



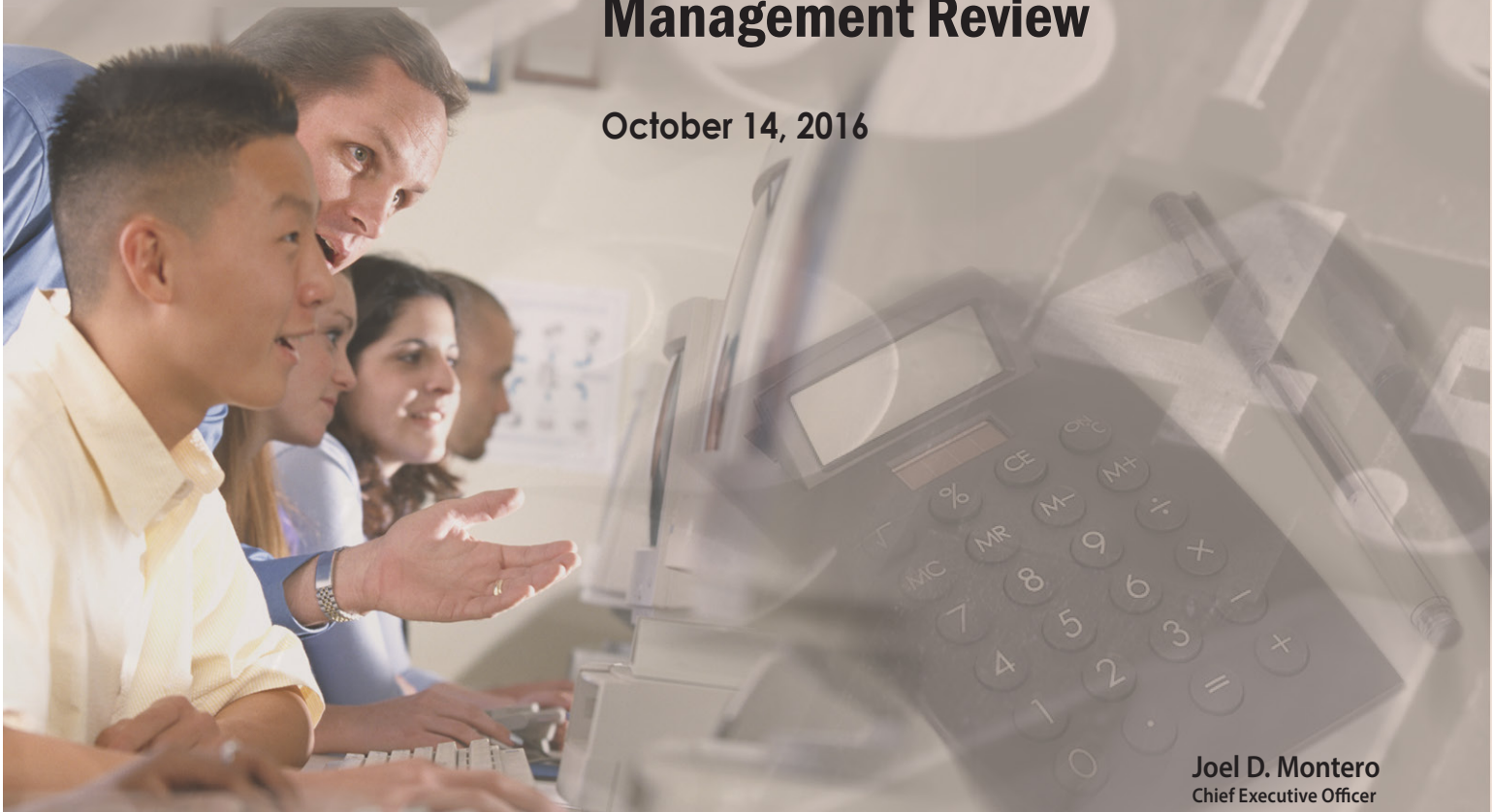
FISCAL CRISIS & MANAGEMENT
ASSISTANCE TEAM

CSIS California School Information Services

Merced Union High School District

Management Review

October 14, 2016



Joel D. Montero
Chief Executive Officer





October 14, 2016

Alan Peterson, Superintendent
Merced Union High School District
3430 A Street
Atwater, CA 95301

Dear Superintendent Peterson:

In February 2016, the Merced Union High School District and the Fiscal Crisis and Management Assistance Team (FCMAT) entered into an agreement to provide a review of the district's Maintenance and Operations, Transportation, Facilities and Warehouse and Delivery programs and services. Specifically, the agreement stated that FCMAT would perform the following:

1. Conduct an organizational and staffing review of the following district departments and provide recommendations for staffing improvements or reductions, if any.
 - a. Maintenance and Operations
 - b. Transportation
 - c. Facilities
 - d. Warehouse and Delivery
2. Evaluate the workflow and distribution of functions in each of the above departments and provide recommendations for improved efficiency, if any.
3. Review the operational processes and procedures for each of the above departments and provide recommendations for improved efficiency, if any.

This final report contains the study team's findings and recommendations in the above areas of review. FCMAT appreciates the opportunity to serve the Merced Union High School District, and extends thanks to all the staff for their assistance during fieldwork.

Sincerely,

Joel D. Montero
Chief Executive Officer

FCMAT

Joel D. Montero, Chief Executive Officer

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About FCMAT

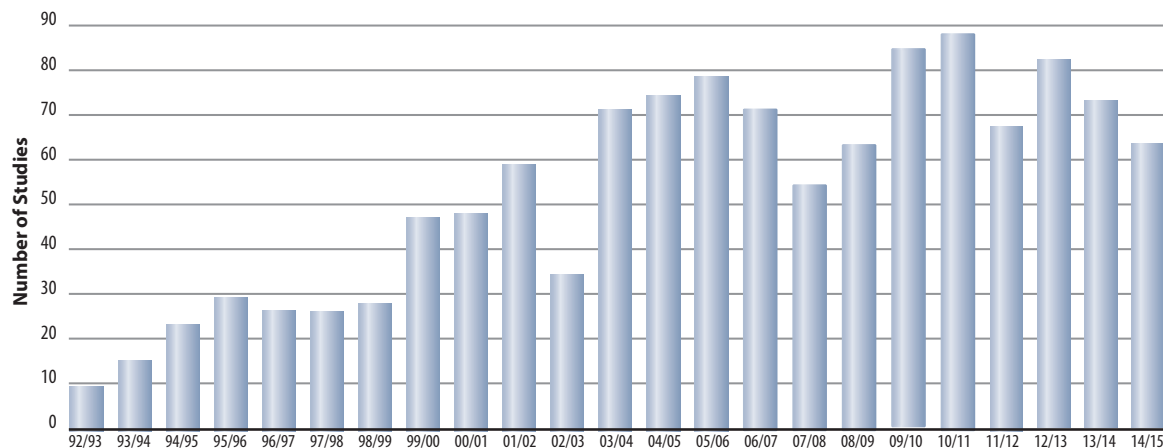
FCMAT's primary mission is to assist California's local K-14 educational agencies to identify, prevent, and resolve financial, human resources and data management challenges. FCMAT provides fiscal and data management assistance, professional development training, product development and other related school business and data services. FCMAT's fiscal and management assistance services are used not just to help avert fiscal crisis, but to promote sound financial practices, support the training and development of chief business officials and help to create efficient organizational operations. FCMAT's data management services are used to help local educational agencies (LEAs) meet state reporting responsibilities, improve data quality, and inform instructional program decisions.

FCMAT may be requested to provide fiscal crisis or management assistance by a school district, charter school, community college, county office of education, the state Superintendent of Public Instruction, or the Legislature.

When a request or assignment is received, FCMAT assembles a study team that works closely with the LEA to define the scope of work, conduct on-site fieldwork and provide a written report with findings and recommendations to help resolve issues, overcome challenges and plan for the future.

FCMAT has continued to make adjustments in the types of support provided based on the changing dynamics of K-14 LEAs and the implementation of major educational reforms.

Studies by Fiscal Year



FCMAT also develops and provides numerous publications, software tools, workshops and professional development opportunities to help LEAs operate more effectively and fulfill their fiscal oversight and data management responsibilities. The California School Information Services (CSIS) division of FCMAT assists the California Department of Education with the implementation of the California Longitudinal Pupil Achievement Data System (CALPADS). CSIS also hosts and maintains the Ed-Data website (www.ed-data.org) and provides technical expertise to the Ed-Data partnership: the California Department of Education, EdSource and FCMAT.

FCMAT was created by Assembly Bill (AB) 1200 in 1992 to assist LEAs to meet and sustain their financial obligations. AB 107 in 1997 charged FCMAT with responsibility for CSIS and its state-wide data management work. AB 1115 in 1999 codified CSIS' mission.

AB 1200 is also a statewide plan for county offices of education and school districts to work together locally to improve fiscal procedures and accountability standards. AB 2756 (2004) provides specific responsibilities to FCMAT with regard to districts that have received emergency state loans.

In January 2006, Senate Bill 430 (charter schools) and AB 1366 (community colleges) became law and expanded FCMAT's services to those types of LEAs.

Since 1992, FCMAT has been engaged to perform more than 1,000 reviews for LEAs, including school districts, county offices of education, charter schools and community colleges. The Kern County Superintendent of Schools is the administrative agent for FCMAT. The team is led by 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.

Introduction

Background

The Merced Union High School District is located in Merced County and serves the cities of Merced, Atwater, Livingston and surrounding communities. The district comprises approximately 625 square miles with an enrollment of approximately 10,000 high school students from 10 feeder elementary school districts. In addition to six comprehensive high schools, the district operates alternative education schools including one continuation high school, one community day school, an adult school, and a regional occupational program.

In February 2016, the district entered into an agreement with FCMAT to conduct a review of the organizational structure, evaluate the workflow and distribution of functions and review operational processes and procedures for its Maintenance and Operations, Transportation, Facilities and Warehouse and Delivery departments. FCMAT team members visited the district on July 11, 12 and 13 of 2016 where interviews were conducted with district and school employees. During this visit, the team also visited six school sites, one warehouse, the district office, the maintenance office and yard and the transportation office, mechanic shop and bus/vehicle yards. FCMAT toured the facilities at three out of six school site campuses visited, randomly selecting rooms and facilities for inspection. Prior to and during the visit, the team also collected and reviewed documentation relative to the review.

Study Team

The FCMAT study team was composed of the following members:

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FCMAT Technical Writer
Bakersfield, California

*As members of this study team, these consultants were not representing their respective employers but were working solely as independent contractors for FCMAT. Each team member reviewed the draft report to confirm accuracy and achieve consensus on the final recommendations.

Study Guidelines

FCMAT visited the district on July 11, 12 and 13 of 2016 to conduct interviews, collect data and review documentation. This report is the result of those activities and is divided into the following sections:

- Executive Summary
- Organizational Structure
- Maintenance and Operations
- Transportation
- Facilities
- Warehouse, Delivery and Purchasing (limited to public works projects and transportation)

In writing its reports, FCMAT uses the Associated Press Stylebook, a comprehensive guide to usage and accepted style that emphasizes conciseness and clarity. In addition, this guide emphasizes plain language, discourages the use of jargon and capitalizes relatively few terms.

Executive Summary

FCMAT conducted an organization and staffing review to provide the Merced Union High School District governing board and administration with an independent and external assessment of the organizational structure, distribution of duties and workflow of the Maintenance and Operations, Transportation, Facilities, and Warehouse and Delivery departments. In doing so, FCMAT assessed each department against industry standards, with consideration of basic theories of organizational structure.

The district has experienced considerable change in its administrative and departmental leadership over the last several years. The entire administrative cabinet has turned over in the last 12 months, and many departmental directors and supervisors have historically operated independently or lacked accountability.

While individual changes in departmental leadership generally lead to a period of adjustment for district staff, turnover of an entire district cabinet and departmental support leadership is often tumultuous. Instability in district and departmental leadership in all disciplines has created notable departmental inefficiencies and strained working relationships. Additionally, changes in reporting structures have exacerbated these conditions.

Changes in the cabinet-level leadership over business and operational services have created an environment that lacks consistent, focused leadership, combined with inexperience or lack of oversight to ensure laws and regulations are followed. This exposes the district to risk of noncompliance and potential litigation. Specifically, purchasing activities related to contracted goods and services appear to violate competitive bidding requirements. Additionally, internal control weaknesses exist in the district's purchasing and accounting practices for creating new vendors or modifying existing vendor information in the financial system; establishing, editing or otherwise advancing purchase orders through the approval process; and paying vendor invoices.

FCMAT observed a lack of collaborative working relationships among and between the maintenance and operations and facilities departments and operations staff supporting school sites. Additionally, the team identified an unhealthy and possibly hostile work environment in the transportation department.

The maintenance and operations department is responsible for all duties relative to the preservation of school district facilities and grounds districtwide; however, the leadership and management of staff members in individual trades is not well organized. A director of maintenance and operations oversees the maintenance trades (mechanics, plumbers, HVAC technicians and electricians). Staff members in the operations trades (custodians, grounds) are split, some under the direction of the director of maintenance and operations and others under school site/department administration depending on their specific duties or assignments. This structure impedes standardization and uniformity in work quality, creates inconsistencies in practices and is inefficient.

Site visits by the team found district facilities well maintained with good curb appeal. The grounds on each campus were well groomed and green. While older campuses show signs of aging and need modernization, generally they appear to be in good repair.

The district transportation department has suffered from a lack of dedicated, experienced leadership. As economic conditions improved over the past few years, the district has reinstated some home-to-school and extracurricular transportation services. The district operates 18 home-to-school routes, staffed by 20 drivers working various schedules. The district has also staffed two flex positions. These two positions were originally intended to drive extra duty trips and provide

minimal substitute backfill; however, interviews with staff led FCMAT to conclude that these drivers are utilized primarily as substitutes to backfill regular home-to-school routes due to a high level of driver absenteeism. As a result, the department has been pulling mechanic shop staff to drive extra-duty routes, often leaving the mechanic shop unstaffed and deferring essential maintenance to vehicles and equipment.

The district's fleet of vehicles and buses is aging. Its fleet of 26 buses has an average age of 13.8 years. More than 50% of the bus fleet has mileage exceeding 250,000 miles. The district lacks a well-defined and documented preventive vehicle maintenance program and no vehicle replacement plan has been established.

Findings and Recommendations

Organizational Structure

A school district's organizational structure should establish the framework for leadership and the delegation of specific duties and responsibilities for all staff members. This structure should be managed to maximize resources and reach identified goals and should adapt as the district's enrollment increases or declines. The district should be staffed according to generally accepted theories of organizational structure and the standards used in other school agencies of similar size and type. The most common theories of organizational structure 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 because subordinates at the lower levels typically perform more routine duties, and therefore can be more effectively supervised, according to *Principles of School Business Management* by Craig R. Wood, David C. Thompson and Lawrence O. Picus.

Chain of Command

Chain of command refers to the flow of authority in an organization and is characterized by two significant principles. Unity of command suggests that a subordinate is only accountable to one supervisor, and the scalar principle suggests that authority and responsibility should flow in a direct vertical line from top management to the lowest level. The result is a hierarchical division of labor as described in *Principles of School Business Management*.

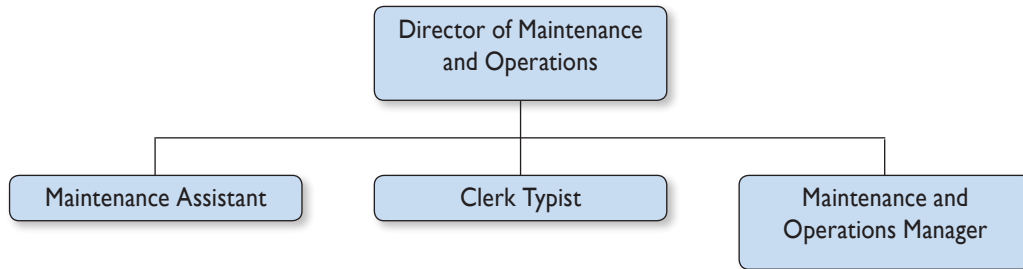
Line and Staff Authority

Line authority is the relationship between supervisors and subordinates. It refers to the direct line in the chain of command. For example, the assistant superintendent of business services has direct line authority over the director of fiscal services, and the director of fiscal services has direct line authority over the fiscal services department staff. Conversely, staff authority is advisory in nature. Staff personnel do not have the authority to make and implement decisions, but act in support roles to line personnel. The organizational structure of local educational agencies contains both line and staff authority. The purpose of any organizational structure is to help district management make key decisions to facilitate student learning while balancing financial resources. The organizational design should outline the management process and its specific links to the formal system of communication, authority and responsibility needed to achieve the district's goals and objectives.

Maintenance and Operations

A director leads the Maintenance and Operations department and is supported by one maintenance and operations manager, one maintenance assistant and one clerk typist.

Current Maintenance and Operations Administrative Organization



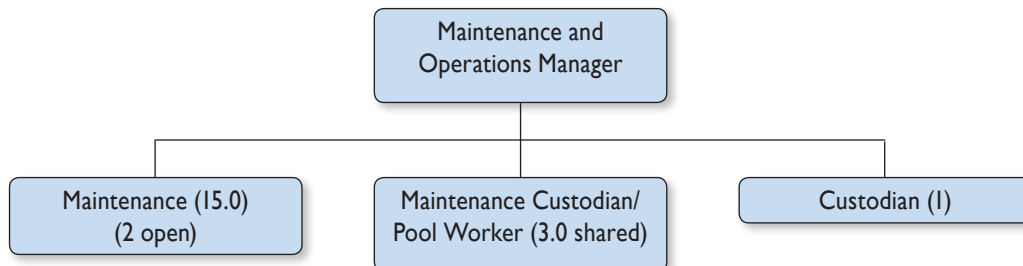
Including the four positions noted above, the district has 99.437 FTE positions assigned to grounds, maintenance and custodial duties, eight of which were open but unstaffed at the time of FCMAT's visit. The staff and reporting structures are defined in greater detail in the pages ahead.

Maintenance

The maintenance department provides services that ensure clean, safe and functionally operative facilities. FCMAT observed the buildings were generally in good repair and each campus operated efficiently. A well-run maintenance department includes an orderly program of repairs, preventive maintenance, and energy conservation.

No industry standard formula has been established to analyze maintenance staffing levels. Based on FCMAT's experience, the maintenance department organizational structure is typical of school districts of similar size. The department is staffed with 16 FTE, with a mix of trade specific and generalist technicians. These employees report to a maintenance and operations manager.

Current Maintenance Organization



The process of determining an adequate staffing level starts by considering factors such as weather, frequency of use, age, neglect, breakage and vandalism. Comparisons to districts with similar building size may provide additional information to consider. Other factors to consider include the number of sites and grade levels served, geographical distance between campuses, and the composition of grounds.

Additional assessment of staffing levels can be conducted by gathering data such as the volume and frequency of high priority calls, the length of time to complete a typical high priority service call and the desired time in which the service call should be completed. The district already tracks data of this nature through maintenance management system software.

Purchasing

The district's financial procedures include an informal policy requiring multiple quotes for single item purchases greater than \$350 or two items greater than \$450. Because of the nature of maintenance repairs, requiring multiple quotes for any single expenditure of \$350/\$450 often results in repair delays and nonparticipation by vendors who see no point in offering quotes. Interviews with staff indicate that the district maintains an adequate amount of standing purchase orders (POs) at various vendors. By requiring multiple quotes for purchases on standing POs, the district negates the purpose of the standing PO. Standing POs approved by the governing board authorize the maintenance department to purchase a specified amount of goods and services. Increasing the threshold for quote requirements to \$5,000 and allowing standing POs to be processed in reasonable increments will increase efficiency. Periodic review of purchasing patterns can ensure that purchases are monitored and can eliminate favoritism to vendors without delaying or hindering needed repairs.

Training

The district recently hired the communications manager as the new director of maintenance and operations. He possesses institutional and historical knowledge beneficial to the district; however, because of his lack of experience with maintenance and purchasing, many policies and procedures are not being followed. For example, project bids have been split to eliminate the public works bidding process. Additionally, purchase orders are routinely completed after goods or services are obtained and invoices have arrived for payment. Professional organizations such as the Coalition for Adequate School Housing (CASH) and the California Association of School Business Officials (CASBO) can provide valuable training in these areas. In addition to training in current industry standards and best practices, these organizations offer networking and collaboration with colleagues active in their fields of expertise.

During interviews it was noted that members of the leadership team lack training specific to budget management. The result has been improper coding and excessive deficits in the maintenance budget. All departmental and site personnel responsible for managing expenditure budgets should receive routine budget training. Trainings should include procedures for budget development, monitoring, and revisions to ensure the management team understands proper budget management and can make sound financial decisions.

Interviews with district maintenance staff and review of training records indicate that the district provides adequate training specific to safety and risk management. However, tradespersons do not receive technical professional development. Building codes, governmental regulations and industry practices change frequently. Continuing professional development and/or technical training is necessary for tradespersons to stay current in their areas of specialty. The district should utilize local vendors, professional organizations, and various online training and webinars to ensure the maintenance personnel have up-to-date knowledge and skills.

Work Order System/Communication

The department utilizes an electronic work order system (SchoolDude) in which site staff enters the work orders and the department secretary assigns tasks to the appropriate personnel. The work orders are completed, and the maintenance staff documents information such as work performed, the number of hours spent on the job, and the description and cost of materials used on each repair. The department secretary then inputs the key information, along with the purchasing information into the work order system. Providing computer/tablet access to each maintenance employee could increase operational efficiencies because they could input the information and use the work order system to automatically generate time cards or various reports.

Staff stated that the work order system generally meets the needs of the district. It was reported during interviews that at times work orders have been ignored or closed without any maintenance work performed. Additionally, staff reported that communication from the maintenance staff to site personnel (chief custodians, assistant principals, principals) was erratic and irregular. No standardized procedures are established for maintenance personnel to check in when visiting a school site. Site staff are also generally unaware of the status of repairs at their site.

Recommendations

The district should:

1. Develop a unified and specific purchasing process for the maintenance department. Consider revising purchasing thresholds that require multiple quotes to improve departmental efficiencies.
2. Provide professional development opportunities for the director of maintenance and operations and the maintenance manager.
3. Provide training on budget management to all department and site personnel responsible for managing expenditure budgets.
4. Offer technical training and/or professional development opportunities focused on trade-specific content to ensure staff skills remain current.
5. Consider assigning computer/tablet access to maintenance personnel to improve efficiency in processing work orders.
6. Establish clear and consistent communication between the maintenance department and school sites, including a procedure for processing work orders. This should include checking in at a school site upon arrival and communicating the work to be performed followed by communicating the results of work and obtaining signature of verification from site staff prior to departing.

Grounds Maintenance

Grounds maintenance staffing levels tend to vary considerably among school districts depending on district priorities and commitment to the curbside appeal. Merced UHSD has placed great importance on the appearance of its sites, and the visual condition of the grounds illustrates this. The sites visited by FCMAT were clean, well kept, well irrigated, and plantings were trimmed and maintained properly.

These four factors generally determine a successful grounds maintenance program: site area, grounds use and traffic patterns, types of plants and associated maintenance requirements, and staffing levels and expertise.

Organization and Staffing

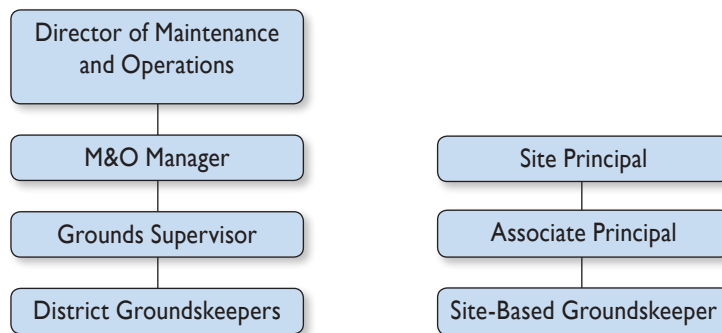
At the time of the FCMAT team's visit, the district had eight district-level groundskeepers, and six site-based groundskeepers who also serve as custodians as required by site staff. All 14 groundskeepers are factored into FCMAT's equation. The Florida Department of Education (FDE) has established a formula for grounds maintenance staffing that is applicable to school districts across the nation. This formula combines the elements of total maintained grounds area and sports turf area, and weighs the differences between the staffing required for ornamental grounds maintenance and sports turf maintenance. The formula specifies that for best results, there should be one groundskeeper for every 40 acres of property, one groundskeeper for every 500,000 square feet of athletic field, plus one additional groundskeeper.

The district has a large grounds workload, with a reported 305 acres of property and an estimated 5.6 million square feet of athletic fields, thus a need for additional grounds staffing. The district's artificial turf fields are included in these calculations since these fields also require regular grounds maintenance using different equipment and techniques. Using the FDE formula, this equals 20 FTE. This is significantly more than the district's total staffing of 14 groundskeepers. However, FCMAT's interviews with staff and observations during site visits do not indicate that the groundskeepers struggle to maintain the campuses.

The eight district-level groundskeepers are assigned to the Maintenance and Operations department, and organized into two mowing teams that work on a daily schedule. A working grounds supervisor schedules the teams and assists where necessary with grounds maintenance tasks. The grounds supervisor receives his direction from the maintenance and operations manager, who in turn is overseen by the director of maintenance and operations.

The six site level groundskeepers remain on their assigned site and receive direction from the associate principal, though they frequently coordinate their efforts with the site chief custodian. Additionally, the grounds supervisor reported that he frequently assists these groundskeepers with various tasks.

Current Grounds Maintenance Organization



This structure isolates the site-based groundskeepers and limits uniformity in work quality and training. The site-based groundskeepers interviewed by FCMAT reported feeling disconnected from the district grounds workers and felt there was a lack of job training opportunities. There was a sense of monotony among groundskeeper staff associated with maintaining the grounds at a single site. Although associate principals at each site give direction to the site-based groundskeepers, they have little if any background in grounds maintenance, resulting in varying and inconsistent levels of standards and expectations from site to site.

In previous years, the district had centralized all groundskeepers and operated in teams that maintained all sites. A perception emerged that this was an inefficient structure because of time wasted with travel between sites and inefficient work practices due to lack of oversight when the crews were working. However, these deficiencies are indicative of a management and scheduling failure, not a result of a centralized grounds maintenance structure. When properly structured and managed, centralizing grounds staff under the leadership of a single grounds supervisor offers the greatest efficiencies.

Safety

Grounds maintenance personnel interviewed by FCMAT indicated that personal protective equipment was readily available to them and they were trained in its proper use. This includes a generous allowance for the purchase of steel-toed boots. The Occupational Safety and Health Administration (OSHA) recommends such footwear in all operations that may involve falling, rolling or puncture hazards (OSHA 1910.136) to the foot, a significant concern in daily grounds maintenance activities. Employees receive annual mandated safety training coordinated and presented through the risk management department. However, there was no indication of weekly safety reminder meetings, or of consistent grounds-specific, job related training sessions offered to grounds workers.

Grounds maintenance, with its rotating and cutting equipment, is one of the more hazardous job positions in a school district. This alone justifies weekly safety reminder sessions and specialized training on rotary and cutting equipment. It is best practice for a district grounds supervisor to conduct weekly safety meetings for all ground maintenance workers, and for the district to present specialized safety training tailored to mitigating the hazards involved in operating grounds equipment.

Equipment, Materials, and Fiscal Practices

Grounds equipment is readily available to all grounds maintenance personnel and is in good condition. The district quickly repairs malfunctioning equipment or provides replacements as necessary. However, there is no equipment replacement schedule for large equipment such as mowers. Such equipment is expensive and requires planning for replacement to ensure continued availability. It is best practice to develop and routinely update a grounds equipment replacement schedule and ensure the costs associated with replacement are incorporated in the district's budget.

Each mow team has one large field mower, but there is no large mower to serve as a backup in the event that one of the two large mowers fail. While the frequency of breakdowns is not verifiable, reports indicate that downtime is enough to interfere with the mow schedule and requires the affected team to resort to smaller, less efficient mowers for the very large grass areas. This significantly slows down work. A third large field mower could be rotated into a two-team system and ensure that a backup mower is available when equipment service or repairs are necessary.

Interviews with grounds staff revealed that grounds materials such as sprinkler heads and trimmer string are readily available to accomplish assigned tasks. Grounds personnel are authorized as necessary to purchase any materials not in stock via standing purchase orders with local vendors. The grounds maintenance staff write the work order number on all receipts and attach them to the completed work order for submission to maintenance administration. This practice is consistent with industry standards and best practices.

Recommendations

The district should:

1. Consider the current staffing levels for the grounds department relative to the level identified in the FDE formula.
2. Consider reunifying the grounds maintenance workers under a single grounds supervisor, and hold the maintenance and operations management team accountable for developing the proper travel schedule and workday oversight that ensures efficient grounds operations.
3. Hold weekly safety reminder meetings for all grounds workers.
4. Offer specialized equipment operation safety training to all grounds staff.
5. Develop and implement a grounds equipment replacement program and ensure it is specifically designated in the district's budget.
6. Consider the purchase of a third large field mower to incorporate into the two-team system.

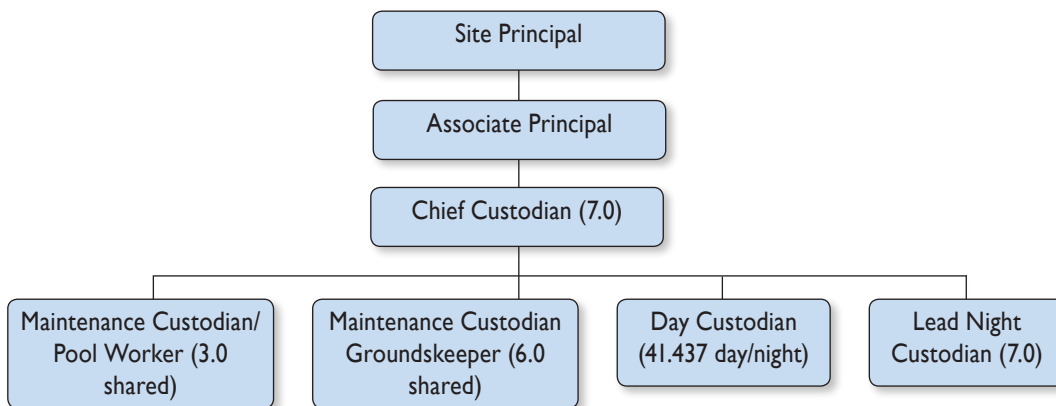
Custodial Operations

Custodial operations is responsible for providing a clean and safe environment for students, staff, and visitors. While staffing levels vary at each district site, interviews with staff and site visits demonstrate that the district and employees are committed to cleanliness. Because there are many service possibilities, staffing calculations can become complex. The level of customer service and commitment to clean, safe and healthy facilities for staff and students established by the district play an important role in determining appropriate staffing levels.

Organization and Staffing

A chief custodian working a day shift manages the district custodial staff at each site. With the help of associate principals, this employee establishes work assignments for day and night custodians, and performs minimal custodial cleaning tasks. Each site has one lead night custodian and additional custodians working nonstandardized schedules. With changes in the district administrative leadership, the approach for providing and overseeing custodial services was modified. The department has no management level positions; rather, the chief custodian and lead night custodians oversee and manage the workloads of day and night site custodians, and the management and supervision of all custodians was shifted to school site administrators.

Current Custodial Worker Organization



At each site an associate principal is assigned to manage all facility-related issues (custodial management, contributing to approval of facility use requests, coordinating school site construction). Associate principals are generally not familiar with the requirements of custodial operations. Because they lack the level of expertise necessary to provide procedural guidance and effectively assess performance of custodial personnel and address conflicts, lack of standardization and communication challenges have arisen.

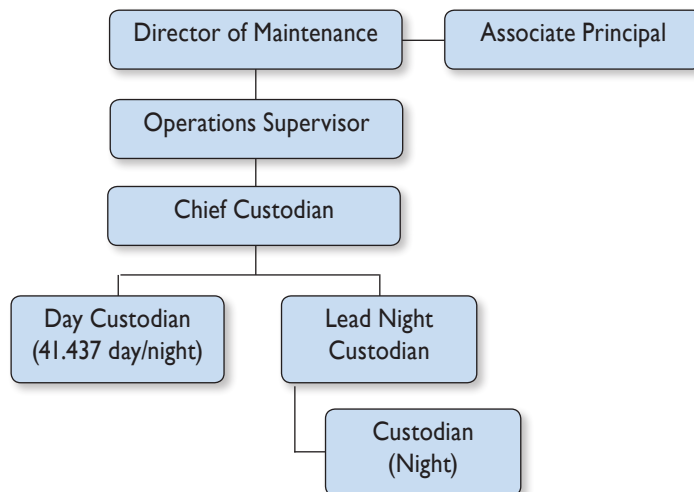
A district level operations supervisor who reports to the director of maintenance and operations could do the following:

- Develop and implement a district cleaning standard and department handbook to publicize these standards;
- Conduct training specific to industry best practices;
- Conduct performance evaluations;

- Audit work schedules;
- Review and approve site requisitions after verification of timing and need for materials or supplies.

Custodial efficiency could improve under the leadership of an operations supervisor position. The evaluation process would become a coordinated effort between the operations supervisor and the site based associate principal. The operations supervisor would evaluate the technical skills of the employee (cleaning methods, vacuuming, dusting, mopping, stain removal, glass cleaning, sink cleaning, efficient use of time). The associate principal would evaluate the personal or soft skills of the employee (interactions with staff, students, community, attendance, dependability, work attitude). This approach would increase the standards of care and raise the level of accountability.

Recommended Custodial Worker Organization



The California Association of School Business Officials (CASBO) has established a staffing formula that is generally accepted as a standard for school districts throughout California. This formula considers square footage and the number of students, teachers, classrooms, offices, and general-purpose areas, and is as follows:

- One custodian for every 13 teachers
- One custodian for every 325 students enrolled
- One custodian for every 13 classrooms
- One custodian for every 18,000 square feet

The total staffing is the sum divided by four to indicate the number of custodians needed to clean a building.

The district utilizes multiple classifications for staff members that perform custodial work. Two classifications, the maintenance custodian/pool worker and the maintenance custodian/groundskeeper, pose concern as these positions do not have formal job descriptions, and it was noted during interviews that the 13 employees in these two classifications spend at least 50% of their day performing custodial tasks. This information was factored into the CASBO calculation;

however, it skews the results because there is no practical way to account for the activities of those employees. Additionally, the district employs chief custodians that represent seven full-time employees (FTE), yet they perform no scheduled cleaning tasks.

Based on the information provided by the district, the following chart compares the current staffing to that of the CASBO standard.

POSITIONS	FTE
Custodians (day/night and lead positions with scheduled cleaning tasks)	47.5
Chief custodians (positions without scheduled cleaning tasks)	7.0
Maintenance custodians/pool worker (50% of FTE counted as custodial)	3.0
Maintenance custodians/groundskeeper (50% of FTE counted as custodial)	3.5
Total	61.0
CASBO standard recommends (rounded)	44.0

School Sites	Building Square Footage	# Classrooms	# Students	# Teachers	# Custodians Per ea. 13 Teachers	# Custodians per ea. 325 Enrollment	# Custodians Per ea. 13 Classrooms	# Custodians Per ea. 18,000 Sq. Ft.	Use of Facilities	CASBO Total Custodians Needed	Staffing Custodians (Includes: custodians, leads, chief)	Staffing Pool Worker / Custodian (50% of actual)	Staffing Grounds Keeper / Custodian (50% of actual)	Difference
Atwater HS	175,873	62	1885	78	6.00	5.80	4.77	9.77	0.50	7.08	9	0.5	0.5	2.9
Buhach Colony HS	153,274	63	1764	75	5.77	5.43	4.85	8.52	0.50	6.64	8	0.5	0.5	2.4
ECEC	104,291	18	449	42	3.23	1.38	1.38	5.79	0.50	3.45	5.5	0	0.5	2.6
El Capitan HS	193,824	82	1557	65	5.00	4.79	6.31	10.77	0.50	7.22	8	0.5	0.5	1.8
Golden Valley HS	184,209	77	1716	77	5.92	5.28	5.92	10.23	0.50	7.34	8	0.5	0.5	1.7
Livingston HS	129,005	39	1124	55	4.23	3.46	3.00	7.17	0.50	4.96	7	0.5	0.5	3.0
Merced HS	175,193	66	1706	73	5.62	5.25	5.08	9.73	0.50	6.92	8	0.5	0.5	2.1
District Office	12,000	0	0	0	0.00	0.00	0.00	0.67	0.06	0.23	0.5	0	0	0.3
MOT	10,400	0	0	0	0.00	0.00	0.00	0.58	0.00	0.14	0.5	0	0	0.4
Total	1,138,069	407	10,201	465	35.77	31.39	31.31	63.23	3.56	43.98	54.50	3.00	3.50	17.02
												61.00		

The result indicates the custodial department is overstaffed even when only the FTE for the custodian position is considered. However, other factors should be considered to efficiently realign employees and tasks.

1. Chief custodians are not considered in the CASBO calculations because they do not perform scheduled cleaning tasks, yet they absorb an FTE. For this study, chief custodians should be considered a required employee for each comprehensive school site.
2. Maintenance custodians/pool worker and maintenance custodian/groundskeeper positions perform custodial tasks for at least 50% of their scheduled day. This misalignment of duties creates overstaffing in the custodial department and a lack of focus in their respective semi-skilled responsibilities.

The work performed by each employee in these two classifications is not tracked through a work order system, so there is no way to calculate their workload under each discipline. For this reason, FCMAT allocated .5 FTE to custodial related duties. To more clearly determine the adequacy of staffing levels, the district should track the time performing duties under each trade and realign the custodian/pool worker and custodian/groundskeeper positions to their respective departments.

Considering all positions and by allocating .5 FTE to each position with duties split between grounds, pool and custodial duties, the CASBO calculations indicate that the district is overstaffed by 17.0 FTE. However, excluding the 7.0 FTE for chief custodian positions, the district could be considered to be overstaffed by approximately 10 FTE. Further excluding the allocation of all split positions from the calculation (6.5 FTEs), the custodial department would still be considered overstaffed by 3.0 FTEs.

Levels of Care (Standards)

While there is no nationwide standard for cleanliness, the U.S. Department of Education has established five levels of cleaning. Each level presumes that an eight-hour shift includes two 15-minute breaks, a 30-minute lunch break, that the custodian has been provided the proper supplies and equipment and has received proper training.

- Level 1 cleaning results in a spotless and germ-free facility as might normally be found in a hospital or corporate suite. A custodian can clean approximately 10,000 to 11,000 square feet in eight hours.
- Level 2 cleaning is the uppermost standard for most school cleaning and is generally reserved for restrooms and special education, kindergarten, and food service areas. This level of service for classrooms includes vacuuming or mopping floors daily and sanitizing all surfaces. A custodian can clean approximately 18,000 to 20,000 square feet in eight hours.
- Level 3 cleaning is the norm for most school facilities. It is acceptable to most parties and does not pose any health concerns. Classrooms are cleaned daily, which includes dumping trash, emptying pencil sharpeners, and cleaning sinks if applicable. Vacuuming floors and sanitizing frequent contact surfaces such as door handles occur every other day. A custodian can clean approximately 28,000 to 31,000 square feet in eight hours.
- Level 4 cleaning is not normally acceptable in a school environment. Classrooms are cleaned every other day, carpets are vacuumed every third day, and dusting occurs once a month. At this level, a custodian can clean approximately 45,000 to 50,000 square feet in eight hours.
- Level 5 cleaning can very rapidly lead to an unhealthy situation. Trash cans may be emptied and carpets vacuumed weekly. One custodian can clean 85,000 to 90,000 square feet in eight hours.

The figures above are estimates, and the actual number of square feet that a custodian can clean per shift will depend on variables such as the type of facility, flooring, wall coverings, the number of windows, restroom layout, gym and athletic facilities, offices, and community use. Observations made by the team during site visits and information gathered during staff interviews indicate that the level of cleanliness achieved by the district lies somewhere between level 2 and level 3.

It is best practice for districts to develop and adopt cleaning standards and expectations for custodial work. This should be done collaboratively by a range of employees from cabinet level members to site based custodians. Once developed, detailed work schedules can be created to identify amount of time necessary to complete the required tasks. This information should be compared to existing staffing levels to ensure adequate staffing and consider any adjustments that may be necessary. After evaluating the cost benefit of the standards and considering any related

fiscal impact, these standards should be finalized and the governing board should formally adopt them.

Because the district lacks standardization, cleaning processes, and procedures, it is believed that increased efficiencies could be maximized by implementing recommendations related to staffing structure and the development of cleaning standards, bringing staffing in alignment with industry standards. If fully implemented, savings achieved through reduction of excess FTEs should offset costs of implementing other recommendations, including establishing an operations supervisor position.

The district lacks documented operational policies and procedures for custodial staff. Many custodial staff members have been employed in the district for more than 15 years and hold a vast array of historical knowledge; this has proven beneficial during modernization and construction improvements. However, this institutional knowledge has not been translated into standardized operational policies and procedures, creating inefficiencies by relying solely on people-based knowledge. This has resulted in the lack of a unified cleaning expectation. Additionally, the lack of operational procedures further exacerbates inefficiencies when new employees are hired or when substitute employees are utilized. These two groups of employees are often left to learn their responsibilities with little or no formalized training.

Materials and Equipment

Employees report that equipment used in the custodial department is in good condition and there is an adequate supply for all staff members. This was confirmed during site visits.

The purchasing department has developed a standard list of cleaning products that are supplied from the district's warehouse. While this has created efficiency through bulk purchasing, the district lacks controls over material requisitions that prevent excessive overstock waste. School sites use people-based knowledge to order material rather than procedural based ordering. Staff reported that materials are ordered based on time of year rather than what was on hand in site stock inventories. Additionally, because those who lack custodial expertise manage the custodial staff, school sites maintain an overstock of chemicals and materials, resulting in waste that was observed by FCMAT during site visits. An additional layer of approval routing through the operations supervisor is needed. This approval would create transparency and accountability.

Cleaning products purchased and supplied by the warehouse are selected based on the lowest price process without consideration of performance. Custodians interviewed stated they have found many of the products and supplies to be inadequate to meet the commercial needs of the district. This results in increased product consumption to complete many of the cleaning tasks, negating potential cost savings. It is best practice for warehouse stock product specifications, specific to operations, to be developed collaboratively by custodial line staff and management.

Uniforms

The district does not have a standardized custodial uniform; uniforms are a site-based decision. Only one school site visited outfitted its custodial staff with uniforms, while a second site only provided the pool worker with protective clothing. Custodial staff wore their personal clothing at all other sites visited by FCMAT. Irregularities in those decisions contribute to an environment that lacks professional appearance. Further identification of district staff could be enhanced through the issuance of district identification badges. Standardized uniforms clearly identify custodians as employees of the district, allowing students, staff, and the community to know

their role, responsibility and authority. Uniforms add an element of safety because they prevent the employee's personal clothing from being damaged while mixing chemicals or working with machinery.

Safety and Training

The district employs a risk manager who has been proactive in conducting safety training. It was noted during interviews that the topics for trainings are tailored to areas that apply to the department but do not include subject matters specific to the trade. Routine meetings that include areas of discussion pertaining to industry standards and best practices, proper chemical use, chemical mixing, and equipment usage would increase efficiencies and technical skills and awareness in the department. With the ever-changing roles and responsibility of custodians, a meaningful professional development program can assist in improving the technical knowledge of staff and honing skills. Professional development can also be effective in maintaining and boosting staff morale as the district is investing in the employee.

New custodians in the district are typically hired from the substitute employee pool. The district maintains no training program for substitute employees, thus resulting in unprepared employees when they begin permanent employment. The lack of training for those working as substitutes exposes the district to risks including a potential for improper chemical mixing and/or improper equipment usage that can lead to injury. Training regarding student contact should also be established for all substitute employees. The operations supervisor can conduct training with a basic curriculum of chemical usage and mixing, required daily tasks, and expectations of professionalism, attendance, and interactions with students and staff.

Recommendations

The district should:

1. Assess the operations staffing structure and make adjustments using CASBO formulas consistent with industry standard and best practices. Ensure that positions split between departments or trades are aligned to their respective departments.
2. Evaluate job descriptions to ensure they are consistent with employee assignments.
3. Consider establishing an operations supervisor position to provide procedural guidance and effectively assess the performance of custodial personnel. Reorganize the reporting structure for custodians to ensure this position oversees the day-to-day operations of custodial staff districtwide and is responsible for working with school site administration on the needs of each campus and evaluating custodial staff.
4. Develop districtwide cleaning standards to establish consistent cleaning expectations.
5. Develop operational policies and procedures for custodial staff consistent with established cleaning standards and implement those through a custodial handbook and training.

6. Create a thorough and industry-specific training program that incorporates best practices.
7. Establish a substitute employee training program to ensure substitutes understand proper chemical handling and equipment usage and are versed in appropriate student contact.
8. Establish standardized procedures for supply requisition approvals to prevent unnecessary ordering and waste.
9. Establish procedures for purchasing custodial supplies that incorporate collaboration and input from custodial line staff and management for product specification and selection.
10. Provide standardized uniforms for custodian staff and require them to be worn in conjunction with a district provided identification badge.
11. Conduct routine safety meetings that cover industry standards and best practices applicable to the department.

Transportation

Organization and Staffing

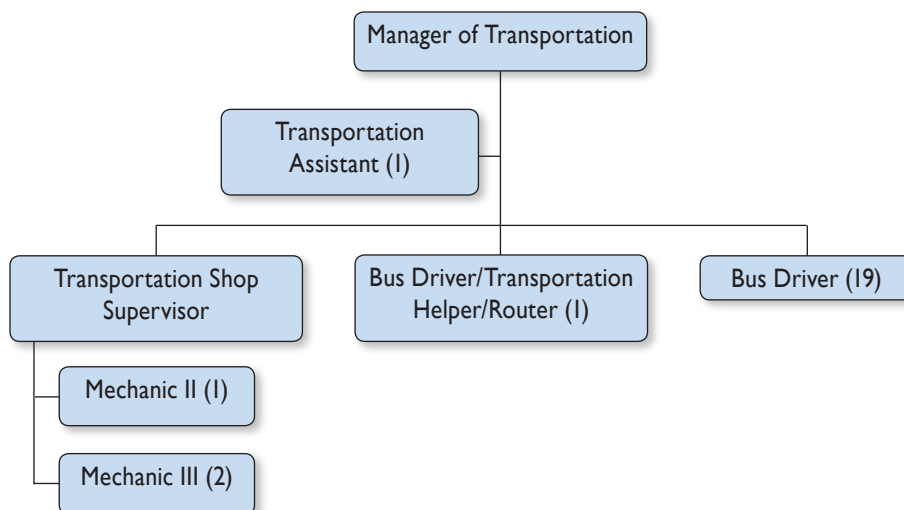
The district's transportation department has had inconsistent administrative leadership over the past six to eight years with four different program managers during that time. Approximately two years ago, prior district leadership combined the transportation and facilities departments under the administrative responsibility of the facilities director. The prior facilities director lacked the operational knowledge and experience to effectively lead the transportation program. The splitting of administrative oversight between the district's facilities and transportation departments left the transportation support personnel with little supervision.

At the time of FCMAT's fieldwork, district administrative staff reported they had recently placed the transportation department under the district's business support services division as a stand-alone department. Additionally, the district re-established the transportation manager position and hired an experienced pupil transportation candidate who was scheduled to begin work by the end of July 2016.

The manager of transportation directs the work of 25 personnel and oversees the daily operations of the department. The department is staffed with 20 bus drivers, 18 assigned to fixed routes and two assigned to flexible routes intended for extra duty trips and substitute backfill. Of the 18 drivers assigned to fixed routes, one is a driver/transportation helper/router driving a dedicated route and supporting the administrative duties in the transportation department. Although the district is adequately staffed for the number of daily routes performed, there is a high level of driver absenteeism. The department is supported by one transportation assistant. The department also operates a mechanic shop staffed by one shop supervisor and three mechanics.

A dedicated and experienced transportation manager can promote unity and collaboration among the transportation team, which currently is lacking, and this deficiency was readily apparent during FCMAT's fieldwork. Staff interviews clearly indicated that there is a great need for unity in the transportation department. Supporting and encouraging the transportation manager to develop a strong, united transportation team that ensures a productive work environment for all employees is essential to the success of the transportation department.

Current Transportation Department Organization:



While the director of facilities supervised the department, the facilities and planning secretary also provided substantial assistance to specific transportation operations. This position was situated in the transportation office and formerly assigned duties such as assisting with dispatch two-way radio communications, telephones, key assignment and passenger vehicle assignment. This staff member reported that approximately 50% of their time daily was dedicated to transportation duties. Often, this position is alone during the mid to late afternoon when the bus driver/transportation helper/router is performing their school bus route assignment. With the reassignment of facilities to the director of risk management and the transportation department now under the assistant superintendent of business services, this administrative support position is now assigned solely to the interim director of facilities/director of risk management and is being relocated back to the district office under that director.

During the last economic downturn the district reduced or eliminated much of its nonmandated pupil transportation. Increasing walking distances for students dramatically reduced the general education home-to-school service. As a result, the district found it difficult to retain certified school bus driver staff, as the reduction in services also reduced driver contract time. In some labor markets it is nearly impossible to retain substitute school bus drivers. Merced UHSD is in that type of market, and must guarantee some work to retain its drivers.

The district has reinstituted some but not all of the general daily home-to-school transportation and added transportation for student athletics and special trips to increase daily contract time for bus drivers. The district now operates 18 school bus routes and two flexible use routes. Although the district's transportation program is relatively small, it requires considerable scheduling effort to address the high volume of athletic transportation needs.

The district employs two transportation office support staff. A full-time transportation assistant supports the needs of bus drivers during the course of their daily routes and schedules the use of district passenger vehicles by staff to transport small student groups. This employee works 4:00 am to 12:30 pm. The second position is a bus driver/transportation helper/router. This position is assigned a daily bus route for approximately half of the workday and performs bus routing duties for the remainder of the day during a split shift that runs from 6:00 am until noon and 2:25 pm to approximately 4:00 pm. These schedules leave the transportation office without dispatch radio coverage for much of the afternoon.

Although shop personnel report that they try to cover the two-way radio, telephone inquiries from schools and parents may not be readily answered and issues may not be addressed timely as a result of insufficient office coverage. The time required to schedule field trips, coordinate passenger vehicles, and provide adequate support in the transportation office during business hours of 4:00 am to 4:30 pm warrants an additional support position. The schedule of the transportation assistant position is about an hour earlier than industry standard and should be evaluated to ensure maximum efficiency in the department. Staffing the department with two administrative support positions responsible for dispatching would allow early morning coverage with one dispatcher working 4:45 am to 1:15 pm and another working 8:00 am to 4:30 pm.

Morning operations coverage in a transportation program is often hectic, with the arrival of the opening scheduler or dispatcher shortly before the scheduled departure of the first bus from the terminal. Generally, transportation operations will assign known route coverage the prior afternoon. Still, morning driver call-ins for illness and other various issues must be addressed. The district's first bus route is scheduled to depart the terminal at approximately 5:10 am. The district should review the assigned work schedule for the transportation assistant and determine whether the employee needs to begin at 4:00 am. Typically the morning scheduler or dispatcher

for districts of similar size and scope would arrive closer to a 4:45 am to 5:00 am time frame. To aid in immediate route coverage, a substitute driver may also be routinely assigned to report at the same time.

While the district staffed two positions intended to handle extra duty assignments and to occasionally substitute on routes, these flex drivers predominantly drive regular routes to backfill for absenteeism. As a result, the district relies on mechanic staff to drive extra duty trips. It is common to have a substitute driver on staff for each 15-20 routes if a district is unable to attract and retain substitute drivers. The district has essentially already done this by staffing two flex drivers. The intended cost benefits of these two positions are essentially lost due to the volume of substitute backfill, which requires the district to pay overtime to the shop staff who work extra hours to drive the extra duty routes and/or defer necessary vehicle maintenance.

The transportation assistant and the bus driver/transportation helper/router essentially perform the duties of a pupil transportation scheduler/dispatcher or router. The job descriptions for these two positions do not reflect the duties observed by FCMAT. Revising the position titles to reflect that of transportation scheduler, dispatcher or router would be more appropriate.

The staffing and organizational design of the district's vehicle maintenance program is appropriate for size and structure of the fleet. A working transportation shop supervisor performs both vehicle repairs and oversees the daily workflow and evaluation of shop staff: two mechanic II positions and one mechanic III position. In addition, a school bus driver who has some non-driving time fills a shop helper position; however, the job description for this position does not reflect those duties. The district maintains and operates 26 school buses and 98 support fleet vehicles (which includes 38 passenger vehicles and 60 various support vehicles utilized by the maintenance and operations, warehouse and nutrition service departments). The transportation shop also maintains approximately 112 non-vehicle turf and site support maintenance equipment, such as lawn mowers, golf carts and grounds hand equipment. Based on a total fleet size of 124 vehicles and four mechanic staff positions, the district has a shop ratio of 31 vehicles per mechanic, which includes 6.5 school buses per mechanic. While the ratio is slightly high for total vehicles, it is below the averages observed by FCMAT for school bus fleets.

It was evident to FCMAT that mechanics routinely drive school routes as backup drivers. Mechanics also routinely drive activity trips both during and after regularly assigned work hours. Staff reported this occurs so frequently that at times the shop is left unattended during work hours. Although vehicle mechanics are occasionally licensed and serve as backup drivers for daily route coverage, seldom are they also relied upon for activity trip coverage; the frequency of those instances should be rare. Staff reports it is not unusual to have three to four or more buses placed out of service daily for repairs. The heavy use of vehicle mechanics to drive bus routes and field trips undoubtedly affects the workflow of preventive maintenance and general vehicle repairs.

As will be discussed in the vehicle maintenance section in greater depth, effective vehicle maintenance cannot occur if shop personnel must perform routine driving duties.

Vehicle Maintenance & Facility

By law, school buses in California must be inspected at least annually by the California Highway Patrol (CHP), which employs commercial vehicle inspectors in its Motor Carrier Division. The CHP also inspects maintenance records, driver records and drug and alcohol testing records annually during a terminal inspection. Once inspections are conducted, the CHP produces a Safety Compliance Report/Terminal Record Update, also known as the terminal grade, which

reports their assessment of the district's compliance with laws and regulations relevant to home-to-school transportation. FCMAT received and reviewed the reports issued for the district's transportation department for 2014-15 and 2015-16. The reports consistently indicate a satisfactory grade, which is the highest grade possible and indicates compliance with laws and regulations overall, and that the district operates a safe school transportation program.

FCMAT was provided with a detailed fleet inventory report that is intended to account for all district vehicles. Although there are discrepancies between the district's fleet listing and vehicle information reported during interviews, FCMAT has determined that the district has approximately 124 road licensed vehicles in its transportation fleet consisting of 26 school buses, 38 passenger vehicles operated for student activity trips and 60 various support vehicles for maintenance, operations, warehouse, and food and nutrition. The fleet inventory report also lists approximately 112 turf and other various grounds and maintenance types of equipment.

The district has not purchased a school bus since model year 2007. As a result, the bus fleet has an average age of 13.8 years. More than 50% of the bus fleet has mileages exceeding 250,000. The non-bus fleet has a wide range of ages. The district lacks a vehicle replacement schedule. It is best practice for districts to prepare and routinely update a vehicle replacement schedule. While the district may not be able to annually fund the replacement of vehicles as scheduled, a committed funding source should be designated for necessary replacement of district vehicles. A schedule provides an assessment of district fleet needs and should be adjusted annually based on vehicle purchases or the postponement of vehicle replacement.

California Code of Regulations (CCR) Title 13, Section 1232 (13CCR1232) states:

“The following provisions apply to the inspection and maintenance of vehicles subject to this chapter.

Preventive Maintenance. Motor carriers shall ensure that all vehicles subject to their control, and all required accessories on the vehicles, are regularly and systematically inspected, maintained, and lubricated to ensure they are in safe and proper operating condition. The carriers shall have a means of indicating the types of inspection, maintenance, and lubrication operations to be performed on each vehicle and the date or mileage when these operations are due.” ...

Other than the mandated 45-day, 3,000-mile inspections, there is no evidence that the district has established a systematic, documented preventive maintenance program for school buses. Inspections of components (transmission, differential, drive line, etc.) that should be conducted at longer intervals are not done; rather, repairs are made when the vehicle breaks down.

The district has implemented TransTracs, an industry standard vehicle maintenance software system. This software is used widely to assist in the required 45-day, 3,000-mile safety inspection of school buses (Title 13). However, the system does not specifically identify preventive maintenance schedules. Staff interviews and review of maintenance schedules indicate that the regularly scheduled bus safety inspection is utilized to perform all routine preventive maintenance needs such as oil, filter and lube. It was not readily apparent what additional preventive maintenance items are reviewed or in what sequence. While it was evident that many other vehicle component items are assessed, no preventive maintenance schedules were provided to confirm that the district has implemented schedules beyond the Title 13 mandated school bus safety checks. Generally, fleet preventive maintenance schedules are identified as A, B or C, or a schedule 1, 2 or 3 based on intervals of accumulated mileage and/or time. The lack of well identified preventive maintenance schedules that specifically identify those items to be checked every 45 days/3,000

miles at the safety check interval vs. the longer range 20,000, 30,000, 60,000 or 90,000 mile intervals is that over-maintenance can occur if longer range components are inspected at the earlier intervals of the bus safety check.

In addition, except for oil, filter and lube changes performed for other district support vehicles, there is no evidence of a methodical preventive maintenance program for the district's support vehicles. A walk-around inspection by FCMAT of four support vehicles substantiates general vehicle body neglect. The team noted a general failure to steam clean engine compartments for easy visual identification of fluid leaks. Review of a warehouse and food delivery vehicle revealed that the engine would not start and staff reported that a lift gate is not operational.

As previously noted, district mechanics and the vehicle maintenance supervisor frequently serve as backup for daily bus routes and field trips, taking vehicle maintenance staff out of the garage during their scheduled work day. This has become so routine that the shop often is unattended during busy work periods of the day. This negatively affects the vehicle maintenance program. Staff reported instances where they were unable to access a mechanic when needed and that buses have been out of service for long periods of time because vehicle maintenance staff were not available to address work orders or attend to longer repair projects in a timely manner. Staff also reported that it is not uncommon for the district to have several buses out of service simultaneously.

Transportation department staff were unable to provide a copy of a transportation parts inventory listing during fieldwork. Staff confirmed that no stock inventory accountability plan is in place, so FCMAT was not able to determine a parts inventory value. FCMAT reviewed a sample of transportation department work orders and found that often parts were listed along with labor hours spent on the repair. However, it was impossible to determine if the part came from inventory supply or had to be ordered. The fleet maintenance software has a vehicle parts inventory module or section that will calculate the cost of parts utilized for the repair; however, the district does not utilize it.

All parts and supplies should be inventoried and shelved in a secure location with restricted access provided to only those authorized. Additionally, inventory areas should be well organized and in order for easy accountability and access.

The district does not own diagnostic equipment and software usable on the entire fleet, particularly for the newest vehicles. Because of this, vehicle mechanics cannot easily diagnose and make repairs on new buses. Staff reported they do not receive ongoing or regularly scheduled training on vehicle maintenance best practices and specific engine and equipment types. Some staff feel ill-equipped and suggested that they occasionally feel they lack the knowledge to make needed repairs in a timely fashion. The district should ensure that manufacturer-specific diagnostic software is purchased for all vehicles and should develop in-service training for routine vehicle maintenance.

The district's transportation terminal is severely outdated. The operations office is cramped and not conducive for the driving staff to gather and meet without physically entering the office area and standing in the middle of staff. The drivers' ready room or lounge is physically separated from the operations office and does not allow for easy access and work discussions between the drivers and operations support staff. The vehicle maintenance shop areas are very small and cannot accommodate multiple vehicles for repairs. Much shop space is lost to equipment and inventory storage because spaces for these items do not exist. Equipment and workspace overflows to the exterior areas and is not conducive for effective vehicle repairs. The shop building area is dark and poorly lit. The fleet parking area was slightly expanded after the closure of the

Livingston satellite facility; however, space is insufficient. School bus and other fleet vehicles are parked very close to each other and somewhat haphazardly organized. The district would benefit from a transportation facilities assessment and long-range plan to design and relocate the district transportation program to a modern or modernized terminal location.

Routing Methodology

At the close of the 2015-16 school year, the district operated 18 daily home-to-school bus routes for both general and special education students. The district transports approximately 1,176 students. Recently, the district established two flexible assignment routes (flex routes) specifically for activity trips. The district intends to utilize the two flex routes daily for the 2016-17 school year. In addition, the district operates one route driven by a staff member, whose specific job description could not be determined by FCMAT, for the district's teen parent program, transporting teen parents and their infants and toddlers in car seats. The teen parent route collects these students from across the district and transports them to the program at the Child Development Center on the East Campus Education Center. At the end of the 2015-16 school year, the transportation department operated an additional afternoon route only for El Capitan High School. It was designed as a crosstown route, with only two assigned bus stops. According to staff, previously the students on this route were easily dispersed among the other El Capitan bus routes. The added bus did reduce student ride time; however, regular operation of the route required the use of a substitute driver every afternoon. The bus and driver could be utilized at other schools where student load counts are high and ride times are lengthy, or to reduce the dependency on mechanics to backfill routes.

Approximately two years ago, the district discontinued services with the Merced County Office of Education to transport special education students attending county and nonpublic school programs. The district utilizes a private contractor, Merced Transportation, to provide these services. The district reported that the change resulted in a substantial cost savings; however, FCMAT did not evaluate this service.

The bus driver/transportation helper/router performs all school bus routing for the 18 routes. The router uses an industry standard electronic routing software system, TransTracs, to perform all routing. Routing sheets are generated from the software and provided to all drivers as updated. Interviews with bus drivers indicates a general consensus that routing accuracy is good and that updates and requested changes occur timely and accurately.

Interviews with staff indicated high absenteeism in the transportation department. The district has experienced challenges recruiting and securing substitute school bus drivers. As a result, the vehicle maintenance staff are regularly utilized as backup drivers to cover routes and athletic and activity trips. Because of the substitute driver shortage and the high demand for athletic and activity trip drivers, vehicle mechanics are permitted to choose to participate in field trip assignments after their shift hours; however, they are often pulled to cover trips and backfill for routes during their shift due to the lack of available substitute drivers.

Most districts adjust their training model to facilitate training of current staff and applicants, or future potential applicants, depending on driver vacancies. Original candidate classes are generally offered by a district's driver instructor multiple times throughout the year to ensure the availability of certified school bus driver applicants when recruitment becomes necessary. The district should examine all possible external sources for possible new school bus driver candidates, such as adult schools and community colleges offering classes from which they could recruit.

Driver Training, Safety and Compliance with Laws

The requirements for school bus driver training in California are contained in Education Code Section 40080-40089. School bus drivers must receive a minimum of 20 hours of classroom training in all units of the Instructor's Manual for California's Bus Driver's Training Course. A minimum of 20 hours of behind the wheel training is required from the Instructor's Behind-the-Wheel Guide for California's Bus Driver's Training Course. School bus drivers must also complete a minimum of 10 hours of in-service training each year to maintain their special certificate validity. Special classroom training is required in the last year of certificate validity to renew their certificate. A specialized officer at each CHP office performs all testing, and the DMV issues the license and special certificate. Both classroom and behind-the-wheel training require many more hours to teach all of the units in the referenced manuals. Most school districts teach a minimum of 35 hours in the classroom and spend at least that many hours behind the wheel. All driver training records must be kept in compliance with laws and regulations. Driver training can only be performed by a state certified school bus driver instructor. Behind-the-wheel training may be given by a state certified delegated behind the wheel instructor. The behind-the-wheel instructor cannot perform classroom training or document instruction.

Approximately one to two years ago, the district created and staffed a state certified school bus driver instructor position. The district provides sufficient access to internal programs to meet driver training in-service requirements as well as renewal training during the driver's final certification year prior to license renewal. The district also supports drivers who desire to attend in-service programs outside the district.

The district operates approximately 38 passenger vehicles, most of which are Suburbans that can be used for small group trips and are assigned to the schools. While the transportation department schedules these vehicles and ensures that only authorized district staff and volunteers with an appropriate DMV driving record or DMV Employer Pull Notice record on file can operate them, the department offers no training for the staff who drive the vehicles. Typically, a teacher, coach or other employee drives the vehicle. It is best practice to develop a defensive driver training course for employees who drive students in district vehicles that are not school buses.

Transportation Department Interpersonal Communications

Many of the transportation staff interviewed gave examples indicating a potentially hostile work environment. A common concern expressed was intimidation by specific staff members. In some cases, personnel indicated they felt threatened and feared retaliation if their concerns were communicated to district leadership.

The transportation department's inconsistent leadership has more than likely contributed to the erosion of professionalism in the department. Investigating and addressing conflicts will need to be a top priority for the new transportation manager, who will need to work with the Human Resources administration to ensure district procedures for addressing such matters are followed and that all identified concerns are immediately investigated and addressed.

Recommendations

The district should:

1. Review the assigned work schedule for the transportation assistant and consider revising it to ensure greater departmental support and efficiency.
2. Consider adding a second transportation assistant/scheduler and/or dispatcher with an 8:00 am to 4:30 pm work assignment.
3. Assess department absenteeism and the practice of backfilling regular routes with flex drivers as opposed to on-call substitute drivers.
4. Review the job descriptions and assess the duties performed by the transportation assistant and bus driver/transportation helper/router, and bus driver/mechanic shop helper positions to ensure the job titles and position duties reflect the duties performed.
5. Discontinue relying on mechanic shop personnel to fill in as substitute drivers, or driving extra-duty routes during their normal workday.
6. Consider adding one substitute driver position if necessary after evaluating the assignments of the flex driver positions.
7. Review and update vehicle fleet lists to reflect all actual inventory.
8. Perform a full assessment of the school bus and support vehicles and develop a fleet replacement schedule based on immediate and long-range needs. Designate a committed funding source to replace vehicles as necessary. Routinely update schedules to reflect changes in replacement needs and the acquisition and disposal of vehicles.
9. Develop a preventive maintenance schedule specific to each type of vehicle and the duration driven between maintenance checks.
10. Evaluate the district vehicles used by the warehouse staff to ensure they are appropriately equipped for safe food handling/delivery and are fully operational to ensure employee safety.
11. Implement the parts inventory module of the vehicle maintenance software.
12. Place shop inventory into one or two specific areas and create secure access that is well maintained and organized.
13. Evaluate existing diagnostic tools for their usefulness and consider acquiring manufacturer specific diagnostic software and hardware for all vehicles purchased.
14. Develop and implement in-service training on routine vehicle maintenance best practices and specific engine and equipment types.

15. Identify the position responsible for driving for the teen parent program and ensure a proper job description is in place and the employee is accountable to the transportation manager.
16. Examine the El Capitan High School bus routes to determine if it is reasonable to consolidate the single afternoon bus route for the school.
17. Examine the recruitment and training model for substitute school bus drivers and give high priority to filling this need.
18. Develop a defensive driver training course for employees who drive students in district vehicles that are not school buses.
19. Conduct a transportation facilities assessment and long-range plan to design and relocate the transportation program.
20. Encourage and support the transportation manager in efforts to develop a strong, united transportation team and a productive work environment for all employees.
21. Ensure that the transportation manager is aware of a possible hostile work environment in the department and clearly understands established procedures for addressing such matters.
22. Ensure that the Human Resources administration educates all district personnel on procedures for reporting concerns perceived as threatening or harmful. Ensure that Human Resources immediately investigates and addresses all claims of a potential hostile work environment.

Facilities

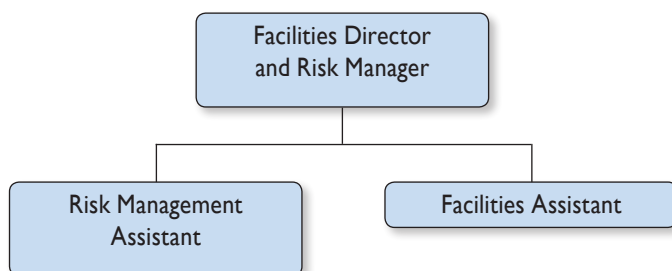
The district covers over 300 acres of land, with six comprehensive high schools, two continuation high schools, an independent study high school, and a campus that houses an adult education program and ROP program and a child development center. Each comprehensive high school has extensive athletic fields and swimming facilities, and most sites have stadiums. Four of the sites share two stadiums. Merced High School and Livingston High School were originally built in the 1920s and modernized in the 1970s, and Atwater High School was built in the 1950s. The Golden Valley and Buhach Colony facilities were built in the 1990s and early 2000s, and El Capitan High School was built in 2013.

In November 2008, the district's voters passed Measure M, a \$149 million general obligation bond, to build new facilities and modernize others. The projects listed as goals for Measure M have mostly been completed. The Citizens Oversight Committee meets regularly and issues annual progress reports on Measure M. An interview with a committee member revealed that the bond program had been managed well, and that the community response had been favorable to the completion of the listed projects.

Organization and Staffing

The facilities department has experienced significant turnover in the last few years. The facilities director position was vacated approximately 30 days prior to FCMAT's visit. The district appointed an interim facilities director who also serves as the district risk manager. This staff member has a background in maintenance and operations as well as construction and is working to address some of the staffing and project related issues surrounding the facilities department. The director is assisted by a risk management assistant and a facilities assistant. The facilities assistant has been in her position for three years, and has a limited background in facilities reporting requirements or other clerical requirements of the program. However, she receives assistance from the previous facilities assistant who still works in the district. Given this level of support, and the fact that most of the building projects are complete, the current facilities department organizational structure can be successful and functional.

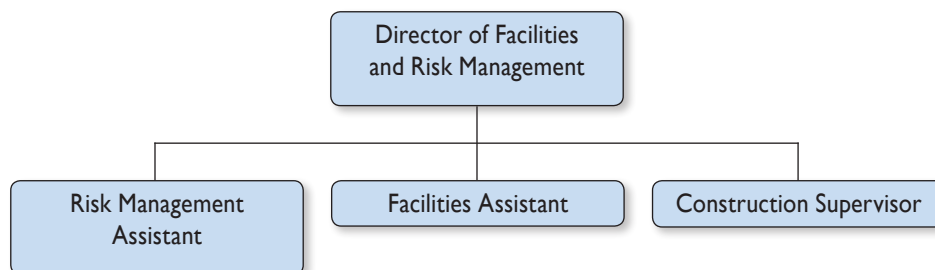
Current Facilities Organization



The district has two remaining projects approved under Measure M including the construction of two gyms: one at Merced High School and one at Atwater High School. Each of these projects was in the early phases of construction during FCMAT's fieldwork. The district hired a construction management firm for these two projects at an approximate cost of \$1.4 million. Though construction management firms may be necessary to coordinate multiple and complex project construction schedules, an experienced facilities director supported by a construction

supervisor position should provide sufficient expertise to oversee individual projects such as the two remaining gyms.

Recommended Facilities Organization



Facilities Master Plan

District staff provided FCMAT with a Facilities Master Plan adopted in the spring of 2015, and dated May 2015. The plan available to the public via the district's website is dated 2008 and should be updated with the current plan.

The plan describes and analyzes current and future facility needs in detail, but does not delineate a timeframe for addressing those needs or a plan for funding potential projects. An emphasis is placed on physical education and sports facilities, and on additional facilities needs in possible high growth areas. The district has established an enrollment standard for its comprehensive high schools of 2,000 students. Enrollment at each high school campus is currently 10% to 30% percent below this threshold.

FCMAT visited seven school campuses and inspected classrooms, gyms, offices, restrooms and other buildings. The older facilities have many areas that have not been renovated since the 1970s and need updating. However, no plans are included in Measure M nor are bond funds available for this purpose. While many areas were modernized under Measure M, significant areas such as science labs still need renovation. FCMAT recommends that the district evaluate possible funding options and place a priority on complete and comprehensive modernization of all facilities built before 2000.

The district has completed several facilities projects since voter approval of Measure M almost eight years ago, and many other projects outside of Measure M. A limited review of information available on the Division of the State Architect (DSA) website indicates that a significant number of these projects were not closed and occupied properly through the DSA certification process. School facility projects requiring DSA approval must first be submitted for review. Once a project is complete, a close-out process is followed that ensures contractor work was completed as approved, properly inspected, and that no deficiencies exist. Once occupied, DSA will issue a 90-day letter putting the district on notice that if cited deficiencies are not resolved, the project will be closed out without certification. Once projects are closed without DSA certification, districts must pay a fee to reopen the project through DSA, resolve the deficiencies, and properly close out the project.

Though the unresolved deficiencies on many of the projects closed without certification are simply matters of missing documentation and certifications from architects, engineers, or inspectors, projects closed without DSA certification leave the district and board of trustees subject to potential liability for any casualties that may result should a structural failure occur. Additionally,

DSA will not approve any future projects at a site where uncertified projects remain unresolved. The new facilities director became aware of this situation only weeks before FCMAT's visit, and is working to resolve it. Retaining the services of a school construction professional with experience in certifying projects through DSA may be helpful in expediting resolution.

The district aggressively pursues the Proposition 39 Clean Energy Act to offset costs associated with qualified projects. However, the most recent heating ventilation and air conditioning (HVAC) project had a significant cost overrun, forcing the district to reduce the project scope to remain within budget. This resulted in the new HVAC systems being individually controlled through room thermostats that are not connected to the district's energy management system. This system allows maintenance personnel to efficiently control and monitor the district's HVAC systems from a centralized location, or via portable devices. This allows a district to establish energy standards that can be applied readily and efficiently across all HVAC units, resulting in significant energy savings districtwide. The change to individual thermostats may reduce the energy savings initially projected for the project. While some changes are unavoidable once a project commences, all facilities projects, including those funded with proceeds from Proposition 39, should be carefully scrutinized to ensure that scope and cost requirements are well defined and that contractors are held responsible for adhering to them.

Interdepartmental Relationships

For a school district's operations to be efficient and effective, the facilities and maintenance and operations departments must work together. FCMAT found that the working relationship between these two departments is strained and often at cross-purposes. This has resulted in ineffective coordination of efforts, nonstandardized equipment being installed in new facilities, and continued erosion of already strained relationships. Interviews with staff indicate that the responsibilities between the departments have never been clearly defined, and irregular and inconsistent decisions have created an undertone of "us vs. them." This could prevent collaboration, trust, and unity if not resolved.

It is often difficult to determine when a project is a facilities project or a maintenance project. FCMAT's interviews found confusion among staff from both departments regarding this particular point. Facilities construction projects are generally those that involve the construction of new structures, or the modernization or repair of existing structures that is complex, with structural improvements or repairs. Maintenance projects involve the repair or replacement of systems or equipment in existing facilities.

Both the interim facilities director and the director of maintenance and operations are new to their positions, each serving less than one year, and possess no previous experience as operations directors. Interviews with staff revealed that the relationship between the two directors is strained and uncooperative. However, both directors voiced an understanding of the critical nature of cooperative working relationships between the two departments and shared a common interest in improving interdepartmental relations.

Facilities Inspection

The FCMAT team toured the grounds and facilities at seven school sites and randomly selected classrooms, restrooms and other buildings for inspection. Overall, the grounds were found to be in excellent shape, well-kept with no accumulated debris. The facilities were in good repair and in working order, though some of the older sites need modernization. Spot checks of fire

and life safety items such as fire extinguishers found that all extinguishers had been serviced properly within the year, but monthly visual inspections were inconsistent. At some sites, the fire extinguishers had not been signed off for their monthly visual inspections. At other sites, documentation cited inconsistent monthly visual inspections of fire extinguishers. Personnel should be trained and spot checks conducted to ensure that visual inspections are performed as required.

School site custodial crews perform annual Williams Act facility inspections using the original version of the Facilities Inspection Tool (FIT). The Williams Act facility inspections resulted from a class action lawsuit in which Eliezer Williams sued the state of California and state education agencies on behalf of students in San Francisco County. The lawsuit settlement in 2004 resulted in various reform programs, one of which was an annual inspection of school facilities, with the resulting report filed as part of a school district's School Accountability Report Card (SARC). The FIT was developed by the Office of Public School Construction to aid in and standardize these annual inspections. At Merced UHSD, once the inspections are complete, the chief custodian at each site reviews the FITs to identify deficiencies that can be repaired by school site operations staff. The FIT is then forwarded to the maintenance and operations department, which then supplies it to the district office for inclusion in the annual SARC report. FCMAT interviews identified that at one site visited, the associate principal of facilities follows up on the FIT report to become familiar with any findings. FCMAT found that principal participation is inconsistent. Most principals interviewed indicated they are not included or involved in the inspection process.

Though this process produces a thorough inspection of the facilities, it misses the intent of the program. The Williams Act inspections are an opportunity for district and site facilities managers to inspect the campuses to gain first-hand familiarization with their condition. District-level maintenance staff should use the results to generate work orders to repair the cited deficiencies and track the progress of the corrections. The FIT should then be transferred to the district office for inclusion in the SARC. Though the custodial inspection is an effective method toward making detailed maintenance findings, it should be combined with a management inspection process. This will help bring perspective to the inspection documentation. For example, based on limited review of FIT reports provided, FCMAT noted that one high school site was rated poor overall because of deficiencies found exclusively in a detached athletic ticket booth.

Use of District Facilities

The district has an active and effective program for allowing the community to use district facilities under the Civic Center Act (CEC 38130-38139). Any entity that wishes to use a district facility first contacts the district office and is required to complete supplied request forms and show proof of proper insurance coverage. The district then coordinates the request with site staff to ensure that the requested use does not interfere with the site's programs. The request is then transmitted to the site custodians via the SchoolDude facilities scheduling module. Those interviewed indicate that the process works well with only occasional exceptions. This process is also consistent with industry standards and best practices. However, FCMAT did identify confusion with some school site staff regarding the order of the process, as some believe the sites coordinate the use of facility requests as opposed to district office personnel. Additionally, the district's board policy addressing the use of the district's facilities (series 1330) is out of date, and in the case of Exhibit 1330, completely in error. The current Exhibit 1330 refers to appropriate use of the district's internet access, not facilities use.

Recommendations

The district should:

1. Consider adding a construction supervisor to the facilities department staff.
2. Update its website link to provide the public access to the current Facilities Master Plan dated May 2015.
3. Investigate and identify possible funding options to support the costs associated with modernization of older sites. Update the Facilities Master Plan to include modernization requirements, an anticipated timeframe for addressing needs, and funding sources.
4. Develop a corrective action plan to resolve all uncertified construction projects. Consider whether assistance from a school construction professional with experience in rectifying uncertified DSA projects will be necessary.
5. Carefully scrutinize all projects to avoid cost overruns.
6. Train facilities and maintenance management staff on the factors that distinguish a maintenance project from a facilities project.
7. Ensure that when projects are assigned to either the maintenance or facilities departments, the department managers work collaboratively to successfully complete the work.
8. Train all site staff responsible for fire extinguisher visual inspections in the proper method and frequency of such inspections.
9. Consider adopting the updated version of the Facility Inspection Tool (revised May 2009) for Williams Act facilities inspections.
10. Include district and site administration in the Williams Act facilities inspections and ensure that all parties actively participate, are familiar with deficiencies identified and follow up to resolve them.
11. Require maintenance staff to review the FITs and generate applicable work orders to address deficiencies discovered during the inspections.
12. Review and update board policy and administrative regulations for facility use and train school administrators in proper procedures for processing facility use requests.

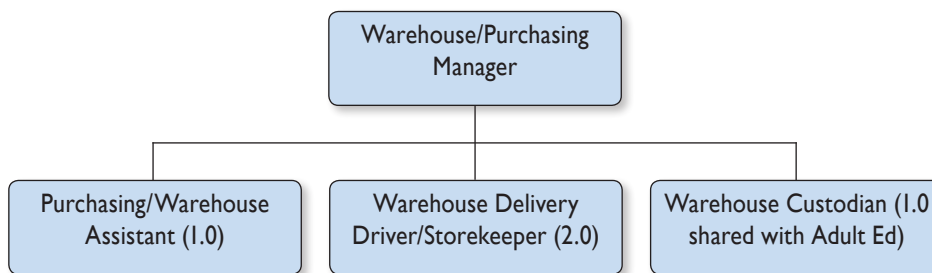
Warehouse, Delivery and Purchasing

The warehouse is described as a central receiving location for all district departments. In fact, the district is largely decentralized, and the warehouse primarily serves as a receiving location for textbooks, large technology orders, and Food Services. Outside orders often are delivered directly to sites. The district warehouse staff deliver goods and mail to 10 sites daily.

Organization and Staffing

At the time of FCMAT's visit, warehouse staffing consisted of the warehouse/purchasing manager, one purchasing/warehouse assistant, two delivery drivers/storekeepers, and one 3-hour custodian.

Current Warehouse/Purchasing Organization



The duties performed by staff members in these positions are blended between job descriptions. While it is not uncommon to share some duties or serve as backup to positions when the need arises, it is highly uncommon as a routine practice for the department manager, the administrative assistant, and the custodian to share job duties with each other or with the warehouse delivery driver/storekeeper position. This commingling of job duties makes accountability difficult for any given duty.

It was apparent from the interviews that none of the staff were really certain of their official job responsibilities. When absences occur the other staff just cover the duties without seeming to know who needs to do them. No job board or work order system exists for tracking special assignments (deliveries, pickups, extra runs), and drivers are rerouted when a special run is needed instead of having a second driver and truck available or having a designated day for surplus, textbook, and records runs.

The warehouse/purchasing manager oversees the warehouse, orders stores, stocks, pulls orders and delivers. When requested, the manager assists other departments in developing bids, advertising, bid openings, and obtaining specifications. However, not all departments work with the warehouse/purchasing manager to review their bids or verify legal compliance. The manager only reviews certain requisitions rather than all requisitions flowing through the department. This leads to a lack of purchasing controls throughout the district. The manager should review all requisitions in the 5XXX through 6XXX object code series to ensure compliance with bidding and legal requirements.

It is customary for a warehouse/purchasing manager to oversee and provide input on all district procurement processes, act as an advisor in the acquisition of goods and services, resolve procurement issues, understand legal codes and policy requirements and educate staff in proper procure-

ment procedures. This position typically collaborates with department and site administrators to meet their procurement needs. Currently, each department and school site works independently on procurement, contributing to weak controls districtwide.

The warehouse has an administrative assistant, a position most commonly assigned clerical duties. This is not a typical position for a warehouse or purchasing department. A purchasing clerk or buyer is a more common support position. This position assists in the warehouse, receives deliveries, verifies delivery content against purchase orders and when necessary, makes deliveries. The job description for the administrative assistant position also includes substitute calling for the district. It is highly unusual to have this human resources function assigned to a position in the warehouse.

The department has two delivery/storekeeper positions that essentially function as one storekeeper and one delivery driver. It was reported during interviews that approximately 85% of the time, one of the staff remains in the warehouse to pull orders, receive, stock, load and tag inventory, etc. while the second drives the delivery route.

The warehouse shares a custodian with the Adult Education program, which is adjacent to the warehouse. The warehouse receives three hours of custodial time daily. It is uncommon for a warehouse to have a dedicated custodian, especially for three hours daily. Generally, the warehouse staff is responsible for sweeping the floor and custodian time is only necessary for cleaning restroom and office spaces two to three times per week, depending on the size of the department. The job description for this position is very broad. The custodian performs cleaning, clerical, warehouse, maintenance and grounds duties.

Defining duties more specifically and incorporating purchasing duties into the warehouse/purchasing manager job description would clarify roles and responsibilities, and improve efficiency and accountability. The primary focus of the manager position should be on procuring bids, bidding, reviewing contracts, overseeing purchasing districtwide, ensuring compliance with the law and managing support staff assigned to the warehouse. Appendix A contains sample job descriptions for high school districts.

The district may wish to restructure the warehouse to include a delivery driver position and a storekeeper position, each assigned responsibility to backfill for absences. An order should be established among all department positions for providing backup when absences occur. For example, when the delivery driver is absent, the custodian should serve as the primary backup, the storekeeper should be secondary and the warehouse manager should be a last resort. When the storekeeper is absent, the delivery driver should be the primary backfill and the custodian would backfill for delivery.

Having the custodian as first in line to back up an absence provides for less disruption and the manager can concentrate on the higher level duties related to ordering, processing requisitions, and assisting with purchasing.

The purchasing/warehouse assistant position was to be vacated soon after FCMAT's fieldwork. Instead of replacing this position, the district would be better served by centralizing purchasing activities districtwide and creating a purchasing clerk or buyer position that requires experience with procurement and bidding. This would assist the warehouse/purchasing manager with reviewing orders and obtaining quotes and help ensure the district does not violate purchasing regulations. The purchasing clerk/buyer position could communicate with sites on what bids the district uses and what vendors are approved for various commodities, determine when a

purchasing category might be nearing the bid limit, and review requisitions in the 4XXX object code series.

The custodian position should be evaluated to ensure its duties in the department are most effective. Eliminating the clerical duties and more specifically defining warehouse duties that provide effective support would allow the purchasing/warehouse manager to concentrate on procurement tasks.

Purchasing and Warehousing Operations

The site secretary usually initiates purchases made through external vendors by preparing an electronic purchase requisition. The requisition is then processed at the site through various queues for approval and then is advanced through various workflows depending on the type of purchase or funding source. Not all requisitions are routed through purchasing. Accounts payable is the final approver for budget verification and the conversion to purchase order is handled in the same department. Accounts payable staff reported that they have the ability to create a new vendor in the vendor master file. This is a weakness in internal controls over purchasing and accounts payable. No individual should have the ability to establish a new vendor, create a purchase order, advance a purchase order through the approval process and pay a vendor invoice. This weakness in controls presents an opportunity for fraud, misappropriation of funds and/or other illegal acts. Appendix B provides a sample segregation of duties questionnaire for purchasing and accounts payable duties to assist the district in assessing existing controls.

The warehouse/purchasing manager oversees the stock carried in the warehouse. A bid process is used to procure stock items as required by law. Bids are solicited for stores items, which is to be used by all sites for ordering supplies. The district uses cooperative bids; however, the manager's job description contains minimal references to purchasing responsibilities.

Because the warehouse/purchasing manager does not oversee all purchasing, separate bidding practices are used for warehouse supplies and for the remainder of district purchases. For example, facilities, maintenance & operations and food service develop and process their own bid documents. As previously mentioned, departments and school sites process their own purchase orders outside the control of the warehouse/purchasing manager. Some purchase orders are routed to the warehouse/purchasing manager but many are not, so purchasing does not have central oversight to ensure the use of bids. This could cause the district to be out of compliance with purchasing laws.

Districts are required to competitively bid all goods and services purchases where the cumulative total exceeds \$87,800 districtwide; public works contracting under the California Uniform Public Construction Cost Accounting Act (CUPCCAA) requires informal bids at \$45,000. The total is based on contract value, not fiscal year. Therefore, goods or services procured on a multiyear basis should be bid if the contract total would exceed the bid limit. This is best done by centralizing all purchasing activities under a purchasing manager responsible for ensuring legal compliance.

FCMAT's review of the purchasing process was limited as it was not included in the scope of the study. However, FCMAT identified concerns regarding potential violations of the competitive bid process. During interviews, it became apparent that staff members responsible for bidding and contracting tasks for services lack the necessary understanding of the rules and regulations for this process.

The district opted into CUPCCAA on June 10, 2015; however, it has not adopted a board policy and/or administrative regulation as required by the Act, nor has it adopted the required emergency procedures or delegation of authority. Staff members stated they have limited understanding of CUPCCAA. Training in its proper implementation is essential for all staff responsible for duties associated with purchasing, facilities, and maintenance and operations to ensure compliance with all laws and regulations.

It is best practice for purchases related to large projects with estimated costs near the \$45,000 bid limit, with potential for unknown or unforeseen complications resulting in increased cost, to be processed through the informal bid process under CUPCCAA. The district should not split bids in an effort to avoid the CUPCCAA bid limits. Projects should not be divided into separate jobs/trades to avoid exceeding the \$45,000 bid limit for negotiation via purchase order. Any construction project should be bid as a single project.

Interviews with staff, and the limited review of specific transactions showed that the district lacks a collaborative process between the purchasing department and other departments and site administrators for engaging in processes of this type.

Examples of incorrect district purchasing procedures include:

1. Two purchase orders were issued to the same vendor/contractor to purchase and install a greenhouse.
 - a. Approval of the \$77,284.27 expenditure for Atwater High School was dated May 23, 2016. This falls within the informal public works limit of \$45,001 and \$175,000.
 - b. Purchase Order 170594 was issued for two contracts: #3287 dated May 23, 2016 and #3292 dated June 21, 2016. Contract #3287 was signed on June 16, 2016 and #3292 was signed on June 21, 2016.

Public Contract Code Section 20116 specifically prohibits the splitting of work into smaller projects to avoid competitive bidding. A contract made out of compliance with competitive bidding, where such bidding is required by statute, is void and unenforceable because it exceeds the public agency's power. (*Miller v. McKinnon*, 20 Cal. 2d 83, 88, except as provided in Public Contract Code Section 5110.) As a result, the district is prohibited from making payment on these contracts except possibly for work and materials furnished without any profit.

It was brought to FCMAT's attention that two additional greenhouses were ordered and installed shortly after discovery of these contracts at another site using the same approach.

2. Transportation issued approximately \$115,000 in purchases to Enterprise for car rental. The bid limit for services is \$87,800. No action was taken by the district to competitively bid this service.
3. The district had a contract for approximately \$415,000 with Cornerstone Staffing Solutions during the 2015-16 fiscal year. No action was taken by the district to competitively bid these services. More importantly, contracting for

classified services is prohibited by law (Education Code 45103, 45104. See Appendix B for court findings that relate to this matter.)

Warehouse Delivery

Departments and sites place warehouse orders through the QSS/QCC purchase requisition system, which is routed directly to the warehouse. Warehouse staff print the pick lists and pull orders each morning before delivery runs. No designated staff are assigned to this process: the delivery person/storekeeper, purchasing warehouse assistant, and warehouse custodian all reported performing these tasks. Orders are placed in an outgoing staging area and loaded onto the truck each morning, usually by the delivery person/storekeeper or the warehouse/purchasing manager. Food orders are pulled for delivery all days except Thursday. Warehouse staff also reported that they assist Food Services staff with food services fulfillment. Food orders are loaded onto the truck along with supply orders and mail.

In addition to stores orders, the warehouse staff handles deliveries of some outside orders, textbooks, mail and food. Daily delivery to all sites is required since mail and food is delivered with supply orders. Only one truck is used for deliveries, which is inadequate for food safety. The first stop is always the district office, the next two stops are food delivery sites; the remainder of the run is organized so that food deliveries take precedence. It was noted during FCMAT interviews that the delivery driver may also be redirected at any time to handle an emergency pickup or delivery between sites/departments. This requires the driver to backtrack once the unplanned delivery is completed to resume the regular run. FCMAT conducted a random sampling of delivery schedules and noted that many sites had no regular package delivery.

Restructuring the delivery process will likely result in greater efficiency. Accumulating supply orders and delivering every other day may allow the warehouse to complete other tasks more efficiently. Special dates should be designated for picking up surplus materials and equipment and collecting textbooks, and structured in a way that ensures the greatest travel efficiency. Assistance with moving furniture and equipment should be scheduled by appointment and based on availability. The following example shows one possible option:

District Office Atwater High School Buhach Colony High School Livingston High School	Monday and Wednesday
Merced High School El Capitan High School Golden Valley High School Merced Adult School/Continuation	Tuesday and Thursday
Special Runs Moving Surplus, textbook pick-up/delivery	In conjunction with weekly schedule or Friday - by appointment Friday – by appointment Friday – calendared quarterly

Separating the daily mail run from supply delivery or modifying it to coordinate with a schedule similar to the above may create additional delivery efficiencies by freeing up the truck to bypass sites without food and/or supply deliveries. Because the delivery staff must stop at multiple locations at each site for deliveries, establishing a single drop off location for delivery in each

location would further reduce the driver time spent at each location. For example, if the site has a food delivery, the school site should coordinate receiving for mail and deliveries near the cafeteria where food deliveries must be made.

The district does not use a work order system to schedule special runs, moving of classrooms, surplus pickups, and textbook orders. The district uses the SchoolDude work order software to track maintenance requests and may be able to track and manage special requests of the warehouse. This would allow for organized scheduling and ensure adequate staff are assigned to handle the surplus and large orders. An alternative would be to assign a second driver and truck to the mail, special runs and smaller deliveries.

Receiving

The district lacks written operational policies and procedures to hold warehouse/delivery and department/site staff accountable for proper receiving practices. It is best practice to verify orders within 48 hours of receipt, with shortages confirmed by warehouse staff. Calls to report and rectify errors in vendor deliveries should take place within 72 hours. Procedures should establish accountability for receiving practices by requiring department/site staff to re-order items identified as short. Implementing bar code scanners could increase efficiency. These systems allow personnel to scan in items tracked through the capital inventory system or to inventory items that do not meet the capitalization threshold but have a high potential for loss such as electronic devices.

While school site and department staff sign for orders when they are delivered, the district lacks processes requiring confirmation of order content upon delivery or within a specific time period. Site/department staff receive and sign a delivery log maintained by the delivery driver upon receipt. The delivery log shows the number of packages and time of delivery. Because orders are checked at the convenience of the recipient, accountability is lost. Warehouse staff make corrections to orders without question if a recipient reports that an item was not included in the stores delivery or that the order was short. While delivery shortages are ultimately researched, they are fulfilled regardless of finding. For delivery of orders from outside vendors, the purchase order is marked confirmed or delivered electronically by warehouse staff.

Inventory

The warehouse stocks a variety of office and instructional supplies but maintains minimal inventory. The warehouse and purchasing manager has decreased the estimated inventory value of \$240,000 by approximately half due to low ordering rates. The district does not maintain a perpetual stock valuation report, so FCMAT was unable to verify actual value of stock on hand. The district does not assess beginning and ending value of stock, so the stated 1.5% discrepancy rate provided to FCMAT was not verifiable.

It is best practice for district warehouses to routinely reconcile the value of inventory on hand with balances recorded in district financial records. The cycle begins with the audited inventory balance from the prior year. This balance is then increased by the value of purchases received and decreased by the value of inventory issued. Inventory adjustments may be necessary to account for picking errors and stock removed due to obsolescence or damage. This adjusted balance should then be compared to the value of remaining inventory on hand in the warehouse, identified through physical count. Differences in inventory value balances should be investigated,

identified and explained. Appropriate adjustments should be made to account for variances once investigated and identified. A sample inventory reconciliation is provided in Appendix D.

The warehouse layout is generally efficient. The facility is clean and logically organized and the staff is responsive and flexible. Items are shelved in numerical order with some items having overflow locations. A security cage protects personnel and payroll records; however, there was no secured area for high theft risk items such as computers and audiovisual equipment. The main entrance door generally stays open all day, with the potential for anyone to enter and remove an item without being noticed.

While maintaining a warehouse may seem like an effective way to save money on frequently used materials and supplies, often the costs of operation outweigh actual savings experienced in bulk rate purchases. With the availability of just-in-time (JIT) options, vendors can offer competitive pricing on common inventory items and deliver them directly to the location in need, often within a day or two of submitting an order. JIT can be more expensive when comparing individual items, but the convenience and availability of goods is greater. Often additional savings can be had through reduced staffing and other inherent costs associated with maintaining a warehouse, processing shipments and delivering goods to the sites.

Cost savings and efficiency measures to consider include carrying only custodial supplies and paper and bidding out a JIT contract for all other supplies or moving to JIT for all goods. If the warehouse is retained, an annual evaluation of stock with input from sites should be conducted to determine what items should be carried. In addition, a review of national bids with best pricing policies such as U.S. Communities, The Purchasing Cooperative Network, and other vendors should be conducted and the results compared to in-house bidding to ensure the best purchasing method is utilized.

Equipment

The warehouse has two delivery trucks; neither is in good working order. One truck has a defective lift that limits its usefulness and creates a high risk of employee injury when a lift is necessary but not available. The warehouse uses the Food Services delivery truck as its primary delivery vehicle. This truck has limited tie-down capability and is not conducive for mail runs since it does not have a walk-through cabin. The district should consider replacing truck #40 and repairing or replacing the hydraulic lift on the second warehouse truck. The district would benefit from at least one additional truck in 100% working condition.

The warehouse equipment is in good working order and the number of pallet jacks and electric pallet jacks is adequate. The warehouse is equipped with an eyewash station, maintains Material Safety Data Sheets (MSDS) for all chemicals received, and has a first aid kit and extinguishers as required by law. The district stores various cleaning chemicals for custodial staff. Although safety measures are in place, no spill kit was available and warehouse staff was unaware of its purpose. The Occupational Safety and Health Administration (OSHA) recommends that facilities housing chemicals have a spill kit containing safety goggles, absorbent pads, gloves, disposal bags, etc. and ensure that all warehouse staff are familiar with the chemicals stored in the warehouse by reviewing the MSDS sheet for each. The OSHA pocket guide on warehouse worker safety can be found at: https://www.osha.gov/Publications/3220_Warehouse.pdf.

The district provides forklift certification and standard all-staff training such as active shooter, emergency drills and harassment. Job specific safety trainings focusing on chemical spills, transportation of foods, handling receipt of food products, safe lifting, etc. is lacking. It is best

practice for districts to provide periodic safety training for warehouse staff or require them to attend custodial safety training courses that cover the items listed above. Additionally, training in the proper receiving procedures for food and safe transportation of food to sites is essential. A Food Safety Fact Sheet available from the Institute of Child Nutrition is attached as Appendix F and can be found at: <http://nfsmi.org/ResourceOverview.aspx?ID=109>.

Recommendations

The district should:

1. Establish procedures that ensure cumulative purchases made for the entire district do not conflict with bid limitations.
2. Review the duties of the warehouse/purchasing manager position. Assign this position responsibility for all purchasing activities districtwide and to act as the central resource for legal compliance.
3. Reassign the duties of substitute calling to human resources staff.
4. Review the division of duties among warehouse staff.
5. Update warehouse job descriptions to define roles and consider restructuring the existing positions and assignment of duties.
6. Evaluate the outside order requisition process and segregate duties as soon as possible. Eliminate redundancies in the approval process.
7. Conduct a full review of purchasing practices that includes all departments that contract out or process bids.
8. Update board policies and procedures related to purchasing and ensure they comply with CUPCCAA requirements.
9. Comply with CUPCCAA by adopting emergency procedures or delegation of authority requirements.
10. Implement procurement and competitive bidding guidelines districtwide.
11. Ensure all staff with procurement authority understand and consistently follow requirements under CUPCCAA for all projects by informally bidding any project proposals that are within 10% of the \$45,000 bid limit.
12. Avoid bid splitting by bidding complete projects.
13. Contact legal counsel to review the outsourcing of substitute employees.
14. Consider a schedule that allows delivering every other day and establishes calendared pickup dates for surplus materials and equipment and scheduled moves.
15. Consider using a smaller vehicle for the mail run, freeing up the truck and allowing it to bypass sites when no goods are being delivered.

16. Consider using the work order system to manage the intake and processing of requests for special runs, moving of classrooms, surplus pickups, and textbook pickup and deliveries.
17. Develop and implement written policies and procedures to establish accountability for receiving deliveries in the warehouse and at school sites and departments.
18. Consider using bar code scanners to scan and track capital inventory and non-capitalized goods with a high potential for loss.
19. Conduct a routine reconciliation of inventory in the warehouse to monitor the value of perpetual inventory, identify gain/loss percentage, and help safeguard district assets.
20. Increase security measures to reduce the potential for theft, including the installation of entry alert beams on doors and a locked cage area for temporary storage of equipment until it can be tagged and delivered.
21. Evaluate whether maintaining a stores inventory is cost effective as compared to just-in-time options.
22. Consider replacing truck #40 and repairing or replacing the hydraulic lift on the second warehouse truck. Ensure that at least one more truck is in 100% working condition.
23. Ensure that a spill kit is available containing safety goggles, absorbent pads, gloves, disposal bags, etc.
24. Ensure that all warehouse staff become familiar with the chemicals stored in the warehouse by reviewing the MSDS sheet for each one.
25. Provide periodic safety training for warehouse staff or require them to attend custodial safety training courses that cover the items listed above.
26. Provide training in the proper receiving procedures for food and safe transportation of food to sites.

Appendices

Appendix A – Sample Job Descriptions:

- Director of Purchasing
- Purchasing Manager
- Purchasing Supervisor

Appendix B – Segregation of Duties Checklist - Purchasing and Accounts Payable

Appendix C – Guide to Bidding & Contracting - Final 2015

Appendix D – Sample Stores Inventory Reconciliation

Appendix E – Food Safety Fact Sheet - Transporting of Food

Appendix F – Study Agreement

PERRIS UNION HIGH SCHOOL DISTRICT

Board Approved: September 16, 2015

Salary Schedule: 250; Row 4

Perris Union High School District provides equal opportunity in employment without regard to race, religion, color, national origin, ancestry, physical handicap, medical condition, sexual orientation, marital status, age and gender in accordance with Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendment of 1972, Section 504 of the Rehabilitation Act of 1973, the Age Discrimination Act of 1975, and Perris Union High School District policy. A physical examination and drug screen may be required of all finalists before employment.

JOB TITLE: DIRECTOR OF PURCHASING

JOB PURPOSE STATEMENT: Under direction of the Assistant Superintendent of Business Services, directs, manages, supervises, and provides leadership and innovative solutions for the centralized purchasing functions of the purchase and acquisition of equipment, materials, supplies and services, warehouse and delivery functions, contracts, and asset inventory.

JOB FUNCTIONS:

- Creates and implements innovative solutions to improve the purchasing department's ability to serve the District's school sites, departments, students, and community
- Works collaboratively with the business management team and each of the district's divisions to provide innovative and effective solutions for legal compliance and exemplary service to the district
- Provides leadership, plans, organizes, and supervises the purchasing department ensuring that all transactions and procedures are in compliance with state law and district policies
- Communicates, guides, and directs internally and externally for the purpose of providing information dissemination on policies, procedures, rules and regulations, information gathering, issue identification and resolution, and training and development
- Creates and develops written materials (e.g. policy and procedure dissemination, correspondence, bid documents, Board of Education materials, etc.) for the purpose of ensuring compliance with established policies and procedures, legal requirements and budgetary guidelines and provide information dissemination to district staff and public
- Oversees the proper sale and disposition of all surplus property and electronic waste
- Prepares competitive bids and proposals for supplies, equipment, and services as required by law, including specification and scope of work preparation, legal advertisement, formal opening, and evaluation for determination of award

JOB TITLE: DIRECTOR OF PURCHASING

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JOB FUNCTIONS – continued:

- Works collaboratively with the facilities department and principals to furnish and equip school sites, prepares bids for and coordinates the purchase of furniture and equipment for sites, and arranges delivery schedules with vendors, warehouse and site personnel
- Participates in leadership networks and organizations specific to purchasing
- Advises on all types of purchasing and works with staff on resolution of problems related to purchasing, delivery and vendor performance
- Develops and implements policies and procedures, supervises and coordinates the checking of requisitions; establishes procedures for follow-up; acts as resource person for school sites and departments
- Provides and organizes training on purchasing policies and procedures, software, and all other aspects of the purchasing department
- Creates and leads various professional development workshops for district staff
- Prepare and present reports and presentations to the school board and community
- Stays updated on all new laws, codes, and trends relative to purchasing
- Ensures that the purchasing department provides exemplary customer service to all school sites and departments
- Maintains current information on vendors and sources of supply; interviews vendor representatives; coordinates the demonstration of equipment and supplies; coordinates and develops standards
- Performs periodic review of vendor contracts; makes recommendations to vendors on performance and product reliability
- Plans, organizes, develops and implements procedures and guidelines relative to the warehousing and distribution of goods, supplies, material and equipment
- Supervises and evaluates purchasing personnel and delivery drivers
- Oversees and monitors district fixed assets, equipment, supplies and services for the purpose of ensuring an audit trail and minimizing losses, ensures proper fiscal management and compliance with federal, state, and district guidelines and specifications.

JOB TITLE: DIRECTOR OF PURCHASING

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JOB FUNCTIONS – continued:

- Advises on a wide variety of supplies, equipment and materials used in school districts; dependable sources of knowledge such supplies
- Advises on equipment and materials; marketing practices, pricing methods, and product quality used in school districts
- Facilitates purchasing procedures and techniques, purchasing transactions, and follow-up
- Knows purchasing and business terminology
- Knows contract administration
- Knows principles of supervision, training and evaluation
- Knows inventory control procedures
- Communicates (written and verbal) clearly, concisely, and correctly
- Communicates effectively via e-mail and other electronic communications
- Knows and interprets laws, regulations, and rules including, but not limited to Education Code, Government Code, Public Contract Code, and Board Policy affecting school district purchasing and contractual operations and applies them with good judgment
- Prepares clear specifications and legal contracts
- Schedules multiple activities
- Skill to work with a diverse group of individuals and handle situations with tact, diplomacy and discretion
- Knows and operates office machines and equipment, including a copier, personal computer and calculator proficiently
- Establishes and maintains effective working relationships with staff and other persons contacted through the course of work
- Performs related duties as assigned

JOB TITLE: DIRECTOR OF PURCHASING

Page 4

PHYSICAL ABILITIES:

- Visual ability to read handwritten or typed documents, and the display screen of various office equipment and machines
- Able to conduct verbal conversation, write, and read in English
- Able to hear normal range verbal conversation (approximately 60 decibels)
- Able to sit (for sustained periods of time), stand, stoop, kneel, bend, lift up to (25 pounds), carry up to (25 pounds) and walk
- Able to climb slopes, stairs, steps, ramps and ladders
- Able to operate office machines and equipment in a safe and effective manner

JOB QUALIFICATIONS:**Education:**

- Bachelor's degree is required.

Experience:

- Five (5) years of increasingly responsible experience in purchasing or related field for a large business or governmental entity. Two (2) years of supervisory experience is highly desired.

Licenses, Certifications, Bonding, and/or Testing:

- TB Clearance
- Drug/Alcohol Clearance
- Valid Drivers License
- Criminal Justice Fingerprint Clearance

EMPLOYMENT STATUS:

- Classified Management Position

Sweetwater Union High School District

PURCHASING MANAGER

Purpose Statement

The job of Purchasing Manager is done for the purpose/s of developing, organizing and maintaining an effective system of procurement, storage and distribution of supplies, materials and equipment including: determining procurement methods and initiating bidding process; procuring assigned product lines; recommending bid awards; maintaining warehouse inventory levels; product inclusion and layout, identifying products which will enhance efficiency, effectiveness and safety of district operations; resolving complaints and improving customer service.

Essential Functions

- Develops and implements long and short range plans/programs related to district purchasing processes for the purpose of ensuring that district resources are effectively utilized.
- Prepares, recommends and manages department budget(s) for the purpose of ensuring effective department functioning.
- Negotiates agreements and contracts with vendors and suppliers for the purpose of ensuring best price/quality for District purchases.
- Authorizes purchase orders, contracts, bids for the purpose of ensuring vendor compliance with district, state and federal regulations, policies and procedures.
- Oversees purchase order, contract, bid and budgetary expenditure processes for the purpose of ensuring accurate allocation of funds and/or adherence to fiscal regulations.
- Manages warehouse/stores inventory functions for the purpose of ensuring sufficient supplies as needed.
- Maintains and stores a variety of files (manual and electronic) (e.g. vendor information, contracts, purchase orders, etc.) for the purpose of providing required documentation and historical information.
- Oversees the maintenance of capital equipment inventory for the purpose of ensuring the efficient use of District resources.
- Evaluates documentation (e.g. request for proposals, requisitions, change orders, bids, contracts, etc.) for the purpose of ensuring proper use of district funds in the acquisition of supplies, equipment and/or services.
- Solicits quotations, proposals and bids, etc. for the purpose of providing cost information, making purchases and securing items.
- Researches a variety of items (e.g. contracts, suppliers, equipment and laws, regulations, etc.) for the purpose of recommending purchases, contracts and maintaining district wide services.
- Collaborates with others (e.g. district personnel, community organizations, vendors, etc.) for the purpose of implementing and maintaining services and/or programs.
- Performs personnel functions (e.g. interviewing, evaluating, supervising, etc.) for the purpose of maintaining adequate staffing, enhancing productivity of personnel and achieving objectives within budget.
- Attends meetings, conferences, workshops, etc. (e.g. state procurement regulations, school procurement laws, education classes, etc.) for the purpose of understanding the changes for updating and implementing district procurement procedures.

Other Functions

- Performs other related duties, as assigned, for the purpose of ensuring an efficient and effective work environment.

Job Requirements: Minimum Qualifications**Skills, Knowledge and Abilities**

SKILLS are required to perform multiple, technical tasks with a need to periodically upgrade skills in order to meet changing job conditions. Specific skills required to satisfactorily perform the functions of the job include: applying federal, state and District policies and regulations; operating standard office equipment; preparing and maintaining accurate records; and utilizing pertinent software applications.

KNOWLEDGE is required to perform algebra and/or geometry; read technical information, compose a variety of documents, and/or facilitate group discussions; and analyze situations to define issues and draw conclusions. Specific knowledge required to satisfactorily perform the functions of the job includes: accounting/bookkeeping principles; products and materials used in a school setting; pertinent codes, policies, regulations and/or laws; warehouse techniques and strategies; inventory control; value analysis; and quantity buying techniques.

ABILITY is required to schedule a number of activities, meetings, and/or events; routinely gather, collate, and/or classify data; and use job-related equipment. Flexibility is required to independently work with others in a wide variety of circumstances; work with data utilizing defined but different processes; and operate equipment using a variety of standardized methods. Ability is also required to work with a significant diversity of individuals and/or groups; work with a variety of data; and utilize job-related equipment. In working with others, problem solving is required to analyze issues and create action plans. Problem solving with data frequently requires independent interpretation of guidelines. Specific abilities required to satisfactorily perform the functions of the job include: communicating with diverse groups; adhering to State and Federal purchasing guidelines; maintaining confidentiality; and working with detailed information/data and recommending course of action.

Responsibility

Responsibilities include: working independently under broad organizational guidelines to achieve unit objectives; managing a department; and supervising the use of funds. Utilization of some resources from other work units is often required to perform the job's functions. There is a continual opportunity to significantly impact the Organization's services.

Working Environment

The usual and customary methods of performing the job's functions require the following physical demands: some lifting, carrying, pushing, and/or pulling; and significant fine finger dexterity. Generally the job requires 60% sitting, 20% walking, and 20% standing. The job is performed under a generally hazard free environment.

Education/Experience

Any combination equivalent to a Bachelor's degree from an accredited college or university in public administration, business administration or a related field; and four years of professional level purchasing experience, including two years of supervisory experience.

Required Testing

None Specified

Certificates

None Specified

Continuing Educ./Training

None Specified

Clearances

Pre-placement Physical Exam; TB Clearance; and Criminal Justice Fingerprint/Background Clearance.

Sweetwater Union High School District programs and activities shall be free from discrimination based on gender, sex, race, color, religion, ancestry, national origin, ethnic group identification, marital or parental status, physical or mental disability, sexual orientation or the perception of one or more of such characteristics. SUHSD Board Policy #0410.

PURCHASING SUPERVISOR April 2014



BERKELEY UNIFIED SCHOOL DISTRICT
Human Resources Department

**CLASSIFICATION AND
 POSITION DESCRIPTION**

TITLE:	Purchasing Supervisor	REPORTS TO:	Assigned Supervisor
DEPARTMENT/SCHOOL:	Business Services	CLASSIFICATION:	Classified Management
FAIR LABOR STANDARDS ACT CLASSIFICATION:	Exempt	WORK YEAR: HOURS:	12 months/Calendar 2000 8 hours per day or duty days/hours as assigned
APPROVED: Commission Board	11/17/14 and 11/18/14 01/28/15	SALARY GRADE:	Schedule: 54 Range: 73

BASIC FUNCTION:

Plan, coordinate and oversee the daily activities and operations of the Purchasing Department; oversee the public works bidding and documentation control process; coordinate and perform surplus disposal and fixed asset tracking and documentation; train and evaluate the performance of assigned personnel.

REPRESENTATIVE DUTIES:

ESSENTIAL DUTIES:

- Plan, coordinate and oversee the daily activities and operations of the Purchasing Department; assure compliance with applicable laws, codes, rules and regulations
- Train and evaluate the performance of assigned personnel; interview and select employees and recommend transfers, reassignment, termination and disciplinary actions; assign employee duties and review work for accuracy, completeness and compliance with established requirements
- Review purchasing transactions and requisitions for equipment, supplies and materials; verify account codes; determine vendor and price as necessary; supervise and monitor the processing, printing and distribution of purchase orders; review, approve and process requisitions
- Oversee the public works bidding and documentation control process; approve and sign construction contracts according to established guidelines
- Coordinate and perform surplus disposal and fixed asset tracking and documentation
- Obtain and study comparative prices and quotations; develop and vendor lists; initiate contact with vendors relative to supply and equipment availability; purchase supplies, materials and equipment
- Prepare and maintain a variety of narrative and statistical reports, records and files related to assigned activities and personnel; research and prepare a variety of special projects as requested
- Provide information and assistance to the Deputy Superintendent regarding assigned functions; assist in the formulation and development of processes, policies, procedures and programs; make recommendations to appropriate personnel regarding software development and enhancements

PURCHASING SUPERVISOR April 2014

- Communicate with other administrators, personnel and outside organizations to coordinate activities and programs, resolve issues and conflicts and exchange information; serve as a technical resource and resolve issues regarding product sourcing, safety, discrepancies, accounting payable issues, fixed asset, surplus disposal and public works bidding processes
- Operate a computer and assigned software programs; operate other office equipment as assigned; drive a vehicle to various locations as needed
- Attend various meetings as assigned and make presentations; serve on assigned user groups or committees; maintain current knowledge of and interpret applicable laws, codes, rules and regulations
- Supervise and provide back-up for USPS mail processing activities
- Participate in the preparation of the department budget; analyze and review budgetary and financial data; control and authorize expenditures in accordance with established limitations

OTHER DUTIES:

Perform related duties as assigned

KNOWLEDGE AND ABILITIES:

KNOWLEDGE OF:

Planning, organization and supervision of the Purchasing Department

Principles, methods, practices and procedures of purchasing

Sources of supply, commodity markets, marketing practices and commodity pricing methods and discounts

Automated and manual record-keeping practices

Budget preparation and control

Oral and written communication skills

Principles and practices of supervision and training

Applicable laws, codes, regulations, policies and procedures

Operation of a computer and assigned software

Interpersonal skills using tact, patience and courtesy

Report preparation techniques

ABILITY TO:

Plan, coordinate and oversee the daily activities and operations of the Purchasing Department

Oversee the public works bidding and documentation control process

Coordinate and perform surplus disposal and fixed asset tracking and documentation

Train and evaluate the performance of assigned personnel

Interpret market prices and trends

Revise and adopt work procedures and software systems to meeting changing needs

Plan and schedule buying activities for greatest efficiency and service

Communicate effectively both orally and in writing

Interpret, apply and explain laws, rules, regulations, policies and procedures

Analyze situations accurately and adopt an effective course of action

Meet schedules and time lines

Work independently with little direction

Plan and organize work

Prepare comprehensive narrative and statistical reports

EDUCATION AND EXPERIENCE:

Any combination equivalent to: bachelor's degree in business administration, accounting or related field and five years of increasingly responsible experience in purchasing operations

LICENSES AND OTHER REQUIREMENTS:

Valid California driver's license

WORKING CONDITIONS:**ENVIRONMENT:**

Office environment

Driving a vehicle to conduct work

PHYSICAL DEMANDS:

Dexterity of hands and fingers to operate a computer keyboard

Hearing and speaking to exchange information in person or on the telephone

Seeing to read a variety of materials

Sitting for extended periods of time

Segregation of Duties Questionnaire – Purchasing and AP

A fundamental element of internal control is the segregation of certain key duties. Adequate segregation of duties reduces the likelihood that errors (intentional or unintentional) will remain undetected by providing for separate processing by different individuals at various stages of a transaction and for independent reviews of the work performed.

The basic idea underlying segregation of duties is that no employee or group should be in a position both to perpetrate and to conceal errors or fraud in the normal course of their duties. In general, the principal incompatible duties to be segregated are:

- Custody of assets;
- Authorization or approval of related transactions affecting those assets;
- Recording or reporting of related transactions, and
- Execution of the transaction or transaction activity

In addition, a control over the processing of a transaction generally should not be performed by the same individual responsible for recording or reporting the transaction.

The requisition, ordering, receiving, paying, and general accounting activities need to be appropriately segregated if all control objectives are to be met. For example, those who perform the ordering (purchasing) activity, including those who maintain contact with outside suppliers and issue purchase orders, should not perform any receiving, accounting, or cash disbursement activities.

The duties to be considered in determining the adequacy of segregation of duties among those responsible for purchases transactions are listed in the following table. In smaller organizations, these duties may also need to be reviewed along with those of other functions, as some individuals may have responsibilities in more than one area.

List the names of individuals responsible for each function in the column indicated (e.g., the names of the individuals who are responsible for issuing purchase orders would fall into the recording column). If a function is performed by a computer application, then indicate “computer” or “IT” in the applicable column. If an individual performs a function by using an IT application, make an “IT” notation (where applicable) to facilitate consideration of the relevant application access controls.

Review the table for individuals whose names are listed in more than one column, and then determine whether that represents a potential lack of segregation of duties. Also consider whether individuals are performing incompatible duties within the same column (e.g. Control Procedure). If an individual is identified as performing incompatible duties, all duties performed by that individual should be reviewed to determine whether the effectiveness of those duties or whether there is a risk of fraud due to the lack of segregation of duties.

Completion of this table is intended to highlight potentially conflicting duties, but is not intended to be the only method of identifying all such conflicting duties. Additional reporting and review processes or spot checks may be included to ensure identification of fraud.

	Authorization	Custody of Assets	Recording	Control Procedure
Issuance of purchase requisitions				
Approval of purchase requisitions				
Issuance of purchase orders				
Approval of access to vendor master files				
Approval of purchase orders				
Approval of access to purchase-related data files				

	Authorization	Custody of Assets	Recording	Control Procedure
Issuance of debit memos to vendors				
Issuance and signing of receiving reports				
Matching of invoices to purchase orders and receiving reports				
Coding account distribution of vendor invoices				
Approval of voucher packages for payment				
Preparation of checks				
Signing of check				
Mailing of checks				
Maintenance of the purchases journals				
Maintenance of accounts payable records				
Reconciliation of the accounts payable records (or the total of unpaid vouchers) with the general ledger control account				
Control of the accuracy, completeness of, and access to purchasing and accounts payable programs and data files				

Appendix C

require, particularly for State funded projects, that such persons or firms be hired "on the basis of demonstrated competence and on the professional qualifications necessary for the satisfactory performance of the services required." Gov't Code § 4526. The procedures for choosing such professionals which are discussed in detail in these sections are mandatory for state agencies and not for school districts, but these statutes may offer helpful guidance to school districts as to procedures which districts may choose to use before contracting with such professionals.

Government Code sections 4529.10 through 4529.20 were added effective November 8, 2000, in connection with the adoption of initiative Proposition 35. Government Code section 4529.10 states that "architectural and engineering services" covered by these statutes include "architectural, landscape architectural, environmental, engineering, land surveying, and construction project management services." Government Code section 4529.12 provides that "[a]ll architectural and engineering services shall be procured pursuant to a fair, competitive selection process which prohibits governmental agency employees from participating in the selection process when they have a financial or business relationship with any private entity seeking the contract, and the procedure shall require compliance with all laws regarding political contributions, conflicts of interest or unlawful activities." Because there is no statutory definition of the term "competitive selection process," when hiring an architect, engineer, construction project manager or environmental consultant, districts should create a request for proposals, advertise for responses, request known qualified companies to respond, and analyze all responses based on objective and fair standards that are reduced to writing. The standards for analyzing responses should be identified before the responses are analyzed.

B. Legal Requirements and Limitations.

1. Competitive Bidding.

The first legal requirement to consider when contracting for services is whether the contract must be put out to bid. The requirement of Public Contract Code section 20111/20651 to bid contracts for services, except construction services, involving an expenditure of more than \$50,000 discussed above, applies generally to services contracts. Public Contract Code section 20111/20651 states, however, that its provisions do not apply to "professional services or advice, insurance services, or any other purchase or service otherwise exempt from this section." As noted above, contracts for special services and advice under Government Code section 53060 do not require bidding. As one court stated in response to an argument that an architect's contract should be bid,

An architect is an artist. His work requires taste, skill, and technical learning and ability of a rare kind. Advertising might bring many bids, but it is beyond peradventure that the lowest bidder might be the least capable and most inexperienced, and absolutely unacceptable. As well advertise for a lawyer, or civil engineer for the city, and entrust its vast affairs and important interests to the one who would work for the least money. *Cudell v. Cleveland*, 16 Ohio C. Rep. (N.S.) 374, quoted in *Miller v. Boyle* (1919) 43 Cal. App. 39, 44.

2. Classified Service/Contracting Out.

A second legal requirement, which may limit the authority to contract for services, is the statutory requirement to employ classified personnel. Education Code section 45103/88003 provides in part,

The governing board of any school district [community college district] shall employ persons for positions not requiring certification qualifications [that are not academic positions]. The governing board shall, except where . . . [a merit system or city charter applies], classify all such employees and positions. The employees and positions shall be known as the classified service.

Additionally, Education Code sections 45104/88004 provide in part that "Every position not defined by this code as a position requiring certification qualifications and not specifically exempted from the classified services according to the provisions of Section 45103/88003 or 45256/88076 shall be classified as required by those sections and shall be a part of the classified service." These sections operate similarly to a typical state, city or county civil service provision to prohibit the employer from avoiding civil service protections by hiring non-civil service employees for ordinary work normally performed by civil servants. (See e.g., *Stockburger v. Riley* (1937) 21 Cal. App. 2d 165. It was held that the state civil service provisions prohibited the state from contracting out for window washing services. Similarly, the state civil service provisions were the basis for invalidating a legal services contract in *State Compensation Ins. Fund v. Riley* (1937) 9 Cal. 2d 126.)

In *California School Employees Asso. v. Willits Unified Sch. Dist.* (1966) 243 Cal. App. 2d 776, the school district's attempt to contract for janitorial services was challenged. The district asserted that such services were within the subjects for which continuing contracts are authorized by Education Code section 17596/81644. The court received argument on behalf of school districts that many new services were necessary to maintain modern schools, such as servicing air conditioning equipment, swimming pool maintenance, landscape gardening, typewriter service and photocopier maintenance.

The court agreed that many of the highly technical services are necessarily the subject of contracting out, but held that section 45103/88003 mandates that persons performing janitorial services be classified employees of the district. The court noted that there are statutory provisions applicable to employees - both those benefitting the employee (such as provisions for leaves) and those protecting the public (such as the fingerprinting requirement) - which would not apply to non-employees. The court characterized janitors as "an essential and intimate part of the operation of the schools." It therefore enjoined the school district from contracting out for janitorial services.

The basis for the *Willits* decision was Education Code section 45103 (equivalent to Education Code section 88003 for community college districts). The court found that the statute "is cast in mandatory terms" and "is intended to impose an obligation which cannot be avoided by the use of contracts." *California School Employees Ass. v. Willits Unified School District, supra*, p. 784. The court also noted that the listing of exemptions for some positions in that section "implies that others [i.e., positions] are included in the mandatory terms of the section."

The *Willits* case was applied in *California School Employees Assn. v. Sequoia Union High School Dist.* (1969) 272 Cal. App. 2d 98, in which the court upheld a school district's ability to contract for vending machines to dispense foodstuffs prepared off the school premises to students within the district. Although finding that the case before it involved a different factual situation than the *Willits* case, the court noted as follows:

Insofar as persons are employed or engaged in the food service activities conducted on the school premises, application of the principles enunciated in the

Willits case would require that they be hired by the district as part of the classified service. [Citation omitted.]

It may be assumed that it would have been improper to accept that part of the offered services under which the supplier proposed to operate a manual snack bar and a change bar, to supervise the machines, and to prepare French fries and milkshakes on the school campus, unless the employees so engaged were somehow embraced within the district's classified service. On the other hand, since the proposition as accepted required that sales be made through the vending machines, and limited the sales to food items which had been prepared and packaged before being delivered to the school premises, no such employees were involved. *California School Employees Association v. Sequoia Union High School District*, supra, pp. 109-110.

In *California School Employees Association v. Sunnyvale Elementary School District* (1973) 36 Cal. App. 3d 46, a contract for research and development service which included management and control of school property, custodial operations, installation of carpeting and other services was upheld. *California Sch. Employees Assn. v. Sunnyvale Elementary Sch. Dist.* (1973) 36 Cal. App. 3d 46. In the *Sunnyvale* case, it was determined that the services fell within the exemption from the classified employment requirement of section 45103/88003 which those sections provide for "professional experts employed on a temporary basis for a specific project, regardless of length of employment."

In *California School Employees Association v. Del Norte County Unified School District* (1992) 2 Cal. App. 4th 1396, the Court of Appeal ruled that the portion of a ServiceMaster Contract which provided for supervisory services over maintenance and custodial employees in a merit system district is in violation of the Education Code sections discussed above. The court stated that supervisors over maintenance and custodial employees fall within the classified service because "[r]egular supervisors are not professional experts, whatever skills ServiceMaster's personnel may bring to the job." The court, quoting Education Code sections 45104 (equivalent to Education Code section 88004) and 45256 (equivalent to Education Code section 88076), stated that the statutory scheme "has been interpreted to mandate that all persons, including supervisors, who are regularly employed by school districts and are not specifically exempted by the statutes are part of the classified service." *California School Employees Assn. v. Del Norte County Unified School Dist.*, supra, p. 1403, citing the *Willits* and *Sequoia* cases.

Following the *Willits* case, many attorneys advise clients that services which can routinely be performed by district employees may not be contracted out unless there is a specific statutory authority to contract for such services. It is recommended that districts consult legal counsel when considering contracting out such services as food services, word processing operator, receptionist, and secretary.

In the years since the enactment of the "Permissive Education Code" section (Educ. Code § 35160 for K-12 and § 70902 for community college districts), the argument has been raised that the Permissive Code section made the *Willits* case obsolete. The first appellate court decision to deal with this issue was *California School Employees Assn. v. Del Norte County Unified School Dist.* (1992) 2 Cal. App. 4th 1396 (1992). In that case, the court found that the school district's contract with ServiceMaster Management Services Corporation to provide regular supervision for maintenance and custodial employees of a merit system district was invalid. The court in the *Del Norte* case also quoted the *Willits* court language that the statutory scheme is intended to impose an obligation which cannot be avoided by the use of contracts. The court

in the *Del Norte* case specifically rejected the argument that the permissive code section authorized such a contract, because that section "does not authorize a contract which is prohibited by other sections of the Education Code."

In *California School Employees Assn. v. Kern Community College Dist.* (1996) 41 Cal. App. 4th 1003, the district subcontracted for certain groundkeeping services, which did not require a layoff, or a reduction in hours, of classified district employees. CSEA sued alleging that the contract between the district and the lawn service company was in violation of Education Code sections 88003 and 88004. The Court held that "[a]bsent other specific provisions mandating employment of such individuals, section 88003 does not require all work to be performed by classified employees." *California School Employees Assn. v. Kern Community College Dist.* (1996) 41 Cal. App. 4th 1003, 1012. With respect to the *Willits* case, the Kern Court said that its holding was expressly limited to janitorial employees and was primarily based upon the existence of a specific statutory provision mandating the employment of janitors by school districts. The Court of Appeal distinguished the *Del Norte* case as being limited to merit system districts and held that nonmerit system districts were not prohibited from contracting out non-academic services. Because the subcontracting before the Court was not prohibited or preempted by other sections of the Education Code, the Court found that it was authorized by the "permissive code" section of the Education Code.

In *SEIU, Local 715 v. Board of Trustees of the W. Valley/Mission Community College Dist.* (1996) 47 Cal. App. 4th 1661, the union challenged the district's contract with a private entity for operation of its campus bookstore. The Court held that the district could contract out its bookstore operations under the general authority of Education Code section 70902, the "Permissive Code" section, without specific statutory authorization. Relying on the *Kern* case, it further held that because the West Valley/Mission Community College District was not a merit district, Education Code section 88003 did not prohibit the contract.

As a result of the recent *Kern* and *West Valley/Mission* decisions most attorneys agree that nonmerit system community college districts may use the services of individuals who are not classified employees by subcontracting out for temporary office services under the authority of Education Code section 70902.

3. Availability From A Public Source.

A third limitation on the authority to contract for services has been noted where the services are available from a public source. In 1949, the California Attorney General opined that a school district is without authority to contract for consulting services to survey the educational needs of the district, when similar services are available from the Department of Education. 14 Op. Att'y Gen. 205 (1949). In a 1952 opinion, the Attorney General amplified upon this principle, ruling that Government Code section 53060 does not authorize a contract for services which could be rendered by the district attorney. 19 Op. Att'y Gen. 153 (1952). This reasoning was again followed in a later opinion by the Attorney General, which concluded that a consultant contract for a unification survey was beyond the school district's powers because such services are available (by statute) from the County Committee on School District Unification. 20 Op. Att'y Gen. 21 (1952).

The courts have agreed with the Attorney General. In *Jaynes v. Stockton* (1961) 193 Cal. App. 2d 47, it was held that services could not be considered "special" so as to authorize an outside contract under section 53060, when a law designates a public officer to perform them. In a passage citing many other cases, the court reasoned,



TO: Ken Leighton
FROM: Guiselle Carreon
SUBJECT: Stores Inventory – FY 12
DATE: 06/30/2012

Beginning Inventory - July 1, 2011	\$	223,178.44
Receipts – 2011 - 2012	\$	479,112.43
TOTAL	\$	\$702,290.87
Issues – 2011 - 2012	\$	573,123.71
Ending Inventory - June 30, 2012	\$	129,167.16
Stores Valuation - June 27, 2012 (Pre-count Using Cost Averaging)	\$	156,982.08
Inventory Adjustments - Physical Count 06-25-12 thru 06-27-12	\$	10,106.24
	\$	167,088.32
Stores Valuation - June 30, 2012	\$	\$166,989.81
Balance Sheet as of June 30, 2012	\$	<u>167,553.06</u>
Adjustment: Balance to Valuation Report	\$	563.25
Account Adjusted: 0101-0000-0000-7540-4300-150-635-049-00		
Mid-year Adjustments Reflected is Pre-count Value	\$	1,505.26

Adjustments to Ending Inventory: .06% Gain (Adj. ÷ Ending Value)

Notes:

\$7,137.13 of the \$10,106.24 adjustment can be attributed to one item. An overage of 46 on Product No. AV2003 at a unit cost of \$155.16. Because we only placed orders 60 lamps and issued 57 in 2012-2012, I believe we received a double shipment on an order for 40 lamps; however, the vendor does not show a discrepancy.

The audit count noted that some items were counted as each instead of box/dozen. The auditor counts matched the pre-inventory system count. As a result, I will review the unit of issue with the Warehouse team and make sure we are following unit counts properly.

Food Safety Fact Sheet

Transporting Foods

INTRODUCTION

Many school nutrition programs prepare food at one site and transport it to another site for service. The transporting process adds to the complexity of a school nutrition program and provides another step in the foodservice process that must be performed correctly to ensure temperature maintenance and to minimize cross contamination.

HERE ARE THE FACTS

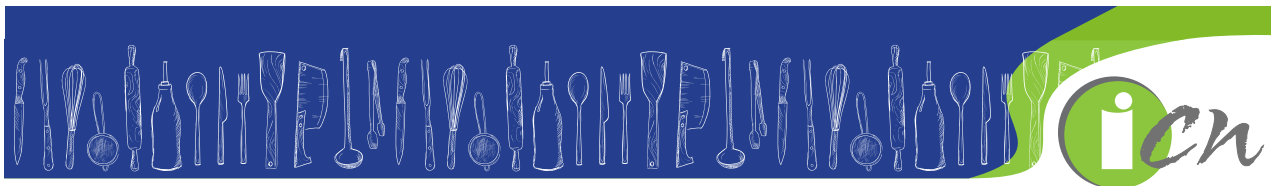
Transporting adds time to holding food. The FDA *Food Code* requires that all hot foods be maintained at 135 °F or above and that all cold foods are maintained at 41 °F to minimize opportunities for bacterial growth. Proper equipment and processes must be in place so that proper temperatures are maintained and there is no cross contamination.

APPLICATION

Transport foods using appropriate equipment and processes.

- Maintain temperatures of products.
 - ◊ Keep frozen foods frozen.
 - ◊ Keep cold foods at 41 °F or below.
 - ◊ Keep hot foods at 135 °F or above.
- Transport food in containers and carriers that have been approved by the National Sanitation Foundation (NSF)® or by the state or local health department.
- Prepare food carriers before use.
 - ◊ Clean all exterior surfaces.
 - ◊ Wash, rinse, and sanitize all interior surfaces.
 - ◊ Preheat or pre-chill according to manufacturer's recommendations.
- Store food in containers suitable for transportation. Containers should be:
 - ◊ Rigid and sectioned so that foods do not mix.
 - ◊ Tightly closed to minimize spillage and to retain temperature.
 - ◊ Nonporous to avoid leakage.
 - ◊ Easy-to-clean or disposable.
 - ◊ Approved for food use.
- Schedule food transportation to minimize the time between cooking and serving at the satellite site.





Transporting Foods cont.

Monitor transporting process.

- Check the temperature of all food carriers with a calibrated thermometer before loading with food.
 - ◊ Check cold carriers in the warmest part.
 - ◊ Check hot carriers in the coolest part.
- Check food temperatures with a clean, sanitized, and calibrated thermometer before placing it in the food carrier.
- Check food temperatures with a clean, sanitized, and calibrated thermometer when it arrives at the satellite site.
- Record the temperatures and the times temperatures were checked.

Take corrective action if appropriate holding temperature of the food is not met during transporting.

- Continue heating or chilling food carrier if it is not at the appropriate temperature.
- Reheat food to 165 °F for 15 seconds if the temperature is found to be below 135 °F and the last temperature measurement was 135 °F or higher and taken within the last 2 hours.
- Cool food to 41 °F or below using a proper cooling procedures if internal temperature of cold food is greater than 41 °F, and the last temperature measured was 41 °F or below and taken within the last two hours.
- Repair or reset equipment before returning the food to the unit if temperatures are not maintained.
- Discard food that has been held in the temperature danger zone of 41 °F–135 °F for more than 4 hours.
- Record corrective actions taken.

Remember, follow state or local health department requirements.

References

U.S. Department of Agriculture, Food and Nutrition Service, & Institute of Child Nutrition. (2015). *Food safety in schools*. University, MS. Author.
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For more information, please contact helpdesk@theicn.org.

02/2016



CSIS California School Information Services

**FISCAL CRISIS & MANAGEMENT ASSISTANCE TEAM
STUDY AGREEMENT
February 2, 2016**

The Fiscal Crisis and Management Assistance Team (FCMAT), hereinafter referred to as the team, and the Merced Union High 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 assign professionals to study specific aspects of the district's 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.

In keeping with the provisions of Assembly Bill 1200, the county superintendent will be notified of this agreement between the district and FCMAT and will receive a copy of the final report. The final report will also be published on the FCMAT website.

2. SCOPE OF THE WORK

A. Scope and Objectives of the Study

The district is requesting that FCMAT do the following:

1. Conduct an organizational and staffing review of the following district departments and provide recommendations for staffing improvements or reductions, if any.
 - a. Maintenance and Operations
 - b. Transportation
 - c. Facilities
 - d. Warehouse and Delivery
2. Evaluate the work flow and distribution of functions in each of the above departments and provide recommendations for improved efficiency, if any.

3. Review the operational processes and procedures for each of the above departments and provide recommendations for improved efficiency, if any.

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 team's procedures and 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. Exit Meeting - 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 – Approximately 10 days after the exit meeting, the team will issue an exit letter briefly memorializing the topics discussed in the exit meeting.
5. Draft Report - Electronic copies of a preliminary draft report will be delivered to the district's administration for review and comment.
6. Final Report - Electronic copies of the final report will be delivered to the district's administration and to the county superintendent following completion of the review. Printed copies are available from FCMAT upon request.
7. Follow-Up Support – If requested, FCMAT will return to the district at no cost six months after completion of the study to assess the district's progress in implementing the recommendations included in the report. Progress in implementing the recommendations will be documented to the district in a FCMAT management letter.

3. PROJECT PERSONNEL

The study team will be supervised by Michael H. Fine, Chief Administrative Officer, Fiscal Crisis and Management Assistance Team, Kern County Superintendent of Schools Office. The study team may also include:

<i>A. To be determined</i>	<i>FCMAT Staff</i>
<i>B. To be determined</i>	<i>FCMAT Consultant</i>
<i>C. To be determined</i>	<i>FCMAT Consultant</i>
<i>D. To be determined</i>	<i>FCMAT Consultant</i>
<i>E. To be determined</i>	<i>FCMAT Consultant</i>

4. PROJECT COSTS

The cost for studies requested pursuant to Education Code (EC) 42127.8(d)(1) shall be as

follows:

- A. \$500 per day for each staff member while on site, conducting fieldwork at other locations, preparing and presenting reports, or participating in meetings. The cost of independent FCMAT consultants will be billed at their actual daily rate.
- B. All out-of-pocket expenses, including travel, meals and lodging.
- C. 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 the district's acceptance of the final report.

Based on the elements noted in section 2 A, the total cost of the study will not exceed \$28,500.

- D. Any change to the scope will affect the estimate of total cost.

Payments for FCMAT's 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 during on-site reviews.
- B. The district will provide the following if requested:
 - 1. Policies, regulations and prior reports that address the study scope.
 - 2. Current or proposed organizational charts.
 - 3. Current and two prior years' audit reports.
 - 4. Any documents requested on a supplemental list. Documents requested on the supplemental list should be provided to FCMAT only in electronic format; if only hard copies are available, they should be scanned by the district and sent to FCMAT in electronic format.
 - 5. Documents should be provided in advance of field work; any delay in the receipt of the requested documents may affect the start date and/or completion date of the project. Upon approval of the signed study agreement, access will be provided to FCMAT's online SharePoint document repository, where the district will upload all requested documents.

- C. The district's administration will review a preliminary draft copy of the report resulting from 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 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 different phases of the study and will be established upon the receipt of a signed study agreement:

Orientation:	to be determined
Staff Interviews:	to be determined
Exit Meeting:	to be determined
Preliminary Report Submitted:	to be determined
Final Report Submitted:	to be determined
Board Presentation:	to be determined, if requested
Follow-Up Support:	if requested

7. **COMMENCEMENT, TERMINATION AND COMPLETION OF WORK**

FCMAT will begin work as soon as it has assembled an available and appropriate study team consisting of FCMAT staff and independent consultants, taking into consideration other jobs FCMAT has previously undertaken and assignments from the state. The team will work expeditiously to complete its work and deliver its report, subject to the cooperation of the district and any other parties from whom, in the team's judgment, it must obtain information. Once the team has completed its fieldwork, it will proceed to prepare a preliminary draft report and a final report. Prior to completion of field work, the district may terminate its request for service and will be responsible for all costs incurred by FCMAT to the date of termination under Section 4 (Project Costs). If the district does not provide written notice of termination prior to completion of fieldwork, the team will complete its work and deliver its report and the district will be responsible for the full costs. The district understands and agrees that FCMAT is a state agency and all FCMAT reports are published on the FCMAT website and made available to interested parties in state government. In the absence of extraordinary circumstances, FCMAT will not withhold preparation, publication and distribution of a report once fieldwork has been completed, and the district shall not request that it do so.

8. INDEPENDENT CONTRACTOR

FCMAT is an independent contractor and is not an employee or engaged in any manner with the district. The manner in which FCMAT's services are rendered shall be within its sole control and discretion. FCMAT representatives are not authorized to speak for, represent, or obligate the district in any manner without prior express written authorization from an officer of the district.

9. INSURANCE

During the term of this agreement, FCMAT shall maintain liability insurance of not less than \$1 million unless otherwise agreed upon in writing by the district, automobile liability insurance in the amount required under California state law, and workers' compensation as required under California state law. FCMAT shall provide certificates of insurance, with additional insured endorsements, indicating applicable insurance coverages upon request.

10. HOLD HARMLESS


FCMAT shall hold the district, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement. Conversely, the district shall hold FCMAT, its board, officers, agents and employees harmless from all suits, claims and liabilities resulting from negligent acts or omissions of its board, officers, agents and employees undertaken under this agreement. This hold harmless provision does not apply to direct, indirect or consequential damages caused by the cancellation or rescheduling of the workshop due to FCMAT staff unavailability.

11. CONTACT PERSON

Name: Alan Peterson, Superintendent
 Telephone: (209) 385-6412
 E-mail: apeterson@muhsd.org

 Alan Peterson, Superintendent
 Merced Union High School District

 Date



 Michael H. Fine
 Chief Administrative Officer
 Fiscal Crisis and Management Assistance Team

February 2, 2016

 Date