

**CASE #0300**  
**LINDBERGH EDUCATIONAL CENTER**

**REASON FOR INVESTIGATION**

A citizen's complaint was received asking for an investigation of the Lindbergh Educational Center in the Manteca Unified School District. The complaint alleged improper use of a Regional Occupational Program, of grants and the use of district vehicles.

**BACKGROUND**

- 1) The complaint alleged vehicles owned by the principal, were repaired by the Automotive Instructor and his students and questioned the expense to the district in respect to the cost of parts. In addition, because the principal would be responsible to evaluate the Automotive Instructor, a conflict of interest was in question.
- 2) The complaint alleged the use of School to Career Grant and the SAPID (School Age Parent and Infant Development) Grant was in question.
- 3) The complaint alleged the principal was using a district vehicle for personal use.

**METHOD OF INVESTIGATION**

Members of the Grand Jury met with the Superintendent, Asst. Superintendent of Manteca Unified School District, the Principal and the Automotive Instructor of Lindbergh Educational Center.

A review was made of the policy pertaining to the use of district vehicles and of the admission records of all students currently enrolled in the Lindbergh Educational Center.

A comparison to Manteca Unified School District was done on the use of district vehicles. The Grand Jury looked into the policy versus the practice at Tracy, Stockton, Lincoln and Lodi Unified School Districts.

**FINDINGS**

- 1) After reviewing the policy and procedures of the Regional Occupational Program, the Grand Jury finds there is no written policy in regards to the vehicle repairs. There is a practice that any vehicle can be repaired, if the students do not have their own vehicle. The owner of the vehicle being repaired purchases all parts.
- 2) After interviewing the Superintendent of Manteca Unified School District and the Automotive Instructor, the Grand Jury finds that the Superintendent feels it to be reasonable for the Principal to evaluate the Automotive Instructor.
- 3) After reviewing the admission records of students enrolled, interviewing the Superintendent and Asst. Superintendent of Manteca Unified School District, the Grand Jury finds no evidence of misuse of the School to Career Grant or the SAPID Grant.
- 4) After receiving the written policy on the use of district vehicles and conducting interviews with the Superintendent and the Asst. Superintendent of Manteca Unified School District, the Grand Jury finds Manteca Unified School District has a written policy that provides for mileage reimbursement and use of a district vehicle for district travel. The district has a practice that provides a district vehicle to administrators and permits personal use of their vehicles.

5) After comparing the Manteca Unified School District's vehicle policy and practice to Tracy, Stockton, Lincoln and Lodi Unified School Districts, the Grand Jury finds:

a. Tracy Unified School District has no written policy. The district has vehicles available to administrators on occasion. When a vehicle is needed, one can be assigned for the day. The director of maintenance is the only position that is assigned a vehicle, to insure a quick response anytime of the day or night. The district does not permit personal use of their vehicles.

b. Stockton Unified School District has no written policy. The district has vehicles available to administrators on occasion. When a vehicle is needed, one can be assigned for the day. The SUSD Chief of Police and Asst. Chief of Police are the only two positions that are assigned vehicles, to insure a quick response anytime of the day or night. The district does not permit personal use of their vehicles.

c. Lincoln Unified School District has a written policy, and no district vehicles.

d. Lodi Unified School District has a written policy that the district follows. When a vehicle is needed, one can be assigned for the day. The district does not permit personal use of their vehicles.

Manteca is the only district that has a policy that differs from the practice. No other district reviewed allows personal use of their vehicles, or supplies vehicles to the administrators.

## **CONCLUSION**

The Grand Jury concludes that the vehicles repaired for the Principal by the Automotive Repair class is the acceptable practice of the District. However this can leave the appearance of partiality when the person whose vehicle is being repaired is responsible for the evaluations of the Instructor.

The Grand Jury concludes there was no misuse of the School to Career or SAPID Grant in question.

The Grand Jury concludes that the personal use of district vehicles is consistent with the acceptable practice at Manteca Unified School District.

## **RECOMMENDATIONS**

The San Joaquin County Civil Grand Jury recommends that Manteca Unified School District write a policy and procedure for the Regional Occupational Program to establish guidelines in regards to the automotive program.

We further recommend that Manteca Unified School District update their policy and procedure to reflect a more accurate view of the district towards the use of district vehicles.

## **RESPONSE REQUIRED**

Pursuant to Section 933.05 of the Penal Code:

1) The Superintendent of Manteca Unified School District shall report to the Presiding Judge of the San Joaquin Superior Court, in writing and within 90 days of the publication of this report. That Statute requires that as to each finding in the report, the response indicate one of the following:

a. The respondent agrees with the finding.

b. The respondent disagrees with the finding with an explanation of reasons therefore.

Section 933.05 also requires as to each recommendation, the response indicate one of the following:

a. The recommendation has been implemented, with a summary of action taken.

- b. The recommendation has not yet been implemented, but will be, with a time frame for implementation.
- c. The recommendation requires further analysis, with an explanation of the scope of the analysis and a time frame not to exceed 6 months.
- d. The recommendation will not be implemented, with an explanation therefore.