



# Chualar Union Elementary School District

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August 13, 2018

The Honorable Stephanie E. Hulsey  
Judge of the Superior Court  
County of Monterey  
240 Church Street  
Salinas, CA 93901

Dear Judge Hulsey:

Pursuant to Penal Code section 933.05(f), please consider this letter as the formal response from the Chualar Union Elementary School District Board of Education (“Board” or “School Board”) to the 2018 Monterey County Civil Grand Jury Final Report entitled “*School Boards Make a Difference, Improving Education: The Role of Local School Boards*” (“Final Report”), published on May 29, 2018.

A portion of the Final Report addresses issues related to 24 school districts in Monterey County. With respect to the Chualar Union Elementary School District (the “District”), the Final Report includes eight Findings and six Recommendations that require a response from the Board. Each of the Findings and Recommendations directed to the Board is addressed below in the order presented in the Grand Jury’s Final Report.

This Response was approved by the Board on August 16, 2018.

## ***FINDINGS***

***Finding No. 1:*** “*Student achievement suffers when school districts are unproductive or dysfunctional. It can be very costly and take years to address problems if the Monterey County Office of Education and/or California Department of Education have to step in to support or save a school district.*”

***Response:***

- Agree***
- Partially Disagree*** – specify portion disputed and include explanation for disagreement
- Wholly Disagree*** – specify portion disputed and include explanation for disagreement

***Explanation (if applicable):*** The Board agrees with this Finding.

***Finding No. 2:*** “*There are proactive steps that can be taken by the Monterey County Office of Education in collaboration with school boards to prevent many pitfalls of poor governance.*”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board agrees that effective collaboration can help school boards to avoid many pitfalls of poor governance.

**Finding No. 3:** “The Monterey County Office of Education and local school boards can do more to promote effective local governance that is accountable to the community and produces better district outcomes.”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board agrees with this Finding. Local school boards and the MCOE can always do more to promote effective local governance that is accountable to the community and improves district outcomes.

**Finding No. 4:** “Promoting effective local governance requires better public information, communication, and a strong commitment to board development.”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board agrees with this Finding and is committed to providing better information, improving public communication, and to Board development.

**Finding No. 5:** “Although each school district has individual priorities, school boards can each make a commitment to adhering to best practices, training, and ongoing professional development when it comes to school board governance.”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board agrees with this Finding, and is committed to adhering to best practices as set forth in its Board Bylaws, and to encouraging Board members to participate in training and ongoing professional development.

**Finding No. 6:** “While the Monterey County Office of Education cannot dictate how school boards govern, they can provide stronger leadership in promoting a culture of effective school board governance.”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board agrees with this Finding.

**Finding No. 7:** “Information posted on Monterey County Office of Education and school district websites is insufficient and not user-friendly. It does not provide the public with adequate information about what school boards do, how to evaluate school board performance, or how to assess school district outcomes.”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board partially agrees with this Finding and notes that the District’s website is in the process of being updated in order to make the website clearer and easier for the public to navigate. The updated website will include additional information regarding the Board and links to the District’s to the District’s Local Control and Accountability Plan (“LCAP”) describing District goals and outcomes and the School Accountability Report Card (“SARC”) that includes, among other things, District results on State-wide assessments. The Board partially disagrees with this Finding to the extent that it does not believe that District website should provide additional information regarding “how to evaluate school board performance” as the factors that members of the public consider when evaluating the performance of a school board are highly subjective. The Board has adopted Board Bylaw 9400 (Board Self-Evaluation), requiring the Board to conduct an annual self-evaluation in order to demonstrate accountability to the community and ensure that District governance effectively supports student achievement and the attainment of the District’s vision and goals. This self-evaluation is conducted in open session, and is noted on the Board agenda for the meeting during which it will take place. Ultimately, however, school board members are elected officials, and the election process is the appropriate tool for members of the public to evaluate each Board member’s performance.

**Finding No. 8:** “School boards can do better in fulfilling their responsibility to communicate with school district stakeholders.”

**Response:**

- Agree**
- Partially Disagree** – specify portion disputed and include explanation for disagreement
- Wholly Disagree** – specify portion disputed and include explanation for disagreement

**Explanation (if applicable):** The Board agrees with this Finding.

## **RECOMMENDATIONS**

**Recommendation No. 1:** *“School Boards should adopt a policy to commit to all National School Board Association best practices.”*

**Response:**

- (1) *Has been implemented – include summary of implemented action*
- (2) *Will be implemented in future – include explanation and timeframe*
- (3) *Requires further analysis – include explanation, scope, and parameters of analysis, timeframe (not exceeding six months from the date of publication of the Grand Jury Report.)*
- (4) *Will not be implemented because not warranted or reasonable – include explanation*

**Explanation:** Adoption of a policy committing to all National School Board Association (“NSBA”) best practices is not warranted as the Board has already adopted Board Bylaw 9000 (Role of the Board) and Board Bylaw 9005 (Governance Standards), that are based on best practices recommended by the California School Boards Association (“CSBA”), as well as the National School Boards Association (“NSBA”).

**Recommendation No. 2:** *“School Boards should adopt a bylaw to make initial training and ongoing workshops mandatory.”*

**Response:**

- (1) *Has been implemented – include summary of implemented action*
- (2) *Will be implemented in future – include explanation and timeframe*
- (3) *Requires further analysis – include explanation, scope, and parameters of analysis, timeframe (not exceeding six months from the date of publication of the Grand Jury Report.)*
- (4) *Will not be implemented because not warranted or reasonable – include explanation*

**Explanation:** The Board does not believe that adoption of a new bylaw making initial training and ongoing workshops mandatory is warranted. Board members come to the Board with varying degrees of experience and most have other commitments that make participation in mandatory trainings difficult. The Board has adopted Board Bylaw 9230 (Orientation), that, among other things, requires the Board to convene a meeting to provide an orientation and information to incoming Board members to assist them in understanding the Board’s functions, policies, procedures, protocols, and agreed-upon standards of conduct. Board Bylaw 9230 also requires the Superintendent/Principal or designee to provide new Board members with an orientation that will enable them to understand the responsibilities and expectations of Board membership, and encourages new Board members to attend relevant workshop and conferences. The Board has also adopted Bylaw 9240 (Board Development) permitting all Board members to participate in workshops and conferences for the purpose of Board development and authorizing the expenditure of District funds for this purpose. In addition, following the election or appointment of new members to the Board, the District’s legal counsel provides training to the entire Board regarding the Brown Act and other legal requirements for Board members.

**Recommendation No. 3:** "School Boards, along with their Superintendent and teacher union representatives, should make annual public presentations on school district goals and student achievement."

**Response:**

- (1) *Has been implemented – include summary of implemented action*
- (2) *Will be implemented in future – include explanation and timeframe*
- (3) *Requires further analysis – include explanation, scope, and parameters of analysis, timeframe (not exceeding six months from the date of publication of the Grand Jury Report.)*
- (4) *Will not be implemented because not warranted or reasonable – include explanation*

**Explanation:** The Board does not believe that it is reasonable for "School Boards, along with their Superintendent and teacher union representatives to make public presentations on school district goals and student achievement." Currently, the Superintendent/Principal and the Academic Coach report regularly to the Board and the general public regarding District goals, assessment results, and student achievement, including information regarding the LCAP and the new California Schools Dashboard. This information is also shared with the District's teaching staff. All employees, including union representatives, have the opportunity to comment on all agenda items, including the Superintendent/Principal and Academic Coach, during regular Board meetings. District teachers also participate in the LCAP and School Accountability Report Card ("SARC") development process.

**Recommendation No. 4:** "School Boards should provide clear, concise, and easy-to-find communications on their district's goals and outcomes on their district website."

**Response:**

- (1) *Has been implemented – include summary of implemented action*
- (2) *Will be implemented in future – include explanation and timeframe*
- (3) *Requires further analysis – include explanation, scope, and parameters of analysis, timeframe (not exceeding six months from the date of publication of the Grand Jury Report.)*
- (4) *Will not be implemented because not warranted or reasonable – include explanation*

**Explanation:** The District's website is currently being updated to include links to the District's LCAP describing District goals and outcomes and the SARC that includes, among other things, District results on State-wide assessments. These and other improvements to the District website will be completed by the end of 2018.

**Recommendation No. 5:** "School Boards should provide information on their district's website about the role and responsibilities of school board members to educate parents, the public and potential school board candidates."

**Response:**

- (1) *Has been implemented – include summary of implemented action*
- (2) *Will be implemented in future – include explanation and timeframe*
- (3) *Requires further analysis – include explanation, scope, and parameters of analysis, timeframe (not exceeding six months from the date of publication of the Grand Jury Report.)*
- (4) *Will not be implemented because not warranted or reasonable – include explanation*

**Explanation:** The District website is currently being updated to make it clearer and easier to navigate for parents, members of the public, including potential School Board candidates. The updated website

will include additional Board information, and will have links to Board Policies and Board Bylaws describing the role and responsibilities of School Board members and to links on the MCOE website describing the duties and commitment associated with serving on a local school board. These improvements to the District website will be completed by the end of 2018.


**Recommendation No. 6:** “School Boards should provide access to informational sessions to educate potential school board candidates on the duties and commitment associated with serving on a local school board.”

**Response:**

- (1) **Has been implemented** – include summary of implemented action
- (2) **Will be implemented in future** – include explanation and timeframe
- (3) **Requires further analysis** – include explanation, scope, and parameters of analysis, timeframe (not exceeding six months from the date of publication of the Grand Jury Report.)
- (4) **Will not be implemented because not warranted or reasonable** – include explanation

**Explanation:** The District’s practice is to provide individual informational sessions with the Superintendent/Principal and other District staff, as appropriate, for potential School Board candidates before each election. In accordance with this practice, prior to the upcoming November election, the District will post information on the District website encouraging potential candidates to make appointments with the Superintendent/Principal to review the role and responsibilities of School Board members. The District website will also direct potential School Board candidates to relevant Board Bylaws describing the role and responsibilities of School Board members and to links on the MCOE website describing the duties and commitment associated with serving on a local school board.

Sincerely,



Roberto Rios  
Superintendent/Principal