



BOARD OF EDUCATION
Gloria Allen
Colleen Boardman
Daniel Castillo
Beverly Fitch McCarthy
Jose A. Morales
Sal Ramirez
William Ross

Celebrating 150 Years of Quality Education

August 25, 2009

The Honorable William J. Murray
Presiding Judge, San Joaquin County Superior Court
222 East Weber Avenue, Room 303
Stockton, California 95202

Dear Judge Murray:

On behalf of the SUSD Board of Education, I respectfully submit the following response to the San Joaquin County Grand Jury Report issued on May 29, 2009. The exact vote on the Board's response to each finding and recommendation is reflected in the Minutes of the special meeting of the SUSD Board of Education held on August 25, 2009, which will be forthcoming upon approval by the Board.

As to 2008/2009 Grand Jury Findings 1, 2 and 4-14, SUSD agrees with each finding.

As to 2008/2009 Grand Jury Finding 3: The Board disagrees with this finding and believes that all qualified applicants should have been and shall be considered for new and promotional positions.

As to 2008/2009 Grand Jury Recommendation #1, the recommendation has been implemented in that the Board of Trustees and the administration embrace the well-being and success of our students as our district's top priority. Compliance with this recommendation manifests itself in our district's overall ethos and finds its way into initiatives large and small on a routine basis.

As to 2008/2009 Grand Jury Recommendation #2, the recommendation has not yet been implemented, but will be within the next six months. The report has been thoroughly reviewed by all departments. As the district develops a five-year plan, the FCMAT recommendations will be appropriately integrated into that plan for district operations.

Please contact me if there is anything further is required. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read 'Daniel Castillo'.

Daniel Castillo
Board President

BOARD OF EDUCATION
Stockton Unified School District
701 North Madison Street
Stockton, California 95202

August 25, 2009
5:00 PM

PUBLIC SESSION
Boardroom

NOTICE OF SPECIAL MEETING

PUBLIC COMMENTS ARE LIMITED TO THREE MINUTES
TO ENSURE AN ORDERLY AND EFFICIENT BOARD MEETING
(Board Bylaw 9325)

AGENDA

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1.0 Organization

- 1.1 Welcome to Members of the Community/Announcements
- 1.2 Roll Call
- 1.3 Pledge of Allegiance to the Flag

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| A | 1.4 The board will take action on its Response to 2008-2009
Grand Jury Report issued May 29, 2009. |
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2.0 Adjournment

Dated: August 24, 2009
Posted 4:30 p.m.
Stockton, California

- A** Indicates Action Item
- (C)A** Indicates Consent Action Item (see reverse for details)
- I** Indicates Information Item

BOARD OF EDUCATION
Stockton Unified School District
701 North Madison Street
Stockton, California 95202

August 25, 2009
5:04 PM

PUBLIC SESSION
Boardroom

SPECIAL MEETING

**PUBLIC COMMENTS ARE LIMITED TO THREE MINUTES
TO ENSURE AN ORDERLY AND EFFICIENT BOARD MEETING**
(Board Bylaw 9325)

PUBLIC MINUTES

1.0 Organization

- 1.1 Welcome to Members of the Community/Announcements
- 1.2 Roll Call
Gloria Allen, Sal Ramirez, Jose Morales, Colleen Boardman,
Beverly McCarthy, Dan Castillo, Anthony Amato
- 1.3 Pledge of Allegiance to the Flag

A	1.4 The board will take action on its Response to 2008-2009 Grand Jury Report issued May 29, 2009.	
M/S	Morales/Boardman moved to open for discussion	
M/S	McCarthy/Ross moved to discuss Grand Jury's Response item by item (attached.)	
Ayes	McCarthy, Ramirez, Morales, Ross	
Noes	Castillo, Boardman, Allen	
	MOTION CARRIED.	
M/S	McCarthy/Castillo moved to continue this special meeting following the conclusion of the general meeting.	Meeting to continue following adjournment of regular meeting.
Ayes	Allen, Ramirez, McCarthy, Ross, Morales, Boardman, Castillo	
	MOTION CARRIED.	

6:25 p.m. Recessed to Closed Session Meeting

9:15 p.m. Reconvened Special Meeting

Draft Minutes pending approval of Minutes by the Board of Education at the September 8, 2009 Board Meeting. Official copy will be provided.

RECOMMENDATIONS: 2008/2009 GRAND JURY FINDINGS

M/S Ayes	<p>2008/2009 GRAND JURY FINDING 1: This recommendation has been implemented. The Superintendent now gives all consultant contracts to the Board for approval. The Board receives professional, well-prepared documents containing adequate information to make informed decisions.</p> <p>McCarthy/Boardman moved to accept Finding No. 1 Allen, Ramirez, Morales, Boardman, McCarthy, Ross, Castillo MOTION CARRIED.</p>	Accepted finding by a vote of 7-0.
M/S Ayes	<p>2008/2009 GRAND JURY FINDING 2: This recommendation has been implemented. The Superintendent created and filled several new positions with SUSD employees to perform tasks formerly done by consultants.</p> <p>McCarthy/Castillo moved to accept Finding No. 2 Allen, Ramirez, Morales, Boardman, McCarthy, Ross, Castillo MOTION CARRIED.</p>	Accepted finding by a vote of 7-0.
M/S Ayes	<p>2008/2009 GRAND JURY FINDING 3: This recommendation has been partially implemented. The Superintendent retains the ability to create positions and hire without competitive process. The Grand Jury believes the Superintendent used the power wisely when reorganizing SUSD administration. Most administrative positions were filled with qualified personnel from the pool of current SUSD employees, rather than going outside the District.</p> <p>McCarthy/Castillo moved to accept with Finding No. 3 Allen, Ramirez, Morales, Boardman, McCarthy, Ross, Castillo Ramirez, Morales, McCarthy, Ross MOTION DEFEATED.</p>	Accepted finding by a vote of 7-0.
M/S Ayes Noes	<p>2008/2009 GRAND JURY FINDING 4: This recommendation has been implemented. SUSD retained the Fiscal Crisis and Management Assistance Team who conducted an audit of all operations and prepared a 195 page report. Most facets of SUSD operations received high ratings. However, the section of the audit dealing with categorical funds did not. Section P A 5.6 of the report contains 9 findings and 12 recommendations for improvement of SUSD's management of categorical funds. The conclusion of the section reads simply: "Standard Implemented: Not Implemented, Rating: 0." The range of ratings are from 0 (lowest) to 10 (highest).</p> <p>McCarthy/Castillo moved to accept Finding No. 4 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	Accepted finding by a vote of 6-1.

<p>M/S Ayes Noes</p>	<p>2008/2009 GRAND JURY FINDING 5: This recommendation has been implemented. The Board of Education receives a thorough report entitled "General Ledger Transactions -Superintendents Location" that lists all purchases. The level of detail provided in the report has improved dramatically under the current Superintendent.</p> <p>McCarthy/Boardman moved to accept Finding No. 5 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	<p>Accepted finding by a vote of 6-1.</p>
<p>M/S Ayes Noes</p>	<p>2008/2009 GRAND JURY FINDING 6: This recommendation is being implemented. The Superintendent is providing concise, reliable data to the Board of Education.</p> <p>Morales/Castillo moved to accept Finding No. 6 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	<p>Accepted finding by a vote of 6-1.</p>
<p>M/S Ayes Noes</p>	<p>2008/2009 GRAND JURY FINDING 7: This recommendation could easily be implemented, should district-wide fund raising occur in the future. SUSD staff found the Bylaws for SUSD 1852, a nonprofit corporation, created for the 150th anniversary celebration. It was inexcusable for the previous Superintendent and Board not to reactivate and use an existing foundation when fundraising for the Celebrity Waiter Luncheon.</p> <p>Boardman/Morales moved to accept Finding No. 7 Allen, Ramirez, Morales, Boardman, Ross, Castillo McCarthy MOTION CARRIED.</p>	<p>Accepted finding by a vote of 6-1.</p>
<p>M/S Ayes</p>	<p>2008/2009 GRAND JURY FINDING 8: The recommendation is likely to be implemented if SUSD conducts district-wide fund raising with a foundation. With additional oversight from an independent organization, it will be much more difficult to conceal the source of funds and how they were spent.</p> <p>Boardman/Castillo moved to accept Finding No. 8 Allen, Ramirez, Morales, Boardman, McCarthy, Ross, Castillo MOTION CARRIED.</p>	<p>Accepted finding by a vote of 7-0.</p>

M/S Ayes Noes	<p>2008/2009 GRAND JURY FINDING 9: This recommendation has been implemented. Three new Trustees were elected in November 2008 and a new management team is in place.</p> <p>Boardman/Allen moved to accept Finding No. 9 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	Accepted finding by a vote of 6-1.
M/S Ayes Noes	<p>2008/2009 GRAND JURY FINDING 10: This recommendation has been implemented. SUSD has a solid management team in place. The Superintendent has vision and is a strong proponent of improving student outcome. He is looking at all facets of SUSD and implementing necessary changes</p> <p>Boardman/Castillo moved to accept Finding No. 10 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	Accepted finding by a vote of 6-1.
M/S Ayes Noes	<p>2008/2009 GRAND JURY FINDING 11; This recommendation has been implemented. The Board established a Citizen's Bond Oversight Committee to oversee both Measure C and Measure Q Bonds. The Superintendent has proposed numerous changes to proposed bond projects. Current plans for high school renovation may be replaced with plans to build new high schools.</p> <p>Boardman/Castillo moved to accept Finding No. 11 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	Accepted finding by a vote of 6-1.
M/S Ayes Noes	<p>2008/2009 GRAND JURY FINDING 12: The Superintendent and Trustees took a calculated risk in using the Success for All program. The program was not approved for use by the California Department of Education. The Grand Jury believes this risk was justified.</p> <p>Boardman/Castillo moved to accept Finding No. 12 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.</p>	Accepted finding by a vote of 6-1.
	<p>2008/2009 GRAND JURY FINDING 13: The Superintendent and Trustees took a calculated risk in offering SAT testing and preparation training at no cost to students. Approximately 70% of seniors participated, up from 8% the year before. Again, the Grand Jury believes the risk was justified.</p>	

M/S Ayes	Boardman/Castillo moved to accept Finding No. 13 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo, Ross MOTION CARRIED.	Accepted finding by a vote of 7-0.
<p>2008/2009 GRAND JURY FINDING 14: The Superintendent resides within Stockton city limits and within the Lodi Unified School District. A family member was enrolled in a SUSD pre-school program targeted to disadvantaged youth. All supporting documentation was reviewed by the Grand Jury and appeared to be in order. Further, the Superintendent kept a promise he made to enroll family members at SUSD.</p>		
M/S Ayes Noes	Boardman/Castillo moved to accept Finding No. 14 Allen, Ramirez, Morales, Boardman, McCarthy, Castillo Ross MOTION CARRIED.	Accepted finding by a vote of 6-1.

RECOMMENDATIONS: 2008/2009 GRAND JURY

M/S	<p>1. The Board of Education and Superintendent continue to take an occasional calculated risk to improve student performance and outcome.</p> <p>Boardman/Castillo moved to accept Response to Recommendation "c" to read as follows:</p> <p>As to 2008/2009 Grand Jury Recommendation #1, the recommendation has been implemented in that the Board of Trustees and the administration embrace the well-being and success of our students as our district's top priority. To that end, we will not hesitate to take a calculated risk after due and appropriate consideration of all of the ramifications of any specific undertaking. There is no particular summary of action taken that I can provide. Compliance with this recommendation manifests itself in our district's overall ethos and finds its way into initiatives large and small on a routine basis.</p>	Accepted response "c" by a vote of 6 ayes and 1 abstention with changes.
Ayes Abstained	Allen, Ramirez, Morales, Boardman, Castillo, Ross McCarthy MOTION CARRIED.	
M/S Ayes	<p>2. The Board of Education and Superintendent thoroughly review the March 2009. Fiscal Crisis & Management Assistance Team (FCMAT) report and implement the recommendations.</p> <p>Boardman/Castillo moved to accept Response to Recommendation "b"</p> <p>Allen, Ramirez, Morales, Boardman, McCarthy, Castillo, Ross MOTION CARRIED.</p>	Accepted response "b" by a vote of 7-0.

2.0 Adjournment

Adjourned at 10:15 p.m.

Anthony Amato, Superintendent
Governing Board, Stockton Unified School District

A Indicates Action Item

(C)A Indicates Consent Action Item (see reverse for details)

I Indicates Information Item