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## WOODVILLE UNION SCHOOL DISTRICT (WUSD)

### BACKGROUND

Woodville Union School District is located west of Porterville and is a single school district. The school has an average daily attendance of 475 students in grades K through 8. The largest ethnic group of students (over 90%) is Hispanic with over 14 % of the student body being children of migrant workers. The Woodville School Board (Board) of Trustees consists of five Board Members and is one of the 46 School Districts under the supervision of the Tulare County Office of Education (TCOE).

### REASONS FOR INVESTIGATION

The 2009-2010 and the 2010-2011 Tulare County Grand Juries reported on complaints and general concerns relating to the Woodville Union School District (WUSD). The 2011-2012 Tulare County Grand Jury received further complaints regarding violations of the Brown Act and actions of the superintendent and the Board of Trustees of WUSD that violate Board Bylaws and Government and Education Code procedures.

These complaints pertain to the conflict of interest law (Government Code §1090). This law provides that board members are expected to exercise absolute loyalty and undivided allegiance to the best interest of the school district and public. Even the appearance of the lack of proper procedure is prohibited. These prohibitions have nothing to do with the integrity of the person concerned or his/her individual capacity to be impartial. These prohibitions prevent the individual from being confronted with the need to make a choice between the public good and his or her own personal interests.

The law specifically prohibits public officers and employees from being “financially interested” in any contract made by them in their official capacity, even if the proposed contract is apparently beneficial to the school district because of discounts or special terms offered (Government Code §1090). Moreover, the law prohibits the board itself from entering into any contract in which one of the board members is “financially interested.” Such a conflict cannot be avoided by the abstention of the interested board member, except for narrow exceptions. (Government Code §1091 and §1091.5)

### PROCEDURES FOLLOWED

1. Interviewed relevant witnesses.
2. Reviewed relevant documents.
3. Attended Board meetings.
4. Reviewed internet sites and news articles regarding the functioning of WUSD.

### FINDINGS

1. On July, 20, 2011, a WUSD Board member applied for a teaching position with the district.
2. On July, 29, 2011 (a Friday), this same Board member interviewed with a hiring panel which included two administrators, another teacher, and a parent. This Board member was one of eight candidates who appeared before the hiring panel.

3. On July 31, 2011 (a Sunday), the Superintendent offered the open teaching position to the school board member.
4. Employee time sheets authorized for payment by the Superintendent for 2011 appear unreliable. Hourly employees submit for reimbursement, time sheets that reflect double payment and payment for days on holidays and weekends.
5. On January 11, 2012, the Superintendent changed the date and location of the Board of Trustees meeting without the consent or notification of a majority of the Board members.
6. Some Board Members have not attended school board training which includes provisions of The Brown Act.

## **CONCLUSION**

Small and rural school districts face challenges that urban schools do not. These challenges include obtaining school board member participation from a broad range of the community which they serve. In addition, obtaining the training necessary for those who do volunteer to serve so that they are fully aware and compliant with the Brown Act and other relevant laws is difficult. While difficult, this training is necessary since they and the administrators they hire are responsible for following the law.

Though the Grand Jury received complaints of potential conflicts of interest violations, a careful review of the relevant facts revealed no such violation occurred. It is clear that this school district is working to do the best that it can. Violations of the Brown Act can be easily rectified but the manner in which payroll practices impact the fiscal resources of this district must be firmly addressed.

## **RECOMMENDATIONS**

1. The Superintendent of WUSD adheres to all components of the Brown Act.
2. Board members read and adhere to the board by-laws and operating procedures.
3. Each and every board member attends training available for school board members as soon as possible after election and every two years thereafter.
4. Board members and school administrators should receive additional training on Government Code §1090 regarding conflict of interest.
5. A more consistent manner of reimbursement for hourly employees be enacted and hourly time sheets be more closely monitored for errors in requests for payments.

## **RESPONSES**

Tulare County Office of Education

WUSD Board of Trustees

WUSD Superintendent

## **WASTE WATER TREATMENT A SOLUTION TO OUR WATER WOES**

### **BACKGROUND**

As a result of drought years, water cut backs in Federal and State water allocations, and contamination of ground water throughout the valley from natural and other sources, Tulare County water tables are being depleted.

### **REASON FOR INVESTIGATION**

In 2011 a United Nations (U.N.) representative visited the community of Seville. The report from the U.N. of contaminated water in the community of Seville prompted the 2011-2012 Tulare County Grand Jury (TCGJ) to look into other areas of providing water in Tulare County.

### **PROCEDURES FOLLOWED**

1. Toured Waste Water Treatment (WWT) Sites:
  - a. Visalia City - Residential & Business
  - b. Tulare City - Residential, Business, & Industrial (Dairy)
  - c. Cutler-Orosi Joint Powers Authority - Residential, Business, & Pumping
  - d. Delft Colony (County Operated) - Residential
2. Toured Waste Lift Station and Fresh Water Facilities/Services:
  - a. Seville (County Administered) - Residential & Business
3. Obtained information from additional sites:
  - a. Terra Bella
  - b. Tooleville
  - c. Traver
  - d. Exeter
  - e. Porterville
  - f. Dinuba
  - g. Woodlake
  - h. Tule Indian Reservation
4. Obtained information from Tulare County Resource Management Agency

### **FINDINGS**

1. The cities of Visalia and Tulare waste water treatment plants are treating and making available reclaimed water for other uses.

2. These facilities are capable of handling more than the current flow for the following communities:
  - a. Visalia - 22 million gallons/day (mgd), capacity of 35 mgd
  - b. Tulare domestic/industrial - 18 mgd, capacity of 24 mgd
  - c. Cutler-Orosi - 1.4 mgd, capacity of 2.5 mgd
3. Visalia allows free dumping of recreational vehicle waste at the treatment plant.
4. Tulare, Cutler-Orosi, and Visalia are treating waste water with ultra violet light (UVL) and chlorine.
5. Visalia provides the UVL treated waste water for use on agricultural lands.
6. Tulare also has an industrial waste water treatment plant and primarily treats waste from six large milk processing facilities.
7. The Tulare industrial site has a problem with waste gases such as methane and carbon dioxide.
8. At the Tulare industrial site, all of the waste gases are being captured. Some of them are utilized by generators and/or energy stored into batteries, and the remainders are burned off.
9. Tulare and Visalia owned facilities have solar power to reduce costs of operations.
10. Tulare, Visalia, and Cutler-Orosi facilities have UVL water treatment capabilities.
11. Seville has an antiquated water system that continues to have issues.
12. Future plans for water conservation/use:
  - a. In 2013, Visalia will use a capillary cleaning system (membrane bioreactor) to reduce the cost by eliminating chlorine and minimizing the use of UVL.
  - b. Utilize waste water on City property.
    1. Plaza Park
    2. Golf Course
  - c. Visalia will send surplus treated water to be used by Tulare for agricultural use. In return, Visalia would receive potable ground water at a 2 to 1 ratio.
  - d. Visalia will earn savings by not having to test the waste water sent into the local waterways.
  - e. The City of Tulare and a private individual have applied for grants to showcase the technology for capturing waste water gases to generate and store energy to be a model for international communities.