation. Because the board is accountable to the local community, it must continuously assess all conditions affecting the delivery of education. To achieve its vision and ensure that all students succeed, the board must possess written policies that define how it will respond in a variety of settings.

Attached as Appendix A are numbers and titles of board policies and administrative regulations that the district needs to develop or update for its personnel, business and facilities operations. Copies of sample board policies and administrative regulations for the personnel, business and facilities functions of the district are provided under separate cover.

The California School Boards Association's GAMUT policy service allows districts to update their policies and maintain them online. The GAMUT service also provides the district with periodic updates as board policies need revision or become obsolete due to changes in law. The district's current policies are in paper form and many are obsolete.

Recommendations

The district should:

1. Update its board policies and administrative regulations in all district operational areas.
2. Utilize the California School Boards Association's GAMUT policy service to ensure that all board policies are up to date.

Human Resources Issues

Organization

To keep pace with anticipated enrollment growth, the district should have a clearly defined organizational structure to guide its daily operations. The organizational structure should be clearly defined and embedded in the district's organizational chart. It should establish the grid or framework from which the district demonstrates leadership and delegates specific duties and responsibilities. As the district's enrollment accelerates or declines, the organizational structure should adapt accordingly.

The district should be staffed according to basic theories of organizational structure used in other school agencies of like size and type. The most common of these theories are span of control, chain of command and line and staff authority.

Span of Control

Span of control refers to the number of subordinates reporting directly to a supervisor. While there is no agreed upon ideal number of subordinates for span of control, it is generally agreed that the span can be larger at lower levels of an organization than at higher levels since subordinates at lower levels typically perform more routine duties, and therefore can be more effectively supervised.

Chain of Command

Chain of command refers to the flow of authority within an organization. Chain of command is characterized by two significant principles. The first is unity of command, where a subordinate is only accountable to one supervisor. The second is the scalar principle, which suggests that authority and responsibility should flow in a direct line vertically from top management to the lowest level. As a result, a hierarchical division of labor will be established in the organization.

Line and Staff Authority

The organizational structure of local school agencies reflects both line and staff authority. Line authority is the relationship between supervisors and subordinates, and refers to the direct line in the chain of command. For example, the district Superintendent has direct line authority over the Chief Financial Officer (CFO), and the CFO has direct line authority over the business office and so on. Conversely, staff authority is advisory in nature. Staff personnel do not have the authority to make and implement policy decisions. Rather they act in support roles to line personnel.

Policies and Procedures

Clear, up-to-date, and legally compliant school board policies and administrative procedures provide guidance for the consistent implementation of district personnel operations. The district has no operational procedures manual to establish consistent application of personnel actions, which makes the need for appropriate board policies imperative. Lack of policies can result in inconsistency in personnel actions and inadequate controls for

preventing board members and/or staff from acting inappropriately or arbitrarily in personnel matters.

There are a minimal number of formalized policies and procedures concerning human resources in place. Working conditions have been addressed in the certificated negotiated agreement, but there is little formalization of policy and procedures concerning the classified staff. This informal approach to human resources issues leads to inconsistency in the application of rules and procedures.

A classified employee handbook should be developed that includes items such as meal and rest breaks; expectations of performance; how and when performance reviews are completed; salary information, step increases; overtime rules; time sheets and paydays; holidays, vacations, and leaves; employee use of technology; causes for disciplinary action; resignation; retirement. In the future, the district should consider developing an employee handbook for administrative staff and certificated staff.

As a small district, Banta has enjoyed a family-style culture that will likely not be maintained as the number of district personnel grows. For example, the current practice of individually determining post-retirement benefits as the few long-time employees retire cannot continue without formal, written procedures.

The district had a formal contract agreement with the Banta Educators' Association that expired June 30, 2006. The district is beginning negotiations for a three-year successor contract. The district does not have any negotiated agreements or employee procedural handbooks for classified staff. The district should develop employee policies, procedures and procedural handbooks for implementing personnel actions consistently, particularly in the absence of negotiated contract agreements.

The district has access to the GAMUT policy system and there has been an attempt to update board policies concerning personnel issues; however, there is no formalized timeline for the revised policies to be presented to the Governing Board for approval.

Operations

Most of the personnel functions are currently the responsibility of the Business Manager, who also has responsibility for the budget and financial operations of the district. The industry standard is to separate the human resources functions from the business functions. This allows for a check and balance system concerning personnel matters, especially in the application of compensation and health and welfare benefits.

As the number of staff increases at the existing school site, the district should consider adding a position primarily to handle the routine clerical personnel functions. When the district reaches a significant number of additional employees, a management position should be assigned the responsibility of personnel administration. With the projected en-

rollment of approximately 6,000 students, it would be reasonable for a personnel administrative position to be assigned other duties outside of human resources.

As the district grows in staff, the human resources functions will increase and become more complex. Typical human resources functions include: job description maintenance, position control, recruitment activities, preparing offers of employment; new employee orientation, completing pre-employment legal requirements; tracking employee evaluations, and creating and maintaining personnel files. A list of the typical HR functions has been included as Appendix B.

Job Descriptions

Job descriptions have not been reviewed consistently, and some positions have no formal written job description. There is currently no job description for custodian, cafeteria manager or any certificated position. Existing job descriptions for other classified positions should also be reviewed for relevance to the work performed.

The current job descriptions are also not presented in a consistent format. Minimum qualifications necessary for successful completion of the duties are not included on all job descriptions. For example: the Instructional Assistant job description should include an educational component expressly stating that an A.A. degree or successful completion of the San Joaquin County Office of Education proficiency examination is required. Job descriptions for new positions at the district level and the school site level should be developed prior to the construction of new schools. This will ensure that the personnel infrastructure is in place for the recruitment process.

The lack of standardization in the job description format creates an artificial hierarchy in the worth of each position. An increase in enrollment and the addition of new schools will necessitate increases in the number of support staff, and sound personnel practices require that up-to-date job descriptions are available to the applicants at the time of recruitment.

Recruitment

Due to the low turnover of employees, recruitment is conducted informally. The district has a close relationship with the local university and teaching positions are normally filled by known student teachers. The classified staff is normally recruited from parents of students attending the school. This type of recruitment process has provided the district with qualified employees to date, but as the district grows, recruitment activities will need to expand to attract a larger pool of qualified candidates.

New employee orientation is divided between the Business Manager and the Assistant Superintendent/Principal. There is no formal plan to ensure that each new employee is given consistent and current information relating to district employment. It appears that the Business Manager provides the necessary paperwork for payroll and health and welfare benefits

and the Assistant Superintendent/Principal provides information on school policies and procedures. A sample new employee orientation checklist is included as Appendix C.

Annual employee notices are distributed each year, but there is no signed acknowledgment by the employee that the notices were received. Should a legal issue arise concerning any of the topics included in the annual notifications, the district has no way to prove that the employee had knowledge of the district's policies. A list of required annual notices is provided as Appendix D.

Recommendations

The district should:

1. Formalize the current rules and procedures for the classified staff concerning application of leaves and working schedules, (i.e. breaks, lunch, overtime). Develop a classified employee handbook containing work guidelines and expectations. In the future, consider developing an employee handbook for administrative staff and certificated staff.
2. Develop a formal plan including a timeline for presenting the revised board policies in the 4000 series to the Governing Board. Give priority to policies concerning the classified staff and include those items in the classified employee handbook.
3. Clearly define the functions of human resources and be prepared to separate those duties from the business manager's duties as HR personnel are added.
4. Review existing job descriptions for each position to determine that they reflect the current duties and responsibilities. Ensure that a written job description is in place for all positions. Utilize a standard format that includes minimum qualifications for the job.
5. Develop a recruitment plan prior to the construction of the new sites. Utilize recruitment tools such as Ed-Join to ensure that a broad base of applicants is accessed at minimal cost. Six months to one year before a new school opens, consider selecting the principal. This will ensure that the principal is included in the new employee selection process.
6. Develop a system of annual notification that includes acknowledgement from the employee of receipt. Develop a formal, standardized new employee orientation form to ensure that each employee is provided the same information. At completion of the orientation, obtain each employee's signature indicating that he/she has received the information, and place the signed copy in the new employee's personnel file.

Loss of Direct Service Status

Direct service school districts receive special funding for supervision of instruction and health, attendance, and guidance services pursuant to Sections 1730 through 1762 of the Education Code. For elementary districts, this funding is only available as long as their average daily attendance is less than 901 ADA. As the River Islands project develops and student enrollment increases, the district will lose its direct service status per Education Code Section 14054, and the San Joaquin County Office of Education will lose its direct service status funding per Education Code Section 2550(a)(1). The pertinent education codes are provided in Appendix F.

As the district approaches 901 ADA, it should plan for the loss of county office services. Although the San Joaquin County Office of Education has indicated that it will hold the district harmless for one year after its ADA exceeds 901, nonetheless, the district should determine how it will fund these services in its own budgeting process.

The district also depends heavily on the county office of education to prepare a variety of state mandated reports. Additional business office staff will be required once these functions become the district's responsibility.

The district also will need to increase the number of business office staff (at least temporarily) to closely track and manage the district's pending school facilities project. Typically, growing districts hire a facilities technician who can assist with daily operations, such as the collection and accounting of developer fees, and can ensure that the district's capital projects are adequately monitored and financially tracked. FCMAT has provided the district with an Excel template that can be used for this purpose in the appendix of this report.

The number of district support staff will also need to increase to accommodate the increase in personnel and to support the staff at the anticipated multiple school sites.

Multiple school sites will require multiple school site budgets. The district's single school site does not have a separate budget allotment. Procedures for managing and monitoring school site budgets need to be developed before additional schools are built. Staffing ratios will need to be developed to provide a framework and rationale for assigning instructional staff and support staff for the site.

The district should have clearly stated procedures in each fiscal control area such as travel, purchasing, hiring, etc. The policies and procedures for handling financial transactions are best recorded in a procedural manual that describes the administrative tasks and who is responsible for each. The manual informs the staff, the board and the community as to the manner in which the district conducts its business, and facilitates a smooth operational transition when there is an absence or turnover in financial staff.

Recommendations

The district should:

1. Identify and quantify the level of Direct Service District funding and services provided either by, or on behalf of the San Joaquin County Office of Education (SJCOE), and develop a multi-year budget plan to fund these services independent of the SJCOE.
2. Develop a multi-year plan to fund additional business office staffing as the district increases in student enrollment.
3. Consider hiring a facilities technician to monitor and account for the district's capital facilities funds.
4. Begin development of a business procedural manual that clearly states the procedures in each fiscal control area such as for travel, purchasing, hiring, budget development, etc. describing the administrative tasks and who is responsible for each.

Maintenance, Grounds and Custodial Staffing

Maintenance

As the River Islands project develops, and as new school facilities are built and new students arrive, the district should consider hiring one maintenance employee for each school site. This is based on the California Association of School Business Officials (CASBO) formula and an informal survey of comparable California school districts. Assuming that eight schools are built and the Banta Elementary School remains in operation, the district would need nine maintenance workers. At least five of the maintenance workers should be a trade specialist. Generally, a plumber, an electrician, a locksmith, a heating and air conditioning technician and a painter are required for a district this size. The remaining four should be general maintenance workers capable of performing a variety of maintenance tasks.

Grounds

Success in grounds management, while largely dependent on unpredictable circumstances such as weather, the vulnerability of living plants and pests, also depends on well-trained personnel with skills in a variety of areas who are capable of maintaining educational facility grounds in a visually appealing and environmentally sensitive manner.

Like other maintenance and operations functions, staffing for grounds-related services tends to vary among school districts throughout the state. The most common factors affecting staffing levels for grounds crews at individual schools include the following:

- School size in acreage
- Number and types of outdoor spaces to be maintained
- Type and extent of natural and hardscape features
- Extent to which grounds crews perform unrelated tasks

CASBO has not produced a formula for grounds maintenance staffing, however, the Florida Department of Education (FDOE) has performed extensive research in this area and included their findings in a document entitled “Maintenance and Operations Administrative Guidelines for School Districts and Community Colleges.” Among other things, the document establishes a formula for the staffing of school district grounds maintenance personnel.

The formula to determine staff levels for grounds maintenance is based on two types of grounds personnel: those who perform general grounds functions such as mowing, gardening, and trimming, and those who care for athletic fields or other special open space features. In many school districts, general grounds functions are performed by school custodians, while large open areas and athletic fields are maintained by district grounds crews. At smaller school districts it is more typical for a single crew to provide all required grounds services for the facility. The recommended formula for determining the number of specialized grounds keepers and athletic field grounds keepers is the total acreage of the school facility divided by 40, plus 1 FTE grounds keeper, plus 1 FTE grounds keeper per 500,000 square feet of athletic fields.

If all of the facilities proposed in the Master School Impact Mitigation Agreement are built, and presuming that the acreage utilized meets the California Department of Education School Facilities Planning Division standards, the district would need 10.5 ground personnel at build out (six elementary schools @ 10 acres per site plus two middle schools @ 20 acres per site for a total of 100 acres, divided by 40, plus one grounds keeper per school site). The formula and calculation are also displayed in Appendix E.

Custodial

Custodians in school districts usually work under shared management. Both the district custodial supervisor and individual school principals have input in establishing work priorities and duties to be performed by staff daily. Usually this involves principals retaining site supervision over custodians, while supervisors at the district level provide technical assistance, equipment, supplies, and other personnel-related services. In this situation, school and operations administrators should have a clear understanding of their individual roles and responsibilities, and seek to manage custodial operations in the most efficient and effective manner possible relative to local circumstances.

Custodial functions are essential to the operation of the physical plant. As such, administration must provide the following:

- Ensure that facilities are safe, clean, orderly, and attractive.
- Create educational environments that are well maintained, enhance learning, reflect the value of public education and preserve capital investments.
- Perform general housekeeping and other support functions as needed.
- Foster a sense of professionalism and pride among custodial staff.

Determining the number of custodial staff positions is often a difficult task. It requires defining and justifying the labor force necessary to adequately care for public facilities.

In many cases, staffing levels are based on square footage or cleanable area. As custodial responsibilities and the total amount of cleanable space increase, an appropriate number of new staff positions should be added to properly clean school facilities. Although the district may ultimately opt to use a single staffing method or a combination of staffing methods best suited to its needs, the selected approach to custodial staffing should identify the workforce necessary to provide an expected level of service.

The California Association of School Business Officials (CASBO) staffing formula was developed to calculate the number of custodians required to maintain individual school buildings. This formula allocates a person-hour ratio for custodial tasks to determine the number of custodians needed at a facility. More commonly used in larger school districts, it is probably the most detailed and comprehensive measure used by operations administrators at educational facilities. It requires an initial estimate of custodial staff requirements based on the amount of area contained in different building categories (e.g.,

permanent school buildings, portables, lockers/showers, etc.) and then computing an area allotment for individual staff members that is based on a one-hour time period. The total hourly requirements are divided by eight, indicating the daily workforce requirements. To assess the time needed for a day custodian, one who works at a school site while students are present, determine the school site's needs and the cleaning time available. These time standards allot enough time to clean all areas at the school site and reflect the cleaning standards identified in the CASBO Custodial Handbook. Assigning custodial staff to tasks not assigned in the CASBO formula will result in necessary cleaning being postponed or neglected. Generally, custodial staffing should be as follows:

- One custodian for every 13 teachers; plus
- One custodian for every 325 students; plus
- One custodian for every 13 rooms; plus
- One custodian for every 18,000 sq. ft.

Total the above and divide by four to indicate the number of custodians needed. Schools of less than 450 students need to add .30 FTE to the final calculation.

Community usage:

- Elementary School .06 FTE
- Middle School .25 FTE
- High School .50 FTE

The formula provides the suggested number of custodians to clean and maintain a building to the timelines and the standards noted above and found in the CASBO Custodial Handbook. FCMAT has used the formula to calculate the staffing for both a typical elementary and a middle school based on what is proposed in the Master School Impact Mitigation Agreement.

Typical Elementary School

To identify the number of custodians needed for a school of 38,000 sq. ft. with 25 teachers, 685 students, and 23 classrooms, the formula is used to add and divide and round to the highest tenth as follows:

24 teachers divided by 13 =	1.85
600 students divided by 325 =	1.85
24 classrooms divided by 13 =	1.85
46,748 sq. ft. divided by 18,000 =	2.59
Total divided by 4 = 8.12 divided by 4 =	2.03
Community usage =	.06
Less than 450 Allowance – Not Applicable	
Total	2.09 FTE

Typical Middle School

28 teachers divided by 13 =	2.15
750 students divided by 325 =	2.30
28 classrooms divided by 13 =	2.15
63,576 sq. ft. divided by 18,000 =	3.53
Total divided by 4 = 10.13 divided by 4 =	2.53
Community usage =	.06
Less than 450 Allowance – Not Applicable	
Total	2.59 FTE

These standards may be adopted as guidelines as opposed to absolute rules. Nevertheless, the guidelines may establish the requisite number of grounds, maintenance and custodians that will need to be added as the district's enrollment increases.

Maintenance, Grounds and Custodial Supervision

In accordance with the management principles of span of control and chain of command, the maintenance, grounds and custodial operations of the district should be overseen by a Director of Maintenance, Grounds and Operations. Each discipline (i.e., maintenance, grounds, custodial/operations) should be supervised by a line supervisor who reports directly to the director.

Recommendations:

As student enrollment increases and new school facilities are built, the district should:

1. Adopt the CASBO maintenance staffing formula as a general guideline for adding maintenance personnel as new school facilities are built.
2. Consider the Florida DOE grounds and maintenance staffing formula or other available examples as a general guideline for adding grounds maintenance personnel as new school facilities are built.
3. Adopt the CASBO custodial staffing formula, as amended, as a general guideline for adding custodial personnel as new school facilities are built.

Transportation and Food Services

Transportation

The district has historically contracted out home to school and special education transportation services. Even as student enrollment increases, the district does not anticipate bringing this function in-house. As a result, this review does not contemplate the staffing levels needed to operate a home to school transportation operation.

Food Services

Food Services operates a heat-and-serve program that will be maintained with the addition of new school sites. Currently, one employee, the Cafeteria Manager, serves approximately 60 breakfast meals and 160 to 180 lunch meals each day and completes the administrative functions of the program. The vendor contracted to provide the meal service is responsible for meeting the legal guidelines of the National School Lunch Program. The Cafeteria Manager is assigned a six-hour work day and reported that she routinely stays an additional 15 to 30 minutes.

Recommendation

The district should:

1. Assign work hours in the food service program that are appropriate to the position. Standardize the work assignment to provide a consistent rationale for adding new staff. Review the workload of the Cafeteria Manager position to determine if the duties can be completed within the assigned time.

Potential Unification

The Banta Elementary School District currently serves grades kindergarten through eighth grade. Ninth through twelfth graders who reside in the district attend high school in the Tracy Unified School District. Depending on the number of students generated by the River Islands project, the district may seek to form its own unified district as early as fiscal year 2013-14. The district has indicated that there would have to be between 600 and 800 secondary students living within the Banta Elementary District boundaries before an effort to unify would be initiated.

Unification is the process whereby an entire elementary district or high school district, or portions thereof are reorganized into a district serving students from kindergarten through twelfth grade. Whereas unionizations are horizontal and involve the merging of two or more districts with similar grade level configurations, unifications are vertical in nature—they consist of elementary or secondary districts expanding the number of grades they serve to include grades K-12.

The unification process may be initiated by either a voter petition or petition of the affected governing board(s). In either event, the county committee must determine the impact of the unification based on the criteria in Education Code Section 35753 as proposed below:

1. The new district will be adequate in terms of numbers of pupils enrolled.
2. The district is organized on the basis of a substantial community identify.
3. The proposal will result in an equitable division of property and facilities of the original district or districts.
4. The reorganization of the district will not promote racial and ethnic discrimination or segregation.
5. The proposed reorganization will not result in substantial increase in costs to the state.
6. The proposed reorganization will not significantly disrupt the educational programs in the districts affected by the proposed reorganization and will continue to promote sound educational performance in those districts.
7. The proposed reorganization will not result in a significant increase in school housing costs.
8. The proposed reorganization is not primarily designed to result in a significant increase in property values causing financial advantage to property owners because territory was transferred from one school district to an adjoining district.
9. The proposed reorganization will not cause a substantial negative effect on the fiscal management or fiscal status of the proposed district or any existing district affected by the proposed reorganization.
10. Any other criteria as the State Board of Education may, by regulation, prescribe.

This study did not evaluate school district reorganization on the merits of the ten criteria. Rather, it focuses solely on the fiscal impacts of unification, including the disposition of assets and liabilities.

Division of Assets and Liabilities

The division of assets and liabilities is typically addressed in the petition for reorganization. The petition may be rejected if the projected division appears out of balance. If after an election there is still no agreement among the parties on this matter, the dispute is subject to binding arbitration pursuant to Education Code Section 35565.

However, as disputes regarding the reorganization of school districts have arisen over the years, legislatures and courts across the United States have come to agree on a variety of basic principles addressing the division of assets and liabilities.

In general, legislatures are allowed to distribute assets and liabilities in any manner that does not affect existing contracts. The U.S. Constitution contains a clause prohibiting the impairment of contracts. Article I, Section 10 provides that “No state shall ... pass any ... law impairing the obligation of contracts.” The California Constitution has a similar provision, protecting contractual rights from being impaired at a subsequent time.

Absent any specific statutory provision to the contrary, most courts have determined that real property remains under control of the district in which it is located after changes have been made. However, it must be noted that a district’s real property is the property of the state, held in trust by the district for the state and used by the district to carry out the state’s constitutional obligation of educating its children.

The courts have also determined that as a general rule, even if property becomes part of a different district’s geographical area after reorganization, the original district remains liable for the payment of debt incurred in connection with the property.

State statutes typically require that the division of assets and liabilities is accomplished equitably. Relevant disputes in this area include a challenge to a Michigan statute requiring a district to pay the debts of a second district proportionate to the value of the property in the second district that had been attached to the first under a reorganization plan. The court held that this statute did not violate the U.S. Constitution’s prohibition against the taking of property as just compensation. However, courts have also ruled that states may require no indebtedness to be imposed upon a district without a vote of electors.

Finally, unless a state constitution provides otherwise, legislatures have almost unlimited authority to provide a formula for dividing both property and debts. For example, typical statutes state that a designated agency such as the county office of education must distribute assets and liabilities equitably.

Perhaps the most controversial issue surrounding the division of assets and liabilities is the disposition of property. The legal distinction between the terms “real property” and “personal property” should be noted.

Real property is defined as land, and generally whatever is erected or growing on or affixed to land.

Personal property is defined as everything that is the subject of ownership, not coming under denomination of real estate. The term is generally applied to property of a personal or movable nature, as opposed to property of a local or immovable character (such as land or houses).

In addition, fixtures are defined as items that have been so affixed to land that they have ceased being personal property and have become part of the realty.

Real Property

Education Code Sections 35560 and 35573 prescribe the disposition of real property and bonded indebtedness, respectively, when districts reorganize through unification. Education Code 35560 states that:

When a school district is reorganized and when the allocation of funds, property, and obligations is not fixed by terms, conditions, or recommendations as provided by law, the funds, property, and obligations of a former district, except for bonded indebtedness, shall be allocated as follows:

- (a) The real property and personal property and fixtures normally situated thereat shall be the property of the district in which the real property is located.
- (b) All other property, funds, and obligations, except bonded indebtedness, shall be divided pro rata among the districts in which the territory of the former district is included. The basis for the division and allocation shall be the assessed valuation of the part of the former district which is included within each of the districts.

In this respect, real property will become the real property of the unified school district.

Similarly, Education 35573 states that:

When any school district is in any manner merged with one or more school districts so as to form a single district by any procedure, the district so formed is liable for all of the outstanding bonded indebtedness of the districts united or merged.

As a result, the bonded indebtedness of either school district will become the indebtedness of the newly unified school district.

Funds from the Sale of Bonds

Funds from the sale of previously issued school bonds may be used for acquiring, building, or improving only the school property that was part of the former district for use in that same district. However, under Education Code Section 35561, if the newly formed district accepts the former district's bonded indebtedness, the funds may be used anywhere in the new district for the same voted purpose.

Central Office Administrative Sites

Section 35560 (a) provides that "the real property ... shall be the property of the district in which the real property is located." This language indicates that the real property simply becomes the property of the district in which it is located after the reorganization.

Personal Property of District Located at Central Administrative Offices

An additional issue is the disposition of items located at central administrative offices. In addition to furniture, computers, photocopy machines, telecommunications devices, and other office machines, this would include material in clearinghouses, supply warehouses, and textbook storage facilities. Education Code Section 35560(a) suggests that the personal property "normally situated" in the district would move with the real property. However, it could be argued that items such as textbooks, supplies and instructional materials should be equitably divided among all district based on ADA.

Personal Property Located at School Sites

In addition to fixtures, items of personal property such as furniture, computers, photocopy machines, telecommunications devices, office machines, school supplies, and instructional materials would appear to fall within the description set forth in Section 35560(a), since they would seem to be normally situated at the local school site. These items would therefore stay with the real property in any reorganization.

However, there may be items of personal property at local school sites that have only been there a short time and may be on loan from the district. These items would certainly be subject to negotiation, since they may not be normally situated at the school site, and would not necessarily fit within the meaning of this statutory provision.

Distribution of Personal Property

Education Code Section 35736 states in part:

Plans and recommendations may include a proposal for dividing the property, other than real property, and obligations of any school district proposed to be divided between two or more school districts, or proposed to be partially included in one

or more school districts. As used in this section, “property” includes funds, cash on hand, and moneys due but uncollected on the date reorganization becomes effective for all purposes, and state apportionments based on average daily attendance earned in the year immediately preceding the date reorganization becomes effective for all purposes. In providing for this division, the plans and recommendations may consider the assessed valuation of each portion of the district, the revenue limit per pupil in each district, the number of children of school age residing in each portion of the district, the value and location of the school property, and such other matters as may be deemed pertinent and equitable. Any such proposal shall be an integral part of the proposal and not a separate proposition.

Although the Education Code prescribes the division of personal property, it does not specifically address the method of distribution. Education Code Sections 35705.5 and 35736 provide for a process where districts may agree to terms and conditions of the process before submitting the petition to the State Board of Education. The following various methods may be used for the division of personal property:

1. Personal property may be appraised for all purposes at the current market value as of June 30 of the school year prior to the date that the new district becomes effective. This may be done by a certified appraisal firm selected by the County Superintendent from a list submitted by each of the involved districts.
2. All personal property shall be listed on an inventory by category, specifying the current market value.
3. The total value of the personal property shall be distributed on the basis of the ratio that the assessed valuation of each proposed district bears to the total assessed valuation of the area.
4. The districts shall draw lots to determine which shall have first choice and which shall have second choice. The order shall be rotated after each list of ten items is selected.
5. Items shall be made available in lots of ten. The district whose turn it is to select first may purchase their share (ratio) of the ten items or may elect to decline to purchase any of the items in that lot of ten items. This process continues until all property has been distributed and all credits are expended.
6. Should a district decline to select a sufficient number of times so that items are remaining at the time when the other district(s) has expended its credit, the remaining district shall receive all items remaining and the distribution shall be deemed complete.
7. The necessary expenses and compensation of the appraisal shall be prorated and paid by each district on the basis of the ratio of assessed valuation.

However, in instances where there are disputes over the division of property and obligations, Education Code Section 35565 provides for binding arbitration as a means for dispute resolutions. The pertinent Education Code section is included in Appendix F.

Mello-Roos Community Facilities Districts

Mello-Roos Community Facilities Districts (CFDs) are voter-created public districts operated under the control of a board of directors. CFDs are often created to provide facilities for school districts. Special taxes are levied on the real property in the CFD to pay for the cost of construction of school facilities. The school board is then designated as the board of directors of the CFD. During reorganization, this may become a problem if some or all of the territory in the CFD is no longer contained within the creating district's boundaries. For example, if a high school district operates a CFD within its boundaries, and a unified district is formed along these same boundaries, legal measures must be taken to change the board of directors of the CFD. Since there is a covenant between the CFD board of directors and the bond holders regarding the governance of the CFD, bond counsel should be consulted before any changes are made to the documents that govern the CFD. In some instances, legislation may be necessary to effect the appropriate changes.

Compensated Absences, Pensions, Post Retirement Benefits and Retirement Incentives

Another issue that must be addressed with regard to the division of liabilities is how to apportion payment of medical benefits for retirees among the various districts that may exist after a breakup or break-off. With existing employees, the answer is arguably simpler, since from an equity perspective it would appear that a district could logically agree to pay the premiums for its employees. However, with regard to retirees, the answer may be found in the general statutory language of Section 35560(b) where an equitable distribution of these obligations based on the FTEs in each district would seem to be appropriate.

Similarly, it is reasonable to assume that both existing retirees and current educators whose retirement rights are vested would be protected under the Prohibition Against Impairment of Contracts found in the United States Constitution. Nonetheless, issues relating to the equitable division of responsibilities are likely to arise in a variety of possible scenarios. For example, under a multidistrict unification scenario, all of the new districts will be expected to share financial responsibilities with regard to a teacher's prospective retirement income.

A similar approach to the division of liabilities would be likely with regard to post employment medical benefits, compensated absences, vacation accruals for classified employees and retirement incentive annuities. Negotiations between the respective districts would be based on the general statutory language of Section 35560(b) using the number of FTEs in each district methodology.

Unification Implementation

Should the district decide to proceed with unification, many logistical and legal issues will be addressed either by Education Code or through the district's petition. However, there are additional issues that the districts involved should consider before the unification process begins.

Medicare and Single Employer Status

One issue that arises during unifications is whether or not the school district reorganization constitutes a shift to a new employer, thereby making the wages subject to Medicare (hospital insurance) tax, which is 1.45 percent per \$100 of payroll for both employee and employer. While it is true that after reorganization some or all of the employees of the school district will have a new employer, it is also true that the Education Code protects the employees with respect to their classification and status. In a private letter ruling to the Eureka City elementary and high school districts, the Internal Revenue Service (IRS) concluded that the consolidation of the two districts did not violate the continuing employment exemption for public employees hired before April 1, 1986. This exemption allowed the wages of a pre-1986 employee to be paid free of Medicare tax, so long as the employee remains in continuous employment with the public agency. In making its decision, the IRS cited the case of *Board of Education of Muhlenberg County v. U.S.* (6th Circuit, 1990). In that case, the court decided that the consolidation of school districts “is not a new employer for purposes of the continuing employment exception.” The court found that the legislative intent of exempting pre-1986 employees was to avoid a sudden increase in Medicare taxes to the employer. The court noted that a consolidation of districts would create “the same sudden financial burden ... and ... deter consolidation of local government entities for purposes of enhancing efficiency.”

Protection of Classified Employees

Another issue that arises during the reorganization process is the permanency of classified employees. Education Code Section 45121 states, in part:

Persons employed in positions not requiring certification qualifications in districts, all or part of whose territory is included in a unification of districts, shall continue as employees of the unified school district for not less than two years, and shall not, by reason of any unification, be deprived of any benefit which they would have had had the unification not taken place. In determining the rights of such employees, their salaries, accumulated leaves, and other rights shall be determined as of the date the unification election was conducted. No increase in benefits not previously conferred, granted by the governing board of any district, all or part of whose territory is included in a unification of districts, after such unification election, shall be binding on the governing board of the unified district, except that benefits granted in the districts comprising the new unified district which does not become effective until the second succeeding first day of July shall be binding on the governing board of the unified district. Nothing herein contained shall preclude the governing board of the unified school district from making any reasonable reassignment of the duties of such employees. The governing board of the unified district shall establish a system of uniform salaries, employee benefits and working conditions for employees performing like services in conformity with the provisions of this section.

The 25 Percent Threshold

From fiscal year 1995 through fiscal year 1998, school district unifications and territory transfers were adversely affected by a provision of law that required each affected school district to bring at least 25% of the FTEs to the newly reorganized district for that school district to qualify for salary and benefit level-up funds. Level-up funds are provided to eliminate the differences in salaries and benefits between the existing districts, and are the only new revenues for a newly reorganized district. However, in 1998 AB 2328 was signed, providing eligibility to all districts, regardless of size, for the level-up dollars for salaries and benefits. Nonetheless, there still exists an additional condition that only those component districts with 25% or more than the ADA of the reorganized district are eligible to be considered as having the highest average costs used as the target to level up other districts. This provision precludes a situation where a small district with high salary/benefit costs becomes the level-up target for all of the other districts.

Recommendations

If it proceeds with unification in the future, the district should:

1. Ensure an equitable distribution of assets and liabilities, and avoid binding arbitration pursuant to Education Code Section 35565, by providing as much detail as possible regarding the description of assets and liabilities of the unifying districts, and the methodology to be used to allocate both assets and liabilities, in the petition to reorganize. The template above may serve as a starting point for these discussions.
2. Request a private ruling from the Internal Revenue Service for each unifying district regarding new employer status under Medicare.

Appendices

Appendix A	Key Board Policies
Appendix B	Human Resources Functions the District Should Provide
Appendix C	Sample Checklist for New Employee Orientation
Appendix D	Items for Inclusion in the Annual Employee Notification
Appendix E	Groundskeeper Calculations
Appendix F	Referenced Education Codes
Appendix G	Suggested Worksheets for Tracking Facilities Capital Improvement Projects
Appendix H	Study Agreement

Appendix A: Key Board Policies

Although the district should update and have the board adopt all of its board policies and regulations, this list provides some key policies that the district should consider updating and adopting.

Human Resources

Mandated policies to update and adopt first:

BP 1312.3 Uniform Complaint Procedures
BP 4030 Non-Discrimination in Employment
BP 4119.11 Sexual Harassment
BP 4157 Employee Safety
BP 4020 Drug and Alcohol/Tobacco Free Workplace
BP 4112.41 Reasonable Suspicion Drug and Alcohol Testing
BP 4040 Employee Use of Technology
BP 5141.4 Child Abuse Prevention and Reporting

Other HR policies:

BP 4100 Certificated Personnel
BP 4111 Recruitment and Selection
BP 4112.61 Employment References
BP 4112.8 Employment of Relatives
BP 4115 Evaluation/Supervision
BP 4117.3 Personnel Reductions
BP 4200 Classified Personnel
BP 4361 Leaves

Business Functions

Business policies to update and adopt first:

BP 3000 Concepts and Roles
BP 3100 Budget
BP 3270 Sale and Disposal of Books, Equipment and Supplies
BP 3280 Sale, Lease, Rental of District-Owned Property
BP 3290 Gifts, Grants and Bequests
BP 3300 Expenditures/Expending Authority
BP 3310 Purchasing Procedures
BP 3311 Bids
BP 3270 Sale and Disposal of Books, Equipment and Supplies
BP 3280 Sale, Lease, Rental of District-Owned Property
BP 3290 Gifts, Grants and Bequests
BP 3300 Expenditures/Expending Authority
BP 3310 Purchasing Procedures
BP 3320 Claims and Actions Against the District
BP 3513.4 Definition of ADA Policy

BP 3515.5 Sex Offender Notification
BP 3516 Emergencies and Disaster Preparedness Plan
BP 3580 District Records

Other business policies:

BP 3111 Deferred Maintenance Funds
BP 3220.1 Lottery Funds
BP 3312 Contracts
BP 3312.2 Educational Travel Program Contracts
BP 3314 Payment for Goods and Services
BP 3314.2 Revolving Funds
BP 3315 Relations with Vendors
BP 3400 Management of District Assets Accounts
BP 3430 Investing
BP 3440 Inventories
BP 3452 Student Activity Funds
BP 3460 Financial Reports and Accountability
BP 3461 Debt Management Policy
BP 3511 Energy and Water Conservation
BP 3514 Environmental Safety
BP 3524.4 Hazardous Substances
BP 3515 Campus Security
BP 3515.2 Disruptions
BP 3515.4 Recovery for Property Loss or Damage
BP 3516.5 Emergency Schedules
BP 3517 Facilities Inspection
BP 3530 Risk Management/Insurance
BP 3550 Food Service/Child Nutrition Program
BP 3551 Food Service Operations/Cafeteria Fund
BP 3553 Free and Reduced Price Meals
BP 3554 Other Food Sales

Facilities Management Functions

Facilities policies to update and adopt first:

BP 1330 Use of School Facilities
BP 7210 Facilities Financing
BP 7211 Developer Fees
BP 7212 Mello-Roos Districts
AR 7213 School Facilities Improvement Districts
BP 7214 General Obligation Bonds

Other facilities policies:

BP 7110 Facilities Master Plan

BP 7131 Relations with Local Agencies

BP 7140 Architectural and Engineering Services

BP 7150 Site Selection and Development

BP 7160 Charter School Facilities

Appendix B: Human Resources Functions the District Should Provide

Job Descriptions

Prepare
Review and update

Recruitment/Selection of Employees

Establish position control
Prepare job vacancy announcements
Advertise positions
Paper screen applicants
Test applicants when appropriate
Schedule interviews
Conduct reference checks

Employment

Prepare offers of employment
Verify experience
Verify education (transcripts evaluation)
New employee orientation
Credential monitoring
Initial salary schedule placement
Track fingerprint clearance
Annual salary advancement
Track T.B. expiration
Process resignations
Maintain staffing data and staff lists
Perform exit interviews

Personnel Files

Initial creation
Maintenance
Control of access and security

Credentials

Verification of eligibility to teach assigned subject
Ensure credentials are registered with county office
Assignment monitoring
Credential expiration reminder notices
Certification of athletic coaches

Evaluations

Monitor time lines and procedures
Substandard performance assistance
Documentation preparation assistance
Disciplinary action process

Benefit Administration**Collective Bargaining/Contract Management****Employee Counseling**

Retirement options
Unemployment insurance
Employee assistance programs
Leave of absence options

Miscellaneous

Collection/submission of staff CBEDS data information
Workers' Compensation claims processing
Employee recognition programs
Stay apprised of new laws and legislation regarding employment and personnel matters

Appendix C: Sample Checklist for New Employee Orientation

BENEFITS

_____ Benefit election form
_____ Deduction for less than full-time
_____ Benefits available
_____ Late enrollment
_____ Blue Cross information
_____ Kaiser information
_____ Pacific Care information
_____ Delta Dental information
_____ VSP information
_____ Provident Life (if applicable)
_____ Lincoln/Zurich (if applicable)
_____ EAP information
_____ COBRA
_____ Long-term disability (except
certificated)
_____ Optional long-term (certificated
only)
_____ Optional short-term disability
_____ Section 125 Info and BEF

GENERAL

_____ Affirmation of auto insurance
_____ Credit union information
_____ Tax-sheltered annuity

_____ PERS/STRS/APPLE
_____ Organization chart

SAFETY

_____ IIPP/Workers' Comp info
_____ Hepatitis B exposure plan
_____ Safety/wellness/exercise room
_____ Monthly safety inspection
_____ Disaster preparedness/plans

LEGAL

_____ Drug-free workplace
_____ Tobacco-free workplace
_____ Sexual harassment
_____ Affirmative action
_____ Student insurance
_____ Franchise concerns

OTHER

_____ Negotiated contract
_____ Climate of district
_____ Classified/certificated manual
_____ Available leaves
_____ Paydays
_____ Uniform complaint procedure
_____ Unemployment information
_____ Stipend information
(Certificated only)
_____ Overtime procedures
_____ Time sheets

* Employee Signature

Date

Human Resources

* The signature of the employee should be obtained to acknowledge that the information was provided. The signed form should be placed in the employee's personnel file.

Appendix D: Items for Inclusion in the Annual Employee Notification

1. Non-Discrimination Notice (BP 4030)
2. Child Abuse Reporting (BP 5141.4)
3. Sexual Harassment (BP 4119.11)
4. Drug and Alcohol/Tobacco Free Workplace (BP 4020)
5. Reasonable Suspicion Drug and Alcohol Testing (BP 4112.41)
6. Computer, Telephone and Network Acceptable Use (BP 4040)
7. Uniform Complaint Procedures (BP 1312.3)
8. Health and Safety
 - Employee Safety (BP 4157)
 - SB198 – Injury and Illness Prevention Plan (IIPP)
(a copy should be located at each worksite)
 - Blood Borne Pathogens/Universal Precautions
 - Safety Programs
(Emergency response plans should be located at each worksite)
 - Hazardous Materials Procedures
(Material Safety Data Sheets should be available from the program or the Maintenance Department)
 - Workers' Compensation Information

Appendix E - Grounds keeper Staffing Calculations

Grounds Staffing Formula	
Total acreage of school facility	
Divided by	
40	
Plus	
1 FTE grounds keeper	
Plus	
1 FTE grounds keeper per 500,000 square feet athletic fields	
Equals total number of grounds personnel	

Banta Elementary School District		
6 elementary schools @ ten acres per site		= 60 acres
2 middle schools @ 20 acres per site		= 40 acres
Total		=100 acres
100 acres/40		=2.5 FTEs
Plus 1 grounds keeper per school site		=8.0 FTEs
Total Need		=10.5 FTEs

Appendix F - Referenced Education Codes 2550, 14054, 35565

As the River Islands Project develops, and as student enrollment increases, inevitably the district will lose its Direct Service Status pursuant to Education Code Section **14054** of the Education Code and the San Joaquin County Office of Education will lose its Direct Service Status funding pursuant to Education Code Section **2550(a)(1)**. These code sections follow in pertinent part:

2550. For each fiscal year, the Superintendent of Public Instruction shall make the following computations to determine the amount to be allocated for direct services and other purposes provided by county superintendents of schools:

(a) For programs operated pursuant to subdivision (a) of Section 14054, the Superintendent of Public Instruction shall:

(1) Determine the allowances that county superintendents received per unit of average daily attendance in the prior fiscal year. The Superintendent of Public Instruction shall increase each amount by a percentage equal to the inflation allowance calculated for the current fiscal year pursuant to Section 2557.

(2) Multiply each amount determined in paragraph (1) by the actual number of units of average daily attendance in the prior fiscal year for programs maintained by each county superintendent. For purposes of this paragraph, the number of units of average daily attendance shall include only units generated by elementary districts with less than 901 units of average daily attendance, high school districts with less than 301 units of average daily attendance, and unified school districts with less than 1,501 units of average daily attendance within each county superintendent's jurisdiction.

14054. The Superintendent of Public Instruction shall during each fiscal year allow to the county school service fund of each county from the State School Fund such amounts as the budget submitted by the county superintendent of schools and approved by the Superintendent of Public Instruction, under Section 14050, shows is necessary, but:

(a) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for supervision of instruction and health, attendance, and guidance services pursuant to Sections 1730 to 1762, inclusive, for pupils in elementary school districts which during the next preceding fiscal year had less than 901 units of average daily attendance, in high school districts which, during the preceding year had less than 301 units of average daily attendance, and in unified school districts which during the next preceding fiscal year had less than 1,501 units of average daily attendance shall not exceed the sum provided by law for such purpose or the amounts shown necessary by such budgets, for such purpose, whichever is the lesser.

(b) The total amount allowed by the Superintendent of Public Instruction under this section to all county school service funds for all other purposes shall not exceed the sum provided by law for such purposes or the amounts shown necessary by such budgets, whichever is the lesser.

Education Code Section **35565** provides for binding arbitration as a means for dispute resolutions. Education Code Section 35565 states that:

If a dispute arises between the governing boards of the districts concerning the division of funds, property, or obligations, a board of arbitrators shall be appointed which shall resolve the dispute. The board shall consist of one person selected by each district from which territory is withdrawn pursuant to a reorganization action under this chapter, one person selected by each district of which territory has become a part pursuant to that reorganization action, and either one or two persons, such that the board of arbitrators contains an odd number of persons, appointed by the county superintendent of schools of the county in which the districts are located. The districts involved may mutually agree that a person appointed as arbitrator by the county superintendent of schools may act as sole arbitrator of the matters to be submitted to arbitration. The necessary expenses and compensation of the arbitrators shall be divided equally between the districts, and the payment of the portion of the expenses is a legal charge against the funds of the school districts. The arbitrator or arbitrators shall make a written finding on the matter submitted to arbitration. The written finding and determination of a majority of the board of arbitrators is final and binding upon the school districts submitting the question to the board of arbitration.

SCHOOL FACILITY PROGRAM

EXPENDITURE WORKSHEET

PAGE 1 - SITE ACQUISITION AND DEVELOPMENT

Page 1 of 3

[illegible]

FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
STUDY AGREEMENT
November 7, 2006

The FISCAL CRISIS AND MANAGEMENT ASSISTANCE TEAM (FCMAT), hereinafter referred to as the Team, and the Banta Elementary School District, hereinafter referred to as the District, mutually agree as follows:

1. BASIS OF AGREEMENT

The Team provides a variety of services to school districts and county offices of education upon request. The District has requested that the Team provide for the assignment of professionals to study specific aspects of the Banta Elementary School District operations. These professionals may include staff of the Team, County Offices of Education, the California State Department of Education, school districts, or private contractors. All work shall be performed in accordance with the terms and conditions of this Agreement.

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

Based on the anticipated growth in student enrollment over the next twenty years, the scope and objectives of this study are to:

- 1) Assist the district in developing board policies, guidelines, and job descriptions to address the incremental increases to staff and administration at the district office and school sites as the student population increases.
- 2) Review the District's plan to address the impact of the planned housing developments in the area and provide recommendations and/or priorities for implementation.
- 3) Identify responsibilities within the District business office that will be required in order to conduct detailed tracking and management of upcoming capital projects; and provide an Excel template that can be used for this purpose.
- 4) Provide examples of fiscal standards and practices for budget development, monitoring, financial reporting, etc. that should be standard operating procedures for a growing district.

B. Services and Products to be Provided

- 1) Orientation Meeting - The Team will conduct an orientation session at the District to brief District management and supervisory personnel on the procedures of the Team and on the purpose and schedule of the study.
- 2) On-site Review - The Team will conduct an on-site review at the District office and at school sites if necessary.

- 3) Progress Reports - The Team will hold an exit meeting at the conclusion of the on-site review to inform the District of significant findings and recommendations to that point.
- 4) Exit Letter - The Team will issue an exit letter approximately 10 days after the exit meeting detailing significant findings and recommendations to date and memorializing the topics discussed in the exit meeting.
- 5) Draft Reports - Sufficient copies of a preliminary draft report will be delivered to the District administration for review and comment.
- 6) Final Report - Sufficient copies of the final study report will be delivered to the District following completion of the review.

3. PROJECT PERSONNEL

The study team will be supervised by Anthony Bridges, Deputy Executive Officer, Fiscal Crisis and Management Assistance Team, Kern County Superintendent of Schools Office. The study team may also include:

- A. Dr. Roberta Mayor, FCMAT Chief Management Analyst
- B. Eric Smith, FCMAT Fiscal Consultant
- C. FCMAT Human Resources Consultant

Other equally qualified consultants will be substituted in the event one of the above noted individuals is unable to participate in the study.

4. PROJECT COSTS

The cost for studies requested pursuant to E.C. 42127.8(d)(1) shall be:

- A. \$500.00 per day for each Team Member while on site, conducting fieldwork at other locations, preparing and presenting reports, or participating in meetings.
- B. All out-of-pocket expenses, including travel, meals, lodging, etc. Based on the elements noted in section 2 A, the total cost of the study is estimated at \$7,500. The District will be invoiced at actual costs, with 50% of the estimated cost due following the completion of the on-site review and the remaining amount due upon acceptance of the final report by the District
- C. Any change to the scope will affect the estimate of total cost.

Payments for FCMAT services are payable to Kern County Superintendent of Schools-Administrative Agent.

5. RESPONSIBILITIES OF THE DISTRICT

- A. The District will provide office and conference room space while on-site reviews are in progress.

B. The District will provide the following (if requested):

- 1) A map of the local area
- 2) Existing policies, regulations and prior reports addressing the study request
- 3) Current organizational charts
- 4) Current and four (4) prior year's audit reports
- 5) Any documents requested on a supplemental listing

C. The District Administration will review a preliminary draft copy of the study. Any comments regarding the accuracy of the data presented in the report or the practicability of the recommendations will be reviewed with the Team prior to completion of the final report.

Pursuant to EC 45125.1(c), representatives of FCMAT will have limited contact with District pupils. The District shall take appropriate steps to comply with EC 45125.1(c).

6. PROJECT SCHEDULE

The following schedule outlines the planned completion dates for key study milestones:

Orientation:	December 12, 2006
Staff Interviews:	December 12, 2006
Exit Interviews:	December 12, 2006
Preliminary Report Submitted:	January 19, 2007
Final Report Submitted:	To be determined
Board Presentation:	To be determined

7. CONTACT PERSON

Please print name of contact person: William Draa, Superintendent

Telephone 209 835-0171 FAX 209 835-0319

Internet Address wdraa@sjcoe.net

William Draa 11/17/06
William Draa, Superintendent Date
Banta Elementary School District

Barbara Dean 11-7-06
Barbara Dean, Deputy Administrative Officer Date
Fiscal Crisis and Management Assistance Team

In keeping with the provisions of AB1200, the County Superintendent will be notified of this agreement between the District and FCMAT and will receive a copy of the final report.