

Response to Grand Jury Report

Report Title: **3.1 Mendocino County Office of Education**

Report Date: **June 2, 2014**

Response by: **Stephanie Stratford Hoy, President, Mendocino County Board of Education – Unanimously approved by the Mendocino County Board of Education, August 4, 2014**

Findings

I (we) agree with the findings numbered: **F10, F12, F14**

Please see attached statement.

I (we) disagree wholly or partially with the findings numbered: **F1, F2, F3, F4, F17, F19, F20**

Please see attached statement.

Recommendations

Recommendations numbered **R5, R10, R11** have been implemented.

Please see attached statement.

Recommendations numbered **xxx** have not yet been implemented, but will be implemented in the future.

Attach a statement with the schedule for implementation(s).

Recommendations numbered **xxx** require further analysis.

Attach an explanation, and the scope and parameters of the analyses or studies, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

Recommendations numbered **R1, R2** will not be implemented because they are not warranted or are not reasonable.

Attach an explanation.

Signature: _____

Stephanie Stratford Hoy

Date: _____

8-28-14

Number of pages attached: 7

Response to the 2013-14 Mendocino County Grand Jury Report

Stephanie Stratford Hoy, President, Mendocino County Board of Education
Unanimously approved by the Mendocino County Board of Education
August 4, 2014

FINDINGS

F1. Cuts in funding at River School have resulted in a number of classified employee layoffs.

Disagree.

There were no classified employee layoffs at River School for the 2013-14 school year. The teachers, instructional paraprofessionals, student accountability specialist and school counselor positions have been maintained at the same level for the last three years. A classified employee at River School did in fact receive a layoff notice but this was the result of a layoff in another program – the Young Parent Program (YPP). Due to seniority and bumping, the less senior employee in the River School did receive a notice. This layoff was later rescinded.

The reduction of incarcerated students in the juvenile hall, fewer referrals by juvenile probation, fewer expulsions by school districts and fewer referrals by school districts for truancy has decreased the enrollment in the overall Alternative Education Program. This reduction in students attending school (ADA) and thus the reduction in funding necessitated the elimination of the Alternative Education classified program secretary position in 2012-2013. The elimination of this position is a result of the cumulative reduction of ADA over the last five years.

Due to a dramatic drop in enrollment, state funding to the MCOE Alternative Education has decreased. However, there have been no reductions in services or programs at River School in the 2013-2014 school year. In fact, since the 2010-11 school year, MCOE has continually operated two regular classrooms at River School. MCOE opened a third classroom during the second semester when expulsion and other referrals deem it necessary. As enrollment increased during the second semester of this 2013-2014 school year, the third classroom was opened in March and served 11 students.

The MCOE Alternative Education Program provides educational services beyond River Community School. In 2013-2014 MCOE provided instruction to incarcerated youth in the West Hills Juvenile Hall, students enrolled in the both Young Parent Program and Community School classroom at Ukiah High School, the New Beginnings classroom serving probation referred students and an Independent Study Program.

In school year 2008-09 the Average Daily Attendance (ADA) for Alternative Education was 214 students per day. By 2012-13 it had been reduced by almost half to 116 ADA. Fewer youth were being incarcerated in the juvenile hall, fewer students were being expelled by school districts, fewer students were being referred by school districts for truancy and school districts

were providing intervention services to keep their students. In addition, Trinity School closed at which MCOE operated two classrooms.

This dramatic drop in enrollment led to decreased funding by the state to the MCOE Alternative Education Program. During this period, five classrooms were closed, two Assistant Principal positions were eliminated and the program secretary position in the Alternative Education office was also eliminated. In 2013, the instructional paraprofessional position at the Young Parent Program was eliminated due to an ADA of approximately eight students and the elimination of Cal SAFE funding to county offices.

F2. Due to budgetary cuts, some services and programs have become unavailable to the River School students.

Disagree.

Apart from the closing of one classroom in 2010 due to fewer referrals, there has not been a reduction of services provided to River School students by MCOE in the past three years.

F3. The absence of wood shop classes is a loss to students, who could reap great benefits from them.

Disagree.

The wood shop was not closed due to budget cuts. The wood shop program was replaced by a Sustainable Agriculture program which is aligned to the Agriculture program at Ukiah High School and better meets the needs of our students. Sustainable Agriculture is a growing industry sector in the region, leads to higher paying jobs and is articulated with Agriculture classes at Mendocino College via Ukiah High School. Our goal was to create a career pathway for our students.

We have found the students enrolled in the current Agriculture classes at River School are also reaping great benefits. The Agriculture classes at River School are connected to Agriculture classes at Ukiah High School and South Valley Continuation High School. Students are also able to connect with community advisory groups such as the Community Gardens Project. Participating students are gaining knowledge in the study of natural resources, technology, business and animal, plant and soil sciences. We are considering expanding our Agriculture program to the New Beginnings and West Hills programs.

Vocational programs are to be responsive to industry and employment needs. This means that over time, programs will change to meet those developing needs.

F4. Reductions in services in YPP have resulted in a waiting list of young parents who would like to enroll in the program.

Disagree

Reduction in services at YPP did not cause a waiting list for young parents. The Young Parent Program (YPP) was managed and administered by MCOE with a grant from the California School Age Families Education Program (Cal SAFE), a comprehensive, integrated, community-linked, school-based program that serves expectant and parenting students and their children.

Cal SAFE is not funded under LCFF. YPP is now managed and administered by individual school districts where applicable. Although the State is not looking at young parent students as MCOE's responsibility, MCOE will provide funding for child care for children of the students enrolled in YPP.

In the 2013-2014 school year, YPP was funded by Ukiah Unified School District student attendance and held at its current location at Ukiah High School.

Funding had no connection to a waiting list. The average daily enrollment since the 2010-11 school year has been approximately eight students and five infants/toddlers. The child care center is regulated by Title V and 22 Regulations which apply to all Community Care Facilities and determines the adult to infant ratio. As the number of infants has increased, MCOE has hired additional staff to meet the regulations. The facility cannot provide child care for more than 11 infants per Title 22. We had reached that limit. A waiting list was created for students waiting for child care slots in September 2013 since the child care center was full and/or holding a slot for an enrolled student soon to give birth. Potential students could have enrolled in Young Parent but not guaranteed a child care slot for the following semester. Those students were offered other alternative educational settings: Ukiah Adult School, Ukiah High School, MCOE Independent Study, or South Valley Continuation High School. As of December 31, 2013, there has been no waiting list for child care at the Young Parent Program.

F8. Leadership does not follow the HR Division's Mission Statement in the way it treats its contract employees.

See F13, R11.

F9. The HR Director failed to follow the contract when a Supplementary Time Card was altered to the detriment of an employee.

The Board has no authority or oversight capacity with regards to personnel. Unlike a school district, the County Board is not an employer. However, the Board is concerned that the issue of time card alterations may have occurred. We understand that the HR Department and Business Office remedied the issue when it was brought to their attention.

F10. At the Board's discretion, the superintendent has the opportunity to receive a salary increase yearly, regardless of the availability of funds for increases for any other employees.

Agree.

The Board does not disregard funding sources and availability of funds when reviewing the salary of the County Superintendent. In addition the Board has specifically considered other employees' increases when considering a raise for the Superintendent. In fact, it's been the main criteria. And, in recent years, the Board has given the Superintendent a raise roughly in line with what the employees are receiving.

F11. For three consecutive years, the superintendent increased the salaries of more than 20 managers, directors, and supervisors, who also received step and column increases. During that time, contract employees received only step and column increases.

The County Board does not have authority over the salaries of any staff of the County Office other than the County Superintendent. We have been informed that the managers and staff who take on more responsibility or have their contract days increased, have worked more days while their daily rate has remained the same. . We are aware that there have been numerous changes in job responsibilities and job duties for management, certificated and classified members of the organization.

F12. Low employee morale affects job performance.

On a general rule basis we agree.

F13. MCOE administrators' dismissive behavior toward employees and their concerns contributes to the employee low morale.

There is no way the Board can determine the validity of this finding. We are not in a position to monitor administrative actions on a daily basis and this is not our role. In reading this report it is clear that the Grand Jury is confused about the responsibilities of the MCOE Board in relation to the Superintendent. They need to recognize that while the Board has control over budgeting and influence through persuasion, the Superintendent is independently elected and ultimately answers to the voters for how he administers MCOE.

F14. Feeling fear of retribution for voicing one's concerns is unacceptable.

Agree.

F15. The administration's disrespectful treatment of contract employees has caused an increase in grievances.

The Board is not involved in employee grievances. The Board understands that grievances have increased and are concerned if this is the case. Regarding any Board actions regarding those grievances, see F13 and R11.

F16. The self-evaluation process is not being used for the betterment of employee's.

See F13 and R11.

F17. Administration is not making two-way communication with employees a priority.

Disagree.

The Superintendent maintains that he offered to meet with MCFSE regarding morale and work environment five months ago and continues to extend the offer for facilitated work sessions. See F13 and R11.

F19. The Board President does not have a working knowledge of MCOE functions.

Disagree.

Board President is rarely absent, always well prepared, does her homework, and is well-informed about the programs and functions of MCOE. The Board reviews, discusses and approves programs and management decisions through the budget process. The independent audit reports have been excellent for several years.

F20. The Board President is not aware of staff morale.

Disagree.

The Board recognizes that there is an issue with staff morale. We understand that it is a complex and difficult thing to address and are committed to influencing the administration and the staff to reflect, communicate and improve on it.

A large part of the low morale of the employees of MCOE is because of the continual cuts to our programs due to less state funding and enrollment decline. Furthermore, other existing MCOE programs appear to be slated to be eliminated or transitioned to districts, due to the new state

funding model (LCFF). Numerous strategies and communication plans are underway to help address this.

RECOMMENDATIONS

R1- The reinstatement of wood shop classes at River School be made a priority. (F2, F3).

The wood shop was not closed due to budget cuts. The wood shop program was replaced by a Sustainable Agriculture program which is aligned to the state priority of CTE courses being part of a career pathway. The River School Sustainable Agriculture class is aligned to the Agriculture Programs at Ukiah High School and South Valley Continuation High School. The Agriculture program at River School meets the academic needs of our students and promotes teamwork and critical thinking skills. Students in the Sustainable Agriculture classes make use of the on-grounds certified organic gardens and the student constructed Cob greenhouse. The Sustainable Agriculture program is very closely aligned with the Community Gardens Project of Mendocino County. Sustainable Agriculture is a primary leading industry sector in our Northern California region, leads to higher paying jobs (Viticulture or Landscape Design) and is articulated with Agriculture classes at Mendocino College via Ukiah High School. The Agriculture program at River School is connected by similar curriculum and a program of study to six other high schools on our county. Our goal was to create a career pathway for our students by replacing the wood shop with agriculture classes that are aligned to the newly State Board of Education adopted model Career Technical Education curriculum standards.

R2. Young Parent Program classes be funded according to the number applicants for the classes, thus eliminating the need for a waiting list. (F4)

Funding had no connection to a waiting list. The average daily enrollment since the 2010-11 school year has been approximately 8 students and 5 infants/toddlers. The child care center is regulated by Title V and 22 Regulations which apply to all Community Care Facilities and determines the adult to infant ratio. As the number of infants has increased, MCOE has hired additional staff to meet the regulations. The facility cannot provide child care for more than 11 infants per Title 22. We had reached that limit. A waiting list was created for students waiting for child care slots in September 2013 since the child care center was full and/or holding a slot for an enrolled student soon to give birth. Potential students could have enrolled in Young Parent but not guaranteed a child care slot for the following semester. Those students were offered other alternative educational settings: Ukiah Adult School, Ukiah High School, MCOE Independent Study, or South Valley Continuation High School. As of December 31, 2013, there has been no waiting list for child care at the Young Parent Program. In any event, this program is now under the auspices of Ukiah Unified School District. MCOE is still providing child care for the program.

R5. When considering the superintendent's salary, the Board also consider the availability of funds for all employees, programs, and services. (F1, F2, F3, F4, F10).

The Board always considers the availability of funds for all employees, programs and services. That is why we have held the Superintendent's salary increases to roughly the same percentage as the employees' for the last several years.

R10. All MCOE Board members have an in depth and working knowledge of all programs and services provided by MCOE. (F19, F20).

The Board continues to be committed to fulfilling and understanding its obligations and responsibilities as members of the County Board of Education.

R11. All MCOE Board members take the time to understand the state of employee morale. (F8, F9, F10, F11, F12, F13, F14, F15, F16, F17).

The Grand Jury report reflects a common misunderstanding regarding the difference between a district board of education and a county board of education. The County Superintendent of Schools and the County Board of Education are both elected separate and independently of each other. The County Board has limited authority over the independently elected superintendent and according to the Education Code, the County Board of Education has no authority in personnel matters. Authority over employees of county offices is given by the Education Code and California State labor law to the County Superintendent. The Board is sensitive to the state of employee morale. The Board is sensitive to the disruptions caused by the uncertainty of funding and the changes coming with LCFF.