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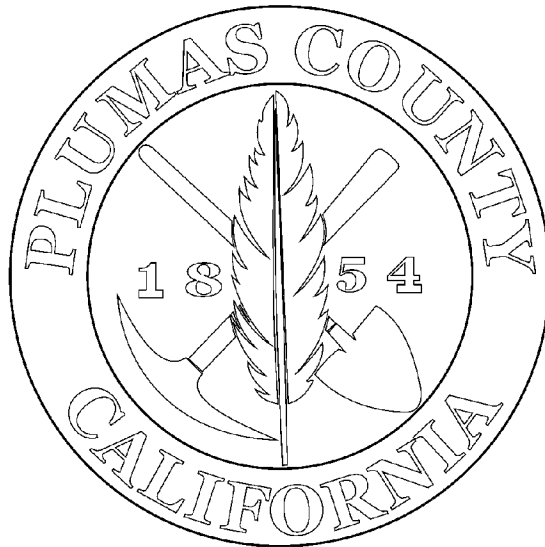
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PLUMAS COUNTY SCHOOLS

Student Safety – the Prime Concern

PLUMAS COUNTY GRAND JURY



Report 2011 / 2012

2011 / 2012 Plumas County Grand Jury

Plumas Unified School District Report

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STUDENT SAFETY

The Prime Concern

John F. Kennedy said, "Our progress as a nation can be no swifter than our progress in education. The human mind is our fundamental resource."

SUMMARY / BACKGROUND

The Plumas County Grand Jury (PCGJ) began this year by following up on last year's report regarding the Plumas Unified School District (PUSD)/Plumas County Office of Education (PCOE). The 2011-2012 Grand Jury did not receive a response to the 2010-2011 Grand Jury report from PUSD/PCOE until December 2011. After reading their response, the Grand Jury realized that student safety was not addressed.

APPROACH

One of the duties of the Grand Jury is to investigate citizen complaints. The Grand Jury received complaints from concerned citizens regarding the Superintendent's Office of PUSD/PCOE. One issue was with the hiring process of superintendents.

Continuing the investigative process, subpoenas were required to compel some of the School Board and staff members to appear before the Grand Jury. When written documents were requested of PUSD/PCOE, their lack of cooperation further stifled our investigation.

DISCUSSION

When the interviewing process was underway, the Grand Jury was appalled by the Boards' ignorance regarding student safety. The Grand Jury made all PUSD/PCOE Board members aware of the safety requirements found in the California General Code of Regulations, Title 5, Section 14010(e); the California Education Code 17213(b); and the Public Resources Code, Section 21151.8(2A) regarding the location of schools next to roadways that are used by vehicles that transport hazardous materials, and school sites that are located with a quarter mile of a facility handling hazardous materials, as well as possibly producing hazardous air emissions.

An Architectural Study that was prepared by HMR Architects in September 2011 did identify and address a number of safety issues that concerned compliance with the Americans with Disabilities Act regarding access, ramps, stairs, land elevation, and traffic related to staff and visitor parking lots, plus other issues. The School Board maintains that the HMR report satisfies the identification of potential safety concerns. However, the possible proximity to toxic and hazardous substances, hazardous air emissions, and facilities that possibly produce hazardous materials within a quarter mile of a school was not addressed. Other areas need to be researched and evaluated as well. The architectural study refers to the Sierra Pacific Industries (SPI) site as a lumberyard, but the architectural study makes no reference to the co-generation plant located at the same site. The Grand Jury found no evidence that any specific safety study had been done regarding the co-generation plant.

CONSOLIDATION OF SCHOOLS

Another concern about student safety is the consolidation of the two Quincy elementary schools. The California Department of Education (CDE) considers Pioneer/Quincy Elementary School as one school with two campuses. Since the HMR architectural study recommended the consolidation of Pioneer and Quincy Elementary Schools, and not a closure of one school, the PUSD/PCOE felt that the architectural study satisfied the requirement for a safety study. The Grand Jury found that no study was done regarding the safety hazards of either campus.

The District did appoint a District Advisory Committees (DAC), also known as the 7-11 Committee. Legislative requirements state that each committee consists of at least 7 members, but no more than 11 members. The DAC/7-11 Committees were made up of community members who contributed their time without compensation, and who wanted the best for our children. The committees were formed late by the PUSD/PCOE Board and were not given the time frame expected in the California Department of Education's (CDE) "Closing a School Best Practices Guide."

The "Suggested School Closure Time Line" from the CDE is about 6 months in duration. In December 2011, the School Board formed the DAC/7-11 Committees, and they started meeting in January 2012. In about 4 months their job was completed. The Grand Jury observed the DAC/7-11 Committees and found them to take on huge tasks and do an incredible job. Their questions and concerns were focused, and their fact finding accurate.

HIRING PRACTICES

The California School Boards Association (CSBA) entered into an agreement with PUSD/PCOE to recruit candidates for the position of Superintendent that CSBA considered qualified. The agreement cost the district over \$14,000. The Grand Jury found no evidence that a background investigation was completed by the CSBA. There was a failure by the PUSD/PCOE to verify the background information and no information regarding a background investigation was on file at the district offices. Moreover, there is no policy in place requiring the vetting of information and holding of permanent records by the PUSD/PCOE. We found no existing policies for hiring a superintendent.

Two Board members were quoted as saying that the superintendent candidate who was hired “was a breath of fresh air,” when comparing him to the other candidates that CSBA had recruited. Without a formal hiring policy, the PUSD/PCOE will continue to make decisions based on inaccurate and incomplete information.

FINDINGS

- F1. The HMR Architects report does not address the issue of toxic and hazardous substances, hazardous air emissions, and facilities that produce hazardous materials within a quarter mile of a school.
- F2. The HMR architectural study makes no reference to the co-generation plant located at the Sierra Pacific Industries site.
- F3. The Grand Jury found that no study was done regarding the safety hazards of either the Pioneer or Quincy Elementary Schools campuses.
- F4. The Grand Jury found no evidence that any specific safety study had been done regarding the co-generation plant.
- F5. The PUSD/PCOE entered into an agreement with the California School Boards Association (CSBA) to recruit candidates for the position of Superintendent. The recruiting agreement cost the district over \$14,000.
- F6. The Grand Jury found no evidence that a pre-employment background investigation was completed by the CSBA.
- F7. There was a failure by the PUSD/PCOE to verify the background information of the Superintendent, and no information regarding a background investigation was on file at the district offices.
- F8. The Grand Jury found no policy in place requiring the vetting of information and holding of permanent records by the PUSD/PCOE.
- F9. The Grand Jury found no existing policies for hiring a Superintendent.
- F10. The Grand Jury found that the DAC/7-11 Committees took on huge tasks and did an incredible job.

RECOMMENDATIONS

- R1. The Plumas County Grand Jury recommends that the PUSD/PCOE Board, utilizing the District Human Resources staff and legal counsel, formulate a policy meeting all the legal requirements for hiring a Superintendent.
- R2. The Grand Jury further recommends that the PUSD/PCOE Board accomplish this task within 90 days of the issuance of this report, and before the hiring of a new superintendent.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the Grand Jury requests responses as follows from the following governing bodies:

- The Plumas County Grand Jury requests a response, within 90 days from issuance of this report, from the PUSD/PCOE Board, the District Human Resources staff, and legal counsel addressing the issue of formulating a policy that meets all the legal requirements for hiring a Superintendent.
- The Grand Jury further requests a response, within 90 days from the issuance of this report, that the PUSD/PCOE Board, the District Human Resources staff, and legal counsel acknowledging they will accomplish these tasks, before hiring a new Superintendent.

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.
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