

This document is an extract of a larger publication.

civilgrandjury.org is a project of UnGovr.org, a US-based 501(c)(3) nonprofit dedicated to government transparency and public accountability.



## WOODVILLE SCHOOL DISTRICT

### BACKGROUND

Woodville Union Elementary School is one of the 46 School Districts within the umbrella of the Tulare County Board of Education. This School District is located west of Porterville and is a single school district. The school serves 605 students in grades K through 8 and has an average daily attendance of 594 students. The largest ethnic group of students (95.3%) is Hispanic with 14 % of the student body being children of migrant workers. The Woodville School Board (Board) of Trustees consists of five Board Members who receive compensation.

### REASONS FOR INVESTIGATION

The 2009-2010 Tulare County Grand Jury received several complaints regarding but not limited to;

- Abuse of students
- Abuse of teachers
- Abuse of parents
- Possible altering of STAR (Standardized Testing And Reporting) test scores
- Misuse of School District funds by the school administration.

### PROCEDURES FOLLOWED

1. Interviewed relevant witnesses.
2. Reviewed relevant documents.
3. Attended Board meetings.

### FINDINGS

1. A teacher, after accusations of verbal and physical abuse of students, was placed on paid administrative leave which lasted over two years.
2. The Board decided that placing the teacher on paid administrative leave was less costly than the anticipated legal action if the teacher was dismissed.

3. Some Board Members understood that the teacher had agreed to retire after the 2009-2010 school year.
4. The teacher was given a letter dated February 16, 2010, with instructions to return to school August 3, 2010 for assignment to a classroom for the 2010-2011 school year.
5. Board Members had no knowledge of the February 16, 2010 letter that was authored by the District Superintendent/Principal. Board Members never voted to return the teacher to the classroom.
6. The Board's By-Laws state, "Any person is eligible to be a Board of Trustee member, without further qualifications, if he/she is 18 years of age or older, a citizen of the state, a resident of the school District, a registered voter and not legally disqualified from holding civil office. (Education Code 35107)"
7. One Board Member has lived outside the District since 2007 and has continued to serve on the Board.
8. The above Board Member's vote was the deciding vote necessary to hire

the current Superintendent on February 16, 2010 for the 2010-2011 school year.

9. Board Members, employees and consultants who participate in the government decision-making process are prohibited from making a contract in which they are financially interested, pursuant to Government Code Section 1090.
10. Several Board Members had not read the contracts between the School District and Superintendent/Principal before or after approving them. None of the Board Members were aware of the terms and conditions of these contracts including salary, leave and retirement benefits.
11. The Woodville Union School District Parent Handbook contains a Parent Complaint Form with completion instructions to be found on a particular page. These instructions are not found on the page number indicated in the Parent/Student Handbook; however they are on a different page.
12. In 2004, a Superintendent was hired and his wife was hired as Principal.
13. In 2008, the Superintendent retired and recommended to the Board that his wife assume his Superintendent duties as well as her duties as Principal in 2009. The Board complied with the recommendation and hired her without posting a job opening.
14. On April 9, 2010, the Superintendent/Principal submitted her resignation papers, requesting

paid leave for the remainder of the school year.

15. A petition was submitted to the Board on April 13, 2010 containing 253 signatures requesting the removal of the Superintendent/Principal for harassing, bullying and threatening members of the community and teachers who are afraid to come forward for fear of reprisal.
16. This petition was delivered to the Board on April 13, 2010 and was **not** read by any Board Member.
17. On February 16, 2010 the Superintendent recommended the Vice-Principal be hired as the new Superintendent/Principal for the 2010-2011 school year. The Board took immediate action that evening on this recommendation and voted to hire the Vice-Principal without any knowledge of the terms and conditions of the employment agreement.
18. Some Board Members have never attended school board training. Others have not attended training for over 20 years.
19. Evidence of STAR test scores being altered was not found.
20. California Education Code Sections 52852, 52852.5 and 62002.5 require schools to have an elected School Site Council. There is no data to support the existence of a School Site Council.

## CONCLUSIONS

Although the School Board of Trustees are elected by the registered voters within

Woodville School District and given the responsibility for ensuring accountability to the local community, the evidence shows otherwise. The Board Members have not fulfilled their required responsibilities. They appear to be a rubber stamp used by the two prior school Superintendents.

An apparent typographical error in the Parent/Student Handbook would not seem to be important, except when 200 or more parents want to file a complaint. This could lead to complaint forms not being completed and serious problems not being reported.

**RECOMMENDATIONS**

1. Board Members comply with California Education Code Section 35107 and Government Code Section 1770, related to Board Member’s residency within the Woodville School District boundaries.
2. At least 72 hours before all regular meetings, the Board of Trustees, or its designee, post and distribute agenda packets as required by Government Code Sections 54954.1 and 54954.2.

3. Board Members read and adhere to the Board By-Laws and operating procedures.
4. Establish a School Site Council as required by California Education Code.
5. Board Members read all agenda packets prior to the start of Board meetings.
6. Board independently review and evaluate all legitimate complaints submitted to the Board.
7. Update Parent/Student Handbook to comply with all procedures required by law.
8. Board Members and School Administrators, comply with Government Code Section 1090 regarding conflict of interest.
9. Board Members attend training available for School Board Members as soon as possible after election and every two years thereafter.
10. Tulare County District Attorney perform a further investigation to determine whether a violation of Government Code Section 1090 occurred.

**RESPONSES**

Tulare County Board of Education  
Tulare County District Attorney  
Woodville Union Elementary School District Board of Trustees  
Woodville Union Elementary School District Board Member, Nick Serafin  
Woodville Union Elementary School District Board Member, Felipe Guerrero Jr.  
Woodville Union Elementary School District Board Member, Juan Valencia  
Woodville Union Elementary School District Board Member, Javier Serna  
Woodville Union Elementary School District Board Member, Andrew Castaneda  
Interim Superintendent, Andrea M. Perez