



Adam Clark, Ed.D • Superintendent

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June 3, 2020

Honorable Donna L. Stashyn
Presiding Judge of the Superior Court
Hall of Justice
600 Union Ave
Fairfield, California 94533

Subject: Response of Vallejo City Unified School District to the 2019-2020 Solano County Grand Jury Report

Dear Presiding Judge Stashyn:

INTRODUCTION

The Vallejo City Unified School District ("District" or "VCUSD") is in receipt of the Solano County Grand Jury's 2019-2020 Report ("Report") entitled "Student Transfers Result in \$36 Million Loss." The District respects the function of the Grand Jury to investigate and report on 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 District appreciates the Grand Jury's examination of the financial impact of student transfers from the VCUSD to other school districts within California. However, VCUSD staff found several inaccuracies included in the Solano County Grand Jury's 2019-2020 Report Statement of Facts section.

In its 2019-2020 Report, the Solano County Grand Jury stated that "data provided did not include transfers to private or charter schools." This statement leads the reader to assume that the District withheld this data. Actually, data would not be collected nor shared because a formal transfer is not needed for a student to attend a private school or an independent charter school. Parents are not required by the California Department of Education or California Education Code to complete a transfer request or inform a public school district of their intent to enroll in a private school or independent charter school.

In its 2019-2020 Report, the Solano County Grand Jury listed reasons for requesting a transfer in an order that is misleading. The overwhelming majority of inter-district transfer requests are for employment (Allen Bill), followed by childcare, and further, to enroll in a particular program such as Mandarin or Sports Medicine. Very few transfer requests are submitted due to safety concerns. Those parents who state "employment" as a reason for requesting a transfer, must be employed within the receiving school district's boundaries, not "several miles from home." All approved transfer must comply with Board Policy (BP)/Administrative Regulation (AR), which

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are nearly identical to every other BP/AR of districts within Solano County and the Napa Valley Unified School District.

In its 2019-2020 Report, the Solano County Grand Jury stated that there is little to no follow-up on the validity of information provided for transfers. The District disagrees with this Statement of Fact. All transfer requests that state employment as the reason for the request, are verified with a phone call to the employer for confirmation of employment. For the transfers where childcare is listed as the reason for the request, a phone call is made to the childcare provider to verify that childcare is provided to the student. When a specific program that VCUSD does not offer but is offered in another district and therefore is listed as the reason for a transfer request, VCUSD is unable to verify if the student is actually enrolled in the requested program. A request was made to Napa Valley Unified School District to add language in their BP/AR that would require student actual enrollment in requested program as a requirement was not successful. If the transfer request is for safety/bullying, an investigation is conducted to the validity of the claim before a decision is made to grant a transfer. All transfer request require documentation that is examined prior to approval or denial.

In its 2019-2020 Report, the Solano County Grand Jury stated the Solano County Board of Education approved the majority of appeals against the VCUSD decision. The District disagrees with this Statement of Fact. That said, the majority of appeals that went before the Solano County Board of Education were not approved but were denied. From March 2016 to June 2019, 23 appeals were presented to the Solano County Board of Education, 16 of those appeals to transfer were denied. In 2017, 5 of the 6 appeals heard by the Solano County Board of Education were denied; in 2018, 3 of the 4 appeals were denied; in 2019, 6 of 6 appeals were denied. In all, since 2017, VCUSD has successfully prevailed in 14 of the 16 appeals heard by the Solano County Board of Education.

The Grand Jury requests that the District reply to its Findings and Recommendations outlined in the Report. This response is prepared and submitted on behalf of the District pursuant to Penal Code section 933, subdivision (c).

RESPONSES TO RECOMMENDATIONS

FINDING 1

VCUSD has lost over \$36 million of revenue over four years due to the unusually high rate of student transfers.

The District agrees with this Finding.

RECOMMENDATION 1A

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The VCUSD Board of Trustees revise Board Policy 5117 and Administrative Regulation 5117 to reduce the number of transfers.

Response to Recommendation 1A

BP 5117 and AR 5117 are in alignment with state laws regarding Interdistrict Attendance and are in alignment with all other school districts in Solano County as well as the Napa Valley Unified School District.

RECOMMENDATION 1B

The VCUSD Superintendent work with the Solano County Office of Education to comply with the policies regarding appeals relative to student transfers.

Response to Recommendation 1B

VCUSD complies with the policies regarding the appeal process relative to student transfer as evidenced by the success the VCUSD has in prevailing in appeal hearings since 2017 (14 out of 16 appeals to transfer from VCUSD denied by the Solano County Board of Education). VCUSD regularly meets/conferences with the Solano County Office of Education Board and staff about Interdistrict Attendance policies.

FINDING 2

The number of student transfers negatively affects the quality of education in VCUSD due to decreased funds for staffing, professional development and instructional supplies/materials.

RECOMMENDATION 2A – *VCUSD Superintendent establish a Community Task Force to evaluate the implications of transfers and to identify solutions to declining enrollment.*

Response to Recommendation 2A

On May 6, 2020, the VCUSD Board of Education approved a contract with Snider and Associates to provide facilitation for the VCUSD Strategic Planning Retreat. The Strategic Plan will serve as the foundation for developing and implementing the District's Mission and Vision. Once this is completed, the District can participate in two-way communication with all stakeholders to increase the educational experiences of all students.

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RECOMMENDATION 2B – *VCUSD Superintendent conduct a curriculum audit to determine how to optimize the academic performance of the students attending VCUSD.*

Response to Recommendation 2B

In April 2019, the Solano County Office of Education, California Collaborative for Educational Excellence, and VCUSD staff began planning to conduct a Systemic Instructional Review (SIR). The review was conducted in November 2019. On May 4, 2020, the VCUSD Board of Education were presented with findings, recommendations and implementation plan included in the SIR.

RECOMMENDATION 2C – *VCUSD Superintendent utilize the transfer data in the budgeting process for staffing and facilities.*

Response to Recommendation 2C

The VCUSD works in collaboration with the Solano County Office of Education to meet the requirements of AB1200. We meet on a monthly basis to discuss the budgeting process for staffing and facilities.

The California Department of Education defines AB 1200 County Office of Education Fiscal Oversight as:

AB 1200 was created to ensure that local educational agencies throughout California adequately prepared to meet their financial obligations. The concern arose following the bankruptcy of the Richmond School District and the fiscal collapse of a few other districts that were preparing to request an emergency loan from the state. AB 1200 improved fiscal procedures, standards, and accountability at the local level and expanded the role of county offices of education (COEs) in monitoring school districts by mandating that COEs intervene under certain circumstances to ensure districts can meet their financial obligations.

AB 1200 appropriated funding for COEs to offset the cost of any new program or higher level of service required by the new district oversight provisions. These activities include conducting reviews, examinations, and audits of districts, and providing written notifications of the results, at least annually, on the fiscal solvency of the districts with disapproved budgets, qualified or negative certifications, or districts facing fiscal uncertainty.

Funding was distributed to eligible COEs (single district COEs were excluded from funding) based on an equal amount per average daily attendance (ADA) for all school districts within each county, with a minimum apportionment amount to ensure that COEs with substantially lower than average school district ADA would receive adequate funding to perform their AB 1200 responsibilities.

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Funding for AB 1200 County Office of Education Fiscal Oversight has been appropriated every year for distribution to COEs since the passage of AB 1200, until 2013-14 when funding for this program was subsumed in the local control funding formula.

Solano County Office of Education
Monthly Agenda
AB1200

1. General Update
2. Multiyear Fiscal Recovery Plan
 - a. Budget Reductions
 - i. Position numbers of the positions on the attached list.
 - ii. What are the dollar amounts that are applicable to each Fund on the attached list?
3. Enrollment and ADA Status
 - a. Are there significant changes we should be aware of?

CONCLUSION

The Grand Jury plays an important role in the checks and balances 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 and will continue to work on meeting the needs of all VCUSD students.

Thank you for your concern for the fiscal strength of VCUSD.

Sincerely,



Adam S. Clark, Ed.D
Superintendent

- cc. Grand Jury Office at cdclower@solano.courts.ca.gov.
VCUSD Governing Board
Cheri Summers, VCUSD Chief Academic Officer
Phillip Shelley, VCUSD Director of