



Columbia Union School District

"Home of the 49ers"

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FILED

JUL 29 2013

Honorable Judge, Donald Segerstrom
Tuolumne County Superior Court
60 North Washington Street
Sonora, CA 95370

Superior Court of California
County of Tuolumne

BY *E. Baber*
Clerk

Columbia Union School District
22540 Parrotts Ferry Road
Columbia, CA 95310
(209) 532-0202
FAX (209) 533-7709

July 23, 2013

Superintendent
Dr. John Pendley

Honorable Judge, Donald Segerstrom:

Principal
Mr. Ed Pelfroy

Columbia Union School District is in receipt of the 2013 Grand Jury report and would like to thank the jurors who participated on the education committee for their time with an extremely difficult and very complicated matter. We greatly appreciate the juror's efforts to deal effectively with the many miscommunications from the media and the resultant misperceptions that have occurred over a long period of time. We too, are hopeful that misinformation and perceptions are clarified and closure for the school and community can occur.

Chief Business Official
Norma Hunt

After reviewing the report in its entirety, the district Governing Board and the Superintendent respectfully respond to each finding and recommendation as follows:

Administrative Assistant
Lisa Blaylock

Finding # 1 Agree

Administrative Assistant
Shari Rago

Finding # 2 Agree with explanation

Explanation: Technically no formal MOA was in place at the time to officially share information between districts. However, the same person viewed the information for each district. All information was viewed by one employee in charge of personnel for both districts.

SCHOOL SITES

Columbia Elementary School
22540 Parrotts Ferry Road
Columbia, CA 95310
(209) 533-7700
FAX (209) 532-4998

Springfield Community Day School
22540 Parrotts Ferry Road
Columbia, CA 95310
(209) 532-0202
(209) 533-7709

Finding # 3: Agree

Finding # 4: Agree

Finding # 5: Agree

GOVERNING BOARD

Jenny David
Laura Phelan
Danese Pimentel
Jo Rodefer
Dr. Jeff Wittman

Finding # 6: This finding does not apply to Columbia. The employee was not a teacher as indicated in the finding.

Finding # 7: Agree

Finding # 8: Agree

"Then and Now, Excellence Begins Here"

Finding # 9: Agree

Finding # 10: Agree

Finding # 11: Agree

Finding # 12: Partially Disagree

Explanation: There is a procedure already in place that is used periodically based on the specific needs of the situation and the particular request. However, the Superintendent takes full responsibility for blurring these lines by approaching employees as a father.

Finding # 13: Agree

RECOMMENDATIONS:

Recommendation # 1: The Grand Jury recommends that the CUSD should ensure that proficiency testing requirements are fully met consistent with the California Education Code.

This recommendation will be implemented immediately.

Recommendation # 3: The Grand Jury recommends that the CUSD should come into compliance with the 2011 custodian of records requirements.

This is currently being implemented and will be completed before the start of the 2013-14 school year.

Recommendation # 5: The Grand Jury recommends that the CUSD Board should scrutinize at (sic) all hiring of related employees, regardless of position, to ensure supervision lines are clear and no conflicts exist. The mere perception of a conflict of interest should be scrupulously avoided, especially by upper level leadership positions.

This will be implemented immediately. While it is our standard practice to scrutinize hiring of related employees, Columbia Union School District will continue to do so in the future with heightened sensitivity and evaluation.

Recommendation # 6: The Grand Jury recommends that BESD and CUSD policy should be developed to ensure that ongoing criminal investigations or pending criminal charges be resolved before a job offer is made or an individual is allowed to return to work.

This action did not occur at Columbia. However, the recommendation will be implemented within six months of the date of the Grand Jury report by the District reviewing its Board Policies and Administrative Regulations related to hiring and assignment of employees

Recommendation #12: The Grand Jury recommends that the CUSD Board should establish policy and procedure requiring review and approval for employee participation in activities that have potential to negatively affect the District directly or indirectly. The Grand Jury further recommends that the CUSD Board consider establishing or assigning an Ethics Official or designee.

This will be implemented within six months of the Grand Jury report.

Recommendation # 13: The Grand Jury recommends that the CUSD Superintendent should conduct appropriate checks and control measures to ensure compliance with local, state and federal laws, policies and regulations. The Grand Jury further recommends that new personnel should be mentored and trained in legal procedures. Checklists and quick reference materials or sources could be developed to assist.

This has been implemented. The Superintendent takes full responsibility and has already expanded the options available to obtain advice, legal counsel and direction to ensure compliance with local, state and federal laws. Training of new personnel was reviewed and revised in October of 2011. In addition, training options have been expanded to include additional seminars, webinars and, in some cases, course work specific to the job requirements.

Our sincere thanks once again to the education committee for their extensive work on this matter.

COLUMBIA UNION SCHOOL DISTRICT: July 23, 2013



Laura Phelan
Board President



Dr. Jeff Wittman
Board Clerk



Danese Pimentel
Board member



Jo Rodefer
Board Member



Jenny David
Board Member



Dr. John Pendley
Superintendent