



# VALLEJO CITY

## UNIFIED SCHOOL DISTRICT

Ramona E. Bishop, Ed.D. • Superintendent

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September 9, 2016

The Honorable Robert C. Fracchia  
Presiding Judge of the Superior Court  
Solano Superior Court  
600 Union Avenue  
Fairfield, CA 94533

Subject: Response of Vallejo City Unified School District to the 2015-2016  
Solano County Grand Jury Report

Dear Presiding Judge Fracchia:

### INTRODUCTION

The Vallejo City Unified School District ("District" or "VCUSD") has received a copy of the 2015-2016 Solano County Grand Jury Report ("Report") entitled "Vallejo High Schools-Are They Safe?" In the Report, the Grand Jury requests that the District's Board of Trustees ("Board") reply to certain of its Findings and Recommendations and I, Ramona Bishop, Ed.D., Superintendent, separately respond to specific Findings and Recommendations.<sup>1</sup> This response is prepared and submitted by me, Superintendent Bishop, pursuant to Penal Code section 933, subsection (c).

The District respects the function of the Grand Jury to investigate and report on the operations of local government agencies, and the District has fully cooperated with the Grand Jury's requests, including production of documents and interviews with witnesses. The Grand Jury plays an important role as a check and a balance against the abuse of authority and the misuse of public funds.

It is apparent that the Grand Jury spent an extensive amount of time and effort in preparing the Report, and arriving at the acknowledgment of "the hard work and many successes of the District during these difficult times," (Report, at page 2)<sup>1</sup>. The District finds some valid observations in the Report that will be considered in its future administration of programs and allocation of its limited resources. At the same time, the Report is somewhat flawed in its analysis in that it appears that some of the Grand Jury's Findings and Recommendations are a result of speculation, subjectivity, and legal misinterpretation.

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<sup>1</sup> The Grand Jury requests that the Board respond to Findings and Recommendations: 7A, 7B, 7C, 11, 16B, 18A, 18B, 19A, 19B, 19C, 19D and 19E. The Report also requests that Superintendent Bishop respond to Findings and Recommendations: 1A, 1B, 2A, 2B, 3A, 3B, 3C, 3D, 4A, 4B, 5, 6, 7A, 7B, 7C, 8A, 8B, 9, 10A, 10B, 12, 13, 14, 15, 16A, 17A, 17B, and 17C.

<sup>1</sup> While the copy of the 39 page Report provided to the District is not actually paginated, reference will be made to page numbers for ease of reference.

Specifically, the Report lacks rigor in that:

1. It relies in some instances on anecdotal information;
2. It fails to adequately recognize the very real budget limitations that have forced school districts to make difficult choices in terms of priorities to support the education of students;
3. It is speculative in nature in some instances that serve to sensationalize a report that, by its very title, seems to focus on a subjective standard and not on actual District operations;
4. It fails to recognize the commitment and strong support of students, staff, and community members for the District's programs, services, and leadership;
5. It lacks an understanding of the realities of public sector labor relations; and
6. It discusses facts and makes recommendations regarding District operations that are essentially unrelated to the stated subject of high school safety.

### **DISCUSSION**

At the outset, on the assumption that the Report and this response will be reviewed by the public, the District wants to reassure its students, families, and staff that:

1. The schools of Vallejo City Unified School District are safe. The District has instituted proactive measures to work toward preventing issues from occurring but, whenever disciplinary issues arise, which they do in all school communities, such matters are promptly addressed.
2. The District continues to be proactive in its incorporation of new strategies to maintain safe campuses that provide a motivating learning environment.

District staff continues to be committed to providing a safe and motivating learning environment to students. This commitment is not without challenges that are common to school districts throughout California. That commitment includes an objective review of the Report and consideration of those Findings and Recommendations that are well-founded. At the same time, there are some aspects of the Report that are speculative or otherwise questionable, and that must be noted for the public record. The following examples are not intended to be exhaustive, but rather, are for the purpose of illustrating some of the Report's flaws.



### Anecdotal Information

There are observations in the Report that are inaccurate because they are based on limited/incomplete information or data. For example, there is discussion of media coverage of the District (Report, at p. 7) which implies that such coverage is universally negative. While the District is concerned about balanced coverage by news/social media, there is some, albeit limited, positive coverage of District activities that reflects the achievements of both students and staff. As is addressed in the Superintendent's responses to Finding 2, the District takes affirmative steps to ensure that the successes of its programs and achievements of its students are publicized and publicly recognized.

A substantive example of conclusions reached based on limited information is the discussion of gang violence. (Report, p. 10.) The Report first notes that gang violence does not appear to be serious on the high school campuses, but then goes on to refer to one teacher and one student at Vallejo High School ("VHS") stating that gangs are a serious problem, leaving the impression that a serious problem exists contrary to the Report's initial conclusion.

These are only examples of limited information or innuendo that have led to general conclusions that are not supported in fact. What is supported in fact is that there are many dedicated District constituencies, including Board members, staff, students, and parents who have committed their time, training, and focus to making the District a safe and rich learning environment.

### Speculation

The Report opines that the District has not explored alternatives to out-of-school suspension. (Report, at p. 17.) The fact is that such alternatives have been considered and used, and there are positive and negative factors associated with various out-of-school and in-school options.

The Report notes what it implies is a laudable decrease in the number of "heavy-handed approach" suspensions/expulsions (Report, at p. 13), but then proceeds to suggest that the result stems from some unidentified arbitrary component of school administration. This conclusion is attributed to what an unidentified number of school community members "think" (Report, at p. 14); however, consideration is never given to the possibility that these opinions may be based on a failure or refusal to "buy in" to the evolution away from traditional discipline. In fact, District efforts have been based at least in part on a transition away from traditional "punitive-based" discipline to a researched-based restorative justice approach.

In referring to definitions of the term "battery" (Report, at p. 20), the comment is made that the District's definition of the crime is not as strong as the definition offered by the California Penal Code. This is speculative, or simply inaccurate. Whereas, the Penal Code definition focuses on an "unlawful or willful use of force" upon another, the District's definition noted in the Report is victim-focused, referring to the "touching [of] another person and the person feeling victimized." In fact, the District's definition is broader and thus stronger than the Penal Code alternative.

### Failure to Recognize Budget Limitations

As is often the case with studies/reports/analyses done by third parties, there is insufficient recognition of the financial hardship imposed on California school districts in their attempt to provide necessary educational services and support to students and staff. The Education Week Resource Center reported that California's budget for education in 2015-2016 as 40<sup>th</sup> among the 50 states in per student funding.<sup>1</sup> The Report's discussion about school resource officers (SROs) and the desirability of increasing their number (Report, at p. 22) notes costs, but does not recognize those costs as a major impediment to implementation of the recommendation.

Similarly, facilities issues, e.g., video cameras and bathrooms, discussed in the Report (Report, at p. 20), involve considerable financial considerations while constituting valid topics that will be addressed. In fact, they are being addressed statewide by what is known as the Williams complaint procedures that allow complaints to be filed regarding alleged deficiencies in school district facilities; however, in identifying the issue, the Report does address the issue of costs that require a prioritization with other District needs and obligations. The Report also does recognize the amount of funding the District has expended on the installation, repair, and maintenance of video surveillance equipment.

### Lack of Understanding/Appreciation of the Realities of Public Sector Labor Negotiations

The Report does not recognize or otherwise mention the integral role of public school employee labor unions in school district programs that are performed by bargaining unit members. Many aspects of the Report involve recommendations that necessarily call on District staff to make additional commitments in the way of time or new priorities. To the extent that numerous staff members, e.g., teachers, are members of collective bargaining units, any new initiatives by the District that are within the scope of bargaining will require labor negotiations with, and agreement by, responsible labor unions.

### Discussion, Findings and Recommendations Unrelated to High School Safety

The latter part of the Report appears to stray from its stated purpose by addressing facilities issues and issues of governance (Report, at pp. 23, 25, and 27). In particular, administrative styles and the respective positions taken by school board members who are elected to represent their community, are both individual and rarely uniform. In the case of administrators, their performance can be evaluated by the Superintendent and the Board. In the case of Board members, their respective positions are shared and issues are brought forward for a vote. Regardless, it is submitted that these issues are not properly a part of the Report.

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<sup>1</sup> Education Week Resource Center, 2016.



## RESPONSES TO RECOMMENDATIONS

My response to the Report's recommendations (Report, at pp. 29-35) are set out below.

### Finding 1

*The Vallejo City Unified School District (District) has implemented several excellent programs to improve school climate and safety in the high schools, but inadequate training and inconsistent application has undermined faculty and student support thereby limiting the effectiveness of these programs.*

The District agrees in part and disagrees in part with this Finding.

### Recommendation 1

- 1A The District prioritize the Positive Behavior Intervention System (PBIS) and Restorative Justice (RJ) programs so all teachers and staff understand their importance and are able to fit them into their schedules for training. Training be consistent and ongoing.*
- 1B The District increase the PBIS and RJ sessions held at each high school.*
- 1C The Vallejo Education Association assist the District by encouraging teachers to participate in training and professional development.*

### Response to Recommendation 1A

I appreciate the Grand Jury's recognition of the numerous excellent programs that have been implemented in the District to "improve school climate and safety in the high schools." (Report, at p. 29.) As is clearly demonstrated in the numerous documents the District provided to the Grand Jury in response to its request for information, the District has actively committed itself to the use of Positive Behavior Intervention System ("PBIS") and Restorative Justice ("RJ"). As shared with the Grand Jury, PBIS is a schoolwide/district-wide research-based approach to making schools safe and promoting positive behavior. PBIS works in combination with the commitment of administrators, teachers, and parents. RJ promotes values and principles that use inclusive, collaborative approaches for students to be part of the school community.

In order to ensure an understanding of the purpose and implementation of PBIS and RJ, the District convened numerous training sessions for teachers, staff, and administrators. Every new teacher in their teacher orientation receives PBIS training and the Best Behavior book (PBIS Manual) by Dr. Jeffrey Sprague. Beginning with the 2011-2012 school year through the 2015-2016 school year, the District offered approximately 29 PBIS and RJ training sessions with over 2,935 staff, teachers, and

administrators participating in the District's PBIS and RJ training sessions.<sup>2</sup> In addition to the District providing training sessions, school sites conducted their own PBIS and RJ training sessions.

The District does agree that more teachers need to be trained in PBIS and RJ. The District has made efforts to increase the number of opportunities for teachers to attend training sessions and receive assistance with the implementation of these innovative programs. Unfortunately, as explained to the Grand Jury, the terms of the collective bargaining agreement between the District and the Vallejo Education Association does not allow the District to mandate that certificated personnel attend the training sessions. In an effort to properly train all teachers often, training is conducted at staff meetings. Every teacher who wished to be fully trained or increase his/her knowledge in PBIS and RJ was provided the opportunity to do so.

#### **Response to Recommendation 1B**

The District will continue to offer PBIS and RJ training sessions for our high school teachers and encourage them to attend the trainings so they may acquire/improve upon their skills in implementing PBIS and RJ practices. Training sessions are currently being scheduled for certificated staff throughout the District for the 2016-2017 school year.

#### **Finding 2**

*News and social media emphasize only negative events that occur at the high schools.*

The District agrees in part and disagrees in part with this Finding.

#### **Recommendation 2**

- 2A *The District utilize all tools to publicize student achievements and awards such as on District's and school Websites, Facebook and the Vallejo City Unified School District App.*
- 2B *The District explore ways to develop a relationship with local news media to balance reporting, including utilizing Vallejo Community Access Television (VCAT).*

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<sup>2</sup> 2935 may include a number of staff, teachers, and administrators who attended multiple training sessions.



### **Response to Recommendation 2A**

The District is perplexed by the Grand Jury's Recommendation 2A, recommending "The District utilize all tools to publicize student achievements and awards such as on District's and school Websites, Facebook and the Vallejo City Unified School District App." (Report, at p. 29.) The District has been utilizing these social media mediums to share positive information regarding numerous matters including, but not limited to, student achievements, school/District awards, improved graduation rates, and staff successes. This information is posted on the District's website in both English and Spanish and available for review by parents, students, teachers, staff, and the general public.

The District's website contains a plethora of valuable and encouraging information available in multiple languages. One of the most important entries on the District's website home page is the weekly personal message from Superintendent Bishop to the school district community. For example, in her July 12, 2016 post, the Superintendent discusses in *Dr. Bishop's Positive Weekly Message* how the District's improved and collaborative instructional efforts have resulted in increased graduation rates.

"Our district graduation rate has climbed to 73.8 percent, an increase of almost 20 percent over six years," said VCUSD Superintendent Ramona Bishop, president of the California Association of African-American Superintendents and Administrators. "During the timeframe, the graduation rate for African American and Latino students has increased even higher, by 26 percent for Latino students and 23.6 percent for African American students. This has resulted in helping us close the achievement gap in this area. Latino student graduation rate is only 2.8 percent behind the overall student rate and African American students are closing too, at only a 4.4 percent gap."

Due to the persistent negative portrayal of the District by some media outlets and their failure to report on the successes of the District, the District has instituted several means to publicize the accomplishments of its students, staff, and administration. By taking its publicity and exposure into its own hands, the District is able to ensure that its stakeholders and the general public receive accurate and balanced information.

Between January 13, 2014 and August 17, 2016, the District posted approximately 344 Facebook and Twitter messages, including *Dr. Bishop's Positive Weekly Message*. There were approximately 30,000 views of these posts during that time period. The District's postings celebrated the achievements of our students, staff, and the District, as well as provided general information important to our District's families. The District's website has been and continues to be used as one of the District's key platforms for informing our stakeholders and the general public about the accomplishments occurring throughout the District. *Dr. Bishop's Positive Weekly Message* is also distributed by site administrators to their respective school communities on the school's website and/or in the school's flyer. Further, each school site uses its websites to promote their school's accomplishments.

The District also implemented the use of the *VCUSD Positive News Team* that allows students to produce positive news stories that may be viewed several ways such as, Vallejo Community Access Television, school websites, and the school's YouTube Channel. The *VCUSD Positive News Team* offers students the opportunity to learn the fundamentals of effective video news journalism through classroom and hands-on training that incorporates research, pitching, producing, and filming.

The District also implemented the use of a VCUSD Parent App and VCUSD Aeries Parent Portal. During the 2015-2016 school year, there were approximately 3,538 VCUSD App followers. The VCUSD Aeries Parent Portal was implemented by the District in 2015 and allows parents to remain updated on their child's educational program. During the 2015-2016, there were approximately 800 VCUSD Aeries Parent Portal users.

### **Response to Recommendation 2B**

As recognized by the Grand Jury in its Report, the District has implemented excellent educational programs and safety improvement measures. (Report, at p. 29.) Unfortunately, some media outlets choose to report negative stories, rather than recognize the many positive accomplishments of our students, staff, and Board. While the District has made every effort to provide the media with information regarding the many successes occurring in our District, we have little control over what certain media outlets choose to publish. The District will continue its efforts to foster a positive working relationship with all media outlets. We have begun to partner with local media outlets to strengthen the student positive news team structure and allow for broader distribution. It may be of assistance if the Grand Jury would emphasize with the local media the need to provide balanced reporting of all aspects of the District's programs and encourage reporting on the positive accomplishments of the District, including academic progress, improved graduation rates, and program development.

### **Finding 3**

*The California Healthy Kids Survey (CHKS), along with the California School Climate Survey (CSCS) and the California School Parents Survey (CSPS) are excellent and economical tools to help gauge school climate and student safety, yet the surveys have been underutilized in the District.*

The District is currently implementing this Finding.

### **Recommendation 3**

3A     *The District continues student participation in the California Healthy Kids Survey (CHKS) on at least a biennial basis.*

3B     *The District increase teacher and staff participation in their portion of the California School Climate Survey (CSCS).*

3C     *The District include the parents in the California School Parents Survey (CSPS).*



*3D The District make California Healthy Kids Survey (CHKS) available for public dissemination on the District Website.*

### **Response to Recommendation 3A**

The District has administered and intends to continue to administer the California Healthy Kids Survey ("CHKS") to students as a means of measuring school climate. The District administered the CHKS in the fall 2016. The District has and continues to encourage students to participate in the CHKS.

### **Response to Recommendation 3B**

The District encourages teachers and staff to participate in their portion of the California School Climate Survey ("CSCS"). The District cannot mandate teacher or staff participation, but the District will continue to emphasize with site administrators the need to remind teachers and staff of the important role they play in accurately measuring school climate, and therefore, their completion of the CSCS is a key component in the survey process.

### **Response to Recommendation 3C**

The District has administered and intends to continue to distribute the California Schools Parent Survey to parents ("CSPS"). The District has and continues to encourage parents to participate in the CSPS.

### **Response to Recommendation 3D**

The CHKS is funded by the California Department of Education through WestEd, a nonpartisan, nonprofit research, development, and service agency.<sup>3</sup> Although the CHKS is voluntary, the District has elected to utilize this instrument as a proactive means of continuing review of school safety and climate. As part of the CHKS process, the surveys are submitted to WestEd where the responses are tabulated and results issued. WestEd publishes the results of every school participating in the CHKS on its website at <http://chks.wested.org>. The District finds no need to duplicate information that is available and easily accessible on WestEd's website.

In addition to the administration of the CHKS, CSCS, and CSPS, the District voluntarily participated in a Schools Safety Tools pilot test administered by the American Institutes for Research in November 2015. The pilot test affirms that the District utilizes positive behavioral measures in addressing the conduct of

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<sup>3</sup> WestEd's CHKS is a comprehensive assessment of school climate and student attitudes, behaviors, and supports related to success in school, career, and life. The CHKS is available to all California local education agencies.

its students, and offers additional steps the District can use to improve certain aspects of its disciplinary practices.

**Finding 4**

*District and school Websites contain limited information on anti-discrimination policy, anti-bullying policy and complaint procedures. School Websites are outdated and the District Website contains broken links to sources for anti-bullying. The Student Planner for Vallejo High School (VHS) has little anti-bullying information. This was a Finding in prior Grand Jury Report (2013-2014).*

The District agrees in part and disagrees in part with this Finding.

**Recommendation 4**

- 4A     *The District update and fix broken links to District/School anti-bullying Websites.*
- 4B     *The District include the same anti-bullying information in the VHS Student Planner as in the Jesse Bethel High School's (JBHS) Student Handbook.*

**Response to Recommendation 4A**

The District has updated and repaired the links to the District/School anti-bullying websites.

The websites of VHS and Jesse Bethel High School ("JBHS"), also include information regarding the WeTip Program. The WeTip Program was developed with the assistance of law enforcement and allows students to report suspected criminal activity without having to reveal their identity. Each tip is reviewed and forwarded to the school liaison and law enforcement. WeTip allows the reporting of the following conduct/activity:

- > Bullying and Threats
- > Sex Crimes
- > Violent Crimes
- > Gang Activity
- > Arson/Property Destruction
- > Unsafe Conditions/Safety Violations
- > Workers Compensation and Insurance Fraud
- > Drugs/Illegal Substances/Alcohol
- > Theft/Robbery/Burglary
- > Discrimination/Harassment
- > Arson/Terrorism/Bombs



Noncriminal activity reported on the WeTip system is referred to the District for investigation and resolution.

**Response to Recommendation 4B**

Both VHS and JBHS Student Handbooks contain anti-bullying information. In fact, the schools' Student Handbooks contain extensive information regarding student safety and school site/district regulations regarding appropriate behavior. Further, each handbook specifically details the processes for filing discrimination complaints, reporting unlawful activity, and addressing code of conduct violations.

Each handbook defines PBIS and indicates that the each school has adopted PBIS in order to improve behavior outcomes for students. (Jesse Bethel High School 2016-2017 Student Handbook, p. 14; Vallejo High School 2016-2017 Student Handbook, p. 15.) RJ is also promoted in each of the handbooks and the principles of RJ are clearly explained. The Behavior Expectations for Common Areas of RJ are specifically outlined in each handbook. (Jesse Bethel High School 2016-2017 Student Handbook, p. 16; Vallejo High School 2016-2017 Student Handbook, p. 18).

Each school's handbook also delineates the District's progressive discipline plan and describes in detail why, how, and when specific forms of discipline will be imposed. Finally, the handbooks contain a notice of the District's notice of Discrimination and Harassment, one addressed to parents and another for students.

**Finding 5**

*There has been little or no current anti-bullying training for school site faculty and staff.*

The District disagrees with this Finding.

**Recommendation 5**

*The District increase anti-bullying training for all school site faculty and staff.*

**Response to Recommendation 5**

The District has conducted numerous anti-harassment, anti-discrimination training sessions. (See also Response to Recommendation 1A.) These trainings incorporated anti-bullying prevention. Anti-bullying is not taught in isolation, it is part of the District's overall PBIS and RJ training strategy. The PBIS and RJ training include a comprehensive discussion of aggression, violence, threats, intimidation, and isolated aggression. Each of these factors compromises the

ability of students to learn and perform in school. The training emphasizes the need to establish a school-wide expectation for "common respect" and teaching what that means. The trainings also emphasize that all students, faculty, and staff members share in the responsibility of making school a respectful setting that can make a difference. Anti-bullying is one component of the District's PBIS and RJ training strand.

#### **Finding 6**

*Expulsions reported to the California Department of Education (CDE) do not agree with those reported to the Grand Jury by the District.*

The District agrees in part and disagrees in part with this Finding.

#### **Recommendation 6**

*The District work in conjunction with the CDE to correct the apparent discrepancy in the expulsion count reported by the CDE for both VHS and JBHS.*

#### **Response to Recommendation 6**

The District's student discipline data is gathered by CDE from the California Longitudinal Pupil Achievement Data System ("CALPADS").<sup>4</sup> The CALPADS information is derived directly from the comprehensive student data management system known as Aeries.<sup>5</sup> The District verified that the number of expulsions for VHS and JBHS were accurately recorded into the Aeries system using the standard process for reporting expulsion data. It was subsequently discovered that a glitch occurred in the reporting of the expulsion information provided or sent to CDE through the Aeries system. After the reporting discrepancy was discovered, the District's Technology Department contacted Aeries support services department to determine the source of the problem. The District, with the assistance of Aeries support services, has corrected the reporting concern. District staff has been trained by Aeries support services regarding the new fields incorporated into the system for reporting discipline entries.

It is important to note that while an inadvertent reporting error may have occurred with CDE due to the Aeries transmission issue, the District's yearly discipline information, including expulsion data, presented to the Board was accurately reported since this data was derived directly from the Student Services Department rather than an Aeries-generated report.

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<sup>4</sup> CALPADS is a longitudinal data system used to maintain individual-level data, including student demographics, course data, discipline, assessments, staff assignments, and other data for state and federal reporting.

<sup>5</sup> Aeries is a K-12 solution for comprehensive student data management used by school districts throughout California.



### **Finding 7**

*The Board and District have not explored alternative methods to out-of-school suspensions, as required by Board bylaws.*

The District disagrees with this Finding.

### **Recommendation 7**

- 7A *The Board and District examine ways to implement a Supervised Suspension Classroom at VHS and JBHS.*
- 7B *The Board and District examine the Benicia High School's Isolated Classroom Environment (ICE) program as a possible template for a successful Supervised Suspension Classroom.*
- 7C *The Board and District consider implementation of other alternative methods to out-of-school suspensions (e.g. Saturday detention, after school detention, etc.)*

### **Response to Recommendation 7A**

The District has extensive experience and expertise in the implementation of various disciplinary measures as alternatives to out-of-school suspension. The District's disciplinary procedures ensure the provision of due process rights to its students and parents in accordance with Board policy and mandates of the California Education Code. In order to ensure that students received notice of their disciplinary infraction and have an opportunity to share information regarding the incident, the District emphasizes with its staff, the importance of speaking to the student and advising the parent/legal guardian regarding the basis for the recommended disciplinary action.

The District is charged with determining what form of disciplinary action is the most appropriate and useful to meet the needs of students and school sites. Currently, the District uses a variety of alternatives to out-of-school suspension, including, but not limited to, administrator supervised in-school suspension. The District is always willing to review and explore productive and positive means by which in-school suspension may be implemented.

### **Response to Recommendation 7B**

The District has observed and reviewed the Isolated Classroom Environment ("ICE") program used by Benicia High School. While there are positive aspects to the ICE program, the District believes that there is not a "one size fits all" approach to student discipline. The District will continue to utilize its expansive alternatives to out-of-school suspension that are available to it as described in its Response to Recommendation 7C below.

### **Response to Recommendation 7C**

To the extent possible, the District requires staff to use disciplinary strategies that keep students in school and participating in the instructional program. Depending on the nature of the behavioral infraction and requirements of law, a site administrator or designee is able to select from a menu of disciplinary consequences. As described in Response to Recommendation 7A, the District currently utilizes a variety of alternative methods to out-of-school suspensions. These measures include, but are not limited to:

- Parent/Teacher Conference
- Parent Contact
- Warning
- Referral to School Support and Management Staff for Intervention
- Restorative Justice
- Teacher Detention
- Administrative Detention
- Exclusion from School Activities
- Counseling
- Behavior Contract
- Conflict Mediation
- Parent Supervises Student in Class
- Parent Escorts Student to/from School
- Saturday School (site specific)
- Student Success Team (SST)
- Student Intervention Team (SIT)
- School Attendance Review Board (SARB)
- Peer Mentoring
- Projects on Campus
- Behavior Support Plan
- Restitution
- Community Service

(District Board Policy 5144 and Administrative Regulation 5144)

### **Finding 8**

*JBHS and especially VHS site administrators are inconsistent with teacher notification of students with violent, criminal or disruptive behavior.*

The District disagrees in part and agrees in part with this Finding.



**Recommendation 8**

- 8A     *The District and the Vallejo Education Association (VEA) work together to reach agreement on notification procedures acceptable to the teachers.*
- 8B     *The District develop a tracking system for teacher notification so the system is transparent and verifiable, while still protecting the privacy of the student.*

The District agrees in part and disagrees in part with this Finding.

**Response to Recommendation 8A and 8B**

It is the practice of the District to notify administrators in writing whenever a student who has been expelled, or is on probation, or readmitted from a School Attendance Review Board ("SARB) placement, is enrolled in school. It is also the District's practice to provide written notification to any teacher of that student. The written notification comes directly from the Director of School Support Management. Specifically, teacher notification consists of the following written statement:

This confidential form serves as notification that the above named pupil has been assigned to your class. Detailed information regarding the student's readmission from SARB placement, expulsion and/or probation status is kept in a confidential binder in your school's office. Please contact your Principal if you wish to view the information regarding this student. All information regarding this student's status as a student readmitted from expulsion and/or on probation is strictly confidential and may not be discussed with or shown to others.

The written notification is provided to the school principal and directs the principal to place a copy of a confidential notification form in a confidential binder that the affected teachers may access. The confidential binder is an effective tracking system.

In order to ensure pupil confidentiality and staff safety, the District will remind its school site administrators to advise their certificated staff members of the availability of and need to utilize this review process.

**Finding 9**

*There are indications expulsion data for "Battery on Employees" may have been underreported for both high schools.*

The District disagrees with this Finding.

**Recommendation 9**

*The District work in conjunction with the California Department of Education (CDE) to resolve these discrepancies.*

**Response to Recommendation 9**

In addition to the information provided in Response to Recommendations 7A and 7B, the discrepancy in the number of expulsions reported by the CDE for violation of Education Code section 48915(a)(1)(E) was due to CDE's internal reporting procedures. As noted on CDE's *File Structure: Expulsion and Suspension Data*, in the section entitled *General Description of the Expulsion and Suspension Data File*:

This file is compiled using student-level data reported to the California Longitudinal Pupil Achievement Data System (CALPADS). This file includes state, county, district, and school level data of students by ethnicity involved in one or more incidents [Footnote 1 – An incident is defined as one or more students committing one or more offenses on the same date at the same time] during the academic year who were subsequently suspended (in-school or out-of-school) or expelled [Footnote 2 – Expulsion counts include all expulsions even those where the term of the expulsion has been shortened or the enforcement of the expulsion has been suspended] from school. Although a student may have committed multiple offenses as part of a single incident; each student is only counted once per incident for which they were suspended or expelled. Students are counted more than once if they were suspended or expelled multiple times for different incidents.

Based on CDE's comments, it appears that its student discipline data calculations are structured to serve a purpose suited to meet CDE's needs. CDE's calculations are based on its own formula, and therefore, may result in different totals for specific disciplinary violations. The District did not under report expulsion data for violations of Education Code section 48915 (a)(1)(E) and, as such, the District finds no need to work with CDE to resolve any discrepancies.



**Finding 10**

*The 2015-2016 Grand Jury found School Resource Officers (SROs) to be a valuable asset, but they are under-utilized by the District.*

The District agrees that SROs are a valuable asset to the District, but disagrees that they are under-utilized by the District.

**Recommendation 10**

- 10A *The 2015-2016 Solano County Grand Jury recommends the District and Vallejo School Board (Board) explore ways to help the SROs interact more with students, teachers and parents. Meeting with the individual Academies, at assemblies and at community/parent forums are all ways to promote this interaction.*
- 10B *Posting SRO information (with SRO's photo) on the school Websites would send the message the SROs are a regular part of the school community and are there to help.*

**Response to Recommendation 10A**

The District's SROs are a valuable asset to the District and are currently involved in numerous proactive activities including, assemblies, school site visitations, and community meetings. In fact, the Memorandum of Understanding ("MOU") between the District and the City of Vallejo for the SRO program states that the duties and responsibilities of the SRO includes, but are not limited to, the following:<sup>6</sup>

- Being highly visible throughout the campus
- Participate in the Restorative Justice activities and in the Law and Justice Academy
- Provide supervised classroom instruction on a variety of law-related education and other topics
- May attend school special events (for example PTA meetings and Primary and Secondary Family Night events)
- May attend meetings of parents and faculty groups

The SROs are considered by the District as a part of the District community.

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<sup>6</sup> The MOU between the District and the City of Vallejo for the SRO program states some of the listed activities are dependent upon scheduling and funding.

**Response to Recommendation 10B**

The Chief of Police of the Vallejo Police Department and the District do not believe that posting the photographs of SROs on the school or District websites is a sound or safe practice.

**Finding 12**

*A few Site Safety Supervisors at VHS were observed on their cell phones when students were walking between classes.*

The District has insufficient information to agree or disagree with this Finding.

**Recommendation 12**

*The District develop a cell phone policy for Site Safety Supervisors.*

**Response to Recommendation 12**

Finding 12 provides insufficient information to determine whether the Site Safety Supervisors were working within or outside of the scope of his/her job duties and responsibilities at the time they were observed. Generally, Site Safety Supervisors should not be using cell phones during the work hours except: 1) If there is an emergency; 2) The use is necessary to the performance of an employment-related duty at that particular time and cannot be avoided; or 3) The employee has received permission from a supervisor to use the cell phone.

As stated previously, there is insufficient information pertaining to Finding 12 to determine if the observed cell phone use was permissible or impermissible. Site Safety administration will review the rules pertaining to cell phone use while on duty with the Site Safety Supervisors. In addition, every VCUSD employee signs a Responsible Use of Technology agreement which addresses cell phone usage.

**Finding 13**

*Students at both schools are reluctant to use school restrooms. Restrooms at both schools require better maintenance.*

The District disagrees in part and agrees in part with this Finding.



**Recommendation 13**

*The District provide staffing to regularly maintain restrooms and explore incentive programs for students to take pride in keeping them clean.*

**Response to Recommendation 13**

The Grand Jury fails to recognize and appreciate that the District Facilities Master Plan identifies a total of approximately \$750 million in facilities and maintenance needs. As a matter of necessity, the District responds to the most pressing of facilities and maintenance needs first. Further, the District is limited in its ability to implement planned facilities improvements due to the lack of adequate funding.

The District recognizes that upgrades to restroom facilities are desirable, if not necessary, and therefore, such upgrades are identified in the District's Facilities Master Plan. Unfortunately, in the absence of State-provided funds for facility improvement or other local bond measures not all of the necessary upgrades can be completed at once.

In order to maintain clean and functional restroom facilities, the District purchased new (and expensive) restroom cleaning machinery (scrubbers) and is using new cleaning agents, solvents, deodorizers. As with numerous school restroom facilities throughout California, age, heavy use, and occasional vandalism require school districts, including ours, to keep restroom facilities as a continued maintenance priority.

Contrary to the inference of the Report, the custodial staff has a complete daily cleaning schedule that includes walk-throughs every two hours to monitor cleanliness and supplies. The custodial staff ensures that there is sufficient toilet paper, soap, and that paper is picked up. Further, the schools' administrative staff conducts random checks of the bathrooms throughout the school day.

**Finding 14**

*The camera surveillance systems at both campuses require improvements.*

- A. *JBHS - More cameras are needed in blind spots (e.g. parking lot, upper quad, east side of campus facing ball fields). Several cameras offer poor quality due to camera type or lens cover distortion.*
- B. *VHS - Administration did not or would not identify any problems with their surveillance system. The campus SRO has no video access in his office.*

The District agrees in part and disagrees in part with this Finding.

**Recommendation 14**

*The District provides needed upgrades as identified at both schools.*

**Response to Recommendation 14**

As stated in the District's Response to Recommendation 13, the District's Facilities Master Plan identifies a total of approximately \$750 million in facilities' needs. The District spent \$12,430 in the fall of 2015 for the repair and replacement of surveillance systems. These systems require ongoing maintenance and repair. Barring unforeseen problems, all video surveillance cameras were scheduled for further repair on or before August 2016. Also, two additional cameras are scheduled to be installed on the VHS Science building, one on the main campus and one A-Pod device on the annex building to provide more coverage on Nebraska/Amador Streets and intersection. Since the 2012 fiscal year approximately \$176,591 has been spent of the repair, maintenance, and/or installation of site video surveillance equipment for JBHS and VHS.

**Finding 15**

*Some classrooms at VHS have inoperative window shades or tinted glass which do not completely obstruct the view from the outside in case of a lockdown.*

The District agrees in part and disagrees in part with this Finding.

**Recommendation 15**

*VHS update classroom window coverings in order to block any view from outside in case of campus lockdown.*

**Response to Recommendation 15**

Window blinds assist in adjusting light levels in classrooms and providing a level of classroom security by obstructing visibility from the outside. Where possible, and depending on funding, window blinds are repaired/replaced.

**Finding 16**

*Nebraska Street is a potential safety hazard for students crossing the street between classes. The District has attempted to be proactive by stationing Site Safety Supervisors at the crosswalks when students are present.*

The District continues to station supervisors as noted in this Finding.



**Recommendation 16**

*16A VHS continue their use of Site Safety Supervisors to monitor students crossing Nebraska Street and maintain coverage during school hours.*

*16B The Board interact with the joint City-School Task Force to explore possible solutions to the Nebraska Street crossing problem (i.e. closing street or limiting automobile access during school hours, upgrade crosswalks with flashing lights, etc.).*

**Response to Recommendation 16A**

The safety of our students is a priority to the District. The District has been working with the City of Vallejo to find a resolution to the safety concerns posed by Nebraska Street. Given that Nebraska Street is public property and not owned by the District, the District is limited as to how it can resolve safety issues pertaining to such public property.

The District continues to assign its Site Safety Supervisors to monitor the most prominent entrances/egresses to and from Nebraska Street and VHS. Site Safety Supervisors are stationed at these locations for the entirety of the school day, unless an emergency occurs which requires them to report elsewhere. In our continual effort to keep students safe, the VHS's Master Schedule has been specifically designed so that a minimal number of students will have to cross Nebraska Street during the instructional day. Further, the school's administrative staff conducts periodic monitoring of the Nebraska Street area throughout the school day. The District will continue to work with the City of Vallejo to address this situation.

In keeping the safety of our student as a priority, the District applied for and was awarded the Safe Routes to School Grant for VHS in March 2015. The funding from the grant allowed four of VHS's academy teams to work in cooperation to develop activities focused on enhancing student safe travel to school. The teams strategized on how to reduce the number of cars traveling to and from VHS, thereby, increasing the number of carpools, bike riders, and students taking public transportation. The Safe Routes to School activities include:

- Academy lead planning meetings with Safe Routes staff
- Youth leadership meetings to develop plans for promoting the program
- Bi-annual student surveys
- Student incentives for using safe routes to school
- The use of additional cameras on Nebraska Street to continue monitoring and collecting data on safety and recommendations taken from the walking audit.

- An external walking audit with the Safe Routes Committee representatives was conducted and completed. During the audit, the team evaluated the existing conditions, documented safety barriers/challenges, identified possible actions for an improvement plan that could be shared with and used to improve safe travel for students and the community around the VHS boundaries. The information given from the audit will be used to revise safe routes to VHS's master plan and provide avenues for potential grant funding.

### **Finding 17**

*VHS Comprehensive School Safety Plan (CSSP) is incomplete; Student Planner (Handbook) is not available on the school Website; and student activities and athletic calendars are out of date.*

This Finding has been remediated.

### **Recommendation 17**

- 17A     *The District direct VHS staff to bring the Comprehensive School Safety Plan (CSSP) up to date, including missing sections.*
- 17B     *The District direct VHS staff to make the VHS Student Planner (Handbook) available on their Website.*
- 17C     *The District direct VHS staff to update student activities and athletic calendars on their Website.*

### **Response to Recommendation 17A**

The Comprehensive School Safety Plan for VHS is complete and up to date.

### **Response to Recommendation 17B**

The VHS 2016-2017 Student Handbook is available on the school's website. In addition to being available on the website, every VHS student is provided a hard copy the Student Handbook.

### **Response to Recommendation 17C**

The VHS student activities and athletic calendars have been updated on the school's website.



## CONCLUSION

As stated in the opening of this response, the role of the Grand Jury is an important part of the checks and balance system established by the Legislature to monitor the operations of local government agencies. The District has fully cooperated with the Grand Jury at each of the many steps in its investigations. The District sincerely hopes that the Grand Jury appreciates the extensive amount of time, energy, and expense it requires for the District to continually respond to the Grand Jury's requests for records, interviews, and written responses. This is the fifth inquiry in five years. As the new school year begins, the District looks forward to focusing on the continued improvement and advancement of our educational programs and maintaining our focus on the health and safety of the students without the need to engage in additional Grand Jury reviews. I encourage the Grand Jury Foreperson to meet with me on an informal basis to address any areas of concern prior to refocusing the District's energies on responding to allegations that may be based on speculation, subjectivity and legal misrepresentations.

Thank you for your concern for our students.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Bishop', with a long horizontal line extending to the right.

Ramona Bishop, Ed.D., Superintendent

cc: Grand Jury Office at [cdclower@solano.courts.ca.gov](mailto:cdclower@solano.courts.ca.gov).  
VCUSD Faculty, Staff, Parents and Community Partners