

Board Office Use: Legislative File Info.	
File ID Number	16-1593
Introduction Date	6/22/16
Enactment Number	16-1209
Enactment Date	6/22/16



OAKLAND UNIFIED
SCHOOL DISTRICT

Community Schools, Thriving Students

Memo

To Board of Education

From Jacqueline Minor, Co-General Counsel
Marion McWilliams, Co-General Counsel
Michael Smith, Deputy General Counsel

Board Meeting Date June 22, 2016

Subject **Resolution Authorizing the Superintendent to Enter into Amended Agreement with First Student for Special Education Transportation Services**

Action Requested **Approval of the Resolution No. 1516-0231 authorizing the Superintendent to enter into Amended Agreement with First Student for Special Education Transportation Services subject to ratification by the Board of Education at the August 10, 2016 Board Meeting**

Background On May 28, 2014, the Board of Education approved a four (4) year contract for transportation services for special education students with First Student, Inc. ("Original Agreement") in an amount not to exceed \$7 million (\$7,000,000) a year. On April 21, 2016, First Student sent the District a 120-day Termination Notice. The District has entered into negotiations for an amended agreement for the 2016-2017 and 2017-2018 school years to ensure the continued provision of transportation services for students with special needs.

Discussion The resolution authorizes the Superintendent of Schools to execute on behalf of the District an amended agreement with First Student for the provision of transportation services for students with special needs for the period from July 1, 2016 to June 30, 2018 in an amount not to exceed an additional 2 million dollars (\$2,000,000) total over the 2016-2017 and 2017-2018 school years, provided said amended agreement is ratified by the Board of Education at the first meeting in August 2016.

Recommendation Approval by the Board of Education of the Resolution No. 1516-0231 authorizing the Superintendent to enter into Amended Agreement with First Student for Special Education Transportation Services subject to ratification by the Board of Education at the August 10, 2016 Board Meeting

Fiscal Impact Funding Resource: Special Education – 7240 – Not to exceed an additional 2 million dollars (\$2,000,000) total over the 2016-2017 and 2017-2018 school years.

Attachments • **Resolution**

**RESOLUTION OF THE BOARD OF EDUCATION OF THE
OAKLAND UNIFIED SCHOOL DISTRICT
RESOLUTION NO. 1516-0231**

Authorizing the Superintendent to Enter into Amended Agreement with First Student for Special Education Transportation Services Subject to Ratification by the Board of Education at the August 10, 2016 Board Meeting

WHEREAS, by Enactment # 14-0905 approved by the Board of Education on May 28, 2014, the Board of Education of the District, approved a four (4) year contract for transportation services for special education students with First Student, Inc. ("Original Agreement") in an amount not to exceed \$7 million (\$7,000,000) a year;

WHEREAS, the term of said Original Agreement began on August 1, 2014, and expires on July 31, 2018;

WHEREAS, the District Legal Department met with First Student on March 22, 2016 and First Student requested an increase in rates for services for the two remaining years of the Original Agreement (2016-2017 and 2017-2018 school years);

WHEREAS, on April 21, 2016, First Student sent the District a 120-day Termination Notice;

WHEREAS, the Termination Notice will be effective on August 19, 2016 and result in students eligible for special education and related services under the Individuals with Disabilities Education Act not having access to transportation that takes our students to and from their educational programs;

WHEREAS, proper, efficient, and cost-effective transportation of students with special needs demonstrates our commitment to all students and families;

WHEREAS, in order to provide proper, efficient, reliable, and cost-effective transportation for District students, the District is negotiating an Amended Agreement with First Student for the period from July 1, 2016 to June 30, 2018 to provide minimum driver wages and an increase rate for services by First Student in amount that equates to an additional 1 million (\$1,000,000) per school year;

WHEREAS, the Parties cannot complete an Amended Agreement before the end of the fiscal year;

NOW THEREFORE, BE IT RESOLVED THAT the Board of Education of the District authorizes the Superintendent of Schools to execute on behalf of the District an amended agreement with First Student for the provision of transportation services for students with special needs for the period from July 1, 2016 to June 30, 2018 in an amount not to exceed an additional 2 million dollars (\$2,000,000) total over the 2016-2017 and 2017-2018 school years, provided said amended agreement is ratified by the Board of Education at the first meeting in August 2016.

PASSED AND ADOPTED by the Board of Education of the Oakland Unified School District this 22nd day of June, 2016, by the following vote, to wit:

AYES: Aimee Eng, Shanthi Gonzales, Roseann Torres, Jody London, Jumoke Hinton Hodge, Vice President Nina Senn, President James Harris

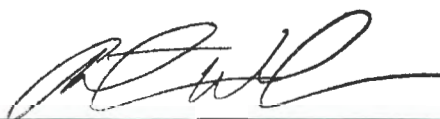
NOES: None

ABSTAINED: None

ABSENT: None

CERTIFICATION

I hereby certify that the foregoing Resolution was duly approved and adopted by the Board of Education of said district at a Special Meeting I thereof held on the 22nd day of June, 2016 with a copy of such Resolution being on file in the Office of the Board of Education of said district.



Antwan Wilson, Superintendent and Board Secretary

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