

2010-2011 GRAND JURY REPORT

TEMECULA VALLEY UNIFIED SCHOOL DISTRICT TRANSPORTATION DEPARTMENT

Background

Temecula Valley Unified School District (TVUSD) is located in Southwest Riverside County adjacent to Murrieta, Menifee and Hemet Unified School Districts and abuts San Diego County to the south. TVUSD has seventeen (17) elementary schools, six (6) middle schools, three (3) high schools, one (1) continuation high school, one (1) independent study high school, one (1) high school academy, three (3) charter schools and one (1) adult school with the District's average daily attendance of 27,880 students, and annual revenue of \$197 Million for fiscal year 2009-2010.

The TVUSD Transportation Department goal "is the safe transportation of students to and from school or school related activities." In the course of this investigation, the Grand Jury requested information authorized by the California Public Reports Act (CPRA) California Government Code Sections 6250-6270.

CPRA: declares that access to information is a fundamental and necessary right of every person in this state.

After three (3) employees were interviewed and the partial release of documents, the District would not release additional documents or allow the Grand Jury to interview additional employees without subpoenas thus delaying the investigation.

Findings

The 2010-2011 Grand Jury interviewed thirteen (13) employees of the TVUSD Transportation Department and three (3) District administrators resulting in the following findings:

Management:

1. Several bus drivers testified that a document given to the Grand Jury by TVUSD management as a released document (Approved and Controlled) had not been disseminated to the bus drivers.
2. The guidebook does not show controlling information that most of the other documents contained, (example: date released, approval by, reviewed date to verify continued accuracy, etc.). The guidebook given to the Grand Jury, could not be verified that it was current or had been reviewed or approved by anyone.

3. Several of the employees interviewed stated they had made verbal and/or written complaints to the Director of Transportation in accordance with Administration Regulation and never received a response on the investigation of their complaints.
4. When asked, several of the personnel in the Transportation Department did not know to whom they reported. Many said they guessed it was the Director of Transportation. When asked who is assigned the responsibility and authority for the department when commitments require the Director to be absent, the Grand Jury learned many were not sure. The Grand Jury found there is no supervisor for the Transportation Department as there is for the Maintenance Department, which has two supervisors reporting to the director of the Maintenance Department.

Working on personal property:

5. Several of the employees interviewed stated that it was permissible to work on personal property on their off duty time if they notified the Director of Transportation. This is in violation of the "Annual Employee Notification Packet 2010-2011". The document on page 72 of 76, addressing Board Policy BP 3512, first paragraph states: *"School equipment may be used by staff members and/or students only for school-related task. District equipment may not be used for personal reasons"*. It's also stated within the document page 73 of 76, Administrative Regulation AR 3512(a) first paragraph *"Employees and/or students shall use District equipment only for school-related task. The superintendent or designee shall ensure that all employees understand that personal use of District property is prohibited and that violation may be cause for disciplinary action"*.

Fueling safety information missing from Compressed Natural Gas (CNG) buses:

6. Bus drivers and a driver trainer testified there were plaques on the CNG buses to caution/remind drivers on fueling safety. The fueling process is different from other types of fuel and if done incorrectly could result in an explosion. These plaques have been removed and are now missing from the buses.

Lack of Clarification for Recess Work Assignments:

7. The Collective Bargaining Agreement between Temecula Valley Unified School District and California School Employees Association (CSEA) Chapter 538, Article 7, subparagraph 7.9.7 states *"the work shall be offered to unit members on an equitable basis"* and *"In making determinations regarding the assignment, management will consider the following non-order criteria: qualification for position, personnel needs of the District, seniority."* Following

the instructions listed within the Recess Work Assignments Article 7, subparagraph 7.9.7 are not based on an equitable basis.

Recommendations

Temecula Valley Unified School District - Director of Transportation Temecula Valley Unified School District – Board of Trustees

1. Annually, the TVUSD Director of Transportation should provide an approved copy of the guidebook to each bus driver and obtain signature verification.
2. The TVUSD Director of Transportation should complete the development of the guidebook for bus drivers. Obtain and document necessary approval for the guidebook from the appropriate District manager and CSEA.
3. The TVUSD Director of Transportation should investigate each complaint raised by the complainant and respond to the complainant regarding the resolution of the complaint, in accordance with their Administrative Regulation.
4. TVUSD administrators should hire a front line transportation supervisor or designate a person with responsibility and authority to provide supervision for the Transportation Department employees during the absence of the Director of Transportation.
5. TVUSD Transportation Department employees should comply with Board Policy BP 3512 and Administrative Regulation AR 3512(a) that prohibits employees from using District equipment and District property, respectively.
6. TVUSD Director of Transportation must ensure fueling safety training for “CNG” bus drivers and reinstall “Fueling Plaques” on CNG buses to remind bus drivers of fueling safety.
7. TVUSD management in collaboration with CSEA revise Article 7, subparagraph 7.9.7 regarding Recess Work Assignments for bus drivers considering that all bus drivers must be qualified for the type of bus they drive. As currently written, “non-ordered criteria” does not appear to be an equitable basis.

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