

Follow-Up Report to the 2013-2014 San Joaquin County Grand Jury Case No. 0813



Stockton Unified School District: *Swiftly Hired*

Preface

This report contains the methods the 2014-2015 Grand Jury used to determine if the Board of Trustees of the Stockton Unified School District (SUSD) responded to the 2013-2014 Grand Jury Report, “*Stockton Unified School District: Swiftly Hired.*” The 2013-2014 Grand Jury recommendations were meant to improve District police personnel hiring practices.

The 2013-2014 Grand Jury Findings and Recommendations, as well as the District’s August 13, 2014 and February 24, 2015 responses, are presented verbatim in this report. The 2014-2015 Grand Jury follow-up results are presented after the District’s response to each recommendation.

A complete copy of the original report and the District’s response may be found on the San Joaquin County Grand Jury website at:

http://www.sjcourts.org/grandjury/2013-2014_roster%20and%20reports.html

Glossary

BP	Board Policy
District/SUSD	Stockton Unified School District
District HR	Stockton Unified School District Human Resources Department
DOJ	California Department of Justice
E.C.	California Education Code

Interim Chief Temporary or transitional police position

Follow-Up Investigation

The 2014-2015 Grand Jury reviewed the 2013-2014 Grand Jury Final Report, District responses, additional documentation, and interviewed District staff to determine that the District implemented the 2013-2014 Grand Jury recommendations.

Findings, Recommendations, Agency Responses and Follow-Up Results

1.0 Pre-employment Requirements

2013-2014 Finding 1.1: “District HR being left out of the hiring process of the Interim Chief and Captain caused confusion thus the pre-employment requirements for the positions were not met.”

Agency Response: “The District agrees with this finding.”

2013-2014 Finding 1.2: “The District violated California E.C. Section 45125 by not first receiving and reviewing the DOJ report before allowing the Interim Chief and Captain to begin work.”

Agency Response: “The District agrees with this finding.”

2013-2014 Finding 1.3: “The District violated BP Section 4212 by not first receiving and reviewing the DOJ report before allowing the Interim Chief and Captain to begin work.”

Agency Response: “The District agrees with Finding 1.3 that the District violated Board Policy 4212 by not receiving and reviewing the DOJ report before allowing the Interim Chief and Captain to begin work.”

2013-2014 Recommendation 1.1: “The District Board is to develop and implement a policy/procedure no later than November 1, 2014 to insure the District HR is involved in the hiring process of police personnel to properly vet the applicant according to the current state law and district board policy.”

Agency Response: “The District implemented this recommendation. On February 4, 2014, Assistant Superintendent Craig Wells issued the Pre-employment Requirements Memo to all staff responsible for the paperwork induction process with guidance to complete all required pre-employment steps before any employee starts work. (Exhibit A.) The memo was accompanied by a copy of Education Code 44237, which speaks to the requirement. The District further implemented this recommendation by codifying District hiring procedures for classified employees on March 14, 2014. The guidelines include directions to complete fingerprint

clearance before an employee may start work. Further, procedures have been established between Human Resources and Stockton Unified School District Police Department to return hiring responsibilities to HR and use established recruitment techniques and screening procedures. In addition, the Police Department has also instituted background procedures consistent with state regulations for hiring of peace officers, and no officer is sworn in or starts work until all those requirements are met. As such, Human Resources will not employ a peace officer as an employee until the Chief of Police certifies that the process is complete. Notable required steps (among others) include: DOJ and FBI clearances (fingerprinting—beyond what a regular school employee/volunteer gets); credit check; psychological exam and medical exam.”

The 2014-2015 Grand Jury determined that the Stockton Unified School District Human Resources and Police departments are coordinating hiring practices of police officers. No further action is required.

2013-2014 Recommendation 1.2: “The District Board is to direct the Superintendent to adopt a procedure for training and implementation of the requirements of E.C. Section 45125 and BP 4212 by all involved employees no later than September 1, 2014.”

Agency Response: “The District Board has not yet implemented this recommendation, but will provide such direction and a plan for training at its Board meeting on August 26, 2014.”

The 2014-2015 Grand Jury determined that the SUSD Human Resources issued a “Pre-employment Requirements” memo (dated February 4, 2014) to all staff responsible for the paperwork induction process with guidance to complete all required pre-employment steps before any employee starts work. The District also established guidelines to ensure complete fingerprint clearance before an employee may start work. The Board of Trustees was provided information at the August 26, 2014 Board Meeting (Action Item No. 6.3) on the training and implementation completed by the District regarding the legal requirements for ensuring the timely fingerprinting of all potential employees. No further action is required.

Conclusion

The 2014-2015 Grand Jury determined that the District Board of Trustees responded pursuant to statute and in a timely manner to the findings and recommendations made by the 2013-2014 Grand Jury. The Grand Jury appreciates the District’s cooperation in addressing the issues raised in last year’s report.

Disclaimer

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Sections 911, 924.1(a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of

witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929).