



Board of Education
701 North Madison Street • Stockton, CA 95202
(209) 933-7070 • Fax (209) 933-7071

BOARD OF EDUCATION

Gloria Allen
Sara Cazares
Angel Jimenez
Jose A. Morales
Sal Ramirez
Steve Smith
David Varela

August 16, 2012

Via Hand-Delivery


Hon. David P. Warner, Presiding Judge
San Joaquin County Superior Court
222 E. Weber Street, Room 303
Stockton, CA 95202

Re: District's Response to Grand Jury Report

Dear Judge Warner:

On June 14, 2012, the Stockton Unified School District Board of Education received the 2011-2012 San Joaquin County Grand Jury's Report in Case No. 0111. The Report addresses concerns with the District's Police Department. During its open session Board meeting of August 14, 2012, the Board of Education adopted its response to the Report by a unanimous vote. On behalf of the Board of Education, I submit the attached response to the Grand Jury.

Sincerely,



Sara Cazares, Board President

cc: Board of Education
Dr. Steven Lowder, Superintendent
Marie A. Nakamura, Legal Counsel
Trisa Martinez (grandjury@courts.san-joaquin.ca.us)

I. SUMMARY

On June 14, 2012, the San Joaquin County Grand Jury issued its report involving the Stockton Unified School District and its Police Department. Therein the Court directed the Board of Education to respond to its findings within ninety (90) days. Penal Code §933.05 states as follows:

(a) For purposes of subdivision (b) of Section 933, as to each grand jury finding, the responding person or entity shall indicate one of the following:

(1) The respondent agrees with the finding.

(2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

(b) For purposes of subdivision (b) of Section 933, as to each grand jury recommendation, the responding person or entity shall report one of the following actions:

(1) The recommendation has been implemented, with a summary regarding the implemented action.

(2) The recommendation has not yet been implemented, but will be implemented in the future, with a timeframe for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The 2011-2012 Civil Grand Jury investigated two separate complaints against the Stockton Unified School District Police Department. The first complaint included allegations of the prejudicial assignment of overtime, and referenced an earlier investigation of alleged racial

discrimination and a hostile work environment. The second complaint by a parent criticized the method used by a police officer to bring a student under control.

The Grand Jury's investigation of these two complaints resulted in several findings and recommendations to improve the Police Department operations.

The Stockton Unified School District Police Department was established in 1987 pursuant to Education Code 38000. Officers are authorized to exercise peace officer powers pursuant to Penal Code 830.32(b). As of the date of this response the Department consists of the following positions: a Chief, 1 Lieutenant, 2 Sergeants, 20 officers, 5 dispatchers, and 1 fingerprint technician.

Pursuant to the requirements of the Penal Code, for each finding below the Board indicates whether it agrees or disagrees, and if it disagrees in part or wholly, the Board explains why. For each recommendation below, the Board indicates whether the recommendation has been adopted, will be adopted with analysis and a time line, or will not be adopted with reasons therefor.

II. BOARD OF EDUCATION RESPONSE TO GRAND JURY'S FINDINGS AND RECOMMENDATIONS

1. FINDINGS/RECOMMENDATIONS NUMBER 1

Finding 1.1 *The frequency and consistency of training is not current with the Peace Officers Standards and Training and District mandates.*

Response to Finding 1.1 - The District disagrees with this finding. All of the officers of the Stockton Unified School District Police Department are current with the training mandates of the California Commission on Peace Officer Standards and Training (POST Commission). Further the Police Department has a training plan for all of its officers. (Please see the SUSD PD training plan and POST documents attached hereto as Exhibit A, the names of two employees in the POST documents have been redacted to preserve confidential personnel information.)

Finding 1.2 *SUSD PD is lacking in specific training in dealing with special needs children.*

Response to Finding 1.2 - The District disagrees in part with this finding. Prior to receipt of the Grand Jury's report, a group of SUSD police officers completed Management of Assaultive Behavior (MAB). Seven police officers completed MAB training on March 14-15 2012. Nine officers were scheduled to complete MAB training August 9 and 10, 2012. The remaining officers are scheduled to attend training September 18 and 19, 2012. Any officers unable to attend the September training dates will be scheduled for make-up training as soon as possible. Further, Chief West is working with the District's Special Education Department to prepare a new two-hour training on special needs children.

Attendance at, or viewing the recording of, the training will be mandatory for all officers. MAB training shall be repeated every two years as is the best practice of the District for all employees subject to the training.

Recommendation 1.1 *Officers participate and complete POST training as required by law and District policy.*

Response to Recommendation 1.1 – The District implemented this recommendation prior to the Grand Jury’s report. The Police Department remains dedicated to the professional development of its employees. Officers attend POST and other trainings designed to improve professionalism and job performance. While the Grand Jury does not articulate specifically the nature of the other “training required ... by District policy,” this recommendation was substantially implemented prior to the Grand Jury’s report. In addition, the police officers will participate in National Incident Management System (NIMS) training by Board Policy AR 3516. When this training is complete, the District will forward to the Grand Jury a sign-in sheet and/or other documents to demonstrate officer participation. Finally, it should be noted, some required POST courses are offered on an irregular and unpredictable schedule. The District is hoping to work with new educational/training partners to regulate its training opportunities.

Recommendation 1.2.1 *Develop and implement a training policy to include Management of Assaultive Behavior for all officers.*

Response to Recommendation 1.2.1 - The District was in the process of implementing this recommendation prior to the Grand Jury’s report. The first group of seven (7) officers completed Management of Assaultive Behavior training on March 14-15, 2012. (Exhibit B.) The remaining officers were scheduled for training on August 9 and 10, and September 18 and 19, 2012. Any officer unable to attend the September 2012 training will be scheduled for training as soon thereafter as possible. The District will forward to the Grand Jury a sign in sheet and/or other documents to demonstrate officer participation.

Recommendation 1.2.2 *Officers complete Management of Aggressive Behavior training immediately.*

Response to Recommendation 1.2.2 –The District was in the process of implementing this recommendation prior to the Grand Jury’s report. Seven of the officers completed this training in March 2012. The remaining officers will attend training in August 2012. Please see the District’s response to Recommendation 1.2.1 above.

2. FINDING/RECOMMENDATION NUMBER 2

Finding 2 *The complainants were not notified of the results of their complaint according to the sixty (60) day timeline set forth in the SUSD Board policies.*

Response to Finding 2 - The District agrees with this finding. The District assumes this finding references a complaint filed in March 2010. The independent investigator experienced difficulties scheduling interviews with pertinent witnesses, and there was a large number of parties involved.

Recommendation 2 *Follow District policy pertaining to the filing of complaints and adhere to the sixty (60) day timeline.*

Response to Recommendation 2 - This recommendation requires further analysis to be completed on or before December 17, 2012. Currently, the District cannot implement this recommendation in every case. The District follows this timeline to the best of the District's resources and ability. Where investigations involve a number of individuals or a number of issues, it is at times difficult to abide by the 60 day timeline set forth in policy. The 60-day timeline is aspirational and not legally mandated. However, the District strives to expeditiously resolve complaints. As such, the District will review its complaint policies and determine if timelines should be extended. Beyond District policy, it should be noted the Government Code allows up to one year for investigations of complaints lodged against police officer, which are often complex and time-consuming. The District is dedicated to resolving complaints as quickly as possible.

3. FINDING/RECOMMENDATION NUMBER 3

Finding 3. *Neither proof of insurance nor a fingerprint clearance through DOJ could be provided. There was no proof of a TB test for the pilot as required by Board Policy and state law.*

Response to Finding 3 - The District agrees with this finding. The District believes that the pilot in question was fingerprinted and passed a background clearance. However, California Penal Code Section 11105.2(d) requires agencies to notify the California Department of Justice when the fingerprinted person will no longer be connected with the school district. At the time a person's association with the school district ends, the SUSD Police Department destroys all fingerprinting and criminal history records relating to that individual. The helicopter last flew in connection with SUSD on October 16, 2009.

Because the helicopter program was over and the volunteer would no longer be associated with the Stockton Unified School District, records were likely destroyed at that time. The individual in question was never alone with students. He was surrounded by staff, administrators, police officers, Board members and others while at Nightingale

Elementary. An SUSD police officer accompanied him during the Make-a-Wish type helicopter ride with one student. He had no other student contact.

It is not the District's practice to require TB testing for one-time presenters/visitors at our schools. Examples include community members who participate in the Rotary Read-in each year, or inspirational speakers at school assemblies. The pilot/volunteer had contact with students once and only for a limited period of time.

Recommendation 3. *Follow Board Policy 3.35 and California Health and Safety Code 121545 (mandatory TB test).*

Response to Recommendation 3 – This recommendation requires further analysis.

First, Administrative Policy 3.35 applies solely to parent volunteers and provides in pertinent part that “a parent/guardian needs to do the following: . . . Provide Tuberculosis clearance (negative TB skin test, or written clearance from physician).”

Second, H&S Code §121545, although cited in Administrative Policy 3.35, appears to apply only to private schools. Nonetheless, the District does comply with H&S Code §121545, which provides in part, “At the discretion of the governing authority of a private school, this section shall not apply to volunteers whose functions do not necessitate frequent or prolonged contact with pupils.” Further, Education Code §49406 applies to public school employers. It provides also in part, “(f) At the discretion of the governing board, this section shall not apply to those employees not requiring certification qualifications who are employed for any period of time less than a school year whose functions do not require frequent or prolonged contact with pupils.” As such, not all visitors to school campuses are required to have a TB test. For instance, President Bush visited Bush Elementary School, Governor Brown visited Van Buren Elementary school, parents attend school performances or sporting events and each year we have numerous visitors who participate in the annual Read-In without being subject to a TB test. The District will review its current policy and determine if a more stringent policy for TB testing should be adopted. The District shall provide notification to the Grand Jury upon review of the District policy on or before December 17, 2012.

4. FINDING/RECOMMENDATION NUMBER 4

Finding 4. *Evaluations have not been done on an annual basis for each employee.*

Response to Finding 4 - The District agrees with this finding. However, as of July 31, 2012, all current Police Department employees were evaluated for the 2011-2012 school year.

Recommendation 4. *Prepare timely evaluations in accordance with the Department Policy Manual.*

Response to Recommendation 4 – This recommendation has been implemented. Evaluations are up to date for all Police Department employees. Evaluations will be completed in a timely manner in the future. Specifically, the Police Department will follow the schedule published by SUSD Human Resources for classified employees.

5. FINDING/RECOMMENDATION NUMBER 5

Finding 5. *The small number of officers handling calls for service makes it very difficult to efficiently keep up with report demand.*

Response to Finding 5 - The District agrees with this finding. The officers of the Stockton Unified School District Police Department average over 300 reports per year per officer. Many of the cases are complex and require extensive time to investigate and to write up. This report writing burden is far heavier than the average for most other police departments. Despite the volume of reports, many of the officers complete reports in a timely manner.

To alleviate this concern, the District is taking the following steps:

- The Board authorized the hiring of two additional police officers who were sworn in on July 11, 2012.
- SUSD PD has developed a simplified report form for minor cases that will take less time for officers to fill out. (Exhibit C.)
- The District has developed new guidelines for reports that can be completed by school site administrators rather than police officers.

Recommendation 5. *Re-assess the report taking procedure to find an alternative method for documentation of incidents, including the feasibility of electronic transmissions.*

Response to Recommendation 5 - The District is in the process of implementing this recommendation. The Police Department command staff is conducting an analysis of the current report writing system with the goal of reducing the report writing burden through process simplification. Supervisors are actively coaching officers who write reports with unnecessary information to streamline and shorten the time spent writing reports.

The Police Department deployed a mobile report writing system in March 2011. Laptops were put in the patrol cars with a product called ARMS Mobile Report Writing, which allows for electronic submissions of all but two sections of a report. The vendor, End2End, Inc., has assured us that all areas will be available to ARMS mobile report writers in an upgrade scheduled for October 2012. This new technology, as well as the steps set forth in the response to Finding 5, will improve the report concerns.

6. FINDING/RECOMMENDATION NUMBER 6

Finding 6. *There is a perception of bias for the Lieutenant to investigate internal affairs complaints.*

Response to Finding 6 - The District agrees that there are some individuals who believe bias does exist. These claims have been asserted for several years, and have been investigated both internally and externally by independent consultants on both the local and national level. All of these investigations came to the same conclusion: there is no credible evidence of bias.

The District and the SUSD Police Department are committed to providing fair and unbiased investigations of all complaints. All sustained complaints are reviewed by the Chief of Police, independent legal counsel and the Human Resources Department. Previous charges of bias, as well as this Grand Jury Report, failed to substantiate any bias or discrimination.

Nonetheless, the Police Department uses and will continue to use independent consultants for police internal affairs investigations when it is deemed appropriate. The decision of the appropriate investigator will be made by the Chief of Police in consultation with the Assistant Superintendent of Human Resources and District legal staff.

Recommendation 6. *Establish Department Policy to use outside investigators to avoid any perception of bias.*

Response to Recommendation 6 - The District will partially implement this recommendation within the next three months and forward the new policy to the Grand Jury. The District has historically utilized both internal and external investigators depending on the facts of each matter. Each investigation conducted by an outside investigator places an additional financial strain on the District. A determination must be carefully made on a case-by-case basis as to whether that additional cost is justified and necessary. The adopted policy will maintain this flexibility. The decision of the appropriate investigator will be made by the Chief of Police in consultation with the Assistant Superintendent of Human Resources and District legal counsel.

EXHIBIT A

Stockton Unified School District Police Department Training Plan

Pre-requisites for hiring: Successful completion of a POST approved Basic Academy

First Year:

- Field Training (12 or more weeks; meets POST requirements)
- Defensive tactics
- Impact weapons
- Handgun training
- Impact weapons training
- High risk vehicle stop training
- High risk pedestrian stop training
- Management of Assaultive Behavior (repeated every 2 years)
- National Incident Management System training (16 hours)

Within Two Years:

- Campus Law Enforcement (40 hours)

Within Three Years:

- Interview and interrogation (40 hours)
- 11550 HS Drug and Alcohol recognition (24 hours)
- Search warrant (24 hours)
- Sexual Harassment (4 hours) (repeated as required by Human Resources)
- Advanced Officer training (repeated every 2 years)

Optional training for selected officers include:

- Basic Traffic Collision Investigation (40 hours)
- Advanced Traffic Collision Investigations (40 hours)
- Criminal Investigator Core Course(80 hours)
- Criminal Investigator Specialized Courses (robbery, burglary; sex crimes; etc.) (40-80 hours)
- Cal Gang (40 hours)
- Field Training Officer
- Rangemaster/Firearms investigator
- Defensive tactics instructor
- Supervisory Course (80 hours)
- Internal Affairs Investigator (24 hours)

1/1/99

Training Planner

[<< Change Report Type](#)[Download CSV](#)

AGENCY:STOCKTON UNIF SCHL DIST PD - 39955

Peace Officer Only CPT / PERISHABLE SKILLS / COMM.(excluding reserve peace officers)

CPT Cycle: 1/1/2011 - 12/31/2012

Sort by: Name or Rank

Filter Results By:

A B C D E F G H I J K L M N O P Q R S T U V W X Y Z ALL

Name	POST ID	Hire Date	Rank Date	Rank
BITZ, THOMAS DEAN	A35-M46	09/14/2011	09/14/2011	PO
• In grace period until 1/1/2013.				
FINE, TROY A	B84-A12	09/24/2007	09/24/2007	PO
FRANCO, MAYRA AYALA	C14-D61	10/29/2007	10/29/2007	PO
GATES, MARIO ADRIAN	A89-A85	04/09/2012	04/09/2012	PO
• In grace period until 1/1/2013.				
GILES, THOMAS ALLEN	C36-W40	09/17/2011	09/17/2011	PO
• In grace period until 1/1/2013.				
GORDO, FRANK JAMES	B24-J74	10/23/1995	11/10/2010	LT
GRAWET, BRETT D	A40-R67	01/11/2006	01/11/2006	PO
HER, CHA	C33-V04	05/14/2012	05/14/2012	PO
• In grace period until 1/1/2013.				
HINOJOSA, MIGUEL JUNIO	C40-Y87	07/11/2012	07/11/2012	PO
• In grace period until 1/1/2013.				
HITCHCOCK, MICHAEL J	C12-R20	09/01/2011	09/01/2011	PO

Name	POST ID	Hire Date	Rank Date	Rank
<ul style="list-style-type: none"> In grace period until 1/1/2013. 				
JOHNSON, JONATHAN DELMAR	C08-S00	07/11/2012	07/11/2012	PO
<ul style="list-style-type: none"> In grace period until 1/1/2013. 				
KEGARICE, TIMOTHY NOBLE	B71-B82	01/19/1999	02/27/2008	SGT
[REDACTED]	[REDACTED]	09/12/2005	09/12/2005	PO
<ul style="list-style-type: none"> Continuing Professional Training not yet met (Needs: 24 of 24 hours). Perishable Skills Training not yet met (Needs: Firearms, Driver Trn, Arrest, Communication) 				
MARQUEZ, ROBERTO	B41-U78	11/13/2002	11/13/2002	PO
MATTHEWS, ROBERT RICHARD	B67-G15	02/01/2011	02/01/2011	PO
<ul style="list-style-type: none"> In grace period until 1/1/2013. 				
NELSON, JENNIFER	A65-G51	08/13/2008	08/13/2008	PO
NIDA, JEREMY PAUL	B67-M06	07/10/2001	07/10/2001	PO
PINTO, KIMBERLY DAWN	B16-V85	07/07/2008	07/13/2011	SGT
[REDACTED]	[REDACTED]	07/23/2007	07/23/2007	PO
<ul style="list-style-type: none"> Continuing Professional Training not yet met (Needs: 24 of 24 hours). Perishable Skills Training not yet met (Needs: Firearms, Driver Trn, Arrest, Communication) 				
RENZ, STEVEN R	A02-F39	11/09/2011	11/09/2011	PO
<ul style="list-style-type: none"> In grace period until 1/1/2013. 				
SCHWARZ, CRAIG F	B20-G10	03/10/1999	03/10/1999	PO
TENG, JAMEY CHAK	A11-T81	01/04/2005	01/04/2005	PO
TORRES, BENITO JR	A72-P04	02/13/2001	02/13/2001	PO
WEST, JAMES L	B90-V61	03/01/2007	03/01/2007	CHF

Name	POST ID	Hire Date	Rank Date	Rank
WILLIAMS, ELISSA R	C26-I57	08/18/2010	08/18/2010	PO

Last Compliance Inspection: 10/27/2009
Agency Entry Date: 8/21/1989

(Revised 1/9/06)

California Commission on Peace Officers Standards and Training

Training Report

August 1, 2012

Attached you will find a copy of the POST Training Report that SUSD PD uses to check the compliance status of every Stockton Unified School District police officer . If there are no notes next to an officer's name it means that they have completed the required mandated training for our current training period.

You will note that some officers are in a "grace period". Here is the explanation from POST for that note:

When an officer or dispatcher is hired during a two year cycle for CPT and PSP requirements, they do not have to meet the requirement during that same two year period. The next two year period starts January 1, 2013 so I am assuming all of the officers or dispatchers with the "grace period" by their names have been appointed by your department during the current two year cycle. Let me know if that is not true, or if you have other questions or I can assist in any other manner. Regards.....

Wood, Ron@POST [Ron.Wood@post.ca.gov]

Two officers are shown as out of compliance. Neither is an active officer and therefore is not eligible for training. [REDACTED] is on an extended administrative leave and is facing severe discipline. [REDACTED] was injured in the line of duty over two years ago and it is unknown if he will ever be able to return.

EXHIBIT B

Jim West

From: Marcus Uriarte
Sent: Wednesday, August 01, 2012 9:51 AM
To: Jim West
Subject: MAB attendees

Chief,

The following officially attended the two day training of Management of Assaultive Behavior on March 15 and 16, 2012.

Mayra Franco

Frank Gordo

Brett Grawett

Roberto Marquez

Jeremy Nida

Kimberly Pinto

James West

Elissa Williams

EXHIBIT C



1326 N. San Joaquin Street, Stockton, CA 95202

Non-Emergency line: (209) 933-7085 Fax: (209) 462-6724

[illegible]



Stockton Unified School District Police Department

640 N San Joaquin Street, Stockton, Ca 95202

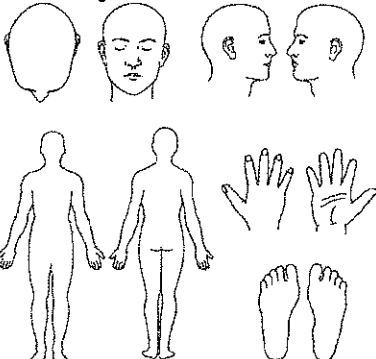
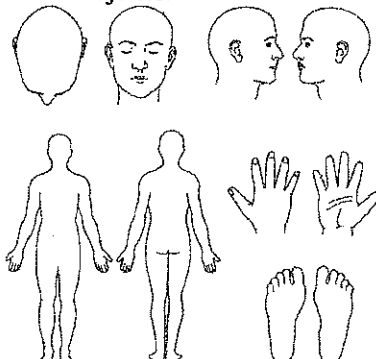
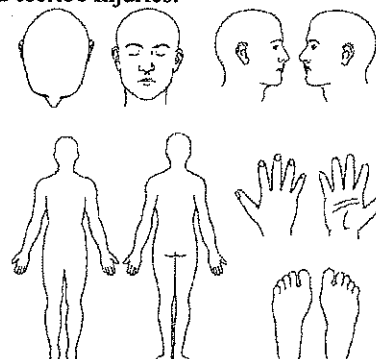
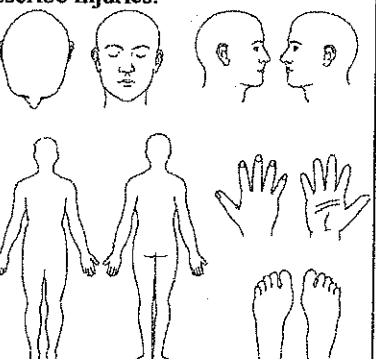
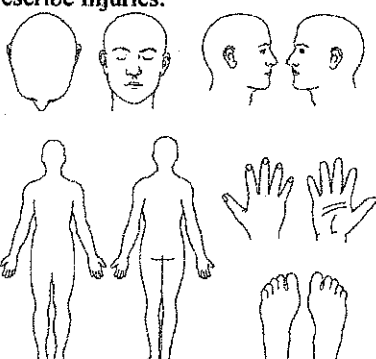
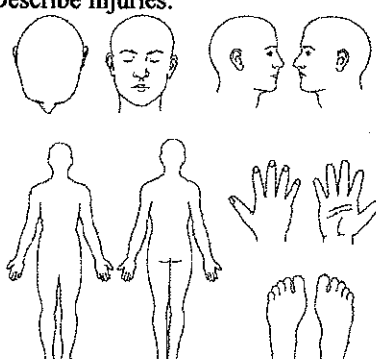
Non-Emergency line: (209) 933-7085 Fax: (209) 462-6724



Inv:	Name:					DOB:		SEX:	
Address:					Phone:				
Race:	Weight:	Height:	Hair:	Eyes:	Injuries: Yes No	Student	Employee (Circle One)	Other	

Inv:	Name:					DOB:		SEX:	
Address:					Phone:				
Race:	Weight:	Height:	Hair:	Eyes:	Injuries: Yes No	Student	Employee (Circle One)	Other	

Inv:	Name:					DOB:		SEX:	
Address:					Phone:				
Race:	Weight:	Height:	Hair:	Eyes:	Injuries: Yes No	Student	Employee (Circle One)	Other	

Name: Describe Injuries: 	Name: Describe Injuries: 	Name: Describe Injuries: 
Name: Describe Injuries: 	Name: Describe Injuries: 	Name: Describe Injuries: 

Additional Narrative:

Preparer's Name/ID:	Date:	Reviewer's Name/ID	Date:
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BOARD OF EDUCATION
 Stockton Unified School District
 701 North Madison Street
 Stockton, California 95202

August 14, 2012

CLOSED SESSION

Board Chambers

PUBLIC SESSION

Boardroom

6: 00 p.m. Call Meeting to Order
 A. Roll Call
 Present: Gloria Allen, Sal Ramirez, Jose Morales, Angel Jimenez, Jr., Sara Cazares,
 David Varela, Steve Smith
 B. Announcement: Board will consider in Closed Session items
 listed on the Closed Session agenda.
 C. Oral Suggestions and Comments From the Community¹
 6:05 p.m. D. Adjourn to Closed Session
 7:00 p.m. Reconvene to Public Session

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

PUBLIC MINUTES

		Action Authorized by the Board
	1.0 Closed Session	
A	1.1 Public Employee Appointment - Certificated (§54957) <i>Leave of Absence</i> <i>Resignation</i> (Teacher, Elementary; Teacher, Secondary; Program Specialist; Instructional Math Coach; School Psychologist; Principal IV) <i>Retirement</i> (Teacher, Elementary) <i>Ratification</i> (Teacher, Elementary; Intensive Intervention Teacher; Teacher, Secondary; Preschool Teacher; K-8 Counselor; High School Counselor; Special Education Teacher; Speech, Language-Hearing Specialist; School Psychologist; Principal IV; Assistant Principal/Program Manager II; Principal II; 45-day Consultants; Substitutes)	Approved certificated public employee appointments by a vote of 7-0 (attached.)
A	1.2 Public Employee Appointment - Classified (§54957) <i>Resignation</i> (Food Service Assistant I) <i>Retirement</i> (Reprographics/mail Room Manager, School Bus Operator, Bus Operator) <i>Rescind Employment Offer</i> (Library Media Assistant) <i>Ratification</i> (Accounting Assistant 2, Administrative Assistant, Office Assistant, Campus Safety Assistant, High School Secretary, Library Media Assistant, Campus Security Monitor, Electrician, Grounds Worker,	Approved classified public employee appointments by a vote of 7-0 (attached.)

¹ "Individual speakers shall be allowed three minutes to address the Board on each agenda or non-agenda item. The Board shall limit the total time for public input on each item to 20 minutes. With Board consent, the president may increase or decrease the time allowed for public presentation, depending on the topic and the number of persons wishing to be heard. The president may take a poll of speakers for or against a particular issue and may ask that additional persons speak only if they have something new to add."

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STOCKTON UNIFIED SCHOOL DISTRICT

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		Action Authorized by the Board
	Substitutes) <i>Public Employee Discipline, Dismissal, Release, Non-reelection, Compulsory Leave, Reassignment (Maintenance Custodian)</i>	
	1.3 Public Employee Performance Evaluation <i>Certificated:</i> <i>Classified:</i>	
A	1.4 Conference with Labor Negotiator (§54957.6) <i>Agency Negotiator: S. Lowder, C. Wells, Wayne Martin, L. Cervantes, M. Nakamura</i> <i>Employee Organization: STA, CSEA 821, CSEA 318, CSEA 885, SUSU, SPPA, OE3 Police, USA, non-represented employees</i>	Discussion only.
A	1.5 Public Employee Discipline, Dismissal, Release, Non-reelection, Compulsory Leave, Reassignment <i>Certificated:</i> <i>Classified: Maintenance Custodian- Facilities Services-Dismissal</i>	
A	1.6 Conference with Legal Counsel-Existing Litigation (§54956.9) <i>Name of Case:</i> 1. West Bay Builders vs. SUSD 2. SJC Superior Court Case, No. 39-2011-00270066 3. Case No. 39-2011-00268 292 CU-JR-STK <i>Name of Case Unspecified:</i>	Direction given to legal counsel to settle by a vote of 7-0 (attached.)
	1.7 Conference with Legal Counsel - Anticipated Litigation (§54956.69) <i>Significant Exposure to Litigation Pursuant to Subdivision (b) of Section 54956.9:</i> <i>Initiation of Litigation Pursuant to Subdivision (c) of Section 54956.9:</i>	
	1.8 Liability Claims (§5495.95) <i>Claimant:</i> <i>Agency Claimed Against:</i>	
	1.9 In district Expulsion Cases:	
	1.10 In district Expulsion Cases Held in Suspension:	
	1.11 Out of district Expulsion Cases:	
	1.12 Out of district Expulsion Cases Held in Suspension:	
A	1.13 Approval of Closed Session Minutes: July 10, 2012	Approved closed session minutes by a vote of 7-0 (attached.)
	2.0 Organization	
	2.1 Welcome to Members of the Community/Announcements	

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STOCKTON UNIFIED SCHOOL DISTRICT

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		Action Authorized by the Board
2.2	Roll Call Gloria Allen, Sal Ramirez, Jose Morales, Angel Jimenez, Jr., Sara Cazares, David Varela, Steve Smith	
2.3	Pledge of Allegiance to the Flag	
2.4	Announcement of Action Taken in Closed Session	
2.5	Recognitions/Presentations	
2.6	Introduction of Student Representative Student Representative Recognition – President	
A	2.7 Approval of Order of Agenda <i>Any changes in the order of the agenda must be presented at this time, including changes concerning the consent calendar.</i> Morales/Smith Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith MOTION CARRIED.	Approved order of agenda with the exception that item 9.1 was moved to item 4.1.
A	2.8 Approval of Consent Items *C/A Varela/Jimenez Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith MOTION CARRIED.	Approved consent items.
A	2.9 Approval of Public Minutes: July 10, 2012 and Special Minutes of July 17 and 26, 2012 Jimenez/Varela Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith MOTION CARRIED.	Approved minutes.
3.0	Communications	
3.1	Oral Suggestions and Comments From Members of the Community	
4.0	Reports/Discussion	
4.1	Report from Superintendent and Chief Business Official – Budget Update Presentation	
4.2	Stockton Education Equity Coalition-Julia Mendoza	
5.0	Public Hearing	
6.0	Governing Board	
6.1	Oral Suggestions and Comments from Members of the Governing Board	

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Action Authorized by the Board

- A** 6.2 Review/Approve the Response to the 2011/2012 Grand Jury Report
M/S Varela/Morales
Ayes Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith
MOTION CARRIED.

Approved response to 2011/12 Grand Jury Report.

I CERTIFY THAT THE VOTE TO APPROVE THE GRAND JURY REPORT WAS UNANIMOUS ON AUGUST 14, 2012.


SARA CAZARES, BOARD PRESIDENT

DATE

- A** 6.3 Adoption of a Governance Handbook for Stockton Unified School District
M/S Jimenez/Allen
Ayes Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith
MOTION CARRIED.

Adopted Governance Handbook.

- C/A** 6.4 Authorization to Pay a Total of \$72,175.71 to the Law Firm of Kronick, Moskovitz, Tiedemann & Girard for Legal Services Rendered through May 25, 2012

Authorized payment.

7.0 Superintendent
7.1 Superintendent's Report

- A** 7.2 Approval of Credential Waiver for Language, Speech and Hearing Specialists
M/S Varela/Morales
Ayes Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith
MOTION CARRIED.

Approved credential waiver.

- C/A** 7.3 Approval of Participation in The Record's Literacy & Book Fair – Family Day at the Park to be held September 15, 2012

Approved.

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			Action Authorized by the Board
C/A	7.4	Acceptance of Donations to the Stockton Unified School District	Accepted donations.
	8.0	Education	
C/A	8.1	Closure of California Virtual Academy @ San Joaquin Charter School in Stockton Unified School District due to the expiration of the charter authorization and withdrawal of the renewal petition under the general authority of Education Code (EC §§47607) and Board Policy (BP 0420.4)	Approved.
C/A	8.2	Approval of the Purchase of Four Mini Laptops and Six iPod Touch for Students of Franklin High School Who Improved Their CST Test Scores During the 2011-2012 School Year	Approved.
C/A	8.3	Approval of Agreement to Provide Fee-based Services YMCA of San Joaquin County	Approved.
C/A	8.4	Approval to Continue Services with School Wise Press for the Mandated School Accountability Report Cards (SARC) School Wise Press San Francisco, CA 94112	Approved.
C/A	8.5	Approval of Agreement to Furnish Consultant Services Professional Tutors of America, Inc. 3350 E. Birch Street, Ste. 108 Brea, CA 92821	Approved consultant services not to exceed: \$ 11,700
C/A	8.6	Approval of Agreement to Furnish Consultant Services Action Learning Systems Los Angeles, California/Sacramento, California	Approved consultant services not to exceed: \$ 40,000
C/A	8.7	Approval of Agreement to Furnish Consultant Services Community Medical Center	Approved consultant services not to exceed: \$ 58,599.45
C/A	8.8	Approval of Agreement to Furnish Consultant Services San Joaquin Community Data Cooperative	Approved consultant services not to exceed: \$ 6,000
C/A	8.9	Approval of Agreement to Furnish Consultant Services HisSho Inc. aka Dr. Victor DeNoble	Approved consultant services not to exceed: \$ 20,000
C/A	8.10	Approval of Agreement to Furnish Consultant Services Point Break Adolescent Resources	Approved consultant services not to exceed:

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			Action Authorized by the Board
			\$ 20,000
C/A	8.11	Ratification of Agreement to Furnish Consultant Services Jill K. Duthie, Ph.D., CCC - Speech-Language Pathologist Assistant Professor, Department of Speech-Language Pathology, University of the Pacific	Approved consultant services not to exceed: \$ 1,000
	9.0	Business and Finance	
A	9.1	Resolution No. 12-07 of The Governing Board of the Stockton Unified School District Prescribing the Terms and Authorizing the Issuance and Sale of Refunding Bonds of the District and Related Actions Varela/Jimenez Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith MOTION CARRIED.	Authorized Resolution No. 12-07.
M/S Ayes			
A	9.2	Approval of Agreement for School Services of California to Assist with an Organizational Review of the District Office and Review of District Budget Allen/Jimenez Allen, Ramirez, Morales, Jimenez, Varela, Cazares, Smith MOTION CARRIED.	Approved agreement.
M/S Ayes			
C/A	9.3	Authorization to Contract with School Innovations & Advocacy for Mandated Cost Services School Innovations & Advocacy 11130 Sun Center Drive, Suite 100 Rancho Cordova, CA 95670	Authorized contract.
C/A	9.4	Awarding Contracts; Approving Change Orders and Authorizing the Filing of Notice of Completions	Approved.
I	9.5	Purchase Order Board Report for the Month of July 2012	Information only.
	10.0	Student Discipline	
	10.1	In district Expulsion Cases:	
	10.2	In district Expulsion Cases Held in Suspension:	
	10.3	Out of district Expulsion Cases:	
	10.4	Out of district Expulsion Cases Held in Suspension:	
	11.0	Public Employee/Open Session (§54957)	
	12.0	Recess to Closed Session (if necessary)	
	13.0	Adjournment	

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Action Authorized by the Board

Meeting adjourned at 8:18 p.m.

Angel Jimenez, Jr., Clerk
Stockton Unified School District, Governing Board of Education

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

The Governing Board accepted the following donations and directed the superintendent to write letters of acknowledgement.

Donor	School/Program	Donation	Designation
Canell K. Pinkney 7741 Pocket Road Sacramento, Ca 95831	Adams Elementary Monroe School	\$ 65.00 \$ 220.00	
PG&E Corporation Foundation P O Box 7586 Princeton, MJ 08543-7586	Commodore Skills School	\$ 298.75	Ms. Lee, Mrs. McCaan, Mrs. Smith, Mrs. Sharp and Mrs. Balser (Band)
Megan Castillo 122 East Atlee St Stockton, CA 95204	Commodore Skills School	\$ 99.58	Ms. Lee, Mrs. McCaan, Mrs. Smith, Mrs. Sharp and Mrs. Balser (Band)
Douglas C Peterson, M.D. 1928 Sheffield Drive El Dorado Hills, CA 95762	Health Careers Academy	\$ 50.00	
Wells Fargo Foundation Educational Matching Gift Program P O Box 2157 Princeton, MJ 08543-2157	Montezuma Elementary School	\$ 70.00	Student Activity Fund
Bradley and Kathleen Klump 17201 Seidner Avenue Escalon, Ca 95320	Nightingale Charter School	\$ 140.00	Science Camp
Steve and Vedina Beard 17488 Seidner Road Escalon, CA 95320	Nightingale Charter School	\$ 140.00	Science Camp

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Donor	School/Program	Donation	Designation
Randy and Ruenell Northcutt P O Box 446 Escalon, CA 95320	Nightingale Charter School	\$ 140.00	Science Camp
Bill Kennedy 9400 Peyton Court Elk Grove, CA 95758	Nightingale Charter School	\$ 250.00 gift card to Cost Plus	(\$200 for teachers and \$50 for raffle prize)
Cost Plus World Market 3610 South Airport Way Stockton, CA 95206	Nightingale Charter School	\$ 2500	Student activities fund, supplies and field trips
San Joaquin School PTA 2020 S Fresno St Stockton, Ca 95207	San Joaquin School	\$ 2,043.76	To purchase benches
Spanos Elementary School PTA 536 S California Street Stockton, CA 95203	Spanos School	\$ 5,000.00	For Science Camp
Wells Fargo Community Development MAC A0716-21F 400 Capitol Mall, Ste 2150 Sacramento, CA 95814	Spanos School	\$ 1,000.00	For Science Camp
Cortopassi Family Foundation 11292 North Alpine Road Stockton, CA 95212	Stagg High School	\$ 5,000.00	To purchase equipment for the Science Department
Stockton Lodge No. 218 BPO Elks 8900 Thornton Road, Suite 1 Stockton, CA 95209	Taft School	\$ 1,000.00	For gardening purposes
PG&E Corporation Foundation P O Box 7586 Princeton, MJ 08543-7586	Tyler School	\$ 75.00	Materials and supplies
PG&E Corporation Foundation P O Box 7586 Princeton, MJ 08543-7586	Wilson School	\$ 75.00	Materials and supplies
Lori Foster 1572 West Poplar St Stockton, CA 95203	Wilson School	\$ 150.00	Materials and supplies