2001/02
RESPONSES

Children's Services Procedures and Reporting Practices

RECEIVED
MAY 23 2002
SAN DIEGO
COUNTY GRAND JURY

County of San Diego

TIMOTHY A. CHANDLER
ALTERNATE PUBLIC DEFENDER

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RECEIVED
MAY 24 2002

May 20, 2002

Hon. Richard E.L. Strauss
Presiding Judge
Superior Court
220 West Broadway
San Diego, CA 92101

Re: CHILDREN'S SERVICES Procedures and Reporting Practices

Dear Judge Strauss:

The Alternate Public Defender received the above report of the 2001-2002 San Diego County Grand Jury, and is hereby responding pursuant to Penal Code section 933.05.

Recommendation	**Response**
02-22	APD agrees with the finding. We will continue to conduct regular monitoring of our attorneys' performance.
02-23	APD agrees with the finding. However, we are not in a position to actually implement the recommendation; we can only advocate for the implementation of the recommendation.
02-24	APD agrees with the finding. Our attorneys will continue to advocate for the Health and Human Services Agency's implementation of the recommendation.

We welcome the Grand Jury's findings and look forward to the implementation of its recommendations.

Sincerely,

Timothy A. Chandler
Director

County of San Diego

WALTER F. EKARD
CHIEF ADMINISTRATIVE OFFICER
(619) 531-6226
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1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

RECEIVED
JUL 3 0 2002
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SAN DIEGO
COUNTY GRAND JURY

July 24, 2002

The Honorable Richard E. L. Strauss
San Diego Superior Court, Presiding Dept.
220 West Broadway
San Diego, CA 92101

2001-2002 INTERIM GRAND JURY REPORT RESPONSES FROM COUNTY OF SAN DIEGO

Dear Judge Strauss:

Attached, please find the County of San Diego Board of Supervisors' responses to five 2001-2002 San Diego County Grand Jury Interim Reports for your transmittal to the Grand Jury. The attached material was approved by the Board of Supervisors on July 23, 2002 and addresses the following five Interim Reports:

1.) Home Rule
2.) Truancy and Curfew Practices
3.) Regional Transportation Planning
4.) Transportation in North County
5.) Children's Services

If you have any questions concerning this matter, please contact me at (619) 531-6226.

Sincerely,

Walter Ekard

WALTER F. EKARD
Chief Administrative Officer

Attachment

Printed on recycled paper

COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

26

AGENDA ITEM

RECEIVED

JUL 31 2002

SAN DIEGO
COUNTY GRAND JURY

DATE: July 23, 2002

TO: Board of Supervisors

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

SUMMARY:

Overview
On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. Included in this Final Report are five Interim Reports containing recommendations to the Board of Supervisors and County departments on power generation, curfew and truancy laws, children's services and regional transportation planning.

This is a request for your Board to review the draft responses prepared by the Chief Administrative Officer that respond to the findings and recommendations contained in these five reports and to authorize the Chief Administrative Officer to transmit your Board's responses to the Grand Jury, via the Superior Court Presiding Judge.

Recommendation(s)
CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Chief Administrative Officer to transmit the attached responses to the Grand Jury via the Superior Court Presiding Judge.

Fiscal Impact
There is no fiscal impact with this action.

Business Impact Statement
N/A

Advisory Board Statement

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All) **26**

The Commission on Children, Youth and Families Executive Board will be given an informational copy of the County's proposed response to the Grand Jury Report on Children's Services at its regular scheduled meeting of July 19, 2002.

BACKGROUND:

On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. This document is a compilation of the Interim Reports which were also released individually throughout May and June. Included in the reports are recommendations to the Board of Supervisors and County departments concerning power generation, curfew and truancy laws, children's services and regional transportation planning.

The attached document contains proposed responses to the findings and recommendations directed to the County in the following five reports: 1.) Home Rule: Is Chartering a City a Good Idea?, 2.) Truancy and Curfew Practices, 3.) Regional Transportation Planning, 4.) Transportation in North County and 5.) Children's Services.

This is a request for your Board to authorize the Chief Administrative Officer to transmit the attached responses to each of these five reports to the Grand Jury via the Superior Court Presiding Judge.

Respectfully,

WALTER F. EKARD
Chief Administrative Officer

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

26

AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	[X] Yes	
Written Disclosure per County Charter Section 1000.1 Required	[] Yes	[X] No
GROUP/AGENCY FINANCE DIRECTOR	[] Yes	[X] N/A
CHIEF FINANCIAL OFFICER	[] Yes	[X] N/A
Requires Four Votes	[] Yes	[X] No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	[] Yes	[X] N/A
CHIEF TECHNOLOGY OFFICER	[] Yes	[X] N/A
DEPARTMENT OF HUMAN RESOURCES	[] Yes	[X] N/A

Other Concurrence(s): Health and Human Services Agency
Public Safety Group
Department of General Services
Department of Public Works
Office of Strategy and Intergovernmental Relations

ORIGINATING DEPARTMENT: Chief Administrative Office

CONTACT PERSON(S):

Janice Graham	
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Phone	Phone
(619) 595-4060	
Fax	Fax
A-6	
Mail Station	Mail Station
Janice.graham@sdcounty.gov	
E-mail	E-mail

AUTHORIZED REPRESENTATIVE: Janice Graham

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

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AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:
May 21, 2002 (20) Referred 2001-2002 Grand Jury Interim Reports on *Home Rule* and *Truancy and Curfew Practices* to Chief Administrative Officer for response.

BOARD POLICIES APPLICABLE:
Board Policy A-43, Response to Grand Jury Interim Reports

BOARD POLICY STATEMENTS:
N/A

CONTRACT NUMBER(S):
N/A

ATTACHMENT A
HOME RULE: ***Is Chartering A City a Good Idea?***

Recommendation 02-07: That the County Board of Supervisors develop a cooperative energy program with SDG&E along the lines of the City of San Marcos.

This recommendation has been implemented.

The County has been a leader in the San Diego region's response to the energy price disaster emanating from the State's failed deregulation legislation.

During 2001, the County, the City of San Diego and the San Diego Regional Energy Office (SDREO) co-hosted several regional meetings to exchange information on energy conservation, alternative supply opportunities (such as solar energy) and the creation of a regional municipal utility district. The meetings were well attended by most of the region's 18 cities, the Port District, the County Water Authority and other public interest organizations.

At the request of the County Board of Supervisors, the San Diego County legislative delegation sponsored legislation to facilitate the creation of a municipal utility district, which would have provided the foundation for a cooperative program. Unfortunately, this legislation was vetoed by the Governor last year.

The County, the City of San Diego, the Port District, the County Water Authority and the Utility Consumers Action Network (UCAN) are jointly funding a Regional Energy Infrastructure Study. The SDREO is the lead agency for this effort. When completed in the next 30 to 60 days, the Study will provide a strategy for meeting the region's energy needs over the next 20 years.

The County of San Diego will continue to take an aggressive leadership role in cooperative programs with other jurisdictions to address energy needs of our region.

Recommendation 02-10: That the County Board of Supervisors implement a program that places emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents before the detrimental results of truancy and curfew violation occur.

This recommendation will not be implemented since the County of San Diego already places an emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents. In fact, San Diego County is fortunate to have a broad spectrum of policy, program and implementation devices currently in place to deal with truancy and curfew issues.

Within the County organization, several departments are actively working with youth of all ages to reduce truancy and curfew violations. The District Attorney's Office is addressing school truancy with the Building Roads to Intervene in Truants' Education (BRITE) truancy prevention program. This program works with parents to become more aware of their children's behavior and the laws regarding their education. The law requires parents to send children between the ages of 6 and 18 to school. If parents fail to do so, they can be fined: $100 for the first violation, $250 for the second violation and $500 for the third violation.

Parents are informed that, if their child continues to be truant, the District Attorney's Office can prosecute them for contributing to the delinquency of a minor, which is a misdemeanor punishable by up to one year in jail and/or a $2,500 fine upon conviction. In order to help parents with this responsibility, the BRITE Program helps parents prevent truant behavior, identify school attendance problems and find additional resources to resolve truancy problems, if they occur. The program encourages parents to make education a priority, to know where their children are before, during and after school, discuss school activities with their children and, to ask for help as needed.

The program also informs students that to be successful in school, they must attend classes and be ready to learn. Students are informed that if they don't show up for school, that they can be prosecuted for truancy, assigned a probation officer, given a curfew by the judge and required to do volunteer community work. If the truancy behavior continues after the judge makes an order to attend school, the judge can detain them in Juvenile Hall.

Students are reminded that if they have problems that make it difficult to go to school, that they can and should ask for help. Resources are offered for learning disabilities, medical problems, family violence, drugs and mental health. These services are usually free and confidential. Students are directed to their school counselors, nurses or teachers for help.

In addition to the District Attorney's efforts, the County Probation department also coordinates and shares resources with partner agencies throughout the County on truancy prevention. Although the primary population served by Probation staff is youth between ages 12–17, there are several programs in place that reach small children.

The Community Assessment Teams (CATs) target youth exhibiting high-risk behaviors (e.g. poor school attendance, runaway behavior, substance abuse, aggression, etc.) before those juveniles become involved in the justice system. Youth between the ages of 6–17 are served with full family involvement. The goal of this prevention program is to reduce the number of youth

entering the justice system by supporting and empowering families to access community resources in a timely fashion. Law enforcement, schools, health centers and other service providers refer youth and families to CAT.

There are five CAT centers in the County, serving all geographic areas. Multi-disciplinary teams (i.e., case manager, probation officer, and other experts) assess the strengths and needs of the youth and family, develop a case plan building on strengths to address needs, and collaborate with other agencies in service provision. Through this process, CATs provide services that previously did not occur, or were provided by school staff or the police. With the CAT program in place, school and police personnel can focus their resources in other pertinent areas. To date, 93% of youth served have not entered the justice system within 18 months after receiving services. CAT clients are more likely to be enrolled in school and be at the appropriate grade level than other comparable at-risk youth.

Another Probation program that focuses on truancy is the Truancy Intervention Program (TIP). This countywide truancy program began as an early intervention program in 1988 at the Grossmont Union High School District. Its goal is to divert youth from future involvement in the juvenile justice system, improve school performance and reduce truancies. There are currently seven school Probation Officers assigned to various school districts throughout the County who provide service to children enrolled in elementary, middle and high schools. The TIP program is a collaborative effort on the part of School Districts, Probation and Law Enforcement with the objective of reducing student truancy rates. These Probation Officers provide primary intervention services to youth and their families experiencing family management and school problems. In fact, TIP was been extremely successful. 98.2% of referrals to TIP received no new 601 petitions after TIP/SARB intervention. 99.3% of minors referred to TIP received no new 602 petitions after TIP/SARB intervention.

The most recent addition to truancy programs in the Probation Department is the Truancy Suppression Project (TSP). The Truancy Suppression Project provides supervision, intervention and wrap-around support to adjudicated Welfare and Institutions Code (WIC) 601 habitually-truant wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family-related issues, drug problems, as well as school safety. As of June 30, 2002, 575 truancy wards have received services through TSP. 129 truancy wards have successfully completed the Truancy Suppression Program. There are currently 350 active TSP cases.

These programs illustrate the collaborative relationship that is already in place between the County of San Diego, schools and community organizations to reach children at risk of truancy and curfew violations and assist their families.

Recommendation 02-12: That the County Board of Supervisors propose legislation which would compel parents to be actively involved with their children to avoid truancies and curfew violations.

This recommendation will not be implemented because sufficient statutory enforcement tools already exist to compel parents to comply with truancy and curfew laws.

One such law is Welfare and Institutions Code (WIC) 601.2, which states, "In the event that a parent or guardian in charge of a minor...fails to respond to directives of the school attendance review board or to services offered on behalf of the minor, the school attendance review board shall direct that the minor be referred to the Probation department or to the county welfare department under Section 300, and the school district to file a complaint against the parent, guardian, or any other person in charge of such minor ...". The Probation department, District Attorney and Juvenile Court have collaborative authority to judiciously compel parents to take an active role in their children's lives. Parents can be cited to Court to address their child's non-attendance at school. Probation also follows up on demands that the Court may place on parents.

There have been enhanced efforts to enforce the WIC 601 statutes with the recent addition of the Truancy Suppression Program. Since its inception on July 1, 2001, TSP has served 575 truancy wards and their families. The Truancy Suppression Program provides supervision, intervention and wrap-around support for WIC 601 wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family related issues that adversely impact a child's ability to attend school. As well, WIC 601.5 allows for an At-Risk Youth Early Intervention Program; Referral to Youth Referral Center. This section allows any County, upon adoption of a resolution by the Board of Supervisors, establish an At-Risk Youth Early Intervention Program designed to assess and serve families with children who have chronic behavioral problems that place the child at-risk to becoming a ward. San Diego County developed the countywide Community Assessment Teams (CATs) under this statute.

Recommendation 02-13: That the County Board of Supervisors propose legislation that would empower the Courts to intervene more efficiently and more rapidly with parental substitutions where parents are unavailable to parent their children.

This recommendation is in the process of being implemented. The Grand Jury's report accurately describes shortcomings in current law. The Legislature, recognizing these shortcomings, is already acting on legislation to correct these deficiencies. There are two bills currently pending that address the issues raised in the Grand Jury's report: SB 1677 (Alpert) and AB 886 (Simitian and Daucher. AB 886 has passed the Legislature and is in the Governor's Office awaiting action. SB 1677 is in the Assembly Appropriations Committee, with no hearing date set. SB 1677 received unanimous votes in all previous committee hearings and on the Senate Floor.

As noted in the response to Recommendation 02-12, the juvenile justice system in San Diego County does seek wardship under Section 601 of the Welfare and Institutions Code when the behavior of the minor warrants intervention by the Juvenile Court. AB 886 and SB 1677 would strengthen the effectiveness of such interventions by requiring a juvenile court to consider the need to limit a parent's right to make educational decisions and to appoint a surrogate parent or responsible adult when needed. These bills would address the concerns of the Grand Jury. At this point, the prospect of these bills becoming law appears good.

ATTACHMENT C
REGIONAL TRANSPORTATION PLANNING: *Does it Exist?*

Recommendation 02-30: That each Member Agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)

The recommendation will not be implemented because SB 1703 and AB 2095 as currently drafted are inconsistent with the Board's adopted policy on regional governance, which supports a directly-elected board of directors.

On February 12, 2002 (#21), the Board of Supervisors created an ad hoc subcommittee to study regional government and report back with findings. On April 20, 2002 (#13), the Board discussed regional government roles at greater length and expressed support for an independent, directly elected regional agency.

On May 21, 2002 (#11), the Board of Supervisors continued their discussion about various elements of the regional agency and they determined the agency should be the authorized regional transportation planning agency, with responsibility for creation and implementation of the regional transportation plan and for implementing significant transportation projects. The Board's proposed regional agency would consolidate the planning functions of SANDAG, NCTD and MTDB, along with the assumption of all funding sources related to ground transportation planning. In addition, the Board adopted the following recommendations for the proposed regional agency:

- The agency should be governed by a seven-member, full-time board of directors elected by districts.
- Board members should serve a four-year term.
- Compensation should be at 80% of Superior Court Judge's salary.
- Creation of the districts should begin in January 2003, by an eleven-member redistricting commission, appointed as follows: one per Supervisor; one per subregion, appointed by the cities (north county coastal, north county inland, east county, south county); two by City of San Diego.
- The first election would be held during the 2004 primary election, following the rules governing the elections of the Board of Supervisors.
- Elections would be staggered: Districts 2, 4 and 6 to hold the election in 2006; Districts 1, 3, 5 and 7 to hold election in 2008. (Redistricting commission numbers the districts.)
- In the hiring process, preference would be given to currently employees of the consolidated organizations.
- There should be advisory committees (East County, North County, and South County) comprised of appointees from the eighteen cities and the County, plus NCTD and MTDB.

While some elements of the Board's adopted proposal are contained in SB 1703 and AB 2095, such as the consolidation of SANDAG, NCTD and MTDB, these bills basically continue the existing SANDAG structure, which is comprised of appointed officials, not directly-elected officials dealing exclusively with regional transportation matters.

ATTACHMENT D
TRANSPORTATION IN NORTH COUNTY: ***Dead Ends and Lack of Foresight***

Recommendation 02-57: Initiate transit corridor planning program studies of the need for a "smart growth" general plan and corresponding zoning changes in the areas surrounding transit stations of the Oceanside-Escondido Rail Project.

This recommendation has been implemented.

County staff continue to coordinate with transit agencies (including the North County Transit District) in the preparation of land use alternatives being considered for the General Plan 2020 project. Location of transit stations, encouragement of transit use and smart growth concepts have been discussed and considered by County staff, interest groups and the steering committee. These will continue to be factors influencing final form of the proposed General Plan.

It should be noted that no proposed transit stations serving the Oceanside–Escondido Rail Project will be located in the unincorporated area. Therefore, separate detailed transit corridor planning program studies will not be prepared as part of this project. However, there will be transit stations and a transit center located nearby. In applying the concepts formulated by the advisory groups, staff will designate the area adjacent to the proposed transit center as a transit node and will apply higher density designations to these areas to support and encourage transit use in North County.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Finding I: Social workers have an inordinate amount of influence in determining the future of cases.

The County agrees that social workers are one critical aspect of the dependency Court system. The social workers' role is set forth in statute as noted below:

- Welfare and Institutions Code (WIC) section 309 imposes the duty upon a social worker to: "...immediately investigate the circumstances of the child and the facts surrounding the child's being taken into custody."
- WIC section 319(b) states: "The social worker shall report to the Court on the reasons why the child has been removed from the parent's custody; the need, if any, for continued detention;..."
- WIC section 358.1 requires the social worker to prepare for the Court a social study report for the Dispositional Hearing, which contains a factual discussion of the family circumstances and recommendations related to those circumstances.
- WIC 366.21 requires the social worker to file a supplemental report with the Court at the Review Hearing regarding the services provided or offered to the parents to enable them to assume custody. The Review Hearing is held six months after the initial Dispositional Hearing.

The social workers' role is balanced by the input in Court of all parties represented by counsel. Attorneys working in the public law offices are advocates for parents and children. They are statutorily required to meet with their clients and conduct independent investigations. These attorneys advocate their clients' legal positions, utilizing many sources of information as well as the information presented in Court by the social worker. Thus, while social workers are an important component of the system, there are numerous other constitutional and statutory checks and balances, including judges who weigh the interests of all parties.

Finding II: Social workers' allegations over a period of time can become "fact" in subsequent reports.

The County disagrees that allegations generally become "fact" in subsequent reports.

The social worker is required to investigate all allegations of abuse and neglect and make corresponding recommendations. Once those recommendations are presented to the Court in the form of a petition, the Juvenile Court makes the findings on each of the allegations presented.

- WIC section 319 defines the social worker's role to: "...report to the Court the reasons for the removal and continued detention of the child."
- WIC section 319 notes it is the Court who: "...states the facts on which the decision is based."

Following the initial petition, the social worker prepares a social study report, which the Court may accept into evidence (WIC sections 355 and 358). As part of this jurisdictional process, the social worker, as preparer of the report, can be cross-examined by any party's attorney or questioned by the Court regarding the contents of the social study. Only after the Court has made findings on each of the allegations, can a summary of these findings be included in all future reports.

If attorneys for the parties raise a question as to the accuracy of the information contained in the reports, the Court is notified and County Counsel contacts the Agency to rectify the discrepancy. The inaccurate or unsubstantiated information can then be redacted or corrected for subsequent reports, thus remedying the situation.

Finding III: A social worker's general opinion that a parent had not made necessary internal changes was sufficient for the social worker to decide that the parent's behavior could be a detriment to the child's welfare.

The County disagrees that a social worker uses a general opinion to determine risk to a child. There are a number of criteria that are considered throughout the evaluative process. An example of criteria would be the reports received from the specific treatment/service providers.

In addition, per the Childrens Services Program Guide (the policy and procedure manual for social workers), Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, social workers are required to complete a risk assessment prior to each Court hearing:

> "A risk assessment must be completed on each child assigned to a SW for investigation. The assessment must determine the child's:
> - Risk of abuse, and
> - Prognosis for reunification if placed out-of-home."

Risk assessment is a structured process of decision-making that considers numerous factors of safety and is required at strategic points in the life of a case.

Finding IV: During visits to San Diego Juvenile Court, Dependency Unit, the Jury observed a wide variance in performance and skill – from excellent to sub-standard by members of the defense bar and the TERM therapists.

The County disagrees with the finding that members of the defense bar exhibit "sub-standard" performance.

WIC section 317.5 requires that all parties in dependency proceedings be represented by competent counsel. WIC section 317.6 and California Rule of Court 1438 establish minimum standards of experience, training, and education to represent a party in dependency proceedings.

Local Rules of Court have added further safeguards to ensure competency of attorneys who practice in the San Diego Juvenile Courts. Pursuant to these local rules, each dependency attorney must submit a "Certification of Competency" with the Juvenile Court prior to appointment to any dependency case. A minimum of six months of experience and 12 hours of training is required prior to being certified by the Court as competent. New attorneys without the required experience may be granted provisional certification but only if participating in a mentoring program. Failure to comply with the rules could lead to decertification by the Juvenile Court.

County law offices provide supervision and performance management of all their attorneys. Complaints raised by others regarding the performance of attorneys are taken seriously. All complaints are investigated and responded to by a supervising attorney. Each complaint is noted, acted upon, and discussed with the attorney at the time it is made. The supervising attorney may arrange for supplemental investigation or other services after any client complaint. All complaint calls are returned immediately, with the goal of resolving the problem within 24 hours.

Additionally, the County law offices collaborate to present a monthly noon-hour-training program. This effort provides ongoing professional training to enhance the skills and practice level of all attorneys who practice in the Juvenile Court.

The County agrees that there is variance on Court testimony skills by private therapists approved by the Treatment and Evaluation Resource Management (TERM). TERM provides a quality assurance function in screening and selecting private therapists to be on the Childrens Services approved provider list. TERM also provides ongoing trainings for these therapists to improve their understanding of the juvenile dependency process, including testifying in Court hearings. Testifying in Court is rare for most private therapists and thus, few gain sufficient experiences to improve their performance in testifying. Because Court testimony is an occasional obligation for TERM approved therapists, the approval criteria focuses more on clinical skills and experience.

Finding V: There is no easy way to readily determine compliance or non-compliance to the Court orders, or an easy reference to aid in determining whether reports are missing from the Court file.

The County disagrees. At each hearing, the social worker provides the Court and all attorneys with a Court report, which contains a history of the case, documentation of Court orders, services provided and compliance with such services. Copies of Court orders are included in the Court file and are given to all attorneys.

Finding VI: Caseworkers use parental visitation as a disciplinary tool.

The County disagrees.

Agency policies and statute recognize the importance of visitation and the right to visitation and assisting in such visitation is a critical role of the social worker.

As per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Visitation" section:

> "Visitation is a necessary and valued part of the reunification process for the parent and child. Visitation must be arranged to allow the parent and child to have the maximum contact in the least restrictive setting. To avoid any misunderstandings, the terms of the visitation agreement must be clearly documented for the parent, SW and SCP in the CWS/CMS Case Plan/Case Plan Update... After the

> Dispositional Hearing, the visitation plan is no longer left to the discretion of the SW, as it becomes Court ordered."[1]

If the behavior of a parent jeopardizes the safety of the child, the social worker may recommend supervised visitation to the Court. Per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Supervised Visitation" section:

> "SW staff must clearly document the reasons for requesting supervised visits (and the Court makes the final determination)."

Social workers make complex arrangements to ensure that parents visit with children and children visit with each other if they are not placed together. For instance, in a particular case referenced by the Grand Jury with a concern about the adequacy of visitation, from August 2000 to August 2001, there were 172 documented visitations involving the family members.

If there are concerns raised regarding social worker attitudes and/or actions affecting family visitation, they are reported to social worker administrators and calendared for immediate review by a Juvenile Court judge.

Finding VII: In a published appellate decision, the Court stated that the social worker's opinion that a parent failed to "internalize counseling" was too vague to constitute evidence of risk.

The County agrees with this finding.

Use of such an opinion alone as evidence of risk is not appropriate. Social workers use their training and experience to assess parents' progress on each element of their case plan. Agency policy requires social workers to complete a comprehensive assessment of risk in a structured manner. Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, describes three critical principles of risk assessment:

- "The central focus is determination of the likelihood that the child will be abused in the future rather than substantiation of current allegations.
- The standard for assessment is a minimum sufficient level of care required to sustain growth, health and safety, rather than ideal parenting.
- The same standards for assessing risk should be used throughout the life of the case."

The Appellate Court represents one more aspect of the checks and balances within our legal system that ensure that all decisions may be reviewed.

Finding VIII: Placing children in out-of-home facilities, as a result of verbal domestic violence, does not always ensure a safer environment for the children.

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[1] SW = Social Worker; SCP = Substitute Care Provider; CWS/CMS = Child Welfare Services/Case Management System.

The County agrees with this finding.

The Agency strives to ensure the safety of all children in out-of-home care. All out-of-home placements are regularly monitored for quality and compliance with regulations. The Agency responds immediately to all complaints regarding out-of-home care and takes appropriate measures to protect the children.

While County law offices do not "place" children in out-of-home facilities, attorneys do make recommendations to the Court regarding placement options. In addition, as part of their duties Childrens attorneys send experienced investigators who are trained in the field of child welfare to visit with clients in their placements prior to every Court review, and as necessary to address the needs of the client. Concerns regarding particular placements are raised with the social worker and/or to the Court. If appropriate, attorneys also notify licensing agents of safety concerns with a particular placement.

Finding IX: In the recent complaint, Childrens Services recommended out-of-home placement when in-home protective services could have been recommended.

The County disagrees with this finding.

In the recent complaint, the risk assessment of this family indicated that the children could not safely remain in their home. In this particular case, multi-disciplinary case consultations were held prior to removal of the children. The Agency reviewed the family's situation on three consecutive days to determine if the children could be safely maintained in the home with the provision of in-home protective services. Law enforcement was also present when these children were removed from their home. Due to multiple risk factors in this family, it was determined that in-home protective services could not sufficiently reduce the risk to the children.

Childrens Services policy is that children will be maintained in their family home with the delivery of services whenever possible. In this case, the seriousness of the protective issues led to the filing of a petition with the Court and a recommendation for out-of-home placement. The Court record is clear on the extensive risk to the children. All parties were represented by separate counsel in this matter.

Recommendation 2.14: Provide an impartial third party in Childrens Services to intervene when a supervisor and caseworker disagree between themselves with the recommendation of reunification.

The County will not implement this recommendation because there is currently in place an alternative dispute resolution process.

The Agency has existing policy and procedure to provide for an impartial third party to intervene when a supervisor and caseworker disagree over any recommendations to the Court. Childrens Services Program Guide, Chapter 5 "Court," "Hearings and Court Reports" section, "Handling Differences of Opinion between SW and Supervisor" subsection, states:

> "If a mutually satisfactory resolution cannot be reached after discussion, the case should be discussed with the section manager or referred to the regional case consultation committee."

Recommendation 2.15: Strengthen competency reviews of TERM therapists' reports and have supervisory staff monitor their testimony in Court.

The County will not implement this recommendation because there is a system currently in place to provide oversight of these private therapists.

The TERM Team is a quality control, utilization management and consultation unit that was developed under the direction of the Board of Supervisors to improve the quality of mental health services provided to Childrens Services clients. This oversight body is comprised of qualified mental health professionals and support staff who work for the County's Health and Human Services Agency.

The TERM Team is tasked with screening and selecting qualified private therapists, who are licensed by the State, to be on the Childrens Services dependency provider panel for referrals. In addition to State standards, TERM standards require the therapists to have an in-depth knowledge of the dynamics of child abuse and neglect. The County does not provide direct supervision of these independent therapists that are on the approved panel list.

The TERM Team provides a competency review of every treatment plan and treatment update report that is submitted by the dependency panel therapists. The focus of the reviews are to ensure that the treatment plans and updates meet professional standards, treatment goals are objective, measurable and achievable and that the protective issues of the case are a focus of treatment.

The TERM Team has implemented a protocol for a more in-depth review of a therapist report in the event of a complaint. A form to register formal complaints is available by calling TERM. When a complaint is filed, there are several actions that may be taken, ranging from "no action necessary," to a referral to a professional ethics committee/licensure board, and/or termination from the dependency provider panel list.

Recommendation 2.16: Conduct regular peer review of all permanent caseworker and supervisory staff and apply sanctions when applicable.

The recommendation will not be implemented.

While the County agrees in substance with the importance of peer and multidisciplinary review of decisions by staff, the Agency already utilizes a variety of ways to ensure peer, supervisory and management review.

- Childrens Services Unit Case Consultation - The purpose of case consultation is to provide support and input to the social worker in the decision-making process. Case consultations are required at specific decision points.

- Childrens Services Multi-Disciplinary Case Consultation - This type of case consultation includes therapists, doctors, foster parents, teachers, TERM Team members, public health nurses and Court Appointed Special Advocates.
- Child Protection Team – This is a multi-disciplinary team with representatives from Center for Child Protection, Childrens Services, Children's Hospital, Law Enforcement, Juvenile Court, County Counsel, the District Attorney's Office, Public Health, San Diego Regional Center and San Diego City Schools. Its purpose is to review cases of serious abuse, to ensure that all necessary services are provided to an abused or neglected child.
- Case Elevation Review Team (CERT) - The purpose of CERT is to assess whether "systems problems" exist that need to be remedied in order to ensure the safety and protection of children. "Systems" issues and not "case specific" issues are the focus of discussion. Members include representatives from Public Defenders, Alternate Public Defenders, Family Court, Childrens Services, Juvenile Justice Commission, County Counsel, Health Services, Superior Court, and TERM.

The Agency has also implemented systemic processes to ensure that supervisors and managers are aware of independent concerns, including:

- Childrens Services Office of the Ombudsman - An internal mechanism for conducting an independent review of complaints concerning Childrens Services policies or practices, that have been lodged by customers, members of the public, community organizations or Childrens Services-related agencies.
- Court Elevations - When a Court Officer identifies any issues with a Court report or recommendations, the supervisor of the Court Unit may elevate these through the management chain.

Direct supervision is currently utilized by the Agency and exceeds the level of oversight in the recommendation.

Recommendation 2.17: Develop a form, and encourage its use, by which parents can register written complaints against caseworkers. Responses by Childrens Services would be required.

The recommendation has been implemented.

A Citizen Complaint Form (18-91) currently exists. Based on the concerns stated in this recommendation, all regional offices have been reminded to place this form in their lobbies. In addition, Childrens Services staff will also place pamphlets in their facility lobbies, which explain the complaint process through the Office of the Ombudsman.

The Office of the Ombudsman investigates and responds to complaints related to Childrens Services policy, procedure and social work practice. The Office of the Ombudsman facilitates complaint resolution by making referrals and recommendations at the lowest level possible. When necessary, findings and recommendations are elevated to management to ensure that policies and practices meet state and federal laws and are consistent with the mission and goals of the County and Agency.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

When a family enters the Juvenile Court system, the social worker provides them with a copy of pamphlet "A Parent's Guide to Childrens Services." The pamphlet provides specific information on the complaint process. It also provides the telephone number for the Office of the Ombudsman.

Recommendation 2.18: Place siblings together, as required by law, and where joint placement is not possible, Childrens Services assume the burden of facilitating monthly joint sibling visits. Provide sufficient, experienced case aides at each division to facilitate sibling visitation, therapist's appointments, and other routine matters.

The recommendation will not be implemented because the County has an existing system already in place which addresses sibling placements.

WIC section 358.1 requires the social worker to report to the Court the current case plan that maintains the sibling relationship in out-of-home care and "(3) If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate. (4) If the siblings are not placed together, the frequency and nature of the visits between siblings."

The Agency has existing policy directing social workers to place siblings together. The Agency has also developed a new initiative called "Family to Family," designed to keep children in their neighborhood, with relatives and/or family friends.

When placement together is not possible due to the individual needs of the child and availability of placement resources, sibling visitation is a required component of the case plan unless it would be detrimental to one or more of the siblings.

Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Contacts - Child and Family" section, states:

> "Whenever siblings are not placed together, the SW must make diligent efforts to provide for ongoing and frequent interaction among siblings unless the Court has found by clear and convincing evidence that sibling interaction would be detrimental to the child(ren).

The SW shall document in the case plan the appropriateness of sibling contact. If visitation is appropriate, a schedule of planned sibling contacts/visits with the child shall be included in the case plan.

If sibling visitation is NOT appropriate, the SW must document the reason(s) in the case plan."

The Agency recognizes the importance of sibling visits. With the approval of the Board of Supervisors, the Agency has developed a visitation center in each region to facilitate family visits. These centers provide a neutral and friendly environment for visitation and can assist with transportation needs. Recently, ninety social work assistant positions were approved by the Board of Supervisors to assist in facilitating sibling visitation.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.19: Ensure that the procedures conform to policy to keep children in their homes unless Childrens Services can articulate a danger so severe as to preclude in-home protective services.

The recommendation has already been implemented with a variety of checks and balances.

Children are removed from their homes by both social workers and law enforcement. Thirty two per cent of children brought into Polinsky Children's Center are admitted by law enforcement.

The Agency has implemented supervisory and managerial review of current risk factors prior to children being removed from their homes by Childrens Services staff. Social workers must document the risk factors that warrant the removal of a child from their home. County Counsel provides further oversight to social worker judgment by reviewing the sufficiency of the social worker's evidence prior to preparing a petition to the Court for continued out-of-home detention. The Court considers the evidence and recommendations presented by the Agency at each Court hearing. If the Court finds the child fits the criteria described by WIC section 300, the Court will consider the social worker's recommendation for placement of the child and make an order where the child is to be placed.

Recommendation 2.20: Recommend supervised visits only when it can be demonstrated that unsupervised visits could be harmful to the minor(s).

The recommendation will not be implemented because existing cross system procedures address this concern.

Because the Agency recognizes the importance of visitation, a change to supervised visitation requires a Court appearance with all parties represented. Childrens Services Program Guide, Chapter 2 "Cross Program Procedures," "Visitation – Supervised Visits" section, states:

> "...visits will be unsupervised unless the Juvenile Court orders supervision.

Social worker staff must clearly document the reasons for requesting supervised visits. Supervision may be appropriate if:

- There is a threat of abduction.
- There is a documented history of violence towards the child or spouse.
- There is a parental diagnosis of mental illness and the parent refuses treatment.
- The parent has a history of substance abuse and refuses treatment and/or testing.
- There is a history of sexual assault.
- The parent discusses, attempts to influence the child regarding case facts."

WIC section 362.1 states: "No visitation order shall jeopardize the safety of the child."

Once input is received from the social worker and all counsel, the Court makes the visitation order.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.21: Develop training programs to discuss written opinions from the Appeals Court to Childrens Services caseworkers when the lower Court's orders, based upon a Childrens Services recommendation, have been overturned by the Court of Appeals. Apply sanctions to caseworkers that intentionally obstruct Court orders.

The recommendation will not be implemented because existing programs address this concern.

The Chief Deputy County Counsel attends the Childrens Services monthly management meeting to provide updates on all Appellate Court decisions and assists in identifying impacted policies, procedures and practices. In addition, social workers receive this information directly from a County Counsel newsletter entitled "Appealing Issues." County Counsel provides training to regional social work staff on an ongoing basis, which includes training on appellate decisions.

When there is a specific Appellate Court decision that affects existing policy and procedure, Childrens Services publishes a written Special Notice to all social work staff regarding the impacted policy and/or procedure. Supervisors are required to review this material with their staff at their Unit meetings. A Special Notice is also published on the Childrens Services Intranet site, making it easily accessible to staff.

Any social worker found to have intentionally obstructed Court orders would be subject to disciplinary action, by the County and the Court, up to and including dismissal.

Recommendation 2.22: Continue to conduct regular and on-going monitoring all of their defense bar members during detention and Court trials.

The recommendation has been implemented. The Public Defender and Alternate Public Defender have responsibility to train and supervise deputies hired by their departments. The supervising attorney and branch leaders conduct regular and on going monitoring of all Public Defender and Alternate Public Defender deputies.

Further, each supervisor is responsible for the timely filing of a "certification of competency" for all dependency attorneys in accordance with the Local Rules of Court. (See, generally, San Diego Superior Court Local Rules, Div. 6: Juvenile, Rule 6.30 et. seq.) The offices encourage and fund training for all attorneys including several annual dependency trainings statewide. The Alternate Public Defender additionally provides in-house workshops on trial skills, evidence, and changes in the law.

Performance evaluations of each deputy are conducted on an annual basis. Deputies receive continuous education and training throughout their employment with the departments.

While the Public Defender and Alternate Public Defender have no authority over members of the defense bar who are not County employees, all juvenile practitioners are invited to attend monthly inter-agency trainings, which are held at the Juvenile Courthouse and are specifically geared toward dependency law.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.23: Utilize the period between removal of children from a home and the detention hearing to weigh the effects of the removal/separation of siblings for verbal domestic violence vis-à-vis allowing them to stay in the home.

The recommendation will not be implemented by the Public Defender or the Alternate Public Defender because it is not within their control. The Public Defender and Alternate Public Defender are not appointed to a dependency case until the date of the detention hearing, and are thus unaware of the needs of the client before or until such appointment.

This recommendation is already a statutory requirement for the Agency social worker. WIC section 309 states when a child is taken into temporary custody, the social worker shall immediately investigate the circumstances and the facts surrounding the child being taken into custody and attempt to maintain the child with the family through the provision of support services.

Childrens Services policy and practice is that removal of children from their parents' home will be utilized only in high-risk situations and in consultation with the supervisor.

Recommendation 2.24: Do not use verbal abuse and domestic violence interchangeably; or redefine domestic violence to include a clear definition of verbal abuse.

The recommendation will be implemented. Although protocols are already in place to address this concern, the Agency will collaborate with the Public Defender, the Alternate Public Defender, and County Counsel to organize a workshop for social workers and attorneys on domestic violence. This workshop will be held within the next twelve months.

Childrens Services social workers have been instructed to use a Domestic Violence Protocol to assist in risk assessment when domestic violence is part of any referral to be investigated. The Domestic Violence Protocol was first developed with input from multiple disciplines including Law Enforcement, Family Court Services, Navy Family Advocacy, Adult Probation, Children's Hospital, YWCA Battered Women's Services and South Bay Community Services Batterer's Treatment Program. According to the Domestic Violence Protocol, if the referral alleges shouting and arguing and no other risk factors are present, only a follow up telephone call to the family is recommended.

Early Detection and Treatment

SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (858) 292-3500

Superintendent of Schools
Rudy M. Castruita, Ed.D.

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AUG 06 2002

SAN DIEGO
COUNTY GRAND JURY

July 26, 2002

Edward A. Johnson, Foreperson Pro Tempore
Grand Jury, County of San Diego
P.O. Box 122724
San Diego CA 92112-2724

Dear Mr. Johnson:

Re: Responses to the 2001-2002 Grand Jury Report – "*Early Detection and Treatment of Behavioral Problems in School Children*", filed April 24, 2002.

Enclosed are the responses to the Grand Jury report of April 24, 2002, concerning the detection and treatment of behavioral problems in school children. At the June 12, 2002, meeting, the San Diego County Board of Education reviewed and adopted responses to the four recommendations set forth in the report. These responses are being submitted in accordance with the Grand Jury's "Requirements and Instructions."

Sincerely,

Rudy M. Castruita
County Superintendent of Schools

RMC:BB
Enclosure

Board of Education
Nick Aguilar Ernest J. Dronenburg, Jr. Susan Fay Jim Kelly John Witt

SERVICE AND LEADERSHIP

SAN DIEGO COUNTY OFFICE OF EDUCATION (SDCOE)
RESPONSES TO THE GRAND JURY RECOMMENDATIONS
REGARDING THE EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS
IN SCHOOL CHILDREN

Recommendation 02-02:

That the San Diego Board of Education provide monitors responsible to oversee ongoing educational grants, collect data and disseminate all results to all school districts in the County of San Diego.

SDCOE Response:

When districts apply for grants, they apply at the direction of their governing board. The board and district superintendent, along with the grantor are responsible for overseeing the grant. The grantor disseminates results when grants have been successful enough to be deemed as "promising practices" for other districts. Establishing a new unit of monitors to oversee district grants would not be cost effective and would be duplicative. Implementation of this recommendation is not warranted.

Recommendation 02-03

That all San Diego County school districts, for grades kindergarten through middle grades, and the San Diego County Board of Education reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

SDCOE Response:

Within San Diego County, there are 42 independent districts, each with a governing board. The County Board of Education does not have regulatory authority over local governing boards. Thus, a central clearinghouse of grant proposals at the County level would have no authority to reduce duplicative grant projects.

When grants are available to educational agencies that work in a consortium, the San Diego County Office of Education, oftentimes at the request of the districts, serves as the lead agency in convening the consortium and preparing and submitting grant applications. By serving as the lead agency on behalf of the districts pursuing grant funds, SDCOE is able to formulate a consistent approach, reduce duplicative

grant writing countywide, and ensure that more districts receive necessary funds to implement promising practices. Several currently funded projects illustrate this point: the Middle School Coordinators Project, School Community Policing Partnerships, and the After School Learning and Neighborhood Partnerships. Through consortium grant applications, school districts and the SDCOE routinely work collaboratively to minimize duplicative grantwriting while maximizing programs and funding for schools in San Diego County. Given the current strategies used by districts and the SDCOE to submit grant applications as a consortium, the recommendation of implementing a central clearinghouse for grant proposals is not warranted.

Recommendation 02-04:

That the San Diego County Board of Education and the San Diego County Health and Human Services Agency jointly develop a program to marshal available community resources to help parents and teachers share responsibility for at-risk children.

SDCOE Response:

The recommendation will not be implemented as the County of San Diego Health and Human Services Agency and the San Diego County Board of Education already collaborate on a number of activities to help parents and teachers share responsibility for at-risk children. A specific new program is not warranted at this time.

Presently, the San Diego County Office of Education Pupil Services Department has a process that assists districts in marshalling available community resources to help parents and teachers share responsibilities for "at-risk" children. *Ready to Learn* is a research-based comprehensive student assistance approach designed specifically to involve parents and provide community involvement in reaching the students addressed in the Grand Jury Report. There are 18 components in *Ready to Learn*, two of which focus on parent involvement and school community collaboration that are addressed in a four-day comprehensive student assistance training. It provides participants with the necessary skills to develop a comprehensive menu of services, including a community resource menu of services. The collaboration between mental health and education has resulted in incorporating Children's System of Care into the trainings. Participants receive information defining the term "wraparound services," as well as how to enroll in the San

Diego Wraparound Training Academy. The first *Ready to Learn* course that integrated Children's Mental Health information took place in April 2002.

Since 1999, several school personnel representing districts throughout the county have been trained through the Wraparound Training Academy. Through this training the Academy emphasizes the strengths of families and communities and demonstrates how to build on these strengths to mobilize community and school resources to help students achieve school success. In particular, a school psychologist from Santee completed the Wraparound Training for Trainers course and has provided workshops on how to apply the wraparound process within the school setting. To date, this school psychologist has trained over 200 school personnel, including administrators, teachers, and special education staff. Additionally, collaborative efforts between children's mental health and education has resulted in the development of a 2-day training for how to apply Wraparound in a school setting, which will be provided to education staff and will be held in the fall of 2002.

Currently, the San Diego County Office of Education works collaboratively in Juvenile Hall, Girls' Rehabilitation Center, Camp Barrett, Rancho del Campo, Polinsky Children's Center, and two New Alternatives sites, with the schools providing educational services, and the Health and Human Services Agency being responsible for delivery of mental health services.

The County of San Diego Health and Human Services, through Children's Mental Health Services (CMHS), has actively engaged the community in developing a comprehensive service delivery through the Children's Mental Health System of Care. A fundamental principle of this effort has been the establishment of public, private and family partnerships. Each partner is held equally accountable for coordinating services and resources to meet the multiple needs of children/youth and their families throughout our county. Among the public partners, Education (representing 42 school districts, 6 Special Education Local Planning Areas and the County Office of Education) has been an active participant in the development and implementation of the System of Care.

A notable example of this partnership is the Educational Advisory Committee, comprised primarily of educators, along with families, providers and CMHS staff. One of the

primary functions of the Committee is to maximize available resources in the schools and community, including mental health related services to improve school outcomes for students. Under the Committee, the Education Outreach and Access Workgroup was formed to identify different options on how to access services, make referrals, and disseminate information. A conceptual framework was developed to assist educators in accessing resources in the community on behalf of their students. This framework was integrated into the set of recommendations developed by the *No Wrong Door Task Force* under the Children's System of Care Subcommittee. One pivotal recommendation being implemented is a brochure of key access points throughout the system, which will be distributed broadly to include education and families.

As part of the CMHS array, Heartbeat Family Roundtable holds monthly meetings for families to provide them with information of available services throughout the county, as well as provide families with trainings on subjects such as AB2726, legal rights, etc.

Recommendation 02-05

That all San Diego County school districts for grades kindergarten through middle grades, and the San Diego County Board of Education organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

SDCOE Response:

School districts throughout the county have parent and community involvement programs. These programs recruit and train volunteers to work with students and parents for the purpose of enhancing student learning and increasing the capacity of parents to work effectively with schools. The SDCOE supports the efforts of the districts' programs through our Parent Liaison Program and through the ongoing parent involvement training services offered by the Safe Schools Unit. The countywide services available to parents and community members through these programs make implementation of this recommendation unwarranted.

Fallbrook Union Elementary School District

321 N. Iowa Street • Fallbrook, CA 92028-2108 • (760) 723-7000

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AUG 0 9 2002
SAN DIEGO
COUNTY GRAND JURY

Governing Board
Wendy Bradshaw
Tal Cowan
Patty de Jong
Jack Fry
Anne Renshaw

District Superintendent
James M. Choate

August 6, 2002

Edward A. Johnson
Foreperson Pro Tempore
San Diego County Grand Jury 2002-2003
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Mr. Johnson:

I am responding to your letter addressed to our Superintendent, James M. Choate, regarding the 2001-2002 Grand Jury recommendations in response to their report, "Early Detection and Treatment of Behavioral Problems in School Children," filed on April 24, 2002.

Fallbrook Union Elementary School District was asked to respond to the following recommendations:

02-03 *Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.*

The district disagrees partially with this finding. We are assuming that by creating a central clearinghouse that there will be a reduction in duplicative grant projects; however, other efforts that have been made to centralize services at the county level to reduce duplicative projects have not been successful. Thus, Fallbrook Union Elementary School District will not implement this recommendation for that reason.

02-04 *Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.*

The district agrees that there is a need to organize and expand groups of community volunteers to work with parents of similar backgrounds in our Fallbrook schools; however, we are currently involved in these efforts and this would not be a new project that we would be initiating in our district. We are very cognizant of that fact that the children in our district will be even more successful by creating a partnership with the parents in our community, and we are committed to this continued effort to bring our parents into our schools.

If you have any further questions regarding our response to your recommendations, please don't hesitate to call my office at (760) 723-7005.

Sincerely,

Lisa A. Denham
Director, Special Education

cc: James M. Choate, Superintendent

Escondido
UNION SCHOOL DISTRICT

RECEIVED
AUG 16 2002
SAN DIEGO
COUNTY GRAND JURY

August 14, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego CA 92112-2724

BOARD OF EDUCATION
Zoe Carpenter
Mary Anne Dijak
Joan Gardner
Carilyn Gilbert
Linda Woods

SUPERINTENDENT
Michael Caston, Ed.D.

Honorable Presiding Judge of the Superior Court:

As requested, the following is Escondido Union School District's response to the 2001-2002 Grand Jury Report- "Early Detection and Treatment of Behavioral Problems in School Children." Regarding Recommendations 02-03 and 02-05, our district responds as follows:

Recommendation 02-03
That all San Diego school districts from kindergarten through middle grades, and the San Diego County Board of Education *reduce duplicative grant projects that have similar objectives through a centralized clearing house of grant proposals at the County level.*

Escondido Union School District has participated in the *Children's Initiative*, a San Diego County-led clearinghouse for grants, during the 2001-02 school year. Via this process, we successfully applied and were funded for before- and after-school childcare programs for some of our schools. Monthly county office meetings of the different educational divisions also provide a specific clearinghouse for grants related to the different educational arenas.

Recommendation 02-05
That all San Diego school districts from kindergarten through middle grades, and the San Diego County Board of Education *organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.*

Through federal Title I funding, the Escondido Union School District has nine parent involvement technician positions whose sole job is to coach and encourage parents to be involved in their children's education. These positions are analogous to the ombudsman position mentioned by the Grand Jury. In association with U.C.S.D. and the *Health Access Through Schools* (*HATS*) program, we have one full-time outreach worker who assists parents in garnering health insurance for their families. Additionally, we have a special education social worker position in the district to assist parents of special education students with access to our educational system and community supports. On a pilot basis, Escondido Union School District is working closely with Children's Services, providing a specific Spanish-speaking social worker to a specific school community. We continue to search for additional ways to enhance parental and community involvement in our schools.

Sincerely,

Michael Caston, Ed.D.
Superintendent

OFFICE LOCATION
1330 E. Grand Ave.
Escondido, CA 92027
Tel (760) 432-2400
Fax (760) 745-8896
www.eusd4kids.org

cc: Edward A. Johnson, Foreperson Pro Tempore, San Diego County Grand Jury 2002-2003

CORONADO UNIFIED SCHOOL DISTRICT
Office of the Superintendent
555 D Avenue
Coronado, California 92118
(619) 522-8900

RECEIVED
AUG 02 2002
SAN DIEGO
COUNTY GRAND JURY

July 31, 2002

Honorable Richard E. L. Strauss
Presiding Judge, Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Judge Strauss,

In accordance with Penal Code 933.05, the following response to the 2001-2002 Grand Jury Report "Early Detection and Treatment of Behavioral Problems in School Children" is submitted for Coronado Unified School District.

Findings 1- 8

Respondent agrees with Findings 1-8.

Recommendations 02-03, 02-04, 02-05:

02-03:

Coronado Unified School District staff, specifically the Assistant Superintendent of Educational Services and the Director of Pupil Personnel Services, will work with County staff to participate in a clearinghouse/sharing of grant data for all districts in the County. County staff, specifically, Director, Pupil Personnel Services, County Office of Education, has been contacted to express Coronado Unified School District's support for this endeavor. However, it is important to note that Coronado's needs are unique, as are the needs of other districts. To the degree that it is possible, collaboration and sharing will be pursued.

02-04:

This recommendation will not be implemented because it is not warranted or it is not reasonable, with an explanation therefor.

Because Coronado Unified is a small district, staff are able to make and maintain regular contacts with parents and community members who are supportive of our schools. Student Study teams at each school, comprised of parents, teachers, administrators and specialists, identify at-risk students, recommend action plans, and monitor implementation and each student's progress. The Coronado Response Group (CRG) is an entity funded jointly by the City of Coronado and Coronado Unified School District to provide interventions by certified counselors for students at risk because of drugs, family problems, and a variety of social and emotional issues. The School Attendance Review Board (SARB) staff work with families to intervene at the first signs of attendance or tardy problems. The result is usually a positive outcome, without requiring the family to appear at a Hearing.

In addition, the City of Coronado funds 50% of an elementary counselor's salary and tutoring and homework assistance after school ($10,000) for grades 6-12. The Coronado Schools Foundation (a non-profit foundation to support Coronado Unified School District) funds additional after-hours tutoring and assistance for all grades, specifically located within Navy Housing at Silver Strand School.

Coronado Unified School District has access to a variety of community resources to support at- risk students. The District is interested in whatever additional resources may be provided by the County Board and County Health and Human Services Agency.

02-05:

This recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

The need for volunteers is defined locally for each district in the County. Coronado Unified School District is continually interested in expanding community volunteers, although our numbers of school volunteers are among the highest in any district in the County. In addition to actively involved parents, Coronado Unified School District benefits from many retired individuals who serve as Rolling Readers and tutors. In addition, we have involved Optimist and Rotary Clubs whose members contribute in many ways. A community/parent organization called SAFE (Substance Abuse Free Environment) works with school staff and the City Recreation Department to educate students and their families. The SAFE Coalition provides mentors to students, as a support for Coronado families.

As stated, this recommendation addresses the concept of volunteers working with parents of similar backgrounds. Coronado is not an ethnically diverse city. Our schools reflect the demographics of the community and our volunteers reside in the community.

Respectfully submitted,

Marilyn Wheeler

Marilyn Wheeler, Ed.D.
Superintendent of Schools

c: ✓Marcia Gravette Jespersen, Foreman
Grand Jury, County of San Diego

Carlsbad Unified School District
801 Pine Avenue • Carlsbad, CA 92008
(760) 729-9291 • FAX (760) 729-9685

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NOV 4 2002

...a world class district

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NOV 5 2002
SAN DIEGO
COUNTY GRAND JURY

October 30, 2002

Presiding Superior Court Judge
P.O. Box 122724
San Diego, CA 92112

Attention: C. E. Mulroy, Foreman

From: Cheryl Ernst, Superintendent
Carlsbad Unified School District

Re: Response to Grand Jury Report
Early Detection and Treatment of Behavioral Problems in School Children

On or about April 17, 2002, the San Diego County Grand Jury issued its final report entitled *Early Detection and Treatment of Behavioral Problems in School Children* Carlsbad Unified School District ("Carlsbad") hereby responds to the findings and recommendations included in this Report as detailed below.

CARLSBAD'S RESPONSE TO REPORT FINDINGS

I. Many schools in San Diego County have developed a variety of programs to assist in the management of behavioral problems. Existing State law requires the governing board of each school district to adopt a policy on parent involvement.

Carlsbad responds that it agrees with this finding.

II. A very few at-risk students in a class can increase teacher workload and substantially drain resources.

Carlsbad responds that it disagrees partially with the finding in that at-risk students provide significant challenges to teachers and substantially drains resources. Because when teachers have training to use research based interventions that are appropriate with many children, many of the at-risk behaviors are diminished and students make progress.

III. According to the superintendent of one of the County' largest school districts, any system that works should include schools, parents, and social services in a shared responsibility.

Carlsbad responds that it agrees with this finding and that furthermore, that model is in place in Carlsbad Unified School District. The EPSDT intervention with a social service is utilized in a number of schools in the district.

IV. When parents collaborate with schools to reinforce newly learned skills and behavior, there is a strong likelihood the student will develop successfully.

Carlsbad responds that it agrees with this finding and can demonstrate evidence at schools within the district.

V. Relatively few school district in San Diego County have utilized "parent involvement" programs effectively.

Carlsbad responds that it disagrees with this finding. This district and most others have numerous very effective programs involving parents. Parents are involved in many ways from being "Parents on Campus" on a daily basis; to participating on committees; to developing programs for students and parents; to participating in an advisory capacity to the Superintendent.

VI. In practice, there are few, if any sanctions available to the schools when parents are uncooperative.

Carlsbad responds that it partially disagrees with this finding. The School Attendance Review Board (SARB) is very effective in many districts dealing with parents whose students have attendance problems. When districts partner with law enforcement and community service agencies to address this issue, and are not successful, parents are sited and fined if their students do not attend school.

VII. School districts are beginning to understand the importance and impact of community involvement and volunteerism in local schools.

Carlsbad responds that it does not agree with this finding. Carlsbad Unified School District and most other districts in San Diego County have recognized the need for and the value of community involvement and volunteerism in local schools. When observing at sites, parents and other volunteers are seen working in resource rooms to develop materials; seen working in classrooms with students; providing tutoring outside the classrooms; being part of the cadre of campus supervisors; and mentoring individual high risk students. In addition, community members are raising funds for supplementary programs to assist students academically as well as supporting students with particular talents.

VIII. Parent liaison and mentoring programs have been developed in some schools to bridge the gap between schools and community resources.

Carlsbad responds that it agrees with this finding.

<u>CARLSBAD'S RESPONSE TO REPORT RECOMMENDATIONS</u>

RESPONSE TO RECOMMENDATION 02-03

Carlsbad hereby responds to Recommendation 02-03, which provides that:
"All San Diego County school districts for grades kindergarten through middle grades, and the San Diego Board of Education:

"02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level."

The recommendation requires further analysis to determine if grant projects are duplicative.

RESPONSE TO RECOMMENDATION 02-05

CARLSBAD HEREBY RESPONDS TO Recommendation 02-05, which provides that:
"All San Diego County school district for kindergarten through middle grades, and the San Diego County Board of Education;

"02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools"

Recommendation has been implemented. Carlsbad community supports available for at-risk students include school and community resources. Monthly meetings of Youth Enrichment Services (YES) include participation of the following: American Association of University Women, Barrio Carlsbad Association, Boys and Girls Club of Carlsbad, Carlsbad Arts Office, Carlsbad City Library-Centro de Infomacion, Carlsbad Headstart, Carlsbad Fire Department, Carlsbad Parks and Recreation Department, Carlsbad Police Department, Carlsbad Unified School District, Carlsbad Village Optimist Club, Join Hands Safe a Life, League of Women Voters, McAlister Institute, Mira Costa College, North County Health Services-Carlsbad Family Medicine, North County Lifeline, Ind., Parents' Resource Network, Tri-City Medical Center, Tri-City Prevention Collaborative-a Project of the Oceanside Substance Abuse Prevention Coalition, Vista Community Clinic, Volunteer Community Members.

Most campuses in the district have "Parents on Campus" programs that bring parents together on school campuses to support their child's educational opportunities and to facilitate interaction between families of similar backgrounds.

RECEIVED
JUN 1 2002
RECEIVED
JUL 02 2002
SAN DIEGO
COUNTY GRAND JURY

County of San Diego

WALTER F. EKARD
CHIEF ADMINISTRATIVE OFFICER
(619) 531-6226
FAX: (619) 557-4060

CHIEF ADMINISTRATIVE OFFICE

1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

June 24, 2002

The Honorable Richard E. L. Strauss
San Diego Superior Court, Presiding Dept.
220 West Broadway
San Diego, CA 92101

2001-2002 INTERIM GRAND JURY REPORT – EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN

Dear Judge Strauss:

Attached, please find the Board of Supervisors' response to the 2001-2002 San Diego County Grand Jury Interim Report entitled "Early Detection and Treatment of Behavioral Problems in School Children" for your transmittal to the Grand Jury.

If you have any questions concerning this matter, please contact me at (619) 531-6226.

Sincerely,

WALTER F. EKARD
Chief Administrative Officer

Attachment

RECOMMENDATIONS

That the San Diego County Board of Education and the San Diego County Health and Human Services Agency, jointly:

Recommendation 02-04:
Develop a program to marshal available community resources to help parents and teachers share responsibility for at-risk children.

Response:

The Grand Jury's report accurately discusses the issues involved in the detection of students with behavioral challenges in order to assist them in concentrating on doing well in school. The report also acknowledges the importance of involving parents in their children's scholastic or behavioral challenges, a concept that the County Board of Supervisors wholeheartedly supports. The County of San Diego appreciates the Grand Jury's mutual interest in this area.

After thorough consideration, the County of San Diego has decided that Recommendation 02-04 will not be implemented since the County of San Diego's Health and Human Services Agency Children's Mental Health Services division and the San Diego County Office of Education already collaborate on a number of activities to help parents and teachers share responsibility for at-risk children. Therefore, a specific new program is not warranted at this time. In addition, due to fiscal constraints anticipated as a result of pending State budget cuts, it would not be feasible to fund a new program.

Children's Mental Health Services defines "at-risk children" as children and youth who, due to behavioral and emotional signs and symptoms or environmental stressors, are at risk for placement in restrictive institutions (mental health hospitals, residential treatment facilities, or specialized educational placements) or involvement with governmental agencies such as Child Protective Services, the Department of Probation, Specialized Education, and Children's Mental Health Services. In addition, these children and youth are at risk for poor educational outcomes, developmental delays, and negative outcomes in home and community functioning (e.g. alcohol/drug abuse, illegal behavior).

Through the development of the mental health system of care, collaborative partnerships between mental health and education have enhanced services to students and their families. As a result of this partnership, a number of activities have marshaled available community resources to help parents and teachers share responsibility for at-risk children. The following is an in-depth description of these activities.

The Board of Supervisors has demonstrated an ongoing commitment to address the needs of children with mental health problems. This has been done through the implementation of the Children's Mental Health Initiative and the significant expansion of

services using Early and Periodic Screening, Diagnosis, and Treatment (EPSDT) funds. As an example of this expansion, the County is providing school based mental health services in 229 schools countywide. This represents a significant increase from less than 20 schools just two years ago. Not only do our numerous providers respond to the behavioral and emotional problems identified in schools, but they also assist school personnel and families in finding resources in the community to benefit students.

Presently, the San Diego County Office of Education Pupil Services Department has a process that assists districts in marshalling available community resources to help parents and teachers share responsibilities for "at-risk" children. *Ready to Learn* is a research-based comprehensive student assistance approach designed specifically to involve parents and provide community involvement in reaching the students addressed in the Grand Jury Report. Component 14 – Parent Involvement, and Component 15 – School/Community Collaboration and Involvement are a part of the 18 components in a 4-day comprehensive student assistance training. It provides participants with the necessary skills to develop a comprehensive menu of services including community resources. The collaboration between mental health and education has resulted in incorporating Children's System of Care into the trainings provided by the San Diego County Office of Education. Participants receive information which defines wraparound as well as how to enroll in the San Diego Wraparound Training Academy. The first *Ready to Learn* course that integrated Children's Mental Health information took place in April 2002.

Currently, the County Office of Education works collaboratively with Children's Mental Health Services in the Juvenile Hall, Girls' Rehab Center, Camp Barrett, Rancho del Campo, and the Polinsky Children's Center, Juvenile Court and Community Schools, and two New Alternatives sites. Through this collaborative screening, assessment and intervention are provided to at-risk youth.

The County of San Diego Health and Human Services, through Children's Mental Health Services, has actively engaged the community in developing a comprehensive service delivery through the Children's Mental Health System of Care. A fundamental principle of this effort has been the establishment of public, private and family partnerships. Each partner is held equally accountable for coordinating services and resources to meet the multiple needs of children/youth and their families throughout our county. Among the public partners, education (representing 42 school districts, 6 Special Education Local Planning Areas and the San Diego County Office of Education) has been an active participant in the development and implementation of the System of Care.

A notable example of this partnership is the Educational Advisory Committee, comprised primarily of educators along with families, providers and CMHS staff. One of the primary functions of this committee is to maximize available resources in the schools and community, including mental health related services to improve school outcomes for students. Also under this committee, an Education Outreach and Access Workgroup was formed to identify different options on how to access services, make

referrals, and disseminate information. A conceptual framework was developed based on educators' needs relevant to their ability to access resources in the community on behalf of their students. This framework was integrated into the set of recommendations developed by the *No Wrong Door Task Force* under the Children's System of Care Subcommittee. One pivotal recommendation being implemented is a brochure of key access points throughout the system, which will be distributed broadly to include education and families.

Since 1999, several school personnel representing districts throughout the county have been trained through the Wraparound Training Academy. Through this training the Academy emphasizes student, family and community strengths to mobilize community and school resources to help the student achieve school success. In particular, a school psychologist from Santee completed the Wraparound Training for Trainers course and has provided workshops on how to apply the wraparound process within the school setting. To date, this school psychologist has trained over 200 school personnel to include administrators, teachers, and special education staff. These trainings focus on wraparound practice, and they are consistent with education goals. Education goals are to: 1) promote parent/teacher collaboration, 2) develop plans that support maintaining students with at-risk behaviors within least restrictive educational settings, and 3) support a solution-based approach rather than a deficit-based approach. Additionally, collaborative efforts between Children's Mental Health Services and education has resulted in the development of a 2-day training for how to apply wraparound in a school setting, which will be provided to education staff and will be held in the Fall 2002.

At this time, Children's Mental Health Services is in the process of selecting a candidate for a brand new position, Infant Mental Health Coordinator, to advance a system of care to serve at-risk infants, preschoolers and their families. In addition, the Infant Mental Health Coordinator will assist in developing an initiative to address risk factors and behavioral indicators that suggest problems in social and emotional development, more serious conditions of childhood mental disorders, and/or impediments to successfully enter kindergarten.

As part of the Children's Mental Health Services array, the Heartbeat Family Roundtable holds monthly meetings for families to provide them with information of available services throughout the county as well as provide families with trainings on subjects such as AB2726, legal rights, etc.

Although not mandated, these activities have strengthened the collaborative relationship between mental health and education. Education and mental health staff continue the commitment to work in partnership to coordinate services for students faced with at-risk behaviors, and their families. As additional resources become available, professionals from education and mental health will jointly identify areas for further expansion.

Dr. J. Jere Ancell
District Superintendent

Board of Trustees:
Mrs. Jo Anne Brynjestad
Mr. James D. Peabody
Mr. Mark Price
Mr. Chuck Taylor
Mrs. Mary Wiggins

Alpine Union School District

"Where Children Come First"

1323 Administration Way, Alpine, CA 91901 (619) 445-3236; (619) 445-7045 FAX

Craig Champion, Director
Special Education/Pupil Services

Lynette D. Knight, Director
Human Resources

Robert W. Turner
Business Manager

Judith Walker, Director
Curriculum & Instruction

May 6, 2002

RECEIVED
MAY 7 - 2002
SAN DIEGO
COUNTY GRAND JURY

Mr. Chuck Mulroy
Foreman
County of San Diego Grand Jury
330 West Broadway - Suite 477
San Diego, CA 92101-3830

Dear Sir:

I am writing this letter in response to the San Diego County Grant Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children." With respect to the findings, Alpine Union School District's response is as follows:

02-03 Alpine Union School District will support the efforts of the County to establish a clearinghouse of grant proposals to reduce duplicate grant projects.

02-05 Alpine Union School District and its schools will continue to support, organize and expand groups of community volunteers to work with parents.

Please be assured that the Alpine Union School District is committed to supporting the recommendations of the San Diego County Grand Jury.

Sincerely,

Jere Ancell

Jere Ancell
District Superintendent

JA/csh

cc: County of San Diego Board of Supervisors

BONSALL UNION SCHOOL DISTRICT

31505 Old River Road
Bonsall, California 92003
760-631-5200 FAX 760-941-4409

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AUG 21 2002
SAN DIEGO
COUNTY GRAND JURY

ADMINISTRATION
Jefrey L. Schleiger, Superintendent
Wayne A. Jones, Assistant Superintendent, Business Services
F. Steve Kennedy, Jr., Principal-Bonsall Elementary School
Vacant, Principal-Vivian Banks Charter School
John Heckman, Principal-Sullivan Middle School

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Dwight Thompson, Ph.D., Clerk
Sylvia Tucker, Ed.D, Member
Catherine B. Andrew, M.A., Member
Richard Olson, B.S., Member

August 14, 2002

Honorable Richard Strauss
Presiding Judge of Superior Court
220 W. Broadway
San Diego, CA 92101

Re: Response to the 2001/2002 Grand Jury Report - "Early Detection and Treatment of Behavioral Problems in School Children" filed April 24, 2002

Dear Honorable Richard Strauss:

Please find that the following is the response of the Bonsall Union School District for 02-03 and 02-05.

Our District agrees with the findings of the Early Detection and Treatment of Behavioral Problems in School Children Filed April 24, 2002.

We will comply with the findings and recommendations in this report as budget and common sense allows as it pertains to 02-03. We currently apply for grant opportunities in a Consortium with other districts through the San Diego County Office of Education.

Whereas, 02-05 finds us actively involved in a Academic Mentor and Volunteer Program through a federal grant for a 3 year period of time. We are a small school district in a rural area.

If you have any further questions, please feel free to contact me at (760) 631-5200x100.

Sincerely,

J. L. Schleiger

Jef L. Schleiger
Superintendent

BORREGO SPRINGS UNIFIED SCHOOL DISTRICT
MAILING ADDRESS: 1315 Palm Canyon Drive, Borrego Springs, CA 92004-5003 • (760) 767-5357 • FAX (760) 767-0494

RECEIVED
AUG 27 2002
SAN DIEGO
COUNTY GRAND JURY

August 22, 2002

Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

In response to Grand Jury Report-"Early Detection and Treatment of Behavioral Problems in School Children"

02-03 The use of a central clearinghouse for grant proposals will only work when the County Board of Education stops imposing their political ideals on local boards. In the recent past, several grants have been turned down that would benefit this District due to the ideals of Board members. Also, it is my understanding, based on how the County Board has allocated funding, that issues of mental health are not a priority. Once again, it is believed that political ideologies of some members oppose what they perceive as a "home" or "social" issue.

02-05 Funding for programs of this type are in short supply for small, rural districts. While parent education of all types is a major priority, funding and distance to qualified trainers limits our ability to fully implement this recommendation.

Sincerely,

Shanda G. Hahn

Shanda G. Hahn
Superintendent

PHYSICAL ADDRESS: Borrego Springs Unified School District, 2281 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5357 • FAX (760) 767-0494
Borrego Springs High School, 2281 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5335 • FAX (760) 767-5999
Borrego Springs Middle School 2255 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5335 • FAX (760) 767-5999
Borrego Springs Elementary School, 1315 Palm Canyon Drive, Borrego Springs, CA 92004 • (760) 767-5333 • FAX (760) 767-7438
Palm Canyon High School, 848 Palm Canyon Drive, Borrego Springs, CA 92004 • (760) 767-3285 • FAX (760) 767-5999

RECEIVED

MAY 16 2002

SAN DIEGO
COUNTY GRAND JURY

CAJON VALLEY UNION SCHOOL DISTRICT

Janice L. Cook, Ed.D.
Superintendent
(619) 588-3005 Fax: (619) 588-7653
E-mail: cookj@gwise.cajon.k12.ca.us

189 Roanoke Road, Box 1007
El Cajon, CA 92022-1007
www.cajon.k12.ca.us

May 14, 2002

Presiding Judge
Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: San Diego County Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children

The following information has been prepared by the Superintendent and Governing Board of the Cajon Valley Union School District in response to the San Diego Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children."

As to the Grand Jury report, the Cajon Valley Union School District agrees with each of the eight findings.

Regarding the recommendations presented in the report, the following responses are presented:

Recommendation 02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the county level.

Response: Currently the San Diego County Office of Education (SDCOE) provides information and training for a variety of grant opportunities. Additionally, the SDCOE frequently serves as the lead agency for school districts wishing to form collaboratives for seeking grant funding. A cental clearinghouse of grant proposals could further both of these efforts and be of benefit to school districts, therefore the district agrees with this recommendation.

Recommendation 02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

Response: The Cajon Valley Union School District has always encouraged volunteerism and community partnerships. A variety of methods are used to encourage and recruit parents and community members to work at schools and assist parents of similar backgrounds. The District agrees with this recommendation and will continue to find ways to organize groups to work with parents of similar backgrounds.

Sincerely,

Jane Cruz Alfano, President
On Behalf of the Governing Board

Janice Cook, Ed.D.
Superintendent

Cardiff School District

RECEIVED
OCT 11 2002
SAN DIEGO
COUNTY GRAND JURY

October 10, 2002

Grand Jury
County of San Diego
P.O. Box 12274
San Diego, CA 92112-2724

Attention: Edward Johnson, Foreperson Pro Tempore

Dear Mr. Johnson:

This communication is the response that was requested by the Grand Jury regarding their report titled "Early Detection of Behavioral Problems in School Children."

Regarding the findings of the Grand Jury, the Cardiff School District agrees with all of the findings with the exception of Finding VII. School districts have been very much aware of the importance and impact of community involvement and volunteerism in schools. Each year we solicit and encourage parent involvement and volunteerism; we are fortunate to have a community that responds to these solicitations. The Cardiff School District enjoys thousands of hours of this type of support each year.

The following items respond to the request of the Grand Jury relative to recommendations 02-03 and 02-05.

- Recommendation 02-03 recommended that districts reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level. The Cardiff School District would very willing to participate in such a clearinghouse as soon as it is established by the County.
- Recommendation 02-05 requests districts to organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools. The Cardiff School District already supports the existence and activities of two groups relative to this recommendation. The Parent/Staff Organization (PSO) is made up of parents of students in the school district. The primary

purposes of the PSO are fundraising to augment school programs and promotion of volunteerism. The Padres Unidos is a group of parents of our Latino children. The primary purposes of Padres Unidos are to serve as a liaison between the schools and the Latino community and to promote volunteerism in the schools. As needs become known the district will also support the formation of other groups of parents with similar interests in order to promote volunteerism among community members.

Should you need any further information about the items above, please do not hesitate to contact me.

Sincerely,

Rodger Smith

Rodger Smith
Superintendent

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • 619 425-9600

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

BOARD OF EDUCATION
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PAMELA B. SMITH

SUPERINTENDENT
LIBIA S. GIL, Ph.D.

RECEIVED
MAY 17 2002

May 13, 2002

The Honorable Richard E.L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

RE: EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN

This letter is sent in response to the San Diego County Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children" in compliance with the requirements set forth in California Penal Code Section 933 (c).

The Chula Vista Elementary School District offers the following comments in response to the Grand Jury report as required by law:

- **That all San Diego County school districts for grades Kindergarten through middle grades, and the San Diego County Board of Education:**

  02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

Comment: The Chula Vista Elementary School District partially disagrees with the finding. Local control at the district level optimizes prompt and timely response to grant opportunities without the impediment of another layer of bureaucratic processing. No action should be contemplated nor taken that would reduce an individual district's opportunity to apply for any grant for which it may be entitled for the sake of centralization. Coordination and voluntary cooperation among districts on the other hand, has proven to be a highly successful strategy where common needs exist. The Children's Initiative, for example, enabled school districts to band together to apply as a single unit for the After School Learning and Safe Neighborhoods Partnership Program that provided participating districts with a single successful grant proposal.

In summary, our response and recommendation is not to hamper the ability of individual districts to apply for funding that uniquely meets a district's specific needs by imposing another layer of bureaucracy. Do encourage the County to play a coordinating, collaborative, and facilitating role in those cases where the needs of multiple districts may be addressed together to strengthen a single proposal over competition among districts themselves for the same funding source. The recommendation, as written, should therefore not be implemented in blanket form because it is unwarranted, unreasonable, and lacks budgetary support at this time.

- **That all San Diego County school districts for grades Kindergarten through middle grades, and the San Diego County Board of Education:**

  02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

Comment: The Chula Vista Elementary School District agrees with the finding. The recommendation has been implemented in the following manner:

- Five Family Resource Centers (FRCs) have been established through the Chula Vista Coordinating Council on local school campuses to bring community members into the schools to work with parents of similar backgrounds. FRCs house Community Assessment Teams under the direction of the County's Juvenile Probation Department, which provides direct intervention for at-risk students. Child Protective Services staff are also housed at FRCs.

- Neighborhood Councils have been created to bring parents together to address common needs, share experiences, and build community in the neighborhoods adjoining FRCs.

- Promotoras-neighborhood parents who are trained to educate families in their communities to broker services and access agencies, are supported with a stipend from a border health grant.

In addition:

- Community-based agencies provide school site counseling to Medi-Cal eligible students and families in eligible, heavily impacted schools in the Chula Vista Elementary School District.

- A team of Behavioral Specialists provides direct services to students with persistent discipline problems, offers strategies to their teachers, and coordinates with their parents to reduce and ultimately eliminate disruptive and unsafe behavior.

- The Chula Vista Elementary School District, together with the Sweetwater Union High School District and the City of Chula Vista, co-funds a team of 20 School Resource Officers (SROs) - sworn, uniformed, armed police officers who work in the juvenile division, employ community-oriented policing strategies to prevent potential criminal activity, offer diversion and early intervention measures to youth, and respond, when necessary, to illegal and unsafe incidents on campuses.

- District psychologists, counselors, nurses, and Attendance/Health Specialists coordinate their efforts with site administrators and teachers through Student Study Teams that provide options and strategies to address the needs of identified students.

- A School Attendance Review Board (SARB) at the district level, and School Attendance Review Teams at the site level, respond to the needs of families of students with chronic absenteeism and truancy. SARB includes Student Welfare and SRO personnel.

- The Chula Vista Elementary School District, in collaboration with Sharp and Scripps Hospitals and the City of Chula Vista, operate the Spirit of Caring, a mobile pediatric clinic that provides free medical treatment and medicines to sick children as well as referrals to mental health and social services.

- The district just received notification of approval of a grant application to provide comprehensive services to children from birth to age 5 in the lowest performing schools in Chula Vista. Services will include behavioral specialists, literacy/home visitors, and medical services to enable youngsters to come to school "ready to learn."

Finally, with respect to the proposal for an Ombudsman Program, the recommendation is consistent with a coordinated system of care proposed under the name of Heartbeat that is being implemented in the County of San Diego to ensure a safety net of mental health services for young people throughout San Diego. Clearly, some form of advocacy service on behalf of children whose parents are unable or unwilling to follow through is warranted. This proposal has great merit and should be fully explored.

We are delighted to continue dialogue and engagement of any of these matters that will benefit our students and families.

For the Children,

Dennis M. Doyle, Ph.D.
Assistant Superintendent for
Community and Government Services and Support

Dehesa school District

RECEIVED

AUG 16 2002

SAN DIEGO
COUNTY GRAND JURY

August, 2002

TO: Presiding Judge of the Superior Court
From: Barbara Rohrer, Superintendent of the Dehesa School District

RE: Response to Grand Jury Report titled:

Early Detection and Treatment of Behavioral Problems in School Children

It is commendable that our Grand Jury investigated the topic of student behavior in our schools....seeking a means by which our schools can have a more proactive approach in dealing with such potential problems, and hence enriching the educational experience of the majority of students due to the reduction of behavioral disruptions.

The Ombudsman Program idea appears new to me/us. Questions arise however: Could an appropriate ombudsman person be found? What kind of training would they need? Would he/she be paid for their work/services? From what funds would he/she be paid? Since he/she would he dealing with parents and children indirectly, what kind of credentialing would be needed? Would this person need to be fingerprinted, pass FBI inspection, and also have a TB test? What educational background would be needed? How would this person be able to contact those parents who need contacting since much of the needed information is confidential?

The idea of piloting the program in a few schools initially is a good idea. In doing so perhaps many of my above questions would be answered.

I am unaware of our district receiving any funding from Prop.10. Is it distributed to schools on a per capita basis, or does one have to apply for it? A dilema either way exists for our district.... If it arrived on a per capita basis, there would probably be insufficient funds to carry out a program, or if the funding needs to be applied for, we'd probably have trouble finding someone with time to do the grant application.

However, I can visualize gleaning the merits of the omsbudsman program by having the San Diego County Office of Education establish a person to act as a resource for our implementing a program that would fit our school. Our school is small. Our at-risk students are few. But when we do need help if we could go to our county office and ask for a person to come to our school, listen to the problems we need to solve, and then offer information and even some personnel time to help us implement efforts to gain the needed parent involvement to resolve the behavioral issue, that would be great. Outside viewpoints coupled with in-house knowledge and experience could well bring together constructive efforts to generate early intervention for behaviorally at-risk students.

This response has come from a small, rural school. We do have an ethnically diverse population and we do have problems. But they are probably different and fewer than larger suburban San Diego County Schools.

Linda Crawford
Mindy Disraeli
Janet Lamborghini
Barbara Myers
Jeanne Waite
BOARD OF TRUSTEES

Del Mar Union School District

225 NINTH STREET, DEL MAR, CA 92014-2716 • (858) 755-9301 • FAX (858) 755-4361

Thomas F. Bishop, SUPERINTENDENT

August 6, 2002

RECEIVED
AUG 14 2002

RECEIVED
AUG 15 2002
SAN DIEGO
COUNTY GRAND JURY

Presiding Judge, Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Presiding Judge:

I have reviewed the 2001/2002 Grand Jury Report – Early Detection and Treatment of Behavioral Problems in School Children (filed April 24, 2002).

Penal Code 933(c) requires that I provide you with comment on the above Grand Jury Report.

Recommendation 02-03 Comment:

I agree with Recommendation 02-03, but I am uncertain if this recommendation will be implemented by the San Diego County Office of Education because of budget constraints at the SDCOE. Establishing a central clearinghouse of grant proposals will probably benefit at risk students and families. However, establishing a central clearinghouse will require funding to pay for the positions necessary for a functional clearinghouse. I am in no position to assess the fiscal situation at the SDCOE, and I do not know if the SDCOE has adequate resources to pay for any clearinghouse positions.

Recommendation 02-05 Comment:

I agree with Recommendation 02-05, but the recommendation requires further analysis. The Del Mar Union School District currently organizes parent volunteers to work with students and parents. We also have recruited many senior citizens to tutor students who have educational deficits.

Recruiting community volunteers will be a challenge because volunteers lack consistency and do not always report to their assigned tasks.

Recruiting community volunteers requires time and effort. Which DMUSD employees might be assigned to this task? Our current DMUSD Strategic plan does not

include this priority. As Superintendent, I follow local Board direction. This recommendation will be a low priority in the DMUSD because of the homogeneous nature of the highly involved DMUSD parent community.

Very truly yours,

Thomas F. Bishop

Thomas F. Bishop, Superintendent
Del Mar Union School District

cc:
Board of Trustees

TFBmc

ENCINITAS UNION SCHOOL DISTRICT

...Together Helping Children to Reach for the Stars...

August 5, 2002

RECEIVED

AUG 09 2002

SAN DIEGO
COUNTY GRAND JURY

Mr. Edward A. Johnson
San Diego County Grand Jury
330 West Broadway, Suite 477
San Diego, CA 92101

Dear Mr. Johnson,

In response to the Report "Early Detection and Treatment of Behavioral Problems in School Children," I have reviewed the following recommendations:

02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

The Encinitas Union School District reports the following actions:

Recommendation 02-03:

The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame 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 time frame shall not exceed six months from the date of publication of the grand jury report.

Recommendation 02-05:

The recommendation has been implemented with a summary regarding the implemented action.

The Encinitas Union School District has actively been coaching community volunteers to work with parents of similar backgrounds in our local schools. We have a history of working the Rotary, Encinitas Chamber, Carlsbad Chamber and the North County Citizens Advisory Committee for parents of special needs children.

Further the Encinitas Union School District agrees with findings I, II, III, IV, V, VI, VII and VIII.

Respectfully submitted,

Douglas P. Devore, Ed.D.
Superintendent

Board of Trustees
Shannon Kuder
Cathy Regan
William Parker
Carol Skiljan
Marla Strich

Superintendent
Douglas P. DeVore, Ed.D.
Assistant Superintendents
Bonila Drolet, Ed.D. — Educational Services
Danniel Grider, Ed.D. — Administrative Services
Chief Financial Officer
Cynthia L. Martin

101 S. Rancho Santa Fe Road, Encinitas, CA 92024-4349
Phone (760) 944-4300 FAX (760) 942-7094

RECEIVED
AUG - 6 2002

"IN QUEST OF QUALITY"

ALLAN E. GORDON
Superintendent

RECEIVED
AUG 08 2002
SAN DIEGO
COUNTY GRAND JURY

August 1, 2002

Presiding Judge of the Superior Court
County of San Diego
C/o Foreman Pro Tempore Edward A. Johnson
PO Box 122724
San Diego, CA 92112-2724

Dear Sir or Madam:

Re: Grand Jury Report 2001-2002, April 24, 2002, Early Detection and Treatment of Behavioral Problems in School Children

In compliance with the Penal Code section 933 (c), the attached comments are being provided in response to recommendations02-03 and 02-05 of the Grand Jury Report on Early Detection and Treatment of Behavioral Problems in School Children.

If any further response is required at this time, please send your written request or recommendation to:

Allan Gordon, Superintendent
Jamul-Dulzura Union School District
14581 Lyons Valley Road
Jamul, CA 91935

Sincerely,

Maria Maynard

Maria Maynard
Supt. Secr.

JAMUL - DULZURA
UNION SCHOOL DISTRICT

14581 LYONS VALLEY ROAD
JAMUL, CALIFORNIA 91935
(619) 669-7700
FAX (619) 669-0254

BOARD OF TRUSTEES

Marcia A. Spurgeon	Cyndy Hoffmann	Chris M. McAdams	Kathy G. Schwartz	Mark Bruder
1979	1992	1996	1998	2000

As to 02-03, district responds:

(A) – (1) The respondent agrees with the grand jury's finding
(B) – (1) The recommendation has been implemented, to the extent on department in our district handles all grants and therefore is able to cross-reference funding projects that have similar objectives.

As to 02-05, district responds:

(A) – (1) The respondent agrees with the grand jury's finding
(B) – (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame dependent upon parent/community response but not to exceed six months should response be in favor of such support groups. *Please see additional comments below from the Director of Special Education.

*Additional Comments:

In regard to the Grand Jury report and recommendations:

- Our Student Study Team (SST) process is used to address behavioral and academic issues at the informal level.
- Certainly we are limited in providing a successful intervention without parental permission and support. We have little leverage to use if a parent does not cooperate with recommendations.
- In more severe cases, a County Mental Health referral is recommended, but, again, cannot proceed without parental support.
- In Jamul, while we have community groups, we have not developed a parent volunteer group to work with parents of similar backgrounds. We could propose that our counselors develop a plan and begin to make contacts with parents willing and capable of providing assistance to other parents. We may also provide workshops in the evenings aimed at behavioral issues, presented by our own personnel and/or outside professionals.

Cajon Valley Union School District	Recommendations: 02-03, 02-05
Cardiff School District	Recommendations: 02-03, 02-05
Carlsbad Unified School District	Recommendations: 02-03, 02-05
Chula Vista Elementary School District	Recommendations: 02-03, 02-05
Coronado Unified School District	Recommendations: 02-03, 02-05
Dehesa Unified School District	Recommendations: 02-03, 02-05
Del Mar Union School District	Recommendations: 02-03, 02-05
Encinitas Union School District	Recommendations: 02-03, 02-05
Escondido Union School District	Recommendations: 02-03, 02-05
Fallbrook Union Elementary School District	Recommendations: 02-03, 02-05
Jamul-Dulzura Union School District	Recommendations: 02-03, 02-05
Julian Union School District	Recommendations: 02-03, 02-05
La Mesa-Spring Valley School District	Recommendations: 02-03, 02-05
Lakeside Union School District	Recommendations: 02-03, 02-05
Lemon Grove School District	Recommendations: 02-03, 02-05
Mountain Empire Unified School District	Recommendations: 02-03, 02-05
National School District	Recommendations: 02-03, 02-05
Oceanside Unified School District	Recommendations: 02-03, 02-05
Poway Unified School District	Recommendations: 02-03, 02-05
Ramona Unified School District	Recommendations: 02-03, 02-05

That all San Diego County school districts for grades kindergarten through middle grades, and the San Diego County Board of Education:

02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

That the San Diego County Board of Education and the San Diego County Health and Human Services Agency, jointly:

02-04: Develop a program to marshal available community resources to help parents and teachers share responsibility for at-risk children.

That all San Diego County school districts for grades kindergarten through middle grades, and the San Diego County Board of Education:

02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. *Such comment shall be no later than 90 days after the Grand Jury submits its report to the public agency.* Also, every ELECTED county officer or agency head for which the Grand Jury has responsibility shall comment on the findings and recommendations pertaining to matters under the control of that county officer or agency head, as well as any agency or agencies which that officer or agency head supervises or controls. *Such comment shall be made within 60 days to the Presiding Judge of the Superior Court with an information copy sent to the Board of Supervisors.*

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

(a) 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) 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 time frame for implementation.

(3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame 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 time frame 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.

N/A

(c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 is required from the:

San Diego County Board of Education	**Recommendations: 02-02, 02-03 02-04, 02-05**
San Diego County Health & Human Services Agency	**Recommendation: 02-04**
Alpine Union School District	**Recommendations: 02-03, 02-05**
Bonsall Union School District	**Recommendations: 02-03, 02-05**
Borrego Springs Unified School District	**Recommendations: 02-03, 02-05**

BOARD OF TRUSTEES
KATHLEEN A. STUMM, PRESIDENT
DEBORAH PLUMMER, VICE PRESIDENT
BARBARA TAYLOR, CLERK
LINDA S. BOWMAN
MICHAEL KREIBS

RANCHO SANTA FE SCHOOL DISTRICT

P.O. BOX 809
RANCHO SANTA FE, CALIFORNIA 92067
858-756-1141
FAX: 858-756-0712

DANIEL A. VINSON, ED.D.
DISTRICT SUPERINTENDENT
GLENDA SUHIDA
ASSISTANT SUPERINTENDENT, PRINCIPAL

RECEIVED
OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

October 2, 2002

Presiding Judge of the superior court
P.O. Box 122724
San Diego, CA 92112-2724

This letter is in response to the 2001-02 Grand Jury Report, "Early Detection and Treatment of Behavioral Problems in School Children: filed April 24, 2002.

The Rancho Santa Fe School District agrees and supports the findings in 02-03 that there be a reduction in "duplicative grant proposals that have similar objectives through a central clearinghouse of grant proposals at the County level," and in 02-05 that the District should "organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools."

Though the Rancho Santa Fe School District agrees with both of the stated recommendations, their impact is limited on the District since there are no grant funded projects in the District at this time, nor have there been any in the past and parent and community volunteering to support our one school is already at an almost inconceivably high level.

Sincerely,

Daniel A. Vinson, Ed.D.
Superintendent

Cc: Edward A. Johonson, Foreperson Pro Tempore
Grand Jury, County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Santee School District

"WHERE YOUNG MINDS MEET OPEN DOORS"

July 23, 2002

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JUL 25 2002

SAN DIEGO
COUNTY GRAND JURY

C.E. Mulroy, Foreman
Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, California 92101-3830

Re: Grand Jury Report, April 24, 2002
"Early Detection and Treatment of Behavioral Problems in School Children."

Dear Foreman Mulroy:

As you requested, below are the responses of the Santee School District to the above referenced Grand Jury Report.

Grand Jury Findings:

Santee School District agrees with all eight findings.

Grand Jury Recommendations:

02-03: The Santee School District has implemented this recommendation and provides the following summary:

> The Santee School District cooperates with centralized grant development and application processes when coordinated by the County Office of Education. The District also cooperates with other districts and community applicants when feasible and integral to the development of a comprehensive grant proposal.

02-05: The Santee School District has implemented this recommendation and provides the following summary:

> The Santee School District organizes parent volunteers at every school and solicits volunteers with similar backgrounds of our students and their families. Parent liaisons are employed to expand parent and community involvement. The District also promotes the participation of volunteers through programs such as the Second Language Instructional Program, the Home Instruction for Parents of Preschool Youngsters (HIPPY) Program, the Santee Community Collaborative, and the Santee Chamber of Commerce Speakers Bureau.

If I may be of further service please contact me at (619) 258-2303.

Sincerely,

Marcia J. Johnson, Superintendent

BOARD OF EDUCATION: Cathy Abel, Dianne El-Hajj, Julie McIntosh, Sandy Pugliese, Barbara Ryan
DISTRICT SUPERINTENDENT: Marcia J. Johnson

SANTEE SCHOOL DISTRICT: 9625 Cuyamaca Street, Santee, California 92071-2674 • (619) 258-2300

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MAY 10 2002
SAN DIEGO
COUNTY GRAND JURY

Julian Union School District
P.O. BOX 337 • JULIAN, CA 92036 • (760) 765-0661 • FAX (760) 765-0220

C. E. Mulroy
Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

May 9, 2002

Dear Mr. Mulroy,

The following shall serve as the response of the Julian Union School District to the recommendations of the Grand Jury related to your report on "Early Detection and Treatment of Behavioral Problems in School Children".

02-03: The district supports this recommendation and would participate in the clearinghouse. We await possible implementation of this recommendation.

02-05: The district supports this recommendation. We currently have many programs to support parents and invite participation. We will analyze the recommendation further to plan for possible additions to our programs.

Sincerely,

C. Kevin Ogden
District Superintendent

Governing Board: Gina Jimenez, Mary Marvin, Jim McFall, Susan Slaugher, Eileen Tellam
Elementary Principal: Deborah Larkin • Jr. High Principal: Anna Koonce • Superintendent: C. Kevin Ogden

La Mesa-Spring Valley School District
4750 Date Avenue • La Mesa, California 91941-5293 • Telephone: 619/668-5700 Fax: 619/668-5809

August 1, 2002

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AUG 0 6 2002
SAN DIEGO
COUNTY GRAND JURY

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AUG - 5 2002

Presiding Judge of the Superior Court
P.O.Box 122724
San Diego, CA 92112-2724

RE: Responses to the 2001-02 Grand Jury Report, *Early Detection and Treatment of Behavioral Problems in School Children* Filed April 24, 2002

This letter is in response to the 2001-2002 Grand Jury recommendations 02-03 and 02-05 contained in the above report and in compliance with Penal Code Section 933.05.

As to Recommendation 02-03, the La Mesa-Spring Valley School District is very supportive of a central clearinghouse at the county level through which grant proposals would be screened. This would reduce the redundancy of grant projects in San Diego County and would provide a link for school districts to communicate on effective practices and successful programs.

Regarding Recommendation 02-05, the District also supports the programs of community volunteers to work with parents in similar backgrounds in the local schools. In our District this will require further analysis to identify parent needs and community volunteers who would then be able to work with those parents. The District is currently working on a parent involvement program with our middle schools and have been in communication with a parent liaison agency within the County of San Diego. The implementation of this program will occur during the current school year.

Thank you for the opportunity to respond to these recommendations. If you have any additional questions, please do not hesitate to contact me.

Sincerely,

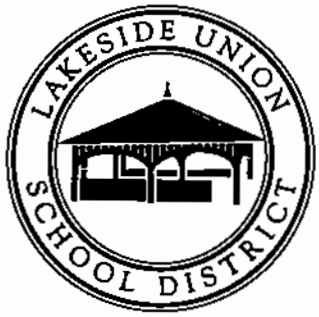
Brian Marshall

Brian Marshall
Assistant Superintendent, Instruction

c: Warren Hogarth, Superintendent

Board of Education: Med C. Beauregard • Penny W. Halgren • Sharon C. Jones • Larry Kinard • Rick Winet
District Superintendent: Warren Hogarth

Administration:
CAROL A. LEIGHTY, Ed.D.
District Superintendent
KAMRAN AZIMZADEH
Deputy Superintendent
SAM MERSHON
Asst. Superintendent



Board of Trustees:
GELIA G. COOK
TWILA C. GODLEY
HAROLD I. HILLIKER
MARK C. HINKLEY
KEVIN C. HOWE

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APR 26 2002
SAN DIEGO
COUNTY GRAND JURY

April 22, 2002

C.E. Mulroy, Foreman
Grand Jury, County of San Diego
330 West Broadway, Suite 477
San Diego, CA. 92101-3830

Dear Foreman Mulroy:

This is in response to the Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children". While I will address Recommendations 02-03 and 02-05, as requested, I will also address Recommendations 02-02 and 02-04 as my role as superintendent and co-chair of the San Diego County Children's Mental Health System of Care Committee gives me some additional expertise.

02-03 **Disagree wholly.** School districts are independent government agencies, with their own elected boards. They choose which grants are appropriate for their students and design the grants to meet the individual needs of their children. While across the county the grants may appear to be a duplication of effort, the grants meet the local needs of the students in that district. The San Diego County Office of Education is not a super-board with regulatory powers over my board. They should not be a clearinghouse for district grants. This would only make grant applications and the process more difficult for individual districts and reduce our opportunities to increase programs and funding. This is a large and very diverse county, trying to form a common clearinghouse would be very difficult and unnecessary.

02-05 **Disagree partially.** Our school district has volunteer programs at each of the sites. Volunteers are almost always local family or community members who wish to work with children. While we would appreciate help in soliciting more volunteers, countywide efforts would probably not make much of a difference and take more coordination than we have staff to perform. All Title I schools require parent involvement programs. A parent-school ombudsman program sounds like a good idea, but it would require highly trained individuals, not only in mediation but also in educational law, including special education. This role is not the responsibility of school districts.

02-02 **Disagree wholly.** School districts do not need yet another monitor. My district, along with my grant award agency, oversees my grant. I do not need yet another oversight. Reporting the results of all grants does not serve any useful purpose to my district.

02-04 **Disagree partially.** For the past four years, a large collaborative effort regarding the needs of our most at risk children in San Diego County has been in place. Beginning as HeartBeat and funded by the San Diego County Bar Association, and now as the San Diego County Children's Mental Health System of Care, educators, family members, support providers, agencies and the county staff meet monthly to address the needs of high risk youth. Numerous programs are in place and held accountable for improving the academic and health issues of our children. In addition there are other agencies working together to address the needs of these children. Alfredo Aguierre, Children's Mental Health Director, would be happy to share the many programs in place for students with behavioral problems.

At the more local level, numerous collaboratives (Lakeside, Lemon Grove and South Bay, for example) are empowering local agencies to meet the unique needs of their children. Pam Smith, HHSA, and others would be glad to speak to you regarding the success of local collaboratives in meeting the needs of students and their families.

School districts are acutely aware of our most at risk students. We are also aware that an at risk student is often from an at risk family, and we need to garner resources to help the family be more self-sufficient and healthy. These goals are best completed at the local level. Due to the size of the county, countywide oversight is difficult and often adds more layers of bureaucracy. Let the individual school district address their needs as they see fit.

As you can tell, I have very strong opinions on this subject and the responsibilities of districts.

Sincerely,

Carol A. Leighty

Carol A. Leighty, Ed.D.
District Superintendent

CAL:cw

Cc: Rudy Castruita
Alfredo Aguierre

Lemon Grove School District

8025 Lincoln Street • Lemon Grove, California 91945-2515
(619) 825-5600 • FAX (619) 462-7959
www.lgsd.k12.ca.us

RECEIVED
AUG 08 2002
SAN DIEGO
COUNTY GRAND JURY

August 5, 2002

Edward A. Johnson
Foreperson Pro Tempore
San Diego County Grand Jury
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Subject: Response to the 2001-2002 Grand Jury Report on "Early Detection and Treatment of Behavior Problems in School Children" Filed April 24, 2002

Dear Mr. Johnson:

Upon receipt of the Grand Jury's April 24, 2002 report on the early detection and treatment of behavior problems in school age children, the report was placed on the Lemon Grove School District Governing Board's May 14, 2002 Public Agenda for discussion and action (acceptance of the report).

Regarding Recommendations #02-03 (Reducing duplicative grant projects) and #02-05 (Organizing groups of community volunteers) the Lemon Grove School District has been addressed both issues in a conscientious and forthright manner. The following is a sample of the types of actions that have occurred during the 2001-2002 school year addressing each of the respective recommendations:

Recommendation #02-03: *Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.*

> Lemon Grove has jointly applied and implemented the *Before and After School Safe Neighborhoods Program* in cooperation with the Children's Initiative and the San Diego County Office of Education. Over 20 school districts participating in the grant have marshaled their resources to ensure constructive alternatives for elementary and middle school students. The program continues to be expanded through joint efforts within the countywide consortium.
>
> In addition, Lemon Grove School District is the recipient of a Proposition 10 grant providing family resources and support services in parenting beginning with newborns through school age children. This collaborative effort prevents duplication of services and separate grant applications. In concert with the Lemon Grove Project, the State Preschool Program and the County Department of Health Services families are able to access critical services for children.

GOVERNING BOARD: George Gastil • Janne La Valle • Robbie Montgomery • Michael Ott • Timothy Shaw
SUPERINTENDENT: L. McLean King, Ed.D.

Our Students Come First

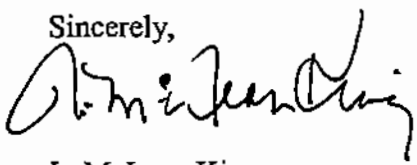
Recommendation #02-05: *Organize and expand groups of community volunteers to work with parents of similar background in the local schools.*

Lemon Grove School District is one of San Diego County's most diverse school districts. In 2001-2002, 34% of our students are Latino and 23% are African-American. In collaboration with EJE (Excelencia y Justicia en Educacion), a grassroots Latino parent volunteer group, the District has sponsored a series of workshops and education opportunities for parents on ways to strengthen their parenting skills. In addition, four of the eight schools in the District sponsored an eight-week parenting series by contracting training services through The Parent Institute for Quality Education. This successful program involved hundreds of families who have not traditionally been directly involved with the schools. Parent leaders served as mentors coaching other parents on successful parenting practices.

The Lemon Grove School District agrees with the recommendations in the 2001-2002 San Diego County Grand Jury's Report on *Early Detection and Treatment of Behavioral Problems in School District* and will continue to work collaboratively with other school districts and countywide agencies when marshalling programs and services for parents and children.

Please do not hesitate in contacting me at (619) 825-5612, if you need additional information regarding our efforts related to behavior intervention and collaboration.

Sincerely,



L. McLean King
Superintendent

cc: Governing Board

RECEIVED
JUL 31 2002

Mountain Empire Unified School District
3291 Buckman Springs Road • Pine Valley • California • 91962
Phone (619) 473-9022 • FAX: (619) 473-9728

July 29, 2002

Presiding Judge of the Superior Court
PO Box 122724
San Diego, CA 92112-2724

Dear Sir or Madame:

This letter on behalf of the Mountain Empire Unified School District is in response to the April 24, 2002 report, *Early Detection and Treatment of Behavioral Problems in School Age Children,* per Penal Code section 933.05(a)and (b).

In regards to the Grand Jury's findings, the District responds as follows:

Finding I.	Agree
Finding II.	Agree
Finding III.	Agree
Finding IV.	Agree
Finding V.	I have no way of knowing whether relatively few districts in San Diego County have utilized parent involvement programs effectively. I do know that various districts have been working hard to improve parent involvement for years.
Finding VI.	Agree
Finding VII.	Disagree. School Districts are not just *beginning* to understand the importance of community involvement and volunteerism in schools. Educators have known for many years of the importance of these things.
Finding VIII.	Agree

In regards to the Grand Jury recommendations, the District responds as follows:

Recommendation 02-03. This recommendation calls for action at the county level. The Mountain Empire School District will cooperate fully with the staff at the County Office of Education by sharing information about the grants awarded to the school district. However, this recommendation seems to say that a school district should not accept, or apply for a grant, if another district is already implementing a similar grant. Because each district operates independently, it would be unreasonable to ask one district to forego seeking those same benefits for its students that another district has already acquired.

Recommendation 02-05. This recommendation has already been implemented. Each school in the District operates a PTA and SSC which provide avenues for community involvement and engage in activities to promote adult involvement in the schools. In addition, our After School Program provides parent education and adult education activities to develop relationships within the school communities. Furthermore, parent involvement and community involvement activities are an ongoing component of each school's goals.

Sincerely,

Greg Ryan
Superintendent

NATIONAL SCHOOL DISTRICT
1500 N AVENUE • NATIONAL CITY, CA 91950 • (619) 336-7500 FAX (619) 336-7505

RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

July 29, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Presiding Judge:

Pursuant to a request from Edward A. Johnson, Foreperson Pro Tempore, San Diego County Grand Jury 2002-03, for a response to the 2001-02 Grand Jury Report "Early Detection and Treatment of Behavioral Problems in School Children" filed on April 24, 2002, the National School District submits the following.

Recommendation 02-03. That all San Diego County school districts for grades kindergarten through middle grades and the San Diego County Board of Education reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposal at the County level.

This respondent cannot agree nor disagree with the recommendation because we do not have a basis for understanding what example of "duplicative grant projects" impede our efforts for the early detection and treatment of behavioral problems in school children. Moreover, this school district has no jurisdiction over the County Board of Education to implement such a central clearinghouse. Based on this rationale, our reported action would be (b) (4).

Recommendation 02-05. That all San Diego County school districts for grades kindergarten through middle grades and the San Diego County Board of Education organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

Our school district has a long history of organizing and involving parents and community volunteers to serve our children. Moreover, we provide opportunities for our parents to participate in parent education programs to deepen their knowledge of student learning and

BOARD MEMBERS: ROSALIE "ROSIE" ALVARADO; ANNE L. CAMPBELL; ALMA GRAHAM; JAMES GRIER, JR.; FRANK PEREZ
DISTRICT SUPERINTENDENT: GEORGE J. CAMERON, Ed.D. ASSISTANT SUPERINTENDENT–EDUCATIONAL SERVICES: ELLEN C. CURTIN, Ed.D.
ASSISTANT SUPERINTENDENT–BUSINESS SERVICES: MICHAEL J. CASTANOS ASSISTANT SUPERINTENDENT—HUMAN RESOURCES: CYNTHIA A. MESAROS

ways they can support their children's progress in our schools. Therefore, this recommendation has been implemented through the following programs:

Parent Institute
Family Reading and Family Math
District Advisory Council
School Site Councils
Por la Vida
Parents As Teachers Program
Etc.

I trust that the aforementioned responds to your recent request.

Sincerely,

George J. Cameron, Ed.D.
District Superintendent

GJC:cim

cc: Edward A. Johnson, Foreperson Pro Tempore, San Diego County Grand Jury 2002-03
San Diego County Board of Supervisors

RECEIVED
JUL 31 2002

NATIONAL SCHOOL DISTRICT
1500 N AVENUE • NATIONAL CITY, CA 91950 • (619) 336-7500 FAX (619) 336-7505

July 29, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Presiding Judge:

Pursuant to a request from Edward A. Johnson, Foreperson Pro Tempore, San Diego County Grand Jury 2002-03, for a response to the 2001-02 Grand Jury Report "Early Detection and Treatment of Behavioral Problems in School Children" filed on April 24, 2002, the National School District submits the following.

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BOARD MEMBERS: ROSALIE "ROSIE" ALVARADO; ANNE L. CAMPBELL; ALMA GRAHAM; JAMES GRIER, JR.; FRANK PEREZ
DISTRICT SUPERINTENDENT: GEORGE J. CAMERON, Ed.D. ASSISTANT SUPERINTENDENT–EDUCATIONAL SERVICES: ELLEN C. CURTIN, Ed.D.
ASSISTANT SUPERINTENDENT–BUSINESS SERVICES: MICHAEL J. CASTANOS ASSISTANT SUPERINTENDENT—HUMAN RESOURCES: CYNTHIA A. MESAROS

ways they can support their children's progress in our schools. Therefore, this recommendation has been implemented through the following programs:

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Family Reading and Family Math
District Advisory Council
School Site Councils
Por la Vida
Parents As Teachers Program
Etc.

I trust that the aforementioned responds to your recent request.

Sincerely,

George J. Cameron, Ed.D.
District Superintendent

GJC:cim

cc: Edward A. Johnson, Foreperson Pro Tempore, San Diego County Grand Jury 2002-03
San Diego County Board of Supervisors

Oceanside
Unified School District
"Guiding Our Students to Bright Futures"

Board of Education
Lillian V. Adams, President
Janet Bledsoe Lacy, Vice President
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Roy Youngblood, Member
Emily Ortiz Wichmann, Member
Kenneth A. Noonan, Superintendent

July 31, 2002

RECEIVED
AUG 02 2002
SAN DIEGO
COUNTY GRAND JURY

Edward A. Johnson
Foreperson Pro Tempore
San Diego County Grand Jury 2002-2003
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Mr. Johnson:

Your letter of July 24, 2002, to Oceanside Unified School District Superintendent Kenneth Noonan, concerning responses to the 2001-2002 grand jury report "Early Detection and Treatment of Behavioral Problems in School Children," has been referred to me for reply.

The following are your recommendations and our responses:

02-03 Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the county level.

Response: The district disagrees partially with the finding because it assumes that a county level clearinghouse will actually reduce duplicative grant projects. Centralization of such services has not led to a reduction in duplicative efforts in other arenas, nor will it reduce duplication of grant efforts. The recommendation will not be implemented for this reason.

02-04 Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

Response: Please be advised the district agrees with the need to organize and expand a community of volunteers to work with parents of similar backgrounds. Your recommendation does not represent a new initiative for the district. We continually strive to organize and expand volunteers in schools.

Please contact me if I can be of further assistance, telephone: 760-757-2560, Ext. 220.

Thank you.

Sincerely,

Joseph M. Farley, Ed.D.
Deputy Superintendent

JMF/shk

c: Kenneth Noonan, Superintendent

2111 Mission Avenue • Oceanside, CA 92054 • Phone: (760) 757-2560 • Fax: (760) 721-9714 • www.oside.k12.ca.us

POWAY UNIFIED SCHOOL DISTRICT
13626 TWIN PEAKS ROAD · POWAY, CALIFORNIA 92064-3034
TELEPHONE (858) 748-0010 · (858) 586-7500 · FAX (858) 748-1342
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Donald A. Phillips, Ed.D.

All Students Learning Whatever It Takes

LEARNING SUPPORT SERVICES
Dr. Elaine M. Cofrancesco, Area Superintendent
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emcofren@sdcoe.k12.ca.us

RECEIVED
JUN 4 2002
SAN DIEGO
COUNTY GRAND JURY

RECEIVED
JUN 3 2002

May 30, 2002

Presiding Judge of the Superior Court
Presiding Department
The Honorable Richard E. L. Strauss
220 W. Broadway
San Diego, CA 92101

RE: **San Diego County Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Programs in School Children".**

Dear Judge Strauss:

On behalf of Dr. Donald A. Phillips, Superintendent of the Poway Unified School District, I am responding to the Grand Jury Report regarding Early Detection and Treatment of Behavioral Programs in School Children.

The Poway Unified School District agrees with the findings of the grand jury.

The Poway Unified School District disagrees with recommendation 02-03; the District believes that there does not need to be a central clearinghouse for grant proposals at the County level to reduce duplicative grant projects that have similar objectives.

The Poway Unified School District recognizes that among the 43 districts in the county there are many local district and community issues that are unique. While grants may have similar objectives, many concrete action plans within grants need to differ widely in order to address these unique community factors. The Poway Unified School District further recognizes that many grants require submission by local education agencies rather than by county agencies. The Poway Unified School District has participated in "centralized" grants with the county and finds that there is not sufficient manpower to make the service delivery effective in all cases. Grants are often made available on a very specific, often brief timeline for submission. Requiring a county "clearinghouse" would constrict the timeline for proposal conception and organization critically. The Poway Unified School District believes, in order to meet the needs of at-risk students and support more family and community involvement, districts should have the flexibility to pursue any and all grants available to them. The Poway Unified School District further suggests that all districts would be better served by a county clearinghouse that would:

1. Seek information about all available funding sources for services to at-risk students and families.
2. Alert district about opportunities to respond to request for proposals.
3. Provide technical assistance to districts so that their applications are highly competitive.
4. Maintain a database of grants funded in districts and at the county so that networking of services and information can occur.
5. Promote joint applications by neighboring districts with mutual needs.
6. Assist in the training of district grant writers.

The Poway Unified School District accepts the validity of recommendation 02-05. The Poway Unified School District has implemented this recommendation in the following manner:

1. The Poway Unified School District has a volunteer mentor program where community volunteers have been trained to assist at-risk youth. Parents are connected to the process through permission letters, opportunities to create actions plans for their children with the volunteer, and opportunities for feedback and involvement.
2. The Poway Unified School District has volunteer advisory committees where parents can engage with other parents of similar backgrounds to support students in schools.
3. The Poway Unified School District has established a "Parent to Parent" support mechanism to engage parent volunteers to teach other parents lessons relating to risk and protective factors in the lives of their children and to instruct them in appropriate discipline and study skills to assist their student.
4. The Poway Unified School District has PTA chapters on all school campuses to promote parental support and involvement.
5. The Poway Unified School District welcomes parent involvement and provides opportunities for parents to serve in advisory capacities on panels related to decisions regarding school budgets, facilities, instruction, etc.

Thank you for allowing the District to respond to the Grand Jury's findings and recommendations.

Sincerely,

Elaine M. Cofrancesco, Ph.D.
Area Superintendent

cc: Donald A. Phillips, Superintendent
John Collins, Deputy Superintendent

Ramona Unified School District

720 Ninth Street • Ramona, CA 92065-2
(760) 788-5000 • FAX 789-9168

RECEIVED
JUL 2 6 2002
SAN DIEGO
COUNTY GRAND JURY

RAMONA In The Valley Of The Sun

REVISED

April 22, 2002

Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego CA 92101-3830

Re: RESPONSES TO THE 2001-02 GRAND JURY REPORT – *"EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN"* FILED APRIL 24, 2002.

Dear Members of the San Diego County Grand Jury:

Response to 02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the county level.

Most grants are competitive in nature and are reviewed on the merits of the proposal. Additionally, many grants have qualifying conditions – such as income levels, ethnic make-up, parent education level – this may very dramatically from district to district thus rendering one proposal more competitive than another.

The San Diego County Department of Education does an outstanding job of helping districts and provides many services.

Response to 02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

While this sounds like a wonderful idea, if there is no long term or ongoing funding, this is but one more program that schools will be expected to manage within existing funding levels. It will take away from other ongoing commitments. If on the other hand a program can be developed that will increase parent involvement and responsibility without adding to the growing list of programs that school sites are asked to manage and, with the additional resources to support the program, the program would be a welcome addition.

Respectfully,

Peter M. Schiff
Superintendent of Schools

SAN DIEGO UNIFIED SCHOOL DISTRICT
Office of General Counsel

4100 Normal Street, Room 2148
San Diego, CA 92103
(619) 725-5630
Fax: (619) 725-5639

JO ANNE SAWYERKNOLL
GENERAL COUNSEL

JOSE A. GONZALES
Assistant General Counsel

RICARDO J. SOTO
Assistant General Counsel

SATELLITE OFFICE
Facilities Management
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TAD SETH PARZEN
Assistant General Counsel
(858) 637-6232

SANDRA T.M. CHONG
Prop. MM Staff Attorney
(858) 637-6233

RECEIVED
JUN 24 2002

RECEIVED
JUN 2 2002
SAN DIEGO
COUNTY GRAND

June 21, 2002

Presiding Judge of the Superior Court
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: **San Diego County Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children"**

Dear Sir:

In accordance with California Penal Code §933.05, the following comments are provided in response to the above-referenced report of the San Diego County Grand Jury.

FINDINGS

I. The respondent agrees with the finding.
II. The respondent agrees with the finding.
III. The respondent agrees with the finding.
IV. The respondent agrees with the finding.
V. The respondent agrees with the finding.
VI. The respondent agrees with the finding.
VII. The respondent agrees with the finding.
VIII. The respondent agrees with the finding.

RECOMMENDATIONS

02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

Response:

San Diego Unified School District has implemented a grant "clearinghouse" process for all grant applications in excess of $25,000 to avoid duplicative grant projects within the district. Grant applicants must obtain approval to begin developing a grant project by submitting a request to the district's Executive Committee. This committee reviews the project for alignment with district goals, matching fund requirements, facilities implications, and involvement with non-district agencies. Only after this approval is given may any school or department proceed with developing and submitting the grant application.

02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

Response:

The San Diego Unified School District's Volunteer Program has over 24,000 community volunteers, 70 percent of whom are volunteering in classrooms. These volunteers contributed approximately 807,136 volunteer hours during the 2000-2001 school year. Of these volunteers, approximately 10,347 were parents, with business/community members, college students, and K-12 students comprising the remaining amount. Services provided by volunteers include tutoring, mentoring, read alouds, classroom help, participation in school/parent organizations and committees such as PTA, foundation, school governance teams, non-classroom help, school activities/events outside of the classroom, assistance in the library/media center, etc. A significant number of opportunities exist for volunteers to directly interact with parents and students. The district's Community Relations Department collaborates with the Parent Involvement Department to provide five trainings/meetings per school year for school site volunteer coordinators and parent involvement liaisons. These meetings provide participants with valuable information, resources and strategies to help strengthen and support community outreach efforts at their school sites. California Coast Credit Union is a partner with the district's Volunteer Program and provides incentives for school volunteers such as t-shirts and certificates and sponsors an annual volunteer contest with cash prizes to recognize volunteers who have logged the most hours at school sites.

The Partnerships in Education Program provides meaningful opportunities for business/ community organizations and community volunteers to build reform-level

partnerships that support teaching and learning in the classroom. There are currently over 1,200 businesses and community organizations participating in the Partnerships in Education Program. Partnership volunteers provide support and resources in the areas of literacy, tutor/mentor recruitment, training and retention, curriculum (including specific subject areas such as science, math, physical education, and visual and performing arts), technology, and school-to-career. Many of our partners are business owners or community organizations from the immediate vicinity of their partner school and, therefore, have similar backgrounds as the students and parents of their school. Partners support parent involvement and school community outreach efforts by providing donations of good and dollars in addition to volunteers to support school and classroom events and activities. *San Diego Goes Back to School* is an annual districtwide event that promotes community involvement. It is an opportunity for schools to welcome partners, community organizations, community members, and neighbors to observe the teaching and learning that is occurring in each classroom. It is also an opportunity for employers to support their employees' commitment to their children's education.

Sincerely,

JOANNE SAWYER KNOLL
General Counsel

JAS:cg

c: A. Bersin, Superintendent of Public Education
T. Smith, Chief of Staff

SAN MARCOS UNIFIED SCHOOL DISTRICT
SECONDARY CURRICULUM/PUPIL PERSONNEL
MEMORANDUM

RECEIVED
OCT - 7 2002
SAN DIEGO
COUNTY GRAND JURY

DATE: JULY 8, 2002

TO: PRESIDING JUDGE OF THE SUPERIOR COURT

FROM: SAN MARCOS UNIFIED SCHOOL DISTRICT
PREPARED BY BOB HARMAN, DIRECTOR OF PUPIL PERSONNEL

RE: COMMENTS ON GRAND JURY REPORT: EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN

COMMENTS ON GRAND JURY FINDINGS:

The SMUSD agrees with findings numbers 1, 2, 3, 4, 7, and 8.

The District disagrees with finding number 5, because it is aware of many school districts that have utilized parent involvement programs to varying degrees of effectiveness. Effectiveness is not defined in the finding. The SMUSD has parent involvement programs at all its schools; some are more effective than others. The degree to which parent involvement programs have had a positive effect on the behavior of each school's students has not been determined because of the difficulty of developing a valid assessment tool given the complexity of the variables.

The District partially agrees with finding number 6. While it agrees that the California Education Code often does not allow school officials to penalize students for parents who are uncooperative, there are penal and education code violations that schools may report to law enforcement, especially those related to violations of SARB contracts involving attendance and discipline.

RESPONSE TO GRAND JURY RECOMMENDATIONS:

Recommendation 02-03

This recommendation has been implemented by the SMUSD. At the District level, a grant coordinator screens all grant application requests/proposals for duplication of services, projected costs (direct and indirect) to the District and their potential for effective implementation. The District works closely with the SDCOE (San Diego County Office of Education) Safe Schools Unit. SDCOE program administrators serve

as an informal clearinghouse by providing information, research and advice about each grant (RFA) that the District receives. The SMUSD will certainly participate if and when the SDCOE develops a formal grant clearinghouse.

Recommendation 02-05

This recommendation has also been implemented district-wide. All our schools have groups of parent volunteers who mentor other parents through our District parent education program. However, the number of parents participating is usually low and the District is studying ways to expand participation. During the next six months, the District will analyze the effectiveness of its 2001-02 program and make revisions based on the data collected, along with interviews of staff and parents who participated in the various parent training and involvement programs.

SAN MARCOS UNIFIED SCHOOL DISTRICT
SECONDARY CURRICULUM/PUPIL PERSONNEL
MEMORANDUM

RECEIVED
OCT - 7 2002
SAN DIEGO
COUNTY GRAND JURY

DATE: JULY 8, 2002

TO: PRESIDING JUDGE OF THE SUPERIOR COURT

FROM: SAN MARCOS UNIFIED SCHOOL DISTRICT
PREPARED BY BOB HARMAN, DIRECTOR OF PUPIL PERSONNEL

RE: COMMENTS ON GRAND JURY REPORT: TRUANCYAND CURFEW PRACTICES

COMMENTS OF GRAND JURY FINDINGS:

The SMUSD agrees with findings numbers I, II, IV, V, VI, VII, and VIII.

The District disagrees with finding number III. The SARB process in the SMUSD is not exclusively reactive because it provides for many interventions prior to the formal SARB hearing. First, students who are absent receive automated phone calls informing the parents of each absence. When students are identified as chronic attendance problems (three or more truancies, or five or more absences of any kind), a letter is sent to their parents. Single period absences are included for secondary students. A second letter asking the parent to contact the school's principal is sent when a student accumulates six truancies or ten absences. Site administrators begin attempting to reach parents at this point.

If the problem is still not resolved, a SART (School Attendance Review Team) meeting may be held with the student and parent at the school. A district representative attends also. The parent is given assistance from school personnel such as the nurse, psychologist or counselor and information about various community services agencies such as North County Health Services or Lifeline is provided to the parent. We consider these proactive steps taken prior to the use of the formal SARB process, which may include the use of subpoenas for parents who don't show for their hearing. About one-third of these families resolve their children's truancy problems without needing a formal SARB hearing.

Even if the student and their parents are called to a SARB hearing, interventions are offered as part of the SARB contract. These are also proactive and may involve things like required attendance at after-school programs, counseling sessions, weekly academic reports, and referrals to social service agencies.

RESPONSE TO GRAND JURY RECOMMENDATIONS:

Recommendation 02-11

The SMUSD feels it has implemented this recommendation. The District provides several programs monitored by its DATE (Drug, Alcohol, and Tobacco Education) Committee, comprised of parents, teachers, site administrators and community agencies. Programs provided include parent education and mentoring. Parents are taught in evening classes offered in English and Spanish by other parents who were trained by the District in parenting skills. Every school participates in the parent education program. Attendance ranges from 6-10 to over 50 parents depending on the topic, time of year, etc. Other programs include: Here's Looking at You self esteem and drug education curriculum taught in all elementary classrooms, participation in Red and Yellow Ribbon Week activities, conflict mediation for students and parents, peer counseling, anti violence curriculum that includes Get Real About Violence lessons and anti bullying activities, posters and projects, and elementary school Peace Patrols. In addition to providing counseling and psychological evaluations, students and families are often referred to a variety of social service agencies such as the TRC (Teen Recovery Center) or the EYE (Escondido Youth Encounter). The referral usually requires a follow-up, which may be as simple as a phone call to validate the student's participation, or as complex as the arrangement of an SST (Student Study Team) meeting with represents of the both the school and the agency providing the family with services.

SAN MARCOS UNIFIED SCHOOL DISTRICT
SECONDARY CURRICULUM/PUPIL PERSONNEL
MEMORANDUM

RECEIVED
SEP 2 7 2002

DATE: JULY 8, 2002

TO: PRESIDING JUDGE OF THE SUPERIOR COURT

FROM: SAN MARCOS UNIFIED SCHOOL DISTRICT
PREPARED BY BOB HARMAN, DIRECTOR OF PUPIL PERSONNEL

RE: COMMENTS ON GRAND JURY REPORT: EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN

COMMENTS ON GRAND JURY FINDINGS:

The SMUSD agrees with findings numbers 1, 2, 3, 4, 7, and 8.

The District disagrees with finding number 5, because it is aware of many school districts that have utilized parent involvement programs to varying degrees of effectiveness. Effectiveness is not defined in the finding. The SMUSD has parent involvement programs at all its schools; some are more effective than others. The degree to which parent involvement programs have had a positive effect on the behavior of each school's students has not been determined because of the difficulty of developing a valid assessment tool given the complexity of the variables.

The District partially agrees with finding number 6. While it agrees that the California Education Code often does not allow school officials to penalize students for parents who are uncooperative, there are penal and education code violations that schools may report to law enforcement, especially those related to violations of SARB contracts involving attendance and discipline.

RESPONSE TO GRAND JURY RECOMMENDATIONS:

Recommendation 02-03

This recommendation has been implemented by the SMUSD. At the District level, a grant coordinator screens all grant application requests/proposals for duplication of services, projected costs (direct and indirect) to the District and their potential for effective implementation. The District works closely with the SDCOE (San Diego County Office of Education) Safe Schools Unit. SDCOE program administrators serve

as an informal clearinghouse by providing information, research and advice about each grant (RFA) that the District receives. The SMUSD will certainly participate if and when the SDCOE develops a formal grant clearinghouse.

Recommendation 02-05

This recommendation has also been implemented district-wide. All our schools have groups of parent volunteers who mentor other parents through our District parent education program. However, the number of parents participating is usually low and the District is studying ways to expand participation. During the next six months, the District will analyze the effectiveness of its 2001-02 program and make revisions based on the data collected, along with interviews of staff and parents who participated in the various parent training and involvement programs.

San Pasqual
Union School District
The Little School in the Valley

15305 Rockwood Road
Escondido, CA 92027-6700
(760) 745-4931
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www.sanpasqualunion.com

RECEIVED
JUL 30 2002
SAN DIEGO
COUNTY GRAND JURY

July 26, 2002

Honorable Richard Strauss
Presiding Judge of Superior Court
220 W. Broadway
San Diego, CA 92101

Re: Response to the 2001-2002 Grand Jury Report – "Early Detection and Treatment of Behavioral Problems in School Children" filed April 24, 2002

Dear Honorable Richard Strauss:

I have read the recommendations of the Early Detection and Treatment of Behavioral Problems in School Children filed April 24, 2002.

I agree with the findings and will endeavor to comply with the findings and recommendations in this report as budget and common sense allows. As pertains to 02-03 we currently create grant writings opportunities in a coalition with other districts through the San Diego County Office of Education. As pertains to 02-05 the school administration and our PTA already organize volunteers of parents with similar backgrounds to assist our school. We are a single school district in a rural setting with families of a similar background.

Sincerely,

Jeffrey P. Felix
Superintendent

Cc:
Edward A. Johnson
Foreperson Pro Tempore
County of San Diego Grand Jury
330 W. Broadway, Suite 477
San Diego, CA 92101-3830

San Pasqual
Union School District
The Little School in the Valley

15305 Rockwood Road
Escondido, CA 92027-6700
(760) 745-4931
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www.sanpasqualunion.com

July 26, 2002

RECEIVED
JUL 31 2002

Honorable Richard Strauss
Presiding Judge of Superior Court
220 W. Broadway
San Diego, CA 92101

Re: Response to the 2001-2002 Grand Jury Report – "Early Detection and Treatment of Behavioral Problems in School Children" filed April 24, 2002

Dear Honorable Richard Strauss:

I have read the recommendations of the Early Detection and Treatment of Behavioral Problems in School Children filed April 24, 2002.

I agree with the findings and will endeavor to comply with the findings and recommendations in this report as budget and common sense allows. As pertains to 02-03 we currently create grant writings opportunities in a coalition with other districts through the San Diego County Office of Education. As pertains to 02-05 the school administration and our PTA already organize volunteers of parents with similar backgrounds to assist our school. We are a single school district in a rural setting with families of a similar background.

Sincerely,

Jeffrey P. Felix
Superintendent

Cc:
Edward A. Johnson
Foreperson Pro Tempore
County of San Diego Grand Jury
330 W. Broadway, Suite 477
San Diego, CA 92101-3830

San Ysidro School District

Provides an educational environment in which all students succeed

Governing Board
Luis Antonio Figueroa, President
Yolanda Hernandez, Vice-President
Juan Trujillo, Clerk
Ernestine Jones, Member
Jean A. Romero, Member

Grace A. Kojima
Interim Superintendent

RECEIVED
AUG 09 2002
SAN DIEGO
COUNTY GRAND JURY

August 5, 2002

C.E. Mulroy, Foreman
San Diego County Grand Jury 2001-2002
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Sir or Madam:

San Ysidro School District is pleased to respond to the San Diego County Grand Jury 2001-2002 Report: "early Detection and Treatment of Behavioral Problems in School Children". As directed in the grand jury findings, San Ysidro School District is responding to recommendations 02-03 and 02-05. The recommendations specifically address issues relative to the reduction of duplicative grant projects through a central clearinghouse of grant proposals, and the organization/ expansion of community volunteers to work with parents of similar backgrounds.

After careful review of the findings and recommendations of the San Diego County Grand Jury, San Ysidro School District agrees with the report and offer the following response:

02-03 San Ysidro School District is the recipient many individual and collaborative proposals for funding. It is often necessary to clarify the objectives of funding prior to our commitment to pursuing the proposals. As a small district, this challenge is met through routine dialogue between division heads occurring in regular meetings in which proposals and funding are standing agenda items. Beyond this, all of our applications for funding are funneled through our business department and the scrutiny of the Assistant Superintendent. Proposals similar in service objectives are carefully reviewed for appropriate department or division assignment.

02-05 The San Ysidro School District community is in an era of drastic change. Housing and commercial development is growing at a very rapid pace. Student population is congruent with this growth. The challenge of developing a volunteer base of people reflective of the community is great during this change. It is, however, one the district

4350 Otay Mesa Road, San Ysidro, CA 92173-1685 (619) 428-4476/Fax (619) 428-1505 - Internet: grace@sysd.k12.ca.us

San Ysidro School District

Provides an educational environment in which all students succeed

Governing Board
Luis Antonio Figueroa, President
Yolanda Hernandez, Vice-President
Juan Trujillo, Clerk
Ernestine Jones, Member
Jean A. Romero, Member

Grace A. Kojima
Interim Superintendent

stands poised to accept. San Ysidro School District has historically obtained the volunteer assistance of many parents that develop skills and personal growth in their time working within our schools. These parents have consistently played a major role in developing similar types of groups within schools and throughout the district. Our challenge is to establish a core method of coordinating and encouraging volunteerism within our district in a manner consistent with the demands of a growing and changing community. Efforts in this regard are underway and have been first delegated to individual school sites considering they are hubs of our community. This has been a long-standing practice in San Ysidro School District. A review of this process will be conducted annually for evaluation of the progress and to provide direction and redesign as deemed necessary.

San Ysidro School District supports the grand jury's efforts to provide critical analysis of information involving areas of need. We appreciate the opportunity to provide input into such an important document.

Sincerely,

Norma Del Rio
Director of Special Education and Pupil Services

4350 Otay Mesa Road, San Ysidro, CA 92173-1685 (619) 428-4476/Fax (619) 428-1505 - Internet: grace@sysd.k12.ca.us

RECEIVED
AUG 09 2002
SAN DIEGO
COUNTY GRAND JURY

Jackson E. Parham
John M. Rajcic
Pamela A. Dempsey
Mark R. Bresee
Stefanie K. Vaudreuil
Anthony P. De Marco

San Diego
Telephone (858) 569-6970
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23195 La Cadena Drive, Suite 103
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55 Marine View
Camarillo, CA 93010
Telephone (805) 987-1450
Fax (805) 987-6361

Sacramento
Telephone (916) 441-1244
Fax (916) 441-1905

Reply to: Laguna Hills Office
Our File No. 23

August 8, 2002

VIA U.S. MAIL

Marcia Gravette Jespersen, Foreperson
Grand Jury – County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: RESPONSES TO THE 2001-2002 GRAND JURY REPORT - "*EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN*" FILED APRIL 24, 2002

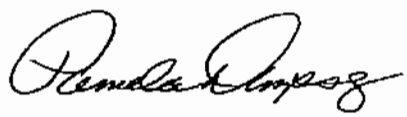
Dear Ms. Jespersen:

Per the conversation my secretary had today with your office, I wish to thank you for the thirty (30) day extension you granted the Warner Unified School District to respond to the above referenced matter.

If you have any questions, please give me a call.

Very truly yours,

PARHAM & RAJCIC



PAMELA A. DEMPSEY
Attorney at Law

PAD/mp
cc: Dr. John Puglisi, Superintendent

solana beach school district

BOARD OF EDUCATION
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JOEL SMALL, *Vice President*
STEVEN J. HENRIKSEN, Ph.D., *Clerk*
LINDA A. POTTER, *Member*
SCOTT C. SMITH, *Member*
ELLIE TOPOLOVAC, *District Superintendent*

RECEIVED
AUG 29 2002
SAN DIEGO
COUNTY GRAND JURY

August 22, 2002

San Diego Grand Jury
Edward A. Johnson
Foreperson Pro Tempore
P.O. Box 12274
San Diego, CA 92112-2724

Dear Mr. Johnson:

This is a written response that was requested by the Grand Jury regarding their report titled "Early Detection and Treatment of Behavioral Problems in School Children".

Regarding the Grand Jury findings we agree with all of the findings with the exception of finding VII. School districts have realized for years the importance and impact of community involvement and volunteerism in local schools. The thousands of volunteer hours provided through Parent Teacher Associations are logged and kept record of. Districts continually try to involve volunteers and the community, however their success varies from district to district. We are fortunate in Solana Beach School District to have a high degree of community involvement and volunteerism in our schools.

The request from the Grand Jury asked us to respond to recommendations 02-03 and 02-05. The following is the our response:

Recommendation **02-03** recommended that Districts reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level. Our district would eagerly participate in such a clearinghouse when the County implements it.

Recommendation **02-05** requests districts to organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools. Solana Beach School District has had in place and further implemented this recommendation in the following ways:

1. The district has provided weekly **Community Based English Tutoring** classes for parents to attend to learn English.

2. The **Parent Institute For Quality Education** was held for nine weeks during this summer (2002). The goal of the Institute was to forge a working partnership between parents and school to help second language learner students be successful in school. The classes were: Home and school collaboration, Home; motivation and self-esteem; Communication and discipline; Academic Standards; How the school system works; College and career planning; and Principal's dialogue.. There were 51 parents that met the graduation requirements. The institute will continue in the Fall 2002.

3. The Solana Beach School District has started a group called the **Solana Beach Coalition for Education**. This group is comprised of community agencies (Boys and Girls Club, community churches, Kid Corp, Head Start, University of California, San Diego, San Dieguito Union High School District, etc.) that provide after school services to children. The goal of the group is to coordinate the provision of services in order to provide the maximum amount of services to at-risk children and families in Solana Beach. The group also provides out-reach to non-participating families.

4. This summer the District worked with psychologist, Keith Kanner, (community member) who operated a program called the **Del Mar Sports Camp**, which was held on one of our elementary campuses. The purpose of the program was to provide students with a program that promoted social skills through sports. There were scholarships available to student in our school district.

5. The district has an ongoing parent group called **Noche de Padres**. This is a group of Hispanic parents who meet monthly about parent selected topics such as: standards and testing, homework, television viewing, etc.

6. The district works with a parent volunteer group called **San Diego Alliance for Drug Free Youth**. This group has facilitated the provision of drug education, parenting classes, study buddies for the high schools for at-risk students, etc. They have also provide the Hispanic Community Resource Guide.

7. Psychologist, Keith Kanner (community member) will conduct free parenting classes districtwide this year.

8. Beginning last year the district has conducted monthly meetings for the parents of students with special needs. The meetings are called **A Second Cup of Coffee**. Meeting topics are identified through parent survey and parents are afforded the opportunity to visit with each other at the end of the meeting.

9. The district has worked closely with the **Exceptional Family Resource Center**, which provides "resource parents" to parents of children with special needs. The special education staff was educated about the services of the center and a district "resource parent" was identified and trained. Several parents have already accessed this resource.

10. The district has **Guidance Assistants** at each school site that work under the supervision of the school psychologist to provide social skill training, small group counseling, individual crisis counseling to students.

11. The district employs a community liaison that assists parents of second language learners in accessing resources in the community.

12. The district nurses work closely with community agencies to provide the needed healthcare for students in need.

Should you need any further information from the district, or if I can be of any further assistance, please let me know.

Sincerely,

Cindy Frazee

Cindy Frazee
Director of Pupil Services

"Molding The Future"

SOUTH BAY UNION SCHOOL DISTRICT

PATRICK PETTIT, Ed. D.
District Superintendent

601 Elm Avenue • Imperial Beach, California 91932-2098 • (619) 628-1600 • Fax: (619) 628-1608

July 31, 2002

RECEIVED
AUG 07 2002
SAN DIEGO
COUNTY GRAND JURY

Edward A Johnson
Foreperson Pro Tempore
Grand Jury, County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: Responses to the 2001-2002 Grand Jury Report- " Early Detection and Treatment of Behavioral Problems in School Children" filed April 24, 2002.

Dear Mr. Johnson:

In accordance with the Penal Code of California Sec. 933 (c), please accept this letter as the South Bay Union School District's response to the 2001-2002 Grand Jury Report recommendations 02-03 and 02-05 regarding "Early Detection and Treatment of Behavioral Problems in School Children."

Recommendation 02-03 was: **That all San Diego County school districts for grades kindergarten through middle grades, and the San Diego County Board of Education:** Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

District Response:

(a) (2) The District disagrees wholly with the finding, and disputes that it is an appropriate role at the county level to have all grant proposals reviewed and decisions made other than by the grant funding source. Further, the entire concept of grant projects is open to a wide interpretation. Generally, grants are open on a Request For Proposal basis by a funding agency which may be international, national, state, county, regional, etc. Additionally, grants may be public or private and potential awardees may be restricted by categories defined by the funder; grant awards are determined by a specific procedure defined in the grant application. Many times grants with duplicative objectives are made available to a variety of community populations or age groups of students. It is well known that a school district in Del Mar does not look like the South Bay Union School District. The wide disparity of populations that make up the student enrollment of each school district would argue that although grant projects may sometimes have similar objectives, the "how to procedures and activities" to achieve those objectives should vary widely from community to community; a successful grant project in one

Board of Trustees
Elvia Aguilar • John Canillas • Brenda Latham • Dee McLean • Kathleen Schultz

- - - - - - - - - - - -

location is not generally replicable unless the populations and conditions of the implementing agency are similar. To produce change in a variety of communities would be hampered by this recommendation if implemented by the county and also indicate that the county structure was an appropriate clearinghouse for any grant, public or private, which this District does not believe is the case.

(b) (4) The recommendation will not be implemented because it is not warranted and is not reasonable. Please review comments under **(a) (2)** for details explaining why this recommendation is not perceived to be feasible or appropriate.

Recommendation 02-05 was: **That all San Diego County school districts for grades kindergarten through middle grades, and the San Diego County Board of Education:** Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

District Response:

(a) (2) The District disagrees partially with the finding in that the Grand Jury Report that volunteers can be helpful in working with parents of similar backgrounds. However, as a response to "early detection and treatment of behavioral problems in "at-risk" school children", we perceive the use of volunteers to be of limited valuable. In the background text of the Grand Jury document, there is reference to problem at-risk students with "emotional problems, low self-esteem and academic achievement and "confused, antagonistic parents" who do not want to place their child in a special education class. Further, this recommendation appears to incorporate the role of an Ombudsman found in the addendum. Currently the District already has a paid "Community Volunteer Coordinator" position at school sites. This position performs the role indicated in recommendation 02-05 in a general sense of bringing volunteers in the school setting and often developing work groups to work with other families of similar backgrounds. Therefore, it is not a "new idea" but one this District has implemented for 15 to 20 years. It, as a solution, does not bring the "hard to reach", "recalcitrant", "most difficult" parents into the system; rather it is a good entry and support system for parents who arrive at schools willing to work with the school system to improve the academic performance of their child.

- - - - - - - - - - - -

For "hard to reach" parents, the District has implemented a very different approach, with a "Parent Pals Program". This program invites parents who have successfully met challenges such as drug abuse recovery, poverty, late work entry, etc. to become a "Parent Pal" to a parent "in need". The "Parent Pals" then receive intensive training on how to "coach" and support "hard to reach" parents by a MSW level specialist; once "Parent Pals" are matched with a "in need" parent, ongoing support meetings from the MSW specialist continue to help them coach the parents "in need". This program is very intensive and requires intensive support, but has been very beneficial with proven results in reaching the "hard to reach" parents and bringing them into the system to better support their children and schools.

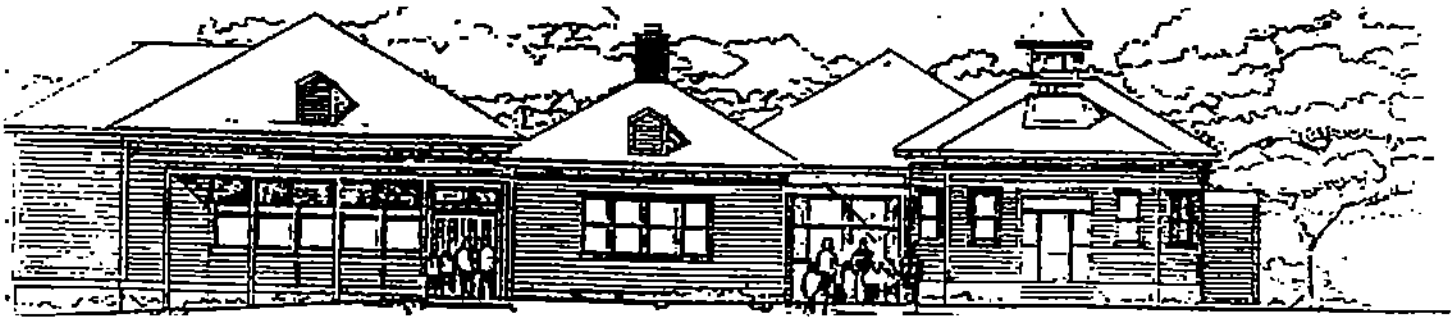
Like South Bay Union School District, other Districts have developed other volunteer or volunteer programs to meet their community's needs. Again, disparity of populations would limit some communities to generally unskilled volunteers, requiring intensive training, while other communities have a pool of highly skilled volunteers, who are available. Funding would be welcome, but the Grand Jury recommendation appears to be "too little, too late" for school districts to consider this as a "novel" or "model" new recommendation.

(b) (4) The recommendation will not be newly implemented because it is not warranted; the District already has working programs in place that have proven successful over time.

If you have any questions regarding the District's responses, please contact me at (619) 628-1600.

Respectfully,

Patrick Pettit, Ed.D.
District Superintendent



Spencer Valley School
4414 Hwy. 78 & 79
PO Box 159
Santa Ysabel, CA 92070

C.E. Mulroy
Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RECEIVED

DEC 3 1 2002

COUNTY GRAND JURY

December 18, 2002

Dear Mr. Mulroy,

Please consider the following the official response of the Spencer Valley School District to the Grand Jury Report, "Early Detection and Treatment of Behavioral Problems in School Children" related to Recommendation 02-03 & 02-05.

To comply with Recommendation 02-03, The Spencer Valley School District participates in grant projects through San Diego County Department of Education to prevent duplication of projects that have similar objectives.

To comply with Recommendation 02-05, Spencer Valley School District works in conjunction with churches, community volunteer groups and other school districts in our region, to reach out to parents with similar backgrounds. Some of the organizations that we work with or operate are Triangle Club, Lions Club, Julian Woman's Club, Mountain Manna, and Mountain People's Food Co-op.

Sincerely,

Julie Z. Weaver

Julie Z. Weaver
Superintendent/Principal

Vallecitos School District
5211 Fifth Street • Rainbow, CA 92028 • (760) 728-7092 • FAX (760) 728-7712
"A community school where we learn to achieve our dreams"

May 21, 2002

RECEIVED
MAY 2 3 2002
SAN DIEGO
COUNTY GRAND JURY

The Honorable Richard E. Strauss
Presiding Judge of the Superior Court
San Diego County Grand Jury 2001-2002
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, California 92101-3830

RE: San Diego County Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children"

The Governing Board of the Vallecitos School District has had an opportunity to review recommendation 02-03 and 02-05 of the above-mentioned Grand Jury report. Comments in response to the report are outlined below.

RECOMMENDATION 02-03: Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

COMMENTS: The local educational has had an opportunity to review the recommendation but disagrees with this recommendation. Local school districts and the communities they serve are varied and diverse. A centralized system, or clearing house, of grant proposals would undermine local community control and the ability of the local agencies to address the needs of its constituents.

RECOMMENDATION 02-05: Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

COMMENTS: The local educational agrees with the recommendation to the extent that such a proposal would be viable for its intended purpose. We currently provide programs that utilize community members working with parents of similar backgrounds.

Sincerely,

Dr. Paul A. Cartas, Ed.D.
Superintendent/Principal

VALLEY CENTER-PAUMA
UNIFIED SCHOOL DISTRICT
28751 Cole Grade Road • Valley Center, California 92082-6599 • Telephone (760) 749-0464 • Facsimile (760)749-1208

July 29, 2002

RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830
Attn: Marcia Gravette Jespersen, Foreperson

Dear Marcia:

Per Grand Jury letter of July 24, 2002, the Valley Center-Pauma Unified School District submits the following responses to the Grand Jury report dated April 24, 2002:

Findings

I through VIII — The District agrees with all findings.

Recommendations

02-03: The recommendation has merit. The County Office of Education would likely be the clearinghouse. The needs of the 44 school districts are diverse and it may be difficulty to monitor. The County is frequently the clearinghouse for substantial grants that most districts would pursue.

02-05: The recommendation has been partially implemented. The District currently has Migrant, bilingual, and Native American parent committees that meet frequently concerning the issues discussed in the Grand Jury report. The District will continue to monitor the success of these committees. The School Site Council at each school site also has representation from each of the above mentioned groups.

Sincerely,

Jeff Mulford

Jeff Mulford
Superintendent

JM:dm

Board Of Trustees
Lori A. Johnson
Barbara P. Rohrer
Patrick N. Simpson
Henry P. Van Wyk, DVM
Wendy L. Zeugschmidt

Vista Unified School District
1234 Arcadia Ave., Vista CA 92084-3495 (760) 726-2170

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Superintendent
Dr. Dave Cowles

Serving the communities of Vista, Oceanside, San Marcos, Carlsbad and San Diego County

May 7, 2002

MAY 10 2002
SAN DIEGO
COUNTY GRAND JU

Grand Jury
County of San Diego
Hall of Justice
330 W. Broadway, Suite 477
San Diego CA 92101-3830

ATT: Chuck E. Mulroy, Foreman

RE: San Diego County Grand Jury 2001-2002 Report: "Early Detection and Treatment of Behavioral Problems in School Children"

In response to the Grand Jury findings:

Item 02-03 Reduce duplicative grant projects that have similar objectives through a central clearinghouse of grant proposals at the County level.

The respondent agrees with the findings and currently works the majority of its grants through the Educational Services, Student Support Services and Special Education. Grants are then reviewed at the Cabinet (Superintendent and Assistant Superintendent Level) and then presented to the Board of Trustees for approval.

Your suggestion to reduce duplicative grant projects through a central clearinghouse of grant proposals at the County level will require further analysis. The County office is currently responding to this request and will keep us informed.

Item 02-05 Organize and expand groups of community volunteers to work with parents of similar backgrounds in the local schools.

The respondent agrees with the finding. The recommendation is part of the district's commitment for family involvement on a districtwide basis. Please see the attached

Board Policy 6018, Family Involvement Program. School community/parent volunteers are organized at each of our sites and coordinated activities are planned. Programs include: Oasis Reading Program and Rolling Readers (volunteers from our senior communities). Another program in the district is "Family Stories" where our Latino parents are trained to read with their children.

We also have offered a K-3 "Transition Class" and a 4-5 "Transition Class" for students with behavioral problems; however, because of deep cuts ($8M) we are making in our budget, both of these classes will no longer be offered.

Sincerely,

Dave Cowles, Ed.D.
Superintendent of Schools

Attachment
cc: Board of Trustees

VISTA UNIFIED SCHOOL DISTRICT

BOARD POLICY NO. 6018: **FAMILY INVOLVEMENT PROGRAM**

A. Family involvement in all aspects of a child's life is essential. Children can only achieve their fullest potential in school or in life when their physical and emotional needs have been met. From birth, parents and other family members are their child's first and primary educators.

B. The Board of Education is committed to supporting family participation for all students in the Vista Unified School District, and will facilitate staff development activities for district employees in order to meet those expectations. The Board recognizes that there is a direct relationship between family participation and student achievement, and is dedicated to providing for the diverse school and community population.

C. The Board supports home-school partnerships by:

1. Providing communication between schools and families.

2. Supporting family members as active partners in leadership and decision-making roles through the school.

3. Providing families with teaching and learning skills to create a home environment conducive to learning.

4. Improving awareness of and access to community and support services for children and families.

5. Acknowledging parents'/guardians' rights to visit their children's classrooms for observations after checking in at the office and as pre-arranged with the classroom teacher, and subject to administrative procedures.

6. Parental visits are for observation only, not participation. Any disruption to the classroom will result in the parent being asked to leave. Parents are asked to observe confidentiality.

Legal Reference:
Education Code section 11500-11506
20 U.S.C. 2726 (1988)

DATE POLICY ADOPTED BY THE BOARD: December 12, 1991
DATE POLICY READOPTED BY THE BOARD: August 13, 1992
DATE POLICY REVISED BY THE BOARD: July 8, 1993

WARNER UNIFIED SCHOOL DISTRICT
Post Office Box 8 • 30951 Hwy 79 • Warner Springs, California 92086 • (760) 782-3517 • FAX (760) 782-9117

SUPERINTENDENT
John Puglisi, Ph.D.

BOARD OF EDUCATION
Karen Willat, President
Tammie McGill, Vice President
Jerry Davis, Clerk
Errol Bratley, Member
Cindy Magill, Member

RECEIVED
SEP 10 2002
SAN DIEGO
COUNTY GRAND JURY

September 5, 2002

Presiding Judge
San Diego Superior Court
P. O. Box 122724
San Diego, CA 92112-2724

RE: RESPONSE: 2001-2002 GRAND JURY REPORT "EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN"

Your Honor:

The following constitutes the Response on behalf of the WARNER UNIFIED SCHOOL DISTRICT (hereinafter "District") to the findings and recommendations set forth in the above report.

Findings:

I. The District agrees with the finding to the extent it pertains to programs under the control of the District.

II. through IV. The District agrees with the findings.

V. No response. This finding does not pertain to matters under the control of the District

VI. through VIII. The District agrees with the findings.

Recommendations:

02-03 The recommendation is dependent upon a commitment by the San Diego County Office of Education to institute a "central

clearinghouse" for grant proposals, over which the District has no control. In the event the County Office of Education were to implement such a program, the District would be willing to consider participation after it had an opportunity to examine and analyze the scope and parameters of such a program. The District estimates that it would require a period of 60 to 90 days to conduct its analysis of any such proposed program, but has no control over whether and if the San Diego County Office of Education would institute it.

02-05 This recommendation has been implemented by the District. The Intergenerational Mentoring Program under the direction of Supervisor Diane Jacob and the Health and Human Services Agency has as it goal, to develop unique opportunities and understandings which bring children and youth together with adults and seniors in order to provide services to each other and to their community. The mission of the program is to enhance the personal development, educational achievement as well as the career readiness of young people by encouraging community volunteers to serve as mentors. The District believes by initiating the Intergenerational Mentoring Program, it has expanded groups of community volunteers willing to work with other parents in the District.

In addition, the District's Title VII Community Education Program plans to solicit staff from several agencies in order to create programs which honor local culture, including instruction in local languages thereby expanding its base of community volunteers working with parents of similar backgrounds.

Ms. Myrtle Cassell coordinates programs at the Warner Community Resource Center and facilitates the Center's Indian Child Welfare Act Program which holds regular meetings attended by school staff, individuals from Indian Health Council, CPS and law enforcement as well as parents from the District's American Indian population. The program is based on a "prevention model" and provides assistance and coordination of public agency benefits in its efforts to work with parents having similar backgrounds within the District's boundaries.

The Warner Community Resource Center has also recently implemented a "Family Support Team" which coordinates the various public agency services available to families within the District's boundaries.

The District appreciates the opportunity to provide its responses to this 2002-2002 Grand Jury Report. If further information is required, do not hesitate to contact me.

Very truly yours,

WARNER UNIFIED SCHOOL DISTRICT

John Puglisi, Superintendent

cc: San Diego County 2002-2003 Grand Jury
300 West Broadway, Suite 477
San Diego, CA 92101-3830

Transportation in North County

County of San Diego

WALTER F. EKARD
CHIEF ADMINISTRATIVE OFFICER
(619) 531-6226
FAX: (619) 557-4060

CHIEF ADMINISTRATIVE OFFICE
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

RECEIVED
JUL 3 0 2002
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JUL 3 1 2002
SAN DIEGO
COUNTY GRAND JURY

July 24, 2002

The Honorable Richard E. L. Strauss
San Diego Superior Court, Presiding Dept.
220 West Broadway
San Diego, CA 92101

2001-2002 INTERIM GRAND JURY REPORT RESPONSES FROM COUNTY OF SAN DIEGO

Dear Judge Strauss:

Attached, please find the County of San Diego Board of Supervisors' responses to five 2001-2002 San Diego County Grand Jury Interim Reports for your transmittal to the Grand Jury. The attached material was approved by the Board of Supervisors on July 23, 2002 and addresses the following five Interim Reports:

1.) Home Rule
2.) Truancy and Curfew Practices
3.) Regional Transportation Planning
4.) Transportation in North County
5.) Children's Services

If you have any questions concerning this matter, please contact me at (619) 531-6226.

Sincerely,

WALTER F. EKARD
Chief Administrative Officer

Attachment

COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

26

AGENDA ITEM

RECEIVED

JUL 31 2002

SAN DIEGO
COUNTY GRAND JURY

DATE: July 23, 2002

TO: Board of Supervisors

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

SUMMARY:

Overview
On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. Included in this Final Report are five Interim Reports containing recommendations to the Board of Supervisors and County departments on power generation, curfew and truancy laws, children's services and regional transportation planning.

This is a request for your Board to review the draft responses prepared by the Chief Administrative Officer that respond to the findings and recommendations contained in these five reports and to authorize the Chief Administrative Officer to transmit your Board's responses to the Grand Jury, via the Superior Court Presiding Judge.

Recommendation(s)
CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Chief Administrative Officer to transmit the attached responses to the Grand Jury via the Superior Court Presiding Judge.

Fiscal Impact
There is no fiscal impact with this action.

Business Impact Statement
N/A

Advisory Board Statement

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

26

The Commission on Children, Youth and Families Executive Board will be given an informational copy of the County's proposed response to the Grand Jury Report on Children's Services at its regular scheduled meeting of July 19, 2002.

BACKGROUND:

On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. This document is a compilation of the Interim Reports which were also released individually throughout May and June. Included in the reports are recommendations to the Board of Supervisors and County departments concerning power generation, curfew and truancy laws, children's services and regional transportation planning.

The attached document contains proposed responses to the findings and recommendations directed to the County in the following five reports: 1.) Home Rule: Is Chartering a City a Good Idea?, 2.) Truancy and Curfew Practices, 3.) Regional Transportation Planning, 4.) Transportation in North County and 5.) Children's Services.

This is a request for your Board to authorize the Chief Administrative Officer to transmit the attached responses to each of these five reports to the Grand Jury via the Superior Court Presiding Judge.

Respectfully,

WALTER F. EKARD
Chief Administrative Officer

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

26

AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	[X] Yes	
Written Disclosure per County Charter Section 1000.1 Required	[] Yes	[X] No
GROUP/AGENCY FINANCE DIRECTOR	[] Yes	[X] N/A
CHIEF FINANCIAL OFFICER	[] Yes	[X] N/A
Requires Four Votes	[] Yes	[X] No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	[] Yes	[X] N/A
CHIEF TECHNOLOGY OFFICER	[] Yes	[X] N/A
DEPARTMENT OF HUMAN RESOURCES	[] Yes	[X] N/A

Other Concurrence(s): Health and Human Services Agency
Public Safety Group
Department of General Services
Department of Public Works
Office of Strategy and Intergovernmental Relations

ORIGINATING DEPARTMENT: Chief Administrative Office

CONTACT PERSON(S):

Janice Graham	
Name	Name
(619) 531-6271	
Phone	Phone
(619) 595-4060	
Fax	Fax
A-6	
Mail Station	Mail Station
Janice.graham@sdcounty.gov	
E-mail	E-mail

AUTHORIZED REPRESENTATIVE: Janice Graham

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

26

AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:
May 21, 2002 (20) Referred 2001-2002 Grand Jury Interim Reports on *Home Rule* and *Truancy and Curfew Practices* to Chief Administrative Officer for response.

BOARD POLICIES APPLICABLE:
Board Policy A-43, Response to Grand Jury Interim Reports

BOARD POLICY STATEMENTS:
N/A

CONTRACT NUMBER(S):
N/A

ATTACHMENT A
HOME RULE: ***Is Chartering A City a Good Idea?***

Recommendation 02-07: That the County Board of Supervisors develop a cooperative energy program with SDG&E along the lines of the City of San Marcos.

This recommendation has been implemented.

The County has been a leader in the San Diego region's response to the energy price disaster emanating from the State's failed deregulation legislation.

During 2001, the County, the City of San Diego and the San Diego Regional Energy Office (SDREO) co-hosted several regional meetings to exchange information on energy conservation, alternative supply opportunities (such as solar energy) and the creation of a regional municipal utility district. The meetings were well attended by most of the region's 18 cities, the Port District, the County Water Authority and other public interest organizations.

At the request of the County Board of Supervisors, the San Diego County legislative delegation sponsored legislation to facilitate the creation of a municipal utility district, which would have provided the foundation for a cooperative program. Unfortunately, this legislation was vetoed by the Governor last year.

The County, the City of San Diego, the Port District, the County Water Authority and the Utility Consumers Action Network (UCAN) are jointly funding a Regional Energy Infrastructure Study. The SDREO is the lead agency for this effort. When completed in the next 30 to 60 days, the Study will provide a strategy for meeting the region's energy needs over the next 20 years.

The County of San Diego will continue to take an aggressive leadership role in cooperative programs with other jurisdictions to address energy needs of our region.

ATTACHMENT B
TRUANCY AND CURFEW PRACTICES: ***The Lack of Consistency and Uniformity***

Recommendation 02-10: That the County Board of Supervisors implement a program that places emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents before the detrimental results of truancy and curfew violation occur.

This recommendation will not be implemented since the County of San Diego already places an emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents. In fact, San Diego County is fortunate to have a broad spectrum of policy, program and implementation devices currently in place to deal with truancy and curfew issues.

Within the County organization, several departments are actively working with youth of all ages to reduce truancy and curfew violations. The District Attorney's Office is addressing school truancy with the Building Roads to Intervene in Truants' Education (BRITE) truancy prevention program. This program works with parents to become more aware of their children's behavior and the laws regarding their education. The law requires parents to send children between the ages of 6 and 18 to school. If parents fail to do so, they can be fined: $100 for the first violation, $250 for the second violation and $500 for the third violation.

Parents are informed that, if their child continues to be truant, the District Attorney's Office can prosecute them for contributing to the delinquency of a minor, which is a misdemeanor punishable by up to one year in jail and/or a $2,500 fine upon conviction. In order to help parents with this responsibility, the BRITE Program helps parents prevent truant behavior, identify school attendance problems and find additional resources to resolve truancy problems, if they occur. The program encourages parents to make education a priority, to know where their children are before, during and after school, discuss school activities with their children and, to ask for help as needed.

The program also informs students that to be successful in school, they must attend classes and be ready to learn. Students are informed that if they don't show up for school, that they can be prosecuted for truancy, assigned a probation officer, given a curfew by the judge and required to do volunteer community work. If the truancy behavior continues after the judge makes an order to attend school, the judge can detain them in Juvenile Hall.

Students are reminded that if they have problems that make it difficult to go to school, that they can and should ask for help. Resources are offered for learning disabilities, medical problems, family violence, drugs and mental health. These services are usually free and confidential. Students are directed to their school counselors, nurses or teachers for help.

In addition to the District Attorney's efforts, the County Probation department also coordinates and shares resources with partner agencies throughout the County on truancy prevention. Although the primary population served by Probation staff is youth between ages 12–17, there are several programs in place that reach small children.

The Community Assessment Teams (CATs) target youth exhibiting high-risk behaviors (e.g. poor school attendance, runaway behavior, substance abuse, aggression, etc.) before those juveniles become involved in the justice system. Youth between the ages of 6–17 are served with full family involvement. The goal of this prevention program is to reduce the number of youth

entering the justice system by supporting and empowering families to access community resources in a timely fashion. Law enforcement, schools, health centers and other service providers refer youth and families to CAT.

There are five CAT centers in the County, serving all geographic areas. Multi-disciplinary teams (i.e., case manager, probation officer, and other experts) assess the strengths and needs of the youth and family, develop a case plan building on strengths to address needs, and collaborate with other agencies in service provision. Through this process, CATs provide services that previously did not occur, or were provided by school staff or the police. With the CAT program in place, school and police personnel can focus their resources in other pertinent areas. To date, 93% of youth served have not entered the justice system within 18 months after receiving services. CAT clients are more likely to be enrolled in school and be at the appropriate grade level than other comparable at-risk youth.

Another Probation program that focuses on truancy is the Truancy Intervention Program (TIP). This countywide truancy program began as an early intervention program in 1988 at the Grossmont Union High School District. Its goal is to divert youth from future involvement in the juvenile justice system, improve school performance and reduce truancies. There are currently seven school Probation Officers assigned to various school districts throughout the County who provide service to children enrolled in elementary, middle and high schools. The TIP program is a collaborative effort on the part of School Districts, Probation and Law Enforcement with the objective of reducing student truancy rates. These Probation Officers provide primary intervention services to youth and their families experiencing family management and school problems. In fact, TIP was been extremely successful. 98.2% of referrals to TIP received no new 601 petitions after TIP/SARB intervention. 99.3% of minors referred to TIP received no new 602 petitions after TIP/SARB intervention.

The most recent addition to truancy programs in the Probation Department is the Truancy Suppression Project (TSP). The Truancy Suppression Project provides supervision, intervention and wrap-around support to adjudicated Welfare and Institutions Code (WIC) 601 habitually-truant wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family-related issues, drug problems, as well as school safety. As of June 30, 2002, 575 truancy wards have received services through TSP. 129 truancy wards have successfully completed the Truancy Suppression Program. There are currently 350 active TSP cases.

These programs illustrate the collaborative relationship that is already in place between the County of San Diego, schools and community organizations to reach children at risk of truancy and curfew violations and assist their families.

Recommendation 02-12: That the County Board of Supervisors propose legislation which would compel parents to be actively involved with their children to avoid truancies and curfew violations.

This recommendation will not be implemented because sufficient statutory enforcement tools already exist to compel parents to comply with truancy and curfew laws.

One such law is Welfare and Institutions Code (WIC) 601.2, which states, "In the event that a parent or guardian in charge of a minor...fails to respond to directives of the school attendance review board or to services offered on behalf of the minor, the school attendance review board shall direct that the minor be referred to the Probation department or to the county welfare department under Section 300, and the school district to file a complaint against the parent, guardian, or any other person in charge of such minor ...". The Probation department, District Attorney and Juvenile Court have collaborative authority to judiciously compel parents to take an active role in their children's lives. Parents can be cited to Court to address their child's non-attendance at school. Probation also follows up on demands that the Court may place on parents.

There have been enhanced efforts to enforce the WIC 601 statutes with the recent addition of the Truancy Suppression Program. Since its inception on July 1, 2001, TSP has served 575 truancy wards and their families. The Truancy Suppression Program provides supervision, intervention and wrap-around support for WIC 601 wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family related issues that adversely impact a child's ability to attend school. As well, WIC 601.5 allows for an At-Risk Youth Early Intervention Program; Referral to Youth Referral Center. This section allows any County, upon adoption of a resolution by the Board of Supervisors, establish an At-Risk Youth Early Intervention Program designed to assess and serve families with children who have chronic behavioral problems that place the child at-risk to becoming a ward. San Diego County developed the countywide Community Assessment Teams (CATs) under this statute.

Recommendation 02-13: That the County Board of Supervisors propose legislation that would empower the Courts to intervene more efficiently and more rapidly with parental substitutions where parents are unavailable to parent their children.

This recommendation is in the process of being implemented. The Grand Jury's report accurately describes shortcomings in current law. The Legislature, recognizing these shortcomings, is already acting on legislation to correct these deficiencies. There are two bills currently pending that address the issues raised in the Grand Jury's report: SB 1677 (Alpert) and AB 886 (Simitian and Daucher. AB 886 has passed the Legislature and is in the Governor's Office awaiting action. SB 1677 is in the Assembly Appropriations Committee, with no hearing date set. SB 1677 received unanimous votes in all previous committee hearings and on the Senate Floor.

As noted in the response to Recommendation 02-12, the juvenile justice system in San Diego County does seek wardship under Section 601 of the Welfare and Institutions Code when the behavior of the minor warrants intervention by the Juvenile Court. AB 886 and SB 1677 would strengthen the effectiveness of such interventions by requiring a juvenile court to consider the need to limit a parent's right to make educational decisions and to appoint a surrogate parent or responsible adult when needed. These bills would address the concerns of the Grand Jury. At this point, the prospect of these bills becoming law appears good.

ATTACHMENT C
REGIONAL TRANSPORTATION PLANNING: *Does it Exist?*

Recommendation 02-30: That each Member Agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)

The recommendation will not be implemented because SB 1703 and AB 2095 as currently drafted are inconsistent with the Board's adopted policy on regional governance, which supports a directly-elected board of directors.

On February 12, 2002 (#21), the Board of Supervisors created an ad hoc subcommittee to study regional government and report back with findings. On April 20, 2002 (#13), the Board discussed regional government roles at greater length and expressed support for an independent, directly elected regional agency.

On May 21, 2002 (#11), the Board of Supervisors continued their discussion about various elements of the regional agency and they determined the agency should be the authorized regional transportation planning agency, with responsibility for creation and implementation of the regional transportation plan and for implementing significant transportation projects. The Board's proposed regional agency would consolidate the planning functions of SANDAG, NCTD and MTDB, along with the assumption of all funding sources related to ground transportation planning. In addition, the Board adopted the following recommendations for the proposed regional agency:

- The agency should be governed by a seven-member, full-time board of directors elected by districts.
- Board members should serve a four-year term.
- Compensation should be at 80% of Superior Court Judge's salary.
- Creation of the districts should begin in January 2003, by an eleven-member redistricting commission, appointed as follows: one per Supervisor; one per subregion, appointed by the cities (north county coastal, north county inland, east county, south county); two by City of San Diego.
- The first election would be held during the 2004 primary election, following the rules governing the elections of the Board of Supervisors.
- Elections would be staggered: Districts 2, 4 and 6 to hold the election in 2006; Districts 1, 3, 5 and 7 to hold election in 2008. (Redistricting commission numbers the districts.)
- In the hiring process, preference would be given to currently employees of the consolidated organizations.
- There should be advisory committees (East County, North County, and South County) comprised of appointees from the eighteen cities and the County, plus NCTD and MTDB.

While some elements of the Board's adopted proposal are contained in SB 1703 and AB 2095, such as the consolidation of SANDAG, NCTD and MTDB, these bills basically continue the existing SANDAG structure, which is comprised of appointed officials, not directly-elected officials dealing exclusively with regional transportation matters.

ATTACHMENT D
TRANSPORTATION IN NORTH COUNTY: ***Dead Ends and Lack of Foresight***

Recommendation 02-57: Initiate transit corridor planning program studies of the need for a "smart growth" general plan and corresponding zoning changes in the areas surrounding transit stations of the Oceanside-Escondido Rail Project.

This recommendation has been implemented.

County staff continue to coordinate with transit agencies (including the North County Transit District) in the preparation of land use alternatives being considered for the General Plan 2020 project. Location of transit stations, encouragement of transit use and smart growth concepts have been discussed and considered by County staff, interest groups and the steering committee. These will continue to be factors influencing final form of the proposed General Plan.

It should be noted that no proposed transit stations serving the Oceanside–Escondido Rail Project will be located in the unincorporated area. Therefore, separate detailed transit corridor planning program studies will not be prepared as part of this project. However, there will be transit stations and a transit center located nearby. In applying the concepts formulated by the advisory groups, staff will designate the area adjacent to the proposed transit center as a transit node and will apply higher density designations to these areas to support and encourage transit use in North County.

ATTACHMENT E
CHILDRENS SERVICES: *Procedures and Reporting Practices*

Finding I: Social workers have an inordinate amount of influence in determining the future of cases.

The County agrees that social workers are one critical aspect of the dependency Court system. The social workers' role is set forth in statute as noted below:

- Welfare and Institutions Code (WIC) section 309 imposes the duty upon a social worker to: "...immediately investigate the circumstances of the child and the facts surrounding the child's being taken into custody."
- WIC section 319(b) states: "The social worker shall report to the Court on the reasons why the child has been removed from the parent's custody; the need, if any, for continued detention;..."
- WIC section 358.1 requires the social worker to prepare for the Court a social study report for the Dispositional Hearing, which contains a factual discussion of the family circumstances and recommendations related to those circumstances.
- WIC 366.21 requires the social worker to file a supplemental report with the Court at the Review Hearing regarding the services provided or offered to the parents to enable them to assume custody. The Review Hearing is held six months after the initial Dispositional Hearing.

The social workers' role is balanced by the input in Court of all parties represented by counsel. Attorneys working in the public law offices are advocates for parents and children. They are statutorily required to meet with their clients and conduct independent investigations. These attorneys advocate their clients' legal positions, utilizing many sources of information as well as the information presented in Court by the social worker. Thus, while social workers are an important component of the system, there are numerous other constitutional and statutory checks and balances, including judges who weigh the interests of all parties.

Finding II: Social workers' allegations over a period of time can become "fact" in subsequent reports.

The County disagrees that allegations generally become "fact" in subsequent reports.

The social worker is required to investigate all allegations of abuse and neglect and make corresponding recommendations. Once those recommendations are presented to the Court in the form of a petition, the Juvenile Court makes the findings on each of the allegations presented.

- WIC section 319 defines the social worker's role to: "...report to the Court the reasons for the removal and continued detention of the child."
- WIC section 319 notes it is the Court who: "...states the facts on which the decision is based."

Following the initial petition, the social worker prepares a social study report, which the Court may accept into evidence (WIC sections 355 and 358). As part of this jurisdictional process, the social worker, as preparer of the report, can be cross-examined by any party's attorney or questioned by the Court regarding the contents of the social study. Only after the Court has made findings on each of the allegations, can a summary of these findings be included in all future reports.

If attorneys for the parties raise a question as to the accuracy of the information contained in the reports, the Court is notified and County Counsel contacts the Agency to rectify the discrepancy. The inaccurate or unsubstantiated information can then be redacted or corrected for subsequent reports, thus remedying the situation.

Finding III: A social worker's general opinion that a parent had not made necessary internal changes was sufficient for the social worker to decide that the parent's behavior could be a detriment to the child's welfare.

The County disagrees that a social worker uses a general opinion to determine risk to a child. There are a number of criteria that are considered throughout the evaluative process. An example of criteria would be the reports received from the specific treatment/service providers.

In addition, per the Childrens Services Program Guide (the policy and procedure manual for social workers), Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, social workers are required to complete a risk assessment prior to each Court hearing:

> "A risk assessment must be completed on each child assigned to a SW for investigation. The assessment must determine the child's:
> - Risk of abuse, and
> - Prognosis for reunification if placed out-of-home."

Risk assessment is a structured process of decision-making that considers numerous factors of safety and is required at strategic points in the life of a case.

Finding IV: During visits to San Diego Juvenile Court, Dependency Unit, the Jury observed a wide variance in performance and skill – from excellent to sub-standard by members of the defense bar and the TERM therapists.

The County disagrees with the finding that members of the defense bar exhibit "sub-standard" performance.

WIC section 317.5 requires that all parties in dependency proceedings be represented by competent counsel. WIC section 317.6 and California Rule of Court 1438 establish minimum standards of experience, training, and education to represent a party in dependency proceedings.

Local Rules of Court have added further safeguards to ensure competency of attorneys who practice in the San Diego Juvenile Courts. Pursuant to these local rules, each dependency attorney must submit a "Certification of Competency" with the Juvenile Court prior to appointment to any dependency case. A minimum of six months of experience and 12 hours of training is required prior to being certified by the Court as competent. New attorneys without the required experience may be granted provisional certification but only if participating in a mentoring program. Failure to comply with the rules could lead to decertification by the Juvenile Court.

County law offices provide supervision and performance management of all their attorneys. Complaints raised by others regarding the performance of attorneys are taken seriously. All complaints are investigated and responded to by a supervising attorney. Each complaint is noted, acted upon, and discussed with the attorney at the time it is made. The supervising attorney may arrange for supplemental investigation or other services after any client complaint. All complaint calls are returned immediately, with the goal of resolving the problem within 24 hours.

Additionally, the County law offices collaborate to present a monthly noon-hour-training program. This effort provides ongoing professional training to enhance the skills and practice level of all attorneys who practice in the Juvenile Court.

The County agrees that there is variance on Court testimony skills by private therapists approved by the Treatment and Evaluation Resource Management (TERM). TERM provides a quality assurance function in screening and selecting private therapists to be on the Childrens Services approved provider list. TERM also provides ongoing trainings for these therapists to improve their understanding of the juvenile dependency process, including testifying in Court hearings. Testifying in Court is rare for most private therapists and thus, few gain sufficient experiences to improve their performance in testifying. Because Court testimony is an occasional obligation for TERM approved therapists, the approval criteria focuses more on clinical skills and experience.

Finding V: There is no easy way to readily determine compliance or non-compliance to the Court orders, or an easy reference to aid in determining whether reports are missing from the Court file.

The County disagrees. At each hearing, the social worker provides the Court and all attorneys with a Court report, which contains a history of the case, documentation of Court orders, services provided and compliance with such services. Copies of Court orders are included in the Court file and are given to all attorneys.

Finding VI: Caseworkers use parental visitation as a disciplinary tool.

The County disagrees.

Agency policies and statute recognize the importance of visitation and the right to visitation and assisting in such visitation is a critical role of the social worker.

As per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Visitation" section:

> "Visitation is a necessary and valued part of the reunification process for the parent and child. Visitation must be arranged to allow the parent and child to have the maximum contact in the least restrictive setting. To avoid any misunderstandings, the terms of the visitation agreement must be clearly documented for the parent, SW and SCP in the CWS/CMS Case Plan/Case Plan Update… After the

> Dispositional Hearing, the visitation plan is no longer left to the discretion of the SW, as it becomes Court ordered."[1]

If the behavior of a parent jeopardizes the safety of the child, the social worker may recommend supervised visitation to the Court. Per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Supervised Visitation" section:

> "SW staff must clearly document the reasons for requesting supervised visits (and the Court makes the final determination)."

Social workers make complex arrangements to ensure that parents visit with children and children visit with each other if they are not placed together. For instance, in a particular case referenced by the Grand Jury with a concern about the adequacy of visitation, from August 2000 to August 2001, there were 172 documented visitations involving the family members.

If there are concerns raised regarding social worker attitudes and/or actions affecting family visitation, they are reported to social worker administrators and calendared for immediate review by a Juvenile Court judge.

Finding VII: In a published appellate decision, the Court stated that the social worker's opinion that a parent failed to "internalize counseling" was too vague to constitute evidence of risk.

The County agrees with this finding.

Use of such an opinion alone as evidence of risk is not appropriate. Social workers use their training and experience to assess parents' progress on each element of their case plan. Agency policy requires social workers to complete a comprehensive assessment of risk in a structured manner. Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, describes three critical principles of risk assessment:

- "The central focus is determination of the likelihood that the child will be abused in the future rather than substantiation of current allegations.
- The standard for assessment is a minimum sufficient level of care required to sustain growth, health and safety, rather than ideal parenting.
- The same standards for assessing risk should be used throughout the life of the case."

The Appellate Court represents one more aspect of the checks and balances within our legal system that ensure that all decisions may be reviewed.

Finding VIII: Placing children in out-of-home facilities, as a result of verbal domestic violence, does not always ensure a safer environment for the children.

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[1] SW = Social Worker; SCP = Substitute Care Provider; CWS/CMS = Child Welfare Services/Case Management System.

The County agrees with this finding.

The Agency strives to ensure the safety of all children in out-of-home care. All out-of-home placements are regularly monitored for quality and compliance with regulations. The Agency responds immediately to all complaints regarding out-of-home care and takes appropriate measures to protect the children.

While County law offices do not "place" children in out-of-home facilities, attorneys do make recommendations to the Court regarding placement options. In addition, as part of their duties Childrens attorneys send experienced investigators who are trained in the field of child welfare to visit with clients in their placements prior to every Court review, and as necessary to address the needs of the client. Concerns regarding particular placements are raised with the social worker and/or to the Court. If appropriate, attorneys also notify licensing agents of safety concerns with a particular placement.

Finding IX: In the recent complaint, Childrens Services recommended out-of-home placement when in-home protective services could have been recommended.

The County disagrees with this finding.

In the recent complaint, the risk assessment of this family indicated that the children could not safely remain in their home. In this particular case, multi-disciplinary case consultations were held prior to removal of the children. The Agency reviewed the family's situation on three consecutive days to determine if the children could be safely maintained in the home with the provision of in-home protective services. Law enforcement was also present when these children were removed from their home. Due to multiple risk factors in this family, it was determined that in-home protective services could not sufficiently reduce the risk to the children.

Childrens Services policy is that children will be maintained in their family home with the delivery of services whenever possible. In this case, the seriousness of the protective issues led to the filing of a petition with the Court and a recommendation for out-of-home placement. The Court record is clear on the extensive risk to the children. All parties were represented by separate counsel in this matter.

Recommendation 2.14: Provide an impartial third party in Childrens Services to intervene when a supervisor and caseworker disagree between themselves with the recommendation of reunification.

The County will not implement this recommendation because there is currently in place an alternative dispute resolution process.

The Agency has existing policy and procedure to provide for an impartial third party to intervene when a supervisor and caseworker disagree over any recommendations to the Court. Childrens Services Program Guide, Chapter 5 "Court," "Hearings and Court Reports" section, "Handling Differences of Opinion between SW and Supervisor" subsection, states:

> "If a mutually satisfactory resolution cannot be reached after discussion, the case should be discussed with the section manager or referred to the regional case consultation committee."

Recommendation 2.15: Strengthen competency reviews of TERM therapists' reports and have supervisory staff monitor their testimony in Court.

The County will not implement this recommendation because there is a system currently in place to provide oversight of these private therapists.

The TERM Team is a quality control, utilization management and consultation unit that was developed under the direction of the Board of Supervisors to improve the quality of mental health services provided to Childrens Services clients. This oversight body is comprised of qualified mental health professionals and support staff who work for the County's Health and Human Services Agency.

The TERM Team is tasked with screening and selecting qualified private therapists, who are licensed by the State, to be on the Childrens Services dependency provider panel for referrals. In addition to State standards, TERM standards require the therapists to have an in-depth knowledge of the dynamics of child abuse and neglect. The County does not provide direct supervision of these independent therapists that are on the approved panel list.

The TERM Team provides a competency review of every treatment plan and treatment update report that is submitted by the dependency panel therapists. The focus of the reviews are to ensure that the treatment plans and updates meet professional standards, treatment goals are objective, measurable and achievable and that the protective issues of the case are a focus of treatment.

The TERM Team has implemented a protocol for a more in-depth review of a therapist report in the event of a complaint. A form to register formal complaints is available by calling TERM. When a complaint is filed, there are several actions that may be taken, ranging from "no action necessary," to a referral to a professional ethics committee/licensure board, and/or termination from the dependency provider panel list.

Recommendation 2.16: Conduct regular peer review of all permanent caseworker and supervisory staff and apply sanctions when applicable.

The recommendation will not be implemented.

While the County agrees in substance with the importance of peer and multidisciplinary review of decisions by staff, the Agency already utilizes a variety of ways to ensure peer, supervisory and management review.

- Childrens Services Unit Case Consultation - The purpose of case consultation is to provide support and input to the social worker in the decision-making process. Case consultations are required at specific decision points.

- Childrens Services Multi-Disciplinary Case Consultation - This type of case consultation includes therapists, doctors, foster parents, teachers, TERM Team members, public health nurses and Court Appointed Special Advocates.
- Child Protection Team – This is a multi-disciplinary team with representatives from Center for Child Protection, Childrens Services, Children's Hospital, Law Enforcement, Juvenile Court, County Counsel, the District Attorney's Office, Public Health, San Diego Regional Center and San Diego City Schools. Its purpose is to review cases of serious abuse, to ensure that all necessary services are provided to an abused or neglected child.
- Case Elevation Review Team (CERT) - The purpose of CERT is to assess whether "systems problems" exist that need to be remedied in order to ensure the safety and protection of children. "Systems" issues and not "case specific" issues are the focus of discussion. Members include representatives from Public Defenders, Alternate Public Defenders, Family Court, Childrens Services, Juvenile Justice Commission, County Counsel, Health Services, Superior Court, and TERM.

The Agency has also implemented systemic processes to ensure that supervisors and managers are aware of independent concerns, including:

- Childrens Services Office of the Ombudsman - An internal mechanism for conducting an independent review of complaints concerning Childrens Services policies or practices, that have been lodged by customers, members of the public, community organizations or Childrens Services-related agencies.
- Court Elevations - When a Court Officer identifies any issues with a Court report or recommendations, the supervisor of the Court Unit may elevate these through the management chain.

Direct supervision is currently utilized by the Agency and exceeds the level of oversight in the recommendation.

Recommendation 2.17: Develop a form, and encourage its use, by which parents can register written complaints against caseworkers. Responses by Childrens Services would be required.

The recommendation has been implemented.

A Citizen Complaint Form (18-91) currently exists. Based on the concerns stated in this recommendation, all regional offices have been reminded to place this form in their lobbies. In addition, Childrens Services staff will also place pamphlets in their facility lobbies, which explain the complaint process through the Office of the Ombudsman.

The Office of the Ombudsman investigates and responds to complaints related to Childrens Services policy, procedure and social work practice. The Office of the Ombudsman facilitates complaint resolution by making referrals and recommendations at the lowest level possible. When necessary, findings and recommendations are elevated to management to ensure that policies and practices meet state and federal laws and are consistent with the mission and goals of the County and Agency.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

When a family enters the Juvenile Court system, the social worker provides them with a copy of pamphlet "A Parent's Guide to Childrens Services." The pamphlet provides specific information on the complaint process. It also provides the telephone number for the Office of the Ombudsman.

Recommendation 2.18: Place siblings together, as required by law, and where joint placement is not possible, Childrens Services assume the burden of facilitating monthly joint sibling visits. Provide sufficient, experienced case aides at each division to facilitate sibling visitation, therapist's appointments, and other routine matters.

The recommendation will not be implemented because the County has an existing system already in place which addresses sibling placements.

WIC section 358.1 requires the social worker to report to the Court the current case plan that maintains the sibling relationship in out-of-home care and "(3) If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate. (4) If the siblings are not placed together, the frequency and nature of the visits between siblings."

The Agency has existing policy directing social workers to place siblings together. The Agency has also developed a new initiative called "Family to Family," designed to keep children in their neighborhood, with relatives and/or family friends.

When placement together is not possible due to the individual needs of the child and availability of placement resources, sibling visitation is a required component of the case plan unless it would be detrimental to one or more of the siblings.

Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Contacts - Child and Family" section, states:

> "Whenever siblings are not placed together, the SW must make diligent efforts to provide for ongoing and frequent interaction among siblings unless the Court has found by clear and convincing evidence that sibling interaction would be detrimental to the child(ren).

The SW shall document in the case plan the appropriateness of sibling contact. If visitation is appropriate, a schedule of planned sibling contacts/visits with the child shall be included in the case plan.

If sibling visitation is NOT appropriate, the SW must document the reason(s) in the case plan."

The Agency recognizes the importance of sibling visits. With the approval of the Board of Supervisors, the Agency has developed a visitation center in each region to facilitate family visits. These centers provide a neutral and friendly environment for visitation and can assist with transportation needs. Recently, ninety social work assistant positions were approved by the Board of Supervisors to assist in facilitating sibling visitation.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.19: Ensure that the procedures conform to policy to keep children in their homes unless Childrens Services can articulate a danger so severe as to preclude in-home protective services.

The recommendation has already been implemented with a variety of checks and balances.

Children are removed from their homes by both social workers and law enforcement. Thirty two per cent of children brought into Polinsky Children's Center are admitted by law enforcement.

The Agency has implemented supervisory and managerial review of current risk factors prior to children being removed from their homes by Childrens Services staff. Social workers must document the risk factors that warrant the removal of a child from their home. County Counsel provides further oversight to social worker judgment by reviewing the sufficiency of the social worker's evidence prior to preparing a petition to the Court for continued out-of-home detention. The Court considers the evidence and recommendations presented by the Agency at each Court hearing. If the Court finds the child fits the criteria described by WIC section 300, the Court will consider the social worker's recommendation for placement of the child and make an order where the child is to be placed.

Recommendation 2.20: Recommend supervised visits only when it can be demonstrated that unsupervised visits could be harmful to the minor(s).

The recommendation will not be implemented because existing cross system procedures address this concern.

Because the Agency recognizes the importance of visitation, a change to supervised visitation requires a Court appearance with all parties represented. Childrens Services Program Guide, Chapter 2 "Cross Program Procedures," "Visitation – Supervised Visits" section, states:

> "...visits will be unsupervised unless the Juvenile Court orders supervision.

Social worker staff must clearly document the reasons for requesting supervised visits. Supervision may be appropriate if:

- There is a threat of abduction.
- There is a documented history of violence towards the child or spouse.
- There is a parental diagnosis of mental illness and the parent refuses treatment.
- The parent has a history of substance abuse and refuses treatment and/or testing.
- There is a history of sexual assault.
- The parent discusses, attempts to influence the child regarding case facts."

WIC section 362.1 states: "No visitation order shall jeopardize the safety of the child."

Once input is received from the social worker and all counsel, the Court makes the visitation order.

Recommendation 2.21: Develop training programs to discuss written opinions from the Appeals Court to Childrens Services caseworkers when the lower Court's orders, based upon a Childrens Services recommendation, have been overturned by the Court of Appeals. Apply sanctions to caseworkers that intentionally obstruct Court orders.

The recommendation will not be implemented because existing programs address this concern.

The Chief Deputy County Counsel attends the Childrens Services monthly management meeting to provide updates on all Appellate Court decisions and assists in identifying impacted policies, procedures and practices. In addition, social workers receive this information directly from a County Counsel newsletter entitled "Appealing Issues." County Counsel provides training to regional social work staff on an ongoing basis, which includes training on appellate decisions.

When there is a specific Appellate Court decision that affects existing policy and procedure, Childrens Services publishes a written Special Notice to all social work staff regarding the impacted policy and/or procedure. Supervisors are required to review this material with their staff at their Unit meetings. A Special Notice is also published on the Childrens Services Intranet site, making it easily accessible to staff.

Any social worker found to have intentionally obstructed Court orders would be subject to disciplinary action, by the County and the Court, up to and including dismissal.

Recommendation 2.22: Continue to conduct regular and on-going monitoring all of their defense bar members during detention and Court trials.

The recommendation has been implemented. The Public Defender and Alternate Public Defender have responsibility to train and supervise deputies hired by their departments. The supervising attorney and branch leaders conduct regular and on going monitoring of all Public Defender and Alternate Public Defender deputies.

Further, each supervisor is responsible for the timely filing of a "certification of competency" for all dependency attorneys in accordance with the Local Rules of Court. (See, generally, San Diego Superior Court Local Rules, Div. 6: Juvenile, Rule 6.30 et. seq.) The offices encourage and fund training for all attorneys including several annual dependency trainings statewide. The Alternate Public Defender additionally provides in-house workshops on trial skills, evidence, and changes in the law.

Performance evaluations of each deputy are conducted on an annual basis. Deputies receive continuous education and training throughout their employment with the departments.

While the Public Defender and Alternate Public Defender have no authority over members of the defense bar who are not County employees, all juvenile practitioners are invited to attend monthly inter-agency trainings, which are held at the Juvenile Courthouse and are specifically geared toward dependency law.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.23: Utilize the period between removal of children from a home and the detention hearing to weigh the effects of the removal/separation of siblings for verbal domestic violence vis-à-vis allowing them to stay in the home.

The recommendation will not be implemented by the Public Defender or the Alternate Public Defender because it is not within their control. The Public Defender and Alternate Public Defender are not appointed to a dependency case until the date of the detention hearing, and are thus unaware of the needs of the client before or until such appointment.

This recommendation is already a statutory requirement for the Agency social worker. WIC section 309 states when a child is taken into temporary custody, the social worker shall immediately investigate the circumstances and the facts surrounding the child being taken into custody and attempt to maintain the child with the family through the provision of support services.

Childrens Services policy and practice is that removal of children from their parents' home will be utilized only in high-risk situations and in consultation with the supervisor.

Recommendation 2.24: Do not use verbal abuse and domestic violence interchangeably; or redefine domestic violence to include a clear definition of verbal abuse.

The recommendation will be implemented. Although protocols are already in place to address this concern, the Agency will collaborate with the Public Defender, the Alternate Public Defender, and County Counsel to organize a workshop for social workers and attorneys on domestic violence. This workshop will be held within the next twelve months.

Childrens Services social workers have been instructed to use a Domestic Violence Protocol to assist in risk assessment when domestic violence is part of any referral to be investigated. The Domestic Violence Protocol was first developed with input from multiple disciplines including Law Enforcement, Family Court Services, Navy Family Advocacy, Adult Probation, Children's Hospital, YWCA Battered Women's Services and South Bay Community Services Batterer's Treatment Program. According to the Domestic Violence Protocol, if the referral alleges shouting and arguing and no other risk factors are present, only a follow up telephone call to the family is recommended.

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

RECEIVED
JUL 29 2002
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JUL 31 2002
SAN DIEGO COUNTY GRAND JURY

July 15, 2002

The Honorable Richard E. L. Strauss
Presiding Judge, San Diego Superior Court
County of San Diego
220 West Broadway, Room 2004
San Diego, CA 92101-3877

Dear Judge Strauss:

Response to the San Diego County Grand Jury 2001-2002 Report dated June 6, 2002

This correspondence will serve as a response to those issues specifically directed to the Sheriff's Department concerning those facilities or operations under my jurisdiction.

Descanso Detention Facility:

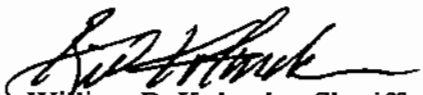
02-45: "Construct a visitor's center"

The Descanso Detention Facility formed a committee months ago to address this particular issue. The committee made its findings and recommendations for the construction of a visitor/reception center. This center would serve two functions. One would be an enclosed area to conduct social visiting to eliminate the possibility of canceling visits due to inclement weather and two, to have a building to properly conduct the initial intake of newly assigned inmates to the facility.

The proposal was completed and is being considered if funds can be identified through the budgetary process. When funds are identified, it is our intent to complete this project.

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,



William B. Kolender, Sheriff

WBK/sl

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

N C T D

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AUG 29 2002

SAN DIEGO
COUNTY GRAND JURY

August 27, 2002

The Honorable Richard E.L. Strauss
Presiding Judge, Superior Court
County of San Diego
220 W. Broadway
San Diego, CA 92104

Dear Judge Strauss:

This correspondence is being sent in accordance with California Penal Code 933(c), in response to a report by the San Diego Grand Jury 2001-2002 regarding transportation in North County. The Grand Jury made one recommendation specific to North County Transit District (NCTD), which is addressed below.

> 02-58: *That the North County Transit District review its planning for shuttle bus and fixed-route connections to the transit stations of the Oceanside-Escondido Rail Project to ensure that the connections maximize ridership potential along the transit line.*

The Grand Jury is correct in their assessment that good "connections (will help) maximize ridership potential along the transit line." The NCTD Board has always recognized the importance of providing connections to the Oceanside-Rail Project stations. In fact, the Board developed a Mid-Term Plan as part of its Fast Forward Strategic Business plan that includes modification of bus routes and schedules to serve the passengers at the rail stations where that connecting service does not already exist today. This Plan, however, was fiscally constrained and assumes that the TransNet sales tax would sunset in 2008. The Plan includes only service levels that could be operated with revenues that could reasonably be projected for those future years.

It is important for you to know that at many of the rail station locations, service is already in place. In addition to the existing service, the Mid-Term Plan identifies new shuttle bus service to and from major destinations (employment centers, schools, medical facilities, etc.) that would be implemented with the start-up of passenger rail service on the Oceanside-Escondido rail line. As always, NCTD will be looking to maximize its level of service within the available resources when the new rail service begins.

NORTH COUNTY TRANSIT DISTRICT
810 Mission Avenue Oceanside, CA 92054-2825
760-967-2828

The challenges facing all of San Diego County in developing more transportation options and reducing traffic congestion are significant, and North County is certainly not exempt from these challenges. Public transit is one important part of the solution. To accommodate future growth in North County, however, a broad range of integrated solutions inclusive of freeway, arterial, rail and other public transit improvements will need to be funded at substantially higher levels than exist today. NCTD's Fast Forward Long Term Plan, which looks out to 2010 and beyond, estimates the demand for public transit service in North County will be four times what it is today. A substantial increase in funding will be necessary to achieve this.

We thank you for your report.

Sincerely,

Karen H. King

Karen H. King
Interim Executive Director

cc: NSDCTDB Members
San Diego Grand Jury ✓
Gary Gallegos, Executive Director, SANDAG

Lori Holt Pfeiler
Mayor
(760) 839-4610
FAX (760) 839-4578

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SAN DIEGO
COUNTY GRAND JURY

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AUG 2 2 2002

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

August 20, 2002

The Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

This letter is written in response to the Grand Jury report on "Transportation in the North County," dated June 11, 2002.

The City of Escondido concurs with the findings outlined on pages EWP2-7 and EPW2-8, with the exception of Finding IV. This finding indicates that there has been a lack of smart growth planning by the North County cities in the areas surrounding the transit stations (on the Oceanside-Escondido Rail Project). The City of Escondido wants to assure the Grand Jury that this is not true in Escondido. We have implemented a number of "smart growth" strategies in our General Plan, and we have looked closely at both the Nordahl/Mission Boulevard station and the Escondido Transit Center. The following bulleted items provide further information about our efforts:

- The Nordahl station will primarily serve an industrial employment center. A large number of employees in this area will be able to utilize the transit station. Many employees work within easy walking distance of the Nordahl station. However, the focus of this station will be to serve employment since this area is heavy industrial and is not conducive to residential use.

- We are currently conducting a use study for the immediate area of the Escondido Transit Center entitled the "Gateway Study." The study is examining opportunities for mixed use and commercial/office relationships to transit. In addition, a recent plan for an area of our city known as the Mercado Area established tourist-oriented, mixed use for this neighborhood. The mixed uses in this area reflect the proximity of the adjacent transit station at West Valley Parkway. This recently adopted Mercado Plan was recognized by SANDAG as a good example of smart growth planning.

Lori Holt Pfeiler, Mayor
June Rady, Mayor Pro Tem
Tom D'Agosta
Ed Gallo
Marie Waldron

One of Escondido's goals is to encourage higher density near transit stations. We have done this in mixed-use areas like the Mercado, but for many other areas, it must be noted that an additional process has been established by the adoption of Proposition S. Proposition S was approved by the voters in 1997 and requires that any General Plan amendment which increases residential density must go to a vote of the people.

Finally, the City of Escondido was asked to support recommendation 02-57 which states, "Initiate transit corridor planning program studies of the need for a smart growth general plan and corresponding zoning changes in the areas surrounding the transit stations of the Oceanside-Escondido Rail Project." As indicated previously in this letter, this recommendation is currently being implemented by the City of Escondido and will be completed with the City Council's acceptance of the Gateway Planning Study which is scheduled for Council consideration in September.

Sincerely,

Lori Holt Pfeiler
Mayor

cc: City Council
Rolf Gunnarson, City Manager
Jeffrey Epp, City Attorney

1 Civic Center Drive
San Marcos, CA 92069-2918

Telephone
(760) 744-1050

RECEIVED
SEP 2 7 2002

September 23, 2002

Honorable Richard E. L. Strauss
Presiding Judge
Superior Court, San Diego County
P.O. Box 122724
San Diego, CA 92112-2724

Re: Grand Jury Report; Transportation in North County

Dear Judge Strauss:

Please accept our apologies for the delay in responding to the above-referenced report. The City of San Marcos appreciates the Grand Jury's efforts in the area of transportation and offers the following response pursuant to penal Code sections 933.05 (a) through (c):

- Respondent concurs with Jury Findings I through V.

- Respondent reports that the City of San Marcos is in the process of implementing Jury recommendation 02-57, and offers the following additional observations:

  The City does not believe that further *study* of the need for "smart growth" surrounding transit stations on the Oceanside-Escondido Rail corridor is warranted. In fact, the need is self-evident. Toward that end, the City of San Marcos recently completed a 120 multi-family unit/ 23,00 sq. ft. retail mixed use project approximately 125' north of the rail line, equidistant between the Palomar College and Town Center rail stations. The Town Center itself abuts the rail right-of-way. At three and four stories, the Center considerably densifies typical office development patterns on the rail corridor, with the goal of increasing rail-served employment. The City has been an active proponent of rail service to CSUSM and strongly encourages mixed use, student and pedestrian-oriented development in the areas surrounding the campus. The City will continue its support for smart growth principles, with an emphasis on improving ridership potential within the rail corridor.

The City of San Marcos appreciates this opportunity to respond to the Jury's findings and recommendations. Should you have any questions concerning the above, please feel free to give me a call at 744-1050, extension 3118.

Sincerely,

R.W. Gittings
City Manager

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SEP 2 7 2002

City of Vista

September 23, 2002

Honorable Judge Richard E. L. Strauss
Superior Court Presiding Judge
San Diego County Superior Court
220 W. Broadway
San Diego, Ca 92101-3886

SUBJECT: TRANSPORTATION IN NORTH COUNTY -- Dead Ends and lack of Foresight

Honorable Judge Strauss:

In accordance with California Penal Code section 933, subdivision (c), the City of Vista is responding to the San Diego County Grand Jury report on the above mentioned subject. The Transportation in North County report included one recommendation to which the City of Vista was asked to respond. Below is the recommendation with our comments thereafter:

1. **02-57: Initiate transit corridor planning program studies of the need for a "smart growth" general plan and corresponding zoning changes in the areas surrounding the transit stations of the Oceanside – Escondido Rail Project.**

   The City of Vista concurs with the recommendation for using Smart Growth principles to provide a planning study for the area surrounding the Vista Village Transit Station. This planning study will be undertaken as part of the update of the Land Use Element of the Vista General Plan that will completed within the next two years. Based on historic and ongoing land use patterns in the City, the area around the Visa Village Transit Center is the appropriate location for more intense residential development and mixed use commercial/residential projects. This area is near downtown Vista where all types of retail and general services are available. The multi-modal transit center will provide transit access for the residents and the businesses in the area. Planning studies are not contemplated for the other transit center locations in the City of Vista because they are either adjacent to planned industrial development or existing low density residential development.

This response has been reviewed and approved by the Vista City Council. Thank you for your consideration and if you have any questions, please do not hesitate to contact me.

Sincerely,

Rita L. Geldert,
Vista City Manager

cc: Vista Mayor and Council
Vista City Clerk, Jo Seibert
Clerk of the Board, Thomas J. Pastuszka
Board of Supervisors

Home Rule Is Chartering A City A Good Idea?

COPY

City of La Mesa

ADMINISTRATIVE SERVICES

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October 23, 2002

The Honorable Richard E. L. Strauss
Superior Court Presiding Judge
220 West Broadway
San Diego, CA 92101

Re: Response To San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering a City A Good Idea?

The Honorable Judge Strauss:

Pursuant to the terms of Penal Code Section 933.05, the City of La Mesa is responding to the findings and recommendations pertaining to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea? Please be advised that the City of La Mesa was not in receipt of a copy of the Grand Jury recommendations until September 25, 2002. The following is the City of La Mesa's response to that Report.

Findings

- Finding I: A charter city has several significant advantages for its citizens over a general law city.

  The City of La Mesa disagrees with Finding I indicating that charter cities have several significant advantages for their citizens over general law cities. In the past, charter cities experienced benefits of greater autonomy in raising revenues, choosing their form of government and governing municipal affairs. In regard to raising revenues, although true in the past, legislation and court cases have eroded the financial benefits of being a charter city to the current level where there is essentially no revenue raising advantage. Proposition 4, Proposition 13, Assembly Bill 62, Assembly Bill 218, and court cases that interpret revenue restricting laws, have been applied similarly to general law and charter cities.
  In regard to a city choosing its form of government, pursuant to the terms of the Government Code, general law cities are allowed numerous optional

  forms of government, including Council-Manager, Commission, and Mayor-Council forms of government. In some general law cities City Clerks and Treasurers are directly elected, in others they report to the City Council or manager. Some general law cities directly provide a full range of services while others contract some or all services from other agencies.

8130 ALLISON AVENUE, P.O. BOX 937, LA MESA, CALIFORNIA 91944-0937 / (619) 463-6611, FAX (619) 667-1131

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As it concerns governing municipal affairs, the report provided no specific examples of enhanced local authority or other governing advantages experienced by charter cities, other than the ability to award public works projects without meeting State prevailing wage requirements.

All totaled, the above-noted differences do not make charter cities appear significantly advantageous to general law cities.

- Finding II: The cost of chartering a city using a simplified charter is minimal compared to the benefits.

  The City of La Mesa disagrees with Finding II in part. As noted in Finding I, there are minimal financial and governing benefits to becoming a charter city, so a comparison of the minimal cost associated with the process of becoming a charter city was not a factor.

- Finding III: There appears to be little interest by the city managers of non-chartered cities in starting an effort to chart their cities, unless there is some compelling issue.

  The City of La Mesa agrees in part with Finding III in that it is the nature of local government to fully embrace local issues as determined by the City's governing body and the residents. It is the interest of the La Mesa City Council and its residents that the City Manager address issues which are compelling to the community and have surfaced as a result of extensive public input through surveys and Community Summits. Therefore, barring a compelling locally demonstrated benefit deriving from becoming a charter city and specific direction from the City Council to pursue that course of action, city managers of general law cities would generally not explore the option of becoming a charter city.

- Finding IV: Although there is no requirement that a city be chartered to provide electrical poser and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.

  The City of La Mesa agrees with Finding IV. San Marcos, as a charter city, chooses to create a municipal electric utility. This creation foreshadowed the potential for SDG&E to lose all residential, commercial, and industrial electric and natural gas customers within the City of San Marcos. Additionally, under the terms of California electric industry deregulation, SDG&E could also potentially lose electric and natural gas customers outside of San Marcos who chose to purchase electricity and natural gas from San Marcos rather than

SDG&E. Given this business scenario, SDG&E suggestion of a cooperative program with San Marcos residents is a goodwill effort by SDG&E to continue to provide some energy related program services to San Marcos residents.

Recommendations

- Recommendation I: Hold public study sessions to allow their citizens to study the chartering option.

  The City of La Mesa will not be implementing Recommendation I because it is not warranted for the City of La Mesa and its residents. The City has reviewed the Findings and Recommendations of the Grand Jury report and found that the minimal benefits, as set forth in Finding I, did not warrant future study by citizens or staff of the chartering option.

- Recommendation II: Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.

  The City of La Mesa will not be implementing Recommendation II because it is not warranted for the City of La Mesa and its residents. The City has reviewed the Findings and Recommendations of the Grand Jury report. In accordance with Finding IV of the report, the SDG&E cooperative program grew out of San Marcos' pursuit of making electric utility service a municipal function, which is not a direction supported by the La Mesa City Council.

This concludes the City of La Mesa's response to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" is Chartering a City A Good Idea?

Sincerely,

David N. Wear
City Manager

cc: Mayor and Members of the City Council
San Diego County Grand Jury 2001-2002

PART A+B

CITY OF LEMON GROVE

"Best Climate On Earth"

Office of the City Manager

RECEIVED

AUG 23 2002

SAN DIEGO COUNTY GRAND JURY

August 20, 2002

Grand Jury
P.O. Box 122724
San Diego, CA. 92112-2724

Attn: Marcia Gravette Jespersen, Foreperson

Attached are the City of Lemon Grove's responses to the Grand Jury's 2001 – 2002 reports entitled, "Truancy & Curfew Practices" and "Home Rule, is Chartering a City A Good Idea?"

A.

"HOME RULE"
IS CHARTERING A CITY A GOOD IDEA?

Recommendation 02-06:

Hold public study sessions to allow their citizens to study the chartering option.

Response:

The City Council of the City of Lemon Grove will hold such study session(s) during a regularly scheduled City Council meeting during this fiscal year. The session(s) will be held once City staff has had the opportunity to develop the necessary information and place it on an upcoming agenda.

Recommendation 02-07

Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos program.

Response:

The City has requested information concerning the San Marcos program from SDG&E to begin study of the program's applicability. We will study this program in light of its success in San Marcos, its transferability to a small municipality and in light of its

3232 Main Street Lemon Grove California 91945-1705

619.825.3800 FAX: 619.825.3804 www.ci.lemon-grove.ca.us

applicability under a sub-regional type structure. The City Council will be provided the results of staff's investigation to determine further direction.

TRUANCY & CURFEW PRACTICES

Recommendation 02-08:

Adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week.

Response:

The City of Lemon Grove's Municipal Code Section 9.40 et.al., complies with the Grand Jury recommendation. Specifically, under the "Definitions for Curfew Provisions", it states, "Curfew hours means the period from eleven p.m. any evening of the week, until 5 a.m. the following day."

Should you have any further questions, please feel free to contact me at your convenience.

Sincerely,

Robert Richardson
City Manager

THE CITY OF
IMPERIAL
BEACH

(619) 423-8300
FAX (619) 429-9770

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932

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AUG 23 2002

August 20, 2002

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AUG 26 2002
SAN DIEGO
COUNTY GRAND JURY

Hon. Richard Strauss
Presiding Judge
San Diego Superior Court
P O Box 122724
San Diego, CA 92112-2724

Re: Grand Jury Report
"Home Rule" Is Chartering a City a Good Idea?

Dear Judge Strauss:

This letter is written as the City of Imperial Beach's response to the Grand Jury's May 6, 2002, report regarding home rule. The City's comments on the findings and recommendations are as follows.

Finding I. <u>A charter city has several significant advantages for its citizens over a general law city.</u>

The City disagrees with this finding. Although there are some slightly perceived advantages to being a charter city, there are political and financial constraints to adopting a charter which even the Grand Jury report, itself, notes on page AA-3:

> As the laws defining a general law city have been liberalized and the power of a charter city has been restricted by court decisions, many of the differences between the two city types have disappeared.

Additionally, a city charter is generally regarded to operate as an instrument of limitation, rather than as a grant of power. *See Scott v. Common Council of San Bernardino* (1996) 44 Cal.App.4th 684, 695.

Finding II. <u>The cost of chartering a city using a simplified charter is minimal, compared to the benefits.</u>

The City disagrees with this finding. The report indicates on page AA-6 that some cities have recently used a "short, simplified charter document, which reduces the cost of chartering a medium-sized city (population of 25,000 to 100,000) to less than $100,000." That is not a minimal expense for Imperial Beach, particularly because the advantages of being a charter city are minimal and the differences between charter and general law cities have largely disappeared.

Finding III. <u>There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.</u>

The City does not have enough information to either agree or disagree with this finding. Generally, however, city managers of general law cities would not pursue a chartering effort unless there were distinct financial advantages or unless directed by the city council as a policy matter.

Finding IV. <u>Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.</u>

The City agrees with this statement. It appears that, because San Marcos created a municipal electric utility, SDG&E had a significant business interest in working with the city to avoid the loss of all customers in that city (and any customers outside the city who might purchase electricity from the city utility). City staff intends to investigate this issue further as time permits.

Recommendation 02-06: <u>Hold public study sessions to allow their citizens to study the chartering option</u>

Unless there is a grassroots citizen effort or a majority of the city council directs, this recommendation will not be implemented, because it is not warranted for the City. The Imperial Beach City Council has, in the past, considered the charter city option and decided against it.

Recommendation 02-07: **Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.**

This recommendation is probably not feasible nor warranted for Imperial Beach.

If there are questions about the city's comments to the grand jury report, please feel free to contact the City Attorney, Lynn McDougal, at (619) 440-4444.

Sincerely,

Matt Rodriguez
City Manager

cc: Mayor
City Council
City Attorney
City Clerk
San Diego County Grand Jury

RECEIVED
JUL 0 2002
SAN DIEGO
COUNTY GRAND JURY

CITY OF CORONADO

1825 STRAND WAY
CORONADO, CA 92118-3099

OFFICE OF THE CITY MANAGER
TEL. (619) 522-7335
FAX. (619) 522-7846

July 1, 2002

The Honorable Richard E. L. Strauss
Superior Court Presiding Judge
220 West Broadway
San Diego, California 92101

Re: Response To San Diego County Grand Jury 2001-2002 Report,
"Home Rule" Is Chartering A City A Good Idea?

The Honorable Judge Strauss:

Pursuant to the terms of Penal Code Section 933.05, the City of Coronado is responding to the findings and recommendations pertaining to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea? In accordance with the request of the City Council of the City of Coronado, the following is the City of Coronado's response to that Report.

Findings

- Finding I: A charter city has several significant advantages for its citizens over a general law city.

  The City of Coronado disagrees with Finding I indicating that charter cities have several significant advantages for their citizens over general law cities. In the past, charter cities experienced benefits of greater autonomy in raising revenues, choosing their form of government and governing municipal affairs. In regard to raising revenues, although true in the past, legislation and court cases have eroded the financial benefits of being a charter city to the current level where there is essentially no revenue raising advantage. Proposition 4, Proposition 13, AB 62, AB 218, and court cases that interpret revenue restricting laws, have been applied similarly to general law and charter cities.

In regard to a city choosing its form of government, pursuant to the terms of the Government Code, general law cities are allowed numerous optional forms of government, including Council-Manager, Commission, and Mayor-Council forms of government. In some general law cities City Clerks and Treasurers are directly elected, in others they report to the City Council or manager. Some general law cities directly provide a full range of services (such as Coronado) while others contract some or all services from other agencies.

In regard to governing municipal affairs, the report provided no specific examples of enhanced local authority or other governing advantages experienced by charter cities, other than the ability to award public works projects without meeting State prevailing wage requirements.

All totaled, the above-noted differences do not make charter cities appear significantly advantageous to general law cities.

- Finding II: The cost of chartering a city using a simplified charter is minimal compared to the benefits.

  The City of Coronado partially disagrees with Finding II. As noted in Finding I, since there are minimal financial and governing benefits to becoming a charter city, so a comparison of the minimal cost associated with the process of becoming a charter city was not a factor.

- Finding III: There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.

  The City of Coronado partially agrees with Finding III in that it is the nature of local government to fully embrace local issues as determined by the City's governing body and the residents. It is the interest of the Coronado City Council and the residents to have the city manager focus his or her efforts on addressing compelling local issues. Therefore, barring a compelling locally demonstrated benefit deriving from becoming a charter city and specific direction from the City Council to pursue that course of action, city managers of general law cities would generally not explore the option of a becoming a charter city.

- Finding IV: Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.

  The City of Coronado agrees with Finding IV. San Marcos, as a charter city, chose to create a municipal electric utility. This creation foreshadowed the potential for SDG&E to lose all residential, commercial and industrial electric and

natural gas customers within the City of San Marcos. And under the terms of California electric industry deregulation, SDG&E could also potentially lose electric and natural gas customers outside of San Marcos who chose to purchase electricity and natural gas from San Marcos rather than SDG&E. Given this business scenario, SDG&E's suggestion of a cooperative program with San Marcos residents is a goodwill effort by SDG&E to continue to provide some energy-related program services to San Marcos residents.

Recommendations

- Recommendation I: Hold public study sessions to allow their citizens to study the chartering option.

  The City of Coronado will not be implementing Recommendation I because it is not warranted for the City of Coronado and its residents. The City Council reviewed the Findings and Recommendations of the Grand Jury report and found that the minimal benefits, as set forth in Findings I, did not warrant future study by citizens or staff of the chartering option.

- Recommendation II: Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.

  The City of Coronado will not be implementing Recommendation II because it is not warranted for the City of Coronado and its residents. The City Council reviewed the Findings and Recommendations of the Grand Jury report. In accordance with Finding IV of that report, the SDG&E cooperative program grew out San Marcos' pursuit of the municipalization of the electric utility services, which per the direction of the Coronado City Council, the City of Coronado will not be pursuing.

This concludes the City of Coronado's response to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea?

Respectfully submitted,

Mark J. Ochenduszko
City Manager

c: The Honorable Mayor and Coronado City Council Members
San Diego County Grand Jury 2001-2002

City of Carlsbad
Office of the Mayor

RECEIVED
JUL 29 2002

July 16, 2002

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JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

Honorable Richard E. L. Strauss
Presiding Judge
San Diego Superior Court
220 W. Broadway, Dept. SD-P
San Diego, CA 92101

Re: **Grand Jury Report - "Home Rule" is Chartering a City a Good Idea?**

Dear Judge Strauss:

As required by Penal Code section 933(c), the Carlsbad City Council submits the following response to the above-referenced Grand Jury Report.

INTRODUCTION

Like the Grand Jury, the City of Carlsbad ("the City") is concerned about the efficiency and effectiveness of municipal operations. However, what constitutes "efficiency" and "effectiveness" can vary from one municipality to another based on community expectations.

To ensure the City is meeting the expectations of its community, the City has established performance benchmarks for its key areas of operations. The benchmarks are based on the best practices of other municipalities throughout the state and across the country. Each year, the City measures its performance against these benchmarks and publishes the results in a "State of Effectiveness" report. The City also conducts an annual, formal survey of local residents to hear their views on how the City is performing and what priorities they think the City should focus its efforts on.

The results contained in the "State of Effectiveness" report show that the City compares favorably to other high-performing municipalities, regardless of

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their form of government. More importantly, the results of the resident survey show that the City is meeting its community's expectations, with 95.7% of the survey participants rating the City's services overall as good or excellent. Together, these results indicate that the City's status as a general law city has not adversely affected its efficiency and effectiveness or its ability to serve the needs of the its community.

RESPONSES TO FINDINGS

The City has reviewed each of the Grand Jury's findings and offers the following responses. The City's responses appear in bold following the finding to which they pertain.

1. A charter city has several significant advantages for its citizens over a general law city.

The City disagrees with this finding. Each form of government has it own advantages and disadvantages. Moreoer, because the legislature and initiative proponents are aware of both forms, most new legislation and initiatives are being written to apply to both. This is resulting in a gradual elimination of the distinction between them.

2. The cost of chartering a city using a simplified charter is minimal, compared to the benefits.

The City disagrees with this finding. The nature of a charter is such that there is no "one size fits all" solution. Deciding what to include in a charter, even a "simplified" one, requires careful study and forethought. A charter is a document of limitation. If a topic is not covered in a municipality's charter, then the municipality has no power under the charter to act on that topic. Instead, general law controls. Further, the only way to correct oversights is through another costly election to amend the charter.

3. There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.

The City agrees with this finding. As administrative head of the municipality, a city manager must be judicious in the use of municipal resources, focusing on the achievement of community-driven priorities. It would be inappropriate for a city manager to recommend expending

municipal resources on initiating a chartering effort unless there were specific, tangible community benefits to be derived from the effort.

4. Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.

The City agrees with this finding in part. The City agrees that there is no requirement for a municipality to be chartered to operate electrical utilities. The City is not certain what prompted the discussion of a cooperative program between the City of San Marcos and SDG&E as the City is not privy to all of the relevant information. Public record information obtained from the City of San Marcos suggests the discussion may have been prompted in part by SDG&E's desire to improve community goodwill and in part by the threatened loss of or reduction in new revenue streams for SDG&E. SDG&E's actions do not appear to have been prompted in any way by the City of San Marcos' status as a charter city.

RESPONSES TO RECOMMENDATIONS

The City has considered the Grand Jury's recommendations and offers the following responses. As above, the City's responses appear in bold following the recommendation to which they pertain.

1. That the City hold public study sessions to allow their citizens to study the chartering option.

The City will not be implementing this recommendation at this time. The City has studied the issue of chartering at various times in the past and, based on those studies, decided against pursuing it. As there have been no significant developments in this area since the last time the issue was studied by the City, the City believes further study is unwarranted.

2. That the City develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.

The City will not be implementing this recommendation at this time. No cooperative energy program between SDG&E and the City of San Marcos presently exists. In addition, public record information indicates the negotiations for such a program are in the very early stages. Moreover,

the proposed program components appear to be based on conditions unique to the City of San Marcos (though unrelated to its status as a charter city). If a successful program is eventually developed and if it contains components that can be adapted to the City of Carlsbad, the City will consider at that time whether to work on developing a similar program.

We appreciate the Grand Jury's interest in this important topic and the opportunity to review and respond to the Grand Jury's report. Any questions regarding this response should be directed to City Attorney Ronald R. Ball, who can be reached by telephone at (760) 434-2891 or by mail at 1200 Carlsbad Village Drive, Carlsbad, CA 92008.

Sincerely,

CLAUDE A. "BUD" LEWIS
Mayor

c: City Council Members
City Manager
City Attorney
City Clerk

CITY OF OCEANSIDE

OFFICE OF CITY MANAGER

October 8, 2002

RECEIVED
OCT 10 2002
SAN DIEGO
COUNTY GRAND JURY

Presiding Judge of the Supreme Court
P.O. Box 122724
San Diego, CA 92112-2724

Re: Comment on Grand Jury Report: "Home Rule" is Chartering a City a Good Idea?

Thank you for the opportunity to review and comment on the Grand Jury's report on the Charter City issue. As the report notes, Oceanside did hold a public study session on this issue in August of 2001.

The City Council also heard a presentation in April 2002 on energy issues by Mr. Mike Aguirre which touched on some of the San Marcos experience as well as issues with SDG&E and power delivery in the region. It now appears that San Marcos is not moving forward on their utility program as aggressively as they had been. The overall potential for local governments to gain appreciable revenues or to gain energy independence/price stabilization for its residents does not appear very promising at this time.

The City appreciates the opportunity to comment on the Grand Jury's report and will continue to monitor changes in both Charter City law and legal rulings, as well as those issues which affect electricity ownership, conveyance and generation.

Sincerely,

Steven R. Jepsen
City Manager

Cc: Honorable Mayor and City Council
Grand Jury, County of San Diego

CITY OF POWAY

MICKEY CAFAGNA, Mayor
BOB EMERY, Deputy Mayor
JAY GOLDBY, Councilmember
DON HIGGINSON, Councilmember
BETTY REXFORD, Councilmember

RECEIVED
AUG 07 2002
SAN DIEGO
COUNTY GRAND JURY

August 2, 2002

Richard E. L. Strauss
Superior Court Presiding Judge
GRAND JURY
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: "Home Rule" Is Chartering a City a Good Idea?

Dear Honorable Judge Strauss:

The City of Poway is responding to the above San Diego Grand Jury report dated May 6, 2002, in accordance with California Penal Code Section 933(c). The following comments pertain to the Grand Jury's recommendations:

1. **02-06: Hold public study sessions to allow their citizens to study the chartering option.**

   The City of Poway has studied the chartering option several times during the past decade. During the intervening years, voters approved initiatives, State legislation, and State rule eroding virtually all benefits of a Charter City to the point that in Poway's circumstance, little value remains. However, the City Council has left the option of chartering open, such that should relief be experienced in the future, Poway residents can consider potential changes in their form of local governance.

2. **02-07: Develop a cooperative energy program with SDG&E along the lines of the program in the City of San Marcos.**

   The City of San Marcos should be commended for tackling the difficult issue of energy. To date, they have invested hundreds of thousands of dollars in their efforts to do better for their residents. To date, SDG&E has yet to propose a cooperative energy program that can be adopted. Should the efforts of San Marcos "bear fruit," it would warrant examining their program. In the meantime, the City of Poway will continue to monitor the situation.

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789 • (858) 748-6600, 695-1400
FAX 748-1455

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The Poway City Council reviewed the material prepared for these responses on July 30, 2002, and concurs with the content of this letter. If you would like additional information, I will be pleased to provide it to you.

Sincerely,

James L. Bowersox
City Manager

cc: Mayor and Members of the Poway City Council
San Diego County Board of Supervisors

THE CITY OF SAN DIEGO

RECEIVED
AUG - 6 2002

July 22, 2002

RECEIVED
AUG 08 2002
SAN DIEGO
COUNTY GRAND JURY

Honorable Richard E. L. Strauss, Presiding Judge
Superior Court, Department SD-P
County of San Diego
Main Courthouse
Third Floor
220 West Broadway
San Diego, CA 92101-3830

Reference: Grand Jury Report "HOME RULE" IS CHARTERING A CITY A GOOD IDEA?

Dear Judge Strauss:

In compliance with California Penal Code §933.05, the City of San Diego has thoroughly reviewed the May 6, 2002 report from the 2001-2002 County Grand Jury entitled "HOME RULE" IS CHARTERING A CITY A GOOD IDEA?" Responses are enclosed for all findings and recommendations contained in the report and are consistent with the requirements and instructions of California Penal Code §933.05.

With regard to recommendation 02-07, "Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos Program," the City believes this recommendation requires further analysis. Since the City of San Diego is significantly larger and more complex than the City of San Marcos, the San Marcos approach may not be appropriate for San Diego.

The City of San Diego is aggressively pursuing a broad range of energy conservation and management actions and programs to reduce the amount and cost of energy used by the City. In his 2001 State of the City Message, Mayor Murphy outlined ten goals for the City to achieve. Goal # 9 was to pursue energy independence and to make San Diego a model city in terms of energy conservation and the use of renewable energy resources. Mayor Murphy proposed that a City Energy Administrator position be established to coordinate all City energy programs and to provide a focal point for the City's efforts to achieve Goal # 9. An Energy Administrator

DIVERSITY

Office of the City Manager
202 C Street, MS 9A • San Diego, CA 92101-3869
Tel (619) 236-6363 Fax (619) 236-6067

was appointed on February 12, 2001 and tasked with being the City's point of contact with SDG&E on all energy matters and developing a City energy plan and organization. On July 1, 2001, an Energy Conservation and Management Division was established within the City's Environmental Services Department to manage the City's 3,000 energy accounts, pursue cooperative programs with SDG&E and investigate the potential for municipalization of energy services in the City and County. The increased focus on energy issues has already had positive value as demonstrated by City facilities reducing energy consumption by 12% or 21 million kilowatt hours in calendar 2001 compared to calendar 2000.

The attached report provides more detailed information on the City's response to the findings and recommendations in the Grand Jury Report. We believe the City of San Diego is pursuing a long term energy strategy that is consistent with the intent of the Grand Jury recommendation.

Sincerely,

Michael T. Uberuaga
City Manager

RLH/RAE

cc: Dick Murphy, Mayor, City of San Diego
San Diego City Council Members
County of San Diego Board of Supervisors
Chuck Mulroy, Foreman, County of San Diego Grand Jury
George I. Loveland, Senior Deputy City Manager
Richard L. Hays, Environmental Service Director

Enclosure

[File Ref: Grand Jury Response 7 05 02.doc]

[AIM 02-0165]]

Enclosure A

CITY OF SAN DIEGO RESPONSE TO GRAND JURY REPORT "HOME RULE" IS CHARTERING A CITY A GOOD IDEA?

Pursuant to Penal Code §933.05, the City of San Diego provides the following responses to the finding and recommendations in the above entitled Grand Jury Report.

FINDINGS

I. **A charter city has several significant advantages for its citizens over a general law city.**

The respondent agrees with this finding.

II. **The cost of chartering a city using a simplified charter is minimal compared to the benefits.**

The respondent agrees with this finding.

III. **There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.**

The respondent agrees with this finding.

IV. **Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.**

The respondent agrees with this finding.

RECOMMENDATIONS

The Grand Jury Report directs the City to provide comments to the Presiding Judge of the Superior Court in compliance with Penal Code §933.05 for:

Recommendation 02-07: Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.

The recommendation has been partially implemented and requires further investigation to determine the applicability of portions of the City of San Marcos program for the City of San Diego.

The "City of San Marcos program" is described in a February 11, 2002 letter from SDG&E as containing four elements as follows:

1. **An innovative approach aimed at enabling the City to share the benefits (if any) of the Magnolia Power Plant with <u>all</u> its residents.**

The City of San Diego is not currently contemplating investing in an ownership position in electrical generation facilities located outside the corporate limits of the City of San Diego. The City does own and operate almost 20 MW of electrical generation capacity using renewable resource fuels. These generation facilities primarily power essential City facilities such as the Point Loma Waste Water Treatment Plant, the Metropolitan Biosolids Center and the North City Water Reclamation Facility. These generation facilities use methane gas created by the waste water treatment processes and from the Miramar Landfill as the fuel source and sell excess power to the local electrical grid. The City is currently constructing two photovoltaic (PV) energy generation systems to power City facilities and is evaluating the potential for the development of several power generation projects using renewable resource fuel in support of Mayor Dick Murphy's Goal # 9 "Pursue Energy Independence."

2. **A continued commitment from SDG&E to enhance the electrical distribution system reliability in the City of San Marcos.**

Under the current franchise agreement with the City, SDG&E is obligated to underground all electrical distribution lines in the city based on an annual allocation of funds equal to 4.5% of gross revenues. The program is envisioned to continue through 2020 and SDG&E is to provide the City with a Master Plan for the upgrading of its transmission facilities within the city. These actions are equivalent to Element 2 in the City of San Marcos program.

3. **Support from SDG&E to assist the City of San Marcos in administering its own energy efficiency programs.**

The City of San Diego established an Energy Conservation and Management Division in the Environmental Services Department to administer the City's energy programs and accounts. Its initial focus is on managing the City's energy accounts to reduce energy consumption and costs and secondly, to provide energy efficiency services to its citizens using Public Benefit Charge fund grants from the California Public Utilities Commission and the California Energy Commission.

The City's internal energy program is based on five elements:

A. <u>Manage City Energy Use</u>. This includes validating all 3,000 energy accounts to ensure they are for City facilities, determining the bill is being paid from the correct internal fund source, evaluating if the account is on the most appropriate tariff and determining if the account would be a candidate for energy efficiency upgrades.

B. Conserve Energy. The City has embarked on a formal energy conservation program in City facilities to change behaviors to reduce energy use. The program includes educational efforts to inform City employees on how they can reduce energy use without reducing the efficiency of City services. This includes many simple common sense actions such as turning off computers, copiers and other energy consuming equipment at the end of each work day, turning off lights in unused spaces or when leaving the office for extended periods and setting thermostats to allow rooms to be a few degrees warmer or cooler to save energy. These measures helped the City achieve 15% or greater energy savings in numerous facilities during last summer's 20/20 Energy Savings Program.

C. Improve Energy Efficiency in Existing Facilities. The City has an ongoing effort to invest in energy efficiency upgrades in existing facilities to reduce long-term energy consumption and cost. Some examples of this include the Ridgehaven Green Building where an existing 72,000 square foot office building was made highly energy efficient using off the shelf technology. Before the retrofit of high energy efficiency systems, the building used 22 to 24 kWh per square foot per year. After the retrofit, the building now averages a usage of less than 8 kWh per square foot which is 50% below current Title 24 energy standards. The City's Ridgehaven Building has the distinction of being the first building in the nation designated as an Energy Star Building by the US EPA and Department of Energy. The City of San Diego has also retrofitted over 40,000 of the red and green traffic signal bulbs from 115 watt incandescent bulbs to 14 watt LED bulbs. A side benefit of this change is that LED bulbs are estimated to have a life of seven to ten years while incandescent bulbs are required to be changed every fifteen to eighteen months. City staff is currently working on a project to upgrade the Police headquarters building to reduce its power use by 50%, install a co-generation facility using natural gas as a fuel to supply 100% of the building's power needs at half the cost of purchasing power from SDG&E. At the same time this will increase the security level of the facility by having two independent power sources in addition to the ability to draw power from SDG&E distribution lines. We believe this aggressive energy efficiency enhancement program will allow an overall reduction in energy consumption of almost 20% over time.

D. Ensure High Energy Efficiency in All New City Facilities. In April 2002, the City Council adopted the LEED (Leadership in Energy & Environmental Design) Silver Standard for all new City facilities larger than 5,000 square feet. LEED standards are a performance based approach to achieving high energy efficient and sustainable buildings. LEED Silver Standard buildings are a minimum of 20% more energy efficient than is required by the State's current Title 24 regulations.

E. Pursue Energy Independence in City Facilities Through Self-Generation of Electrical Energy Using Renewable Resources. Three of the City's wastewater facilities; Point Loma Treatment Plant, Metropolitan Biosolids Center and the North City Water Reclamation Facility, are energy independent because they generate more power than they use. By utilizing a combination of methane gas from the wastewater treatment process and landfill gas from the Miramar Landfill as renewable resource fuel, these facilities generate approximately 15 MW of power. Additionally, in 2001, the City

commissioned a unique 1.3 MW hydroelectric generation unit at the Point Loma Treatment Plant that uses treated effluent entering the offshore discharge pipe as its "fuel." The power generated in excess of what is needed for City facility operations is sold to the grid to provide locally generated green power and to reduce the City's overall energy costs.

In June 2002, the City Council approved the first two City photovoltaic (PV) energy generation systems totaling 130 KW of generating capacity for the Environmental Services Department's Ridgehaven Green Building and its Miramar Place Operations Center Administration Building. The Miramar Place project will make its Administration Building energy independent and the Ridgehaven Building project will significantly reduce the amount of purchased energy as well as provide a demonstration and educational component in support of Goal # 9. Additional projects will be brought forward for development as funding is secured.

4. **A preliminary Transmission Interconnection Study would be carried out if the City or a third party wants to build a power plant in the City of San Marcos.**

Such a study would be an integral part of any proposal to site a new power plant within the City of San Diego, and we are confident that SDG&E will fully cooperate with the City in conducting the study.

NEED FOR FURTHER ANALYSIS

As the nation's seventh largest City, with a population of 1.5 million and 342 square miles of land area within its corporate limits, San Diego's electrical system needs are far more complex than is the City of San Marcos. While portions of the City of San Marcos program are applicable to the City of San Diego, we are embarking on an in depth evaluation of the option of establishing a Municipal Utility District (MUD) to serve only public agencies. Currently the California Public Utilities Commission has suspended Direct Access for all remaining utility customers and this decision is expected to withstand legal challenge. The suspension of Direct Access is likely to continue for the 10-year life of the State's long-term energy contracts and establishment of a traditional MUD within that timeframe appears to be precluded at this time.

The City, through its Energy Conservation and Management Division, has awarded a contract to MRW & Associates of Oakland, California, a respected energy consulting firm, to conduct a study to determine in detail the feasibility, benefits and costs of forming a MUD to serve only public agencies or only City of San Diego facilities. This study would be in addition to our efforts to work cooperatively with SDG&E through the existing franchise agreement. The study would address the following areas:

1. Analysis of Municipalization Options

The recent electricity crisis spurred many cities in California to consider options, such as municipalization, that would provide greater control over electricity supply and prices for

municipal facilities and the businesses and residents within these cities. There are, of course, many steps to take before a municipal utility becomes operational. It is essential that the City Council be aware of the full range of benefits and risks associated with a MUD before it is asked to consider any specific course of action.

- **Benefits and risks of forming a MUD**: This would include evaluating, from a qualitative standpoint, the benefits and risks associated with a MUD. Benefits could include potential savings, local control, local jobs, or improved reliability of service. The risks include potential litigation, exposure to volatile electricity supply prices, and other public or political challenges.

- **Potential participants**: This would review the types of loads and customers to be served to better define the scope of the potential MUD.

- **Appropriate organizational structure**: As a charter city, San Diego could establish an energy department along the lines of the City of Los Angeles Department of Water and Power or choose other organizational models. This study would review the City's options in terms of forming a joint powers authority and a public utility district, in addition to the MUD structure.

- **Power supply options and loads**: MRW will provide an initial analysis of how the City's loads match up with any City-owned power supplies and to what extent the City may need to procure additional power in the wholesale market. This assessment will also consider potential power projects in which the City is involved (e.g., the joint City-Water Authority pumped storage hydroelectric project).

- **Cost-competitiveness of MUD power compared with SDG&E retail rates**: A key assumption in Recommendation 02-07 is that a MUD could reduce costs to consumers. MRW will compare the costs associated with continued service from SDG&E with projected costs of service under a MUD structure.

- **Electricity wheeling issues**: As mentioned above, the City may need to address the issue of retail wheeling. MRW will discuss the issue in our report and assess the City's options with regard to wheeling power to the City's load sources.

- **Legal issues**: MRW will identify and discuss potential legal issues that the City's legal team should investigate. The legal issues will relate to compliance with regulatory and legal requirements associated with formation of a MUD.

- **California-specific issues**: Because the California electricity market continues to evolve in this post-crisis period, MRW will present information on any relevant or pending changes to the market structure that may affect the viability of a MUD (i.e., potential market reforms at the California Independent System Operator (CAISO), direct access).

The study is scheduled to be completed in sufficient time for the City to analyze its results and present recommendations to the City Council for consideration such that further responses to

Recommendation 02-07 can be made within six months of the publication date of the Grand Jury Report.

CONCLUSION

The City agrees with the findings of the County Grand Jury Report on charter cities. With regard to the Recommendation 02-07 "Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program", the City finds that further investigation is warranted.

CITY OF SOLANA BEACH
635 SOUTH HIGHWAY 101 • SOLANA BEACH, CA 92075-2215 • (858) 720-2400 • FAX (858) 792-6513
www.ci.solana-beach.ca.us

RECEIVED
AUG 21 2002
SAN DIEGO
COUNTY GRAND JURY

August 20, 2002

Honorable Richard E. L. Strauss
Presiding Judge
San Diego Superior Court
220 W. Broadway, Dept. SD-P
San Diego, CA 92101

Re: Grand Jury Report - "Home Rule" is Chartering a City a Good Idea?

Dear Judge Strauss:

As required by Penal Code section 933(c), the City of Solana Beach submits the following response to the above-referenced Grand Jury Report.

The City has reviewed each of the Grand Jury's findings and offers the following responses. The City's responses appear in bold following the finding to which they pertain.

FINDINGS:

1. A charter city has several significant advantages for its citizens over a general law city.

The City disagrees with this finding. Each form of government has it own advantages and disadvantages. Moreover, because the legislature and initiative proponents are aware of both forms, most new legislation and initiatives are being written to apply to both. This is resulting in a gradual elimination of the distinction between them.

2. The cost of chartering a city using a simplified charter is minimal, compared to the benefits.

The City disagrees with this finding. Even page AA-6 of the report indicates that a simplified charter document could be as much as $100,000. That cost is great to a city our size for arguably minimal benefits. Further, deciding what to include in a charter, even a simplified one, requires careful study and forethought. It is not a process a city

would wish to "skimp on". Further, the only way to amend the charter to correct oversights is through costly election.

3. There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.

The City does not agree or disagree with this finding. As administrative head of the municipality, a city manager generally works at the direction of the City Council, focusing on local community-driven priorities. It would be inappropriate for a city manager to recommend expending municipal resources on initiating a chartering effort unless there were significant demonstrable benefits to doing so.

4. Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.

The City agrees with this finding in part. San Marcos has a municipal electric utility. Evidently this gave San Marcos a bargaining position with respect to SDG&E and created an environment for cooperation. Public Record Information obtained from the City of San Marcos suggests the discussion may have been prompted in part by SDG&E's desire to improve community goodwill and in part by the threatened loss of or reduction in new revenue streams for SDG&E. SDG&E's actions do not appear to have been prompted in any way by the City of San Marcos' status as a charter city.

RESPONSES TO RECOMMENDATIONS

1. That the City hold public study sessions to allow their citizens to study the chartering option.

The City will only implement this recommendation if requested by the City Council.

2. That the City develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.

The City will not be implementing this recommendation at this time. Solana Beach is significantly smaller than San Marcos and is unlikely to have the same negotiating position with respect to SDG&E and is unlikely to commit limited staff resources in that direction absent Council direction.

Please contact me if you have any questions.

Sincerely,

Barry Johnson
City Manager

cc: City Council Members
City Attorney
San Diego County Grand Jury 2001-02

City of
Encinitas

RECEIVED
AUG 21 2002
SAN DIEGO
COUNTY GRAND JURY

August 20, 2002

Christy Guerin
Mayor

James H. Bond
Deputy Mayor

Dennis Holz
Council Member

Maggie Houlihan
Council Member

Jerome Stocks
Council Member

Kerry L. Miller
City Manager

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

RE: Response to the 2001-2002 Grand Jury Report – "Home Rule" Is Chartering a City a Good Idea?

Your Honor:

In response to Grand Jury recommendations 02-06 and 02-07 in the 2001-2002 Grand Jury Report "Home Rule Is Chartering a City a Good Idea", the City of Encinitas wishes to make the following comments:

Recommendation 02-06: "Hold public study session to allow their citizens to study the chartering option."

The city has reviewed the findings of the Grand Jury regarding the advantages and disadvantages of chartered city status. The city believes that the Grand Jury has done a good job in its analysis, particularly in documenting and summarizing its interviews and research.

The city generally agrees with the Grand Jury's findings. However, we believe that the finding that chartering has significant advantages for its citizens may not be true in all cases. The advantages may be significant for cities (e.g. Chula Vista, San Marcos) that have significant growth potential or which have aggressive economic development strategies (e.g. redevelopment). The same advantages cited in the report, however, may only be marginal for cities that are substantially built out, are slow growth or which have a less aggressive and formal economic development program, such as Encinitas, making the estimated $100,000 cost of chartering significant by comparison.

Regarding the Grand Jury's recommendation on this subject, the city held community discussion and evaluated the chartering option during its incorporation process in 1986. Significant dialogue was held at that time, consistent with the Grand Jury's current recommendation. Granted, many years have passed since then but during the intervening years the advantages of chartering have been significantly diluted by the legislature and the courts, as the jury's report notes, making chartering an even less attractive option for this city. Again, we acknowledge that each city's case may be different, depending upon their growth potential, economic development strategies and political climate.

TEL 760-633-2600 FAX 760-633-2627 505 S. Vulcan Avenue, Encinitas, California 92024-3633 TDD 760-633-2700

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Recommendation 02-07: "Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program."

The City of Encinitas is willing to explore energy options that are cost effective for the city and its citizens. Currently, one of our Councilmembers, Jerome Stocks, serves on the SANDAG regional energy subcommittee and is in frequent dialogue with officials from San Marcos.

Thank you for the opportunity to address these issues.

Sincerely,

Kerry L. Miller
City Manager

CC: Grand Jury
Board of Supervisors

CITY OF
CHULA VISTA
OFFICE OF THE CITY MANAGER

RECEIVED
OCT 11 2002
SAN DIEGO
COUNTY GRAND JURY

October 9, 2002

Presiding Judge of the Superior Court
P. O. Box 122724
San Diego, Ca. 92112-2724

Re: **2001-2002 San Diego Grand Jury Report: "HOME RULE" is Chartering a City a Good Idea?**

Dear Sir or Madame:

The City offers the following response to Recommendation 02-07 of the above-referenced report:

The City of Chula Vista is seeking to implement Recommendation 02-07 in the following way:

The City is currently negotiating with SDG&E possible terms and conditions for renewal of its existing electric/gas franchises that are due to expire June 30, 2003. Many of the types of issues proposed to be resolved by SDG&E in its proposed cooperation agreement with San Marcos will be key topics of negotiation between Chula Vista and SDG&E. The outcome of the negotiations is difficult to predict. However, the City of Chula Vista is committed to seek agreement where possible. As an alternative to partnering with SDG&E in this manner, the City of Chula Vista is also in the process of analyzing the potential benefits of implementing a Municipal Energy Utility in some parts or all of the City. The City has this authority under its Charter and under Chula Vista Municipal Ordinance No. 2835 adopted on June 5, 2001, attached (Attachment 1).

The City of Chula Vista has developed an Energy Strategy that includes the pursuit of potential cooperative programs with SDG&E, other jurisdictions within San Diego County and other private entities that can contribute to the regions efforts to stabilize rates and provide more reliable and cleaner power. A status report on the Energy Strategy is attached (Attachment 2). The Plan focuses in the short term on those issues the City can control and immediately implement such as public education, conservation, distributed generation/renewable energy, and long-term on greater energy independence.

The City will continue to actively implement those components we can control such as conservation and renewable power for City facilities while also providing public education and incentives to increase their practice in the private sector. The City will

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continue to actively pursue partnerships with other jurisdictions through our involvement with SANDAG, and the Regional Energy Policy Advisory Committee, (REPAC), the Regional Energy Office and our discussions with SDG&E. Staff has formally met with SDG&E and will continue to do so for so long as that communication has the potential to lead to more stable rates and reliable energy for Chula Vista consumers.

The City expects this next phase of the energy plan to take approximately six months barring any major changes in state or federal regulation. If you have any questions feel free to contact Michael Meacham, Special Operations Manager at (619) 691-5031, or Glen Googins, Assistant City Attorney at (619) 691-5037.

Sincerely,

David D. Rowlands, Jr.
City Manager

Cc: Marcia Gravette Jespersen, Foreperson
Glen Googins, Assistant City Attorney
Michael Meacham, Special Operations Manager

SUBJECT: Energy Strategy Implementation Progress Update and Release of Feasibility Study RFP

Energy Strategy Implementation Progress Update

1. Continue/expand energy conservation projects for City.

   Rationale
   - City has a good record of implementing conservation programs; capital investments face minimal risks
   - Energy efficient facilities will reduce consumption and ongoing energy costs

   Status
   - On-going
   - Reducing annual electricity consumption at a rate of 4.7 MW-hrs/yr since 1994.

2. Continue, expand, and promote energy programs and provide community education.

   Rationale
   - Making information on the power crises available and supporting other energy management efforts is critical in convincing businesses to remain in Chula Vista
   - Conservation represents a low risk to the investor and high benefit to the region; conservation complements the City's commitment to climate protection
   - Proactive energy programs could be critical in assisting business attraction and retention activities

   Status
   - On-going
   - Assisted 2,600 residents with compact fluorescents, energy audits and/or public education,
   - Assisted 15 businesses with conservation mini-grants of up to $2,500 each
   - Assisting residents and businesses with energy retrofit projects
   - Mailed out the energy conservation guides, and business lighting

3. Continue/expand efforts to implement the Carbon Dioxide (CO2) reduction plan & GreenStar Building Incentive Program.

   Rationale
   - Implementation of the CO2 plan allows the City to move forward with energy efficient land use and construction level programs

   Status

- On-going
- Police Station Project exceeds Title 24 by at least 15%.
- Fast tract permitting for residential development which:
    - Exceed Title 24 standards
    - Encourage in-fill development
    - Encourage use of Public Transit

4. Pursue distributed generation opportunities for City facilities.

Rationale

- Distributed generation can be used as a source of energy at peak times when power is expensive
- Distributed generation offers significant environmental benefits to the local area
- Current and proposed funding and incentive programs enhance the attractiveness of this option; Legislative Session could lead to new funding

Status

- On-going
- Completed centralized/distributed generation alternatives study for civic center City facilities.
    - Distributed generation has most aggressive ROI
    - Schedule of distributed generation projects
        - Installed 4 KW PV Array at Public Works in 2001
        - 10 KW PV planned for Nature Center in 2002/03
        - 10 KW PV planned for Public Works in 2003 (ultimate goal is 1MW)
        - 30 KW PV and 120 KW micro turbine for new PD-HQ in 2003/04

5. Develop an emissions offsets program.

Rationale

- City conservation programs could be utilized to obtain emission offset credits from conversion of diesel/gasoline-powered vehicles to Natural Gas Power

Status

- Inactive
- Process is complex and resource intensive but has potential when large projects present themselves

6. Monitor and market legal restrictions and be prepared to enter into an Electrical Services Contract with an Energy Services Provider.

Rationale

- About 55% of City's power purchases are bought at market rate; contract with ESP might provide electricity less expensively than standard service

Status

- On-going

- Tracking legislation

7. Monitor the market and legal restrictions, and be prepared to enter into a bilateral agreement with a power generator.

Rationale

- The City could choose to purchase power directly from a power supplier and obtain a longer-term access to electricity at a fixed or hedged price

Status

- Pending
- Negotiate with SDG&E for mutually beneficial opportunities
- Negotiate public benefits with Port and South Bay Plant operator as new plant is entitled

8. Form a Municipal Utility (MU) to own and operate all or portions of the local distribution systems.

Rationale

- Preferential access to inexpensive federal hydropower and other power supply sources, doesn't pay federal taxes, and has access to tax-exempt debt financing
- Ability to structure rates in a manner that rewards conservation, encourages off-peak use, and provides City with how/where conservation funds are invested

Status

- On-going
- City declared a Municipal Utility in 2001
- Prepared RFP to perform feasibility studies to valuate existing facilities and analyze legal/regulatory issues with forming a Municipal Energy Utility

Some Pros and Cons of forming Local Municipal Energy Utility
"Need robust discussions between incumbent utility, City & community"

Pros

- Ratepayer service and value is top priority not stockholders
- MU Association states that on average Public Utility rates are 15% lower
- Revenues can be reinvested locally
- Control of an estimated $15 million in public goods funds
- Control of under grounding and appurtenance siting issues

Cons

- An MU may not be able to provide distribution services at a lower cost than the incumbent utility
- Municipalization is a complex issue with many factors
- Extensive & objective analysis of financial & operational issues
- Public perception of change
- Insuring equal or better quality service to the public
- Initial investment and amortization of that investment
- Challenges by incumbent Utility
- Impacts to current development
- Potential impact on City general funds

9. Become A Municipal Aggregator And Acquire Electricity At Negotiated Rates.

Rationale

- Offers the potential for lower electricity costs and certain non-price benefits at minimal initial capital investment.
- City of Palm Springs saved customers $88K in two years.

Status

- On-going
- Tracking legislation

ORDINANCE NO. 2835

ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CHULA VISTA ESTABLISHING THE CITY OF CHULA VISTA AS A MUNICIPAL UTILITY

WHEREAS, the City of Chula Vista (the "City"), a municipal corporation and charter city, is authorized pursuant to Article XI, Section 9(a) of the California Constitution and Section 200 of the City Charter to establish, purchase and operate public works to furnish its inhabitants with utility services including light, power, heat, transportation, or means of communications; and

WHEREAS, the deregulation of the electricity market, increased demand for energy, inadequate supply of natural gas and other fuel sources, a deteriorating transmission and distribution system, inadequate or poorly implemented federal and state energy regulations, and a volatile energy commodities market has led to a state-wide energy crisis characterized by soaring energy costs and unreliable energy supplies; and

WHEREAS, this energy crisis threatens the public health, safety and general welfare of businesses and residents throughout the state, including businesses and residents in and around the City of Chula Vista; and

WHEREAS, the City has studied, reviewed and analyzed the current status of the energy crisis and has consulted with various experts to identify the prospective benefits of establishing a municipally owned utility; and

WHEREAS, as a result of deregulation of the electric utility industry in California, the City has identified numerous potential benefits that would derive from providing a municipally owned utility, included but not limited to (a) a municipal utility has preferential access to low-priced federal power and potentially other alternative power supply sources; (b) a municipal utility does not pay federal income taxes, and it has access to tax-exempt debt to finance capital projects; (c) a municipal utility may be able to provide distribution and other energy related services to City facilities, businesses and/or residents more reliably and at a lower cost than the incumbent utilities under the existing energy delivery system; (d) by operating the distribution system itself the City would have the ability to structure fair and reasonable utility rates in a manner that rewards conservation, provides for the use of alternative/renewable power sources, encourages the use of off-peak power, and provides the City with control over how and where "public benefit" conservation funds are invested; and

WHEREAS, the City is also concerned with the rising costs, threats to reliability, and potential environmental impacts related to the various other utility services necessary to the City, its businesses and residents; and

WHEREAS, City Council has found and determined that the creation of a municipal utility could enhance utility system reliability, lower utility rates and otherwise provide utility services that significantly enhance the quality of life and provide significant benefits to the citizens, businesses and environment of the City; and

WHEREAS, the City's establishment of itself as a municipal utility is categorically exempt from CEQA pursuant to CEQA Guidelines Section 15320.

NOW, THEREFORE, the City Council of the City of Chula Vista does hereby ordain as follows:

SECTION I: The above findings and determinations are hereby adopted as true and correct.

SECTION II: The City of Chula Vista hereby establishes itself as a municipal utility ("Municipal Utility"). The Municipal Utility is authorized to provide electricity, natural gas, alternative forms of energy, water, telecommunications, transportation and related utility services ("Utility Services") to governmental facilities, businesses, organizations, and residents located within and around the City of Chula Vista. Additional City Council approval shall be required before the Municipal Utility actually provides one or more utility services.

SECTION III: The City Council shall be the governing board for the Municipal Utility acting in accordance with its existing rules and procedures. The City Manager or his designee is hereby authorized to take all necessary steps to implement the authority of the Municipal Authority as directed and approved from time to time by the City Council. The City Manager or his designee is further authorized and directed to take all necessary actions to provide for the implementation, operation and maintenance of City Council approved Municipal Utility activities including, but not limited to, determining the level of additional staffing required, if any, identifying outsourcing needs, negotiating agreements with consultants, special counsel, underwriter(s) and/or financial advisors in connection with regulatory, legal or financial matters.

SECTION IV: This ordinance in no way pre-commits the City to providing one or more of the defined Utility Services or to acquiring, voluntarily or otherwise, some or all of the incumbent utility facilities. City staff is hereby authorized and directed to explore partnership opportunities with the incumbent utility providers and with other public agencies in the region which may themselves be pursuing public utility options.

SECTION V: This ordinance shall take effect and be in full force on the thirtieth day from and after its second reading and adoption.

Presented by

Chris Salomone
Community Development Director

Approved as to form by

John M. Kaheny
City Attorney

PASSED, APPROVED, and ADOPTED by the City Council of the City of Chula Vista, California, this 5th day of June, 2001, by the following vote:

AYES:	Councilmembers:	Padilla, Rindone, Salas and Horton
NAYS:	Councilmembers:	None
ABSENT:	Councilmembers:	Davis

Shirley Horton, Mayor

ATTEST:

Susan Bigelow, City Clerk

STATE OF CALIFORNIA)
COUNTY OF SAN DIEGO)
CITY OF CHULA VISTA)

I, Susan Bigelow, City Clerk of Chula Vista, California, do hereby certify that the foregoing Ordinance No. 2835 had its first reading at a regular meeting held on the 29th day of May, 2001 and its second reading and adoption at a regular meeting of said City Council held on the 5th day of June, 2001.

Executed this 5th day of June, 2001.

Susan Bigelow, City Clerk

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OCT - 8 2002
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COUNTY GRAND JURY

CITY OF
CHULA VISTA
OFFICE OF THE CITY MANAGER

October 8, 2002

Marcia Gravette Jespersen, Foreperson
Grand Jury, County of San Diego
Hall of Justice
330 West Broadway, Suite 447
San Diego, CA 92101-3830

Dear Ms. Jespersen:

Chula Vista recognizes that stable, reliable and clean energy is very important to the quality of life and development for Chula Vista and the rest of the region. The complexity of this issue requires further analysis, which Chula Vista staff is diligently pursuing and hopes to complete within the next six months.

The City of Chula Vista has developed an Energy Plan that includes the pursuit of potential cooperative programs with SDG&E, other jurisdictions within San Diego County and other private entities that can contribute to the regions efforts to stabilize rates and provide more reliable and cleaner power (Attachment I). The Plan focuses in the short term on those issues the City can control and immediately implement such as public education, conservation, distributed generation/renewable energy, and long-term on greater energy independence.

The energy issue, particularly the issues of rates, transmission and supply are very complex and represent tremendous potential and tremendous risk. For example, San Marcos purchased approximately $18 million in electricity capacity that they were later precluded from delivering to their local customers. Just recently the legislature and Governor narrowly approved new legislation that opened up the potential for aggregation. It is doubtful that San Marcos or any other jurisdiction would knowingly repeat that risk.

The City will continue to actively implement those components we can control such as conservation and renewable power for City facilities while also providing public education and incentives to increase their practice in the private sector. The City will continue to actively pursue partnerships with other jurisdictions through our involvement with SANDAG, and the Regional Energy Policy Advisory Committee, (REPAC), the Regional Energy Office and our discussions with SDG&E. Staff has formally met with SDG&E and will continue to do so for so long as that communication has the potential to lead to more stable rates and reliable energy for Chula Vista consumers.

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Post-Consumer Recycled Paper

The City expects this next phase of the energy plan to take approximately six months barring any major changes in state or federal regulation. If you have any questions feel free to contact Michael Meacham, Special Operations Manager at (619) 691-5031, or Glen Googins, Assistant City Attorney at (619) 691-5037.

Sincerely,

David D. Rowlands Jr., City Manager

Cc: Glen Googins, Assistant City Attorney
Michael Meacham, Special Operations Manager

City of Del Mar
Where the Surf meets the Surf
1050 Camino Del Mar · Del Mar, California 92014-2698

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MAY 15 2002
SAN DIEGO
COUNTY GRAND JURY

May 13, 2002

The Honorable Wayne L. Peterson, Presiding Judge
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: Grand Jury Reports: Home Rule and Truancy & Curfew Practices

Dear Judge Peterson:

On behalf of the City of Del Mar, I would like to respond to the specific recommendations in two recent Grand Jury Reports.... Truancy & Curfew Practices (May 1, 2002) and "Home Rule" is Chartering A City A Good Idea? (April 30, 2002).

With regard to uniform curfew hours for minors, the City of Del Mar contracts with the County Sheriff's Department for law enforcement services. We currently have an ordinance in place that establishes a curfew for minors from 11:00 p.m. to 5:00 a.m., any evening, any day, any week as recommended by the Grand Jury. With regard to the recommendation in the "Home Rule" report that we consider developing a cooperative energy program with SDG&E, along the lines of the City of San Marco's program, please be advised that we have been briefed on the San Marcos program and because of our city's small size and lack of extensive new development, the San Marcos program is really not applicable to Del Mar.

Please do not hesitate to contact me or Mayor Mark Whitehead if you have any further questions.

Sincerely,

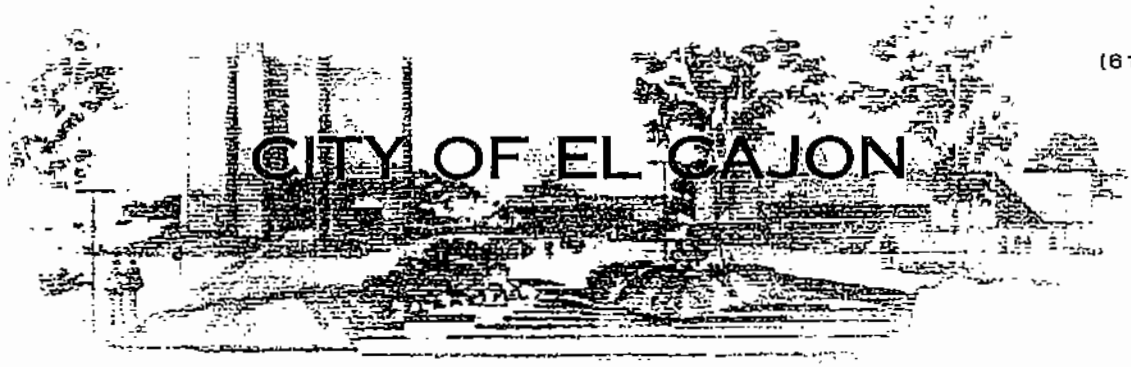
Lauraine Brekke-Esparza

Lauraine Brekke-Esparza
City Manager

cc: Mayor & City Councilmembers
Tamara Smith, City Attorney

Telephone: (858) 755-9313 · Fax: (858) 755-2794

OFFICE OF THE
CITY MANAGER



TELEPHONE
(619) 441-1716

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OCT 10 2002

SAN DIEGO
COUNTY GRAND JURY

October 7, 2002

The Honorable Richard E. L. Strauss
Superior Court Presiding Judge
220 West Broadway
San Diego, California 92101

Re: Response To San Diego County Grand Jury 2001-2002 Report,
"Home Rule" Is Chartering A City A Good Idea?

The Honorable Judge Strauss:

Pursuant to the terms of Penal Code Section 933.05, the City of El Cajon is responding to the findings and recommendations pertaining to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea? Please be advised that the City of El Cajon was not in receipt of a copy of the Grand Jury recommendations until August 8, 2002. The following is the City of El Cajon's response to that Report.

Findings

- Finding I: A charter city has several significant advantages for its citizens over a general law city.

  The City of El Cajon disagrees with Finding I indicating that charter cities have several significant advantages for their citizens over general law cities. In the past, charter cities experienced benefits of greater autonomy in raising revenues, choosing their form of government and governing municipal affairs. In regard to raising revenues, although true in the past, legislation and court cases have eroded the financial benefits of being a charter city to the current level where there is essentially no revenue raising advantage. Proposition 4, Proposition 13, AB 62, AB 218, and court cases that interpret revenue restricting laws, have been applied similarly to general law and charter cities.

In regard to a city choosing its form of government, pursuant to the terms of the Government Code, general law cities are allowed numerous optional forms of government, including Council-Manager, Commission, and Mayor-Council forms of government. In some general law cities City Clerks and Treasurers are directly elected, in others they report to the City Council or manager. Some general law cities directly provide a full range of services while others contract some or all services from other agencies.

In regard to governing municipal affairs, the report provided no specific examples of enhanced local authority or other governing advantages experienced by charter cities, other than the ability to award public works projects without meeting State prevailing wage requirements.

All totaled, the above-noted differences do not make charter cities appear significantly advantageous to general law cities.

- Finding II: The cost of chartering a city using a simplified charter is minimal compared to the benefits.

  The City of El Cajon partially disagrees with Finding II. As noted in Finding I, since there are minimal financial and governing benefits to becoming a charter city, so a comparison of the minimal cost associated with the process of becoming a charter city was not a factor.

- Finding III: There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.

  The City of El Cajon partially agrees with Finding III in that it is the nature of local government to fully embrace local issues as determined by the City's governing body and the residents. It is the interest of the El Cajon City Council and the residents to have the city manager focus his or her efforts on addressing compelling local issues. Therefore, barring a compelling locally demonstrated benefit deriving from becoming a charter city and specific direction from the City Council to pursue that course of action, city managers of general law cities would generally not explore the option of a becoming a charter city.

- Finding IV: Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.

  The City of El Cajon agrees with Finding IV. San Marcos, as a charter city, chose to create a municipal electric utility. This creation foreshadowed the potential for SDG&E to lose all residential, commercial and industrial electric and natural gas

customers within the City of San Marcos. And under the terms of California electric industry deregulation, SDG&E could also potentially lose electric and natural gas customers outside of San Marcos who chose to purchase electricity and natural gas from San Marcos rather than SDG&E. Given this business scenario, SDG&E's suggestion of a cooperative program with San Marcos residents is a goodwill effort by SDG&E to continue to provide some energy-related program services to San Marcos residents.

Recommendations

- Recommendation I: Hold public study sessions to allow their citizens to study the chartering option.

  The City of El Cajon will not be implementing Recommendation I because it is not warranted for the City of El Cajon and its residents. The City has reviewed the Findings and Recommendations of the Grand Jury report and found that the minimal benefits, as set forth in Findings I, did not warrant future study by citizens or staff of the chartering option.

- Recommendation II: Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.

  The City of El Cajon will not be implementing Recommendation II because it is not warranted for the City of El Cajon and its residents. The City has reviewed the Findings and Recommendations of the Grand Jury report. In accordance with Finding IV of that report, the SDG&E cooperative program grew out San Marcos' pursuit of the municipalization of the electric utility services, which per the direction of the El Cajon City Council, the City of El Cajon will not be pursuing.

This concludes the City of El Cajon's response to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea?

Respectfully submitted,

Bill Garrett
City Manager

cc: The Honorable Mayor and El Cajon City Council Members
San Diego County Grand Jury 2001-2002

Lori Holt Pfeiler
Mayor
(760) 839-4610
FAX (760) 839-4578

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JUL 29 2002

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JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

July 24, 2002

Honorable Richard E.L. Strauss
Presiding Judge of the Superior Court
220 W. Broadway
San Diego, CA 92101-3888

Re: San Diego County Grand Jury 2001-2002 Report: "Home Rule" Is Chartering A City A Good Idea?

Dear Honorable Richard E.L. Strauss:

On May 6, 2002, a Grand Jury Report entitled "Home Rule" Is Chartering A City A Good Idea? was released to the public by the San Diego County Grand Jury. Pursuant to California Penal Code §933.05(c), the City of Escondido provides this comment within 90-days of the date of the Grand Jury Report.

The Grand Jury Report correctly notes that the State Constitution, Article IX, Section 3, allows any general law city to prepare its own charter to impart a local philosophy into the structure and methodology used to govern its particular city. It is true that "the primary advantage of the charter form of government has been the potential breath of local authority which may be exercised." However, it is also true, as the Grand Jury notes, that "many city charters have been modified by reformers as the result of abuses of power by a chartered city government" and that charters can also restrict the powers of a city rather than broaden them.

While certain cities reported to the Grand Jury that the extensive use of citizen advisory committees provided by a city charter resulted in a more informed and involved citizenry, such advisory committees are not required by a charter and can be created under the general law city form of government.

The City of San Marcos cited savings in excess of a million dollars as a result of avoiding the "prevailing wage" requirement in certain construction contracts. However, avoidance of payment of prevailing wages avoids legislative policy expressed in a variety of California laws, and may be questionable from a public policy standpoint. Another advantage cited by the City of San Marcos to the charter form of government was an ability to bring SDG&E to the bargaining table for the potential benefit of San Marcos residents in the generation and distribution of power.

Lori Holt Pfeiler, Mayor
June Rady, Mayor Pro Tem
Ed Gallo
Tom D'Agosta
Marie Waldron

However, as a neighboring city, Escondido has observed that the disputes over power generation and distribution raise issues of public policy, and more importantly, charter city status was not a legal pre-requisite to the negotiations and discussions in which San Marcos engaged with SDG&E. General law cities have ample room under the California Constitution and state laws to adopt and enter into arrangements to provide beneficial electricity rates to their citizen base.

The City of Escondido also observes that the state legislature retains the power to prevent or abrogate specific areas which are addressed by charter cities, simply by declaring that particular issue a matter of state wide importance. The shift over time has been to gradually erode the "Home Rule" concepts of a charter city. Indeed, the Grand Jury Report observes that "as the laws defining a general law city have been liberalized and the power of a charter city has been restricted by court decisions, many of the differences between the two city types have disappeared." The City of Escondido also notes that while the Grand Jury indicated that the citizen complaint alleging the improper use by the City of San Marcos of its city charter to enter the power generation and distribution business was resolved by placing the matter on the ballot, the issue of power generation and distribution in the City of San Marcos, and any disputes with San Diego Gas & Electric Company remain far from being resolved. The study of sites for new power plant in San Marcos, the methodology for sharing savings from remote power generation, and the implementation of a city-wide energy conservation program were three advantages cited by the Grand Jury arising from the situation with SDG&E and the City of San Marcos, ostensibly as the result of the charter status of the City of San Marcos. However, each of these three advantages can be accomplished under the general law city form of government.

It was also noted that general law cities have to follow certain procurement methods outlined in the state municipal code (sic.) for all contracts above $5,000. However, alternative procedures for municipal procurements and for public bidding are outlined in state code which can have the same effect. It was noted that the prevailing wage advantage is not available for contracts which utilize state or federal funding, this is an additional, and significant, limitation. An advantage to a charter city process was that the charter city adoption could utilize a "short simplified charter document" to reduce the costs. However, a "short, simplified" document by its nature might not have all the unique (local control) benefits which are touted for a charter city.

On the other hand, there are substantial advantages to being a general law city. As the Grand Jury has observed, "the advantage of being a general law city is that many of the laws....have been tested over the years and there is little confusion about the application of these laws..."

Grand Jury recommendation 02-06 recommended that certain cities, including Escondido, "hold public study sessions to allow their citizens to study the chartering option." This recommendation is not warranted because the concept of chartering a city is not necessarily in the best interest of a community. More importantly, however, any time either the citizenry or the appropriate elected officials desire, the charter city approach can be studied.

Grand Jury recommendation 02-07 recommended that certain cities "develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program." Inasmuch as the situation in San Marcos is not settled, and there are many other opportunities to achieve equal or greater benefits in the area of electricity generation and distribution, this recommendation is not necessarily warranted either.[1]

Very truly yours,

Lori Holt Pfeiler
Mayor

[1] Interestingly, this particular Grand Jury recommendation encourages uniformity among all cities. The entire concept behind general law cities is uniformity throughout the state, and to some extent Grand Jury recommendations 02-06 and 02-07 are philosophically inconsistent.

Office of the Mayor

1243 National City Blvd., National City, CA 91950 (619) 336-4526
George H. Waters - Mayor

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AUG 23 2002
SAN DIEGO
COUNTY GRAND JURY

August 20, 2002

Presiding Judge of the Superior Court
County of San Diego
Hall of Justice
330 West Broadway, Suite #477
San Diego, CA 92101-3830

Subject: "Home Rule" Is Chartering a City a Good Idea? City of National City Response on the Findings and Recommendations in the Report

The City of National City received a copy of a report by the San Diego County Grand Jury 2001-2002 titled, "Home Rule" Is Chartering a City a Good Idea? National City is providing the following comments on the findings and recommendations (02-06 and 02-07).

FINDINGS

I. A charter city has several significant advantages for its citizens over a general law city.

II. The cost of chartering a city using a simplified charter is minimal, compared to the benefits.

III. There appears to be little interest by the city managers of non-chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.

IV. Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.

Recycled Paper

RECOMMENDATIONS

02-06 Hold public study sessions to allow their citizens to study the charting options. The respondent does not intend to implement because it is not warranted.

The advantages and disadvantages of becoming a chartered city were addressed at the Council level several years ago with no change in the City's general law status.

At this time, becoming a charter city is not in the best interest of the City based on the easing of laws defining general law cities and court decisions affecting charter cities which lessen the differences between the two types of government.

General law cities are organized and operate under Title 4 (commencing with Section 34000) of the California Government Code. The advantage of being a general law city is that many of the laws they operate under have been tested over the years and there is little confusion about the application of these laws.

The tax levying ability for both types of cities is now essentially the same with few exceptions.

Chartering a city no longer provides consequential means to improve city finances.

02-07 Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program. The respondent does not intend to implement because it is not warranted.

The City of National City has had a constructive working relationship with SDG&E for some time. We have explored alternative power generation in the past. Involving the City directly in power generation and distribution has a myriad of cost and operational ramifications for a median sized city, which is basically built out.

If this becomes an option in the future based on unforeseen developments in technology and favorable cost factors we, of course, would reconsider our position on pursuing an independent role in electrical generation and distribution.

George H. Waters
Mayor

Nick Inzunza
Vice Mayor

R. Mitchel Beauchamp
Councilman

Ron Morrison
Councilman

Rosalie Zarate
Councilwoman

cc: Marcia Gravette Jespersen, Grand Jury Foreman
City Manager
City Attorney

Office of the Mayor

1243 National City Blvd., National City, CA 91950 (619) 336-4526
George H. Waters - Mayor

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AUG 28 2002
SAN DIEGO
COUNTY GRAND JURY

August 20, 2002

Presiding Judge of the Superior Court
County of San Diego
Hall of Justice
330 West Broadway, Suite #477
San Diego, CA 92101-3830

Subject: "Home Rule" Is Chartering a City a Good Idea? City of National City Response on the Findings and Recommendations in the Report

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George H. Waters
Mayor

Nick Inzunza
Vice Mayor

R. Mitchel Beauchamp
Councilman

Ron Morrison
Councilman

Rosalie Zarate
Councilwoman

cc: Marcia Gravette Jespersen, Grand Jury Foreman
City Manager
City Attorney

CITY OF SANTEE

MAYOR
Randy Voepel

CITY COUNCIL
Jim Bartell
Jack E. Dale
Lori Howard
Hal Ryan

CITY MANAGER
Keith Till

RECEIVED
JUL 29 2002

July 25, 2002

RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

The Honorable Richard E. L. Strauss
Superior Court Presiding Judge
220 West Broadway
San Diego, California 92101

Re: City of Santee's Response To San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea?

Dear Judge Strauss:

Pursuant to the terms of Penal Code Section 933.05, the City of Santee submits the following response to the findings and the recommendations contained in the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea? ("Report"). Please note that the Santee City Clerk has no record of ever having received an official copy of the Report. However, the City is submitting this response because it has recently learned of the Report and wishes to respond in a timely fashion. The following is the City's response to the findings and conclusions of the Report.

FINDINGS

- **Finding I: A charter city has several significant advantages for its citizens over a general law city.**

  The City disagrees with this finding. The City's disagreement with this finding is based upon the Santee City Council's review of these issues during an August 23, 2000, regular City Council meeting. At that time, the City Council received a full briefing from staff regarding the pros and cons of becoming a charter city and, after considering the issues, concluded not to pursue the charter city option.

  It is true that in the past, charter cities experienced benefits of greater autonomy in raising revenues, choosing their form of government and governing municipal affairs. However, many of the past benefits of the charter city option have now become illusory. For example, legislation and court cases have eroded the financial benefits of being a charter city such that there is now no significant revenue raising advantage. Proposition 4, Proposition 13, AB 62, AB 218, and court cases that interpret revenue restricting laws, have been applied similarly to general law and charter cities.

Similarly, charter cities do not necessarily have a greater ability to chose their own form of local government. The Government Code provides general law cities with many options regarding the right form of government for the local community, including Council-Manager, Commission, and Mayor-Council forms of government. In some general law cities City Clerks and Treasurers are directly elected, in others (such as Santee) they report to the City Council or City Manager. Some general law cities directly provide a full range of services while others (such as Santee) contract some or all services from other agencies. Therefore, Santee and its citizens have had the flexibility under the general law city option to select the form of government that best fits for the Santee community, and the charter option would not be a benefit to the citizens of Santee in this respect.

In regard to governing municipal affairs, the Report provides no specific examples of enhanced local authority or other governing advantages experienced by charter cities, other than the ability to award public works projects without meeting State prevailing wage requirements. Even here, however, the City disagrees with the finding because the potential cost savings are not readily achievable. This is because most of the City's projects involve some form of state or federal funding, which, as the Report acknowledges, means that prevailing wage law must be followed.

As noted above, the City Council of the City of Santee has previously considered the pros and cons of becoming a charter city and has concluded, at least for now, that the City's current existence as a general law city best meets the needs of the citizens of Santee.

- **<u>Finding II</u>: The cost of chartering a city using a simplified charter is minimal compared to the benefits.**

The City partially disagrees with Finding II. The City agrees that using a simplified charter helps reduce the costs associated with becoming a charter city. However, as set forth in response to Finding I, the City believes that the benefits of becoming a charter city are nominal and the costs in excess of the benefits.

- **<u>Finding III</u>: There appears to be little interest by the city managers of non chartered cities in starting an effort to charter their cities, unless there is some compelling local issue.**

The City partially agrees with Finding III. City Managers take their policy direction from the City Councils they are hired to serve, and a City Manager's interest or lack of interest in efforts to charter the city he or she serves correlates directly to the prior decisions of the City Council. In Santee, for example, the City Manager in 2000 specifically presented

the City Council with the pros and cons of becoming a charter city and asked for policy direction from the City Council regarding whether to start the effort to charter the City. The decision by the Council at that time was not to pursue the charter city process. This is the policy direction the City Manager and staff now follow.

More generally, it is the nature of local governments to fully embrace only those local issues which are determined by the City's governing body and the residents to be compelling and worth pursuing. Cities desire to have the City Manager focus his or her efforts on addressing those compelling local issues identified by the citizens and the governing body. Therefore, barring a compelling locally demonstrated benefit deriving from becoming a charter city and specific direction from the City Council to pursue that course of action, City Managers of general law cities would generally not explore the option of a becoming a charter city.

- **Finding IV: Although there is no requirement that a city be chartered to provide electrical power and distribution, San Marcos' aggressive approach to these issues apparently encouraged SDG&E to suggest a cooperative program for the residents of San Marcos.**

The City partially agrees with Finding IV. The City agrees that the City of San Marcos, as a charter city, chose, for its own unique reasons, to create a municipal electric utility. It is also true that the creation of the municipal electric utility may have provided San Marcos with some leverage in its relationship with SDG&E. However, it is the City of Santee's understanding that nothing tangible has occurred as yet between San Marcos and SDG&E. Certainly, no significant benefits have resulted to the citizens of San Marcos to date which would justify, at this time, the City of Santee pursuing the creation of a municipal electric utility.

RECOMMENDATIONS

- **Recommendation I: Hold public study sessions to allow their citizens to study the chartering option.**

The City will not be implementing Recommendation I. At it regular, public City Council meeting of August 23, 2000, the City Council (and thereby its citizens) were fully briefed on the pros and cons of becoming a charter city. After that full briefing, the City Council elected not to pursue the charter city option. Nothing has occurred since August of 2000 which would cause the City to reconsider this prior direction from its governing body.

- **<u>Recommendation II</u>: Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos' program.**

  The City will not be implementing Recommendation II. The City of Santee does not believe that the City of San Marcos and SDG&E have actually developed a cooperative energy program as yet that can or should be implemented in Santee. While the City of Santee will continue to monitor the events in San Marcos, it will not at this time be pursuing the strategy used by the City of San Marcos.

This concludes the City of Santee's response to the San Diego County Grand Jury 2001-2002 Report, "Home Rule" Is Chartering A City A Good Idea?

Respectfully submitted,

KEITH TILL
City Manager

cc: San Diego County Grand Jury 2001-2002

County of San Diego

WALTER F. EKARD
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CHIEF ADMINISTRATIVE OFFICE
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

RECEIVED
JUL 30 2002
RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

July 24, 2002

The Honorable Richard E. L. Strauss
San Diego Superior Court, Presiding Dept.
220 West Broadway
San Diego, CA 92101

2001-2002 INTERIM GRAND JURY REPORT RESPONSES FROM COUNTY OF SAN DIEGO

Dear Judge Strauss:

Attached, please find the County of San Diego Board of Supervisors' responses to five 2001-2002 San Diego County Grand Jury Interim Reports for your transmittal to the Grand Jury. The attached material was approved by the Board of Supervisors on July 23, 2002 and addresses the following five Interim Reports:

1.) Home Rule
2.) Truancy and Curfew Practices
3.) Regional Transportation Planning
4.) Transportation in North County
5.) Children's Services

If you have any questions concerning this matter, please contact me at (619) 531-6226.

Sincerely,

WALTER F. EKARD
Chief Administrative Officer

Attachment

COUNTY OF SAN DIEGO

AGENDA ITEM

BOARD OF SUPERVISORS
GREG COX
First District
DIANNE JACOB
Second District
PAM SLATER
Third District
RON ROBERTS
Fourth District
BILL HORN
Fifth District

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RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

DATE: July 23, 2002

TO: Board of Supervisors

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

SUMMARY:

Overview
On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. Included in this Final Report are five Interim Reports containing recommendations to the Board of Supervisors and County departments on power generation, curfew and truancy laws, children's services and regional transportation planning.

This is a request for your Board to review the draft responses prepared by the Chief Administrative Officer that respond to the findings and recommendations contained in these five reports and to authorize the Chief Administrative Officer to transmit your Board's responses to the Grand Jury, via the Superior Court Presiding Judge.

Recommendation(s)
CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Chief Administrative Officer to transmit the attached responses to the Grand Jury via the Superior Court Presiding Judge.

Fiscal Impact
There is no fiscal impact with this action.

Business Impact Statement
N/A

Advisory Board Statement

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

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The Commission on Children, Youth and Families Executive Board will be given an informational copy of the County's proposed response to the Grand Jury Report on Children's Services at its regular scheduled meeting of July 19, 2002.

BACKGROUND:

On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. This document is a compilation of the Interim Reports which were also released individually throughout May and June. Included in the reports are recommendations to the Board of Supervisors and County departments concerning power generation, curfew and truancy laws, children's services and regional transportation planning.

The attached document contains proposed responses to the findings and recommendations directed to the County in the following five reports: 1.) Home Rule: Is Chartering a City a Good Idea?, 2.) Truancy and Curfew Practices, 3.) Regional Transportation Planning, 4.) Transportation in North County and 5.) Children's Services.

This is a request for your Board to authorize the Chief Administrative Officer to transmit the attached responses to each of these five reports to the Grand Jury via the Superior Court Presiding Judge.

Respectfully,

WALTER F. EKARD
Chief Administrative Officer

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (*District*: All)

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AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	[X] Yes	
Written Disclosure per County Charter Section 1000.1 Required	[] Yes	[X] No
GROUP/AGENCY FINANCE DIRECTOR	[] Yes	[X] N/A
CHIEF FINANCIAL OFFICER	[] Yes	[X] N/A
Requires Four Votes	[] Yes	[X] No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	[] Yes	[X] N/A
CHIEF TECHNOLOGY OFFICER	[] Yes	[X] N/A
DEPARTMENT OF HUMAN RESOURCES	[] Yes	[X] N/A

Other Concurrence(s): Health and Human Services Agency
Public Safety Group
Department of General Services
Department of Public Works
Office of Strategy and Intergovernmental Relations

ORIGINATING DEPARTMENT: Chief Administrative Office

CONTACT PERSON(S):

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Phone	Phone
(619) 595-4060	
Fax	Fax
A-6	
Mail Station	Mail Station
Janice.graham@sdcounty.gov	
E-mail	E-mail

AUTHORIZED REPRESENTATIVE: Janice Graham

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

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AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:
May 21, 2002 (20) Referred 2001-2002 Grand Jury Interim Reports on *Home Rule* and *Truancy and Curfew Practices* to Chief Administrative Officer for response.

BOARD POLICIES APPLICABLE:
Board Policy A-43, Response to Grand Jury Interim Reports

BOARD POLICY STATEMENTS:
N/A

CONTRACT NUMBER(S):
N/A

ATTACHMENT A
HOME RULE: ***Is Chartering A City a Good Idea?***

Recommendation 02-07: That the County Board of Supervisors develop a cooperative energy program with SDG&E along the lines of the City of San Marcos.

This recommendation has been implemented.

The County has been a leader in the San Diego region's response to the energy price disaster emanating from the State's failed deregulation legislation.

During 2001, the County, the City of San Diego and the San Diego Regional Energy Office (SDREO) co-hosted several regional meetings to exchange information on energy conservation, alternative supply opportunities (such as solar energy) and the creation of a regional municipal utility district. The meetings were well attended by most of the region's 18 cities, the Port District, the County Water Authority and other public interest organizations.

At the request of the County Board of Supervisors, the San Diego County legislative delegation sponsored legislation to facilitate the creation of a municipal utility district, which would have provided the foundation for a cooperative program. Unfortunately, this legislation was vetoed by the Governor last year.

The County, the City of San Diego, the Port District, the County Water Authority and the Utility Consumers Action Network (UCAN) are jointly funding a Regional Energy Infrastructure Study. The SDREO is the lead agency for this effort. When completed in the next 30 to 60 days, the Study will provide a strategy for meeting the region's energy needs over the next 20 years.

The County of San Diego will continue to take an aggressive leadership role in cooperative programs with other jurisdictions to address energy needs of our region.

ATTACHMENT B
TRUANCY AND CURFEW PRACTICES: ***The Lack of Consistency and Uniformity***

Recommendation 02-10: That the County Board of Supervisors implement a program that places emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents before the detrimental results of truancy and curfew violation occur.

This recommendation will not be implemented since the County of San Diego already places an emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents. In fact, San Diego County is fortunate to have a broad spectrum of policy, program and implementation devices currently in place to deal with truancy and curfew issues.

Within the County organization, several departments are actively working with youth of all ages to reduce truancy and curfew violations. The District Attorney's Office is addressing school truancy with the Building Roads to Intervene in Truants' Education (BRITE) truancy prevention program. This program works with parents to become more aware of their children's behavior and the laws regarding their education. The law requires parents to send children between the ages of 6 and 18 to school. If parents fail to do so, they can be fined: $100 for the first violation, $250 for the second violation and $500 for the third violation.

Parents are informed that, if their child continues to be truant, the District Attorney's Office can prosecute them for contributing to the delinquency of a minor, which is a misdemeanor punishable by up to one year in jail and/or a $2,500 fine upon conviction. In order to help parents with this responsibility, the BRITE Program helps parents prevent truant behavior, identify school attendance problems and find additional resources to resolve truancy problems, if they occur. The program encourages parents to make education a priority, to know where their children are before, during and after school, discuss school activities with their children and, to ask for help as needed.

The program also informs students that to be successful in school, they must attend classes and be ready to learn. Students are informed that if they don't show up for school, that they can be prosecuted for truancy, assigned a probation officer, given a curfew by the judge and required to do volunteer community work. If the truancy behavior continues after the judge makes an order to attend school, the judge can detain them in Juvenile Hall.

Students are reminded that if they have problems that make it difficult to go to school, that they can and should ask for help. Resources are offered for learning disabilities, medical problems, family violence, drugs and mental health. These services are usually free and confidential. Students are directed to their school counselors, nurses or teachers for help.

In addition to the District Attorney's efforts, the County Probation department also coordinates and shares resources with partner agencies throughout the County on truancy prevention. Although the primary population served by Probation staff is youth between ages 12–17, there are several programs in place that reach small children.

The Community Assessment Teams (CATs) target youth exhibiting high-risk behaviors (e.g. poor school attendance, runaway behavior, substance abuse, aggression, etc.) before those juveniles become involved in the justice system. Youth between the ages of 6–17 are served with full family involvement. The goal of this prevention program is to reduce the number of youth

entering the justice system by supporting and empowering families to access community resources in a timely fashion. Law enforcement, schools, health centers and other service providers refer youth and families to CAT.

There are five CAT centers in the County, serving all geographic areas. Multi-disciplinary teams (i.e., case manager, probation officer, and other experts) assess the strengths and needs of the youth and family, develop a case plan building on strengths to address needs, and collaborate with other agencies in service provision. Through this process, CATs provide services that previously did not occur, or were provided by school staff or the police. With the CAT program in place, school and police personnel can focus their resources in other pertinent areas. To date, 93% of youth served have not entered the justice system within 18 months after receiving services. CAT clients are more likely to be enrolled in school and be at the appropriate grade level than other comparable at-risk youth.

Another Probation program that focuses on truancy is the Truancy Intervention Program (TIP). This countywide truancy program began as an early intervention program in 1988 at the Grossmont Union High School District. Its goal is to divert youth from future involvement in the juvenile justice system, improve school performance and reduce truancies. There are currently seven school Probation Officers assigned to various school districts throughout the County who provide service to children enrolled in elementary, middle and high schools. The TIP program is a collaborative effort on the part of School Districts, Probation and Law Enforcement with the objective of reducing student truancy rates. These Probation Officers provide primary intervention services to youth and their families experiencing family management and school problems. In fact, TIP was been extremely successful. 98.2% of referrals to TIP received no new 601 petitions after TIP/SARB intervention. 99.3% of minors referred to TIP received no new 602 petitions after TIP/SARB intervention.

The most recent addition to truancy programs in the Probation Department is the Truancy Suppression Project (TSP). The Truancy Suppression Project provides supervision, intervention and wrap-around support to adjudicated Welfare and Institutions Code (WIC) 601 habitually-truant wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family-related issues, drug problems, as well as school safety. As of June 30, 2002, 575 truancy wards have received services through TSP. 129 truancy wards have successfully completed the Truancy Suppression Program. There are currently 350 active TSP cases.

These programs illustrate the collaborative relationship that is already in place between the County of San Diego, schools and community organizations to reach children at risk of truancy and curfew violations and assist their families.

Recommendation 02-12: That the County Board of Supervisors propose legislation which would compel parents to be actively involved with their children to avoid truancies and curfew violations.

This recommendation will not be implemented because sufficient statutory enforcement tools already exist to compel parents to comply with truancy and curfew laws.

ATTACHMENT B
TRUANCY AND CURFEW PRACTICES: ***The Lack of Consistency and Uniformity***

One such law is Welfare and Institutions Code (WIC) 601.2, which states, "In the event that a parent or guardian in charge of a minor...fails to respond to directives of the school attendance review board or to services offered on behalf of the minor, the school attendance review board shall direct that the minor be referred to the Probation department or to the county welfare department under Section 300, and the school district to file a complaint against the parent, guardian, or any other person in charge of such minor ...". The Probation department, District Attorney and Juvenile Court have collaborative authority to judiciously compel parents to take an active role in their children's lives. Parents can be cited to Court to address their child's non-attendance at school. Probation also follows up on demands that the Court may place on parents.

There have been enhanced efforts to enforce the WIC 601 statutes with the recent addition of the Truancy Suppression Program. Since its inception on July 1, 2001, TSP has served 575 truancy wards and their families. The Truancy Suppression Program provides supervision, intervention and wrap-around support for WIC 601 wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family related issues that adversely impact a child's ability to attend school. As well, WIC 601.5 allows for an At-Risk Youth Early Intervention Program; Referral to Youth Referral Center. This section allows any County, upon adoption of a resolution by the Board of Supervisors, establish an At-Risk Youth Early Intervention Program designed to assess and serve families with children who have chronic behavioral problems that place the child at-risk to becoming a ward. San Diego County developed the countywide Community Assessment Teams (CATs) under this statute.

Recommendation 02-13: That the County Board of Supervisors propose legislation that would empower the Courts to intervene more efficiently and more rapidly with parental substitutions where parents are unavailable to parent their children.

This recommendation is in the process of being implemented. The Grand Jury's report accurately describes shortcomings in current law. The Legislature, recognizing these shortcomings, is already acting on legislation to correct these deficiencies. There are two bills currently pending that address the issues raised in the Grand Jury's report: SB 1677 (Alpert) and AB 886 (Simitian and Daucher. AB 886 has passed the Legislature and is in the Governor's Office awaiting action. SB 1677 is in the Assembly Appropriations Committee, with no hearing date set. SB 1677 received unanimous votes in all previous committee hearings and on the Senate Floor.

As noted in the response to Recommendation 02-12, the juvenile justice system in San Diego County does seek wardship under Section 601 of the Welfare and Institutions Code when the behavior of the minor warrants intervention by the Juvenile Court. AB 886 and SB 1677 would strengthen the effectiveness of such interventions by requiring a juvenile court to consider the need to limit a parent's right to make educational decisions and to appoint a surrogate parent or responsible adult when needed. These bills would address the concerns of the Grand Jury. At this point, the prospect of these bills becoming law appears good.

ATTACHMENT C
REGIONAL TRANSPORTATION PLANNING: *Does it Exist?*

Recommendation 02-30: That each Member Agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)

The recommendation will not be implemented because SB 1703 and AB 2095 as currently drafted are inconsistent with the Board's adopted policy on regional governance, which supports a directly-elected board of directors.

On February 12, 2002 (#21), the Board of Supervisors created an ad hoc subcommittee to study regional government and report back with findings. On April 20, 2002 (#13), the Board discussed regional government roles at greater length and expressed support for an independent, directly elected regional agency.

On May 21, 2002 (#11), the Board of Supervisors continued their discussion about various elements of the regional agency and they determined the agency should be the authorized regional transportation planning agency, with responsibility for creation and implementation of the regional transportation plan and for implementing significant transportation projects. The Board's proposed regional agency would consolidate the planning functions of SANDAG, NCTD and MTDB, along with the assumption of all funding sources related to ground transportation planning. In addition, the Board adopted the following recommendations for the proposed regional agency:

- The agency should be governed by a seven-member, full-time board of directors elected by districts.
- Board members should serve a four-year term.
- Compensation should be at 80% of Superior Court Judge's salary.
- Creation of the districts should begin in January 2003, by an eleven-member redistricting commission, appointed as follows: one per Supervisor; one per subregion, appointed by the cities (north county coastal, north county inland, east county, south county); two by City of San Diego.
- The first election would be held during the 2004 primary election, following the rules governing the elections of the Board of Supervisors.
- Elections would be staggered: Districts 2, 4 and 6 to hold the election in 2006; Districts 1, 3, 5 and 7 to hold election in 2008. (Redistricting commission numbers the districts.)
- In the hiring process, preference would be given to currently employees of the consolidated organizations.
- There should be advisory committees (East County, North County, and South County) comprised of appointees from the eighteen cities and the County, plus NCTD and MTDB.

While some elements of the Board's adopted proposal are contained in SB 1703 and AB 2095, such as the consolidation of SANDAG, NCTD and MTDB, these bills basically continue the existing SANDAG structure, which is comprised of appointed officials, not directly-elected officials dealing exclusively with regional transportation matters.

ATTACHMENT D
TRANSPORTATION IN NORTH COUNTY: ***Dead Ends and Lack of Foresight***

Recommendation 02-57: Initiate transit corridor planning program studies of the need for a "smart growth" general plan and corresponding zoning changes in the areas surrounding transit stations of the Oceanside-Escondido Rail Project.

This recommendation has been implemented.

County staff continue to coordinate with transit agencies (including the North County Transit District) in the preparation of land use alternatives being considered for the General Plan 2020 project. Location of transit stations, encouragement of transit use and smart growth concepts have been discussed and considered by County staff, interest groups and the steering committee. These will continue to be factors influencing final form of the proposed General Plan.

It should be noted that no proposed transit stations serving the Oceanside–Escondido Rail Project will be located in the unincorporated area. Therefore, separate detailed transit corridor planning program studies will not be prepared as part of this project. However, there will be transit stations and a transit center located nearby. In applying the concepts formulated by the advisory groups, staff will designate the area adjacent to the proposed transit center as a transit node and will apply higher density designations to these areas to support and encourage transit use in North County.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Finding I: Social workers have an inordinate amount of influence in determining the future of cases.

The County agrees that social workers are one critical aspect of the dependency Court system. The social workers' role is set forth in statute as noted below:

- Welfare and Institutions Code (WIC) section 309 imposes the duty upon a social worker to: "...immediately investigate the circumstances of the child and the facts surrounding the child's being taken into custody."
- WIC section 319(b) states: "The social worker shall report to the Court on the reasons why the child has been removed from the parent's custody; the need, if any, for continued detention;..."
- WIC section 358.1 requires the social worker to prepare for the Court a social study report for the Dispositional Hearing, which contains a factual discussion of the family circumstances and recommendations related to those circumstances.
- WIC 366.21 requires the social worker to file a supplemental report with the Court at the Review Hearing regarding the services provided or offered to the parents to enable them to assume custody. The Review Hearing is held six months after the initial Dispositional Hearing.

The social workers' role is balanced by the input in Court of all parties represented by counsel. Attorneys working in the public law offices are advocates for parents and children. They are statutorily required to meet with their clients and conduct independent investigations. These attorneys advocate their clients' legal positions, utilizing many sources of information as well as the information presented in Court by the social worker. Thus, while social workers are an important component of the system, there are numerous other constitutional and statutory checks and balances, including judges who weigh the interests of all parties.

Finding II: Social workers' allegations over a period of time can become "fact" in subsequent reports.

The County disagrees that allegations generally become "fact" in subsequent reports.

The social worker is required to investigate all allegations of abuse and neglect and make corresponding recommendations. Once those recommendations are presented to the Court in the form of a petition, the Juvenile Court makes the findings on each of the allegations presented.

- WIC section 319 defines the social worker's role to: "...report to the Court the reasons for the removal and continued detention of the child."
- WIC section 319 notes it is the Court who: "...states the facts on which the decision is based."

Following the initial petition, the social worker prepares a social study report, which the Court may accept into evidence (WIC sections 355 and 358). As part of this jurisdictional process, the social worker, as preparer of the report, can be cross-examined by any party's attorney or questioned by the Court regarding the contents of the social study. Only after the Court has made findings on each of the allegations, can a summary of these findings be included in all future reports.

If attorneys for the parties raise a question as to the accuracy of the information contained in the reports, the Court is notified and County Counsel contacts the Agency to rectify the discrepancy. The inaccurate or unsubstantiated information can then be redacted or corrected for subsequent reports, thus remedying the situation.

Finding III: A social worker's general opinion that a parent had not made necessary internal changes was sufficient for the social worker to decide that the parent's behavior could be a detriment to the child's welfare.

The County disagrees that a social worker uses a general opinion to determine risk to a child. There are a number of criteria that are considered throughout the evaluative process. An example of criteria would be the reports received from the specific treatment/service providers.

In addition, per the Childrens Services Program Guide (the policy and procedure manual for social workers), Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, social workers are required to complete a risk assessment prior to each Court hearing:

> "A risk assessment must be completed on each child assigned to a SW for investigation. The assessment must determine the child's:
> - Risk of abuse, and
> - Prognosis for reunification if placed out-of-home."

Risk assessment is a structured process of decision-making that considers numerous factors of safety and is required at strategic points in the life of a case.

Finding IV: During visits to San Diego Juvenile Court, Dependency Unit, the Jury observed a wide variance in performance and skill -- from excellent to sub-standard by members of the defense bar and the TERM therapists.

The County disagrees with the finding that members of the defense bar exhibit "sub-standard" performance.

WIC section 317.5 requires that all parties in dependency proceedings be represented by competent counsel. WIC section 317.6 and California Rule of Court 1438 establish minimum standards of experience, training, and education to represent a party in dependency proceedings.

Local Rules of Court have added further safeguards to ensure competency of attorneys who practice in the San Diego Juvenile Courts. Pursuant to these local rules, each dependency attorney must submit a "Certification of Competency" with the Juvenile Court prior to appointment to any dependency case. A minimum of six months of experience and 12 hours of training is required prior to being certified by the Court as competent. New attorneys without the required experience may be granted provisional certification but only if participating in a mentoring program. Failure to comply with the rules could lead to decertification by the Juvenile Court.

County law offices provide supervision and performance management of all their attorneys. Complaints raised by others regarding the performance of attorneys are taken seriously. All complaints are investigated and responded to by a supervising attorney. Each complaint is noted, acted upon, and discussed with the attorney at the time it is made. The supervising attorney may arrange for supplemental investigation or other services after any client complaint. All complaint calls are returned immediately, with the goal of resolving the problem within 24 hours.

Additionally, the County law offices collaborate to present a monthly noon-hour-training program. This effort provides ongoing professional training to enhance the skills and practice level of all attorneys who practice in the Juvenile Court.

The County agrees that there is variance on Court testimony skills by private therapists approved by the Treatment and Evaluation Resource Management (TERM). TERM provides a quality assurance function in screening and selecting private therapists to be on the Childrens Services approved provider list. TERM also provides ongoing trainings for these therapists to improve their understanding of the juvenile dependency process, including testifying in Court hearings. Testifying in Court is rare for most private therapists and thus, few gain sufficient experiences to improve their performance in testifying. Because Court testimony is an occasional obligation for TERM approved therapists, the approval criteria focuses more on clinical skills and experience.

Finding V: There is no easy way to readily determine compliance or non-compliance to the Court orders, or an easy reference to aid in determining whether reports are missing from the Court file.

The County disagrees. At each hearing, the social worker provides the Court and all attorneys with a Court report, which contains a history of the case, documentation of Court orders, services provided and compliance with such services. Copies of Court orders are included in the Court file and are given to all attorneys.

Finding VI: Caseworkers use parental visitation as a disciplinary tool.

The County disagrees.

Agency policies and statute recognize the importance of visitation and the right to visitation and assisting in such visitation is a critical role of the social worker.

As per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Visitation" section:

> "Visitation is a necessary and valued part of the reunification process for the parent and child. Visitation must be arranged to allow the parent and child to have the maximum contact in the least restrictive setting. To avoid any misunderstandings, the terms of the visitation agreement must be clearly documented for the parent, SW and SCP in the CWS/CMS Case Plan/Case Plan Update… After the

> Dispositional Hearing, the visitation plan is no longer left to the discretion of the SW, as it becomes Court ordered."[1]

If the behavior of a parent jeopardizes the safety of the child, the social worker may recommend supervised visitation to the Court. Per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Supervised Visitation" section:

> "SW staff must clearly document the reasons for requesting supervised visits (and the Court makes the final determination)."

Social workers make complex arrangements to ensure that parents visit with children and children visit with each other if they are not placed together. For instance, in a particular case referenced by the Grand Jury with a concern about the adequacy of visitation, from August 2000 to August 2001, there were 172 documented visitations involving the family members.

If there are concerns raised regarding social worker attitudes and/or actions affecting family visitation, they are reported to social worker administrators and calendared for immediate review by a Juvenile Court judge.

Finding VII: In a published appellate decision, the Court stated that the social worker's opinion that a parent failed to "internalize counseling" was too vague to constitute evidence of risk.

The County agrees with this finding.

Use of such an opinion alone as evidence of risk is not appropriate. Social workers use their training and experience to assess parents' progress on each element of their case plan. Agency policy requires social workers to complete a comprehensive assessment of risk in a structured manner. Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, describes three critical principles of risk assessment:

- "The central focus is determination of the likelihood that the child will be abused in the future rather than substantiation of current allegations.
- The standard for assessment is a minimum sufficient level of care required to sustain growth, health and safety, rather than ideal parenting.
- The same standards for assessing risk should be used throughout the life of the case."

The Appellate Court represents one more aspect of the checks and balances within our legal system that ensure that all decisions may be reviewed.

Finding VIII: Placing children in out-of-home facilities, as a result of verbal domestic violence, does not always ensure a safer environment for the children.

---

[1] SW = Social Worker; SCP = Substitute Care Provider; CWS/CMS = Child Welfare Services/Case Management System.

The County agrees with this finding.

The Agency strives to ensure the safety of all children in out-of-home care. All out-of-home placements are regularly monitored for quality and compliance with regulations. The Agency responds immediately to all complaints regarding out-of-home care and takes appropriate measures to protect the children.

While County law offices do not "place" children in out-of-home facilities, attorneys do make recommendations to the Court regarding placement options. In addition, as part of their duties Childrens attorneys send experienced investigators who are trained in the field of child welfare to visit with clients in their placements prior to every Court review, and as necessary to address the needs of the client. Concerns regarding particular placements are raised with the social worker and/or to the Court. If appropriate, attorneys also notify licensing agents of safety concerns with a particular placement.

Finding IX: In the recent complaint, Childrens Services recommended out-of-home placement when in-home protective services could have been recommended.

The County disagrees with this finding.

In the recent complaint, the risk assessment of this family indicated that the children could not safely remain in their home. In this particular case, multi-disciplinary case consultations were held prior to removal of the children. The Agency reviewed the family's situation on three consecutive days to determine if the children could be safely maintained in the home with the provision of in-home protective services. Law enforcement was also present when these children were removed from their home. Due to multiple risk factors in this family, it was determined that in-home protective services could not sufficiently reduce the risk to the children.

Childrens Services policy is that children will be maintained in their family home with the delivery of services whenever possible. In this case, the seriousness of the protective issues led to the filing of a petition with the Court and a recommendation for out-of-home placement. The Court record is clear on the extensive risk to the children. All parties were represented by separate counsel in this matter.

Recommendation 2.14: Provide an impartial third party in Childrens Services to intervene when a supervisor and caseworker disagree between themselves with the recommendation of reunification.

The County will not implement this recommendation because there is currently in place an alternative dispute resolution process.

The Agency has existing policy and procedure to provide for an impartial third party to intervene when a supervisor and caseworker disagree over any recommendations to the Court. Childrens Services Program Guide, Chapter 5 "Court," "Hearings and Court Reports" section, "Handling Differences of Opinion between SW and Supervisor" subsection, states:

> "If a mutually satisfactory resolution cannot be reached after discussion, the case should be discussed with the section manager or referred to the regional case consultation committee."

Recommendation 2.15: Strengthen competency reviews of TERM therapists' reports and have supervisory staff monitor their testimony in Court.

The County will not implement this recommendation because there is a system currently in place to provide oversight of these private therapists.

The TERM Team is a quality control, utilization management and consultation unit that was developed under the direction of the Board of Supervisors to improve the quality of mental health services provided to Childrens Services clients. This oversight body is comprised of qualified mental health professionals and support staff who work for the County's Health and Human Services Agency.

The TERM Team is tasked with screening and selecting qualified private therapists, who are licensed by the State, to be on the Childrens Services dependency provider panel for referrals. In addition to State standards, TERM standards require the therapists to have an in-depth knowledge of the dynamics of child abuse and neglect. The County does not provide direct supervision of these independent therapists that are on the approved panel list.

The TERM Team provides a competency review of every treatment plan and treatment update report that is submitted by the dependency panel therapists. The focus of the reviews are to ensure that the treatment plans and updates meet professional standards, treatment goals are objective, measurable and achievable and that the protective issues of the case are a focus of treatment.

The TERM Team has implemented a protocol for a more in-depth review of a therapist report in the event of a complaint. A form to register formal complaints is available by calling TERM. When a complaint is filed, there are several actions that may be taken, ranging from "no action necessary," to a referral to a professional ethics committee/licensure board, and/or termination from the dependency provider panel list.

Recommendation 2.16: Conduct regular peer review of all permanent caseworker and supervisory staff and apply sanctions when applicable.

The recommendation will not be implemented.

While the County agrees in substance with the importance of peer and multidisciplinary review of decisions by staff, the Agency already utilizes a variety of ways to ensure peer, supervisory and management review.

- Childrens Services Unit Case Consultation - The purpose of case consultation is to provide support and input to the social worker in the decision-making process. Case consultations are required at specific decision points.

- Childrens Services Multi-Disciplinary Case Consultation - This type of case consultation includes therapists, doctors, foster parents, teachers, TERM Team members, public health nurses and Court Appointed Special Advocates.
- Child Protection Team – This is a multi-disciplinary team with representatives from Center for Child Protection, Childrens Services, Children's Hospital, Law Enforcement, Juvenile Court, County Counsel, the District Attorney's Office, Public Health, San Diego Regional Center and San Diego City Schools. Its purpose is to review cases of serious abuse, to ensure that all necessary services are provided to an abused or neglected child.
- Case Elevation Review Team (CERT) - The purpose of CERT is to assess whether "systems problems" exist that need to be remedied in order to ensure the safety and protection of children. "Systems" issues and not "case specific" issues are the focus of discussion. Members include representatives from Public Defenders, Alternate Public Defenders, Family Court, Childrens Services, Juvenile Justice Commission, County Counsel, Health Services, Superior Court, and TERM.

The Agency has also implemented systemic processes to ensure that supervisors and managers are aware of independent concerns, including:

- Childrens Services Office of the Ombudsman - An internal mechanism for conducting an independent review of complaints concerning Childrens Services policies or practices, that have been lodged by customers, members of the public, community organizations or Childrens Services-related agencies.
- Court Elevations - When a Court Officer identifies any issues with a Court report or recommendations, the supervisor of the Court Unit may elevate these through the management chain.

Direct supervision is currently utilized by the Agency and exceeds the level of oversight in the recommendation.

Recommendation 2.17: Develop a form, and encourage its use, by which parents can register written complaints against caseworkers. Responses by Childrens Services would be required.

The recommendation has been implemented.

A Citizen Complaint Form (18-91) currently exists. Based on the concerns stated in this recommendation, all regional offices have been reminded to place this form in their lobbies. In addition, Childrens Services staff will also place pamphlets in their facility lobbies, which explain the complaint process through the Office of the Ombudsman.

The Office of the Ombudsman investigates and responds to complaints related to Childrens Services policy, procedure and social work practice. The Office of the Ombudsman facilitates complaint resolution by making referrals and recommendations at the lowest level possible. When necessary, findings and recommendations are elevated to management to ensure that policies and practices meet state and federal laws and are consistent with the mission and goals of the County and Agency.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

When a family enters the Juvenile Court system, the social worker provides them with a copy of pamphlet "A Parent's Guide to Childrens Services." The pamphlet provides specific information on the complaint process. It also provides the telephone number for the Office of the Ombudsman.

Recommendation 2.18: Place siblings together, as required by law, and where joint placement is not possible, Childrens Services assume the burden of facilitating monthly joint sibling visits. Provide sufficient, experienced case aides at each division to facilitate sibling visitation, therapist's appointments, and other routine matters.

The recommendation will not be implemented because the County has an existing system already in place which addresses sibling placements.

WIC section 358.1 requires the social worker to report to the Court the current case plan that maintains the sibling relationship in out-of-home care and "(3) If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate. (4) If the siblings are not placed together, the frequency and nature of the visits between siblings."

The Agency has existing policy directing social workers to place siblings together. The Agency has also developed a new initiative called "Family to Family," designed to keep children in their neighborhood, with relatives and/or family friends.

When placement together is not possible due to the individual needs of the child and availability of placement resources, sibling visitation is a required component of the case plan unless it would be detrimental to one or more of the siblings.

Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Contacts - Child and Family" section, states:

> "Whenever siblings are not placed together, the SW must make diligent efforts to provide for ongoing and frequent interaction among siblings unless the Court has found by clear and convincing evidence that sibling interaction would be detrimental to the child(ren).

The SW shall document in the case plan the appropriateness of sibling contact. If visitation is appropriate, a schedule of planned sibling contacts/visits with the child shall be included in the case plan.

If sibling visitation is NOT appropriate, the SW must document the reason(s) in the case plan."

The Agency recognizes the importance of sibling visits. With the approval of the Board of Supervisors, the Agency has developed a visitation center in each region to facilitate family visits. These centers provide a neutral and friendly environment for visitation and can assist with transportation needs. Recently, ninety social work assistant positions were approved by the Board of Supervisors to assist in facilitating sibling visitation.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.19: Ensure that the procedures conform to policy to keep children in their homes unless Childrens Services can articulate a danger so severe as to preclude in-home protective services.

The recommendation has already been implemented with a variety of checks and balances.

Children are removed from their homes by both social workers and law enforcement. Thirty two per cent of children brought into Polinsky Children's Center are admitted by law enforcement.

The Agency has implemented supervisory and managerial review of current risk factors prior to children being removed from their homes by Childrens Services staff. Social workers must document the risk factors that warrant the removal of a child from their home. County Counsel provides further oversight to social worker judgment by reviewing the sufficiency of the social worker's evidence prior to preparing a petition to the Court for continued out-of-home detention. The Court considers the evidence and recommendations presented by the Agency at each Court hearing. If the Court finds the child fits the criteria described by WIC section 300, the Court will consider the social worker's recommendation for placement of the child and make an order where the child is to be placed.

Recommendation 2.20: Recommend supervised visits only when it can be demonstrated that unsupervised visits could be harmful to the minor(s).

The recommendation will not be implemented because existing cross system procedures address this concern.

Because the Agency recognizes the importance of visitation, a change to supervised visitation requires a Court appearance with all parties represented. Childrens Services Program Guide, Chapter 2 "Cross Program Procedures," "Visitation – Supervised Visits" section, states:

> "...visits will be unsupervised unless the Juvenile Court orders supervision.

Social worker staff must clearly document the reasons for requesting supervised visits. Supervision may be appropriate if:

- There is a threat of abduction.
- There is a documented history of violence towards the child or spouse.
- There is a parental diagnosis of mental illness and the parent refuses treatment.
- The parent has a history of substance abuse and refuses treatment and/or testing.
- There is a history of sexual assault.
- The parent discusses, attempts to influence the child regarding case facts."

WIC section 362.1 states: "No visitation order shall jeopardize the safety of the child."

Once input is received from the social worker and all counsel, the Court makes the visitation order.

Recommendation 2.21: Develop training programs to discuss written opinions from the Appeals Court to Childrens Services caseworkers when the lower Court's orders, based upon a Childrens Services recommendation, have been overturned by the Court of Appeals. Apply sanctions to caseworkers that intentionally obstruct Court orders.

The recommendation will not be implemented because existing programs address this concern.

The Chief Deputy County Counsel attends the Childrens Services monthly management meeting to provide updates on all Appellate Court decisions and assists in identifying impacted policies, procedures and practices. In addition, social workers receive this information directly from a County Counsel newsletter entitled "Appealing Issues." County Counsel provides training to regional social work staff on an ongoing basis, which includes training on appellate decisions.

When there is a specific Appellate Court decision that affects existing policy and procedure, Childrens Services publishes a written Special Notice to all social work staff regarding the impacted policy and/or procedure. Supervisors are required to review this material with their staff at their Unit meetings. A Special Notice is also published on the Childrens Services Intranet site, making it easily accessible to staff.

Any social worker found to have intentionally obstructed Court orders would be subject to disciplinary action, by the County and the Court, up to and including dismissal.

Recommendation 2.22: Continue to conduct regular and on-going monitoring all of their defense bar members during detention and Court trials.

The recommendation has been implemented. The Public Defender and Alternate Public Defender have responsibility to train and supervise deputies hired by their departments. The supervising attorney and branch leaders conduct regular and on going monitoring of all Public Defender and Alternate Public Defender deputies.

Further, each supervisor is responsible for the timely filing of a "certification of competency" for all dependency attorneys in accordance with the Local Rules of Court. (See, generally, San Diego Superior Court Local Rules, Div. 6: Juvenile, Rule 6.30 et. seq.) The offices encourage and fund training for all attorneys including several annual dependency trainings statewide. The Alternate Public Defender additionally provides in-house workshops on trial skills, evidence, and changes in the law.

Performance evaluations of each deputy are conducted on an annual basis. Deputies receive continuous education and training throughout their employment with the departments.

While the Public Defender and Alternate Public Defender have no authority over members of the defense bar who are not County employees, all juvenile practitioners are invited to attend monthly inter-agency trainings, which are held at the Juvenile Courthouse and are specifically geared toward dependency law.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.23: Utilize the period between removal of children from a home and the detention hearing to weigh the effects of the removal/separation of siblings for verbal domestic violence vis-à-vis allowing them to stay in the home.

The recommendation will not be implemented by the Public Defender or the Alternate Public Defender because it is not within their control. The Public Defender and Alternate Public Defender are not appointed to a dependency case until the date of the detention hearing, and are thus unaware of the needs of the client before or until such appointment.

This recommendation is already a statutory requirement for the Agency social worker. WIC section 309 states when a child is taken into temporary custody, the social worker shall immediately investigate the circumstances and the facts surrounding the child being taken into custody and attempt to maintain the child with the family through the provision of support services.

Childrens Services policy and practice is that removal of children from their parents' home will be utilized only in high-risk situations and in consultation with the supervisor.

Recommendation 2.24: Do not use verbal abuse and domestic violence interchangeably; or redefine domestic violence to include a clear definition of verbal abuse.

The recommendation will be implemented. Although protocols are already in place to address this concern, the Agency will collaborate with the Public Defender, the Alternate Public Defender, and County Counsel to organize a workshop for social workers and attorneys on domestic violence. This workshop will be held within the next twelve months.

Childrens Services social workers have been instructed to use a Domestic Violence Protocol to assist in risk assessment when domestic violence is part of any referral to be investigated. The Domestic Violence Protocol was first developed with input from multiple disciplines including Law Enforcement, Family Court Services, Navy Family Advocacy, Adult Probation, Children's Hospital, YWCA Battered Women's Services and South Bay Community Services Batterer's Treatment Program. According to the Domestic Violence Protocol, if the referral alleges shouting and arguing and no other risk factors are present, only a follow up telephone call to the family is recommended.

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

RECEIVED
JUL 29 2002
RECEIVED
JUL 31 2002
SAN DIEGO COUNTY GRAND JURY

July 15, 2002

The Honorable Richard E. L. Strauss
Presiding Judge, San Diego Superior Court
County of San Diego
220 West Broadway, Room 2004
San Diego, CA 92101-3877

Dear Judge Strauss:

Response to the San Diego County Grand Jury 2001-2002 Report dated June 6, 2002

This correspondence will serve as a response to those issues specifically directed to the Sheriff's Department concerning those facilities or operations under my jurisdiction.

Descanso Detention Facility:

02-45: "Construct a visitor's center"

The Descanso Detention Facility formed a committee months ago to address this particular issue. The committee made its findings and recommendations for the construction of a visitor/reception center. This center would serve two functions. One would be an enclosed area to conduct social visiting to eliminate the possibility of canceling visits due to inclement weather and two, to have a building to properly conduct the initial intake of newly assigned inmates to the facility.

The proposal was completed and is being considered if funds can be identified through the budgetary process. When funds are identified, it is our intent to complete this project.

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,

William B. Kolender, Sheriff

WBK/sl

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

RECEIVED
JUL 29 2002

City of Vista

RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

July 23, 2002

Honorable Judge Richard E. L. Strauss
Superior Court Presiding Department
San Diego County Superior Court
220 W. Broadway
San Diego, Ca 92101-3886

SUBJECT: "HOME RULE" IS CHARTERING A CITY A GOOD IDEA?

Dear Honorable Judge Strauss:

In accordance with California Penal Code section 933, subdivision (c), the City of Vista is responding to the San Diego County Grand Jury report dated May 6, 2002 on the above mentioned subject.

The following are two recommendations contained in the Home Rule report with our comments thereafter:

1. **02-06: Hold public study sessions to allow their citizens to study the chartering option.**

   The City of Vista has periodically reviewed the benefits of being a charter city and the citizens are aware they have the ability to form a Charter Commission. At this time the Council and residents have not seen any benefits to do so for Vista. Therefore, this recommendation will not be implemented because it is neither warranted nor reasonable.

2. **02-07: Develop a cooperative energy program with SDG & E along the lines of the City of San Marcos program.**

   The City of Vista has been closely monitoring the process and purported results of San Marcos' energy program. Recently, the San Marcos City Council voted to abandon a plan to provide electricity to new development, and decided instead to try to reduce residents and businesses rates through an $18 million investment in a power plant under construction. The City of Vista does not have the resources to make investments such as these. Therefore, the recommendation will not be implemented at this time as it would not be prudent nor fiscally beneficial for the residents of the City of Vista.

These responses have been reviewed and approved by the Vista City Council. Thank you for your consideration and if you have any questions, please do not hesitate to contact me.

Sincerely,

Rita L. Geldert

Rita L. Geldert,
Vista City Manager

cc: Vista Mayor and Council
Vista City Clerk, Jo Seibert
Clerk of the Board, Thomas J. Pastuszka
Board of Supervisors

Vocational Education In San Diego County

BORREGO SPRINGS UNIFIED SCHOOL DISTRICT
MAILING ADDRESS: 1315 Palm Canyon Drive, Borrego Springs, CA 92004-5003 • (760) 767-5357 • FAX (760) 767-0494

RECEIVED
JUN 24 2002

June 19, 2002

RECEIVED
JUN 2 2002
SAN DIEGO
COUNTY GRAND JURY

Richard Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92102

Re: Vocational Education in San Diego County

Dear Judge Strauss:

The Borrego Springs Unified School District disagrees with the Grand Jury's findings because of the research done by the Education Trust, and testified to by high school students before the State legislature. If we return to the program you suggest, we will again relegate students of color and disability to a "slow" track, dooming their chances of high paying, professional careers. The Education Trust - West may be reached through their website (www.edtrust.org) if you wish to review their research in this area.

The Borrego Springs Unified School District currently provides all students with ample opportunity to participate in career technical courses as is evidence by enrollment of 75% of our students in these courses.

02-36:
The Borrego Springs Unified School District currently offers a seven-period school day. With only 250 credits required for graduation and 270 available credits in a four-year program, students have ample opportunity to participate in Career Technical Education. Additionally, Board policy requires all students to demonstrate proficiency in computers or take a computer class and to take two semesters in vocational/technical skills.

03-27:
The current counseling program includes scheduling of all students into the required two vocational/technical courses.

PHYSICAL ADDRESS: Borrego Springs Unified School District, 2281 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5357 • FAX (760) 767-0494
Borrego Springs High School, 2281 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5135 • FAX (760) 767-5999
Borrego Springs Middle School 2255 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5335 • FAX (760) 767-5999
Borrego Springs Elementary School, 1115 Palm Canyon Drive, Borrego Springs, CA 92004 • (760) 767-5311 • FAX (760) 767-7438
Palm Canyon High School, 848 Palm Canyon Drive, Borrego Springs, CA 92004 • (760) 767-1285 • FAX (760) 767-5999

02-38:
As Board policy requires two semesters of career technical education and computer proficiency, the District has inculcated career technical education as part of the secondary curriculum.

Sincerely,

Shanda G. Hahn

Shanda G. Hahn
Superintendent

December 30, 2002

Via Fax - 619-515-8696

To: Presiding Superior Court Judge
P. O. Box 122724
San Diego, CA 92112
Attention: C.E. Mulroy, Foreman

From: Cheryl Ernst, Superintendent
Carlsbad Unified School District

Re: **Response to Grand Jury Report**
Vocational Education in San Diego County

Honorable Judge:

On or about May 29, 2002, the San Diego County Grand Jury issued its final report entitled *Vocational Education in San Diego County*. Carlsbad Unified School District ("Carlsbad") hereby responds to the findings and recommendations included in this Report as detailed below.

Carlsbad's Response to Report Findings

I. Many high school students wanting to take CTE classes must take them after school hours or in the evening because they must take the required college preparatory classes during regular school hours.

Carlsbad responds that it disagrees partially with the finding. The students of this district are able to take CTE classes as well as college prep classes during regular school hours. Furthermore, this district offers some CTE classes (non-ROP) that are college prep courses (Physics 2E, Biotechnology, etc.).

II. All 11th and 12th grade students and out-of-school youth (includes students on work furlough, 16 years of age or older) have access to CTE programs.

Carlsbad responds that it agrees with this finding.

III. Communication, collaboration, and cooperation between the two environments of *school* and *work* are advocated and readily apparent within the CTE programs.

Carlsbad responds that it agrees with this finding.

IV. Throughout San Diego County, the School-to-Career Program priorities are to develop career academies and to redesign courses to meet industry certification.

Carlsbad responds that it agrees with this finding.

V. The education system (per State of California, County of San Diego, and local school board requirements) is focused on preparing students for admission to a four-year college. In reality, however, nearly 35% of graduation secondary students enter the job market, the military, or technical/trade schools.

Carlsbad responds that it agrees partially with this finding. Student surveys indicate that less than 15% of students in our District enter the job market or military or technical schools.

VI. The CTE programs provide job training courses to nearly 40,000 residents a year, covering more than 400 different professional careers. Each of these programs has been carefully mapped out by a panel of knowledgeable business people. These groups specify the requirements for their particular career field. As a result, program graduates are in demand as soon as they reach the job market.

Carlsbad responds that it agrees with this finding.

VII. Random interviews of students currently enrolled in vocational education courses revealed total, or near total, satisfaction with the course offered.

Carlsbad responds that it agrees with this finding.

VIII. Interviews with various school and program personnel indicated that where vocational education programs were available and on-going, there were very few truancies.

Carlsbad responds that it agrees with this finding.

<u>Carlsbad's Response to Report Recommendations</u>

Response to Recommendation 02-36

Carlsbad hereby responds to Recommendation 02-36, which provides that:

"The San Diego County Office of Education and each of the County's school districts responsible for secondary grades:

"02-36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals."

Recommendation has been implemented. Career path goals are revised twice yearly whether these goals include post-secondary training, post-secondary education or Career Technical training at the secondary level.

Carlsbad hereby responds to Recommendation 02-37, which provides that:

"The San Diego County Office of Education and each of the County's school districts responsible for secondary grades:

"02-37: Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula."

Recommendation has been implemented. Carlsbad Unified School District Guidance Model for grades 7 - 12 includes such programs. Counseling services are employed by all secondary students. All students avail themselves of these services as part of yearly four-year plan revision.

Carlsbad hereby responds to Recommendation 02-38, which provides that:

"The San Diego County Office of Education and each of the County's school districts responsible for secondary grades:

"02-38: Inculcate career technical education as an acceptable part of secondary education."

Recommendation has been implemented. Carlsbad Unified School District Guidance Model for grades 7 - 12 includes career technical education as a major domain feature (Career Education). Furthermore, career clusters and paths including specialized courses are part of the Academy/Internship program at Carlsbad High School.

December 30, 2002

Via Fax – 619-515-8696

To: Presiding Superior Court Judge
P. O. Box 122724
San Diego, CA 92112
Attention: C.E. Mulroy, Foreman

From: Cheryl Ernst, Superintendent
Carlsbad Unified School District

Re: **Response to Grand Jury Report**
Vocational Education in San Diego County

Honorable Judge:

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Carlsbad's Response to Report Findings

I. Many high school students wanting to take CTE classes must take them after school hours or in the evening because they must take the required college preparatory classes during regular school hours.

Carlsbad responds that it disagrees partially with the finding. The students of this district are able to take CTE classes as well as college prep classes during regular school hours. Furthermore, this district offers some CTE classes (non-ROP) that are college prep courses (Physics 2E, Biotechnology, etc.).

II. All 11th and 12th grade students and out-of-school youth (includes students on work furlough, 16 years of age or older) have access to CTE programs

Carlsbad responds that it agrees with this finding.

III. Communication, collaboration, and cooperation between the two environments of *school* and *work* are advocated and readily apparent within the CTE programs.

Carlsbad responds that it agrees with this finding.

TRANSMISSION REPORT

THIS DOCUMENT WAS CONFIRMED
(REDUCED SAMPLE ABOVE - SEE DETAILS BELOW)

** COUNT **
TOTAL PAGES SCANNED : 3
TOTAL PAGES CONFIRMED : 3

*** SEND ***

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1	6195158696	12-30- 2 11:27AM	1'45"	3/ 3	EC	COMPLETED 9600

TOTAL 0:01'45" 3

NOTE:
No. : OPERATION NUMBER 48 : 4800BPS SELECTED EC : ERROR CORRECT G2 : G2 COMMUNICATION
PD : POLLED BY REMOTE SF : STORE & FORWARD RI : RELAY INITIATE RS : RELAY STATION
MB : SEND TO MAILBOX PG : POLLING A REMOTE MP : MULTI-POLLING RM : RECEIVE TO MEMORY

Escondido Union High School District
Response to the Grand Jury Recommendations
"Vocational Education in San Diego County"

02-36: **Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.**

(a) (1) Agree with the finding
(b) (1) Recommendation is being implemented

Summary: Ninth grade students in the Escondido Union High School District enroll in a Career and Life Skills course. The curriculum includes computer literacy as well as career education. Each school is implementing a Digital High School (DHS) grant that calls for the integration of technology into subject areas such as math, science, English and social studies. Content area teachers have participated in technology training as part of the DHS program. Each school is in the third year of operation with its Carl Perkins Technical and Vocational Education Plan. The plan outlines the direction of vocational education at each site. Work Experience classes are available for students who are employed. Each site offers Regional Occupation Program (ROP) classes, some of which are in a "2+2" partnership with local community colleges. Outside of the classroom, students have the opportunity to participate in co-curricular clubs, such as *Future Farmers of America* and *Future Teachers of America,* which have a career or vocational emphasis.

02-37: **Establish counseling programs to facilitate pupils' access to vocational/technical curricular, as well as college preparatory curricula.**

(a) (1) Agree with the finding
(b) (1) Recommendation is being implemented

Summary: As students transition from middle school to high school, they meet with counselors to gather information about the courses available to help them accomplish their post-secondary goals. Once in ninth grade, students develop a "Four-Year Plan." Each year, prior to meeting with their counselor for course selection, students are provided a course catalog with descriptions of the variety of courses available to students. Recommendations for course selection are based on a student's "Four-Year Plan." In the sophomore year, students use *Eureka,* a software-based program, which provides students access to a self-directed career search. Counselors and the Career Technician also provide students with information regarding guest speakers and specialized programs that may pertain to a student's technical or vocational interest.

02-38 **Inculcate career technical education as an acceptable part of secondary education.**

(a) (1) Agree with the finding
(b) (1) Recommendation is being implemented

Summary: Students and parents are provided information regarding the many options available after completing high school. Students are encouraged to take advantage of the opportunities such as career speakers, job shadowing and *Eureka* provided in the Career Centers. Curricula offerings are enhanced by Regional Occupation Program (ROP) courses including Video Production, Small Engine Repair, and Cabinetry. The district's ROP coordinator is working with teachers to see how academic content standards are presently addressed in ROP courses.

FALLBROOK UNION HIGH SCHOOL DISTRICT
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Fallbrook Union High School District

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August 30, 2002

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COUNTY GRAND JURY

Chuck Mulroy, Foreman
Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Mr. Chuck Mulroy:

Attached please find Fallbrook Union High School District's (37-68122) responses to *Vocational Education in San Diego County,* A Report by the San Diego County Grand Jury 2001-2002.

If you have questions or need additional information, please contact me at (760) 723-6332 x 6494.

Respectfully,

James G. Yahr
Assistant Superintendent

cc. T. Anthony
G. Keim

RESPONSES TO

VOCATIONAL EDUCATION In San Diego County

A Report by the San Diego County Grand Jury 2001-2002

Recommendations: **That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades:**

02-36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

(a) The Fallbrook Union High School District agrees with the finding.

(b) The Fallbrook Union High School District is comprised of Fallbrook Union High School, a comprehensive High School, and the small alternative schools, Ivy High (Continuation) and Oasis High (Independent Study). The district has implemented a program, which affords all students the opportunity to participate in Career Technical Education training. The District requires that all students pass a career education course consisting of approximately 20 hours of instruction. The course is designed as a career exploration and career awareness course to be taken in the freshman year. In addition to this career content-specific course, instructors

in most other courses incorporate varying amounts of career-oriented information related to the content being covered in the class. As a follow-up to the career education class, students are given the "Ideas – Career Interest Assessment." The district career guidance specialist meets with students to explain the results. The Self-Directed Search (SDS), an interest and ability inventory, is administered in grade 10. The COPES Work Values Assessment is administered to students in grade 11, and the Kiersey-Bates Personality Inventory is given in grade 12. Additionally, the Armed Services Vocational Aptitude Battery (ASVAB) is offered 1-2 times per year for interested students.

Fallbrook High offered a total of 36 different vocational courses in the areas of agriculture, home economics, business/computer and industrial technology during the 2001-2002 school year. In the coming year, 38 different vocational classes will be offered. Several of the vocational courses have been articulated with the local community colleges. These 2+2 articulated Tech-Prep courses provide students the opportunity to earn community college course credit while still in high school or to pass out of lower level courses upon entrance to the community college. Students attending a district alternative school may enroll in a vocational education course at Fallbrook High provided they are a student with no discipline problem that would influence their attending Fallbrook High School. Fallbrook High also offers students the opportunity to enroll in one of three academies: Communications Humanities and the Arts (CHART), Health and Human Services

(HHS), or the Agriculture Science and Technology Academy of Research (A-STAR). These Academies provide a variety of activities and instruction focused on career themes. A group of staff members, working with an advisory committee composed of community, higher education, and business representatives, are currently involved in the planning of a technology academy for implementation in the 2003-2004 school year.

In addition to the career education requirement, the integration of career information into courses in subject areas outside of career technical education, and the career-oriented academies, students in the district have the opportunity to participate in a job-shadow experience on Camp Pendleton. This partnership program with the Marine Corps Base has been in operation for over 9 years and gives juniors the chance to job-shadow and dialogue with military and/or civilian workers in one of over 100 occupations on base.

In an effort to support opportunities for students to gather information regarding careers, a program called "Speaker's Corner" was started in spring 2002. This program is designed for students to hear personal reviews of careers and occupations in an open forum held weekly during lunch on the Fallbrook Union High School campus. The Career Center on the FHS campus also hosts numerous job fairs throughout the year with our partners in education: LegoLand, Vista Wave Park, YMCA, and the San Diego Wild Animal Park. In addition to these

activities, college fairs that include vocational and technical schools and programs, as well as the military, are held twice a year.

The district operates a small ROP program with courses in desktop publishing/computer graphic design, computer applications, advanced computer applications, child-care careers, restaurant occupations, and advanced restaurant occupations. These courses are open to high school students 16 years of age or older, as well as adults.

02-37: Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

(a) The Fallbrook Union High School District agrees with the finding.

(b) The District supports a comprehensive results-based model of counseling services at the comprehensive high school. The model is supported by a district coordinator of student services, a district psychologist, an assistant principal, three full-time certificated guidance counselors, one certificated impact (intervention) counselor, three guidance technicians, and a career guidance specialist. Support is provided to the alternative school students by these staff members and through

contracted services with outside agencies that assist at both the comprehensive and alternative high schools.

Prior to the start of the student's ninth-grade year, the guidance department provides an opportunity for the student and parent to meet with a counselor to develop a four-year academic plan at which time college entrance requirements, graduation requirements and career technical education are discussed. Students and parents also have the opportunity to revisit this plan each year as part of the spring registration process, or more often upon request.

Enrollment in the entry-level career technical education courses is open to any interested student. Advanced courses are open to all students that meet the necessary prerequisite(s).

As mentioned in the response to Recommendation 2-36, career assessments and a personality inventory are administered to students at different points during high school. The results of these inventories, used in conjunction with academic assessments, and a review of academic progress, can provide valuable information for the student to make informed and realistic choices regarding their career goals.

02-38: Inculcate career technical education as an acceptable part of secondary education.

(a) The Fallbrook Union High School District agrees with the finding.

(b) The Fallbrook Union High School District recognizes the importance of career technical education and supports the notion that career technical education should be incorporated into the instructional program. This is evidenced by the Governing Board's recent adoption (June 24, 2002) of Board Policy 6146.1, regarding high school graduation requirements, that opens with the following paragraph:

> "Because graduation from high school provides students with opportunities for postsecondary education and/or employment, the Governing Board desires to prepare each student to obtain a diploma of high school graduation. The Governing Board believes that by making courses relevant, all students can make a successful transition from school to career. Therefore, it is highly recommended that within the core subjects, that is those courses that meet graduation requirements, teachers employ instructional strategies that support

students' school-to-career objectives and demonstrate how this core knowledge is applicable in work and daily living."

Currently, many teachers in a variety of subject areas periodically infuse school-to-career objectives into their lessons. It is, however, the intent of this policy to have career technical education, as evidenced by school-to-career objectives, be an integral part of the instructional program in every core course.

The District's Vocational Education Advisory Committee (VEAC) actively lobbies for career technical education. In addition to the routine monthly meetings that usually focus on operational and programmatic issues, the committee sponsored three activities in the past year designed to be informational, while gathering support for career technical education. A Town Hall meeting was held in the community last fall, which highlighted the district's career technical education programs, and provided the more than 100 staff and business participants the opportunity to dialogue about these programs and future needs in this area. In December, an open house was held during school hours to allow business and community members the opportunity to visit, observe, and dialogue with staff and students in the district's vocational education programs. In early July, a school-to-career breakfast was held at which representatives from the community, local

businesses, and the local community colleges had the opportunity to dialogue regarding the district's programs.

District VEAC members actively participate on a variety of committees, including the Curriculum Advisory Committee, as part of the effort to keep career technical education in the forefront of the minds of the Fallbrook Union High School District community, particularly those involved in the decision-making processes.

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COUNTY GRAND JURY

August 29, 2002
Gbw 02-128

Presiding Judge of the Superior Court
County of San Diego, Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

The Honorable Presiding Judge of the Superior Court:

The Grossmont Union High School District respectfully submits the following comments on the findings and recommendations of the Grand Jury in regards to the state of Vocational Education in San Diego County.

As to the Grand Jury's findings, the Grossmont District agrees with the facts in each finding labeled in the report I through VII.

As to the Grand Jury's recommendations, the Grossmont District has taken the following actions:

02-36: *Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.* **Implemented.**

The Grossmont Union High School District presently offers over sixty different career/technical courses through the Regional Occupational Program. These courses are offered at all twelve high school sites, Foothills Adult Center, the Health Occupations Center, and the East County Work Training Center. Course offerings are integrated into the curriculum and career pathways coordinated by the School-to-Career department and offered at each high school site. These courses support and strengthen the core academic classes as well as the California State standards. Many courses meet the district's requirements for graduation credit, some are articulated with local colleges to allow students to earn college credit, and the University of California approves others for "a-g" credit. Programs are already in place to allow students in the Grossmont Union High School District to participate in individual career technical education classes to learn a specific set of skills, or they may commit to a coordinated pathway or "academy" in their area of interest for their four years of secondary education.

POST OFFICE BOX 1043 • LA MESA CALIFORNIA 91944-1043
TELEPHONE (619) 644-8000 FAX (619) 485-1349 TDD/TTY (619) 644-8132

02-37: *Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.* **Implemented.**

Presently, Grossmont Union High School District provides counselors and career technicians in the high schools to ensure awareness of ROP courses, career pathways, and academies. The Grossmont Regional Occupational Program (ROP) employs a career technician who does outreach with all of the high schools in the district as well as individual assessments for students interested in vocational/technical courses. School-to-Career and ROP outreach personnel educate students on articulation among the high school district and the colleges. Representatives from the counseling departments, district curriculum development office, the Regional Occupational Program, and School-to-Career departments meet on a regular basis to facilitate the flow of information between the various district entities and the students.

02-38: *Inculcate career technical education as an acceptable part of secondary education.* **Implementation is ongoing.**

Acceptance of Career Technical Education as a truly integrated and equal partner with traditional "academic" offerings has been a goal in the Grossmont Union High School District for several years. Limited success has been achieved with the acceptance of some courses that have been approved for graduation credit, UC "a-g" credit, and college credit. Inculcation of the larger community, including students, parents and "academic" faculty has proven to be a more formidable task. The long held image of "vocational education" as a separate and unequal part of secondary education is one that we continue to strive to overcome. Beginning with incoming freshman and their parents, the opportunities for Career Technical courses and pathways, as an integral part of every student's education, are introduced. The value of these courses, which support and strengthen core academic skills as well as state standards, is emphasized when educating administrators, counselors, parents and students. More work needs to be done at the state, county, and district level to realize full acceptance of Career Technical Education classes as a viable and important part of secondary education whether students choose to continue their education at a postsecondary institution, enter the job market, or continue their training at a technical trade school.

Sincerely,

Granger B. Ward

Granger B. Ward
Superintendent

Julian Union High School District
PO Box 417 - 1656 Highway 78 - Julian, CA 92036-0417 - 760-765-3208 - 765-2926 fax

RECEIVED
OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

September 30, 2002

Grand Jury
Marcia Gravette Jespersen, Foreperson
County of San Diego, Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101

Dear Madame:

Please consider the following the official response of the Julian Union High School District to the Grand Jury Report, "Vocational Education in San Diego County" related to Recommendation 02-36 through 02-38.

The Julian Union High School District agrees with the findings and currently has numerous programs in place, which already implements the recommendation. All of our students have access to computer, agriculture, and shop classes. Through these programs, students are counseled to succeed in their post secondary educational goals. A work experience class is available to juniors and seniors. Brochures and information about further education at vocational institutions are available to all students.

We also employ an academic advisor who supports these recommendations.

Sincerely,

Brian E. Bristol
Superintendent/Principal

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Mountain Empire Unified School District
3291 Buckman Springs Road • Pine Valley • California • 91962
Phone (619) 473-9022 • FAX: (619) 473-9728

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COUNTY GRAND JURY

September 30, 2002

Presiding Judge of the Superior Court
PO Box 122724
San Diego, CA 92112-2724

To Whom It May Concern:

Regarding the Grand Jury report, Vocational Education in San Diego County, I have the following responses on behalf of the Mountain empire School District:

Findings 02-36 to 02-38 have all long been implemented in this school district. We know of no student who has been turned away from CTE at our high school. There is no stigma attached with enrolling in CTE classes, and the high school counselor works with students to enroll them in the classes when they so indicate.

Sincerely,

Greg Ryan

Greg Ryan
Superintendent

Oceanside
Unified School District
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COUNTY GRAND JURY

October 2, 2002

Marcia Gravette Jespersen, Foreperson
County of San Diego Grand Jury
Hall of Justice
350 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Ms. Jespersen:

Kenneth Noonan, our District Superintendent, has asked me to respond to the 2001 – 2002 San Diego Grand Jury Report: "Vocational Education in San Diego County." Enclosed is my response to points 02-36, 02-37, and 02-38.

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Peggy Miller

Peggy Miller, Coordinator
School to Career

/m
enclosure
c: Kenneth Noonan (w/enclosures)
Joe Farley (w/enclosures)

mbdaily/Miller/Grand Jury Cover 10.2.02

Career & Technical Education
2080 Mission Avenue • Oceanside, CA 92054 • Phone: (760) 967-1322 • Fax: (760) 439-6023 • www.oside.k12.ca.us

02-36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary educational goals.

School to Career's (STC) foundational premise is that students will be more motivated, will perform better in high school and will be more successful in post-secondary experiences and in the labor market if their high school experience is directly connected to the world of work, careers, industries and professions.

Career Technical Education training is an integral part of students' educational experience. Through career academies or career pathways students have the opportunity to explore and pursue career options in high school. Career pathways provide students with opportunities to take a sequence of courses related to a career or industry. Career academies allow students to have an integrated curriculum related to core academics, careers and industry sectors.

The California career academy models enacted through Assembly Bill 3104 (1985) and Senate Bill 605 (1989) offered schools incentives to initiate and implement career academies. These incentives have proven to be one of the most extensive and comprehensive approaches to high school reform.

The career academy model of building a school within a school, integrates academics and vocational learning into a specific career or industry cluster creates a cohort of students who move and learn together. This clustering of students and teachers creates a strong emotional, social and academic support system for students.

Well-developed career academies increase students' academic knowledge and skills, increase school completion rates and may increase students attending and finishing post-secondary experiences. At-risk students benefit from the career academy model by improved attendance and increased GPA in core and vocational classes; these factors open doors for students who traditionally would not attend post-secondary institutions.

Career Technical education needs continued funding at high levels to support all students' high school experience. Career pathways and academies are just two models that have proven to help students be successful in high school and in transitioning to post-secondary institutions.

02-37: Establish counseling program to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

The National Standards for School Counseling are based on the educational, career, and personal/social developmental needs of students. San Diego County Office of Education has developed a model of those standards in the Comprehensive Counseling and Guidance Programs. Career Development implementation counseling includes strategies, activities and services that enable students to make successful transition from high school into post-secondary experiences. A great deal of work has been done at the county level to assist districts in strategies to address students' needs and access to vocational/technical curricula.

Oceanside Unified School District counselors have begun work on the National Standards for School Counseling and have begun developing action plans to address student needs. A Comprehensive Guidance Program will take time to implement at the site and district level. Access to vocational/career curricula has a lot to do with counselors and parent perception of Career and Technical Education (CTE). If counselors do not feel that the courses are worthwhile, then students will not be encouraged to pursue the course work. Education of counselors and parents has been a priority in Oceanside's School to Career staff, using Carl D. Perkins dollars to fund inservices, ongoing counselor training and, purchase of materials on the Comprehensive Guidance Program and Career Training. The STC department has created marketing tools to educate parents and students on CTE opportunities on our high school campuses. The School to Career staff also works with post-secondary institutions to articulate courses so that students earn high school and college credit for Career Technical Courses thus making the transition from high school to post-secondary seamless.

Continued support for professional development for counselors is essential for career technical education. Counselors play an important role in students' course selection and success in high school. With a comprehensive guidance plan counselors are equipped to assist students in course selection, career pathways or academies and with post-secondary options.

02-38: Inculcate career technical education as an acceptable part of secondary education.

The perception of Career Technical Education is one of the biggest hurdles we face. Parents and community members remember vocational courses they took in high school and see little value in them, even though those skills learned are applied in their jobs or daily lives. Career Technical Education has tried to keep up with the changing world; we have been able to do this through federal Carl D. Perkins Vocational & Technical Education Act of 1998 and state Regional Occupational Program (ROP) funding. These two programs have supported the CTE programs in Oceanside Unified. Without these two funding sources, Career Technical Education (CTE) courses and programs would be non-existent or stagnant. Perkins funds support continuous improvement in CTE programs at the site and district level. Perkins funds in Oceanside have been used to develop up to date career technical programs, career pathways and academies for students. ROP requires an annual review of course curriculum and competencies. This process maintains essential elements that are necessary to have relevant courses and programs for students. ROP involves the community and industry through advisory meetings, guest speaking and providing student internship opportunities. ROP funds support the purchase of new technology and infuse industry standards into the curriculum. Many of Oceanside's ROP courses are articulated with local community colleges, giving students high school and college credit. The articulation process gives students an incentive to do well in high school by not having to repeat entry-level course work in college.

Continued federal/state funding and support is essential for career technical programs to continue. Without it, districts will have to choose to spend limited dollars on core academics or career technical programs. Career technical programs will lose, because of mandated improvement efforts centering on API and No Child Left Behind. Career technical education can be used to support improvement efforts through the integration of vocational and academic courses in career academics and pathways.

POWAY UNIFIED SCHOOL DISTRICT

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Poway Adult School/Regional Occupational Program
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October 1, 2002

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OCT 2 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, California 92112-2724

RE: 2001-2002 San Diego County Grand Jury Report: "Vocational Education in San Diego County"

Dear Presiding Judge:

On behalf of Dr. Donald A. Phillips, Superintendent of the Poway Unified School District, I am responding to the Grand Jury Report regarding Vocational Education in San Diego County.

The Poway Unified School District agrees with the findings of the Grand Jury. The Grand Jury's recommendations are being implemented. Please see the attachment for specific information regarding the implementation of each recommendation.

Thank you for allowing the District to respond to the Grand Jury's findings and recommendations.

Sincerely,

Orlando A. Malanga

Orlando A. Malanga
Director
Career Technical and Adult Education

Encl

cc: Donald A. Phillips, Superintendent
Elaine M. Cofrancesco, Area Superintendent

POWAY UNIFIED SCHOOL DISTRICT

RESPONSES TO THE GRAND JURY RECOMMENDATIONS REGARDING VOCATIONAL EDUCATION IN SAN DIEGO COUNTY

Recommendation 02-36
That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades develop a programs to enable all pupils to participate in Career Technical training, if appropriate to their post-secondary goals.

Poway Unified School District response:
Poway Unified School District's agrees with this recommendation.
This recommendation is being implemented. Poway Unified School District offers a wide variety of career technical classes on each of its high school campuses. These classes are offered during the school day, in the late afternoons, and in the evenings to provide increased accessibility to all students.

Recommendation 02-37
That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

Poway Unified School District response:
Poway Unified School District's agrees with this recommendation.
This recommendation is being implemented. Counseling and guidance services are available to students at each of the Poway Unified School District's high school campuses for high school students. Counseling and guidance services are made available to adult students at the administrative offices of the District's Career, Technical and Adult Education. Counselors at both the high school sites and at the administrative offices encourage and recommend career technical classes to students as appropriate. To ensure that counselors are aware of career technical offerings within the district and county-wide, each counselor in the district is provided with quarterly catalogs and course updates. Counselors also attend monthly meetings where new programs and offerings are introduced and issues are discussed.

Counselors are made aware of the fact that many of the career technical courses offered at the high schools and to adults are articulated with community colleges and in some cases, universities. (This means that students who complete these courses can earn both high school and college credit for the courses.)

Further, the Poway Unified School District has a practical arts graduation requirement and a fine arts requirement. All of the career technical classes offered satisfy this practical arts requirement, and some career technical classes satisfy either a practical art or a fine art requirement.

Additionally, some of the career technical courses offered in Poway Unified School District meet the University of California A-G requirements. This step has ensured that the career technical courses remain a viable option for all students, including college-bound students.

Recommendation 02-38
That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades inculcate career technical education as an acceptable part of secondary curricula.

Poway Unified School District response:
Poway Unified School District's agrees with this recommendation.
This recommendation is being implemented. As indicated in response to recommendation 02-38, Poway Unified School District's career technical programs are being inculcated as an acceptable part of the secondary curriculum for all students. This is evidenced by the fact that some of the career technical courses offered through Poway Unified School District meet the UC A-G requirements and the fact that many career technical courses are articulated with local community colleges and universities.

Ramona Unified School District
720 Ninth Street • Ramona, CA 92065-2399
(760) 788-5000 • FAX 789-9168

RAMONA In The Valley Of The Sun

August 19, 2002

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AUG 23 2002
SAN DIEGO
COUNTY GRAND JURY

San Diego County Grand Jury
330 West Broadway, Suite 477
San Diego CA 921010-3830

Attention: Chuck Mulroy – Grand Jury Foreman

Re: Vocational Education in San Diego County – Report Released June 4, 2002

Dear Mr. Mulroy:

The ongoing public focus on education is placing an extremely high emphasis on the emerging federal program No Child Left Behind and the State of California's pressure to increase the breadth and depth and level of competency of all learners inclusive of those with special needs and English Language Learners. One wonders if the perceived mission of the public school to be all things to all people – and to do everything extremely well is doable in today's diverse culture and in an era of economic constraint. Would it not be wise to clearly identify and prioritize the mission of California public schools before seeking new or additional legislation to add to the voluminous educational code (law) requirements currently in existence?

2-36. Current R.O.P./CTE programs are available to students in grades 11 & 12 and to the adult population of the community. Classes are offered during the school day and in the evening to encourage participation of all eligible persons. The range of equipment needed, classroom space cost and the desired expertise of the instruction may limit the depth of the experience provided. A more viable approach may be to coordinate offerings at high schools/community centers and area junior college campuses, in an effort to maximize available options within current economic and facility constraints.

2-37: Counseling is a critical component of a student's secondary educational experience. The available resources to meet current required and desired supplemental educational options are fully allocated and do not adequately

provide for the implementation of programs to meet local needs. Counselors are well versed in available educational/vocational options and when working with students, parents, and teachers attempt to guide students into the most appropriate options. Note that at times in spite of sound advice and guidance, students (sometimes at parental insistence) choose to embark upon options that either under challenge or over challenge their ability levels.

2-38: All classes offered at the secondary sites are viewed as valuable and meaningful and are part of class offerings because they meet the needs of a segment of the student/adult population. From Ag to foods to auto classes. While not universally true, there are college bound young people who do make the time to take R.O.P./CTE course offerings.

Respectfully,

Peter M. Schiff
Superintendent of Schools

SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (858) 292-3500

Superintendent of Schools
Rudy M. Castruita, Ed.D.

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AUG 14 2002

SAN DIEGO
COUNTY GRAND JURY

August 12, 2002

Chuck Mulroy, Foreman
Grand Jury, County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego CA 92101-3830

Dear Mr. Mulroy:

Re: Responses to the 2001-2002 Grand Jury Report – "VOCATIONAL EDUCATION *in San Diego County*", filed June 4, 2002.

Enclosed are the responses to the Grand Jury report of June 4, 2002, concerning vocational education in San Diego County. Our office has reviewed the report and prepared responses to the four recommendations set forth therein. These responses are being submitted in accordance with the Grand Jury's request.

Sincerely,

Rudy M. Castruita
County Superintendent of Schools

RMC:BB
Enclosure

Board of Education
Nick Aguilar Ernest J. Dronenburg, Jr. Susen Foy Jim Kelly John Witt

SAN DIEGO COUNTY OFFICE OF EDUCATION (SDCOE)
RESPONSES TO THE GRAND JURY RECOMMENDATIONS
REGARDING VOCATIONAL EDUCATION IN SAN DIEGO COUNTY

Recommendation 02-35: That the San Diego County Office of Education pursue state legislation that would make high school graduation requirements reflect career technical training courses with the same emphasis as college preparatory courses.

SDCOE Response: This recommendation is being implemented.

The San Diego County Office of Education (SDCOE) informs legislators about issues relevant to educational programs. Such efforts include meeting with state legislators and providing testimony at relevant hearings. The Office of Education is currently part of an effort to refine the California Master Plan for Education, being spearheaded by Senator Dede Alpert. The SDCOE provided testimony at the Master Plan for Education hearing that was held in San Diego on June 7 advocating for a parallel role for career technical education in the K-University system of our state. The SDCOE will continue to work with Senator Alpert and other legislators to draft legislation establishing career technical education as a significant component of the high school curriculum in California's Master Plan for Education.

Recommendation 02-36: That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

SDCOE Response: This recommendation is being implemented.

The SDCOE continues to operate a countywide Regional Occupational Program (ROP) that provides courses to address the educational needs of high school and adult students seeking career technical training. Career technical courses are also offered on high school and community college campuses during the school day, after school, in the evening and on Saturdays to optimize access for all students, including those pursuing a college preparation course of study.

Recommendation 02-37: That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

SDCOE Response: This recommendation is being implemented.

During the 1999-2000 school year, the San County Office of Education spearheaded the development of the *Standards for Comprehensive Counseling and Guidance Programs in San Diego County Schools.* These standards provide for pupils accessing vocational/technical curricula as well as college preparatory curricula and cover kindergarten through grade 12. The SDCOE facilitated the development of these countywide standards utilizing writing teams comprised of 50 counselors from districts representing each region of the county. The counseling standards address the essential counseling domains of academic, career, personal, and social counseling. Likewise, these standards provide for guidance services for all students including students with special needs and circumstances.

Beginning in August 2000, the SDCOE held five academies to assist districts in the adoption and implementation of these standards. In addition, in 2001-2002, four "Next Step" trainings were added to assist districts with evaluating their counseling and guidance efforts and establishing strategies for implementing standards-based, comprehensive guidance programs. The SDCOE will conduct similar trainings in 2002-03 and will continue to provide school districts technical support and assistance with their efforts to implement effective counseling programs that ensure student access to career technical and college preparatory curricula.

Recommendation 02-38: That the San Diego County Office of Education and each of the County's school districts responsible for secondary grades inculcate career technical education as an acceptable part of secondary education.

SDCOE Response: This recommendation is being implemented.

SDCOE is working statewide with the California Association of Regional Occupational Centers and Programs and the California Association of Leaders in Career Preparation to promote the development of state standards for career technical education and inclusion of these standards as part of the high school graduation requirements. Locally, the SDCOE is assisting school districts participating in the County's ROP to delineate how academic standards are currently addressed in technical education courses. The San Diego County ROP is also expanding curriculum articulation efforts to enable more high school students to receive college credit for the ROP courses they complete. These measures are intended to add to the apparent value of career technical education to students, parents and counselors and to make career technical course work an integral part of secondary education for all students.

The SDCOE established the School-to-Career Resource Center in 1995. A major service of the Resource Center continues to be to provide information and assistance to school districts on how career technical courses can be included in a student's four-year high school plan.

SAN DIEGO UNIFIED SCHOOL DISTRICT
Office of General Counsel

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(858) 637-6233

RECEIVED
DEC 19 2002
By Messenger

December 19, 2002

The Honorable Richard E.L. Strauss
Presiding Judge Superior Court
220 West Broadway
San Diego, CA 92101

RE: "VOCATIONAL EDUCATION *In San Diego County*"

First, the San Diego Unified School District wishes to express its apology for its apparent and inadvertent late submission of its response to the Grand Jury with respect to the above-referenced matter. Further, the District wishes to thank the Grand Jury for its extensive review of the district's Career Technical Education programs. We appreciate the recognition of the importance of these programs in supporting students' academic success and post-secondary goals.

In response to the report by the Grand Jury, we offer the following responses to the Grand Jury Findings:

I. Many high school students wanting to take CTE classes must take them after school hours or in the evening because they must take the required college preparatory classes during regular school hours.

The respondent disagrees with the finding. San Diego City Schools offers all its CTE classes during the regular school day as part of the comprehensive high school. San Diego City Schools has only a few classes offered after school hours or in the evening, which serve primarily adult students.

II. All 11th and 12th grade students and out-of-school youth (includes students on work furlough, 16 years of age or older) have access to CTE programs.

The respondent agrees with the finding.

III. Communication, collaboration, and cooperation between the two environments of school and work are advocated and readily apparent within the CTE programs.

The respondent agrees with the finding.

IV. Throughout San Diego County, the School-to-Career Program priorities are to develop career academies and to redesign courses to meet industry certification.

The respondent agrees with the finding.

V. *The education system (per State of California, County of San Diego, and local school board requirements) is focused on preparing students for admission to a four-year college. In reality, however, nearly 35% of graduating secondary students enter the job market, the military, or technical/trade schools.*

The respondent agrees with the finding.

VI. *The CTE programs provide job training courses to nearly 40,000 residents a year, covering more than 400 different professional careers. Each of these programs has been carefully mapped out by a panel of knowledgeable business people. These groups specify the requirements for their particular career fields. As a result, program graduates are in demand as soon as they reach the job market.*

The respondent disagrees with the finding. The data in this finding refer only to ROP programs/classes offered countywide. In addition to ROP, San Diego City Schools offers programs to 17,000 students in non-ROP CTE classes.

VII. *Random interviews of students currently enrolled in vocational education courses revealed total, or near total, satisfaction with the courses offered.*

The respondent agrees with the finding.

VIII. *Interviews with a various school and program personnel indicated that where vocational education programs were available and on-going, there were very few truancies.*

The respondent agrees with the finding.

We offer the following responses to the following Grand Jury Recommendations:

Recommendation 02-36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

The recommendation has been implemented or is being acted upon as follows:
San Diego City Schools' School-to-Career Department has developed a program that addresses this finding. There are currently 419 School-to-Career courses offered to our students, including Regional Occupational Program (ROP) courses. These courses are developed and offered in response to the interests of students as well as to an analysis of the labor market potential in San Diego County. Courses include 187 courses in Industrial Education Technology, 121 in Business Education, 92 in Consumer and Family Sciences, and 19 in Health Careers. Most of these courses are grouped into course sequences, called career paths that integrate Career Technical Education with a variety of academic subject areas including language arts, visual and performing arts, mathematics, science and social science.

In spite of the large number of Career Technical Education courses offered, many students are not able to access these classes since these are below grade level on standardized tests in English or mathematics. We are providing extensive interventions to bring these students up to grade level,

which obviously reduces the opportunity for students to enroll in Career Technical Education classes. In addition, the district's *Blueprint for Student Success* has established the goal that 2/3 of all high school graduates will meet the University of California/California State university (UC/CSU) "a-g" subject area admission requirements. In order to enable students to meet this requirement, we are actively pursuing gaining UC approval for a-g credit for appropriate Career Technical Education classes. We currently have four Career Technical Courses meeting the UC requirements and within the last three months have submitted five additional courses that await approval from the appropriate UC committee. Three other courses are in development and will be submitted in the next six months.

Another action to increase the ability of students to meet graduation requirements and UC a-g entry requirements, as well as participate in Career Technical Education training, is our partnership with the San Diego Community College District. Through this partnership, more than 12,500 students enrolled in 41 articulated high school courses have the opportunity to earn concurrent community college credit at no cost. This enables some students to earn more than 25 college credits for work done in high school.

In addition to obtaining UC/CSU a-g or community college credit for appropriate Career Technical Education courses, we are currently implementing a new schedule at three high schools that enables students to take eight courses per year instead of the current six courses. This would allow students to select Career Technical Education classes in addition to their required core academic classes.

Recommendation 02-37: Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

The recommendation has been implemented or is being acted upon as follows:
To provide all secondary counselors with up-to-date information about career technical education programs, School-to-Career offers an annual Counselors' Conference. In the past this conference has addressed timely topics including career counseling, standards-based counseling, the Career Technical Education articulation process with the San Diego Community College District, and post-secondary options for students including 4-year college, community college, career/technical schools, and the military.

Middle school counselors meet with each 8th grade student and his/her parents to plan each student's high school classes, to ensure that students will meet graduation and college entrance requirements, and fulfill post-high school education and career plans. High school counselors meet with all 10th grade students and their parents to review each student's progress in meeting high school graduation requirements, career goals and the student's post-secondary plans.

During the last year the district developed a *High School Graduation Guide* for 8th, 9th, and 10th graders. This Guide includes detailed information about high school graduation requirements, college entrance requirements, and three pages about the importance of career planning. Counselors use this Guide as they meet with students and their parents to ensure that all students meet the high school graduation requirements.

Also during the last year, School-to-Career developed the *Career Planning Guide* to supplement the *High School Graduation Guide*. The Career Planning guide is given to all ninth grade students and is used in all ninth grade English classes as part of a required career-planning unit. All ninth grade

English teachers received training in the utilization of this Guide. The Guide contains information on career planning and post-secondary education options as well as information on the military and apprenticeship opportunities. The introduction of this unit into the ninth grade English curriculum allows teachers, who have a significantly lower student-teacher ratio than counselors, to share some of the counselors' functions and give students' more individualized attention.

In addition to the above activities, the following actions have been taken to further support the counseling program:

- All high schools use career interest assessments tools, usually for ninth grade students. Results are shared with students and counselors.
- Each high school has a School-to-Career Site Coordinator; 13 of our 16 high schools have Employer Outreach Specialists. These staff members work together to provide workplace learning experiences for students and staff.
- The articulation process with the San Diego Community College District described above enables students to enroll in Career Technical Education classes in high school and earn concurrent college credit.
- Additional Career Technical courses are submitted to the appropriate UC committee for approval to meet the UC/CSU a-g entrance requirements.
- The integration of academic and career technical skills in academic, as well as Career Technical Education courses, further facilitates student access to both college prep and Career Technical Education.

Recommendation 02-38: Inculcate career technical education as an acceptable part of secondary education.

The recommendation has been implemented or is being acted upon as follows:
As mentioned above, there are currently 419 School-to-Career courses offered to our students, including ROP courses. These courses are developed and offered in response to the interests of students as well as to an analysis of the labor market potential in San Diego County and serve 22,827 students in grades 6-12.

Additional efforts to "inculcate" Career Technical Education as an acceptable part of secondary education include:

- Seeking UC approval for a-g credit for selected Career Technical Education classes.
- Partnership with the San Diego Community College District in providing students the opportunity to earn concurrent community college credit while still in high school.
- Rigorous staff development offered to Career Technical Education teachers, promoting the integration of academic standards are also providing needed credibility.
- The development of career-themed academies that use students' interest in career technical areas to motivate and engage students in the learning process and give students a rationale and purpose for being actively engaged in their learning. There are currently nine academies including Academy of Finance (San Diego High School, Scripps Ranch High School), SciTech Academy (San Diego High School), Academy of Hospitality, Travel, and Tourism (Clairemont High School, Scripps Ranch High School), Academy of Information Technology (Serra High School), Academy of Teaching Careers (Mira Mesa HS, Henry High School), and Health Careers Academy (Lincoln High School). An Academy for Architecture, Engineering, and Construction will open at Kearny High School in September 2002, and an Academy of Information Technology is scheduled to open at Hoover High School in September 2003.

- Career Technical Education has been given a prominent place in the *High School Graduation Guide,* the Four Year Planning Process, the Tenth Grade Review process and the ninth grade English classes as part of a required career planning unit, all of which are part of our strategies to provide students with a comprehensive secondary education.

Again, we thank you for your thorough analysis and recommendations. We in San Diego City Schools look to our Career Technical Education programs to support student achievement by increasing student motivation and engagement through a relevant, contexualized approach to a standards-based curriculum. Local and national research results continue to demonstrate that Career Technical Education has a strong positive impact on student achievement and success. As a district we will continue to seek ways to enable more students to participate and to emphasize Career Technical Education as an acceptable and accessible part of all students' education experience.

Should you have further questions concerning the District's response, you may contact Brian Haggerty, Assistant Deputy Chancellor, (619) 725-7118 or my office at (619) 725-5630.

Sincerely,

JO ANNE SAWYERKNOLL
General Counsel

c: Marcia Gravetta Jespersen, Foreperson
330 West Broadway, Suite 477
San Diego, CA 92101-3830

A. Bersin, Superintendent
T. Smith, Chief of Staff

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DEC 18 2002
SAN DIEGO
COUNTY GRAND JURY

San Dieguito
Union High School District

710 Encinitas Blvd.
Encinitas, CA 92024-3357
(760) 753-6491
www.sduhsd.k12.ca.us

Board of Trustees:
Joyce Dalessandro
Bill Flores
Barbara Groth
Susan Hartley
Deanna Rich

Superintendent:
Peggy Lynch, Ed.D.

Instructional Services

Carmel Valley MS
Diegueno MS
Earl Warren MS
La Costa Canyon HS
North Coast Alternative HS
Oak Crest MS
San Dieguito Adult Education
San Dieguito HS Academy
Sunset HS
Torrey Pines HS

December 18, 2002

SAN DIEGUITO UNION HIGH SCHOOL DISTRICT RESPONSE TO FINDINGS:

I. Many high school students wanting to take CTE classes must take them after school hours or in the evening because they must take the required college preparatory classes during regular school hours.

DISTRICT RESPONSE: We agree

II. All 11th and 12th grade students and out-of-school youth (includes students on work furlough, 16 years of age or older) have assess to CTE programs.

DISTRICT RESPONSE: We agree

III. Communication, collaboration, and cooperation between the two environments of school and work are advocated and readily apparent within the CTE programs.

DISTRICT RESPONSE: We agree

IV. Throughout San Diego County, the School-to-Career Program priorities are to develop career academies and to redesign courses to meet industry certification.

DISTRICT RESPONSE: We partially agree.
In our district, the priority is to encourage students to explore CTE courses. We encourage students to select a career path sequence, which culminates in a capstone or certificate class.

V. The education system (per State of California, County of San Diego, and local school board requirements) is focused on preparing students for admission to a four-year college. In reality, however, nearly 35% of graduating secondary students enter the job market, the military, or technical/trade schools.

DISTRICT RESPONSE: We do not fully agree.
The San Dieguito Union High School District is located in an affluent area in which the majority of parents expect their children to attend college. District wide, our seniors report a 94% college-bound rate with approximately 60-65% of those students going directly to a four-year college. We do agree however, that the high school education system primary focus is on preparing students for admissions to a four-year college to the exclusion of other post –secondary opportunities.

VI. The CTE programs provide job training courses to nearly 40,000 residents a year, covering more than 400 different professional careers. Each of these programs has been carefully mapped out by a panel of knowledgeable business people. These groups specify the requirements for their particular career field. As a result, program graduates are in demand as soon as they reach the job market.

DISTRICT RESPONSE: We agree.

/

VOCATIONAL EDUCATION

San Dieguito
Union High School District

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Encinitas, CA 92024-3357
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Board of Trustees:
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La Costa Canyon HS
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San Dieguito Adult Education
San Dieguito HS Academy
Sunset HS
Torrey Pines HS

VII. Random interviews of students currently enrolled in vocational education courses revealed total, or near total, satisfaction with the courses offered.

DISTRICT RESPONSE: We agree.

VIII. Interviews with various school and program personnel indicated that where vocational education programs were available and on-going, there were very few truancies.

DISTRICT RESPONSE: We agree.

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December 18, 2002

SAN DIEGUITO UNION HIGH SCHOOL RESPONSE TO RECOMMENDATIONS:

36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

DISTRICT RESPONSE: The San Dieguito Union High School District requires, as part of the district graduation requirements, that all students take a minimum of one practical arts course. We then encourage students to continue the career sequence or pathway. We have developed a four-year plan matrix that shows the possibilities. The career sequence options include:

- Computer Information Systems
  - Computer Applications
  - Computer Repair
  - Computer Programming
  - Computer Languages
  - Computer Networking
- Metals and Manufacturing
  - Introduction to Technology Manufacturing
  - Metals I
  - Metals II
  - Metals III
  - * ROP Welding
- Woods and Cabinet Making
  - Introduction to Technology/ Construction
  - Woods Technology I
  - Woods Technology II
  - * ROP Welding
- Automotive Technology
  - Introduction to Technology/ Power
  - Automotive
  - *ROP Automotive Technology
  - *ROP Automotive Engine Performance
- Child Development
  - Child Development I
  - *ROP Child Care Occupations
- TV and Video Productions
  - TV and Video
  - *ROP Video Production
- Photography and Graphic Arts
  - Introduction to Technology/ Imaging
  - Photography I
  - Photography II
  - *ROP Photo Occupations Lab
- Computer Graphic Design
  - Drawing and Design
  - Imaging for Today and Tomorrow
  - *ROP Computer Graphic Design
- Drafting
  - Introduction to Technology/ Drafting

San Dieguito
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Torrey Pines HS

*Technical Drawing
*• ROP CAD Drafting
* denotes capstone/certificate course

37. Establish counseling programs to facilitate pupil's access to vocational/technical curricula, as well as college preparatory curricula.

DISTRICT RESPONSE: Each of our high schools have a counseling/career center. Our average counselor to student ratio is 1=450. While counselors spend the majority of their time with academic counseling, they do encourage career exploration and career sequence courses. Several new software packages assist in the exploration.

At our one high school "of choice" we have a separate career center and career counselor. We are able to fund that position by grant funds. Pending the availability of funds, we would like to expand that model.

Beginning second semester, 2003, we will open a Evening Career Center two nights a week to all students in the district.

38. Inculcate career technical education as an acceptable part of secondary education.

DISTRICT RESPONSE: We will continue to encourage all students in the district to explore career technical education as part of their secondary education. By creating the sequence pathways, we have blended academic courses with ROP technical; hence, encouraging all students—even those who are only considering four-year colleges—to explore career options.

710 Encinitas Blvd.
Encinitas, CA 92024
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San Dieguito Union High School District

Fax

To: Laura Nix **From:** Penny Cooper-Francisco

Fax: **Pages:** 4 plus cover

Phone: **Date:**

Re:

☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply ☐ Please Recycle

• Comments:

Laura,

Once again, please accept our apologies for the oversight. The new page response is included in this FAX.

PCF

SAN MARCOS UNIFIED SCHOOL DISTRICT
SPECIAL PROGRAMS DEPARTMENT
1 Civic Center Drive, Suite 300
San Marcos, CA 92069
(760) 752-1272

RECEIVED
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SAN DIEGO
COUNTY GRAND JUR

MEMORANDUM

TO: PRESIDING JUDGE OF THE SUPERIOR COURT

FROM: SAN MARCOS UNIFIED SCHOOL DISTRICT
PREPARED BY LEE MCDOWELL, DIRECTOR OF SPECIAL PROGRAMS

DATE: AUGUST 7, 2002

SUBJECT: COMMENTS ON GRAND JURY REPORT: VOCATIONAL EDUCATION IN SAN DIEGO COUNTY

Attached are the San Marcos Unified School District's comments to the Presiding Judge of the Superior Court in compliance with the Penal Code of California § 933 (c). Comments are presented on the Grand Jury's findings and recommendations regarding "Vocational Education in San Diego County."

If you have questions concerning this report, please call me at 760-752-1270.

SAN MARCOS UNIFIED SCHOOL DISTRICT'S Comments

To The Grand Jury's Findings and Recommendations Regarding Vocational Education in San Diego County

GRAND JURY FINDINGS:

I. Many high school students wanting to take CTE classes must take them after school hours or in the evening because they must take the required college preparatory classes during regular school hours.

District Comments: The respondent agrees with the finding

II. All 11th and 12th grade students and out-of-school youth (includes students on work furlough, 16 years of age or older) have access to CTE programs.

District Comments: The respondent agrees with the finding

III. Communication, collaboration, and cooperation between the two environments of school and work are advocated and readily apparent within the CTE programs.

District Comments: The respondent agrees with the finding

IV. Throughout San Diego County, the School-to-Career Program priorities are to develop career academies and to redesign courses to meet industry certification.

District Comments: The respondent agrees with the finding

V. The education system (per State of California, County of San Diego, and local school board requirements) is focused on preparing students for admission to a four-year college. In reality, however, nearly 35% of graduating secondary students enter the job market, the military, or technical/trade schools.

District Comments: The respondent agrees with the finding

VI. The CTE programs provide job training courses to nearly 40,000 residents a year, covering more than 400 different professional careers. Each of these programs has been carefully mapped out by a panel of knowledgeable business people. These groups specify the requirements for their particular career field. As a result, program graduates are in demand as soon as they reach the job market.

District Comments: The respondent agrees with the finding

VII. Random interviews of students currently enrolled in vocational education courses revealed total, or near total, satisfaction with the courses offered.

District Comments: The respondent agrees with the finding

VIII. Interviews with various school and program personnel indicated that where vocational education programs were available and on-going, there were very few truancies.

District Comments: The respondent agrees with the finding

GRAND JURY RECOMMENDATIONS:

02-36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

District Comments: The recommendation has been implemented. The San Marcos Unified School District offers comprehensive Career Technical Education programs that ensure equal access, full participation, and nondiscrimination for all individuals regardless of race, color, gender, disability, or national origin. The District manages high quality programs that operate within appropriate legal parameters and offers a variety of career options for students enrolled in our programs. The District currently offers Career Technical Education training within the following career cluster areas: 1) Agriculture and Natural Resources, 2) Business and Administrative Services, 3) Wholesale/Retail Sales and Services, 4) Information Technology, 5) Human Services, 6) Construction, 7) Logistics, Transportation, and Distribution Services, 8) Scientific Research and Technical Services, and 9) Arts and Communication Services.
The lack of English language skills is not a barrier to admission and participation in the District's Career Technical Education programs.

02-37: Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

District Comments: The recommendation has been implemented. Counseling programs are in place to accommodate the needs of all students. These comprehensive programs facilitate pupils' access to Career Technical Education opportunities through a series of recruitment and enrollment strategies. The counseling programs are an integral component of the District's Tech Prep academies that are articulated with the local community colleges to provide students with opportunities to receive college credit while still in high school.

02-38: Inculcate career technical education as an acceptable part of secondary education.

District Comments: The recommendation has been implemented. The Career Technical Education program within the San Marcos Unified School District is an essential part of our comprehensive secondary education program. Career Technical Education

instructional programs are organized into coherent sequences of courses that integrate career/technical and academic education so that students achieve both academic and occupational competence. All of the District's CTE programs are of sufficient size, scope, and quality to be effective. Career academies have been developed and implemented to establish career paths and to enhance our curriculum integration efforts.

California Has a Compulsory School Attendance Law

Full time school attendance is required by law in California and parents are charged with the responsibility of ensuring their child's attendance at school. Parents must advise the school if a student is not in school and give *a specific reason* for the absence. If all efforts fail and the attendance problem cannot be resolved by the school staff, a referral will be made to the School Attendance Review Board.

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

What If ...

After a student has met with the board and agreement on a process for resolving the student's attendance problems has been reached, failure of the student or parent to cooperate and follow through can lead to the student being referred to the Juvenile Probation Department and/or parents being referred to the City Attorney for possible legal action, or parents receiving a citation from the Police Department.

Where Can I Find Out More?

Additional information on the School Attendance Review Board is available from the principal at your school or by calling the Student Welfare and Attendance Office at 425-9600, ext. 555

Students Can't Learn

If They're Not In School

If they are not in school, the School Attendance Review Board can help. Here's how...

CORONADO UNIFIED SCHOOL DISTRICT
Office of the Superintendent
555 D Avenue
Coronado, California 92118
(619) 522-8900

RECEIVED
JUL 18 2002
SAN DIEGO
COUNTY GRAND JURY

July 16, 2002

Honorable Richard E. L. Strauss
Presiding Judge, Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss,

Please consider the following as the official response from Coronado Unified School District to the Grand Jury Report "Vocational Education in San Diego County".

1. Findings: 8

   Response: The District is in agreement with all eight findings.

2. Recommendations:

   02- 36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

   Implementing Action – All students are encouraged to attend ROP courses at Coronado High School. A brochure is mailed to all residences in the community with enrollment information. A service center is open to assist in informing students about ROP course opportunities. Approximately 97% of ROP enrollments are high school students.

   02- 37: Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

   Implementing Action – High school counselors have been given responsibility to enroll high school students in ROP courses. This ensures ROP course selections interface with students' academic and career goals. High school counselors are well informed about ROP course offerings and are also involved in the selection of course offerings at the high school.

02 – 38: Inculcate career technical education as an acceptable part of secondary education.

Implementing Action – The Coronado High School ROP teachers have become an integral part of the high school by becoming highly involved in academic, social and daily life of the school community. Examples include ROP teachers sponsoring student mentor projects; providing staff development in computer web page development and use of computers for instructional purposes; video production projects in the classrooms; yearbook development; theater arts production; interaction between the academic and career courses, and many other examples.

Respectfully submitted,

Marilyn Wheeler

Marilyn Wheeler, Ed.D.
Superintendent of Schools

c: Marcia Gravette Jespersen, Foreman
Grand Jury, County of San Diego

SWEETWATER
UNION HIGH SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT
1130 Fifth Avenue • Chula Vista, California 91911-2896
(619) 691-5555 • FAX (619) 498-1997

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AUG 0 2 2002
SAN DIEGO
COUNTY GRAND JURY

Edward M. Brand, Ed.D.
Superintendent

July 31, 2002

Chuck E. Mulroy, Foreman
Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Mr. Mulroy:

RE: Response to Grand Jury Report "Vocational Education in San Diego County"

Listed below are the responses, from the ROP perspective, to the recommendations made in the Grand Jury Report of June 4, 2002.

Recommendation 02-36:

Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary goals:

Response:

Regional Occupational Program classes are available on every high school campus in SUHSD to students who are at least 16 years of age. A range of classes are available including computers (applications through web design and computer repair); auto technology, culinary arts, retail sales, supermarket operations, fire science, emergency medical technician, medical clinical (back office), medical clinical (front office), welding, printing and graphics, customer service, financial/banking, physical therapy aide. In addition, ROP classes are offered during the school day, in the evenings, and on Saturdays at the Career Awareness Center. These classes include veterinary assistant, veterinary office occupations, certified nurse assistant, medical transcription, medical terminology, real estate, apartment management, building and construction, and phlebotomy. These classes as well are open to high school students at least 16 years of age.

In addition, career technical education training is provided at various sites through School to Career funding, National Academy Foundation, Carl Perkins Grant, and other funding sources.

It is the policy of SUHSD to allow students to transfer to access classes not offered at their home school site.

The Sweetwater Union High School District does not discriminate with regard to sex, race, religion, color, national origin, ancestry/ethnicity, marital or parental status, age, physical or mental disability, sexual orientation or any other unlawful consideration. SUHSD Board Policy #2224

Recommendation 02-37

Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

Response:

All students in grades 7-12 have yearly, ongoing, regular, and systematic access to counselors. Counselors' responsibilities include assisting students in planning a coordinated curriculum that meets their needs to include career technical education and college preparation classes as they continue towards graduation.

All high school sites have COIN and Eureka software to assist students and counselors with developing career and educational pathways.

Recommendation 02-38

Inculcate career technical education as an acceptable part of secondary education.

Response:

The Regional Occupational Program serves approximately 3000 high school students each year with that number growing. Regional Occupational Program class enrollments are healthy. The demand exceeds the offerings primarily due to facilities shortages.

As other courses and activities, career technical education classes must compete in a school day with the many priorities and choices available to students including college preparatory requirements, fine arts, journalism, student government, California High School Exit Exam support, etc.

If you have any further requests for information, please do not hesitate to call me.

Sincerely,

Edward M. Brand, Ed.D.
Superintendent

EB:PQ:dh

The Sweetwater Union High School District does not discriminate with regard to sex, race, religion, color, national origin, ancestry/ethnicity, marital or parental status, age, physical or mental disability, sexual orientation or any other unlawful consideration. SUHSD Board Policy #2224

VALLEY CENTER-PAUMA
UNIFIED SCHOOL DISTRICT
28751 Cole Grade Road • Valley Center, California 92082-6599 • Telephone (760) 749-0464 • Facsimile (760)749-1208

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OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

October 1, 2002

Marcia Gravette Jesperson, Foreperson
San Diego County Grand Jury 2002-2003
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: 2001-2002 San Diego County Grand Jury Report: "Vocational Education in San Diego County"

Dear Foreperson Jesperson:

Attached is the response to the Grand Jury Report from Valley Center-Pauma Unified School District.

As Director of Curriculum, I have oversight responsibilities for Vocational Education and Regional Occupational Program courses in our district and have developed the responses to the findings and recommendations.

Should you have any questions or concerns, please contact me at (760) 749-0464.

Respectfully,

R. Ken Clark, Director of Curriculum
Valley Center-Pauma Unified School District

Board Of Trustees
Lori A. Johnson
Barbara P. Rohrer
Patrick N. Simpson
Henry P. Van Wyk, DVM
Wendy L. Zeugschmidt

Valley Center-Pauma Unified School District unified in July of 2000. Valley Center High School, which had opened in the fall of 1998, became a part of the district at that time. Valley Center High School is a comprehensive high school that makes courses in vocational education and Regional Occupational Program classes available to students.

Findings:

i. Many High School students wanting to take CTE classes must take them after school hours or in the evening because they must take the required college preparatory classes during regular school hours.

VCPUSD Response: Disagree.

Vocational Education classes and Regional Occupational Programs are available throughout the school day for VCHS students as elective choices.

II. All 11th and 12th grade students and out-of-school youth (includes students on work furlough, 16 years of age or older) have access to CTE programs.

VCPUSD Response: Agree

III. Communication, collaboration, and cooperation between the two environments of school and work are advocated and readily apparent with the CTE programs.

VCPUSD Response: Agree

IV. Throughout San Diego County, the School-to-Career Program priorities are to develop career academies and to redesign courses to meet the industry certification.

VCPUSD Response: Disagree Partially

While VCPUSD agrees that we should redesign courses to meet the industry certification standard, and that is being done, we may not have the capacity in a small rural school to offer effective career academies to our students.

V. The education system (per State of California, County of San Diego, and local school board requirements) is focused on preparing students for admission to a four-year college. In reality, however, nearly 35% of graduating secondary students enter the job market, the military, or technical/trade schools.

VCPUSD Response: Agree

VI. The CTE programs provide job training courses to nearly 40,000 residents a year, covering more than 400 different professional careers. Each of these programs has been carefully mapped out by a panel of knowledgeable business people. As a result, program graduates are in demand as soon as they reach the job market.

VCPUSD Position: Agree

VII. Random interviews of students currently enrolled in vocational education courses revealed total, or near total, satisfaction with the courses offered.

VCPUSD Response: Agree

VIII. Interviews with various school and program personnel indicated that where vocational education programs were available and on going, there were few truancies.

VCPUSD Response: Agree

As an observation, classes that are perceived by students as beneficial and productive, experience few instances of truancy.

Response to recommendations:

02-36: Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.

VCPUSD Response: Implemented

Each high school level student meets with a counselor or administrator prior to entering the ninth grade to develop a four-year plan based on the student's post-secondary educational goals. The plan includes options for elective courses to include CTE classes.

02-37 Establish counseling programs to facilitate pupils' access to vocational/technical curricula, as well as college preparatory curricula.

VCPUSD Response: Implemented

The four-year plan is facilitated by the counseling staff who review course descriptions and opportunities with each student. Teachers also provide information to counselors and students about course offerings in CTE.

02-38 Inculcate career technical education as an acceptable part of secondary education.

VCPUSD Response: Implemented

Career technical education classes are valued in our district. Recently, we have added courses in Agriculture, Business and Automotive areas.

Vista Unified School District
no better place to learn
EDUCATIONAL SERVICES OFFICE
1234 Arcadia Ave., Vista, CA 92084-3495, (760) 726-2170, FAX (760) 940-0719
Serving the communities of Vista, Oceanside, San Marcos, Carlsbad and San Diego County

Board Members
Jim Gibson
Stephen Guffanti
David Hubbard
Letha McWey
Valerie Wade

Superintendent
Dr. Dave Cowles

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COUNTY GRAND JURY

October 2, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Your Honor,

Per the Grand Jury request, please consider this the official comment from the Vista Unified School District on the findings and recommendation of the San Diego County Grand Jury Report on Vocational Education.

The Grand Jury recommendations (02-36, 02-37, 02-38) are compatible with the career educational goals of the Vista Unified School District. Vista has long prided itself on its career and R.O.P. programs and will continue to meet the spirit of the Grand Jury recommendations.

Sincerely,

Pete McHugh

Pete McHugh
Associate Superintendent

PM:jl

Cc: Dave Cowles
Dick Crane

WARNER UNIFIED SCHOOL DISTRICT
Post Office Box 8 • 30951 Hwy 79 • Warner Springs, California 92086 • (760) 782-3517 • FAX (760) 782-9117

SUPERINTENDENT
John Puglisi, Ph.D.

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SAN DIEGO
COUNTY GRAND JURY

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Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

October 1, 2002

Dear Members Of The Grand Jury;

I am in complete agreement with recommendation 02-35 (that the San Diego County Office of Education pursue state legislation that would make high school graduation requirements reflect career technical training courses with the same emphasis as college preparatory courses.) In fact I think that the state of California should make no separate distinction between academics and vocations.

I looked up the word academics in the American Heritage College Dictionary, it states: 1. Of, relating to, or characteristic of a school, esp. one of higher learning. 2.a. Relating to studies that are liberal or classical. But it also states: 4. Scholarly to the point of being unaware of the outside world. 7. Theoretical or speculative. 8. Having no practical purpose or use.
It is amazing to me, in this day and age, that our school systems still think in terms of the pre-colonial era. In that era they viewed the college educated as "The aristocrats" or The Leaders." Those individuals with mechanical or technical skills were not considered on the same level. Ironically this included those individuals who designed the pyramids of Egypt and the water canals of Rome. We view academics and vocations as two separate entities. They are not. If they were truly separate, we would have to take the study of medicine out of academics and place it in a vocation, probably in ROP. The study and practice of medicine and surgery is the same as the study of an internal combustion engine. The same could be said of engineering, etc. We will continue to have this problem until our school systems, and society, is ready to come to grips with its own

prejudices, the prejudices of an individual designing, creating, and working with his/her own hands.

The Warner High School has developed and implemented recommendation 02-36: (Develop a program to enable all pupils to participate in Career Technical Education training, if appropriate to their post-secondary education goals.)
Our schedule for the year 2002-2003 includes; Food Services, Drafting, Agriculture Mechanics, Agriculture Economics, Integrated Agriculture Biology, Agriculture Economics, Small Engine Repair, Auto Shop, Cabinet making, Veterinary Science, and Computer Year Book / School Newspaper. We also have a Career and Cultural Center.

Sincerely,

M Farri

Mbonisi Farri, Principal
Warner High School
Warner Middle School
San Jose Valley Continuation School

County General Services Support of Detention Facilities

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

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JUL 31 2002

SAN DIEGO
COUNTY GRAND JURY

July 15, 2002

The Honorable Richard E. L. Strauss
Presiding Judge, San Diego Superior Court
County of San Diego
220 West Broadway, Room 2004
San Diego, CA 92101-3877

Dear Judge Strauss:

Responses to San Diego County Grand Jury 2001-2002 Report dated May 30, 2002

The following are the Sheriff's Department's responses to recommendations made as a result of the 2001 Grand Jury Investigation.

Recommendation 02-32: Adopt a protocol for timely entry of maintenance budget data and regular reporting of progress.

The Sheriff's Department over the last three years has had numerous meetings with the middle management and top management of General Services regarding deficiencies in the timely entry of maintenance budget data and the regular reporting of any progress.

The meetings started with Facility Commanders meeting with the supervisor assigned to each site and attempting to work collaboratively with that person. At all of the facilities it quickly became clear the supervisors and their subordinates had no control over how maintenance budget data was collected or how it was communicated to the Facility Commanders.

Over the last three years, the lack of timely entry of maintenance data and any reasonable response from General Services to the Sheriff's Department to report any progress has progressively elevated in seriousness through our command staff ranks.

The seriousness of the situation has escalated to include our Deputy Chief Administrative Officer and the Chief Administrative Officer to facilitate an effective resolution to the situation.

In recent weeks, an MOU was negotiated during several meetings with General Services to resolve the issues. As of this date, it remains unsigned by General Services. General Services is bringing a Board Letter to the Board of Supervisors requiring a transfer of personnel to comply

with their portion of the MOU that is pending their signature. General Services has advised the Sheriff's Department they will sign the MOU after the Board of Supervisors agrees to their Board Letter.

At this point, the Sheriff's Department would like to reserve further comment and give an updated response six months after the MOU is signed by General Services.

Recommendation 02-33: Conduct a joint, system-wide assessment of maintenance needs, to establish a base line, agreed to by all, about the current status of facilities.

The Sheriff's Department, over the last three years, has had numerous meetings with the middle management and top management of General Services regarding a system wide assessment of maintenance needs and establishment of a base line of facility maintenance.

The meetings started with Facility Commanders meeting with the supervisor assigned to each site and attempting to work collaboratively with that person. At all of the facilities it quickly became clear the supervisors and their subordinates had no control over how facility maintenance needs were assessed nor how a plan might be developed to meet those needs.

Over the last three years, the lack of a coordinated needs assessment and a plan to establish a base line of maintenance service has progressively elevated in seriousness through our command staff ranks.

In recent weeks, an MOU was negotiated during several meetings to resolve the issues. As of this date, it remains unsigned by General Services. General Services is in the process of bringing a Board Letter to the Board of Supervisors requiring the transfer of some of their personnel to comply with their portion of the MOU that is pending their signature. General Services has advised the Sheriff's Department they will sign the MOU after the Board of Supervisors agrees to their Board Letter.

At this point, the Sheriff's Department would like to reserve further comment and give an updated response six months after the MOU is signed by General Services.

Recommendation 02-34: Develop future annual maintenance plans jointly through a partnership between GSA and Sheriff's personnel.

The Sheriff's Department, over the last three years, has had numerous meetings with the middle management and top management of General Services regarding the creation of an effective annual preventive maintenance plan for the detention facilities.

The meetings started with the Facility Commanders meeting with the supervisor assigned to each site and attempting to work collaboratively with that person. At all of the facilities it quickly became clear the supervisors and their subordinates had no control over developing the true annual preventive maintenance plans.

Over the last three years, the lack of annual maintenance plans has progressively elevated in seriousness through our command staff ranks.

In recent weeks, an MOU was negotiated during several meetings to resolve the issues. As of this date, it remains unsigned by General Services. General Services is in the process of taking a Board Letter to the Board of Supervisors requiring the transfer of some of their personnel to comply with their portion of the MOU that is pending their signature. General Services has advised the Sheriff's Department that they will sign the MOU after the Board of Supervisors agrees with their Board Letter.

At this point, the Sheriff's Department would like to reserve further comment and give an updated response six months after the MOU is signed by General Services.

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,

William B. Kolender, Sheriff

WBK/ns

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

San Diego Community College District

The San Diego Community College District

3375 Camino del Rio South, San Diego, CA 92108-3883 (619) 388-6500

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JUL 25 2002

SAN DIEGO COUNTY GRAND JURY

Office of the Chancellor
388-6957

July 22, 2002

Honorable Richard L. E. Strauss
Presiding Judge of Superior Court
220 W. Broadway
San Diego, CA 92101

Dear Judge Strauss:

This is to acknowledge that the San Diego Community College District, Board and Chancellor accept the Grand Jury Report dated April 22, 2002 as constructed, without additional comment. We have implemented the independent audit of the San Diego Community College Auxiliary Organization as recommended by the Grand Jury in this report.

The annual audit in compliance with the Grand Jury's recommendation was completed for the fiscal year ending June 30, 2001. The annual audit for the fiscal year ending June 30, 2002 and subsequent years, for the San Diego Community College Auxiliary Organization will continue to be separate from the San Diego Community College District's General Accounts.

Sincerely,

A. P. Gallego
Chancellor

APG/js/da
cc: San Diego County Grand Jury
220 W. Broadway
San Diego, CA 92101
SDCCD Board of Trustees

Conditions and Management of Detention Facilities in San Diego County

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AUG 1 6 2002

County of San Diego

WALTER F. EKARD
CHIEF ADMINISTRATIVE OFFICER
(619) 531-6226
FAX: (619) 557-4060

CHIEF ADMINISTRATIVE OFFICE
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

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SAN DIEGO
COUNTY GRAND JURY

August 13, 2002

The Honorable Richard E. L. Strauss
San Diego Superior Court, Presiding Dept.
220 West Broadway
San Diego, CA 92101

RESPONSE FROM COUNTY OF SAN DIEGO ON 2001-2002 INTERIM GRAND JURY REPORTS

Dear Judge Strauss:

Attached, please find the County of San Diego Board of Supervisors' responses to two 2001-2002 San Diego County Grand Jury Interim Reports for your transmittal to the Grand Jury. The attached material was approved by the Board of Supervisors on August 13, 2002 and addresses the following reports:

1.) County General Services: Support of Detention Facilities
2.) Conditions and Management of Detention Facilities in San Diego County

This action completes the County's responses to the 2001-2002 Grand Jury. If you have any questions concerning the attachments or any related matter, please contact me at (619) 531-6226.

Sincerely,

WALTER F. EKARD
Chief Administrative Officer

Attachment

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AUG 19 2002

SAN DIEGO
COUNTY GRAND JURY

Response to Report by
San Diego Grand Jury 2001-2002
June 6, 2002

CONDITIONS AND MANAGEMENT OF DETENTION FACILITIES IN SAN DIEGO COUNTY

Findings

2. **Repairs to the oldest of the detentions facilities, Vista and Las Colinas, are ongoing.**

   General Services agrees with this finding.

Recommendations

That the San Diego County Department of General Services:

02-39: Review the maintenance needs of each of the Sheriff's Department's facilities to determine if additional on-site maintenance personnel are needed.

In cooperation with the Sheriff's Department, General Services is in the process of implementing this recommendation.

General Services and the Sheriff's Department have collaboratively reviewed the need for additional dedicated maintenance staff at the detention facilities. The Board of Supervisors on July 23, 2002, approved their recommendation to add 16 additional maintenance positions to the 29 General Services' staff already dedicated to detention facility maintenance.

02-40: Make an assessment of each of the Sheriff's Department's facilities, prepare a long-term preventive maintenance plan for each facility, and provide a copy to the head of each facility.

This recommendation has been implemented and is ongoing.

The Department of General Services plans and implements two maintenance programs for each jail facility. The first is a preventive maintenance (PM) program, which lists all significant equipment in each facility and the frequency of preventive maintenance tasks (monthly, quarterly, and semi-annually). This information is stored in Facility Center, the County's facility management information system. As preventive maintenance activities occur, the maintenance staff enters their work into the tracking system. The current goal is to perform 90% of all high priority PMs on schedule. This PM program is evaluated on an ongoing basis and as new equipment is added to the schedule. Over the

past year, the PM schedule has increased by 200% from 4,630 pieces of equipment to 9,638 Countywide.

The second program is a facility condition assessment. DGS initiated a program in 2000 to accurately assess the condition of all County facilities. During FY 2001/02 the following Public Safety Facilities were formally assessed with findings documented in separate formal reports:

Camp Barrett
Rancho Del Campo
George Bailey Detention Facility
South Bay Regional Center and Detention
County Courthouse
Juvenile Hall
Juvenile Court

These condition assessment reports have been provided to the Sheriff's Department and are used by General Services and the Sheriff's Department to develop the County's five (5) year major maintenance program.

This assessment program is ongoing, with a goal of re-assessing each major facility in the county every 2-3 years. During FY 2002/03, the following Sheriff facilities are currently scheduled for assessments:

Central Jail
Las Colinas Detention Facility
Vista Sheriff Station
ASTREA Sheriff Facility
Encinitas Sheriff Station
Fallbrook Sheriff Station
Vista Jail
Descanso Detention Facility
Santee Sheriff Station
Imperial Beach Sheriff Station
Ridgecrest Sheriff Headquarters
Crime Lab

The information gained from these condition assessments is used to evaluate the preventive maintenance program, review the current planned major maintenance program, and update planned lifecycle replacements of critical equipment and systems. This information is reviewed jointly with the Sheriff's Department.

02-41: Establish a specific point of contact for each of the Sheriff's Department's Facilities to serve as its liaison for information and scheduling of maintenance.

This recommendation has been implemented.

There is currently a DGS Building Maintenance Supervisor for each site who is the point of contact for routine and preventive maintenance scheduling. In addition, DGS recently established a Customer Service Manager position, which will provide a single point of contact for all DGS activities, including maintenance, major maintenance projects and

capital projects. A senior DGS manager with excellent customer service skills has been appointed to this new position.

VISTA DETENTION FACILITY

Findings

1. **Leaking water continues to cause damage.**

   General Services disagrees with this finding.

   The roof was repaired, with substantial completion in November 2001. All work was completed by January 9, 2002. All resultant damage has been repaired.

2. **Maintenance personnel barely manage to keep up with repairs listed on the monthly schedule.**

   General Services partially agrees with this finding.

   General Services agrees that not all work orders for routine maintenance are completed on a schedule fully acceptable to the Sheriff. Additional staff, authorized by the Board of Supervisors on July 23, 2002, will improve response times to their routine work order requests. The DGS maintenance staff completes an average of 90% of the preventive maintenance scheduled in the Facility Center maintenance tracking program on time for this site. The remaining 10% are completed, usually within the next 30 to 60 days. The delay is caused by occasions when emergency repairs take precedence over routine scheduled PMS.

Recommendations

That the San Diego County Department of General Services:

02-42: Solve the problems of the leaking roofs.

This recommendation has been implemented.

In 2001, a contract was awarded to repair the roof, project # MX0018. The sequence of events was as follows:

Funding Approved	01-02-01
Contract Documents Completed	02-01-01
Board Contract Approval	02-06-01
Pre-Bid Meeting	02-13-01
Bid Opening	02-27-01

Contract Notice of Award	04-09-01
Notice to Proceed	04-26-01
Commencement Date	05-07-01
Pre-Construction Meeting	06-07-01
Construction Start	06-18-01
Substantial Completion	11-13-01
Punch List	11-20-01
Warranty Received	12-26-01
Punch List Completed	01-09-02

LAS COLINAS DETENTION FACILITY

Findings

1. **This facility requires constant maintenance because of its age and heavy use.**

   General Services agrees with this finding.

   General Services acknowledges that this facility requires replacement. A master plan, the first step in designing a new facility has been completed.

2. **There are only three maintenance personnel assigned to this facility.**

   General Services agrees with this finding.

   Currently, only three Building Maintenance Engineer personnel are assigned full time to this facility. They are supported by an electrician, a plumber, a painter and an air conditioning mechanic, who respond as needed for emergency repairs, preventive maintenance duties and work orders. Under the proposed Memorandum of Agreement (MOA) between General Services and the Sheriff, a fully dedicated plumber, air conditioning mechanic and painter will be located at Las Colinas. General Services and the Sheriff's Department have collaboratively presented the Board of Supervisors, on July 23, 2002, their recommendation to add these additional maintenance positions to the 29 General Services' staff already dedicated to detention facility maintenance.

Recommendations

That the San Diego County Board of Supervisors:

02-43: Proceed with construction of a replacement women's detention facility, now.

This recommendation is in the process of being implemented.

The next step is architectural programming, scheduled to be complete in December 2002. This will be followed by the packaging of a grant application and the Phase I Environmental Assessment. Final building design and construction are not currently scheduled, and are dependent upon identifying funding and the completion of the Edgemoor Hospital, which may see occupancy as early as Spring 2005.

EAST MESA OTAY DETENTION FACILITY

Findings

1. **Maintenance remains a major source of concern.**

General Services agrees with this finding.

General Services and the Sheriff's Department have collaboratively reviewed the need for additional dedicated maintenance staff at the detention facilities. The Board of Supervisors on July 23, 2002, approved their recommendation to add 16 additional maintenance positions to the 29 General Services' staff already dedicated to detention facility maintenance.

2. **There is no contact person in General Services available to Sheriff's staff to handle their questions, clarify schedules and address other concerns.**

General Services partially disagrees with this finding.

There has been and is a DGS Building Maintenance Supervisor for this site who is the point of contact for routine and preventive maintenance scheduling. In addition, DGS recently established a Customer Service Manager position, which will provide a single point of contact for all DGS activities, including maintenance, major maintenance projects and capital projects. A senior DGS manager with excellent customer service skills has been appointed to this new position.

GEORGE F. BAILEY DETENTION FACILITY

Findings

1. **Many of the plumbing facilities were not functioning. Valves were leaking and showerheads need replacing.**

   General Services agrees with this finding.

   General Services has a phased schedule to complete valves and showerhead replacements. Four (4) modules, out of a total of 18, have been completed. The addition of staff as discussed above in 02-39, will allow for this work to be completed in a shortened time schedule.

2. **There are insufficient maintenance personnel assigned to this facility.**

   General Services agrees with this finding.

   General Services and the Sheriff's Department have collaboratively reviewed the need for additional dedicated maintenance staff at the detention facilities. The Board of Supervisors on July 23, 2002, approved their recommendation to add 16 additional maintenance positions to the 29 General Services' staff already dedicated to detention facility maintenance. Some of these staff will be fully dedicated to the George F. Bailey Detention Facility.

Recommendations

That the San Diego County Department of General Services:

02-44: Fix or replace all defective plumbing fixtures.

This recommendation is in the process of being implemented.

Project #MP2316 was created and will be completed under a phased schedule, as described above. The leaking valves and showerheads will be replaced one module at a time, as prisoners can be moved. It was determined that a build up of mineral deposits on valves, faucets, and showerheads was causing pre-mature failure. An engineering study is currently underway to determine the best way to provide filtered, soft water to the site.

DESCANSO DETENTION FACILITY

Findings

1. **There are immediate maintenance requirements that do not appear to be addressed by the Department of General Services**

   General Services agrees with this finding.

   General Services and the Sheriff's Department have collaboratively reviewed the need for additional dedicated maintenance staff at the detention facilities. The Board of Supervisors on July 23, 2002, approved their recommendation to add 16 additional maintenance positions to the 29 General Services' staff already dedicated to detention facility maintenance.

PROBATION DEPARTMENT FACILITIES

JUVENILE HALL

Findings

1. **There is a need for additional interview rooms.**

   Agree

   Previously Juvenile Hall had three mental health rooms and in February 2002 an additional 2 rooms were created in Units 100 and 700.

2. **The recreation area is worn, strewn with trash and generally depressing in appearance.**

   Agree

   The Juvenile Hall recreation areas will be re-surfaced throughout the facility by November 2002. This project was contracted out to Phillips National, Inc., and Seal Right Paving Co. completed the job.

3. **Maintenance is needed to refresh badly worn areas.**

   Agree

   For fiscal year 2002-03 the following projects will be completed:

- Administration Entrance Remodel
- Flooring in the units
- Interior Painting of the units
- Exterior Painting of the facility
- Toilet Replacement within the units

Recommendations

That the San Diego County Department of General Services:

02-46: Renovate the recreation area.

This recommendation has been implemented.

In fiscal year 2001-02, Project MP2302 renovated all interior recreation areas, which included the resurfacing of all recreation courts throughout the facility. All trees and dirt areas were replaced with asphalt paving.

02-47: Review the maintenance needs of this facility to determine whether additional maintenance personnel are needed.

This recommendation requires further analysis.

The Department of General Services is reviewing the hours required for preventive and routine maintenance requirements to determine if additional personnel are needed at this site.

That the San Diego County Probation Department:

02-48: Provide more classrooms for the regular education program.

Agree

Long –term solution is the 20-bed expansion of the Girls Rehabilitation Facility and the addition of another classroom. Construction of GRF will begin in the summer of 2002 and the additional classroom will be operational by September 1, 2002.

In addition, the new East Mesa Juvenile Detention Facility is scheduled for completion in January of 2004. The facility will house 380 detainees and will add 19 classrooms to the Juvenile Hall facilities.

These two projects will relieve pressure for additional classroom space in the existing facility.

GIRLS REHABILITATION FACILITY

Findings

1. **This facility is successful in intervening in the cycle of delinquency.**

   Agree

2. **The facility displays a shabby and worn appearance.**

   Agree

   Girls Rehabilitation Facility will begin construction for a 20-bed expansion in July 2002. In addition the following projects will be completed:
   - -Administration Entrance Remodel
   - -Flooring to the units
   - -Interior painting of the units
   - -Exterior painting of the facility
   - -Toilet replacement within the units

3. **The facility is in the process of adding 20 beds.**

   Agree

   The Probation Department received a construction grant from the Board of Corrections in May 2001, which provides for a 20-bed expansion of the Girls' Rehabilitation Facility. We hope to start construction in July and complete the project by December 2002 and be at full occupancy by January 20.

CAMP BARRETT

Findings

1. **There is no vocational element in the school program.**

   Disagree

   Barrett High School has CHOICES Career exploration software and each student has the opportunity for exploration of career interests. The school also has a GED

preparation program and a transition program to assist students in apprenticeship programs upon release.

2. **There are not enough computers available in the classrooms.**

Disagree

In April 2002 Camp Barrett created a computer lab with 12 donated computers and related software in an empty trailer. The school has placed 29 computers in the classrooms.

3. **There is deferred maintenance.**

Agree

Camp Barrett has numerous projects underway at this time:

- Kitchen renovation project started on 6-4-02. This project includes replacing all floor tile, walls and exterior doors, painting the interior walls, and installing air conditioning.

- Dorms:
  - Install new flooring in dorm sleeping areas
  - Paint interior walls
  - Install new bathroom mirrors

- Building Grounds:

  - School trailer site upgraded with retaining walls, new decking, and doors.
  - Lawn will be hydro-seeded and additional ground cover and plants have been planted.

Recommendations

That the San Diego County Probation Department and the San Diego County Office of Education:

02-49: Add a vocational element to the school program.

<u>Response from the San Diego County Office of Education (SDCOE):</u>

(a) (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 therefore.

(b) (1) Recommendation 02-49 has been implemented by SDCOE. A summary of the implemented action follows.

- CHOICES Career exploration software has been installed on computers at Barrett High School.
- The counselor aide administers CHOICES and reviews the results with each student to provide an opportunity for discussion, questions, and further exploration of career interests.
- A one semester Career Exploration course has been developed and will be offered to all students commencing July 2002.
- A GED Preparation program is in place for those students who are transitioning into the world of work and have not earned enough credits to receive a diploma.
- A state-approved GED Testing Center has been established at the school. The test is offered monthly on site to eligible students.
- SDCOE received grant funds from the California Department of Education to establish a Career Center at Camp Barrett. Some of the expanded services students will receive include employment readiness training and portfolio development, mentoring and career guidance/counseling. Students who plan to enroll in community college will be able to apply for financial aide and scholarships made possible through grant funds. The center will be operational in July 2002.
- A formalized system for transitioning students to the world of work is in place at the school. The counselor aide has established strong partnerships with potential employers throughout San Diego County. Before exiting the program, each student meets individually with the counselor aide who serves as an advocate for the student by setting up interviews for apprenticeship programs in the county (plumbing, construction, electrical), Job Corps, California Conservation Corps, Community College, Adult School, Regional Occupational Program classes, and/or the Black Contractors' Association Youth Build program.
- SDCOE Regional Occupational Program and Juvenile Court and Community Schools have met to explore the possibility of establishing an ROP class at Camp Barrett. ROP funds are generated when an individual enrolls in an ROP class sponsored by a school district. In order to fund an ROP class at Camp Barrett, funds would have to be taken from the 22 San Diego school districts who participate in ROP since students at Barrett are "on loan" to SDCOE while they are enrolled in school at Barrett. This possibility has been explored and the majority of the districts have reached their allowed student apportionment and have waiting lists. SDCOE will continue to actively explore other options including having legislation passed at the state level to provide court school programs with their own apportionment.

02-50: Add more computers in the classrooms.

This recommendation has been implemented.

In April 2002 Camp Barrett personnel set up a computer lab with 12 computers in the old INS trailer. Software (typing, publishing, Microsoft Word and Works) has been purchased and staff identified to teach and work with wards during study hall time in evening and weekend hours.

Response from the San Diego County Office of Education:

(a) (1) The respondent agrees with the finding.

(b) (1) Recommendation 02-50 has been implemented by SDCOE. A summary of the implemented action follows.

- At the time of the Grand Jury's visit to Camp Barrett, there were a total of 14 SDCOE owned computers in 7 classrooms. The computer to student ratio was 1 computer for 3.9 students.
- On June 12, ten new computers were added to the existing 14 at Camp Barrett, raising the computer to student ratio to 1 computer for every 2.3 students. This far exceeds the statewide average of 1 computer for every 6.4 students.
- As of June 12, 2002, every classroom at Camp Barrett has a minimum of 3 Macintosh G3 quality or better multimedia computers in place for student use.

That the San Diego County Department of General Services:

02-51: Review the maintenance needs of this facility to determine if more on-site personnel are needed.

This recommendation requires further analysis.

The Department of General Services is reviewing the hours required for preventive and routine maintenance.

JUVENILE RANCH FACILITY

Findings

1. **There are no indoor recreation facilities.**

   Disagree in part.

   The Juvenile Ranch Facility provides physical recreation for the wards on a daily basis. It is rare for wards not to get outside for recreation because we vary the time depending upon the weather. During extremely hot or cold weather the camp utilizes an empty dorm in which the wards recreate.

   The Probation Department's Grant Team is currently exploring funding sources through local resources, and foundations.

2. **There are no vocational components in the school program.**

   Agree

Recommendations

That the San Diego County Probation Department and the San Diego County Office of Education:

02-52: Develop a program for vocational classes.

<u>Response from the San Diego County Office of Education:</u>

(a) (1) The respondent agrees with the finding.

(b) (2) Recommendation 02-52 has not yet been implemented but will be implemented in the future within the following timeline:

- CHOICES Career Exploration software has been ordered and will be installed by June 30, 2002 on all computers in the Assessment Center as well as the Technology Lab.
- Commencing July 2002, longer-term students (Rayo I and II Dorm) will complete the CHOICES Career Interest Inventory within two weeks of arrival at the Juvenile Ranch Facility.

- Counselor aides will promptly review the CHOICES Career Interest Inventory results with each student to provide an opportunity for discussion, questions, and further exploration of career interests.
- A one semester Career Exploration course has been developed and will be offered to all Rayo students commencing July 2002.

SAN DIEGO COUNTY OFFICE OF EDUCATION

6401 LINDA VISTA ROAD, SAN DIEGO, CALIFORNIA 92111-7399 (858) 292-3500

Superintendent of Schools
Rudy M. Castruita, Ed.D.

RECEIVED

AUG 14 2002

SAN DIEGO
COUNTY GRAND JURY

August 12, 2002

Chuck Mulroy, Foreman
Grand Jury, County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego CA 92101-3830

Dear Mr. Mulroy:

Re: Responses to the 2001-2002 Grand Jury Report – "CONDITIONS AND MANAGEMENT OF DETENTION FACILITES IN SAN DIEGO COUNTY," filed June 4, 2002.

Enclosed are the responses to the Grand Jury report of June 4, 2002, concerning the management and conditions of San Diego County detention facilities. Our office has reviewed the report and prepared responses to the four recommendations set forth therein. These responses are being submitted in accordance with the Grand Jury's request.

Sincerely,

Rudy M. Castruita
County Superintendent of Schools

RMC:BB
Enclosure

Board of Education
Nick Aguilar Ernest J. Dronenburg, Jr. Susen Fay Jim Kelly John Witt

SERVICE AND LEADERSHIP

SAN DIEGO COUNTY OFFICE OF EDUCATION (SDCOE)
RESPONSES TO THE GRAND JURY RECOMMENDATIONS
REGARDING "CONDITIONS AND MANAGEMENT OF DETENTION FACILITIES IN SAN DIEGO COUNTY"

Recommendation 02-49: That the San Diego County Probation Department and the San Diego County Office of Education add a vocational element to the school program (Camp Barrett).

SDCOE Response: The recommendation has been implemented by SDCOE. A summary of the implemented actions follow:

- CHOICES career exploration software has been installed on computers at Barrett High School.
- The counselor aide assigned to Barrett High School administers CHOICES and reviews the result with each student to provide an opportunity for discussion, questions, and further exploration of career interests.
- A one-semester Career Exploration course has been developed and will be offered to all students commencing July 2002.
- A GED preparation program is in place for those students who are transitioning into the world of work and have not earned enough credits to receive a diploma.
- A state-approved GED Testing Center has been established at the school. The test is offered monthly on-site to eligible students.
- SDCOE received grant funds from the California Department of Education to establish a Career Center at Camp Barrett. Some of the expanded services students will receive include employment readiness training and portfolio development, mentoring and career guidance/counseling. Students who plan to enroll in community college will be able to apply for financial aide and scholarships made possible through grant funds. The center will be operational in July 2002.

- A formalized system for transitioning students to the world of work is in place at the school. The counselor aide has established strong partnerships with potential employers throughout San Diego County. Before exiting the program, each student meets individually with the counselor aide who serves as an advocate for the student by setting up interviews for apprenticeship programs in the county (plumbing, construction, electrical), community college, adult school, Job Corps, California Conservation Corps, Regional Occupational Program classes, and/or the Black Contractors' Association Youth Build Program.

- SDCOE Regional Occupational Program (ROP) and the Juvenile Court and Community Schools (JCCS) staffs have met to explore the possibility of establishing an ROP class at Camp Barrett. ROP funds are generated when an individual enrolls in an ROP class sponsored by a school district. In order to fund an ROP class at Camp Barrett, funds would have to be diverted from the 22 San Diego school districts and given to the JCCS to provide ROP classes to students at Camp Barrett. This possibility has be explored and the majority of the districts have reached their allowed student apportionment and have waiting lists. SDCOE will continue to explore other options including collaboration with the Workforce Partnership and state legislation to provide court school programs with their own funding for ROP services.

Recommendation 02-50

That the San Diego County Probation Department and the San Diego County Office of Education add more computers in the classrooms (Camp Barrett).

SDCOE Response:

The SDCOE agrees with the finding and recommendation. A summary of the implemented actions follows:

- At the time of the Grand Jury's visit to Camp Barrett, there were a total of 14 SDCOE owned computers in 7 classrooms. The computer to student ratio was 1 computer for every 3.9 students. On June 12, 2002, ten new computers were added to the existing 14 computers at Camp Barrett, improving the computer to student ratio to 1 computer for every 2.3 students. This far exceeds the statewide average of 1 computer for every 6.4 students. This recommendation has been addressed.

Recommendation 02-52: That the San Diego County Probation Department and the SDCOE develop a program for vocational classes (Juvenile Ranch Facility)

SDCOE Response: The SDCOE agrees with the finding and the recommendation. The recommendation has been implemented as described below.

- CHOICES Career Exploration software has been ordered and was installed on all computers in the Assessment Center as well as the Technology Lab.
- Commencing July 2002, long-term students in Rayo Dorms I and II completed the CHOICES Career Interest Inventory within two weeks of arrival at the Juvenile Ranch Facility. This procedure will continue to be provided as new students enter the camp facility.
- Counselor aides promptly review the CHOICES Career Interest Inventory results with each student to provide an opportunity for discussion, questions, and further exploration of career interests.
- A one-semester Career Exploration course has been developed and will be offered to all Rayo students.

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

RECEIVED

JUL 19 2002

SAN DIEGO
COUNTY GRAND JURY

July 15, 2002

The Honorable Richard E. L. Strauss
Presiding Judge, San Diego Superior Court
County of San Diego
220 West Broadway, Room 2004
San Diego, CA 92101-3877

Dear Judge Strauss:

Response to the San Diego County Grand Jury 2001-2002 Report dated June 6, 2002

This correspondence will serve as a response to those issues specifically directed to the Sheriff's Department concerning those facilities or operations under my jurisdiction.

Descanso Detention Facility:

02-45: "Construct a visitor's center"

The Descanso Detention Facility formed a committee months ago to address this particular issue. The committee made its findings and recommendations for the construction of a visitor/reception center. This center would serve two functions. One would be an enclosed area to conduct social visiting to eliminate the possibility of canceling visits due to inclement weather and two, to have a building to properly conduct the initial intake of newly assigned inmates to the facility.

The proposal was completed and is being considered if funds can be identified through the budgetary process. When funds are identified, it is our intent to complete this project.

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,

William B. Kolender, Sheriff

WBK/sl

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

Truancy & Curfew Practices

CHULA VISTA ELEMENTARY SCHOOL DISTRICT

84 EAST "J" STREET • CHULA VISTA, CALIFORNIA 91910 • 619 425-9600

EACH CHILD IS AN INDIVIDUAL OF GREAT WORTH

BOARD OF EDUCATION
LARRY CUNNINGHAM
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PAMELA B. SMITH

SUPERINTENDENT
LIBIA S. GIL, Ph.D.

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AUG 1 2 2002

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AUG 1 3 2002
SAN DIEGO
COUNTY GRAND JURY

August 8, 2002

The Honorable Richard E.L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

RE: TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity and its Impact on San Diego County

This letter is sent in response to the San Diego County Grand Jury 2001-2002 Report: TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity and its Impact on San Diego County in compliance with the requirements set forth in California Penal Code Section 933 (c).

The Chula Vista Elementary School District offers the following comments in response to the Grand Jury report as required by law:

- **That the Forty-two School Districts in San Diego County:**

  02-11: Set up programs which integrate families and students in the development of self-esteem and mutual respect.

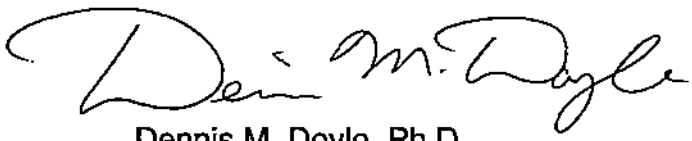
Comment: The Chula Vista Elementary School District agrees with the recommendation. Indeed, the recommendation is currently being implemented and the following actions have been taken to date:

- Five Family Resource Centers have been established in the Chula Vista Elementary School District with the goal of integrating families and students by raising self-esteem and fostering mutual respect. They provide comprehensive coordinated services to children and families and include out-stationed personnel such as Child Protective Services, Juvenile Probation, social service agencies, and Welfare to Work Transition Counselors. The Chula Vista Coordinating Council, a network of educators, health care workers, governmental and non-governmental organizations, law enforcement, business and religious groups align to provide oversight and seamless targeted services.

- Repeated teacher trainings in Tribes and the Lions Quest curriculum have established a skills base among staff to address self-esteem and group accountability. Our new Safety on Site curriculum serves the same purpose and the district's collaboration with the Community of Teachers and Artists addresses these goals from another perspective. Tobacco Prevention Education, Bank of America Speech Contest, Administrators Association Book Contest, Cooperative Learning Training, and faculty participation in Monthly Recognition Assemblies, the Masonic Citizenship Awards, and Safe School Plans combine to student impact self-esteem and mutual respect.
- Additional programs for children in our district that focus on enhancing self-esteem and pro-social values are College First, Esteem-Builders, Peace Patrol, Peace Builders, Circle of Little Brothers, KIDCO, Behavior Specialists, School Safety Patrol, Tariq Khamisa Foundation Violence Impact Forum, Campfire and Scouts, soccer, baseball, and other organized sports, DARE, Adolescent Growth Education, Newcomer Class, Student-Led Conferences, YMCA Teen Asset Club, Border Patrol Operation Pride, Community Service Activities, site specific student run TV Newscasts, Red Ribbon Week, Day of the Child, and a wide range of Cultural Celebrations. Many of our schools are organized into "kingdoms," "families," and "houses" to create a better sense of identity and caring.
- Counterpart programs for parents include Community-Based English Tutoring, Family Reading, Family Math, Family Science, MI PAPA, Encuentros de Padres, Neighborhood Council Initiative, Promotoras, PTA/PTO, Evenstart Family Literacy, Mothers of Pre-Schoolers, Muffins for Moms, Donuts for Dads, South Bay Leadership Symposium, South County Parent Conference, Family and Parenting Classes, Parents of University Students, Healthy Start, Family Case Management, Early Intervention for School Success, Parent and Child Together, Home Visits by Family Reading Advocates, the Parent Institute for Quality Education, Latino Family Literacy, Listos Para Leer, Rolling Readers, and OASIS, Connections, Multilingual Community Liaisons, Adelante Mujer Conference, parent support components of state pre-schools and child care centers, Books in Spanish Conference, and parent Volunteer opportunities.
- Additional collaborations include LEAP (with Chula Vista Public Library), Safe Times for Recreation, Enrichment, and Tutoring for Children, Dynamic After School Hours, 6 to 6 Extended Day Program, Welcome Baby Kits for Newborns, ChildLink, School Health Innovative Programs, School Resource Officers, the Spirit of Caring Mobile Pediatric Clinic, site-based counselors, and the district's involvement in Paradise Valley Hospital's Violence Prevention Network.
- Mechanisms for referral, screening, and early intervention are the School Attendance Review Board, Student Study Team, and the Community Assessment Team.
- During the 2002-2003 School Year our School District will launch a School Readiness Program that will target children from birth to age five and their families in eight of our lowest performing schools. Two sites with school crimes higher than the state average will undertake a program jointly with the Chula Vista Police Department to stop school bullying.

We recognize that we still have much work ahead of us. The issues you have identified are not intractable. They require long-term sustained attention from many coordinated sources. We look forward to opening up a dialogue and engagement with you on any and all solutions that will benefit our students and families.

For the children,



Dennis M. Doyle, Ph.D.
Assistant Superintendent for
Community and Government Services and Support

CORONADO UNIFIED SCHOOL DISTRICT
Office of the Superintendent
555 D Avenue
Coronado, California 92118
(619) 522-8900

RECEIVED
AUG 19 2002
SAN DIEGO
COUNTY GRAND JURY

August 15, 2002

Honorable Richard E. L. Strauss
Presiding Judge, Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Judge Strauss,

In accordance with Penal Code 933.05, the following response to the 2001-2002 Grand Jury Report "Truancy and Curfew Practices – The Lack of Consistency and Uniformity" is submitted for Coronado Unified School District.

Findings 1- 8

Finding 1: Respondent agrees with the Finding as stated. Coronado Unified School District has published guidelines on truancy and enforcement, but the Respondent has no direct knowledge regarding other municipalities and districts.

Finding 2: Respondent agrees with the Finding in concept, but has no direct knowledge.

Finding 3: Respondent disagrees with the Finding as applied to Coronado Unified's SARB. The SARB process in Coronado Unified is structured for early intervention and support to families.

Findings 4-8: Respondent agrees with Findings 4-8 as stated.

Recommendation 02-11

This recommendation has been implemented. Coronado Unified School District has taken steps to support the development of self-esteem and respect. These include:

- Self esteem and social awareness program taught in each class at all grade levels in both elementary schools.

- The "Pelican Way" self-esteem/character education program implemented school wide at Coronado Middle School.

- Human Relations program implemented at the high school to support understanding and appreciation of differences and strengths, mutual respect, and responsibility for one's actions.

    - Human Relations incorporates trained student leaders who work with elementary students.
    - Parents, staff, and community members are included in sessions.
    - The program has been included as a required component of health for all 9th graders.

- A Human Relations Commission has been formed to address these issues and concerns. Representatives include the Mayor, Superintendent of Schools, Chief of Police, counselors, teachers, parents, and students from private and public schools in Coronado.

- The Coronado Family University, operating out of Adult Education, supports families by providing parenting classes.

Respectfully submitted,

Marilyn Wheeler, Ed.D.
Superintendent of Schools

c: Marcia Gravette Jespersen. Foreman
Grand Jury, County of San Diego

Dr. J. Jere Ancell
District Superintendent

Board of Trustees:
Mrs. Jo Anne Brynjestad
Mr. James D. Peabody
Mr. Mark Price
Mr. Chuck Taylor
Mrs. Mary Wiggins

Alpine Union School District

"Where Children Come First"

1323 Administration Way, Alpine, CA 91901 (619) 445-3236; (619) 445-7045 FAX

Craig Champion, Director
Special Education/Pupil Services

Lynette D. Knight, Director
Human Resources

Robert W. Turner
Business Manager

Judith Walker, Director
Curriculum & Instruction

May 7, 2002

RECEIVED
MAY 9 - 2002
SAN DIEGO
COUNTY GRAND JURY

Mr. Chuck Mulroy
Foreman
County of San Diego Grand Jury
330 West Broadway - Suite 477
San Diego, CA 92101-3830

Dear Mr. Mulroy:

This letter is in response to the San Diego County Grand Jury Report: "TRUANCY & CURFEW PRACTICES - The Lack of Consistency and Uniformity and its Impact on San Diego County. The Alpine Union School District's response to recommendation 02-11 is as follows:

> The District has established and will continue to expand and support programs that integrate families and students in the development of self-esteem and mutual respect. An example is that at Joan MacQueen Middle School, the Middle School Coordinator has developed a program which focuses on prevention and intervention for students who have been deemed "At Risk." Components include East County Rural Counseling and the Community Action Team (CAT). Plans are to expand the program and establish a Teen Center at Joan MacQueen Middle School. This is the result of a successful TUPE grant in the amount of $90,000.
>
> Early identification and intervention programs are also employed at the District's three elementary schools and Early Childhood Education Center. Again, parent involvement is an integral part of the program.

If I can be of further assistance in the matter, please do not hesitate to contact me. The efforts of the San Diego County Grand Jury are greatly appreciated.

Sincerely,

Jere Ancell
District Superintendent

JA/csh

cc: Board of Supervisors

BONSALL UNION SCHOOL DISTRICT

31505 Old River Road
Bonsall, California 92003
760-631-5200 FAX 760-941-4409

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AUG 21 2002

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AUG 23 2002
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COUNTY GRAND JURY

ADMINISTRATION
Jefrey L. Schleiger, Superintendent
Wayne A. Jones, Assistant Superintendent, Business Services
F. Steve Kennedy, Jr., Principal-Bonsall Elementary School
Vacant, Principal-Vivian Banks Charter School
John Heckman, Principal-Sullivan Middle School

BOARD OF TRUSTEES
Robert Taylor, President
Dwight Thompson, Ph.D., Clerk
Sylvia Tucker, Ed.D, Member
Catherine B. Andrew, M.A., Membe
Richard Olson, B.S., Member

August 14, 2002

Marcia Gravette Jesperson, Foreperson
County of San Diego Grand Jury
330 W. Broadway, Suite 477
San Diego, CA 92101-3830

Re: Response to the 2002/2003 Grand Jury Report - "Truancy & Curfew Practices - the lack of consistency and uniformity" filed May 8, 2002.

Dear Ms. Jesperson:

On behalf of the Bonsall Union School District our response is agreement to the "Truancy & Curfew Practices - the lack of consistency and uniformity", filed May 8, 2002.

Our District will comply with the findings and recommendations in this report as budget and common sense allows. Report 02-11 finds our district in compliance and agreement.

Sincerely,

J. L. Schleiger

Jefrey L. Schleiger
Superintendent

BORREGO SPRINGS UNIFIED SCHOOL DISTRICT
MAILING ADDRESS: 1315 Palm Canyon Drive, Borrego Springs, CA 92004-5003 • (760) 767-5357 • FAX (760) 767-0494

RECEIVED
MAY 16 2002

May 13, 2002

Richard Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92102

Re: "Truancy and Curfew Practices - The Lack of Consistency and Uniformity and its Impact on San Diego County"

Dear Judge Strauss:

I am writing in reference to the above-named report and your request for review and comment in compliance with the Penal Code of California Section 933(c).

Regarding Section 2-11 - "Set up programs which integrate families and students in the development of self-esteem and mutual respect", we report the following action: #4 - The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor: Borrego Springs Unified School District is a small, remote District with very limited funding available.

If you have any questions, feel free to contact me.

Respectfully,

Shanda G. Hahn

Shanda G. Hahn
Superintendent

PHYSICAL ADDRESS: Borrego Springs Unified School District, 2281 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5357 • FAX (760) 767-0494
Borrego Springs High School, 2281 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5335 • FAX (760) 767-5999
Borrego Springs Middle School 2255 Diegueno Road, Borrego Springs, CA 92004 • (760) 767-5335 • FAX (760) 767-5999
Borrego Springs Elementary School, 1315 Palm Canyon Drive, Borrego Springs, CA 92004 • (760) 767-5333 • FAX (760) 767-7438
Palm Canyon High School, 848 Palm Canyon Drive, Borrego Springs, CA 92004 • (760) 767-3285 • FAX (760) 767-5999

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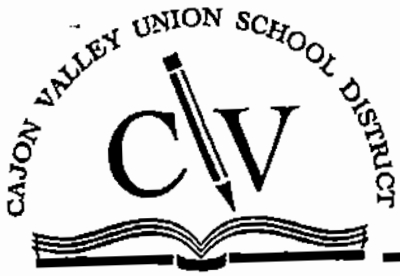
MAY 29 2002
SAN DIEGO
COUNTY GRAND JURY



Janice L. Cook, Ed.D.
Superintendent
(619) 588-3005 Fax: (619) 588-7653
E-mail: cookj@gwise.cajon.k12.ca.us

189 Roanoke Road, Box 1007
El Cajon, CA 92022-1007
www.cajon.k12.ca.us

May 23, 2002

Presiding Judge
Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: San Diego County Grand Jury 2001-2002 Report: "Truancy and Curfew Practices–The Lack of Consistency and Uniformity and its Impact on San Diego County"

The following information has been prepared by the Superintendent and Governing Board of the Cajon Valley Union School District in response to the San Diego Grand Jury 2001-2002 Report: "Truancy and Curfew Practices–The Lack of Consistency and Uniformity and its Impact on San Diego County".

As to the Grand Jury report, the Cajon Valley Union School District agrees with each of the eight findings.

Regarding the recommendations presented in the report, the following response is presented:

Recommendation 02-11: Set up programs which integrate families and students in the development of self-esteem and mutual respect.

Response: The recommendation has been implemented. A summary of the implemented and planned actions is provided below.

PeaceBuilders
PeaceBuilders is a school wide program designed to create a safe, positive learning environment. The curriculum models respectful behavior and works to build intrinsic motivation through the five PeaceBuilders principles: Praise People, Give up Put Downs, Notice Hurts, Right Wrongs, and Seek Wise People. The program creates a common language, thereby enhancing students' sense of belonging and safety and promoting self-esteem and mutual respect. PeaceBuilders is a comprehensive, multifaceted approach that includes families, peers, media and the community. Currently, eleven schools in Cajon Valley implement the PeaceBuilders program. Three additional schools recently submitted grants to provide program funding beginning in the 2002-2003 school year.

Character Education
Through site-based character education programs teachers, students and parents at each site work together to develop important elements of character. All schools work to integrate character education programs and activities into every aspect of school life to assist with the development of a positive school climate. Parents are actively involved in character education activities and ongoing communication is provided through school and classroom newsletters, parent handbooks, assemblies, and parent conferences.

Bully Proofing Your School
During the 2002-2003 school year, the Bully Proofing Your School Program will be implemented throughout the district. This program focuses on changing school climate by fostering a theme of caring and kindness. Strategies are designed to assist students in replacing negative behaviors with skills that involve treating others kindly, building self esteem, and creating a climate of mutual respect. The program includes student, parent and community components.

Sincerely,

Jane Cruz Alfano, President
On Behalf of the Governing Board

Janice Cook, Ed.D.
Superintendent

Cardiff School District

RECEIVED
OCT 10 2002
SAN DIEGO
COUNTY GRAND JURY

October 9, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Your Honor:

This communication is intended to respond to a request for comment from the Cardiff School District relative to the 2001-02 Grand Jury Report: "Truancy and Curfew Practices – the Lack of Consistency and Uniformity and its Impact on San Diego County." This report required comment from the Cardiff School District on Recommendation 02-11: "Set up programs which integrate families and students in the development of self-esteem and mutual respect."

The response of the Cardiff School District to Recommendation 02-11 is:

- Respondent agrees with the finding.
- The recommendation has been implemented.

Summary of Implementation Action

At the beginning of the 2002-03 school year, both schools in the Cardiff School District implemented comprehensive character education programs. These programs include self-esteem and mutual respect as basic elements in the programs. Families are integrated into the programs through monthly communications with parents regarding current areas of study in character development with suggested activities for parents to conduct at home to reinforce the concepts that are taught in school. Since these are new programs, periodic analysis of effectiveness will be conducted throughout the school year in order to determine if modifications need to be made to enhance the effectiveness of the programs.

1888 MONTGOMERY AVENUE • CARDIFF-BY-THE SEA, CALIFORNIA 92007-2313 • Phone 760-632-5890 • Fax 760-942-5831
www.cardiffschools.com

Please contact me if there should be any questions about the information above.

Sincerely,

Rodger Smith
Superintendent
Cardiff School District

Cc: Marcia Jespersen, Foreperson
Grand Jury
County of San Diego

City of Carlsbad
Office of the Mayor

RECEIVED
JUN 28 2002

June 26, 2002

Honorable Richard E. L. Strauss
Presiding Judge
San Diego Superior Court
220 W. Broadway, Dept. SD-P
San Diego, CA 92101

Re: Grand Jury Report on Truancy and Curfew Practices

Dear Judge Strauss:

As required by Penal Code section 933(c), the Carlsbad City Council and the Carlsbad Police Department submit the following response to the above-referenced Grand Jury Report.

INTRODUCTION

The City of Carlsbad and the Carlsbad Police Department share the Grand Jury's concern about truancy and other activities by juveniles that may lead to delinquency and long-term criminal behavior patterns. The City's efforts to address these issues are not limited exclusively to truancy and curfew enforcement. The City provides and supports a variety of programs and services for juveniles.

For instance, the City's Police Department has four full-time School Resource Officers and two part-time Drug Abuse Resistance Education (D.A.R.E.) Program Officers who provide law enforcement and drug education services to the area schools. The Department also has a full-time Police Detective devoted to handling juvenile crime matters and a full-time Police Sergeant who coordinates the work of these officers as well as oversees the Police Department's Family Services Program.

1200 Carlsbad Village Drive • Carlsbad, CA 92008-1989 • (760) 434-2830 • FAX (760) 720-9461

Within the Police Department's Family Services Program there are three components. First, there is the Juvenile Diversion Program, which is coordinated by a full-time non-sworn staff member. The purpose of this program is to engage in early intervention, such as at the truancy or curfew violation stage, before juveniles actually become involved in criminal activity.

Second, there is the Community Response Officer Program, which is staffed by a full-time County Probation Officer. The purpose of this program is to bring Probation Officers closer to the communities in which they serve so they may assist families more effectively.

Third, there is the Greater Understanding Through Intervention, Diversion & Education (G.U.I.D.E.) Program. This program is funded by the City and staffed by independent, licensed Marriage and Family Therapists who provide general referrals, counseling, and information for juveniles and parents. Among the program's many successful elements is The Parent Project, a ten-week parenting program, presented in both English and Spanish, for parents of children ages 10 and older.

In addition to the Police Department's Family Services Program, other programs offered by the City include:

Low-cost/no-cost after school programs at two area elementary schools. The programs serve approximately 500 children and are aimed at improving their academic performance and building their confidence and self-esteem.

Day camps for children between five and ten years of age. The camp operates during the 14 weeks each year when school is not in session and provide fun and educational activities for the participants.

An Explorer program for children between eleven and fourteen years of age. Like the day camps, the Explorer program operates when school is not in session. It is a brand new program developed by the City and is designed to teach the participants responsibility and important life skills, such as how to open and manage a bank account; how to do grocery shopping, laundry, and other daily living chores; and how the court system works.

Teen dances for Junior High School students. These dances are scheduled throughout the school year and provide an entertainment alternative

for young teens. Participation in the dances requires parental consent and an agreement to adhere to established rules of conduct.

Teen book clubs and other special library programs for teens, such as movie nights and game nights. Also popular are the Teen Read 'n' Feed nights, where teens can come to the library after hours to read and enjoy food and beverages provided by the Friends of the Library.

Job training programs for teenagers between the ages of fourteen and sixteen to assist them in qualifying for part-time summer employment with the City.

Opportunity grants, which provide scholarships for children from low to moderate income families who want to participate in the City's numerous recreation programs.

Finally, through its Community Development Block Grant Program, the City financially supports a number of local non-profit organizations and programs serving at-risk youth. These include the Carlsbad Boys & Girls Club, Join Hands Save a Life's Gang Prevention Program, and the From the Inside Out/Convicts Reaching Out to People Program.

Because the factors contributing to truancy and other undesirable juvenile behaviors are multifaceted, the response to these behaviors should also be multifaceted. By offering and supporting the types of programs and services described above, in addition to truancy and curfew enforcement, the City believes it is doing its part to effectively address juvenile issues within the City.

RESPONSES TO FINDINGS

The City has reviewed each of the Grand Jury's findings and offers the following responses. Because the report is directed to more than one public agency, not all of the findings appear applicable to the City. Where a finding appears inapplicable and the City is unable to meaningfully respond, the City has so indicated. Where a finding appears applicable to the City and the City is able to meaningfully respond, the City's response appears in bold print following the finding.

I. Each municipality in San Diego County has published guidelines on curfew violation and enforcement, and each school district in San Diego County has published guidelines on truancy violation and enforcement.

The City agrees with the finding.

II. There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community.

The City disagrees with this finding. The City has not encountered any issues stemming from inconsistent application and enforcement of truancy and curfew regulations from community to community.

III. School Attendance Review Boards (SARB), although of unquestioned intent, are almost exclusively reactive to truants and the problems they create. There is very little which a SARB does that is proactive and interventional to avoid truancy.

The City disagrees with this finding. Having a SARB is itself a proactive measure because a SARB's objective is to prevent isolated truancy incidents from becoming habitual. The Police Department believes that the local SARB in which it participates has been successful in meeting this objective. Of the approximately twenty children who appeared before the SARB last year, all but two have fulfilled the terms of their contract.

IV. Poor self-esteem, lack of confidence, poor socialization skills, lack of respect for authority, family and domestic problems (divorce, drug and alcohol abuse) are among the key indicators of developing truants and curfew violators.

The City agrees with this finding.

V. Children who drift into habitual violations of both truancy and curfew standards in their environments do so with parental ignorance or indifference, and such practices commence at early ages, before the high school and middle school years.

The City agrees with this finding in part and disagrees with this finding in part. In some instances, children who are habitual truants or curfew violators may, in fact, have caring and involved parents who have simply been unsuccessful in handling the behavioral problems their children are experiencing. As part of its truancy and curfew enforcement efforts, the City's Police Department attempts to work with parents to make

them aware of the resources available to assist them with their parenting challenges.

In this regard, the benefit of curfew enforcement is not purely deterrence. Curfew enforcement has great value as a catalyst for communication. Moreover, as indicated in the Introduction, curfew enforcement is not the only resource available to the Police Department to handle juvenile matters. In some cases, the Police Department has found it is more effective to forego issuing a curfew citation in favor of referring the juvenile and the juvenile's parents to the Juvenile Diversion Program, the G.U.I.D.E. Program, The Parent Project, or other similar services.

VI. Significant, disturbing and direct relationships exist between juvenile delinquency, drug use, school drop out rates and life histories of truants and curfew violators.

The City agrees with this finding.

VII. Parental involvement with the successful growth and education of their children is essential. In those instances where parental involvement with the raising and education of their children is not or cannot be realized, alternative or substitute actions are either unavailable or awkward to arrange.

This finding does not appear applicable to the City and the City is unable to meaningfully respond to it.

VIII. California State law does not require a person to be a responsible parent to their child. Equally frustrating, California State law as currently written does not quickly or easily allow for agency substitution of services to truant children or curfew violators where parents are unavailable or refuse to parent effectively.

This finding does not appear applicable to the City and the City is unable to meaningfully respond to it.

<u>RESPONSE TO RECOMMENDATIONS</u>

The City and the Police Department considered the Grand Jury's recommendations directed to them and offer the following responses. As above, the City's and the Department's responses appear in bold following the recommendation.

2-08 (*Directed to the City Council*) Adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week.

The recommendation will be studied by the Police Department and the results presented to the City Council for consideration no later than October 31, 2002.

2-09 (*Directed to the Carlsbad Police Department*) Enforce the rules of curfew equally, in all areas, all jurisdictions.

To the extent possible, this recommendation is already being implemented. The Police Department enforces the curfew hours established by the City Council equally in all areas of the City. The Police Department is not able to enforce another jurisdiction's curfew hours within the City nor is it able to enforce the City's curfew hours in another jurisdiction.

We appreciate the Grand Jury's interest in this important topic and the opportunity to review and respond to the Grand Jury's report. Any questions regarding this response should be directed to the City Attorney Ronald R. Ball, who can be reached by telephone at (760) 434-2891 or by mail at 1200 Carlsbad Village Drive, Carlsbad, CA 92008.

Sincerely,

CLAUDE A. "BUD" LEWIS
Mayor

JAMES HAWKS
Police Chief

c: City Council Members
City Manager
City Attorney
City Clerk

Carlsbad Unified School District
801 Pine Avenue • Carlsbad, CA 92008
(760) 729-9291 • FAX (760) 729-9685

...a world class district

RECEIVED
DEC 23 2002

November 30, 2002

Presiding Superior Court Judge
P.O. Box 122724
San Diego, CA 92112

Attention: C. E. Mulroy, Foreman

From: Cheryl Ernst, Superintendent
Carlsbad Unified School District

Re: Response to Grand Jury Report
Truancy and Curfew Practices – The Lack of Consistency and Uniformity

On or about May 8, 2002, the San Diego County Grand Jury issued its final report entitled *Truancy and Curfew Practices – The Lack of Consistency and Uniformity.* Carlsbad Unified School District ("Carlsbad") hereby responds to the findings and recommendations included in this Report as detailed below.

CARLSBAD'S RESPONSE TO REPORT FINDINGS

I. Each municipality in San Diego County has published guidelines on curfew violation and enforcement, and each school district in San Diego County has published guidelines on truancy violation and enforcement.

Carlsbad responds that it agrees with this finding.

II. There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community.

Carlsbad responds that it disagrees partially with this finding. In Carlsbad, a collaborative partnership among the District, the Carlsbad Police Department, the joint School Resource Officer program, the SARB, and the Probation Department avoids unnecessary costs and counterproductive efforts by coordinating, defining, and integrating the roles and responsibilities of each partner in reducing truancy.

III. SARB's, although of unquestioned intent, are almost exclusively reactive to truants and the problems they create. There is very little which a SARB does that is proactive and interventional to avoid truancy.

Carlsbad responds that it disagrees partially with this finding. Although it is true that SARB's function is largely reactive, the threat of a SARB referral is a valuable intervention in itself in motivating students and families to improve attendance consistency and frequency. The "word of mouth" testimonials of students and parents who have undergone the formal SARB process is a credible and effective message to other students and parents to proactively improve attendance.

IV. Poor self-esteem, lack of confidence, poor socialization skills, respect for authority, family and domestic problems (divorce, drug and alcohol abuse are among the key indicators of developing truants and curfew violators.

Carlsbad responds that it agrees with this finding.

V. Children who drift into habitual violations of both truancy and curfew standards in their environments do so with parental ignorance or indifference, and such practices commence at early ages, before the high school and middle school years.

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Carlsbad responds that it agrees with this finding.

<u>CARLSBAD'S RESPONSE TO REPORT RECOMMENDATIONS</u>

RESPONSE TO RECOMMENDATION 02-11

CARLSBAD HEREBY RESPONDS TO Recommendation 02-11, which provides that: "The forty-two school districts in San Diego County:

"02-11: Set up programs which integrate families and students in the development of self-esteem and mutual respect."

Recommendation has been implemented. Carlsbad has set up, refined and integrated programs which integrate families and students in the development of self-esteem and mutual respect throughout the District in program strands that reach from kindergarten through the twelfth grade. These programs include the Lion's Quest program, the Peer Advocates program, the School Success program, the Scripps Student Assistance Program, and the Parent Project (collaboratively with the Carlsbad Police Department). These research-based programs specifically identify, target, engender, and foster health and resiliency factors, including self-esteem and mutual respect, that have proven to be effective in reducing truancy and curfew violations.

November 30, 2002

Presiding Superior Court Judge
P.O. Box 122724
San Diego, CA 92112

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Superintendent

FAX

Date 1-17-03

Number of pages including cover sheet: 8

TO: Grand Jury
County of San Diego
330 West Broadway
Suite 477
San Diego, CA 92101-3830

Attn: Laura Nicks

Phone: 619-515-8707
Fax Phone: 619-515-8696

FROM: Valerie Moore – Secretary
Superintendent's Office
For Dolores Delgado

CARLSBAD UNIFIED SCHOOL DISTRICT
801 Pine Avenue
Carlsbad, CA 92008

Phone: 760-918-2003
Fax Phone: 760-729-8134

CC:

REMARKS: ☐ Urgent ☒ For your review ☐ Reply ASAP ☐ Please Comment

Response to Grand Jury Report:
Truancy and Curfew Practices – The Lack of Consistency and Uniformity
Vocational Education in San Diego County

RECEIVED
JAN 17 2003
SAN DIEGO
COUNTY GRAND JURY

CITY OF
CHULA VISTA
OFFICE OF THE CITY ATTORNEY

RECEIVED
OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

October 2, 2002

Presiding Judge of the Superior Court
P. O. Box 122724
San Diego, Ca. 92112-2724

Re: 2001-2002 San Diego County Grand Jury Report: "Truancy & Curfew Practices - the Lack of Consistency and Uniformity and its Impact on San Diego County"

The City of Chula Vista agrees with the San Diego County Grand Jury recommendation for cities to adopt uniform curfew hours of 11:00 p.m. to 05:00 a.m. The City of Chula Vista implemented this recommendation by amending Section 9.28.010 of the Chula Vista Municipal Code in 1998 to set 11:00 p.m. to 05:00 a.m. as curfew hours in the City of Chula Vista.

Very truly yours,

John M. Kaheny
City Attorney

JMK:lgk

cc: Marcia Gravette Jesperson, Foreperson
Mayor Shirley Horton
City Manager David D. Rowlands, Jr.

J:/attorney/letter/grand jury

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Chapter 9.28

MINORS' CURFEW*

Sections:

9.28.010 Regulations generally.
9.28.020 Admission to theaters prohibited when.

* For California constitutional provisions authorizing cities to make and enforce all local, police and other ordinances not in conflict with general laws, see Const. Art. 11 § 11.

9.28.010 Regulations generally.

A. Definitions for Curfew Provisions. For purposes of this section:

1. "Curfew hours" means the period from 11:00 p.m. any evening of the week until 5:00 a.m. the following day.

2. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

3. "Establishment" means any privately owned place of business operated for profit to which the public is invited, including, but not limited to, any place of amusement or entertainment.

4. "Guardian" means (a) a person who, under court order, is the guardian of the person of a minor; or (b) a public or private agency with whom a minor has been placed by the court.

5. "Minor" means any person under 18 years of age.

6. "Parent" means a person who is a natural parent, adoptive parent, or stepparent.

7. "Public place" means any place to which the public or substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities, and shops.

8. "Responsible adult" means a person at least 18 years of age, authorized by a parent or guardian to have the care and custody of a minor.

9. "Serious bodily injury" means bodily injury that creates a substantial risk of death or that causes death, serious permanent disfigurement or protracted loss or impairment of the function of a bodily member or organ.

B. Curfew Regulations.

1. It is unlawful for any minor to be present in any public place or on the premises of any establishment within the city of Chula Vista during curfew hours.

2. It is unlawful for any parent or guardian of a minor knowingly to permit, or by insufficient control to allow, the minor to be present in any public place or on the premises of any establishment within the city during curfew hours.

C. Defense to Prosecution. It is a defense to prosecution under subsection (B) of this section that the minor was:

1. Accompanied by the minor's parent or guardian, or by a responsible adult;

2. On an errand at the direction of the minor's parent or guardian or the responsible adult without any detour or stop;

3. In a motor vehicle involved in interstate travel;

4. Engaged in any employment activity, or going to or returning home from employment activity, without any detour or stop;

5. Involved in an emergency;

6. On the sidewalk abutting the minor's residence;

7. Attending an official school, religious, or other recreational activity supervised by adults and sponsored by the city of Chula Vista, a civic organization, or another similar entity that takes responsibility for the minor, or going thereto or returning home therefrom, without any detour or stop;

8. Exercising First Amendment rights protected by the United States Constitution; or

9. Emancipated pursuant to law.

D. Enforcement Procedure. Before taking any enforcement action under this section, a police officer shall ask the apparent offender's age and reason for being in the public place or on the premises of the establishment during curfew hours. The officer shall not issue a citation or make an arrest under this section unless the officer reasonably believes that an offense has occurred and that, based on any responses and other circumstances, no defense under subsection (C) of this section is present or applicable.

E. Penalty.

1. Each violation of this section shall constitute a separate offense.

2. Any person violating the provisions of subsection (B) of this section shall be guilty of a misdemeanor. Minors shall be dealt with in accor-

dance with juvenile court law and procedures. (Ord. 2751 § 1, 1998; Ord. 1525 § 1, 1974; Ord. 1217 § 1, 1969; prior code § 20.6).

9.28.020 Admission to theaters prohibited when.

No person conducting, managing or carrying on the business of a moving picture exhibition shall permit or allow any person under the age of 18 years to be admitted as a spectator to any such moving picture after the hour of 10:00 p.m. unless accompanied by a parent, guardian or other such adult person acting in that capacity. (Ord. 1525 § 1, 1974; prior code § 20.7).

VII. (Reserved)

VIII. Weapons

Chapter 9.32

MINORS' POSSESSION OF GUNS*

Sections:

9.32.010 Conveyance of firearms to minors prohibited.
9.32.020 Possession of firearms by minors prohibited.
9.32.030 Exceptions to restrictions.

* For statutory provisions concerning control of concealed weapons, see Pen. Code § 12000, et seq.

CROSS REFERENCE: Business Licenses and Regulations, see CVMC Title 5.

9.32.010 Conveyance of firearms to minors prohibited.

No person shall sell, exchange, give or loan to any person under the age of 16 years any spring-back knife, gun, revolver, pistol or firearm of any description, or any spring or airgun or other device designed or intended to discharge any pellets, or other deadly or dangerous missile, or any ammunition, cartridge, shell or other device, whether containing any explosive substance or not, designed and intended for use in any weapons enumerated herein. (Prior code § 20.14).

9.32.020 Possession of firearms by minors prohibited.

No person under the age of 16 years shall have in his possession, care, custody or control any article or thing set forth in the preceding section. (Prior code § 20.15).

9.32.030 Exceptions to restrictions.

Restrictions imposed by CVMC 9.32.010 and 9.32.020 will not be deemed to prohibit the sale of or the carrying of ordinary firearms, tools or equipment carried in good faith for the uses of honest work, trade or business, or for the purpose of legitimate sport or recreation. (Prior code § 20.17).

CITY OF
CHULA VISTA
POLICE DEPARTMENT

July 19, 2002

The Honorable Richard E.L. Strauss
Presiding Judge
San Diego County Superior Court
P. O. Box 122724
San Diego, CA 92112-3886

Dear Judge Strauss:

The City of Chula Vista, and specifically the Police Department, has reviewed the County Grand Jury recommendations regarding truancy and curfew practices in San Diego County. The City of Chula Vista's curfew is currently 11:00 P.M. to 5:00 A.M. every day of the week. The County Grand Jury has recommended that curfew be established at those hours throughout the County.

The City of Chula Vista's current Curfew Ordinance is in compliance with this recommendation (Recommendation 02-08). The Grand Jury also recommended that police departments, and the sheriff's department "enforce the rules of curfew equally, in all areas, all jurisdictions." We have no information to the contrary supporting a concept that curfew is not equally enforced. While I am aware that individual City Councils have determined differing hours for curfew, the ordinances that I'm aware of establish a policy, and a direction, for curfew enforcement.

The City of Chula Vista, and the other policing agencies in the County, utilizes curfew as necessary in both our enforcement and prevention strategies. I am unaware of any analytical work, or survey data, that has been prepared which outlines confusion regarding curfew hours within this County. On the contrary, the majority of the public thinks that juveniles must be in, or under, parental supervision, between 10:00 P.M. and sunup. Absent statistical analysis or some type of survey data that poses this as a problem, I would anticipate that School Resource Officers in their discussions with students should be able to address student concerns.

The City of Chula Vista is in compliance with item 02-08 Curfew Time, 11:00 P.M. to 5:00 A.M. This information is presented to you so that we are in compliance with the request of the San Diego County Grand Jury.

Sincerely,

RICHARD EMERSON
Chief of Police

276 FOURTH AVENUE • CHULA VISTA • CALIFORNIA 91910

Grand Jury

COUNTY OF SAN DIEGO
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830
(619) 515-8707
(619) 515-8696 FAX

MARCIA GRAVETTE JESPERSEN, Foreperson

9/26/02
Rick - please respond - Thanks R

September 23, 2002

Mr. David Rowlands, City Manager
City of Chula Vista
276 Fourth Avenue
P.O. Box 1087
Chula Vista, CA 91912-1087

Re: 2001-2002 San Diego County Grand Jury Report: *"Truancy & Curfew Practices-The Lack of Consistency and Uniformity and Its Impact on San Diego County"*.

Dear Mr. Rowlands:

On August 6, 2002, our office requested that you provide a response to the above noted Grand Jury report. The Penal Code of California §933(c) requires comment on findings and recommendations in this report no later than 90 days from the date of filing. Comment to the Presiding Judge of the Superior Court in compliance with Penal Code §933.05 is required from your agency. To date, our office still has not received your response.

We are once again requesting that you send your response to the Presiding Judge of the Superior Court, with a courtesy copy to the Grand Jury. The address is: P.O. Box 122724, San Diego, CA 92112-2724.

If no response is forthcoming by October 11, 2002, the Grand Jury will refer this matter to the Presiding Judge.

Thank you in advance for your prompt attention to this matter.

Sincerely,

SAN DIEGO COUNTY GRAND JURY 2002-2003

Marcia Gravette Jespersen

MARCIA GRAVETTE JESPERSEN
Foreperson

MGJ/lln
enc.
By Certified Mail, Return Receipt Requested
c: Presiding Judge of the Superior Court

CITY OF
CHULA VISTA
POLICE DEPARTMENT

RECEIVED
JUL 29 2002

July 19, 2002

RECEIVED
JUL 31 2002
SAN DIEGO
COUNTY GRAND JURY

The Honorable Richard E.L. Strauss
Presiding Judge
San Diego County Superior Court
P. O. Box 122724
San Diego, CA 92112-3886

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Sincerely,

RICHARD EMERSON
Chief of Police

POLICE DEPARTMENT

City of Coronado, California

ROBERT HUTTON, CHIEF OF POLICE

"Commitment to Community Through Professionalism, Integrity, Respect and Teamwork"

June 24, 2002

RECEIVED
JUN 28 2002
SAN DIEGO COUNTY GRAND JURY

Mr. C. E. Mulroy
Foreman
San Diego County Grand Jury
Hall of Justice
330 West Broadway
Suite 477
San Diego, CA 92101-3830

Dear Mr. Mulroy,

This letter is in response to the Grand Jury's letter and request of May 1, 2002, concerning Truancy & Curfew Practices. Specifically, the Grand Jury requested comments from the City of Coronado on recommendations 02 –08 and from the Police Department on recommendations 02 – 09. My responses are intended to provide the official response on behalf of the City of Coronado and the Coronado Police Department.

Comments on Recommendation 02 – 08:

As your report correctly notes, the City of Coronado's existing curfew ordinance already provides for a curfew from 11:00 p.m. to 5:00 a.m. every day. Therefore, the City of Coronado does not contemplate any action would be necessary on this recommendation.

Comments on Recommendation 02 – 09

This recommendation was reviewed and discussed by the San Diego County Chiefs and Sheriffs Association at their meeting on June 5, 2002. The Coronado Police Department's position on this recommendation is consistent with that of the SDCSA.

A regionally standardized curfew would provide for consistency but would prevent local communities from giving consideration to their needs as they relate to local crime, local juvenile problems, local traditions and the availability of legitimate late night juvenile activities that may exist within a community.

700 Orange Avenue, Coronado, California 92118-2234 • (619) 522-7350
FAX Number: (619) 435-1329

Coronado is fortunate to have a safe community with low rates for both juvenile and violent crimes. Our existing curfew provides a useful tool to police officers that allows enforcement action when necessary. A curfew of 11 p.m., as exists in Coronado, may be too permissive in a community with higher crime and juvenile crime rates or lacking the legitimate programs or activities that exist in Coronado. In this sense a standardized curfew would provide consistency but would also create additional problems for communities that need a more restrictive curfew.

Curfew laws are used as tools by law enforcement to protect juveniles involved in legitimate activities and prevent juvenile crime when they are involved in undesirable – but not necessarily illegal – activities. A great deal of officer discretion is used in determining when strict enforcement is needed. Officers are aware of this need for discretion and in this regard enforce curfew laws equally in all jurisdictions.

Please feel free to contact me at any time concerning this response and the issues the Grand Jury has addressed in their report.

Very sincerely,

Robert S. Hutton
Chief of Police

RSH/ddd

cc: City Manager
City Attorney

Linda Crawford
Mindy Disraeli
Janet Lamborghini
Barbara Myers
Jeanne Waite
BOARD OF TRUSTEES

Del Mar Union School District

225 NINTH STREET, DEL MAR, CA 92014-2716 • (858) 755-9301 • FAX (858) 755-4361

Thomas F. Bishop, SUPERINTENDENT

October 14, 2002

RECEIVED
OCT 17 2002
SAN DIEGO
COUNTY GRAND JURY

Christina Lutz,
Judge Pro Tem Office Coordinator
San Diego County Grand Jury
Hall of Justice
338 West Broadway, Suite 477
San Diego, CA 92101

Dear Members of the Grand Jury:

I have reviewed the May 8 Grand Jury Report "Truancy and Curfew Practices: The Lack of Consistency and Uniformity and Its Impact on San Diego County". California Penal Code 933(c) requires the Del Mar Union School District to submit comment on recommendation 02-11, which states "set-up programs which integrate families and students in the development of self-esteem and mutual respect".

I agree with the finding, but recent actions by the State of California to impose a new academic accountability system has dominated the agenda in most San Diego County School Districts. As a result, institutional energy is going toward improved academic programs, and not toward self-esteem/guidance programs. Included in the state accountability program is a statewide academic testing that is dominating the agenda in California school districts, including the Del Mar Union School District.

Hopefully the strong emphasis on testing will motivate students to be successful in their academic efforts, which is the primary mission of the Del Mar Union School District. Success in the academic pursuits should improve self-esteem, which is the goal of the Grand Jury recommendation.

In addition, funds to help pay the salaries of guidance counselors would also have a positive impact on student self-esteem.

Very truly yours,

Thomas F. Bishop

Thomas F. Bishop, Superintendent
Del Mar Union School District

cc: Board of Trustees

City of Del Mar
1050 Camino Del Mar · Del Mar, California 92014-2698
Where the Turf meets the Surf

RECEIVED
MAY 15 2002
SAN DIEGO
COUNTY GRAND JURY

May 13, 2002

The Honorable Wayne L. Peterson, Presiding Judge
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: Grand Jury Reports: Home Rule and Truancy & Curfew Practices

Dear Judge Peterson:

On behalf of the City of Del Mar, I would like to respond to the specific recommendations in two recent Grand Jury Reports.... Truancy & Curfew Practices (May 1, 2002) and "Home Rule" is Chartering A City A Good Idea? (April 30, 2002).

With regard to uniform curfew hours for minors, the City of Del Mar contracts with the County Sheriff's Department for law enforcement services. We currently have an ordinance in place that establishes a curfew for minors from 11:00 p.m. to 5:00 a.m., any evening, any day, any week as recommended by the Grand Jury. With regard to the recommendation in the "Home Rule" report that we consider developing a cooperative energy program with SDG&E, along the lines of the City of San Marco's program, please be advised that we have been briefed on the San Marcos program and because of our city's small size and lack of extensive new development, the San Marcos program is really not applicable to Del Mar.

Please do not hesitate to contact me or Mayor Mark Whitehead if you have any further questions.

Sincerely,

Lauraine Brekke-Esparza

Lauraine Brekke-Esparza
City Manager

cc: Mayor & City Councilmembers
Tamara Smith, City Attorney

Telephone: (858) 755-9313 · Fax: (858) 755-2794

THE CITY OF
IMPERIAL
BEACH

(619) 423-8300
FAX (619) 429-9770

825 IMPERIAL BEACH BOULEVARD • IMPERIAL BEACH, CALIFORNIA 91932

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SAN DIEGO
COUNTY GRAND JURY

August 20, 2002

Hon. Richard Strauss
Presiding Judge
San Diego Superior Court
P O Box 122724
San Diego, CA 92112-2724

Re: Grand Jury Report
"Truancy & Curfew Practices

Dear Judge Strauss:

This letter is written as the City of Imperial Beach's response to the Grand Jury's May 6, 2002, report regarding truancy and curfew practices. The City's comments on the findings and recommendations are as follows.

Please be advised that the City of Imperial Beach has previously adopted the uniform curfew hours of 11:00 p.m. to 5:00 a.m. by Imperial Beach Municipal Code section 9.08.020(A).

If there are questions about the city's comments to the grand jury report, please feel free to contact the City Attorney, Lynn McDougal, at (619) 440-4444.

Sincerely,

Matt Rodriguez
City Manager

cc: Mayor
City Council
City Attorney
City Clerk
San Diego County Grand Jury

OFFICE OF THE
CITY MANAGER

TELEPHONE
(619) 441-1716

RECEIVED
OCT 10 2002
SAN DIEGO
COUNTY GRAND JURY

October 7, 2002

The Honorable Richard E. L. Strauss
Superior Court Presiding Judge
220 West Broadway
San Diego, California 92101

Re: Response To San Diego County Grand Jury 2001-2002 Report,
Truancy & Curfew Practices

The Honorable Judge Strauss:

Pursuant to the terms of Penal Code Section 933.05, the City of El Cajon (on behalf of the El Cajon City Council and the El Cajon Police Department) is responding to the findings and recommendations pertaining to the San Diego County Grand Jury 2001-2002 Report, "Truancy & Curfew Practices – The Lack of Consistency and Uniformity and its Impact on San Diego County". Please be advised that the City of El Cajon was not in receipt of a copy of the Grand Jury recommendations until August 8, 2002. The following is the City of El Cajon's response to that Report.

Findings

- Finding I: Each municipality in San Diego County has published guidelines on curfew violation and enforcement, and each school district in San Diego County has published guidelines on truancy violation and enforcement.

  The City of El Cajon agrees that this municipality has published guidelines on curfew violation and enforcement, which are found in Chapter 9.80 of the El Cajon Municipal Code. The City of El Cajon lacks sufficient information to agree that all other municipalities, and all school districts, in San Diego County have similar guidelines or ordinances.

- Finding II: There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community.

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The City of El Cajon partially disagrees with Finding II, as it has no evidence that inconsistent application of truancy and curfew regulations, from community to community, creates unnecessary costs and counterproductive efforts in this community. A review of our juvenile statistics reflect that an increase in truancy corresponds to an increase in juvenile criminal activities. We believe, however, that truancy regulations at our local school districts serve as a very important crime prevention measure.

Similarly, we find no "unnecessary costs and counterproductive efforts" in enforcing our curfew ordinance. Our education efforts in local elementary, middle, and high school classes has proved effective in informing juveniles of restrictions on their conduct during the prohibited hours.

The City of El Cajon agrees that more effort might be needed to coordinate with the law enforcement agencies of neighboring jurisdictions (i.e., the cities of La Mesa, San Diego and Santee, and the County of San Diego) to better educate high school students of the differing curfew hours (if any) in light of the fact that the Grossmont Union High School District shares students from many of these jurisdictions.

- Finding III: SARBs, although of unquestioned intent, are almost exclusively reactive to truants and the problems they create. There is very little which a SARB does that is proactive and interventional to avoid truancy.

  The City of El Cajon partially disagrees with Finding III in that SARBs, by definition, are responsive to truancies in our schools. However, the City of El Cajon believes, based upon its experience with our local SARBs, that there are significant interventional efforts made by SARBs once a truant student is identified. These efforts provide greater opportunities for educating at-risk students and their parents, to avoid habitual truancy.

- Finding IV: Poor self-esteem, lack of confidence, poor socialization skills, lack of respect with authority, family and domestic problems (divorce, drug and alcohol abuse) are among the key indicators of developing truants and curfew violators.

  The City of El Cajon agrees with Finding IV, but would also include a lack of parental support or guidance, and certain cultural differences, in the list of contributory indicators.

- Finding V: Children who drift into habitual violations of both truancy and curfew standards in their environments do so with parental ignorance or indifference, and such practices commence at early ages, before high school and middle school years.

The City of El Cajon agrees with Finding V, but believes that other factors are involved, including those described in Finding IV of the Grand Jury, as well as the City's response to Finding IV, above.

- Finding VI: Significant, disturbing and direct relationships exist between juvenile delinquency, drug use, school drop out rates, and life histories of truants and curfew violators.

  The City of El Cajon partially agrees with Finding VI. The City cannot agree that *all* truants and curfew violators should be deemed juvenile delinquents, drug users, or drop outs from school, but agrees that there are likely many examples that would support that such relationships can, and do, exist.

- Finding VII: Parental involvement with the successful growth and education of their children is essential. In those instances where parental involvement with the raising and education of their children is not or cannot be realized, alternative or substituted actions are either unavailable or awkward to arrange.

  The City of El Cajon partially agrees with Finding VII. The City believes that some local programs (whether through local service clubs, City recreational activities, the Boys and Girls Club of East County, schools and religious organizations) do provide necessary mentoring and life skills programs to our local youth, which are neither "unavailable" nor "awkward." Included with such programs is the City's participation in the Cajon Valley Union School District Career Awareness program, where City employees and officials, as well as local business leaders, volunteer their time to speak to middle school classes about their careers and occupations. In addition, many City employees speak to high school classes, not only to discuss their careers, but also to assist in the education of the students about the operations of our local government.

- Finding IV: California State law does not require a person to be a responsible parent to their child. Equally frustrating, California State law *as currently written* does not quickly or easily allow for agency substitutions of services to truant children or curfew violators where parents are unavailable or refuse to parent effectively.

  The City of El Cajon is unable to agree or disagree with Finding VIII. The City recognizes that certain state laws do require parents to bear responsibility for the conduct or their minor children, and that parental rights might be terminated for the failure of a parent to be responsible toward his or her child or children. However, it is beyond the jurisdiction of the City of El Cajon to address these issues, which are under the jurisdiction of the County of San Diego and the juvenile court system.

Recommendations

- Recommendation 02-08: Adopt uniform curfew hours of 11:00 pm to 5:00 am, any evening, any day, any week.

  The City of El Cajon will not be implementing Recommendation 02-08 because it is not warranted for the City of El Cajon and its residents. The City has consistently enforced its curfew ordinance and has no basis to believe that any change as recommended (which would actually be less restrictive to our current ordinance, which establishes curfew hours between 10:00 p.m and 6:00 a.m.) would solve the problem of truancy and curfew violations.

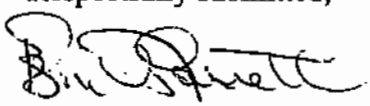
  Records reviewed by the City reflect that the vast majority of juvenile crimes are other than curfew violations, or are not associated with a juvenile being in violation of our curfew ordinance.

- Recommendation 02-09: Enforce the rules of curfew equally, in all areas, all jurisdictions.

  The City of El Cajon will continue to consistently and uniformly enforce its curfew ordinance within its jurisdiction. Again, the City does not believe that inconsistency of curfew ordinances among local jurisdictions (if any) contributes to the level of juvenile delinquency and juvenile crimes, in any manner.

This concludes the City of El Cajon's response to the San Diego County Grand Jury 2001-2002 Report, "Truancy & Curfew Practices".

Respectfully submitted,



Bill Garrett
City Manager

cc: The Honorable Mayor and El Cajon City Council Members
San Diego County Grand Jury 2001-2002

Lori Holt Pfeiler
Mayor
(760) 839-4610
FAX (760) 839-4578

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SAN DIEGO
COUNTY GRAND JURY

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AUG - 5 2002

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

August 1, 2002

The Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

This letter is written in response to the Grand Jury report of May 1, 2002 entitled 'TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity and its Impact on San Diego County."

The City of Escondido was asked to support recommendation 02-08 which states, "Adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week." In addition, the Escondido Police Department was asked to support recommendation 02-09 which states, "Enforce the rules of curfew equally, in all areas, all jurisdictions." Please be advised that the City of Escondido supports these recommendations and will amend our curfew ordinance for the sake of uniformity with other jurisdictions. The ordinance will be amended no later than October 31, 2002.

Sincerely,

Lori Holt Pfeiler
Mayor

/jm2

cc: City Council
Rolf Gunnarson, City Manager
Jeffrey Epp, City Attorney
Duane White, Police Chief

Lori Holt Pfeiler, Mayor
June Rady, Mayor Pro Tem
Tom D'Agosta
Ed Gallo
Marie Waldron

Duane D. White, Chief
Police Department
(760) 839-4706
FAX (760) 839-4921
dwhite@ci.escondido.ca.us

June 3, 2002

RECEIVED
JUN 6 2002
SAN DIEGO
COUNTY GRAND JURY

CITY OF ESCONDIDO
700 W. Grand
Escondido, CA 92025

Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Ladies and Gentlemen:

Thank you for sending us a copy of your report, "Truancy and Curfew Practices—The Lack of Consistency and Uniformity and its Impact on San Diego County."

It is our intention to research local curfew and truancy ordinances further and present information to the members of our City Council for their decision and direction. Specifically, we are looking at the ordinances of other cities with regard to these issues and will evaluate the changes that will be required to make ours consistent with your recommendations.

Again, thank you for a copy of your report. Our review and comment to the Presiding Judge of the Superior Court in compliance with California Penal Code Section 933(c) will follow.

Sincerely,

Duane D. White
Chief of Police

DDW:lt
cc: Jack Anderson, Deputy City Manager
Jeffrey Epp, City Attorney

Lori Holt Pfeiler, Mayor
June Rady, Mayor Pro Tem
Tom D'Agosta
Ed Gallo
Marie Waldron

Escondido Union High School District

District Service Center
302 North Midway Drive • Escondido, CA 92027-2741
Telephone (760) 291-3200 • FAX (760) 480-3163
David K. Hughes, Ed.D., Superintendent

BOARD OF EDUCATION
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Pamela Grosso
Dr. Kurt Marler
Jon Petersen
Charlie Snowder

Marcia Gravette Jespersen, Foreperson
County of San Diego,
Hall of Justice
330 West Broadway Suite 477
San Diego CA 92101-3830

RECEIVED
AUG 30 2002
SAN DIEGO
COUNTY GRAND JURY

August 28th, 2002

Dear Ms. Gravette Jespersen:

I met with Dr. David Hughes today and shared with him your recommendation 2-11. This is asking that the Escondido Union High School District set up programs which integrate families and students in the development of self esteem and mutual respect.

I am directed by Dr. Hughes to advise you that our prime purpose is the education of students. The expectations to improve academic performance are statewide expectations. It is the primary mission of our district to meet these goals. We do collaborate with local agencies whose primary focus is to support recommendation 2-11. We feel we have a strong track record in this collaboration .

I am sorry for any delay in completing the questionnaire as sent. It was a little ambiguous and difficult to discern what your organization needed.

If I may be of further assistance please contact me at 760-291-3262.

Sincerely

F. Robert Clay
Director, Pupil Services

Escondido Union High School District

District Service Center
302 North Midway Drive • Escondido, CA 92027-2741
Telephone (760) 291-3200 • FAX (760) 480-3163
David K. Hughes, Ed.D., Superintendent

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Dr. Kurt Marler
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SAN DIEGO
COUNTY GRAND JURY

August 21st 2002

Marcia Gravette Jesperson
Foreperson,
County of San Diego,
Hall of Justice,
330 West Broadway Suite 477,
San Diego 921201

Dear Ms. Gravette Jesperson:

Per your communication of August 6, 2002 to my office I am advising you that I have twice attempted to call your office and have not yet to date received a response from you. The first time I left a voice mail with a third party and the second time I left a voice mail.

I did review the Report on Truancy and Curfew Practices filed May 8, 2002. This document listed local practices throughout the County of San Diego and addressed the concern over a lack of uniformity between jurisdictions within the county. The report cited a conflict for in that a juvenile could be in violation in his jurisdiction of residence yet be in an adjacent jurisdiction with no curfew statute and violate the curfew as he returned home.

The Escondido Union High School District has sponsored a SARB, School Attendance Review Board, program that is well established in the county. The North Inland SARB Board manages the second highest referral count in the county, only exceeded by the number of referrals from the San Diego City Schools. We currently collect data on many aspects of school attendance including longitudinal data on student retention in school and student mobility after SARB interventions. The Escondido High School District enjoys a cooperative relationship with the Escondido Police Department and has two school liaison officers assigned to the four district high schools.

If I may be of further assistance please contact me at 760-291-3262

Sincerely

F. Robert Clay
Director, Pupil Services

FALLBROOK UNION HIGH SCHOOL DISTRICT
A Model in Educational Excellence

Fallbrook Union High School District

2234 South Stage Coach Lane • Fallbrook, CA 92028
Phone: (760) 723-6332 • Fax: (760) 723-1795 • www.fuhsd.net

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District Superintendent

Chester E. Cannett
Assistant Superintendent
Business Services

James G. Yahr
Assistant Superintendent
Educational Services

Board of Trustees

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Clerk

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Member

Phil Arnold
Member

Lynn B. Colburn
Member

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JUL 0 2002
SAN DIEGO
COUNTY GRAND JURY

July 3, 2002

Honorable Richard E. L. Strauss
Superior Court, Presiding Department
220 W. Broadway,
San Diego, CA 92101

Dear Judge Strauss:

The Fallbrook Union High School District is hereby responding to recommendation 02-11 of the Grand Jury Report titled "TRUANCY AND CURFEW PRACTICES—The Lack of Consistency and Uniformity and its Impact on San Diego County."

The Fallbrook Union High School District fully agrees with the findings of the investigation, and we wholeheartedly support any and all programs designed to help the parents and the students develop an understanding of those around them and to respect themselves and all with whom they come into contact. To that end, the Fallbrook Union High School District, under the direction of the Governing Board and the Superintendent, has developed the following opportunities for the parents and the students. These programs have, and will continue to serve, as implementations of this recommendation,

a. The Counseling and Guidance Office routinely holds in-services for all the parents in the school district. Parents are invited to the office at their convenience to meet with the counselors and the students in order to aid the students to progress though the process of education. In addition, the counselors routinely call the parents of students who show a tendency not to do well in school—academically, socially, and psychologically. The school and the District psychologists are available to students and to parents
b. Parents are encouraged and welcomed on campus to serve on various committees and organizations, beyond the PTSA. Parents are encouraged to volunteer for various events and activities. Fallbrook Union High School District is fortunate to have such tremendous response from the parents and the community in helping the students in various areas, such as job shadowing, senior project judging, tutoring, coaching, etc. The collaboration of the community and the school provides a climate of self-respect and growth.

c. The District has a number of advising committees in which parents serve. As examples, we offer the Homework/Make-up Committee, the Attendance Review Committee, the Curriculum Advisory Committee, the DELAC and ELAC committees, the School Site Council, the Parent Advising Committee for Special Education, the Vocational Education Advisory Committee, and the Family Life Committee. A number of other committees are also active on the three campuses of the Fallbrook Union High School District.
d. The District is working closely with the Teen Recovery Center to help the students who are experiencing difficulties with the abuse of controlled substances or anger. The parents are encouraged to participate in similar programs to help them deal with the stress that situations such as these present.
e. For the past couple of years, the District has been conducting "Town Hall" meetings whereby the community at large has an opportunity to discuss district wide issues and to suggest changes and improvements. We are now in the process of planning another "Town Hall" meeting for this fall.
f. Palomar Family Counseling is working closely with the District to help families deal with various family issues, including difficulties they may be facing with their students. The District counselors refer students and parents to this agency for additional support.
g. The Community Clinic is another agency that works with the District in providing services to those students and parents who might not be able to afford health services in the general sector. The cooperation between this agency and the District has been beneficial to our students.
h. The San Diego County Office of Education Region IX Migrant Office operates a program at Fallbrook Union High School District. The program assists qualified students and their families.
i. Many of the local health professionals have agreed to offer their services to the students and their parents, especially to those who cannot afford them, on a sliding scale basis. We have compiled a list of those providers and we offer it to the parents as they request it.
j. A few years ago, the District implemented "The Parenting Project," a program designed to help parents who have difficulties with misbehaving and troubled youth. The program is conducted on the campus of Fallbrook High School, and has been highly successful. Though we cannot require the parents to attend this program, we strongly recommend it, especially to the parents whose students have been suspended or expelled. Many parents take advantage of the opportunity to learn about parenting and to find some kind of support among trained professionals who conduct the program, and among other parents facing the same situations. This program has been so successful, that we are now offering it in Spanish for our Spanish speaking parents and students.

We at Fallbrook Union High School District firmly believe that a collaboration between parents and the schools is essential in educating the students. To that end, we are constantly seeking new methods and programs to reach out to the parents to encourage them to be full partners with us. We are encouraged with the response, and we will continue to promote this collaboration. We are also interested in sharing our ideas with other districts and learn from them.

Respectfully submitted,

Peter G. Fellios, Ph.D.
Student Services Coordinator.

Cc: Mr. Chuck Mulroy, Foreman, Grand Jury

Grossmont Union
High School District
COMMITTED TO EXCELLENCE
SINCE 1920

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MAY 15 2002
SAN DIEGO
COUNTY GRAND JURY

GOVERNING BOARD MEMBERS
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DANIEL C. McGEORGE
THOMAS A. PAGE
PRISCILLA SCHREIBER
SUPERINTENDENT
GRANGER B. WARD

May 10, 2002
Refer to: GBW 02-064

Presiding Judge of the Superior Court
County of San Diego, Hall of Justice
330 West Broadway, Suite 477
San Diego, Ca 92101-3830

Dear Sir:

The Grossmont Union High School District staff has reviewed the Grand Jury Report on Truancy & Curfew Practices – the Lack of Consistency and Uniformity and its Impact on San Diego County. In response to the Recommendation (02-11): "That the forty-two school districts in San Diego County set up programs which integrate families and students in the development of self-esteem and mutual respect," the Grossmont District is in the process of establishing integrated family support service programs at all of our school sites. Presently, eight sites have been developing programs in collaboration with multiple agencies. Our counseling programs will also continue to support such services.

One must also realistically assess the current economic picture of public school funding in California to understand that additional resources to create such programs do not appear imminent; therefore, schools may have to seek external resources.

Sincerely,

Granger B. Ward

Granger B. Ward
Superintendent

c: Dr. B. Stein

POST OFFICE BOX 1043 • LA MESA CALIFORNIA 91944-1043
TELEPHONE (619) 644-8000 FAX (619) 465-1349 TDD/TTY (619) 644-8132

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JUN 28 2002
SAN DIEGO
COUNTY GRAND JURY

"IN QUEST OF QUALITY"

ALLAN E. GORDON
Superintendent

June 24, 2002

Presiding Judge of the Superior Court
C/o Foreman Chuck Mulroy
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830X

Dear Sir or Madam:

Re: Grand Jury Report 2001-2002, Truancy & Curfew Practices

In compliance with the Penal Code section 933.05, the attached comments are being provided in response to recommendation 02-11 of the Grand Jury Report on Truancy and Curfew.

If any further response is required at this time, please send your written request or recommendation to:

Allan Gordon, Superintendent
Jamul-Dulzura Union School District
14581 Lyons Valley Road
Jamul, CA 91935

Sincerely,

Maria Maynard
Supt. Secr.

JAMUL - DULZURA
UNION SCHOOL DISTRICT

14581 LYONS VALLEY ROAD
JAMUL, CALIFORNIA 91935
(619) 669-7700
FAX (619) 669-0254

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Vicki

Grand Jury

COUNTY OF SAN DIEGO
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830
(619) 515-8707
(619) 515-8696 FAX

CHUCK MULROY, Foreman

May 1, 2002

CONFIDENTIAL

City Councils (See Attached Mailing List)
Police Departments (See Attached Mailing List)
School Districts (See Attached Mailing List)

Re: **"TRUANCY & CURFEW PRACTICES-The Lack of Consistency and Uniformity and its Impact on San Diego County".**

Dear Ladies and Gentlemen:

The 2001-2002 San Diego County Grand Jury herewith provides the referenced report for your review and comment to the Presiding Judge of the Superior Court in compliance with the Penal Code of California §933(c). This report was prepared pursuant to §925, §925(a) and §933.5 of the Penal Code.

In accordance with Penal Code §933.05(e), a copy of this report is being provided to affected agencies two working days prior to its public release and after being approved by the Presiding Judge of the Superior Court. Please note that §933.05(e) specifies that **no officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to its public release.** This report will be filed with the Clerk of the Court and released to the public on Wednesday, May 8, 2002.

Sincerely,

SAN DIEGO COUNTY GRAND JURY 2001-2002

C.E. MULROY
Foreman

CEM:lln
enc.

ORIGINAL

TRUANCY & CURFEW PRACTICES
The Lack of Consistency and Uniformity and its Impact on San Diego County

A Report by the
San Diego County Grand Jury 2001-2002
May 8, 2002

Fallbrook Union High School District	Recommendation: 02-11
Grossmont Union High School District	Recommendation: 02-11
City Council of Imperial Beach	Recommendation: 02-08
Jamul-Dulzura Union School District	Recommendation: 02-11
Julian Union School District	Recommendation: 02-11
Julian Union High School District	Recommendation: 02-11
City Council of La Mesa	Recommendation: 02-08
La Mesa Police Department	Recommendation : 02-09
La Mesa-Spring Valley School District	Recommendation: 02-11
Lakeside Union School District	Recommendation: 02-11
City Council of Lemon Grove	Recommendation: 02-08
Lemon Grove School District	Recommendation: 02-11
Mountain Empire Unified School District	Recommendation: 02-11
National School District	Recommendation: 02-11
City Council of National City	Recommendation: 02-08
National City Police Department	Recommendation: 02-09
City Council of Oceanside	Recommendation: 02-08
Oceanside Police Department	Recommendation: 02-09
Oceanside Unified School District	Recommendation: 02-11
City Council of Poway	Recommendation: 02-08
Poway Unified School District	Recommendation: 02-11

That the County Board of Supervisors:

02-10: Implement a program that places emphasis on proactive interventions with small children at risk of truancy and curfew violation and their parents before the detrimental results of truancy and curfew violation occur.

That the Forty-two School Districts in San Diego County:

02-11: Set up programs which integrate families and students in the development of self-esteem and mutual respect.

That the County Board of Supervisors:

02-12: Propose legislation which would compel parents to be actively involved with their children to avoid truancies and curfew violations.

That the County Board of Supervisors:

02-13: Propose legislation which would empower the Courts to intervene more efficiently and more rapidly with parental substitutions in those cases where parents are unavailable to parent their children.

REQUIREMENTS / INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. *Such comment shall be no later than 90 days after the Grand Jury submits its report to the public agency.* Also, every ELECTED county officer or agency head for which the Grand Jury has responsibility shall comment on the findings and recommendations pertaining to matters under the control of that county officer or agency head, as well as any agency or agencies which that officer or agency head supervises or controls. *Such comment shall be made within 60 days to the Presiding Judge of the Superior Court with an information copy sent to the Board of Supervisors.*

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

(a) As to each grand jury finding, the responding person or entity shall indicate one of the following:

02-11:

The Jamul-Dulzura Union School District has set up programs which integrate families and students in the development of self-esteem and mutual respect.

We have in place a character education program that is age-appropriate for each of our grades Kindergarten through eighth grade. The character education program centers around studying a specific character trait, such as respect, honesty, diligence, and responsibility, each month. Each unit has a parent component that requires that students take home information to discuss with their parents. For example, in the unit on "diligence" the assignment is: "interview your parents about a time in their lives when working hard at something brought success."

Our district also uses the PeacaeBuilders program, a nationally acclaimed, researched based program that serves as an anti-bullying, self-esteem program. PeaceBuilders has built in parent participation. Teachers are encouraged to send home "praise notes" and maintain close communication between school and home. Parents are versed in the PeaceBuilders slogans so that the language of the program can be carried over into the home. PeaceBuilders has been shown to decrease rates of absences and tardies, vandalism, and acts of violence.

The school district has also regularly sponsored parent education evenings that include book discussion, substance abuse prevention education, and general parenting skills.

(b) (1)

The Jamul-Dulzura Union School District has implemented the recommendation. The implemented action revolves around integrating families and students in the development of self-esteem and mutual respect. Through implementation of the character education program, the PeaceBuilders program, and parent education, children and families are given important skills and tools. These skills and tools encourage healthy communication and listening skills that foster mutual repect.

Julian Union High School District
PO Box 417 - 1656 Highway 78 - Julian, CA 92036-0417 - 760-765-3208 - 765-2926 fax

RECEIVED
AUG 23 2002
SAN DIEGO
COUNTY GRAND JURY

RECEIVED
AUG 21 2002

August 19, 2002

The Hon. Richard E. L. Strauss
Presiding Department Superior Court
220 W. Broadway
San Diego, CA 92101

Dear Sir:

Please consider the following the official response of the Julian Union High School District to the Grand Jury Report, "Truancy & Curfew Practices" related to Recommendation 02-11.

The Julian Union High School District agrees with the findings and currently has numerous programs in place, which already implements the recommendation.

The Julian Union High School District participates in a program called "Pathways" which effectively supports your recommendation. We also employ an Academic Advisor who operates programs that support this recommendation.

Sincerely,

Brian E. Bristol

Brian E. Bristol
Superintendent/Principal

Julian Union School District

P.O. BOX 337 • JULIAN, CA 92036 • (760) 765-0661 • FAX (760) 765-0220

RECEIVED

JUN 1 2002

SAN DIEGO
COUNTY GRAND JUR

C. E. Mulroy
Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

June 10, 2002

Dear Mr. Mulroy,

Please consider the following the official response of the Julian Union School District to the Grant Jury Report, "Truancy & Curfew Practices" related to Recommendation 02-11.

The Julian Union School District agrees with the findings and currently has numerous programs in place which already implement the recommendation.

The Julian Union School District operates a program called "Pathways" which effectively supports your recommendation. We also employ a Middle School Coordinator who operates programs which support this recommendation.

Sincerely,

C. Kevin Ogden
District Superintendent

Governing Board: Gina Jimenez, Mary Marvin, Jim McFall, Susan Slaugher, Eileen Tellam
Elementary Principal: Deborah Larkin • Jr. High Principal: Anna Koonce • Superintendent: C. Kevin Ogden

City of La Mesa

RECEIVED
JUN 17 2002

ART MADRID
Mayor

June 11, 2002

The Honorable Richard E. L. Strauss
Presiding Department-San Diego Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

I have recently completed a review of the Grand Jury's report on "TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity and its Impact on San Diego County", published May 8, 2002. As required by Penal Code Section 933, I am providing the following response to the "Findings" and "Recommendation 02-08" of the report, "That the Eighteen Incorporated Cities of San Diego County: Adopt uniform curfew hours of 11:00 pm to 5:00 am, any evening, any day, any week."

I am in general agreement with the findings of the report with the exception of number II, that "There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community." Without further information it is difficult to provide specific comments on this finding but I do not believe this applies to our city or the east county region.

With regard to "Recommendation 02-08", this recommendation will not be implemented by the City of La Mesa because I believe it is both unwarranted and unreasonable.

The City of La Mesa has imposed a 10:00 pm curfew for persons under the age of eighteen for many years. The time of this curfew reflects the wishes and values of our community and during my tenure as a member of the City Council and as Mayor there has never been any serious request to provide a later curfew. I believe the language of our curfew ordinance provides sufficient latitude for minors, their parents and our police officers, to allow minors to participate in legitimate activities while at the same time providing an effective enforcement tool for our officers.

8130 ALLISON AVENUE, P.O. BOX 937, LA MESA, CALIFORNIA 91944-0937 / (619) 667-1106, FAX (619) 462-7528

Printed on Recycled Paper.

La Mesa is a community in transition, with an ever-growing number of families with young children. This transition is evident in the types of services our citizens ask for and the nature of the concerns they express to myself and my fellow City Council Members. The safety of our community's children is a consistent theme in the issues that are raised by our citizens. While I agree with many of the Grand Jury's findings on the seriousness of the problems facing the young members of our communities, I feel very strongly that relaxing our curfew standard by even an hour would be counter productive and contrary to the wishes of the citizens of La Mesa.

In closing, I would like to thank the Grand Jury for their time and effort in preparing this report and express my support for many of the other recommendations that were made. I believe that we both seek the goal of protecting our youth and promoting a community that supports and nurtures them. I am in whole-hearted agreement with the Grand Jury on the importance of parental responsibility in our children's lives and look forward to future opportunities to work with the Grand Jury and other community organizations in promoting this value.

Yours truly,

Art Madrid

ART MADRID,
Mayor of the City of La Mesa

RECEIVED
AUG 16 2002

La Mesa-Spring Valley School District
4750 Date Avenue • La Mesa, California 91941-5293 • Telephone: 619/668-5700 Fax: 619/668-5809

August 13, 2002

RECEIVED
AUG 19 2002
SAN DIEGO
COUNTY GRAND JURY

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

RE: Responses to the 2001-2002 Grand Jury Report, *Truancy & Curfew Practices – The Lack of Consistency and Uniformity*, filed May 8, 2002.

This letter is in response to the 2001-2002 Grand Jury recommendation contained in the above report and in compliance with Penal Code Section 933 (c).

With respect to Recommendation 2-11, the La Mesa-Spring Valley School District currently has several programs in place which help families integrate the development of self-esteem and mutual respect. These include:

- California Healthy Start Initiative Program
- Elementary School Counseling Programs
- School Community Policing Partnership Program
- A new parent involvement program to be implemented by the middle schools during the 2002-2003 school year.

We appreciate the Grand Jury's recommendations in an effort to improve consistency in truancy and curfew practices on behalf of the children of San Diego. If we can be of further assistance, please do not hesitate to contact us.

Sincerely,

Brian Marshall
Assistant Superintendent, Instruction

c: Warren Hogarth, Superintendent

Board of Education: Med C. Beauregard • Penny W. Halgren • Sharon C. Jones • Larry Kinard • Rick Winet
District Superintendent: Warren Hogarth

Received 6/13/02.

City of La Mesa

POLICE DEPARTMENT

June 11, 2002

The Honorable Richard E. L. Strauss
Presiding Department-San Diego Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

I have recently completed a review of the Grand Jury's report on "TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity and its Impact on San Diego County", published May 8, 2002. As required by Penal Code Section 933, I am providing the following response to the "Findings" and "Recommendation 02-09" of the report, "That the San Diego County Sheriff's Department and all City Police Departments: Enforce the rules of curfew equally, in all areas, all jurisdictions."

I am in general agreement with the findings of the report with the exception of number II, that "There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community." Without further information it is difficult to provide specific comments on this finding but I do not believe this applies to our city or the east county region.

With regard to "Recommendation 02-09", this recommendation will not be implemented by the La Mesa Police Department because I believe it is both unwarranted and unreasonable.

While the Grand Jury's report does not elaborate on the specifics of this recommendation, the stated language implies that much of the discretion currently afforded officers in dealing with curfew violations may be taken from them. I believe this will result in juveniles being needlessly drawn into the juvenile justice system, or perhaps inappropriately diverted from the system, and may impact the amount of time officers have available for other duties. The recommendation would seem to cast a broad net of enforcement over all juveniles that officers encounter, rather than allowing officers to use their knowledge and experience in determining which curfew violations may be handled informally, through a warning and at times a follow up telephone call to a parent, versus

those where the juvenile encountered is clearly planning to engage in serious criminal behavior. I believe that the current practices of the La Mesa Police Department and the other law enforcement agencies of San Diego County, with regard to the enforcement of curfew laws, serve the best interests of our communities and youth.

In closing, I would like to thank the Grand Jury for their time and effort in preparing this report and express my support for many of the other recommendations that were made. I believe that we both seek the goal of protecting our youth and promoting a community that supports and nurtures them. I am in whole-hearted agreement with the Grand Jury on the importance of parental responsibility in our children's lives and look forward to future opportunities to work with the Grand Jury and other community organizations in promoting this value.

Yours truly,

CLIFF RESCH,
Chief of Police

City of La Mesa

ART MADRID
Mayor

June 11, 2002

The Honorable Richard E. L. Strauss
Presiding Department-San Diego Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

I have recently completed a review of the Grand Jury's report on "TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity and its Impact on San Diego County", published May 8, 2002. As required by Penal Code Section 933, I am providing the following response to the "Findings" and "Recommendation 02-08" of the report, "That the Eighteen Incorporated Cities of San Diego County: Adopt uniform curfew hours of 11:00 pm to 5:00 am, any evening, any day, any week."

I am in general agreement with the findings of the report with the exception of number II, that "There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community." Without further information it is difficult to provide specific comments on this finding but I do not believe this applies to our city or the east county region.

With regard to "Recommendation 02-08", this recommendation will not be implemented by the City of La Mesa because I believe it is both unwarranted and unreasonable.

The City of La Mesa has imposed a 10:00 pm curfew for persons under the age of eighteen for many years. The time of this curfew reflects the wishes and values of our community and during my tenure as a member of the City Council and as Mayor there has never been any serious request to provide a later curfew. I believe the language of our curfew ordinance provides sufficient latitude for minors, their parents and our police officers, to allow minors to participate in legitimate activities while at the same time providing an effective enforcement tool for our officers.

8130 ALLISON AVENUE · P.O. BOX 937, LA MESA, CALIFORNIA 91944-0937 · (619) 667-1106 · FAX (619) 462-7528

La Mesa is a community in transition, with an ever-growing number of families with young children. This transition is evident in the types of services our citizens ask for and the nature of the concerns they express to myself and my fellow City Council Members. The safety of our community's children is a consistent theme in the issues that are raised by our citizens. While I agree with many of the Grand Jury's findings on the seriousness of the problems facing the young members of our communities, I feel very strongly that relaxing our curfew standard by even an hour would be counter productive and contrary to the wishes of the citizens of La Mesa.

In closing, I would like to thank the Grand Jury for their time and effort in preparing this report and express my support for many of the other recommendations that were made. I believe that we both seek the goal of protecting our youth and promoting a community that supports and nurtures them. I am in whole-hearted agreement with the Grand Jury on the importance of parental responsibility in our children's lives and look forward to future opportunities to work with the Grand Jury and other community organizations in promoting this value.

Yours truly,

Art Madrid

ART MADRID,
Mayor of the City of La Mesa

NATIONAL SCHOOL DISTRICT
1500 N AVENUE • NATIONAL CITY, CA 91950 • (619) 336-7500 FAX (619) 336-7505

RECEIVED
AUG 30 2002
SAN DIEGO
COUNTY GRAND JURY

August 27, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Presiding Judge:

Pursuant to your report regarding Truancy & Curfew Practices filed May 8, 2002, the National School District responds as follows to Recommendation 02-11.

The National School District offers parents various opportunities to participate in school-based programs intended to strengthen parental effectiveness. These programs, such as the Parent Institute for Quality Education, Por la Vida, Hablando Claro (Speaking Clearly), etc., provide parents with strategies and research for helping their children succeed in school. These trainings also underscore the importance of building relationships and mutual respect between parent and child. Therefore, it is our opinion that this recommendation has and is being implemented in this school district.

Sincerely,

George J. Cameron, Ed.D.
District Superintendent

GJC:cim

cc: Marcia Gravette Jespersen, Foreperson, San Diego County Grand Jury 2002-03

BOARD MEMBERS: ROSALIE "ROSIE" ALVARADO; ANNE L. CAMPBELL; ALMA GRAHAM; JAMES GRIER, JR.; FRANK PEREZ
DISTRICT SUPERINTENDENT: GEORGE J. CAMERON, Ed.D. ASSISTANT SUPERINTENDENT–EDUCATIONAL SERVICES: ELLEN C. CURTIN, Ed.D.
ASSISTANT SUPERINTENDENT–BUSINESS SERVICES: MICHAEL J. CASTANOS ASSISTANT SUPERINTENDENT—HUMAN RESOURCES: CYNTHIA A. MESAROS

George J. Cameron, Ed.D.

NATIONAL SCHOOL DISTRICT
1500 N. AVENUE • NATIONAL CITY, CA 91950-4827

NATIONAL CITY
AUG 29 '02
CA

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Marcia Gravette Jespersen, Foreperson
San Diego County Grand Jury 2002-03
330 West Broadway, Suite 477
San Diego, CA 92101-3830

92101+3830 10

CITY OF OCEANSIDE

OFFICE OF CITY MANAGER

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OCT - 8 2002

SAN DIEGO
COUNTY GRAND JURY

October 7, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Re: Truancy & Curfew Practices – The Lack of Consistency and Uniformity and its Impact on San Diego County

A response was sent from the City of Oceanside on this subject dated July 5, 2002 to the Grand Jury. A copy of this letter is attached for your information.

If you require further information, please do not hesitate to contact me.

Sincerely,

Steven R. Jepsen
City Manager

CC: Honorable Mayor and City Council
Grand Jury, County of San Diego

MICHAEL POEHLMAN
CHIEF OF POLICE

CORE VALUES
Trust
Personal Responsibility
Quality Service
Partnership
Community Safety
Diversity

July 5, 2002

Mr. C. E. Mulroy, Foreman
San Diego County Grand Jury
Hall of Justice
330 West Broadway, Ste. 477
San Diego, CA 92101-3830

Dear Mr. Mulroy:

This letter is in response to the Grand Jury's letter and request of May 1,2002 concerning Truancy & Curfew Practices. Specifically, the Grand Jury requested comments from the City of Oceanside on recommendations 02-08 and from the Police Department on recommendations 02-09. My responses are intended to provide the official response on behalf of the City of Oceanside and the Oceanside Police Department.

Comments on Recommendation 02-08:

As your report notes, the City of Oceanside existing curfew ordinance provides for a curfew from 10:00 p.m. to 5:00 a.m. every day. The City of Oceanside does not contemplate any action on this recommendation. See comments for 02-09.

Comments on Recommendation 02-09:

This recommendation was reviewed and discussed by the San Diego County Chiefs and Sheriffs Association (SDCCSA) at their meeting on June 5, 2002. The Oceanside Police Department's position on this recommendation is consistent with that of the SDCCSA.

A regionally standardized curfew would provide for consistency but would prevent local communities from giving consideration to their needs as they relate to local crime, local juvenile problems, local traditions and the availability of legitimate late night juvenile activities that may exist within a community.

THE CITY OF SAN DIEGO

RECEIVED
AUG - 6 2002

July 17, 2002

RECEIVED
AUG 08 2002
SAN DIEGO
COUNTY GRAND JURY

Honorable Richard E. L. Strauss, Presiding Judge
San Diego County Superior Court
220 W. Broadway, Department SD-P
San Diego, CA 92101

Subject: Response to San Diego County Grand Jury Report

Dear Judge Strauss:

In compliance with California Penal Code 933.05, the City of San Diego has thoroughly reviewed the May 8, 2002 report from the San Diego County Grand Jury entitled "Truancy & Curfew Practices – The Lack of Consistency and Uniformity and its Impact on San Diego County." Responses to the findings and recommendations contained in the report are enclosed and are consistent with the requirements and instructions of California Penal Code 933.05.

The City of San Diego and the San Diego Police Department concur with the Grand Jury's findings and support Recommendation 02-08, the adoption of consistent county-wide curfew hours from 11:00 p.m. to 5:00 a.m., without exception. Since the implementation of this recommendation would require a change to the City Municipal Code, it will be forwarded to the Public Safety & Neighborhood Services Committee for appropriate review prior to being forwarded to the City Council for final consideration.

The City of San Diego and the San Diego Police Department also concur and support Recommendation 02-09, which addresses the need for a uniform enforcement policy in all areas and jurisdictions. Further analysis and discussion with the San Diego County Police Chief's and Sheriff's Association would be most appropriate in order to coordinate the establishment of a consistent county-wide enforcement policy.

With both recommendations, any budgetary and personnel issues that may be affected cannot specifically be addressed until all enforcement policies and guideline proposals are in place.

DIVERSITY

Office of the City Manager
202 C Street, MS 9A • San Diego, CA 92101-3869
Tel (619) 236-6363 Fax (619) 236-6067

The City of San Diego greatly appreciates and values the effort put forward by the 2001-2002 San Diego Grand Jury regarding the issues concerning truancy and curfew practices dealing with San Diego County youth.

Sincerely,

Michael T. Uberuaga
City Manager

cc: Dick Murphy, Mayor, City of San Diego
San Diego City Councilmembers
Chuck Mulroy, Foreman, County of San Diego Grand Jury
David Bejarano, Chief of Police

Enclosure

Enclosure

CITY OF SAN DIEGO RESPONSE TO GRAND JURY REPORT "TRUANCY & CURFEW PRACTICES-THE LACK OF CONSISTENCY AND UNIFORMITY AND ITS IMPACT ON SAN DIEGO COUNTY"

Pursuant to Penal Code 933.05, the City of San Diego provides the following response to the findings and recommendations in the above-entitled Grand Jury Report.

FINDINGS

I. **Each municipality in San Diego County has published guidelines on curfew violation and enforcement, and each school district in San Diego County has published guidelines on truancy violation and enforcement.**

The respondent agrees with this finding. The City of San Diego has established Municipal Codes for both the daytime loitering of juveniles in any public place on school days, and for curfew. The San Diego Police Department also has written procedures that clearly articulate the enforcement of both daytime loitering, truancy and curfew.

II. **There are unnecessary costs and counter productive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community.**

The respondent is inclined to agree with this finding, however, there is insufficient documentation in the Grand Jury report to confirm unnecessary costs associated with the inconsistent application and enforcement of truancy and curfew regulations.

III. **School Attendance Review Boards (SARB), although of unquestioned intent, are almost exclusively reactive to truants and the problems they create. There is very little which a SARB does that is proactive and interventional to avoid truancy.**

The respondent agrees with this finding. The City of San Diego has five school districts operating within its city limits. Since each district has its own policy and enforcement procedures, there are widespread inconsistencies in SARB guidelines. Oftentimes, there are even discrepancies that exist from school to school within the same District. Unfortunately, the one consistent fact remains that each program is reactive in nature and is not designed to allow for proactive intervention of any kind, at any level.

IV. **Poor self-esteem, lack of confidence, poor socialization skills, lack of respect for authority, family and domestic problems (divorce, drug and alcohol abuse) are among the key indicators of developing truants and curfew violators.**

The respondent agrees with this finding. The City of San Diego and the San Diego Police Department actively encourage and support the establishment of working partnerships with not only schools and governmental agencies, but with a wide variety of community-based organizations. The San Diego Police Department has sought to proactively address some of the issues by its implementation of the Elementary School Safety Program. This course of instruction is designed for children in kindergarten through the 6th grade and provides for establishing positive role models, improving self-esteem and socialization skills, while including issues of drug, alcohol and tobacco abuse in its expanded lesson plan.

V. Children who drift into habitual violations of both truancy and curfew standards in their environments do so with parental ignorance or indifference, and such practices commence at early ages, before the high school and middle school years.

The respondent agrees with this finding. The City of San Diego and the San Diego Police Department strongly supports and encourages proactive SARB intervention as early as possible in a child's school life. Hopefully, this early involvement will also act as a motivating factor in helping to educate the parents as well.

VI. Significant, disturbing and direct relationships exits between juvenile delinquency, drug use, school drop out rates and life histories of truants and curfew violators.

The respondent agrees with this finding. As mentioned in the Grand Jury report, the nexus between those factors cannot be ignored and intervention must be aggressively pursued in order to break the downward cycle of failure that is facing many of our youth today.

VII. Parental involvement with the successful growth and education of their children is essential. In those instances where parental involvement with the raising and education of their children is not or cannot be realized, alternative or substituted actions are either unavailable or awkward to arrange.

The respondent agrees with this finding. The City of San Diego, San Diego Police Department and all community-based social services programs must continue to work together to explore creative and innovative ways to provide for the nurturing environment necessary for a child's development, absent positive parental involvement.

VIII. California State law does not require a person to be a responsible parent to their child. Equally frustrating, California State Law *as currently written* does not quickly or easily allow for agency substitutions of services to truant children or curfew violators where parents are unavailable or refuse to parent effectively.

The respondent agrees with this finding. Current legislators and law enforcement officials are working collaboratively to improve existing laws in this area. Since there

currently is a lack of facilities available for the placement of curfew and truant juveniles when parents are unavailable, the County of San Diego and the San Diego Police Department are working to establish a Juvenile Drop-Off Center in the Mid-City Area Command. This facility will be staffed by county probation officers and provide a safe environment for children detained by officers in the field for status offenses.

RECOMMENDATIONS

The Grand Jury Report directs the City to provide comments to the Presiding Judge of the Superior Court in compliance with Penal Code 933.05 for:

Recommendation 02-08: **That the Eighteen Incorporated Cities of San Diego County: Adopt uniform curfew hours of 11:00 p.m. to 05:00 a.m., any evening, any day, any week.**

The San Diego Police Department concurs with the Grand Jury's finding and supports the recommendation to adopt county-wide curfew hours from 11:00 p.m. to 5:00 a.m., without exception.

The implementation of this recommendation would require a change to the City Municipal Code. Within the next six months, this proposal will be forwarded Public Safety & Neighborhood Services Committee for review prior to being forwarded to the City Council for final consideration and action.

Recommendation 02-09: **That the San Diego County Sheriff's Department and all City Police Departments: Enforce the rules of curfew equally, in all areas, all jurisdictions.**

The San Diego Police Department supports the recommendation of allowing for a more uniform enforcement policy in all areas and jurisdictions. Further analysis and discussion with the San Diego County Police Chief's and Sheriff's Association would be most appropriate in order to coordinate the establishment of a consistent, county-wide uniform enforcement policy.

Within the next six months, the Juvenile Services Unit of the San Diego Police Department will provide the Chief of Police with a new policy outline specifically addressing this recommendation. The Chief of Police will then be able to request the new policy proposal be added as an agenda item for consideration at the next San Diego County Police Chief's and Sheriff's Association's meeting.

CONCLUSION

The City of San Diego and the San Diego Police Department agree with the findings and recommendations contained within the San Diego County Grand Jury report on county-wide truancy and curfew practices.

Administration:
CAROL A. LEIGHTY, Ed.D.
District Superintendent
KAMRAN AZIMZADEH
Deputy Superintendent
SAM MERSHON
Asst. Superintendent

Board of Trustees:
GELIA G. COOK
TWILA C. GODLEY
HAROLD I. HILLIKER
MARK C. HINKLEY
KEVIN C. HOWE

RECEIVED
MAY 23 2002
SAN DIEGO
COUNTY GRAND JURY

May 20, 2002

C.E. Mulroy, Foreman
Grand Jury of San Diego County
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Foreman Mulroy:

This is in response to "Truancy and Curfew Practices—The Lack of Consistency and Uniformity and its Impact on San Diego County", a 2001-2002 Grand Jury Report.

As to recommendation 02-11, I agree with the finding as schools throughout the county already have such programs. The Lakeside Union School District has put into place a program "which integrates families and students in the development of self esteem and mutual respect". There is no evidence, however, that this program has any impact on truancy. In the elementary school, truancy is as much a fault of the parent as the student. We have no teeth to require a parent to attend such a program. Those who do are usually those who need it least.

Legislating such programs, or compelling the Board of Supervisors to develop such programs, would not be possible as the cost would be too high to offer in all 42 school districts. Many parents have abdicated their parenting responsibilities. The children suffer and often miss out on their education. Finding the resources among education, juvenile justice, law enforcement and mental health will be a challenge. This work is long term and very labor intensive.

Sincerely,

Carol A. Leighty

Carol A. Leighty, Ed.D.
District Superintendent

CAL:cw

P.O. Box 578 • 12335 Woodside Avenue • Lakeside, California 92040
619.390.2600 • FAX 619.561.7929 • www.lsschools.k12.ca.us

Lemon Grove School District

8025 Lincoln Street • Lemon Grove, California 91945-2515
(619) 825-5600 • FAX (619) 462-7959
www.lgsd.k12.ca.us

RECEIVED
AUG 14 2002
SAN DIEGO
COUNTY GRAND JURY

August 8, 2002

Marcia Gravette Jespersen
Foreperson, Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Subject: Response to 2001-2002 Grand Jury Report, "Truancy & Curfew Practices – The Lack of Consistency and Uniformity" Filed May 8, 2002

Dear Ms. Jespersen:

Upon receipt of the 2001-2002 San Diego County Grand Jury Report on "Truancy & Curfew," the document was placed as a discussion/action item on the May 28, 2002 regular meeting of the Governing Board of the Lemon Grove School District.

Subsequent to the Grand Jury report, the Governing Board is revising its current Administrative Regulation on truancy to meet the full intent of the Education Code requirements.

Lemon Grove School District supports parent involvement and builds student confidence and self-esteem through such programs as the Parent Institute for Quality Education, Beyond Diversity Equity training for the professional staff, and Peace Builders for elementary students. During the 2001-2002 school year and continuing this year, the District is tackling the achievement gap by working with teams of teachers, administrators and parents in the Collaborative Action Research on Equity program. Student achievement and school success are the two major focus areas of the programs.

To support the districtwide efforts to integrate families and students in the development of self-esteem and mutual respect, as recommended by the 2001-2002 Grand Jury, the school district employs social workers and social work interns at all eight schools in the District. Our social workers provide a magnificent support system for parents in raising expectations for student success and keeping students connected with school.

The Lemon Grove School District applauds the Grand Jury for addressing the issues of truancy and curfew when studying student success. If additional information is needed from our school district, please contact me at (619) 825-5612.

Sincerely,

L. McLean King, Ed.D
Superintendent

cc: Governing Board

GOVERNING BOARD: George Gastil • Janne La Valle • Robbie Montgomery • Michael Ott • Timothy Shaw
SUPERINTENDENT: L. McLean King, Ed.D.

Our Students Come First

PART A+B

CITY OF LEMON GROVE

"Best Climate On Earth"

Office of the City Manager

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AUG 23 2002

SAN DIEGO COUNTY GRAND JURY

August 20, 2002

Grand Jury
P.O. Box 122724
San Diego, CA. 92112-2724

Attn: Marcia Gravette Jespersen, Foreperson

Attached are the City of Lemon Grove's responses to the Grand Jury's 2001 – 2002 reports entitled, "Truancy & Curfew Practices" and "Home Rule, is Chartering a City A Good Idea?"

"HOME RULE"
IS CHARTERING A CITY A GOOD IDEA?

Recommendation 02-06:

Hold public study sessions to allow their citizens to study the chartering option.

Response:

The City Council of the City of Lemon Grove will hold such study session(s) during a regularly scheduled City Council meeting during this fiscal year. The session(s) will be held once City staff has had the opportunity to develop the necessary information and place it on an upcoming agenda.

Recommendation 02-07

Develop a cooperative energy program with SDG&E along the lines of the City of San Marcos program.

Response:

The City has requested information concerning the San Marcos program from SDG&E to begin study of the program's applicability. We will study this program in light of its success in San Marcos. its transferability to a small municipality and in light of its

3232 Main Street Lemon Grove California 91945-1705

619.825.3800 FAX: 619.825.3804 www.ci.lemon-grove.ca.us

City Lemon Grove

applicability under a sub-regional type structure. The City Council will be provided the results of staff's investigation to determine further direction.

TRUANCY & CURFEW PRACTICES

Recommendation 02-08:

Adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week.

Response:

The City of Lemon Grove's Municipal Code Section 9.40 et.al., complies with the Grand Jury recommendation. Specifically, under the "Definitions for Curfew Provisions", it states, "Curfew hours means the period from eleven p.m. any evening of the week, until 5 a.m. the following day."

Should you have any further questions, please feel free to contact me at your convenience.

Sincerely,

Robert Richardson
City Manager

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AUG 16 2002

Mountain Empire Unified School District
3291 Buckman Springs Road • Pine Valley • California • 91962
Phone (619) 473-9022 • FAX: (619) 473-9728

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AUG 19 2002
SAN DIEGO
COUNTY GRAND JURY

August 12, 2002

Presiding Judge of the Superior Court
PO Box 122724
San Diego, CA 92112-2724

Re: Response to the Grand Jury Report, "Truancy & Curfew Practices"

Dear Sir or Madame:

Regarding findings I through VIII of the report, the respondent agrees.

Regarding recommendation 02-11, the respondent already engages in extensive activities to engage families and students in the development of self-esteem and mutual respect. Parent/child evening events are regularly held, parent education classes are offered, and an after school program is in effect in which students are assisted in learning respect, as well as, given academic assistance.

Sincerely,

Greg Ryan
Superintendent

Office of the Mayor

1243 National City Blvd., National City, CA 91950 (619) 336-4526
George H. Waters - Mayor

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JUL 0 2002
SAN DIEGO
COUNTY GRAND JURY

July 2, 2002

The Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
County of San Diego
Hall of Justice
330 West Broadway, Suite #477
San Diego, Ca. 92101-3830

Subject: **"Truancy & Curfew Practices: The Lack of Consistency and Uniformity and its Impact on San Diego County." City of National City Response on the Findings and Recommendations in the Report.**

Dear Judge Strauss:

On May 15th, 2002, the City of National City received a copy of a report by the San Diego County Grand Jury 2001-2002, dated May 8, 2002, titled "Truancy and Curfew Practices: The Lack of Consistency and Uniformity and its Impact on San Diego County." National City is providing the following comments on the findings and the recommendations (02-08 and 02-09).

FINDINGS

I. **Each municipality in San Diego County has published guidelines on curfew violation and enforcement, and each school district in San Diego County has published guidelines on truancy violation and enforcement.**
The respondent agrees with the finding.

II. **There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community.** Respondent partially disagrees. This may be the case in general, but each community has its own needs, problems and priorities. One community may see enforcement efforts as counterproductive while another may see positive results. What is effective in Coronado may not be in National City.

III. **SARBS, although of unquestioned intent, are almost exclusively reactive to truants and the problem they create. There is very little which a SARB does that is**

proactive and interventional to avoid truancy. The respondent disagrees in part with the finding. Initially the SARB is reactionary. After a SARB is held though, the parents and child are asked to participate in contracts, agreements and counseling that are proactive and interventional to avoid further truancy.

IV. **Poor self-esteem, lack of confidence, poor socialization skills, lack of respect for authority, family and domestic problems (divorce, drug and alcohol abuse) are among the key indicators or developing truants and curfew violators.** Respondent agrees with the finding.

V. **Children who drift into habitual violations of both truancy and curfew standards in their environments do so with parental ignorance or indifference, and such practices commence at early ages, before the high school and middle school years.** Respondent agrees with the finding.

VI. **Significant, disturbing and direct relationships exist between juvenile delinquency, drug use, school drop out rates and life histories of truants and curfew violators.** Respondent agrees with the finding.

VII. **Parental involvement with the successful growth and education of their children is essential. In those instances where parental involvement with the raising and education of their children is not or cannot be realized, alternative or substituted actions are either unavailable or awkward to arrange.** Respondent agrees with the finding.

VII. **California State law does not require a person to be a responsible parent to their child. Equally frustrating, California State law as currently written does not quickly or easily allow for agency substitutions of services to truant children or curfew violators where parents are unavailable or refuse to parent effectively.** Respondent agrees with the finding.

RECOMMENDATIONS

02-08: **Adopt uniform curfew hours of 11:00 pm to 5:00 am, any evening, any day, any week.** The respondent does not intend to implement because it is not warranted.

N.C.M.C 10.60.010, Curfew, currently specifies the hours of curfew as 10:pm to 5:00am. The police department believes the current hours of curfew are fair and reasonable. The Chief of Police recently discussed this issue with other Chief's of Police and the Sheriff at their monthly meeting. As a group they decided that each jurisdiction had its own unique problems with regard to curfew.

In National City, where there is a high crime rate and problems with gangs, cruising and graffiti, the curfew hours of 10:00 pm to 5:00 am are necessary. To

raise it to 11:00 pm per the recommendation hampers police officers' ability to stop and detain juveniles who may be involved in these delinquent activities. As compared to a community like Coronado, which may not have as much juvenile crime, it would not be a problem to shorten the curfew hours. There have not been any community complaints or requests to change the curfew hours because they are being arbitrarily enforced or because juveniles are not being allowed to participate in legitimate activities.

02-09: **Enforce the rules of curfew equally, in all areas, all jurisdictions.**
The respondent does not intend to implement because it is not warranted.

This respondent agrees with the county Chiefs and Sheriffs Association when it concluded that each agency has its own specific problems with juvenile crime and that each jurisdiction should decide what is best for that community. It is understandable that parents may become confused as to what hours each City's curfew hours are. This would be a concern if there were evidence that police were arbitrarily enforcing the curfew laws. In National City, the curfew law is broad and allows for several exceptions. It is unlikely that a juvenile involved in a legitimate activity will be arrested or even detained for curfew violation in National City.

It is much more reasonable that a countywide information plan be implemented so that if parents are concerned about the application of curfew laws for each jurisdiction, that the information is easily available. It should also explain that there are several exceptions to the curfew laws for legitimate activity.

George H. Waters
Mayor

Nick Inzunza
Vice Mayor

R. Mitchel Beauchamp
Councilman

Ron Morrison
Councilman

Rosalie Zarate
Councilwoman

cc: C.E. Mulroy, Grand Jury Foreman
City Council
City Attorney
City Manager

OCEANSIDE POLICE DEPARTMENT

MICHAEL POEHLMAN
CHIEF OF POLICE

CORE VALUES
Trust
Personal Responsibility
Quality Service
Partnership
Community Safety
Diversity

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SAN DIEGO
COUNTY GRAND JURY

July 5, 2002

Mr. C. E. Mulroy, Foreman
San Diego County Grand Jury
Hall of Justice
330 West Broadway, Ste. 477
San Diego, CA 92101-3830

Dear Mr. Mulroy:

This letter is in response to the Grand Jury's letter and request of May 1,2002 concerning Truancy & Curfew Practices. Specifically, the Grand Jury requested comments from the City of Oceanside on recommendations 02-08 and from the Police Department on recommendations 02-09. My responses are intended to provide the official response on behalf of the City of Oceanside and the Oceanside Police Department.

Comments on Recommendation 02-08:

As your report notes, the City of Oceanside existing curfew ordinance provides for a curfew from 10:00 p.m. to 5:00 a.m. every day. The City of Oceanside does not contemplate any action on this recommendation. See comments for 02-09.

Comments on Recommendation 02-09:

This recommendation was reviewed and discussed by the San Diego County Chiefs and Sheriffs Association (SDCCSA) at their meeting on June 5, 2002. The Oceanside Police Department's position on this recommendation is consistent with that of the SDCCSA.

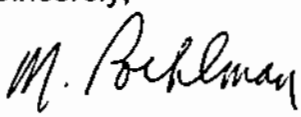
A regionally standardized curfew would provide for consistency but would prevent local communities from giving consideration to their needs as they relate to local crime, local juvenile problems, local traditions and the availability of legitimate late night juvenile activities that may exist within a community.

Oceanside is fortunate to have a safe community with low rates to both juvenile and violent crimes. Our existing curfew provides a useful tool to police officers that allow enforcement action when necessary.

Curfew laws are used as tools by law enforcement to protect juveniles involved in legitimate activities and prevent juvenile crime when they are involved in undesirable – but not necessarily illegal – activities. A great deal of officer discretion is used in determining when strict enforcement is needed. Officers are aware of this need for discretion and in this regard enforce curfew laws equally in all jurisdictions.

Please fee free to contact me at any time concerning this response and the issues the Grand Jury has addressed in their report.

Sincerely,



Michael S. Poehlman
Chief of Police

MSP:ba

C: Steven R. Jepsen, City Manager
Duane Bennett, City Attorney

TRUANCY AND CURFEW PRACTICES
OCEANSIDE UNIFIED SCHOOL DISTRICT

Recommendation 2-11

Set up programs, which integrate families and students in the development of self-esteem and mutual respect.

SYNOPSIS

There are many reasons why children do not reach their potential academically and socially. A few of the reasons are out of their control. Societal issues, lack of parental guidance, and an unstable living environment are just a few of the factors contributing to a stressful future for an alarming number of young people in America. Parents, teachers, and the media are all blaming each other while the future of the United States is fading away into hopelessness. It takes an enormous amount of time and effort from caring adults to mold, shape, and encourage young people to become contributing members of society.

Prevention and intervention are the key ingredients needed to eliminate truancy and curfew violation. Many well-intended programs appear to focus too much on symptoms and fail to address the root cause of the problem. Drug and alcohol use, truancy, and teenage violence are symptoms that most often appear when there is a lack of parental involvement. Parental responsibility needs to be identified and modeled on a consistent basis.

Parents should be encouraged to become allies of school officials and law enforcement instead of adversaries. The three groups should work together to provide young people with supervision, accountability, and appropriate consequences for negative behavior. The negative behavior, seen in many of our students today, has gone unattended for years. Students with behavior problems need to be targeted beginning in elementary school continuing through senior high school. A good prevention program in the home and community will enforce positive behavior.

It was encouraging to see members of San Diego's Grand Jury take an active role in addressing the issues that continue to challenge today's young people.

RECOMMENDATIONS

The Oceanside Unified School District has utilized a number of programs in recent years to help integrate families and students in the development of self-esteem and mutual respect. This recommendation has been implemented in many projects. The 1st Quarter Program, formerly known as Fresh Start, is a youth program designed to bridge the gap between parents, educators, children, and the community. Teachers, counselors, and administrators are asked to select a group of 30–60 students to participate in a ten-week program. This program addresses issues such as education, racism/prejudice, drugs and alcohol, communication with parents, teen violence, and encourages and directs the students to find appropriate solutions to these problems. The 1st Quarter Program also includes a strong parent component. Other programs currently available or utilized in the past are: Active Parenting, Here's Looking at You 2000, Diversity Training, Conflict Resolution, Peace Builders, and Character Education.

The underlying goal of these programs is to bring about a positive change on as many students and families as possible.

Jan 09 03 11:09a K. Moonan, Supt. OUSD (760) 433-8820 p.2

CITY OF POWAY

NICKEY CAFAGNA, Mayor
BOB EMERY, Deputy Mayor
JAY GOLDBY, Councilmember
DON HIGGINSON, Councilmember
BETTY REXFORD, Councilmember

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SAN DIEGO
COUNTY GRAND JURY

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AUG - 2 2002

July 30, 2002

Richard E. L. Strauss
Superior Court Presiding Judge
GRAND JURY
P. O. Box 122724
San Diego, CA 92112-3886

Re: "TRUANCY AND CURFEW PRACTICES – The Lack of Consistency and Uniformity and Its Impact on San Diego County"

Dear Honorable Judge Strauss:

In accordance with Penal Code Section 933, Subdivision (c), the City of Poway is responding to the Grand Jury report dated May 8, 2002, pertaining to the above subject matter.

The Grand Jury Report recommended the following:

02-08 Adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week.

In 1997, the Poway City Council adopted Ordinance 477 which has been codified as Chapter 9.24 of the Poway Municipal Code. Section 9.24.020 A defines the "curfew" hours as between eleven p.m. and five a.m. of the following day. (See attached)

If you are in need of additional information, please do not hesitate to contact me at (858) 679-4200.

Sincerely,

James L. Bowersox
City Manager

Attachment

cc: Mayor and Members of the City Council
Chairman and Members of the Board of Supervisors

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789 • (858) 748-6600, 695-1400
FAX 748-1455

Chapter 9.24

CURFEW

Sections:

9.24.010	Purpose and intent.
9.24.020	Definitions.
9.24.030	Prohibition—Minor.
9.24.040	Prohibition—Adult.
9.24.050	Exceptions.
9.24.060	Enforcement—Penalty.

9.24.010 Purpose and intent.

By enacting a curfew regulation that applies to minors and their parents, the City Council intends to preserve and promote the safety and welfare of the community and minors during late night hours. In adopting the ordinance codified in this chapter, the City Council considered and relied upon evidence that proves the effectiveness of a juvenile curfew in promoting these purposes. This regulation is intended to reasonably balance the public interest and the protected rights of minors and their parents. This balance is achieved by applying the principle that parental responsibility for a minor's conduct is paramount to the City's regulatory authority. Enforcement of this curfew only becomes necessary in the absence of parental authority. (Ord. 477 § 2 (part), 1997)

9.24.020 Definitions.

For purposes of this chapter the following words or phrases are defined:

A. "Curfew hours" means the hours between eleven p.m. and five a.m. of the following day.

B. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, without limitation, fire, natural disaster, automobile accident, or any situation requiring immediate action to prevent serious bodily injury or loss of life.

C. "Guardian" means (1) a person who, under court order, is the guardian of the person of a minor; or (2) a public or private agency with which the court has placed a minor.

D. "Minor" means any person under the age of eighteen.

E. "Parent" means a person who is a natural parent, adoptive parent or step-parent of a minor.

F. "Public place" means any place to which any member of the public has access, including, without limitation, public rights-of-ways, public grounds, dedicated open or trail space, or any privately owned unsupervised land that is open and generally available to the public including, without limitation, vacant lots, school parking lots and common areas, hospitals, apartment houses, office buildings, housing complexes, shopping centers, and malls.

G. "Responsible adult" means the parent, guardian, or adult person at least twenty-one years old having the responsibility for the care, custody, and control of a minor. (Ord. 477 § 2 (part), 1997)

9.24.030 Prohibition—Minor.

No minor shall be present in any public place during curfew hours. (Ord. 477 § 2 (part), 1997)

9.24.040 Prohibition—Adult.

No responsible adult shall knowingly permit, or by insufficient control, allow a minor to be present in any public place during curfew hours. (Ord. 477 § 2 (part), 1997)

9.24.050 Exceptions.

The prohibitions described in Sections 9.24.030 and 9.24.040 of this chapter shall not apply to any minor who, in the alternative, is:

A. Accompanied by his or her responsible adult;

B. Engaged in or directly en route to or from an employment activity;

C. Engaged in any emergency;

D. Present at a public place abutting the minor's residence;

E. Present in any privately owned building or structure generally committed to a business or trade which is open to and serves the public, or going to or returning from said privately owned building or structure without detour or stop;

F. Attending or directly en route to or from a school sponsored, religious, or recreational activity supervised by at least one responsible adult and sponsored and conducted by the City, a civic organization, public agency, charitable organization, religious entity, or another similar entity that takes responsibility for the minor;

G. On an errand at the direction of the minor's responsible adult without any detour or stop;

H. In any motor vehicle involved in interstate travel;

I. Exercising First Amendment rights protected by the United States Constitution while being supervised by at least one responsible adult; or

J. Legally emancipated. (Ord. 477 § 2 (part), 1997)

9.24.060 Enforcement—Penalty.

A. Each violation of this chapter constitutes a separate offense;

B. A charge under this chapter may be prosecuted either as a misdemeanor or an infraction. Minors shall be prosecuted in accordance with juvenile court law and procedure.

C. Any person convicted of an infraction for violating this chapter may be punished by a fine not exceeding two hundred fifty dollars or by a requirement to perform County or City approved work projects or community service or both.

D. Any person convicted of a misdemeanor for violating this chapter may be punished by imprisonment in the County Jail for a period of time not exceeding six months, or by a fine not exceeding one thousand dollars, or both. (Ord. 477 § 2 (part), 1997)

Ramona Unified School District
720 Ninth Street • Ramona, CA 92065-2399
(760) 788-5000 • FAX 789-9168

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JUN 2 2002
SAN DIEGO
COUNTY GRAND JURY

RAMONA In The Valley Of The Sun

June 24, 2002

Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego CA 92101-3830

Attention: Chuck Mulroy, Foreman

Dear Mr. Mulroy:

The Ramona Unified School District, like most districts in our county, works collaboratively with the County Office of Education to ensure viable and meaningful programs are offered. The main focus of the district continues to be on providing equal access to all students served. Equal access includes providing educational interventions that promote individual success – which has a significant impact on self-esteem. Additionally, the wide array of extracurricular and co-curricular activities are provided to help ensure students are able to engage in a well rounded educational experience and have the opportunity to participate in activities of high interest. The District's Character Education Program, OASIS Reading Program and cross-age tutorial programs help connect families and other resources to address issues outside of the classroom that may impact students.

Respectfully,

Peter M. Schiff
Superintendent of Schools

Superintendent's Office Phone 760-788-5006
• E-mail: pschiff@rusd.sdcoe.k12.ca.us •

Ramona Unified School District

720 Ninth Street • Ramona, CA 92065-2399
(760) 788-5000 • FAX 789-9168

RAMONA In The Valley Of The Sun

RECEIVED
AUG 05 2002
SAN DIEGO
COUNTY GRAND JURY

June 24, 2002

Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego CA 92101-3830

Attention: Chuck Mulroy, Foreman

Re: Truancy and Curfew Practice – Response to #2-11

Dear Mr. Mulroy:

The Ramona Unified School District, like most districts in our county, works collaboratively with the County Office of Education to ensure viable and meaningful programs are offered. The main focus of the district continues to be on providing equal access to all students served. Equal access includes providing educational interventions that promote individual success – which has a significant impact on self-esteem. Additionally, the wide array of extracurricular and co-curricular activities are provided to help ensure students are able to engage in a well rounded educational experience and have the opportunity to participate in activities of high interest. The District's Character Education Program, OASIS Reading Program and cross-age tutorial programs help connect families and other resources to address issues outside of the classroom that may impact students.

Respectfully,

Peter M. Schiff
Superintendent of Schools

Superintendent's Office Phone 760-788-5006
• E-mail: pschiff@rusd.sdcoe.k12.ca.us •

BOARD OF TRUSTEES
KATHLEEN A. STUMM, PRESIDENT
DEBORAH PLUMMER, VICE PRESIDENT
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LINDA S. BOWMAN
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RANCHO SANTA FE SCHOOL DISTRICT

P.O. BOX 808
RANCHO SANTA FE, CALIFORNIA 92067
858-756-1141
FAX: 858-756-0712

DANIEL A. VINSON, ED.D.
DISTRICT SUPERINTENDENT

GLENDA SUNIGA
ASSISTANT SUPERINTENDENT, PRINCIPAL

RECEIVED
DEC 19 2002
SAN DIEGO
COUNTY GRAND JURY

December 19, 2002

San Diego County Grand Jury
Hall of Justice 330 West Broadway, Suite 477
San Diego, CA 92101

Attn: Laura Nicks, Coordinator

This letter is in response to the 2001-02 San Deigo Grand Jury Report "Truancy & Curfew Practices, The Lack of Consistency and Uniformity and its Impact on San Diego County, filed May 8, 2002.

It has not been the experience of parents within the Kindergarten through eighth grade Rancho Santa Fe School District that there have been issues with established curfews throughout the county.

The Rancho Santa Fe School District does have School Attendance and Review Board (SARB) policies, but truancy, attendance, and tardies have not been an issue with our students. The SARB has not had to be initiated to date.

In response to 02-11, the Rancho Santa Fe School District, because of its small size and the uniqueness of the community, experiences one hundred percent parent involvement in our school. Students' self esteem is emphasized through every venue of the student's school day. Several years ago parents, teachers, and administrators agreed to adopt 12 Guiding Principles of Character Education. Teachers developed strategies for integrating the guiding principles into the existing curriculum. Teachers at every grade level and in multiple subject areas emphasize specific guiding principles each month. It is our hope to actually see guiding principles transformed into guiding practices in the lives of our students. Parents work on the same 12 Guiding Principles at home with their children.

Sincerely,

Daniel A. Vinson, Ed.D.
District Superintendent

CITY OF SANTEE

MAYOR
Randy Voepel

CITY COUNCIL
Jim Bartell
Jack E. Dale
Lori Howard
Hal Ryan

CITY MANAGER
Keith Till

August 13, 2002

RECEIVED
AUG 14 2002
SAN DIEGO
COUNTY GRAND JURY

The Honorable Richard E. L. Strauss
Superior Court Presiding Judge
220 West Broadway
San Diego, California 92101

Re: City of Santee's Response To San Diego County Grand Jury 2001-2002 Report, "Truancy & Curfew Practices, The Lack of Consistency and Uniformity and its Impact on San Diego County, May 8, 2002

Dear Judge Strauss:

Pursuant to the terms of Penal Code Section 933.05, the City of Santee ("City") submits the following response to the findings and the recommendations contained in the San Diego County Grand Jury 2001-2002 Report (May 8, 2002), "Truancy & Curfew Practices, The Lack of Consistency and Uniformity and its Impact on San Diego County ("Report"). Please note, the City has no record of being served with the Report, but the City is submitting this response because it has recently learned of the Report and wishes to respond in a timely fashion. The following is the City's response to the findings and conclusions of the Report.

FINDINGS

- **Finding I: Each municipality in San Diego County has published guidelines on curfew violation and enforcement, and each school district in San Diego County has published guidelines on truancy violation and enforcement.**

  The City agrees with this finding.

- **Finding II: There are unnecessary costs and counterproductive efforts in various communities resulting from inconsistent application and enforcement of truancy and curfew regulations from community to community.**

SDPUB\SXH\266746

The City disagrees with Finding II. It is respectfully submitted that the facts in the Report do not support the findings that there are unnecessary costs and counterproductive efforts resulting from inconsistent application of juvenile curfews in various communities. The example of a Coronado youth with an 11:00 p.m. curfew traveling to La Mesa (with a 10:00 p.m. curfew) to roller skate and being be stopped for a curfew violation is hypothetical and further is statistically insignificant. Local communities are and should be permitted to establish curfews which best fit the needs of their community. The City's curfew for juveniles is between 10:00 p.m. of any day and sunrise of the following day during the months of September through May inclusive, and between the hours of 11:00 p.m. of any day and sunrise of the following day during the months of June through August inclusive. (Santee Municipal Code 9.44.030). This ordinance was adopted based on review of local juvenile crime statistics and the need to provide for the protection of juveniles and the general public and to reduce the incidence of juvenile crime activities. The City Council considered issues relating to decreasing curfew hours during the summer months when the hours of daylight are longer and concluded that it was in the public interest to do so.

The City finds that with this ordinance it has achieved a reasonable balance between the public interest, the protected rights of minors and their parents and the reasonable costs the City incurs to provide law enforcement services to respond to, detain and supervise curfew violators.

<u>Finding III</u>: SARBs, although of unquestioned intent, are almost exclusively reactive to truants and the problems they create. There is very little which a SARB does that is proactive and interventional to avoid truancy.

The City has no comment on Finding III because this finding does not affect the City.

<u>Findings IV</u>: Poor self-esteem, lack of confidence, poor socialization skills, lack of respect for authority, family and domestic problems (divorce, drug and alcohol abuse) are among the key indicators of developing truants and curfew violators.

The City agrees with Finding IV.

<u>Findings V</u>: Children who drift into habitual violations of both truancy and curfew standards in their environments do so with parental ignorance or indifference, and

such practices commence at early ages, before the high school and middle school years.

The City agrees with Finding V.

- **Findings VI: Significant, disturbing and direct relationships exist between juvenile delinquency, drug use, school drop out rates and life histories of truants and curfew violators.**

  The City agrees with Finding VI.

- **Findings VII: Parental involvement with the successful growth and education of their children is essential. In those instances where parental involvement with the raising and education of their children is not or cannot be realized, alternative or substituted actions are either unavailable or awkward to arrange.**

  The City agrees with Finding VII.

- **Findings VIII: California State law does not require a person to be a responsible parent to their child. Equally frustrating, California State law as currently written does not quickly or easily allow for agency substitutions of services to truant children or curfew violators where parents are unavailable or refuse to parent effectively.**

  The City has no comment on Finding IV because this is not in the control of the City.

RECOMMENDATIONS

- **Recommendation 02-08: Adopt uniform curfew hours of 11:00 pm to 5:00 am, any evening any day, any week.**

  The City will not be implementing Recommendation 02-08. The proposed uniform curfew hours would change the City's curfew from 10:00 p.m. until 5:00 a.m. the following day to 11:00 p.m. to 5:00 a.m. the following day during the months September to May. The City Council (and thereby its citizens) previously considered the curfew hours and determined that a 10:00 p.m. curfew during the fall, winter and spring was best to ensure the immediate

protection of the health, safety and general welfare of the general public and juveniles. It further considered and concluded that an 11:00 p.m. curfew during the summer coinciding with daylight savings time best met the community interests. The City adopted its current curfew ordinance on August 13, 1997 to protect the constitutional rights of juveniles and not to modify the hours or other conditions of the juvenile curfew ordinance. The instant Report is not compelling enough to cause the City to review this matter and nothing has occurred since August of 1997 which would cause the City to reconsider changing the curfew ordinance.

Respectfully submitted,

Keith Till
City Manager

cc: The Honorable Mayor and Santee City Council Members
San Diego County Grand Jury 2001-2002

Santee School District

"WHERE YOUNG MINDS MEET OPEN DOORS"

RECEIVED

JUL 25 2002

SAN DIEGO COUNTY GRAND JURY

July 23, 2002

C.E. Mulroy, Foreman
Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, California 92101-3830

Re: Grand Jury Report, May 8, 2002 "Truancy and Curfew Practices – The Lack of Consistency and Uniformity and Its Impact on San Diego County"

Dear Foreman Mulroy:

As you requested, below are the responses of the Santee School District to the above referenced Grand Jury Report.

Grand Jury Findings:

Santee School District agrees with all eight findings with the exception of finding number II. We are unable to respond to this finding because we are not aware of what are the "unnecessary costs and counterproductive efforts" that may exist in other districts and communities. In Santee School District we implement programs to curb truancy in accordance with the requirements of the California Education Code. The City of Santee has an established curfew that is enforced by the Santee Sheriff's Department. I am not aware of any unnecessary costs and counterproductive efforts.

Grand Jury Recommendation:

02-11: Santee School District has numerous programs that promote parent/student activities to build self-esteem. Examples include classroom parent volunteers, academic achievement programs and contests, parent liaison programs, student discipline and intervention programs, and recommended classes for healthy families (example: Stephen Covey's Highly Effective Families). The District also provides a variety of parent education programs promoting improved knowledge of child and adolescent development, effective parent-child communication techniques and other effective parenting skills. And for students, the District implements a Board adopted curriculum that promotes personal character and mutual respect of others.

If I may be of further service please contact me at (619) 258-2303.

Sincerely,

Marcia J. Johnson, Superintendent

BOARD OF EDUCATION: Cathy Abel, Dianne El-Hajj, Julie McIntosh, Sandy Pugliese, Barbara Ryan
DISTRICT SUPERINTENDENT: Marcia J. Johnson

SANTEE SCHOOL DISTRICT: 9625 Cuyamaca Street, Santee, California 92071-2674 • (619) 258-2300

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

RECEIVED
MAY 1 7 2002

May 8, 2002

The Honorable Richard E. L. Strauss, Presiding Judge
San Diego Superior Court
PO Box 122724
San Diego, CA 92112

Dear Judge Strauss:

Response To The Grand Jury Report "Truancy & Curfew Practices-The Lack Of Consistency And Uniformity And Its Impact On San Diego County" In Accordance With 933 (C) PC

I received the Grand Jury's report. I agree with the findings of the Grand Jury regarding truancy and curfew. It is my intent to ensure discussion of the report and recommendations at the next meeting of the San Diego Police Chief and Sheriff's Association

Recommendation 02-09 from the Grand Jury, that the Sheriff's Department and all city police departments should "enforce the rules of curfew equally in all areas, all jurisdictions", will require further analysis prior to implementation. The Sheriff's Department will begin working on this issue through our Community Oriented Policing and our School Resource Officers for uniformity and consistency. However, as pointed out in recommendation 02-08, the cities should adopt uniform curfew hours. At such time as the cities adopt uniform curfew laws, the Sheriff's Department will work with other law enforcement agencies for uniformity and consistency.

Thank you for the opportunity to review the Grand Jury's findings and recommendations.

If you have further questions please contact Assistant Sheriff Zoll of the Law Enforcement Services Bureau at (858) 974-2295.

Sincerely,

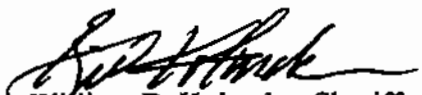
William B. Kolender, Sheriff

WBK/bgd

cc: Board of Supervisors

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,



William B. Kolender, Sheriff

WBK/sl

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

Vista Unified School District
no better place to learn
STUDENT SERVICES
1234 Arcadia Ave., Vista, CA 92084-3495, (760) 726-2170, FAX (760) 941-4524

Board Members
Jim Gibson
Stephen Guffanti
David Hubbard
Letha McWey
Valerie Wade

Superintendent
Dr. Dave Cowles

Serving the communities of Vista, Oceanside, San Marcos, Carlsbad and San Diego County

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OCT 22 2002
SAN DIEGO
COUNTY GRAND JURY

October 21, 2002

To Whom It May Concern:

The Vista Unified School District utilizes a variety of prevention programs to develop students' social and emotional literacy. The primary program currently in use is the "Resolving Conflict Creatively Program". Skills developed through participation in this program include active listening, perspective taking, dealing with anger, assertiveness, win-win negotiations, understanding cultures, and avoiding expressions of bias. Vista Unified School District also utilizes the parent component of this program. Parents participate in training in the skills and concepts of conflict resolution and inter group relations so they can make their homes more peaceful and help their children become adept at using the skills learned at school.

To ensure school success, Vista Unified School District counselors work extensively with at-risk students and their families. Vista Unified School District also contracts with a community-based organization, North County Lifeline, Inc. for a comprehensive diversion/intervention program. For each referred student Lifeline staff provides a behavioral assessment and offers the family individual or family counseling services. Student group topics include: drug and tobacco use, anger management, decision making, gang involvement, and grief issues. Parent support groups are offered free of charge and all services are available in Spanish.

Each district middle and high school site develops a "Student Assistance Team". Certificated staff lead student support groups, identifying and intervening with students who are involved with tobacco, alcohol and other drug use, and for facilitating/mediating student conflict resolution sessions.

This year all sophomores at the district's two comprehensive high schools attended the "Breaking Down the Walls" program. Students learned lessons about tolerance, communication and how to embrace their differences.

The character education program Character Counts! is also being piloted at one district middle school and one high school. Six values or "Pillars of Character" - trustworthiness, respect, responsibility, fairness caring and citizenship - are taught and reinforced through participation in this program.

Sincerely,

Gayle Olson

Gayle Olson
Director, Student Support Services

(g:\sdesalme\msdoc\olson\grand jury response.10.2002)

SAN DIEGO UNIFIED SCHOOL DISTRICT
Office of General Counsel

4100 Normal Street, Room 2148
San Diego, CA 92103
(619) 725-5630
Fax: (619) 725-5639

JO ANNE SAWYERKNOLL
GENERAL COUNSEL

JOSE A. GONZALES
Assistant General Counsel

RICARDO J. SOTO
Assistant General Counsel

SATELLITE OFFICE
Facilities Management
4860 Ruffner Street, Rm 7
San Diego, CA 92111
Fax: (858) 573-5878

TAD SETH PARZEN
Assistant General Counsel
(858) 637-6232

SANDRA T.M. CHONG
Prop. MM Staff Attorney
(858) 637-6233

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JUL 12 2002
SAN DIEGO
COUNTY GRAND JURY

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JUL 11 2002

July 7, 2002

Hon. Richard E.L. Strauss
Presiding Judge
Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Judge Strauss :

Please find enclosed San Diego Unified School District's response and comments to the County of San Diego's Grand Jury Report entitled "Truancy and Curfew Practices – The Lack of Consistency and Uniformity and its Impact on San Diego County" submitted for filing with the Superior Court.

Should you have any questions regarding the enclosed, please contact me at (619) 725-5630.

Sincerely,

JO ANNE SAWYERKNOLL
General Counsel

Enclosure

cc: A. Bersin (w/encl.)
T. Smith (w/encl.)
M. Durffee (w./encl.)
M. Hopper (w/encl.)
J. Wall (w/encl.)

SawyerKnoll\grdjury cover ltr 070802.doc

A. Response to Grand Jury Findings

I. Not Applicable
II. Not Applicable
III. San Diego Unified School District, School Attendance Review Board (SARB), strives to be proactive by providing interventions to avoid truancy. During the 2001-2002 school year, 304 cases were referred to SARB. Upon referral, additional interventions were put into place both at the referring school site and/or with the family. Ninety-seven of these cases needed to continue to a hearing. Of these 97 cases, 27 were referred to Juvenile Court.

Although these statistics may not accurately reflect a 100% improved attendance, they do reflect the proactive philosophy of San Diego Unified School District's, Student Attendance Review Board.

IV. Agree
V. Agree
VI. Agree
VII. Agree
VIII. Not Applicable

B. Response to Grand Jury Recommendation 2-11

02-11: *Set up programs which integrate families and students in the development of self-esteem and mutual respect.*

San Diego Unified School District is committed to early identification of and intervention with those students at risk for developing behaviors that interfere with academic achievement and the development of positive social skills. San Diego Unified implements a comprehensive Counseling and Guidance program K-12. The elementary level is where truancy problems originate and grow if not corrected through interventions. Credentialed school counselors at the elementary level incorporate the work of building self-esteem and mutual respect in many ways.

STUDENT STUDY TEAM FACILITATOR

- Parents participate in identifying the barriers their student may be experiencing and what interventions would be most appropriate to remedy the situation. This is an opportunity for school personnel to educate parents on developmental issues.

SART/SARB COORDINATOR

- Monitor attendance and keep close contact with families to make them aware when negative patterns of attendance emerge.

- Provide interventions to support parents in their efforts to enforce school attendance policies.
- Utilize positive incentives to encourage students to attend school regularly and on time.

COUNSELING SERVICES

- Classroom lessons promote themes of positive social skills, respect, positive decision-making skills, goal-setting, self-awareness and self-esteem to name a few.
- Small group counseling addresses topics such as, friendship-making skills, conflict resolution techniques, anger management and positive behavior choices.
- Parent conferencing provides an opportunity for counselors to integrate mutual respect between parents and their child.
- Community referrals are often made for family counseling when deemed necessary.
- School counselors often incorporate parenting classes into their program when time permits, or engage community resources to provide such classes.

We recognize that the intent of the recommendation was to work with parents and students together. That continues to pose logistical problems, but we continue to be optimistic in pursuing more than we are currently doing.

San Dieguito
Union High School District

710 Encinitas Blvd.
Encinitas, CA 92024-3357
(760) 753-6491
www.sduhsd.k12.ca.us

Board of Trustees:
Joyce Dalessandro
Bill Flores
Barbara Groth
Susan Hartley
Deanna Rich

Superintendent:
Peggy Lynch, Ed.D.

August 9, 2002

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AUG 12 2002

RECEIVED
AUG 15 2002
SAN DIEGO
COUNTY GRAND JURY

Superior Court
Presiding Judge
P O Box 122724
San Diego CA 92112-2724

RE: Response to the 2001-2002 Grand Jury Report "Truancy and Curfew Practices – The Lack of Consistency and Uniformity" filed May 8, 2002.

Your Honor:

The San Dieguito Union High School District has received and reviewed the study conducted by the Grand Jury regarding "Truancy and Curfew Practices – The Lack of Consistency and Uniformity," and its impact on San Diego County."

The final report includes facts, findings, and recommendations for policies, practices, and procedures in dealing with truants and other curfew violators within San Diego County.

The final report recommendation for all forty-two school districts in San Diego County:

> ***2-11: Set up programs which integrate families and students in the development of self-esteem and mutual respect.***

The San Dieguito Union High School District is committed to enhancing our existing parent/student forums to include such topics as: truancy, curfew, respect for authority, and parenting skills.

The San Dieguito Union High School District is also committed to using the SARB process as a tool for truancy intervention. The SARB program has proven to be a very effective process for the district's habitually truant students.

Respectfully submitted,

Peggy Lynch

Peggy Lynch, Superintendent

jb

xc: Torrie Norton, Director Pupil Personnel Services

Carmel Valley MS
Diegueño MS
Earl Warren MS
La Costa Canyon HS
North Coast Alternative HS
Oak Crest MS
San Dieguito Adult Education
San Dieguito HS Academy
Sunset HS
Torrey Pines HS

1 Civic Center Drive
San Marcos, CA 92069-2918

Telephone
(760) 744-1050

August 12, 2002

RECEIVED
AUG 14 2002
SAN DIEGO
COUNTY GRAND JURY

Marcia Gravette Jespersen
Foreperson
Grand Jury, County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: Response to your August 6, 2002 letter – Truancy & Curfew Practices

Dear Ms. Jespersen:

The following is in response to page ED2-4, RECOMMENDATIONS, 02-08: Adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week.

The City of San Marcos has had a Curfew Ordinance in place since at least 1994, seven days a week, running from 11:00 p.m. to 6:00 a.m. the following day.

While there are a few exemptions, they are minimal and address events where adult supervision is typically provided.

In discussing this issue with the Captain who leads the San Marcos Sheriff's Station, he indicates the Sheriff's Department typically focuses in on truancy and curfew practices at least once a quarter and certainly uses Section 10.20 as an enforcement tool within the City.

I've also attached a copy of Chapter 10.20, which addresses the curfew issues associated with the Grand Jury Report.

Please feel free to give me a call if you have any questions regarding the information provided.

Sincerely,

R.W. Gittings
City Manager

RWG/mkc

Attachment

CHAPTER 10.20

CURFEW

SECTIONS:

10.20.010	**Purpose and Intent; Parental Responsibility Law**
10.20.020	**Definitions**
10.20.030	**Prohibition; Minor**
10.20.040	**Prohibition; Adult**
10.20.050	**Exceptions**

10.20.010 Purpose and Intent; Parental Responsibility Law. By enacting curfew regulations which apply to minors and the parents of minors, the City Council intends to preserve and promote the peace of the community, as well as the safety and welfare of minors, during the late-night hours. In the course of adopting this ordinance, the City Council has considered and relied upon testimony which proves the effectiveness of a curfew in promoting such purposes. The City Council also recognizes that such regulations must protect the public interest without infringing upon certain fundamental rights of minors and their parents. This curfew measure is intended to reach a reasonable balance between said interests. Such balance is achieved by application of the principle that parental responsibility for the conduct of a minor is paramount to the exercise of regulatory authority by the City. Only in the absence of the exercise of parental authority over a minor will the enforcement of this curfew measure become necessary. Accordingly, this ordinance shall be entitled the "Parental Responsibility Law of the City of San Marcos."

10.20.020 Definitions.

Curfew Hours means the hours between 11:00 p.m. and 6:00 a.m. of the following day.

Public Place means any place to which any member of the public has access, including, but not limited to, any public right of way, public grounds, dedicated open or trail space, or any privately owned land that is unsupervised and is open and generally available to the public, including but not limited to vacant lots, the parking lots and the common areas of schools, hospitals, apartment houses, office buildings, housing complexes, shopping centers, and malls.

Guardian means (1) a person who, under court order, is the guardian of the person of a minor; or (2) a public or private agency with which the court has placed a minor.

Minor means any person under the age of 18.

Parent means a person who is a natural parent, adoptive parent, or step-parent of a minor.

Responsible Adult means the parent, guardian, or adult person at least 21 years old having the responsibility for the care, custody, and control of the subject minor.

10.20.030 Prohibition; Minor. No minor shall be present in any public place during curfew hours.

10.20.040 Prohibition; Adult. No responsible adult shall knowingly permit, or by insufficient control, allow a minor to be present in any public place during curfew hours.

10.20.050 Exceptions. The prohibitions described in Sections 10.20.030 and 10.20.040 above shall not apply to any minor who, in the alternative, is:

(a) accompanied by his or her responsible adult;

(b) engaged in or directly en route to or from an employment activity;

(c) engaged in any emergency or act of mercy;

(d) present at a public place abutting the minor's residence;

(e) present at any privately owned building or structure generally committed to a business or trade which is open to and serves the public, or going to or returning from said privately owned building or structure without detour or stop;

(f) attending or directly en route to or from a school sponsored, religious, or recreational activity supervised by at least one responsible adult and sponsored and conducted by the City of San Marcos, a civic organization, public agency, charitable organization, religious entity, or another similar entity or person that takes responsibility for the minor;

(g) exercising First Amendment rights protected by the United States Constitution while being supervised by at least one responsible adult, or exercising said right is part of an organized event which has been the subject of written notice to the City manager, or his/her designee, not less than 24 hours prior to the conduct of such event." **(Ord. No. 97-1016, adopted 6-24-97 by Urgency Ordinance, Govt Code §36937)**

RECEIVED
AUG 12 2002
SAN DIEGO
COUNTY GRAND JURY

SAN MARCOS UNIFIED SCHOOL DISTRICT
SECONDARY CURRICULUM/PUPIL PERSONNEL
MEMORANDUM

DATE: JULY 8, 2002

TO: PRESIDING JUDGE OF THE SUPERIOR COURT

FROM: SAN MARCOS UNIFIED SCHOOL DISTRICT
PREPARED BY BOB HARMAN, DIRECTOR OF PUPIL PERSONNEL

RE: COMMENTS ON GRAND JURY REPORT: TRUANCYAND CURFEW PRACTICES

COMMENTS OF GRAND JURY FINDINGS:

The SMUSD agrees with findings numbers I, II, IV, V, VI, VII, and VIII.

The District disagrees with finding number III. The SARB process in the SMUSD is not exclusively reactive because it provides for many interventions prior to the formal SARB hearing. First, students who are absent receive automated phone calls informing the parents of each absence. When students are identified as chronic attendance problems (three or more truancies, or five or more absences of any kind), a letter is sent to their parents. Single period absences are included for secondary students. A second letter asking the parent to contact the school's principal is sent when a student accumulates six truancies or ten absences. Site administrators begin attempting to reach parents at this point.

If the problem is still not resolved, a SART (School Attendance Review Team) meeting may be held with the student and parent at the school. A district representative attends also. The parent is given assistance from school personnel such as the nurse, psychologist or counselor and information about various community services agencies such as North County Health Services or Lifeline is provided to the parent. We consider these proactive steps taken prior to the use of the formal SARB process, which may include the use of subpoenas for parents who don't show for their hearing. About one-third of these families resolve their children's truancy problems without needing a formal SARB hearing.

Even if the student and their parents are called to a SARB hearing, interventions are offered as part of the SARB contract. These are also proactive and may involve things like required attendance at after-school programs, counseling sessions, weekly academic reports, and referrals to social service agencies.

RESPONSE TO GRAND JURY RECOMMENDATIONS:

Recommendation 02-11

The SMUSD feels it has implemented this recommendation. The District provides several programs monitored by its DATE (Drug, Alcohol, and Tobacco Education) Committee, comprised of parents, teachers, site administrators and community agencies. Programs provided include parent education and mentoring. Parents are taught in evening classes offered in English and Spanish by other parents who were trained by the District in parenting skills. Every school participates in the parent education program. Attendance ranges from 6-10 to over 50 parents depending on the topic, time of year, etc. Other programs include: Here's Looking at You self esteem and drug education curriculum taught in all elementary classrooms, participation in Red and Yellow Ribbon Week activities, conflict mediation for students and parents, peer counseling, anti violence curriculum that includes Get Real About Violence lessons and anti bullying activities, posters and projects, and elementary school Peace Patrols. In addition to providing counseling and psychological evaluations, students and families are often referred to a variety of social service agencies such as the TRC (Teen Recovery Center) or the EYE (Escondido Youth Encounter). The referral usually requires a follow-up, which may be as simple as a phone call to validate the student's participation, or as complex as the arrangement of an SST (Student Study Team) meeting with represents of the both the school and the agency providing the family with services.

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SAN DIEGO
COUNTY GRAND JURY

SAN MARCOS UNIFIED SCHOOL DISTRICT
SECONDARY CURRICULUM/PUPIL PERSONNEL
MEMORANDUM

DATE: JULY 8, 2002

TO: PRESIDING JUDGE OF THE SUPERIOR COURT

FROM: SAN MARCOS UNIFIED SCHOOL DISTRICT
PREPARED BY BOB HARMAN, DIRECTOR OF PUPIL PERSONNEL

RE: COMMENTS ON GRAND JURY REPORT: EARLY DETECTION AND TREATMENT OF BEHAVIORAL PROBLEMS IN SCHOOL CHILDREN

COMMENTS ON GRAND JURY FINDINGS:

The SMUSD agrees with findings numbers 1, 2, 3, 4, 7, and 8.

The District disagrees with finding number 5, because it is aware of many school districts that have utilized parent involvement programs to varying degrees of effectiveness. Effectiveness is not defined in the finding. The SMUSD has parent involvement programs at all its schools; some are more effective than others. The degree to which parent involvement programs have had a positive effect on the behavior of each school's students has not been determined because of the difficulty of developing a valid assessment tool given the complexity of the variables.

The District partially agrees with finding number 6. While it agrees that the California Education Code often does not allow school officials to penalize students for parents who are uncooperative, there are penal and education code violations that schools may report to law enforcement, especially those related to violations of SARB contracts involving attendance and discipline.

RESPONSE TO GRAND JURY RECOMMENDATIONS:

Recommendation 02-03

This recommendation has been implemented by the SMUSD. At the District level, a grant coordinator screens all grant application requests/proposals for duplication of services, projected costs (direct and indirect) to the District and their potential for effective implementation. The District works closely with the SDCOE (San Diego County Office of Education) Safe Schools Unit. SDCOE program administrators serve

as an informal clearinghouse by providing information, research and advice about each grant (RFA) that the District receives. The SMUSD will certainly participate if and when the SDCOE develops a formal grant clearinghouse.

Recommendation 02-05

This recommendation has also been implemented district-wide. All our schools have groups of parent volunteers who mentor other parents through our District parent education program. However, the number of parents participating is usually low and the District is studying ways to expand participation. During the next six months, the District will analyze the effectiveness of its 2001-02 program and make revisions based on the data collected, along with interviews of staff and parents who participated in the various parent training and involvement programs.

AUG 8 2002

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AUG 12 2002

SAN DIEGO COUNTY GRAND JURY

Grand Jury

COUNTY OF SAN DIEGO
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830
(619) 515-8707
(619) 515-8696 FAX

MARCIA GRAVETTE JESPERSEN, Foreperson

August 6, 2002

Larry Maw, Superintendent
San Marcos Unified School District
1 Civic Center Drive, Ste. 300
San Marcos, CA 92069-2952

Re: **Responses to the 2001-2002 Grand Jury Report-"*TRUANCY & CURFEW PRACTICES-The Lack of Consistency and Uniformity*" filed May 8, 2002.**

Dear Sir or Madame:

A review by the 2002-2003 San Diego County Grand Jury Continuity Committee of responses to the 2001-2002 Grand Jury recommendations contained in the above-referenced report (copy attached) indicates that no response has been received from your agency.

The Penal Code of California §933(c) requires comment on findings and recommendations in this report no later than 90 days from the date of filing. Comment to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 is required from your agency. The court address is P.O. Box 122724, San Diego, CA 92112-2724. Please send a copy of your response to the Grand Jury at the above-noted address no later than August 20, 2002.

Your prompt attention to this matter is appreciated.

Sincerely,

SAN DIEGO COUNTY GRAND JURY 2002-2003

Marcia Gravette Jespersen

MARCIA GRAVETTE JESPERSEN
Foreperson

MGJ//lln

TRANSMISSION VERIFICATION REPORT

TIME : 08/12/2002 13:41
NAME : SD GRAND JURY
FAX : 6195158696
TEL : 6195158707

DATE,TIME	08/12 13:41
FAX NO./NAME	3380
DURATION	00:00:17
PAGE(S)	01
RESULT	OK
MODE	STANDARD ECM

San Pasqual
Union School District
The Little School in the Valley

15305 Rockwood Road
Escondido, CA 92027-6700
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www.sanpasqualunion.com

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AUG 15 2002
SAN DIEGO
COUNTY GRAND JURY

August 13, 2002

Marcia Gravette Jespersen
Foreperson
County of San Diego Grand Jury
330 W. Broadway, Suite 477
San Diego, CA 92101-3830

Re: Response to the 2001-2002 Grand Jury Report – "Truancy & Curfew Practices- the lack of consistency and uniformity" filed May 8, 2002

Dear Ms. Jespersen:

I have read the recommendations of the "Truancy & Curfew Practices- the lack of consistency and uniformity" filed May 8, 2002.

I agree with the findings and will endeavor to comply with the findings and recommendations in this report as budget and common sense allows: As pertains to 02-11 we currently offer a full curriculum of character education programs as recommended by the California Department of Education. The school administration and our PTA already organize volunteers of parents with similar backgrounds to assist our school. We are a single school district in a rural setting with families of a similar background.

Sincerely,

Jeffrey P. Felix
Superintendent

San Ysidro School District

Provides an educational environment in which all students succeed

Governing Board
Luis Antonio Figueroa, President
Yolanda Hernandez, Vice-President
Juan Trujillo, Clerk
Ernestine Jones, Member
Jean A. Romero, Member

Grace A. Kojima
Interim Superintendent

RECEIVED
OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

October 1, 2002

C.E. Mulroy, Foreman
San Diego County Grand Jury 2001-2002
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Sir:

As per your request to Ms. Grace A. Kojima, Superintendent of the San Ysidro School District on September 23, 2002, I am enclosing a copy of our original response mailed to you on August 5, 2002 regarding the 2001-2002 San Diego Grand Jury Report: "Truancy and Curfew Practices – The Lack of Consistency and Uniformity and its impact on San Diego County."

San Ysidro School District once again would like to express its support of the grand jury's effort to provide critical analysis of information involving areas of need. We hope our response is sufficient input.

Please feel free to call me if you have any questions regarding our response at (619) 428-4476 x 3038.

Sincerely,

Norma del Rio
Director, Special Education and Pupil Services

Cc: Grace A. Kojima, Superintendent

4350 Otay Mesa Road, San Ysidro, CA 92173-1685 (619) 428-4476/Fax (619) 428-1505 - Internet. grace@sysd.k12.ca.us

San Ysidro School District

Provides an educational environment in which all students succeed

Governing Board
Luis Antonio Figueroa, President
Yolanda Hernandez, Vice-President
Juan Trujillo, Clerk
Ernestine Jones, Member
Jean A. Romero, Member

Grace A. Kojima
Interim Superintendent

August 5, 2002

C.E. Mulroy, Foreman
San Diego County Grand Jury 2001-2002
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Dear Sir or Madam:

San Ysidro School District is pleased to respond to the San Diego County Grand Jury 2001-2002 Report: "early Detection and Treatment of Behavioral Problems in School Children". As directed in the grand jury findings, San Ysidro School District is responding to recommendations 02-03 and 02-05. The recommendations specifically address issues relative to the reduction of duplicative grant projects through a central clearinghouse of grant proposals, and the organization/ expansion of community volunteers to work with parents of similar backgrounds.

After careful review of the findings and recommendations of the San Diego County Grand Jury, San Ysidro School District agrees with the report and offer the following response:

02-03 San Ysidro School District is the recipient many individual and collaborative proposals for funding. It is often necessary to clarify the objectives of funding prior to our commitment to pursuing the proposals. As a small district, this challenge is met through routine dialogue between division heads occurring in regular meetings in which proposals and funding are standing agenda items. Beyond this, all of our applications for funding are funneled through our business department and the scrutiny of the Assistant Superintendent. Proposals similar in service objectives are carefully reviewed for appropriate department or division assignment.

02-05 The San Ysidro School District community is in an era of drastic change. Housing and commercial development is growing at a very rapid pace. Student population is congruent with this growth. The challenge of developing a volunteer base of people reflective of the community is great during this change. It is, however, one the district

4350 Otay Mesa Road, San Ysidro, CA 92173-1685 (619) 428-4476/Fax (619) 428-1505 - Internet: grace@sysd.k12.ca.us

San Ysidro School District

Provides an educational environment in which all students succeed

Governing Board
Luis Antonio Figueroa, President
Yolanda Hernandez, Vice-President
Juan Trujillo, Clerk
Ernestine Jones, Member
Jean A. Romero, Member

Grace A. Kojima
Interim Superintendent

stands poised to accept. San Ysidro School District has historically obtained the volunteer assistance of many parents that develop skills and personal growth in their time working within our schools. These parents have consistently played a major role in developing similar types of groups within schools and throughout the district. Our challenge is to establish a core method of coordinating and encouraging volunteerism within our district in a manner consistent with the demands of a growing and changing community. Efforts in this regard are underway and have been first delegated to individual school sites considering they are hubs of our community. This has been a long-standing practice in San Ysidro School District. A review of this process will be conducted annually for evaluation of the progress and to provide direction and redesign as deemed necessary.

San Ysidro School District supports the grand jury's efforts to provide critical analysis of information involving areas of need. We appreciate the opportunity to provide input into such an important document.

Sincerely,

Norma Del Rio
Director of Special Education and Pupil Services

4350 Otay Mesa Road, San Ysidro, CA 92173-1685 (619) 428-4476/Fax (619) 428-1505 - Internet: grace@sysd.k12.ca.us

CITY OF SOLANA BEACH
635 SOUTH HIGHWAY 101 • SOLANA BEACH, CA 92075-2215 • (858) 720-2400 • FAX (858) 792-6513
www.ci.solana-beach.ca.us

August 20, 2002

RECEIVED
AUG 21 2002
SAN DIEGO
COUNTY GRAND JURY

Honorable Richard E. L. Strauss
Presiding Judge
San Diego Superior Court
220 W. Broadway, Dept. SD-P
San Diego, CA 92101

RE: Responses to the 2001-2002 Grand Jury Report – "TRUANCY & CURFEW PRACTICES – The Lack of Consistency and Uniformity" filed May 8, 2002

Dear Judge Strauss:

In response to the above Report, Solana Beach had a juvenile curfew ordinance similar to the ordinance of the City of San Diego that was invalidated in early 1997 by the Federal 9th Circuit Court of Appeals. In order to continue to enforce a juvenile curfew, amendment of the regulation was necessary.

The City of Solana Beach adopted Ordinance No. 235 on September 2, 1997. That ordinance established a juvenile curfew between the hours of 11:00 p.m. of one day and 5:00 a.m. of the next day. These curfew hours are the same for the unincorporated area of the County and for the cities of Del Mar and Encinitas. Because the City of Solana Beach contracts with the San Diego County Sheriff for law enforcement services, as do Del Mar and Encinitas, the County requested that we provide consistent curfew hours to assist in enforcement of curfews. The City of Solana Beach supports consistent curfew regulations.

A copy of Ordinance No. 235 is attached for your reference.

Please contact me if you have any questions.

Sincerely,

Barry Johnson
City Manager

cc: City Council
City Attorney
San Diego County Grand Jury 2001-02

ORDINANCE NO. 235

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF CITY OF SOLANA BEACH AMENDING TITLE 7, CHAPTER 7.16 OF THE SOLANA BEACH MUNICIPAL CODE TO ESTABLISH REGULATIONS RELATING TO JUVENILE CURFEW

WHEREAS, on June 9, 1997, the United States Court of Appeals for the Ninth Circuit ruled that a juvenile curfew ordinance, substantially similar to that enacted by the City of Solana Beach, was unconstitutional; and

WHEREAS, said ruling became final on June 30, 1997; and

WHEREAS, the City Council has determined that it would be highly detrimental to the welfare of the community to be without the protection of a juvenile curfew and that it is necessary to enact a Constitutionally enforceable juvenile curfew

Now, therefore, the City Council of the City of Solana Beach does ordain as follows:

SECTION 1. Title 7, Chapter 7.16 of the Solana Beach Municipal Code is amended to read as follows:

Chapter 7.16

JUVENILE CURFEW

7.16.010 Declaration of intent. By enacting curfew regulations which apply to minors and parents of minors, the City Council intends to preserve and promote the peace of the community, as well as the safety and welfare of minors, during the late-night hours. The City Council also recognizes that such regulations must protect the public interest without infringing upon certain fundamental rights of minors and their parents. This curfew measure is intended to reach a reasonable balance between said interests. Such balance is achieved by application of the principle that parental responsibility for the conduct of a minor is paramount to the exercise of regulatory authority by the City. Only in the absence of the exercise of parental authority over a minor will the enforcement of this curfew measure become necessary.

7.16.020 Definitions

Curfew Hours means the hours between 11:00 p.m. and 5:00 a.m. of the following day.

Public Place means a public place or any place open to the public or to which any member of the public has access, including, but not limited to, any public right of way, public grounds, dedicated open or trail space, or any privately owned land that is unsupervised and from which the public is not expressly excluded under applicable trespass laws, including but not limited to vacant lots, the parking lots and the common areas of schools, hospitals, apartment houses, office buildings, housing complexes, shopping centers, and malls.

Guardian means (1) a person who, under court order, is the guardian of the person of a minor; or (2) a public or private agency with which the court has placed a minor.

Minor means any person under the age of 18.

Parent means a person who is a natural parent, adoptive parent, or step-parent of a minor.

Responsible Adult means a parent, guardian, or adult person at least 21 years old having the responsibility for the care, custody, and control of the subject minor.

7.16.030 Prohibition – Minors. No minor shall be present in any public place during curfew hours.

7.16.040 Prohibition – Responsible Adults. No responsible adult shall knowingly permit, or knowingly by insufficient control allow, a minor to be present in any public place during curfew hours.

7.16.040 Exceptions. The prohibitions described in Sections 7.16.030 and 7.16.040 above shall not apply to any minor who, in the alternative, is:

(a) accompanied by his or her responsible adult;

(b) engaged in or directly en route to or from an employment activity;

(c) engaged in any emergency;

(d) present at a public place abutting the minor's residence;

(e) present at any privately owned building or structure generally committed to

a business or trade which is open to and serving the public, or going to or from said privately owned building or structure without detour or stop;

(f) attending or directly going to for coming from an event or activity supervised by at least one responsible adult and sponsored and conducted by a civic organization, the city or other public agency, a charitable organization, a religious entity, an accredited public or private school, or another similar entity or person that takes responsibility for the minor;

(g) on an errand at the direction of the minor's responsible adult without any detour or stop;

(h) legally emancipated pursuant to law;

(i) exercising rights protected by the First Amendment of the United States Constitution or Section 2 of Article 1 of the California while being supervised by at least one responsible adult, or exercising said as a participant in an organized event which has been permitted under applicable provisions of this Code.

7.16.050 Enforcement -- Penalty. Each violation of Section 7.16.030 or Section 7.16.040 constitutes a separate offense and may be prosecuted either as a misdemeanor or infraction as provided under Title 1 of this Code. Minors shall be prosecuted in accordance with applicable juvenile court law and procedure.

SECTION 2. This ordinance shall be effective 30 days following its adoption.

SECTION 3. The City Clerk shall certify to the passage of this Ordinance and cause the same to be published in accordance with the provisions of State law in a newspaper of general circulation, printed and published in San Diego County and circulated in the City of Solana Beach.

INTRODUCED by the City Council of the City of Solana Beach, California at a regular meeting held on August 19, 1997 and thereafter

PASSED AND ADOPTED by the City Council of the City of Solana Beach, California at a regular meeting held on the 2nd day of September, 1997, by the following vote:

AYES: Councilmembers – Campbell, Dodson, Kellejian, Renteria, Tompkins
NAYS: Councilmembers – None
ABSENT: Councilmembers – None
ABSTAIN: Councilmembers – None

Mayor

ATTEST:

City Clerk

APPROVED AS TO FORM:

City Attorney

"Molding The Future"

SOUTH BAY UNION SCHOOL DISTRICT

PATRICK PETTIT, Ed. D.
District Superintendent

601 Elm Avenue • Imperial Beach, California 91932-2098 • (619) 628-1600 • Fax: (619) 628-1608

October 8, 2002

RECEIVED
OCT 16 2002

Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 W. Broadway
San Diego, CA 92101

Re: Responses to the 2001-2002 Grand Jury Report- " TRUANCY & CURFEW PRACTICES: Lack of Consistency and Uniformity and its Impact on San Diego County" dated May 8, 2002.

Honorable Richard E. L. Strauss:

In accordance with the Penal Code of California Sec. 933 (c), please accept this letter as the South Bay Union School District's response to the 2001-2002 Grand Jury Report recommendations 02-11 regarding "TRUANCY & CURFEW PRACTICES: Lack of Consistency and Uniformity and its Impact on San Diego County."

Recommendation 02-11 was: **That the Forty-two School Districts in San Diego County:** Set up programs which integrate families and students in the development of self-esteem and mutual respect.

District Response:

(a) (2) The District disagrees wholly with the finding, and disputes that it is an appropriate role at the county level to recommend curriculum to school districts. School Districts are required by law to implement the State curriculum frameworks and state standards identified by the State Board of Education. Additionally, as applicable, local elected School Boards have the authority to enact policy decisions for the local district, not a county grand jury.

This statement should not be interpreted to mean that the school district does not currently address issues of self-esteem of students and mutual respect. In fact, the school district has implemented and currently operates various programs that address issues of self-esteem and mutual respect. It can be argued that district and school rules, provided for students and families at the beginning of the school year are aimed at these goals, as are classroom rules, school discipline procedures and face-to-face or phone conversations with parents, suspension and expulsion procedures, student assemblies, good citizen awards, teacher

Board of Trustees
Elvia Aguilar • John Canillas • Brenda Latham • Dee McLean • Kathleen Schultz

award incentives for positive classroom and positive playground behaviors, etc.

Schools also offer programs to teach and reinforce self-esteem and mutual respect. Social studies programs honor cultural diversity, global interdependence, and respect. "Conflict Manager" or "Peace Patrol" programs teach school age peers how to intercede and help solve verbal conflicts and problems on playgrounds, giving students a role as peer leaders. Safety Patrols also identify school peer leaders and give them a role in the safety of school children getting to and from school. "Back to School Nights" encourage parent involvement in their child's school and classroom, reinforce student work, and help build children's self-esteem. P.T.A. groups, various clubs, and sports activities encourage parent involvement in schools, and help to build self-esteem and respect as children and adults interact with one another.

For identified students with problems in these areas, South Bay Union School District employs specially trained staff who are experts with behavioral management, parent training, and social/emotional counseling issues. School psychologists and social workers are available to assist individual students and their families at school sites. They are also able to refer families to three Family Resource Centers in the district that house staff from various social service and community-based agencies to assist children and families with specific counseling or other needs.

In summary, the recommendation 02-11 is perceived to be outside the scope of the grand jury as a curriculum recommendation for school districts. However, self-esteem and mutual respect is addressed by the school district in its daily operation at schools.

If you have any questions regarding the District's responses, please contact me at (619) 628-1600.

Respectfully,

Patrick Pettit, Ed.D.
District Superintendent

Spencer Valley School
4414 Hwy. 78 & 79
PO Box 159
Santa Ysabel, CA 92070

RECEIVED
OCT 15 2002
SAN DIEGO
COUNTY GRAND JURY

C.E. Mulroy
Grand Jury
County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

October 7, 2002

Dear Mr. Mulroy,

Please consider the following the official response of the Spencer Valley School District to the Grand Jury Report, "Truancy & Curfew Practices" related to Recommendation 02-11.

The Spencer Valley School District agrees with the finding and currently has numerous programs in place, which already implement the recommendation.

The Spencer Valley School District operates parent study groups in a book club form that focus on the needs of adolescents, and talking circles for elementary and junior high students. The staff was recently trained in the use of conflict resolution through drumming with Mickey Hart. The school district has 36 students total. Our mission statement reflects our goal to develop self-esteem and mutual respect.

Sincerely,

Julie Z. Weaver

Julie Z. Weaver
Superintendent/Principal

Spencer Valley School District

Mission Statement

Spencer Valley School
is a public elementary school
which provides a comprehensive education,
in a safe, nurturing environment
in which students develop the high academic skills,
self-confidence and resourcefulness
necessary to approach life with optimism,
live it with integrity, and to be
a positive difference in the world.

Vallecitos School District
5211 Fifth Street • Rainbow, CA 92028 • (760) 728-7092 • FAX (760) 728-7712
"A community school where we learn to achieve our dreams"

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MAY 2 0 2002
SAN DIEGO
COUNTY GRAND JURY

May 21, 2002

The Honorable Richard E. L. Strauss, Presiding Judge to the Superior Court
San Diego County Grand Jury 2001-2002
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, California 92101-3830

RE: San Diego County Grand Jury 2001-2002: "TRUANCY & CURFEW PRACTICES
- The Lack of Consistency and Uniformity and its Impact on San Diego County"

The Honorable Richard E.L. Strauss:

The Governing Board of Vallecitos School District has had an opportunity to review recommendation 02-11 of the above mentioned Grand Jury report. Comments in response to the report are outlined below.

RECOMMENDATION 02-11: Set up programs, which integrate families and students in the development of self-esteem and mutual respect.

COMMENTS: The local education agency agrees that the recommendation 02-11 is commendable. However, such a proposal would entail additional programs, personnel, and services. The recommendation would thus require additional funding for implementation that is not currently available to all districts in California.

Sincerely,

Dr. Paul A. Cartas, Ed.D.
Superintendent/Principal

SWEETWATER
UNION HIGH SCHOOL DISTRICT

OFFICE OF THE SUPERINTENDENT
1130 Fifth Avenue • Chula Vista, California 91911-2896
(619) 691-5555 • FAX (619) 498-1997

Edward M. Brand, Ed.D.
Superintendent

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OCT - 7 2002
SAN DIEGO
COUNTY GRAND JURY

October 1, 2002

Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 W. Broadway
San Diego, CA 92101

RE: "Truancy and Curfew Practice-The Lack of Consistency and Uniformity and its Impact in San Diego County"

Sir:

In accordance with your request, I have reviewed the detailed findings and am in agreement with them. The Grand Jury recommendation has been implemented in the Sweetwater Union High School District for a number of years.

If you have any questions or concerns, please feel free to contact me.

Sincerely,

Edward M. Brand, Ed. D.
Superintendent

EB:dh

cc: Grand Jury

The Sweetwater Union High School District does not discriminate with regard to sex, race, religion, color, national origin, ancestry/ethnicity, marital or parental status, age, physical or mental disability, sexual orientation or any other unlawful consideration. SUHSD Board Policy #2224

VALLEY CENTER-PAUMA
UNIFIED SCHOOL DISTRICT
28751 Cole Grade Road • Valley Center, California 92082-6599 • Telephone (760) 749-0464 • Facsimile (760)749-1208

July 9, 2002

RECEIVED
JUL 12 2002
SAN DIEGO
COUNTY GRAND JURY

C.E. Mulroy, Foreman
Grand Jury
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, Ca 92101-3830

Dear Foreman Mulroy:

The Valley Center-Pauma Unified School District agrees with the finding of the "Truancy & Curfew Practices - The Lack of Consistency and Uniformity and its Impact on San Diego County ".

The recommendation 02-11 has been implemented. The following programs have been implemented by the Valley Center-Pauma Unified School District:

Family/Student Programs

--Parenting Workshops in Migrant Education, Title IX, and Adult Education Programs
--Conflict Resolution training with students and parents
--Partnership in referrals and resources with Indian Health
--Participation in Child Protective Team consultations with Indian Health
--Link Crew, a high school program to introduce and monitor incoming freshman
--in-home program with preschoolers of migrant families (MEES)
--Title I Family Learning Nights
--annual Unity Day for families and students at the high school
--American Indian Childhood Education Program
--GEAR UP association with UCSD for encouraging and assisting students to become college students

After-School Programs

--associations with Boys and Girls Club and YMCA programs
--District sponsored tutoring by classroom teachers at Indian Education Center after school
--Advanced Learner program for elementary students who may or may not qualify for GATE programs

Please do not hesitate to contact me should you have any questions or concerns.

Sincerely,

Jeff Mulford
Superintendent

Board Of Trustees
Lori A. Johnson
Barbara P. Rohrer
Patrick N. Simpson
Henry P. Van Wyk, DVM
Wendy L. Zeugschmidt

RECEIVED
AUG 1 9 2002

City of Vista

RECEIVED
AUG 2 0 2002
SAN DIEGO
COUNTY GRAND JURY

August 12, 2002

Honorable Judge Richard E. L. Strauss
Superior Court Presiding Judge
San Diego County Superior Court
220 W. Broadway
San Diego, Ca 92101-3886

SUBJECT: TRUANCY AND CURFEW PRACTICES – The Lack of Consistency and Uniformity

Honorable Judge Strauss:

In accordance with California Penal Code section 933, subdivision (c), the City of Vista is responding to the San Diego County Grand Jury report dated May 8, 2002 on the above mentioned subject. The Truancy and Curfew report included one recommendation to which the City of Vista was asked to respond. Below is the recommendation with our comments thereafter:

1. **02-08: That the eighteen incorporated cities of San Diego county adopt uniform curfew hours of 11:00 p.m. to 5:00 a.m., any evening, any day, any week.**

   The City of Vista Municipal Code is consistent with this recommendation. Vista Municipal Code Section 9.08.010 (B-1), reads, "'Curfew hours' means the period from 11:00 p.m. any evening of the week, until 5:00 a.m. the following day." This ordinance was amended by the City Council on April 21, 2000. A copy of the Vista Municipal Code Section is attached.

This response has been reviewed and approved by the Vista City Council. Thank you for your consideration and if you have any questions, please do not hesitate to contact me.

Sincerely,

Rita L. Geldert,
Vista City Manager

Attachment

cc: Vista Mayor and Council
Vista City Clerk, Jo Seibert
Clerk of the Board, Thomas J. Pastuszka
Board of Supervisors

Chapter 9.08

Offenses by or Against Minors

Sections:

9.08.010 Curfew-Persons under eighteen years of age.
9.08.020 Leaving children under five years of age unattended.

Section 9.08.010 Curfew-Persons under eighteen years of age.

A. Purpose and Intent. The City Council of Vista is concerned with the level of juvenile violence, juvenile gang activity, and juvenile crime in the City of Vista. The crimes being committed by juveniles include serious offenses such as murder, drive-by shootings, drug-related crimes and other gang-related activities. Juveniles are particularly susceptible by their lack of maturity and experience to participate in unlawful and gang-related activities and to be victims of older perpetrators of crimes. Recent local statistics regarding juvenile crime and victimization indicate that enforcement of a curfew for juveniles decreases the percentage of juvenile victimization and increases the number of arrests for violent crimes during curfew hours. Therefore, having an enforceable juvenile curfew ordinance is critical to preserving the public health, safety and welfare.

B. Definitions. For purposes of this section the following terms shall be defined as follows:

1. "Curfew hours" means the period from 11:00 p.m. any evening of the week, until 5:00 a.m. the following day.

2. "Emergency" means an unforeseen combination of circumstances or the resulting state that calls for immediate action. The term includes, but is not limited to, a fire, natural disaster, an automobile accident or any situation requiring immediate action to prevent serious bodily injury or loss of life.

3. "Establishment" means any privately owned place of business operated for a profit to which the public is invited, including but not limited to, any place of amusement or entertainment.

4. "Guardian" means a person who, under court order, is the guardian of the person of a minor, or public or private agency with whom a minor has been placed by the court.

5. "Minor" means any person under eighteen (18) years of age.

6. "Parent" means a person who is a natural parent, adoptive parent, or step-parent of another person.

7. "Public place" means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, highways, and the common areas of schools, hospitals, apartment houses, office buildings, transport facilities and shops.

8. "Responsible adult" means a person at least eighteen (18) years of age, authorized by a parent or guardian to have the care and custody of a minor.

9. "Serious bodily injury" means bodily injury that creates a substantial risk

WARNER UNIFIED SCHOOL DISTRICT

Post Office Box 8 • 30951 Hwy 79 • Warner Springs, California 92086 • (760) 782-3517 • FAX (760) 782-9117

SUPERINTENDENT
John Puglisi, Ph.D.

BOARD OF EDUCATION
Karen Willat, President
Tammie McGill, Vice President
Jerry Davis, Clerk
Errol Bratley, Member
Cindy Magill, Member

RECEIVED
SEP 10 2002
SAN DIEGO
COUNTY GRAND JURY

September 5, 2002

Presiding Judge
San Diego Superior Court
P. O. Box 122724
San Diego, CA 92112-2724

RE: RESPONSE: 2001-2002 GRAND JURY REPORT "TRUANCY & CURFEW PRACTICES"

Your Honor:

The following constitutes the Response on behalf of the WARNER UNIFIED SCHOOL DISTRICT (hereinafter "District") to the findings and recommendations set forth in the above report.

Findings:

I. No response. This finding does not pertain to matters under the control of the District.

II. The District agrees with the finding to the extent it pertains to truancy regulations under the control of the District.

III. through VII. The District agrees with the findings.

Recommendations:

02-11 The recommendation by the 2001-2002 Grand Jury has been implemented by the District. The District has established the Warner Springs Intergenerational Mentoring Program in conjunction with the North Rural Prevention Program. This mentoring project is for at-risk children and youth and has as its mission to develop

unique opportunities and understandings that bring youth and adults/seniors together in service to each other and to their community. The program is designed to mentor at-risk children and youth through a variety of volunteer opportunities to adults and seniors. Screened, interviewed and trained volunteers are matched with a compatible child (mentee). The District recognizes mentoring as a viable resource for children, as well as an opportunity to assist and protect at-risk children while providing meaningful volunteer opportunities for adults and seniors.

In addition, the Warner Community Resource Center operates a Community Education Program in collaboration with the Community Wellness Center which recruits parents and community members to participate in community-wide teaching and learning programs and also organizes parent workshop and support programs. The program facilitates cooperation among the District, local universities and colleges, as well as tribal agencies, natural resource organizations and other community agencies. Current plans include the creation of programs that honor local culture, including instruction in the Cahuilla, Cupeno, Diegueno/Ipai, Luiseno and Spanish languages with the assistance of staff from several local agencies which the District believes will further integrate families and students in the development of self-esteem and mutual respect.

The District appreciates the opportunity to provide its responses to this 2002-2002 Grand Jury Report. If further information is required, do not hesitate to contact me.

Very truly yours,

WARNER UNIFIED SCHOOL DISTRICT

John Puglisi, Superintendent

✓ cc: San Diego County 2002-2003 Grand Jury
300 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: Warner unified

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AUG 21 2002
SAN DIEGO
COUNTY GRAND JURY

Jackson E. Parham
John M. Rajcic
Pamela A. Dempsey
Mark R. Bresee
Stefanie K. Vaudreuil
Anthony P. De Marco

San Diego
Telephone (858) 569-6970
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23195 La Cadena Drive, Suite 103
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Ventura Office
55 Marine View
Camarillo, CA 93010
Telephone (805) 987-1450
Fax (805) 987-6361

Sacramento
Telephone (916) 441-1244
Fax (916) 441-1905

Reply to: Laguna Hills Office
Our File No. 23.13

August 19, 2002

VIA U.S. MAIL

Marcia Gravette Jespersen, Forepreson
Grand Jury -- County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: RESPONSES TO THE 2001-2002 GRAND JURY REPORT – "*TRUANCY & CURFEW PRACTICES -THE LACK OF CONSISTENCY AND UNIFORMITY*" FILED MAY 8, 2002

Dear Ms. Jespersen:

Per the conversation my secretary had with Chuck Martin from your office, I wish to thank you for the extension granted the Warner Unified School District to respond to the above referenced matter. You will have their response no later than September 6, 2002.

If you have any questions, please give me a call.

Very truly yours,

PARHAM & RAJCIC

Pamela A. Dempsey
Attorney at Law

PAD/mp
cc: Dr. John Puglisi, Superintendent

COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

GREG FOX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

26

AGENDA ITEM

RECEIVED

JUL 31 2002

SAN DIEGO
COUNTY GRAND JURY

DATE: July 23, 2002

TO: Board of Supervisors

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

SUMMARY:

Overview
On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. Included in this Final Report are five Interim Reports containing recommendations to the Board of Supervisors and County departments on power generation, curfew and truancy laws, children's services and regional transportation planning.

This is a request for your Board to review the draft responses prepared by the Chief Administrative Officer that respond to the findings and recommendations contained in these five reports and to authorize the Chief Administrative Officer to transmit your Board's responses to the Grand Jury, via the Superior Court Presiding Judge.

Recommendation(s)
CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Chief Administrative Officer to transmit the attached responses to the Grand Jury via the Superior Court Presiding Judge.

Fiscal Impact
There is no fiscal impact with this action.

Business Impact Statement
N/A

Advisory Board Statement

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All) **26**

The Commission on Children, Youth and Families Executive Board will be given an informational copy of the County's proposed response to the Grand Jury Report on Children's Services at its regular scheduled meeting of July 19, 2002.

BACKGROUND:

On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. This document is a compilation of the Interim Reports which were also released individually throughout May and June. Included in the reports are recommendations to the Board of Supervisors and County departments concerning power generation, curfew and truancy laws, children's services and regional transportation planning.

The attached document contains proposed responses to the findings and recommendations directed to the County in the following five reports: 1.) Home Rule: Is Chartering a City a Good Idea?, 2.) Truancy and Curfew Practices, 3.) Regional Transportation Planning, 4.) Transportation in North County and 5.) Children's Services.

This is a request for your Board to authorize the Chief Administrative Officer to transmit the attached responses to each of these five reports to the Grand Jury via the Superior Court Presiding Judge.

Respectfully,

WALTER F. EKARD
Chief Administrative Officer

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (*District*: All)

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AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	[X] Yes	
Written Disclosure per County Charter Section 1000.1 Required	[] Yes	[X] No
GROUP/AGENCY FINANCE DIRECTOR	[] Yes	[X] N/A
CHIEF FINANCIAL OFFICER	[] Yes	[X] N/A
Requires Four Votes	[] Yes	[X] No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	[] Yes	[X] N/A
CHIEF TECHNOLOGY OFFICER	[] Yes	[X] N/A
DEPARTMENT OF HUMAN RESOURCES	[] Yes	[X] N/A

Other Concurrence(s): Health and Human Services Agency
Public Safety Group
Department of General Services
Department of Public Works
Office of Strategy and Intergovernmental Relations

ORIGINATING DEPARTMENT: Chief Administrative Office

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AUTHORIZED REPRESENTATIVE: Janice Graham

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

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AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:
May 21, 2002 (20) Referred 2001-2002 Grand Jury Interim Reports on *Home Rule* and *Truancy and Curfew Practices* to Chief Administrative Officer for response.

BOARD POLICIES APPLICABLE:
Board Policy A-43, Response to Grand Jury Interim Reports

BOARD POLICY STATEMENTS:
N/A

CONTRACT NUMBER(S):
N/A

ATTACHMENT A
HOME RULE: ***Is Chartering A City a Good Idea?***

Recommendation 02-07: That the County Board of Supervisors develop a cooperative energy program with SDG&E along the lines of the City of San Marcos.

This recommendation has been implemented.

The County has been a leader in the San Diego region's response to the energy price disaster emanating from the State's failed deregulation legislation.

During 2001, the County, the City of San Diego and the San Diego Regional Energy Office (SDREO) co-hosted several regional meetings to exchange information on energy conservation, alternative supply opportunities (such as solar energy) and the creation of a regional municipal utility district. The meetings were well attended by most of the region's 18 cities, the Port District, the County Water Authority and other public interest organizations.

At the request of the County Board of Supervisors, the San Diego County legislative delegation sponsored legislation to facilitate the creation of a municipal utility district, which would have provided the foundation for a cooperative program. Unfortunately, this legislation was vetoed by the Governor last year.

The County, the City of San Diego, the Port District, the County Water Authority and the Utility Consumers Action Network (UCAN) are jointly funding a Regional Energy Infrastructure Study. The SDREO is the lead agency for this effort. When completed in the next 30 to 60 days, the Study will provide a strategy for meeting the region's energy needs over the next 20 years.

The County of San Diego will continue to take an aggressive leadership role in cooperative programs with other jurisdictions to address energy needs of our region.

ATTACHMENT B
TRUANCY AND CURFEW PRACTICES: ***The Lack of Consistency and Uniformity***

Recommendation 02-10: That the County Board of Supervisors implement a program that places emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents before the detrimental results of truancy and curfew violation occur.

This recommendation will not be implemented since the County of San Diego already places an emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents. In fact, San Diego County is fortunate to have a broad spectrum of policy, program and implementation devices currently in place to deal with truancy and curfew issues.

Within the County organization, several departments are actively working with youth of all ages to reduce truancy and curfew violations. The District Attorney's Office is addressing school truancy with the Building Roads to Intervene in Truants' Education (BRITE) truancy prevention program. This program works with parents to become more aware of their children's behavior and the laws regarding their education. The law requires parents to send children between the ages of 6 and 18 to school. If parents fail to do so, they can be fined: $100 for the first violation, $250 for the second violation and $500 for the third violation.

Parents are informed that, if their child continues to be truant, the District Attorney's Office can prosecute them for contributing to the delinquency of a minor, which is a misdemeanor punishable by up to one year in jail and/or a $2,500 fine upon conviction. In order to help parents with this responsibility, the BRITE Program helps parents prevent truant behavior, identify school attendance problems and find additional resources to resolve truancy problems, if they occur. The program encourages parents to make education a priority, to know where their children are before, during and after school, discuss school activities with their children and, to ask for help as needed.

The program also informs students that to be successful in school, they must attend classes and be ready to learn. Students are informed that if they don't show up for school, that they can be prosecuted for truancy, assigned a probation officer, given a curfew by the judge and required to do volunteer community work. If the truancy behavior continues after the judge makes an order to attend school, the judge can detain them in Juvenile Hall.

Students are reminded that if they have problems that make it difficult to go to school, that they can and should ask for help. Resources are offered for learning disabilities, medical problems, family violence, drugs and mental health. These services are usually free and confidential. Students are directed to their school counselors, nurses or teachers for help.

In addition to the District Attorney's efforts, the County Probation department also coordinates and shares resources with partner agencies throughout the County on truancy prevention. Although the primary population served by Probation staff is youth between ages 12–17, there are several programs in place that reach small children.

The Community Assessment Teams (CATs) target youth exhibiting high-risk behaviors (e.g. poor school attendance, runaway behavior, substance abuse, aggression, etc.) before those juveniles become involved in the justice system. Youth between the ages of 6–17 are served with full family involvement. The goal of this prevention program is to reduce the number of youth

entering the justice system by supporting and empowering families to access community resources in a timely fashion. Law enforcement, schools, health centers and other service providers refer youth and families to CAT.

There are five CAT centers in the County, serving all geographic areas. Multi-disciplinary teams (i.e., case manager, probation officer, and other experts) assess the strengths and needs of the youth and family, develop a case plan building on strengths to address needs, and collaborate with other agencies in service provision. Through this process, CATs provide services that previously did not occur, or were provided by school staff or the police. With the CAT program in place, school and police personnel can focus their resources in other pertinent areas. To date, 93% of youth served have not entered the justice system within 18 months after receiving services. CAT clients are more likely to be enrolled in school and be at the appropriate grade level than other comparable at-risk youth.

Another Probation program that focuses on truancy is the Truancy Intervention Program (TIP). This countywide truancy program began as an early intervention program in 1988 at the Grossmont Union High School District. Its goal is to divert youth from future involvement in the juvenile justice system, improve school performance and reduce truancies. There are currently seven school Probation Officers assigned to various school districts throughout the County who provide service to children enrolled in elementary, middle and high schools. The TIP program is a collaborative effort on the part of School Districts, Probation and Law Enforcement with the objective of reducing student truancy rates. These Probation Officers provide primary intervention services to youth and their families experiencing family management and school problems. In fact, TIP was been extremely successful. 98.2% of referrals to TIP received no new 601 petitions after TIP/SARB intervention. 99.3% of minors referred to TIP received no new 602 petitions after TIP/SARB intervention.

The most recent addition to truancy programs in the Probation Department is the Truancy Suppression Project (TSP). The Truancy Suppression Project provides supervision, intervention and wrap-around support to adjudicated Welfare and Institutions Code (WIC) 601 habitually-truant wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family-related issues, drug problems, as well as school safety. As of June 30, 2002, 575 truancy wards have received services through TSP. 129 truancy wards have successfully completed the Truancy Suppression Program. There are currently 350 active TSP cases.

These programs illustrate the collaborative relationship that is already in place between the County of San Diego, schools and community organizations to reach children at risk of truancy and curfew violations and assist their families.

Recommendation 02-12: That the County Board of Supervisors propose legislation which would compel parents to be actively involved with their children to avoid truancies and curfew violations.

This recommendation will not be implemented because sufficient statutory enforcement tools already exist to compel parents to comply with truancy and curfew laws.

One such law is Welfare and Institutions Code (WIC) 601.2, which states, "In the event that a parent or guardian in charge of a minor...fails to respond to directives of the school attendance review board or to services offered on behalf of the minor, the school attendance review board shall direct that the minor be referred to the Probation department or to the county welfare department under Section 300, and the school district to file a complaint against the parent, guardian, or any other person in charge of such minor ...". The Probation department, District Attorney and Juvenile Court have collaborative authority to judiciously compel parents to take an active role in their children's lives. Parents can be cited to Court to address their child's non-attendance at school. Probation also follows up on demands that the Court may place on parents.

There have been enhanced efforts to enforce the WIC 601 statutes with the recent addition of the Truancy Suppression Program. Since its inception on July 1, 2001, TSP has served 575 truancy wards and their families. The Truancy Suppression Program provides supervision, intervention and wrap-around support for WIC 601 wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family related issues that adversely impact a child's ability to attend school. As well, WIC 601.5 allows for an At-Risk Youth Early Intervention Program; Referral to Youth Referral Center. This section allows any County, upon adoption of a resolution by the Board of Supervisors, establish an At-Risk Youth Early Intervention Program designed to assess and serve families with children who have chronic behavioral problems that place the child at-risk to becoming a ward. San Diego County developed the countywide Community Assessment Teams (CATs) under this statute.

Recommendation 02-13: That the County Board of Supervisors propose legislation that would empower the Courts to intervene more efficiently and more rapidly with parental substitutions where parents are unavailable to parent their children.

This recommendation is in the process of being implemented. The Grand Jury's report accurately describes shortcomings in current law. The Legislature, recognizing these shortcomings, is already acting on legislation to correct these deficiencies. There are two bills currently pending that address the issues raised in the Grand Jury's report: SB 1677 (Alpert) and AB 886 (Simitian and Daucher. AB 886 has passed the Legislature and is in the Governor's Office awaiting action. SB 1677 is in the Assembly Appropriations Committee, with no hearing date set. SB 1677 received unanimous votes in all previous committee hearings and on the Senate Floor.

As noted in the response to Recommendation 02-12, the juvenile justice system in San Diego County does seek wardship under Section 601 of the Welfare and Institutions Code when the behavior of the minor warrants intervention by the Juvenile Court. AB 886 and SB 1677 would strengthen the effectiveness of such interventions by requiring a juvenile court to consider the need to limit a parent's right to make educational decisions and to appoint a surrogate parent or responsible adult when needed. These bills would address the concerns of the Grand Jury. At this point, the prospect of these bills becoming law appears good.

ATTACHMENT C
REGIONAL TRANSPORTATION PLANNING: *Does it Exist?*

Recommendation 02-30: That each Member Agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)

The recommendation will not be implemented because SB 1703 and AB 2095 as currently drafted are inconsistent with the Board's adopted policy on regional governance, which supports a directly-elected board of directors.

On February 12, 2002 (#21), the Board of Supervisors created an ad hoc subcommittee to study regional government and report back with findings. On April 20, 2002 (#13), the Board discussed regional government roles at greater length and expressed support for an independent, directly elected regional agency.

On May 21, 2002 (#11), the Board of Supervisors continued their discussion about various elements of the regional agency and they determined the agency should be the authorized regional transportation planning agency, with responsibility for creation and implementation of the regional transportation plan and for implementing significant transportation projects. The Board's proposed regional agency would consolidate the planning functions of SANDAG, NCTD and MTDB, along with the assumption of all funding sources related to ground transportation planning. In addition, the Board adopted the following recommendations for the proposed regional agency:

- The agency should be governed by a seven-member, full-time board of directors elected by districts.
- Board members should serve a four-year term.
- Compensation should be at 80% of Superior Court Judge's salary.
- Creation of the districts should begin in January 2003, by an eleven-member redistricting commission, appointed as follows: one per Supervisor; one per subregion, appointed by the cities (north county coastal, north county inland, east county, south county); two by City of San Diego.
- The first election would be held during the 2004 primary election, following the rules governing the elections of the Board of Supervisors.
- Elections would be staggered: Districts 2, 4 and 6 to hold the election in 2006; Districts 1, 3, 5 and 7 to hold election in 2008. (Redistricting commission numbers the districts.)
- In the hiring process, preference would be given to currently employees of the consolidated organizations.
- There should be advisory committees (East County, North County, and South County) comprised of appointees from the eighteen cities and the County, plus NCTD and MTDB.

While some elements of the Board's adopted proposal are contained in SB 1703 and AB 2095, such as the consolidation of SANDAG, NCTD and MTDB, these bills basically continue the existing SANDAG structure, which is comprised of appointed officials, not directly-elected officials dealing exclusively with regional transportation matters.

ATTACHMENT D
TRANSPORTATION IN NORTH COUNTY: ***Dead Ends and Lack of Foresight***

Recommendation 02-57: Initiate transit corridor planning program studies of the need for a "smart growth" general plan and corresponding zoning changes in the areas surrounding transit stations of the Oceanside-Escondido Rail Project.

This recommendation has been implemented.

County staff continue to coordinate with transit agencies (including the North County Transit District) in the preparation of land use alternatives being considered for the General Plan 2020 project. Location of transit stations, encouragement of transit use and smart growth concepts have been discussed and considered by County staff, interest groups and the steering committee. These will continue to be factors influencing final form of the proposed General Plan.

It should be noted that no proposed transit stations serving the Oceanside–Escondido Rail Project will be located in the unincorporated area. Therefore, separate detailed transit corridor planning program studies will not be prepared as part of this project. However, there will be transit stations and a transit center located nearby. In applying the concepts formulated by the advisory groups, staff will designate the area adjacent to the proposed transit center as a transit node and will apply higher density designations to these areas to support and encourage transit use in North County.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Finding I: Social workers have an inordinate amount of influence in determining the future of cases.

The County agrees that social workers are one critical aspect of the dependency Court system. The social workers' role is set forth in statute as noted below:

- Welfare and Institutions Code (WIC) section 309 imposes the duty upon a social worker to: "...immediately investigate the circumstances of the child and the facts surrounding the child's being taken into custody."
- WIC section 319(b) states: "The social worker shall report to the Court on the reasons why the child has been removed from the parent's custody; the need, if any, for continued detention;..."
- WIC section 358.1 requires the social worker to prepare for the Court a social study report for the Dispositional Hearing, which contains a factual discussion of the family circumstances and recommendations related to those circumstances.
- WIC 366.21 requires the social worker to file a supplemental report with the Court at the Review Hearing regarding the services provided or offered to the parents to enable them to assume custody. The Review Hearing is held six months after the initial Dispositional Hearing.

The social workers' role is balanced by the input in Court of all parties represented by counsel. Attorneys working in the public law offices are advocates for parents and children. They are statutorily required to meet with their clients and conduct independent investigations. These attorneys advocate their clients' legal positions, utilizing many sources of information as well as the information presented in Court by the social worker. Thus, while social workers are an important component of the system, there are numerous other constitutional and statutory checks and balances, including judges who weigh the interests of all parties.

Finding II: Social workers' allegations over a period of time can become "fact" in subsequent reports.

The County disagrees that allegations generally become "fact" in subsequent reports.

The social worker is required to investigate all allegations of abuse and neglect and make corresponding recommendations. Once those recommendations are presented to the Court in the form of a petition, the Juvenile Court makes the findings on each of the allegations presented.

- WIC section 319 defines the social worker's role to: "...report to the Court the reasons for the removal and continued detention of the child."
- WIC section 319 notes it is the Court who: "...states the facts on which the decision is based."

Following the initial petition, the social worker prepares a social study report, which the Court may accept into evidence (WIC sections 355 and 358). As part of this jurisdictional process, the social worker, as preparer of the report, can be cross-examined by any party's attorney or questioned by the Court regarding the contents of the social study. Only after the Court has made findings on each of the allegations, can a summary of these findings be included in all future reports.

If attorneys for the parties raise a question as to the accuracy of the information contained in the reports, the Court is notified and County Counsel contacts the Agency to rectify the discrepancy. The inaccurate or unsubstantiated information can then be redacted or corrected for subsequent reports, thus remedying the situation.

Finding III: A social worker's general opinion that a parent had not made necessary internal changes was sufficient for the social worker to decide that the parent's behavior could be a detriment to the child's welfare.

The County disagrees that a social worker uses a general opinion to determine risk to a child. There are a number of criteria that are considered throughout the evaluative process. An example of criteria would be the reports received from the specific treatment/service providers.

In addition, per the Childrens Services Program Guide (the policy and procedure manual for social workers), Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, social workers are required to complete a risk assessment prior to each Court hearing:

> "A risk assessment must be completed on each child assigned to a SW for investigation. The assessment must determine the child's:
> - Risk of abuse, and
> - Prognosis for reunification if placed out-of-home."

Risk assessment is a structured process of decision-making that considers numerous factors of safety and is required at strategic points in the life of a case.

Finding IV: During visits to San Diego Juvenile Court, Dependency Unit, the Jury observed a wide variance in performance and skill -- from excellent to sub-standard by members of the defense bar and the TERM therapists.

The County disagrees with the finding that members of the defense bar exhibit "sub-standard" performance.

WIC section 317.5 requires that all parties in dependency proceedings be represented by competent counsel. WIC section 317.6 and California Rule of Court 1438 establish minimum standards of experience, training, and education to represent a party in dependency proceedings.

Local Rules of Court have added further safeguards to ensure competency of attorneys who practice in the San Diego Juvenile Courts. Pursuant to these local rules, each dependency attorney must submit a "Certification of Competency" with the Juvenile Court prior to appointment to any dependency case. A minimum of six months of experience and 12 hours of training is required prior to being certified by the Court as competent. New attorneys without the required experience may be granted provisional certification but only if participating in a mentoring program. Failure to comply with the rules could lead to decertification by the Juvenile Court.

County law offices provide supervision and performance management of all their attorneys. Complaints raised by others regarding the performance of attorneys are taken seriously. All complaints are investigated and responded to by a supervising attorney. Each complaint is noted, acted upon, and discussed with the attorney at the time it is made. The supervising attorney may arrange for supplemental investigation or other services after any client complaint. All complaint calls are returned immediately, with the goal of resolving the problem within 24 hours.

Additionally, the County law offices collaborate to present a monthly noon-hour-training program. This effort provides ongoing professional training to enhance the skills and practice level of all attorneys who practice in the Juvenile Court.

The County agrees that there is variance on Court testimony skills by private therapists approved by the Treatment and Evaluation Resource Management (TERM). TERM provides a quality assurance function in screening and selecting private therapists to be on the Childrens Services approved provider list. TERM also provides ongoing trainings for these therapists to improve their understanding of the juvenile dependency process, including testifying in Court hearings. Testifying in Court is rare for most private therapists and thus, few gain sufficient experiences to improve their performance in testifying. Because Court testimony is an occasional obligation for TERM approved therapists, the approval criteria focuses more on clinical skills and experience.

Finding V: There is no easy way to readily determine compliance or non-compliance to the Court orders, or an easy reference to aid in determining whether reports are missing from the Court file.

The County disagrees. At each hearing, the social worker provides the Court and all attorneys with a Court report, which contains a history of the case, documentation of Court orders, services provided and compliance with such services. Copies of Court orders are included in the Court file and are given to all attorneys.

Finding VI: Caseworkers use parental visitation as a disciplinary tool.

The County disagrees.

Agency policies and statute recognize the importance of visitation and the right to visitation and assisting in such visitation is a critical role of the social worker.

As per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Visitation" section:

> "Visitation is a necessary and valued part of the reunification process for the parent and child. Visitation must be arranged to allow the parent and child to have the maximum contact in the least restrictive setting. To avoid any misunderstandings, the terms of the visitation agreement must be clearly documented for the parent, SW and SCP in the CWS/CMS Case Plan/Case Plan Update… After the

> Dispositional Hearing, the visitation plan is no longer left to the discretion of the SW, as it becomes Court ordered."[1]

If the behavior of a parent jeopardizes the safety of the child, the social worker may recommend supervised visitation to the Court. Per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Supervised Visitation" section:

> "SW staff must clearly document the reasons for requesting supervised visits (and the Court makes the final determination)."

Social workers make complex arrangements to ensure that parents visit with children and children visit with each other if they are not placed together. For instance, in a particular case referenced by the Grand Jury with a concern about the adequacy of visitation, from August 2000 to August 2001, there were 172 documented visitations involving the family members.

If there are concerns raised regarding social worker attitudes and/or actions affecting family visitation, they are reported to social worker administrators and calendared for immediate review by a Juvenile Court judge.

Finding VII: In a published appellate decision, the Court stated that the social worker's opinion that a parent failed to "internalize counseling" was too vague to constitute evidence of risk.

The County agrees with this finding.

Use of such an opinion alone as evidence of risk is not appropriate. Social workers use their training and experience to assess parents' progress on each element of their case plan. Agency policy requires social workers to complete a comprehensive assessment of risk in a structured manner. Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, describes three critical principles of risk assessment:

- "The central focus is determination of the likelihood that the child will be abused in the future rather than substantiation of current allegations.
- The standard for assessment is a minimum sufficient level of care required to sustain growth, health and safety, rather than ideal parenting.
- The same standards for assessing risk should be used throughout the life of the case."

The Appellate Court represents one more aspect of the checks and balances within our legal system that ensure that all decisions may be reviewed.

Finding VIII: Placing children in out-of-home facilities, as a result of verbal domestic violence, does not always ensure a safer environment for the children.

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[1] SW = Social Worker; SCP = Substitute Care Provider; CWS/CMS = Child Welfare Services/Case Management System.

The County agrees with this finding.

The Agency strives to ensure the safety of all children in out-of-home care. All out-of-home placements are regularly monitored for quality and compliance with regulations. The Agency responds immediately to all complaints regarding out-of-home care and takes appropriate measures to protect the children.

While County law offices do not "place" children in out-of-home facilities, attorneys do make recommendations to the Court regarding placement options. In addition, as part of their duties Childrens attorneys send experienced investigators who are trained in the field of child welfare to visit with clients in their placements prior to every Court review, and as necessary to address the needs of the client. Concerns regarding particular placements are raised with the social worker and/or to the Court. If appropriate, attorneys also notify licensing agents of safety concerns with a particular placement.

Finding IX: In the recent complaint, Childrens Services recommended out-of-home placement when in-home protective services could have been recommended.

The County disagrees with this finding.

In the recent complaint, the risk assessment of this family indicated that the children could not safely remain in their home. In this particular case, multi-disciplinary case consultations were held prior to removal of the children. The Agency reviewed the family's situation on three consecutive days to determine if the children could be safely maintained in the home with the provision of in-home protective services. Law enforcement was also present when these children were removed from their home. Due to multiple risk factors in this family, it was determined that in-home protective services could not sufficiently reduce the risk to the children.

Childrens Services policy is that children will be maintained in their family home with the delivery of services whenever possible. In this case, the seriousness of the protective issues led to the filing of a petition with the Court and a recommendation for out-of-home placement. The Court record is clear on the extensive risk to the children. All parties were represented by separate counsel in this matter.

Recommendation 2.14: Provide an impartial third party in Childrens Services to intervene when a supervisor and caseworker disagree between themselves with the recommendation of reunification.

The County will not implement this recommendation because there is currently in place an alternative dispute resolution process.

The Agency has existing policy and procedure to provide for an impartial third party to intervene when a supervisor and caseworker disagree over any recommendations to the Court. Childrens Services Program Guide, Chapter 5 "Court," "Hearings and Court Reports" section, "Handling Differences of Opinion between SW and Supervisor" subsection, states:

> "If a mutually satisfactory resolution cannot be reached after discussion, the case should be discussed with the section manager or referred to the regional case consultation committee."

Recommendation 2.15: Strengthen competency reviews of TERM therapists' reports and have supervisory staff monitor their testimony in Court.

The County will not implement this recommendation because there is a system currently in place to provide oversight of these private therapists.

The TERM Team is a quality control, utilization management and consultation unit that was developed under the direction of the Board of Supervisors to improve the quality of mental health services provided to Childrens Services clients. This oversight body is comprised of qualified mental health professionals and support staff who work for the County's Health and Human Services Agency.

The TERM Team is tasked with screening and selecting qualified private therapists, who are licensed by the State, to be on the Childrens Services dependency provider panel for referrals. In addition to State standards, TERM standards require the therapists to have an in-depth knowledge of the dynamics of child abuse and neglect. The County does not provide direct supervision of these independent therapists that are on the approved panel list.

The TERM Team provides a competency review of every treatment plan and treatment update report that is submitted by the dependency panel therapists. The focus of the reviews are to ensure that the treatment plans and updates meet professional standards, treatment goals are objective, measurable and achievable and that the protective issues of the case are a focus of treatment.

The TERM Team has implemented a protocol for a more in-depth review of a therapist report in the event of a complaint. A form to register formal complaints is available by calling TERM. When a complaint is filed, there are several actions that may be taken, ranging from "no action necessary," to a referral to a professional ethics committee/licensure board, and/or termination from the dependency provider panel list.

Recommendation 2.16: Conduct regular peer review of all permanent caseworker and supervisory staff and apply sanctions when applicable.

The recommendation will not be implemented.

While the County agrees in substance with the importance of peer and multidisciplinary review of decisions by staff, the Agency already utilizes a variety of ways to ensure peer, supervisory and management review.

- Childrens Services Unit Case Consultation - The purpose of case consultation is to provide support and input to the social worker in the decision-making process. Case consultations are required at specific decision points.

- Childrens Services Multi-Disciplinary Case Consultation - This type of case consultation includes therapists, doctors, foster parents, teachers, TERM Team members, public health nurses and Court Appointed Special Advocates.
- Child Protection Team – This is a multi-disciplinary team with representatives from Center for Child Protection, Childrens Services, Children's Hospital, Law Enforcement, Juvenile Court, County Counsel, the District Attorney's Office, Public Health, San Diego Regional Center and San Diego City Schools. Its purpose is to review cases of serious abuse, to ensure that all necessary services are provided to an abused or neglected child.
- Case Elevation Review Team (CERT) - The purpose of CERT is to assess whether "systems problems" exist that need to be remedied in order to ensure the safety and protection of children. "Systems" issues and not "case specific" issues are the focus of discussion. Members include representatives from Public Defenders, Alternate Public Defenders, Family Court, Childrens Services, Juvenile Justice Commission, County Counsel, Health Services, Superior Court, and TERM.

The Agency has also implemented systemic processes to ensure that supervisors and managers are aware of independent concerns, including:

- Childrens Services Office of the Ombudsman - An internal mechanism for conducting an independent review of complaints concerning Childrens Services policies or practices, that have been lodged by customers, members of the public, community organizations or Childrens Services-related agencies.
- Court Elevations - When a Court Officer identifies any issues with a Court report or recommendations, the supervisor of the Court Unit may elevate these through the management chain.

Direct supervision is currently utilized by the Agency and exceeds the level of oversight in the recommendation.

Recommendation 2.17: Develop a form, and encourage its use, by which parents can register written complaints against caseworkers. Responses by Childrens Services would be required.

The recommendation has been implemented.

A Citizen Complaint Form (18-91) currently exists. Based on the concerns stated in this recommendation, all regional offices have been reminded to place this form in their lobbies. In addition, Childrens Services staff will also place pamphlets in their facility lobbies, which explain the complaint process through the Office of the Ombudsman.

The Office of the Ombudsman investigates and responds to complaints related to Childrens Services policy, procedure and social work practice. The Office of the Ombudsman facilitates complaint resolution by making referrals and recommendations at the lowest level possible. When necessary, findings and recommendations are elevated to management to ensure that policies and practices meet state and federal laws and are consistent with the mission and goals of the County and Agency.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

When a family enters the Juvenile Court system, the social worker provides them with a copy of pamphlet "A Parent's Guide to Childrens Services." The pamphlet provides specific information on the complaint process. It also provides the telephone number for the Office of the Ombudsman.

Recommendation 2.18: Place siblings together, as required by law, and where joint placement is not possible, Childrens Services assume the burden of facilitating monthly joint sibling visits. Provide sufficient, experienced case aides at each division to facilitate sibling visitation, therapist's appointments, and other routine matters.

The recommendation will not be implemented because the County has an existing system already in place which addresses sibling placements.

WIC section 358.1 requires the social worker to report to the Court the current case plan that maintains the sibling relationship in out-of-home care and "(3) If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate. (4) If the siblings are not placed together, the frequency and nature of the visits between siblings."

The Agency has existing policy directing social workers to place siblings together. The Agency has also developed a new initiative called "Family to Family," designed to keep children in their neighborhood, with relatives and/or family friends.

When placement together is not possible due to the individual needs of the child and availability of placement resources, sibling visitation is a required component of the case plan unless it would be detrimental to one or more of the siblings.

Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Contacts - Child and Family" section, states:

> "Whenever siblings are not placed together, the SW must make diligent efforts to provide for ongoing and frequent interaction among siblings unless the Court has found by clear and convincing evidence that sibling interaction would be detrimental to the child(ren).

The SW shall document in the case plan the appropriateness of sibling contact. If visitation is appropriate, a schedule of planned sibling contacts/visits with the child shall be included in the case plan.

If sibling visitation is NOT appropriate, the SW must document the reason(s) in the case plan."

The Agency recognizes the importance of sibling visits. With the approval of the Board of Supervisors, the Agency has developed a visitation center in each region to facilitate family visits. These centers provide a neutral and friendly environment for visitation and can assist with transportation needs. Recently, ninety social work assistant positions were approved by the Board of Supervisors to assist in facilitating sibling visitation.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.19: Ensure that the procedures conform to policy to keep children in their homes unless Childrens Services can articulate a danger so severe as to preclude in-home protective services.

The recommendation has already been implemented with a variety of checks and balances.

Children are removed from their homes by both social workers and law enforcement. Thirty two per cent of children brought into Polinsky Children's Center are admitted by law enforcement.

The Agency has implemented supervisory and managerial review of current risk factors prior to children being removed from their homes by Childrens Services staff. Social workers must document the risk factors that warrant the removal of a child from their home. County Counsel provides further oversight to social worker judgment by reviewing the sufficiency of the social worker's evidence prior to preparing a petition to the Court for continued out-of-home detention. The Court considers the evidence and recommendations presented by the Agency at each Court hearing. If the Court finds the child fits the criteria described by WIC section 300, the Court will consider the social worker's recommendation for placement of the child and make an order where the child is to be placed.

Recommendation 2.20: Recommend supervised visits only when it can be demonstrated that unsupervised visits could be harmful to the minor(s).

The recommendation will not be implemented because existing cross system procedures address this concern.

Because the Agency recognizes the importance of visitation, a change to supervised visitation requires a Court appearance with all parties represented. Childrens Services Program Guide, Chapter 2 "Cross Program Procedures," "Visitation – Supervised Visits" section, states:

> "...visits will be unsupervised unless the Juvenile Court orders supervision.

Social worker staff must clearly document the reasons for requesting supervised visits. Supervision may be appropriate if:

- There is a threat of abduction.
- There is a documented history of violence towards the child or spouse.
- There is a parental diagnosis of mental illness and the parent refuses treatment.
- The parent has a history of substance abuse and refuses treatment and/or testing.
- There is a history of sexual assault.
- The parent discusses, attempts to influence the child regarding case facts."

WIC section 362.1 states: "No visitation order shall jeopardize the safety of the child."

Once input is received from the social worker and all counsel, the Court makes the visitation order.

Recommendation 2.21: Develop training programs to discuss written opinions from the Appeals Court to Childrens Services caseworkers when the lower Court's orders, based upon a Childrens Services recommendation, have been overturned by the Court of Appeals. Apply sanctions to caseworkers that intentionally obstruct Court orders.

The recommendation will not be implemented because existing programs address this concern.

The Chief Deputy County Counsel attends the Childrens Services monthly management meeting to provide updates on all Appellate Court decisions and assists in identifying impacted policies, procedures and practices. In addition, social workers receive this information directly from a County Counsel newsletter entitled "Appealing Issues." County Counsel provides training to regional social work staff on an ongoing basis, which includes training on appellate decisions.

When there is a specific Appellate Court decision that affects existing policy and procedure, Childrens Services publishes a written Special Notice to all social work staff regarding the impacted policy and/or procedure. Supervisors are required to review this material with their staff at their Unit meetings. A Special Notice is also published on the Childrens Services Intranet site, making it easily accessible to staff.

Any social worker found to have intentionally obstructed Court orders would be subject to disciplinary action, by the County and the Court, up to and including dismissal.

Recommendation 2.22: Continue to conduct regular and on-going monitoring all of their defense bar members during detention and Court trials.

The recommendation has been implemented. The Public Defender and Alternate Public Defender have responsibility to train and supervise deputies hired by their departments. The supervising attorney and branch leaders conduct regular and on going monitoring of all Public Defender and Alternate Public Defender deputies.

Further, each supervisor is responsible for the timely filing of a "certification of competency" for all dependency attorneys in accordance with the Local Rules of Court. (See, generally, San Diego Superior Court Local Rules, Div. 6: Juvenile, Rule 6.30 et. seq.) The offices encourage and fund training for all attorneys including several annual dependency trainings statewide. The Alternate Public Defender additionally provides in-house workshops on trial skills, evidence, and changes in the law.

Performance evaluations of each deputy are conducted on an annual basis. Deputies receive continuous education and training throughout their employment with the departments.

While the Public Defender and Alternate Public Defender have no authority over members of the defense bar who are not County employees, all juvenile practitioners are invited to attend monthly inter-agency trainings, which are held at the Juvenile Courthouse and are specifically geared toward dependency law.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.23: Utilize the period between removal of children from a home and the detention hearing to weigh the effects of the removal/separation of siblings for verbal domestic violence vis-à-vis allowing them to stay in the home.

The recommendation will not be implemented by the Public Defender or the Alternate Public Defender because it is not within their control. The Public Defender and Alternate Public Defender are not appointed to a dependency case until the date of the detention hearing, and are thus unaware of the needs of the client before or until such appointment.

This recommendation is already a statutory requirement for the Agency social worker. WIC section 309 states when a child is taken into temporary custody, the social worker shall immediately investigate the circumstances and the facts surrounding the child being taken into custody and attempt to maintain the child with the family through the provision of support services.

Childrens Services policy and practice is that removal of children from their parents' home will be utilized only in high-risk situations and in consultation with the supervisor.

Recommendation 2.24: Do not use verbal abuse and domestic violence interchangeably; or redefine domestic violence to include a clear definition of verbal abuse.

The recommendation will be implemented. Although protocols are already in place to address this concern, the Agency will collaborate with the Public Defender, the Alternate Public Defender, and County Counsel to organize a workshop for social workers and attorneys on domestic violence. This workshop will be held within the next twelve months.

Childrens Services social workers have been instructed to use a Domestic Violence Protocol to assist in risk assessment when domestic violence is part of any referral to be investigated. The Domestic Violence Protocol was first developed with input from multiple disciplines including Law Enforcement, Family Court Services, Navy Family Advocacy, Adult Probation, Children's Hospital, YWCA Battered Women's Services and South Bay Community Services Batterer's Treatment Program. According to the Domestic Violence Protocol, if the referral alleges shouting and arguing and no other risk factors are present, only a follow up telephone call to the family is recommended.

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

RECEIVED
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SAN DIEGO COUNTY GRAND JURY

July 15, 2002

The Honorable Richard E. L. Strauss
Presiding Judge, San Diego Superior Court
County of San Diego
220 West Broadway, Room 2004
San Diego, CA 92101-3877

Dear Judge Strauss:

Response to the San Diego County Grand Jury 2001-2002 Report dated June 6, 2002

This correspondence will serve as a response to those issues specifically directed to the Sheriff's Department concerning those facilities or operations under my jurisdiction.

Descanso Detention Facility:

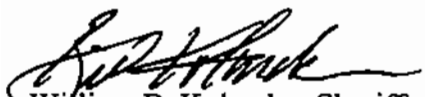
02-45: "Construct a visitor's center"

The Descanso Detention Facility formed a committee months ago to address this particular issue. The committee made its findings and recommendations for the construction of a visitor/reception center. This center would serve two functions. One would be an enclosed area to conduct social visiting to eliminate the possibility of canceling visits due to inclement weather and two, to have a building to properly conduct the initial intake of newly assigned inmates to the facility.

The proposal was completed and is being considered if funds can be identified through the budgetary process. When funds are identified, it is our intent to complete this project.

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,



William B. Kolender, Sheriff

WBK/sl

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

Regional Transportation Planning

THE CITY OF SAN DIEGO

RECEIVED
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SAN DIEGO
COUNTY GRAND JURY

November 5, 2002

Honorable Richard E.L. Strauss, Presiding Judge
San Diego County Superior Court
P. O. Box 122724
San Diego, CA 92112-2724

Dear Judge Strauss:

Subject: Response to San Diego County Grand Jury Report

In compliance with the California Penal Code 933.05, the City of San Diego has thoroughly reviewed the May 23, 2002 report from the San Diego County Grand Jury entitled "Regional Transportation Planning: Does it exist?" Responses to the findings and recommendations contained in the report are enclosed and are consistent with the requirements and instructions of California Penal Code 933.05.

The City of San Diego concurs with the Grand Jury's findings and supports Recommendation 02-30, the passage of San Diego Regional Agency legislation. In fact the legislation creating the regional agency (SB1703) has been passed and been chaptered by the Secretary of State. The other noted legislation (AB2095) had its first hearing cancelled at the request of the bill's author.

The City of San Diego greatly appreciates and values the effort put forward by the 2001-2002 San Diego Grand Jury regarding the issues concerning regional transportation planning.

Sincerely,

Michael T. Uberuaga
City Manager

Enclosure

cc: Dick Murphy, Mayor, City of San Diego
San Diego City Councilmembers
Chuck Mulroy, Foreman, County of San Diego Grand Jury
S. Gail Goldberg, AICP, Planning Director
Tracking System Coordinator – AIM#02-0357

DIVERSITY

Office of the City Manager
202 C Street, MS 9A • San Diego, CA 92101-3869
Tel (619) 236-6363 Fax (619) 236-6067

CITY OF SAN DIEGO RESPONSE TO GRAND JURY REPORT "REGIONAL TRANSPORTATION PLANNING – Does it Exist?"

Pursuant to Penal Code 933.05, the City of San Diego provides the following response to the findings and recommendations in the above-entitled Grand Jury Report.

FINDINGS

I. **SANDAG has developed and uses formal criteria-driven processes to identify, evaluate, and prioritize highway projects. The criteria for "compatibility with adopted habitat plans" and "service to major employment areas" are qualitative rather than quantitative.**

The respondent agrees with this finding. The evaluation process adopted by SANDAG for prioritizing highway projects includes both quantitative and qualitative criteria.

II. **Formal criteria-driven processes to evaluate and prioritize interchange projects exist, but require revision to make this criteria more consistent with highway project evaluation criteria.**

It is unclear from this finding what criteria the Grand Jury determined were inconsistent in the processes. Transportation planning staff from the City has been involved over the past summer with the SANDAG Cities/County Transportation Advisory Committee (CTAC) in updating the evaluation processes for highway and interchange projects.

III. **Formal criteria-driven processes to identify, evaluate, and prioritize transit projects are under development.**

The respondent agrees with this finding.

IV. **Formal criteria-driven processes to identify, evaluate, and prioritize arterial transportation projects that involve multiple jurisdictions do not exist. Formal criteria-driven processes are used for freeway, highway, and transit projects that cross jurisdictional boundaries, while regional arterial projects are normally nominated for funding on a jurisdictional basis.**

The respondent agrees with this finding.

V. **There is no formal process utilized by SANDAG to allocate funding, especially discretionary funding, among alternative transportation mode projects, like arterial vs. highway vs. freeway vs. transit vs. bike routes.**

The respondent agrees with this finding to the extent that SANDAG has no adopted formal evaluation process for allocation of funds between transportation modes. However,

SANDAG is analyzing several alternative scenarios that emphasize different transportation modes in their preparation of the 2030 Regional Transportation Plan.

VI. SANDAG's ability to conduct effective regional transportation planning is impeded by its lack of authority to override local governments which oppose a project, even when SANDAG determines such a project to be in the best interest of the regional transportation system. The proposed "San Diego Regional Agency" will cause SANDAG to become much more effective in its regional transportation planning function.

The respondent agrees with this finding. It should be noted that the regional transportation agency created by the State legislature does not have land use authority.

RECOMMENDATIONS

The Grand Jury Report directs the City to provide comments to the Presiding Judge of the Superior Court in compliance with Penal Code 933.05 for:

Recommendation 02-30: **Support passage of the San Diego Regional Agency legislation (SB1703 and AB2095).**

The City of San Diego concurs with the Grand Jury's findings and supports Recommendation 02-30, the passage of San Diego Regional Agency legislation. In fact, the legislation creating the regional agency (SB 1703) has passed and been chaptered by the Secretary of State. The other noted legislation (AB 2095) was withdrawn by its author who supported SB 1703 in its stead.

CONCLUSIONS

The City of San Diego agrees with the findings and recommendations contained within the San Diego County Grand Jury report on Regional Transportation Planning.

SANDAG
San Diego's Regional Planning Agency

401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 595-5300
Fax (619) 595-5305
www.sandag.org

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SAN DIEGO
COUNTY GRAND JURY

July 3, 2002

Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

The San Diego County Grand Jury has recently published two reports on its review of transportation issues. The first report, "Regional Transportation Planning – Does It Exist?" was released on May 23, 2002, and presented an evaluation of the methods used by the San Diego Association of Governments (SANDAG) to plan and fund transportation projects. The second report, "Transportation in North County – Dead Ends and Lack of Foresight," was released on June 11, 2002, and presented the results of the Grand Jury's review of the transportation system serving the northern part of San Diego County.

Both reports resulted in findings and recommendations requiring a response by SANDAG under the provisions of California Penal Code 933(c).

The two reports have been reviewed by SANDAG staff, the Executive Committee, and the Board of Directors. This review resulted in the preparation of written responses to the findings and recommendations in these reports. Attachment 1 presents responses to the May 23, 2002, report and Attachment 2 responds to the June 11, 2002, report. It should be noted that during its review, the Executive Committee expressed the concern that some of the "findings" in these reports were really personal observations on the part of the Grand Jury members. The information presented in the two attachments responds to the penal code requirements, but also provides sufficient detail to hopefully ensure full understanding of the issues discussed in the reports.

During the past several months, SANDAG staff has worked with various members of the Grand Jury and Foreman C. E. Mulroy, as well as with staff from the County's Auditor and Controller, to discuss the complexity of planning, programming, and implementing major transportation projects in San Diego County. I wanted to take this chance to note our appreciation for the courtesy and professionalism shown by all of the involved individuals during these discussions.

MEMBER AGENCIES
Cities of
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS
California Department of Transportation
Metropolitan Transit Development Board
North San Diego County Transit Development Board
United States Department of Defense
San Diego Unified Port District
San Diego County Water Authority
Tijuana/Baja California/Mexico

If you have any comments or questions regarding our responses to the findings and recommendations in these two Grand Jury reports, please contact me (619-595-5330) or Eric Pahlke, Director of Transportation (619-595-5323), at your convenience.

Sincerely,

Gary L. Gallegos

GARY L. GALLEGOS
Executive Director

EP/cd

Attachments (2)

SANDAG RESPONSES TO MAY 23, 2002 GRAND JURY REPORT

"Regional Transportation Planning – Does It Exist?"

Findings:

I. *SANDAG has developed and uses formal criteria-driven processes to identify, evaluate, and prioritize* ***highway*** *projects. The criteria for "compatibility with adopted habitat plans" and "service to major employment areas" are qualitative rather than quantitative.*

SANDAG agrees with this finding.

SANDAG first used a formal criteria based evaluation process in 1997 for prioritizing highway improvement projects. The criteria were adopted by the Board of Directors in April 1997. This process has been refined over the years (September 2000 and March 2002) and currently uses two quantitative and eight qualitative evaluation criteria. Even though qualitative criteria are, by definition, subjective in nature, all eight criteria are scored against quantifiable choices. For example, "compatibility with adopted habitat plans" is scored on whether a project "avoids preserve areas and natural areas as defined by habitat preserve plans." A further refinement that has been discussed is to quantify the number of acres of preserve and other natural areas impacted by a project.

II. *Formal criteria-driven processes to evaluate and prioritize* ***interchang****e projects exist, but require revision to make this criteria more consistent with highway project evaluation criteria.*

SANDAG disagrees partially with this finding.

Freeway-to-freeway interchange projects and mainline freeway/highway projects are significantly different in both cost and operational characteristics. SANDAG's adopted criteria for these two types of projects recognize these differences. These two evaluation processes are already consistent to the extent that cost-effectiveness criteria are included in both approaches.

SANDAG has used a formal criteria based evaluation process since 1998 for ranking projects to install missing freeway-to-freeway connector ramps. This process uses one quantitative criterion (one of the two criteria used for highway projects) and six qualitative criteria. As was the case for the highway evaluation process, the qualitative criteria are scored against quantifiable factors. Staff has developed some refinements to these criteria which have been discussed with the Transportation Committee. These refinements will be presented to the Committee and Board for action once a land use alternative is selected for the 2030 Regional Transportation Plan.

III. *Formal criteria-driven processes to identify, evaluate, and prioritize **transit** projects are under development.*

SANDAG agrees with this finding.

The SANDAG Board adopted Transit Services Evaluation Criteria in March 2002. These criteria were developed in cooperation with the Metropolitan Transit Development Board and the North San Diego County Transit District.

IV. *Formal criteria-driven processes to identify, evaluate, and prioritize **arterial** transportation projects that involve multiple jurisdictions do not exist. Formal criteria-driven processes are used for freeway, highway, and transit projects that cross-jurisdictional boundaries, while regional arterial projects are normally nominated for funding on a jurisdictional basis.*

SANDAG disagrees with this finding.

SANDAG's Cities/County Transportation Advisory Committee (CTAC) first developed criteria for ranking arterial street projects in 1995. These criteria were refined in 1998 and adopted by the SANDAG Board for use in ranking arterial projects for funding purposes. These criteria have been refined over the past four years, most recently in April 2002.

The current project prioritization process utilizes 13 quantitative and six qualitative criteria that can be applied to projects regardless of their length or location within one or more jurisdictions. As noted in the finding, under the current process local jurisdictions nominate arterial projects for funding, but projects that contribute to the "continuity" of the regional arterial system receive additional points.

V. *There is no formal process utilized by SANDAG to allocate funding, especially discretionary funding, among alternative transportation mode projects, like arterial vs. highway vs. freeway vs. transit vs. bike routes.*

SANDAG agrees with this finding.

SANDAG staff has evaluated the feasibility of developing a criteria based process for ranking dissimilar projects, discussed this issue with consultants and other experts, and have done a limited amount of research. Staff's conclusion is the same one expressed by the County Auditor: "... it is not feasible to develop a single system that combines and ranks all types of projects vis-à-vis each other in terms of funding priorities."

I. *SANDAG's ability to conduct effective regional transportation planning is impeded by its lack of authority to override local governments which oppose a project, even when SANDAG determines such a project to be in the best interest of the regional transportation system. The proposed "San Diego Regional Agency" will cause SANDAG to become much more effective in its regional transportation planning function.*

SANDAG agrees with this finding.

The ability to override a local decision blocking a "regionally significant transportation project" would facilitate the development of the regional network. This override should only be applied to projects that are important to regional mobility.

Recommendations:

02-25 *Modify the highway evaluation process to include more formal, data-driven criteria for "compatibility with habitat plans" and "service to employment areas."*

SANDAG's existing process has already implemented this recommendation.

Refinements to the current evaluation criteria will be implemented as needed, perhaps within the next year as the 2030 Regional Transportation Plan (RTP) is developed. All of the qualitative evaluation criteria should be continually refined to be as quantifiable as possible. The process should be as objective as possible, but in the final analysis, it is only a tool that the policy makers can use to guide their decisions.

02-26 *Update the criteria for evaluating freeway interchange projects and prepare a revised priority ranking for such projects.*

SANDAG will implement this recommendation.

SANDAG's Transportation Committee has already discussed an update to the current evaluation process for prioritizing missing connector ramps for freeway-to-freeway interchanges. The intent is to complete this update process in conjunction with the 2030 RTP.

02-27 *Formulate a ranking system for transit projects and prepare a ranked list of future transit projects.*

SANDAG has implemented this recommendation.

SANDAG adopted the Transit Services Evaluation Criteria on March 22, 2002.

02-28 *Adopt a ranking methodology for evaluating and funding regional transportation projects.*

SANDAG's existing process has already implemented this recommendation.

The SANDAG Board of Directors has adopted project prioritization criteria for ranking regional arterial system projects. The latest version of these criteria were adopted on April 26, 2002.

02-29 *Develop a ranking methodology for prioritizing funding between alternative transportation mode projects (e.g., arterials vs. highway vs. transit).*

SANDAG cannot implement this recommendation.

Although the concept sounds good, research performed to date, by both SANDAG and the County Auditor, indicate that it may not be possible to develop a criteria based process for comparing very dissimilar transportation alternatives to achieve one master list of projects. The County Auditor concluded that "... it is not feasible to develop a single system that combines and ranks all types of projects vis-à-vis each other in terms of funding priorities."

SANDAG RESPONSES TO JUNE 11, 2002 GRAND JURY REPORT

"Transportation in North County – Dead Ends and Lack of Foresight"

Findings:

I. *Based upon population numbers, North County needs a greater level of highway infrastructure. This is due, in large part, to the defeat of future east-west highway plans by the County and the City of Encinitas. The expansion of I-5 and I-15 and the improvement of interchanges with SR78 are essential to correcting this imbalance.*

SANDAG disagrees partially with this finding.

Approximately 26% of the population in 2000 lived in North County while 27% of the highway lane miles are located within this area. Improved mobility in North County will depend upon a multi-modal approach, including highway improvements, new and expanded arterial streets, and increased transit service.

SANDAG's 2020 Regional Transportation Plan (RTP) envisions significant improvements along both the I-5 and I-15 corridors. Improvements along the I-5 coastal corridor include the double tracking of the rail facility to accommodate expanded Coaster and intercity rail service. The addition of both general purpose and high occupancy vehicle (HOV) lanes, in conjunction with interchange upgrades and auxiliary lanes between interchanges, is also scheduled for I-5. A similar, multi-modal approach is anticipated along the I-15 inland corridor. Several auxiliary lanes are already being added and the first phase of the new HOV / Managed Lane project in the median of I-15 will be under construction next spring. This new project will add four lanes with a moveable barrier to help maximize capacity in the peak flow direction. This new facility will also accommodate an expanded regional express transit service along the entire length of the I-15 corridor. Several local interchange improvements are planned for the SR 78 corridor between I-5 and I-15. Upgrades to the freeway-to-freeway interchanges at both ends of SR 78 will be timed to coincide with the planned improvements to these two north-south freeways.

II. *Because of environmental and political constraints, no new major north-south highways will be built in North County between I-5 and I-15, even though the population of North County is expected to grow by 25% by 2015.*

SANDAG disagrees partially with this finding.

The environmental and community impacts of a new freeway of a size similar to the existing I-5 and I-15 facilities would be quite significant. A combination of regional arterial street improvements and highly efficient transit services may provide sufficient additional capacity to compliment the planned improvements to the I-5 and I-15 corridors. During 2003, SANDAG is going to analyze a wide range of alternatives for a new north-south facility (e.g., regional arterial, expressway,

freeway, or transit service) either east or west of I-15 as part of its ongoing planning work.

III. *The proposed North County Parkways Plan has the potential to reduce traffic congestion significantly in the near term at a reasonable cost. The Parkways Plan will reduce congestion 5 times more than the Oceanside-Escondido Rail Project for approximately the same amount of public funds.*

SANDAG disagrees partially with this finding.

SANDAG is currently following up on the initial efforts led by Supervisor Pam Slater in developing the Parkways Plan. The North County Cities and the County are preparing cost estimates for all of the arterial street improvements identified in the Plan. Based upon the estimates received to-date, the cost of the entire Plan could be almost $1 billion. The current cost estimate for the Oceanside-Escondido project is $351.5 million. Caltrans estimated a travel time savings of 5.7 million vehicle hours in the year 2020 if just the arterial projects in the Parkways Plan were all built by 2020. NCTD estimated an annual travel time savings of approximately 1.4 million hours once the Oceanside-Escondido line is fully operational. Although these estimates are not directly comparable, it appears that the Oceanside-Escondido Rail Project is probably as cost effective as the Parkways Plan

IV. *Ridership potential for the Oceanside-Escondido Rail Project is hampered by the lack of "smart growth" planning by the cities and the County around most of the transit stations.*

SANDAG agrees with this finding.

SANDAG's 2020 RTP assumed that local land use actions would facilitate higher and/or mixed use development around all of the major transit stations in the region, including the Oceanside-Escondido corridor. As part of its REGION2020 effort, SANDAG has been actively encouraging the local jurisdictions to implement land use policies consistent with the 2020 RTP. SANDAG will continue to encourage increased coordination of land use decisions with transportation planning and programming activities in the development of the new 2030 RTP and Regional Comprehensive Plan (RCP).

V. *A number of the Oceanside-Escondido Rail Project transit stations have only limited shuttle bus or fixed route bus connections to the surrounding communities, especially the industrial areas of Oceanside and South Vista, which further hampers ridership potential.*

SANDAG disagrees with this finding.

With the opening of the Oceanside-Escondido line, NCTD is planning to eliminate duplicative bus service in favor of new shuttle services providing connections to nearby major destinations and bus feeder services that are timed to make transfers to the rail line.

Recommendations

02-53 *Study the need to upgrade the connecting ramps of SR78/I-5 and SR78/I-15 and the corresponding need to complete such upgrades no later than the corresponding widening of the I-5 and I-15 in these areas.*

SANDAG will implement this recommendation.

SANDAG is working with Caltrans analyzing the need for improvements to all of the freeway-to-freeway connecting ramps in the region including these two locations. At the SR 78/I-5 interchange two of the movements (south to east and west to south) are not currently served by "connector ramps," but rather depend upon traffic signal control. A 1998 study of missing "connector ramps" identified both of these movements as being in the top five locations in the region that need to be addressed. This study will be updated as part of the 2030 RTP.

Caltrans is currently improving the north to east ramp at the SR 78/I-5 interchange. In addition, several months ago Caltrans temporarily closed the east to north loop ramp to eliminate the conflict with the heavy south to east movement. Caltrans is evaluating the impact of this closure on the local street system. Upgrading the west to south move has been more problematic because any project to increase the capacity for that movement, without a corresponding increase in southbound I-5 capacity, would achieve very little benefit. Caltrans is, however, reviewing this movement to determine if some additional improvements could be made prior to the planned widening of I-5 south of SR 78.

There are no missing "connector ramps" at the I-15 interchange, but some improvements may be warranted at this location to the existing ramps. Caltrans is reviewing this location to determine if any interim improvements are warranted or if adjustments should be scheduled at the time that I-15 is expanded as part of the ongoing HOV / Managed Lane project.

02-54 *Study the need for North San Diego County arterial streets to be completed and improved on an expedited schedule.*

SANDAG will implement this recommendation.

SANDAG is already working with the nine cities and the County involved in the North County Parkways Plan. Work completed to-date includes a detailed 2020 traffic forecasting effort to ascertain potential congestion relief associated with each of the 37 specific projects identified by the jurisdictions. A planning-level cost estimate also is being prepared for all of the arterial street projects identified in the Plan.

02-55 *Create a revolving loan fund to enable key roads to be completed in advance of private development.*

SANDAG's existing policies already implement this recommendation.

The *TransNet* Program already contains loan provisions that could serve this purpose. Any member agency can borrow money to advance the completion of a project. The agency has to identify an adequate payback provision with sufficient guarantees that the loan will be repaid by no later than the end of the *TransNet* Program in 2008. The Metropolitan Transit Development Board has taken advantage of these provisions. Although two cities have initiated this process in past years, neither city consummated the loan.

02-56 *Modify the distribution of transportation funding among modes (e.g., transit, highways, arterials) to reflect more closely a project's ability to reduce congestion.*

SANDAG will not implement this recommendation.

A project's ability to reduce congestion cannot be the only criterion for distributing funding to transportation projects. SANDAG has adopted evaluation criteria for the ranking and funding of transit, highway, and arterial street improvement projects that consider traffic congestion relief as one of many relevant factors.

Many of the funding sources for major transportation projects are restricted by purpose and/or mode. For example, the Oceanside-Escondido Rail Project is funded from five distinct sources. Some of the sources, such as Federal Transit Administration (FTA) and Proposition 108, can only be used for transit improvements. Some of the sources, such as Traffic Congestion Relief Program (TCRP) were specifically earmarked for this one project. And, some of the funding comes from the *TransNet* Program which can only be used for transit improvements only for this project. Of the $351.5 million programmed for this project only $11.5 million from the region's share of the State Transportation Improvement Program (STIP) are truly "flexible dollars" that could have been used for highway, arterial street or other transportation purposes. This is a good example of leveraging local funds to secure additional state and federal transportation dollars for a project that benefits the San Diego region.

As complicated as the funding of major transportation projects may be today, the current funding situation is much more flexible than it was several years ago. The last two federal programs (ISTEA and TEA-21) and recent state legislation have simplified this process, but even more funding flexibility is needed. SANDAG has consistently lobbied at both the state and federal level to increase the flexibility of transportation funding and will continue to do so during the next year as the federal program is being renewed.

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SAN DIEGO
COUNTY GRAND JURY

CITY OF CORONADO

OFFICE OF THE MAYOR
1825 STRAND WAY
CORONADO, CA 92118

TOM SMISEK
MAYOR
(619) 522-7322

September 30, 2002

The Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
P.O. Box 122724
San Diego CA 92112-2724

Re: 2001-2002 San Diego County Grand Just Report " REGIONAL TRANSPORTATION PLANNING, Does it Exist?"

Dear Judge Strauss:

In the referenced report, the Grand Jury recommended that each member agency of SANDAG support the passage of the San Diego Regional Agency legislation (SB1703 and AB2095). Each member agency of SANDAG was designated as a responding agency for recommendation 02-30. This letter constitutes our reply as required under Penal Code Section933(c).

As the legislation evolved, SB1703 became the final form of the legislation and the City of Coronado took a position to support the legislation. This support resulted from discussion at the Council meeting of April 2, 2002.

If you have further questions you may contact our City Manager at (619)522-7335.

Sincerely,

Tom Smisek
Mayor of Coronado

cc: San Diego Grand Jury

City of Del Mar
1050 Camino Del Mar · Del Mar, California 92014-2698
Where the Turf meets the Surf

RECEIVED
MAY 30 2002
SAN DIEGO
COUNTY GRAND JURY

May 28, 20002

The Honorable Wayne Peterson,
Presiding Judge
San Diego Superior Court
330 West Broadway, Suite 477
San Diego, CA 92121-3830

Re: Grand Jury Report "Regional Transportation Planning"

Dear Judge Peterson:

I am responding to the May 17, 2002 Grand Jury Report "Regional Transportation Planning Does it Exist"? and the findings and recommendations of that report. The City of Del Mar does not disagree with the report's findings but would like to note that SANDAG has been spending some time and effort in improving their evaluation and prioritization of transportation projects. With regard to the recommendation, please note that the City of Del Mar, as a member-agency in SANDAG, has already gone on record in support of regional agency legislation. However, we find it very unusual that the Grand Jury should weigh in on a specific set of proposals for regional governance at a time when there are many competing ideas and proposals. Just this week, the County Board of Supervisors recommended that a different type of agency be created and be subject to voter approval.

Please do not hesitate to contact me if you have any questions about this response.

Sincerely,

Lauraine Brekke-Esparza

Lauraine Brekke-Esparza
City Manager

cc: Mayor & City Councilmembers, City of Del Mar
Tamara Smith, City Attorney

Telephone: (858) 755-9313 · Fax: (858) 755-2794

City of Carlsbad

Office of the City Manager

September 27, 2002

RECEIVED

SEP 30 2002

SAN DIEGO
COUNTY GRAND JURY

Honorable Richard E. L. Strauss
Presiding Judge
San Diego Superior Court
Dept. SD-P
San Diego, CA 92101

2001-2002 SAN DIEGO COUNTY GRAND JURY REPORT "REGIONAL TRANSPORTATION PLANNING, DOES IT EXIST?"

Thank you for the opportunity to respond to the referenced report. Regional planning is an important subject to Carlsbad and one that we endorse. Our elected officials have served as the Chairperson of the SANDAG Board of Directors and also on key committees. Senior staff members also serve on various SANDAG committees that are involved with regional transportation issues.

Carlsbad's circulation patterns are developing, and will continue to develop, in accordance with the Carlsbad Circulation Element of the General Plan. The primary focus of the document is to provide for the safe and efficient movement of people and goods within the City. It also identifies how transportation systems will link with surrounding jurisdictions and be coordinated with regional transportation plans. The Circulation Element was developed with input from Carlsbad residents and through the public hearing process. It is a reflection of the need to ensure that circulation facilities are provided concurrent with their need.

It is the unequivocal intention of the City Council to have circulation element roads constructed and opened to local and regional traffic. It is not an issue of if the roads will be constructed, rather one of timing as to when the road will be completed. Road construction schedules are greatly dependent upon development activity. As growth occurs, roads are constructed to meet the demands of increased traffic.

Carlsbad's Growth Management Program, Title 21, Chapter 21.90 of the Carlsbad Municipal Code establishes, among other requirements, the timing provisions for facilities in relationship to demand. Further, as a regulatory document, it contains conditions to ensure that public facilities (roads) will conform to the adopted performance standards. Road segments and intersections shall not operate worse than Level of Service D in the peak hour. This is the Carlsbad performance standard for circulation. If this standard will be exceeded or is projected to be exceeded, appropriate mitigation must take place. This may require that a portion of a road segment, such as Melrose Drive, not be constructed until additional roads are constructed so as to alleviate traffic impacts by dispersing the traffic volumes over a distributed circulation pattern.

1200 Carlsbad Village Drive • Carlsbad, CA 92008-1989 • (760) 434-2821 • FAX (760) 720-9461

A short segment of College Boulevard has been constructed at the northerly city limit. Its terminus less than a mile inside the City places the road in the category of leading nowhere and only connecting to the local street system. Traffic studies have shown that if College Boulevard were opened, the resulting influx of regional traffic would overwhelm the street system. As a result, the provisions of the Growth Management Plan would be violated, safety concerns to local residents and school zones would be manifested, and the induced congestion would result in out of direction travel of vehicles through neighborhoods. Regional traffic is inappropriate on local residential streets.

The College Boulevard extension is a road that will be built by a local developer. This construction is scheduled to begin shortly and, upon completion, the barricades will be removed. Significant localized impacts will be avoided when the road is eventually opened and regional traffic uses the road to access other arterial roads in Carlsbad and not the local street system.

One of the goals listed in the Circulation Element is to have "a City with an integrated transportation network serving local and regional needs which accommodates a variety of different travel modes based on safety, convenience, attractiveness, costs, environmental and social impacts." The larger context of the Melrose Drive and College Boulevard issues dictates that those two road segments be opened to regional traffic only when the City can accommodate increased traffic volumes and meet the goal. To that end, our elected officials are advancing the College Boulevard and Melrose Drive completions to the greatest extent within their influence. Resulting with completion of the two roads and Carlsbad being positioned to handle regional traffic will be congestion relief on other nearby arterials.

As to the specific recommendation 02-30 the Grand Jury recommended that each member agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095). Those were two bills pending in the California legislature both addressing the issue of regional agency legislation and SB 1703 has now become law (amending Government Code §29532.1, amending Public Utilities Code §99233.5, and adding Chapter 3 [commencing with §132350] to Division 12.7 of the Public Utilities Code) effective January 1, 2003. That law gives SANDAG new powers and duties to address regional transportation agencies and, as a general law city, Carlsbad will comply with its provisions and the various interpretations given to it by the courts as this new law is implemented. As with many pending bills throughout every legislative session, Carlsbad did not take a position on either of these bills nor could its legislative body be compelled to take a position on any pending legislation.

Findings in I-V on page EPW-9 of the Grand Jury's 2001-2002 Report (May 23, 2002), appear to pertain to SANDAG and Carlsbad has no comment on them. As to Finding VI, the Grand Jury concludes that effective regional transportation planning has been impeded by SANDAG's lack of authority to override local governments when they have been determined by SANDAG to be in the best interest of the regional transportation system. As explained above, Carlsbad endorses the concept of regional planning and will comply with the provisions of the new law. However, it does not believe that it is necessary to displace the principle of home rule in order to

achieve a cooperative regional transportation system. The new law does not provide such an override power.

Carlsbad remains committed to being an active partner in helping to solve the transportation issues in this region. Please contact me if additional information is required.

RAYMOND R. PATCHETT
City Manager

c: Mayor and City Council
City Attorney
City Clerk
Marcia Gravette Jespersen

CITY OF
CHULA VISTA
OFFICE OF THE CITY MANAGER

RECEIVED
OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

September 30, 2002

Ms. Marcia Gravette Jesperson, Foreperson
Grand Jury - County of San Diego
330 West Broadway, Suite 477
San Diego, CA 92101-3830

Re: 2001-2002 San Diego County Grand Jury Report "Regional Transportation Planning, Does it Exist?"

Dear Ms. Gravette Jesperson:

In response to your letter of September 18, 2002, the City of Chula Vista has reviewed the Grand Jury Recommendation that each member agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095).

With respect to the Grand Jury recommendation, the Chula Vista City Council took no position. The proposal was not incorporated into the City's legislative program due to other, higher priorities.

Assembly Bill 2095 (Kehoe) was allowed to remain in committee and the author deferred to Senator Peace's bill, SB 1703 as the vehicle that would move forward through the legislative process.

Senate Bill 1703 has been signed into law by the Governor.

In light of the fact that the fate of both bills has been determined, it does not appear necessary for Chula Vista to take any further action on this item.

Sincerely,

George Krempl
Assistant City Manager

cc: City Attorney
City Clerk

c:\...\2002\letters\grandjury

OFFICE OF THE
CITY MANAGER

TELEPHONE
(619) 441-1716

RECEIVED
SEP 27 2002

September 25, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Re: 2001-2002 San Diego County Grand Jury Report "Regional Transportation Planning, Does it Exist?"

The above report , in Recommendation 02-30, suggests that the City of El Cajon support two bills (SB 1703 and AB 2095) regarding development of a San Diego Regional Agency.

RESPONSE:

While the City of El Cajon did not support AB 2095, it did support SB 1703. Attached is a letter from the City of El Cajon Mayor and City Councilmembers requesting that the Governor sign SB 1703. AB 2095 did not reach the Governor's desk, thus no letter was sent to the Governor regarding this bill.

Sincerely,

Bill Garrett
City Manager

BG:th

Attachment

200 EAST MAIN STREET • EL CAJON, CALIFORNIA 92020

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OF
MAYOR

TELEPHONE
(619) 441-1788

September 11, 2002

Honorable Gray Davis, Governor
State of California
1st Floor State Capitol
Sacramento, Ca., 95814

Honorable Governor Davis:

As a member of the El Cajon City Council, I urge your support for SB 1703 (Peace), which is a good first step to better and more efficient regional decision-making.

This legislation will streamline the process for needed transportation infrastructure, particularly public transit projects, in the San Diego region.

SB 1703 also links transportation and land use public policy by keeping each of the 18 cities in San Diego County and the county government at the decision making table.

I urge your signature to SB 1703 when it comes before you.

Sincerely,

Mark Lewis	Gary Kendrick	Charles Santos	Dick Ramos	Bob McClellan
Mayor	Mayor Pro Tem	Councilmember	Councilmember	Councilmember

ML:mcs

200 EAST MAIN STREET • EL CAJON, CALIFORNIA 92020

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City of
Encinitas

RECEIVED
SEP 30 2002
SAN DIEGO
COUNTY GRAND JURY

September 25, 2002

Christy Guerin
Mayor

James H. Bond
Deputy Mayor

Dennis Holz
Council Member

Maggie Houlihan
Council Member

Jerome Stocks
Council Member

Kerry L. Miller
City Manager

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

RE: Response to the 2001-2002 Grand Jury Report – "Regional Transportation Planning, Does It Exist?"

Your Honor:

In response to Grand Jury recommendation 02-30 in the 2001-2002 Grand Jury Report "Regional Transportation Planning, Does It Exist?" the City of Encinitas wishes to make the following comments:

Recommendation 02-30: That each Member Agency of SANDAG "Support passage of the San Diego Regional Agency legislation (SB1703 and AB2095)."

The City of Encinitas agrees with Recommendation 02-30 of the Grand Jury and actively supported AB2095 and SB1703. The San Diego Regional Transportation Consolidation Act (SB1703) was signed into law by the Governor on September 20, 2002.

Thank you for the opportunity to address this issue.

Sincerely,

Kerry L. Miller
City Manager

CC: Grand Jury

TEL 760-633-2600 FAX 760-633-2627 505 S. Vulcan Avenue, Encinitas, California 92024-3633 TDD 760-633-2700

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CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

JUN 2 4 2002
SAN DIEGO
COUNTY GRAND JURY

Lori Holt Pfeiler
Mayor
(760) 839-4610
FAX (760) 839-4578

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JUN 2 4 2002

June 24, 2002

The Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

This letter is written in response to the Grand Jury report of May 17, 2002 entitled "REGIONAL TRANSPORTATION PLANNING Does it Exist"?

As a member Agency of SANDAG, the City of Escondido was asked to support Recommendation 02-30 which states, "Support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)." The Escondido City Council considered this recommendation at its June 5, 2002 meeting. At that time, a lengthy discussion followed a report given by Gary Gallegos, Executive Director of SANDAG, Debra Greenfield, General Counsel of SANDAG, Ramona Finnila, Chair of SANDAG and Council member from Carlsbad, and Hal Martin, Council member from San Marcos. The Escondido City Council concurred to monitor SB 1703 and AB 2095 further and to consider them again at a later date. As required, this further analysis will be completed by November 17, 2002, (six months of the date of publication of the Grand Jury report).

Sincerely,

Lori Holt Pfeiler
Mayor

/jm2

cc: City Council
Rolf Gunnarson, City Manager
Jeffrey Epp, City Attorney

Lori Holt Pfeiler, Mayor
June Rady, Mayor Pro Tem
Tom D'Agosta
Ed Gallo
Marie Waldron

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OCT 2 2 2002

Lori Holt Pfeiler
Mayor
(760) 839-4610
FAX (760) 839-4578

CITY OF
ESCONDIDO
201 NORTH BROADWAY
ESCONDIDO, CA 92025

October 17, 2002

The Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Dear Judge Strauss:

This letter is written as a follow up to our letter of June 24, 2002 regarding the Grand Jury report of May 17, 2002 entitled "REGIONAL TRANSPORTATION PLANNING Does it Exist"?

As a member Agency of SANDAG, the City of Escondido was asked to support Recommendation 02-30 which stated, "Support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)." In June the Escondido City decided to continue monitoring SB 1703 and AB 2095 with the intention of considering them again at a later date. Since SB 1703 was signed into law by Governor Davis in September, it is no longer necessary for the Escondido City Council to take any further action on this item.

Sincerely,

Lori Holt Pfeiler
Mayor

/jm2

cc: City Council
Rolf Gunnarson, City Manager
Jeffrey Epp, City Attorney

Lori Holt Pfeiler, Mayor
June Rady, Mayor Pro Tem
Tom D'Agosta
Ed Gallo
Marie Waldron

City of Imperial Beach, California

OFFICE OF THE CITY MANAGER

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JAN 13 2003

SAN DIEGO
COUNTY GRAND JURY

January 13, 2003

Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

Re: Response to 2001-2002 Grand Jury Report dated May 23, 2002 "Regional Transportation Planning: Does it Exist?"

Dear Judge Strauss:

This letter is in response to the Grand Jury's September 18, 2002 request regarding regional transportation planning. As acknowledged, the Grand Jury recently published two (2) reports on its review of transportation issues. Both reports dated May 23, 2002 and June 11, 2002 resulted in findings and recommendations requiring a response by local cities under the provisions of the California Penal Code § 933 (c).

In response to the May 23, 2002 report, the City has participated in several discussions with the San Diego Association of Governments (SANDAG) regarding transportation planning at a regional level with deliberations with the Executive Committee and the SANDAG Board of Directors. These deliberations reviewed and addressed many of the complexities of planning, programming, and implementation of major transportation projects in San Diego County. These reviews resulted in the preparation of written responses to the findings contained in these Grand Jury reports aforementioned. We feel that the information contained in these responses from SANDAG complies with the penal code requirements, and also provides sufficient detail to ensure a full understanding of the regional transportation planning in San Diego County.

Based on these findings and recommendations, the City of Imperial Beach concurs with the findings and recommendations made by SANDAG in their correspondence dated July 3, 2002 from Gary Gallegos, SANDAG Executive Director, and are sufficient in our opinion to address the findings made by the Grand Jury May 23, 2002 report. A copy of that submittal from SANDAG is enclosed with this correspondence.

825 Imperial Beach Boulevard • Imperial Beach, California 91932 • (619) 423-8303 • Fax (619) 429-9770

We hope this satisfies the Grand Jury's findings and recommendations regarding regional transportation planning. If you have any questions regarding this matter, please contact me at (619) 423-0314.

Sincerely,

Matt Rodriguez
City Manager

Attachments (2)

Cc: Mayor and Councilmembers
City Attorney
City Clerk
San Diego County Grand Jury

SANDAG
San Diego's Regional Planning Agency

401 B Street, Suite 800
San Diego, CA 92101-4231
(619) 595-5300
Fax (619) 595-5305
www.sandag.org

July 3, 2002

Honorable Richard E. L. Strauss
Presiding Judge of the Superior Court
220 West Broadway
San Diego, CA 92101

MEMBER AGENCIES
Cities of
Carlsbad
Chula Vista
Coronado
Del Mar
El Cajon
Encinitas
Escondido
Imperial Beach
La Mesa
Lemon Grove
National City
Oceanside
Poway
San Diego
San Marcos
Santee
Solana Beach
Vista
and
County of San Diego

ADVISORY MEMBERS
California Department of Transportation
Metropolitan Transit Development Board
North San Diego County Transit Development Board
United States Department of Defense
San Diego Unified Port District
San Diego County Water Authority
Baja California/Mexico

Dear Judge Strauss:

The San Diego County Grand Jury has recently published two reports on its review of transportation issues. The first report, "Regional Transportation Planning – Does It Exist?" was released on May 23, 2002, and presented an evaluation of the methods used by the San Diego Association of Governments (SANDAG) to plan and fund transportation projects. The second report, "Transportation in North County – Dead Ends and Lack of Foresight," was released on June 11, 2002, and presented the results of the Grand Jury's review of the transportation system serving the northern part of San Diego County.

Both reports resulted in findings and recommendations requiring a response by SANDAG under the provisions of California Penal Code 933(c).

The two reports have been reviewed by SANDAG staff, the Executive Committee, and the Board of Directors. This review resulted in the preparation of written responses to the findings and recommendations in these reports. Attachment 1 presents responses to the May 23, 2002, report and Attachment 2 responds to the June 11, 2002, report. It should be noted that during its review, the Executive Committee expressed the concern that some of the "findings" in these reports were really personal observations on the part of the Grand Jury members. The information presented in the two attachments responds to the penal code requirements, but also provides sufficient detail to hopefully ensure full understanding of the issues discussed in the reports.

During the past several months, SANDAG staff has worked with various members of the Grand Jury and Foreman C. E. Mulroy, as well as with staff from the County's Auditor and Controller, to discuss the complexity of planning, programming, and implementing major transportation projects in San Diego County. I wanted to take this chance to note our appreciation for the courtesy and professionalism shown by all of the involved individuals during these discussions.

If you have any comments or questions regarding our responses to the findings and recommendations in these two Grand Jury reports, please contact me (619-595-5330) or Eric Pahlke, Director of Transportation (619-595-5323), at your convenience.

Sincerely,

Gary L. Gallegos

GARY L. GALLEGOS
Executive Director

EP/cd

Attachments (2)

SANDAG RESPONSES TO MAY 23, 2002 GRAND JURY REPORT

"Regional Transportation Planning – Does It Exist?"

Findings:

I. *SANDAG has developed and uses formal criteria-driven processes to identify, evaluate, and prioritize **highway** projects. The criteria for "compatibility with adopted habitat plans" and "service to major employment areas" are qualitative rather than quantitative.*

SANDAG agrees with this finding.

SANDAG first used a formal criteria based evaluation process in 1997 for prioritizing highway improvement projects. The criteria were adopted by the Board of Directors in April 1997. This process has been refined over the years (September 2000 and March 2002) and currently uses two quantitative and eight qualitative evaluation criteria. Even though qualitative criteria are, by definition, subjective in nature, all eight criteria are scored against quantifiable choices. For example, "compatibility with adopted habitat plans" is scored on whether a project "avoids preserve areas and natural areas as defined by habitat preserve plans." A further refinement that has been discussed is to quantify the number of acres of preserve and other natural areas impacted by a project.

II. *Formal criteria-driven processes to evaluate and prioritize **interchange** projects exist, but require revision to make this criteria more consistent with highway project evaluation criteria.*

SANDAG disagrees partially with this finding.

Freeway-to-freeway interchange projects and mainline freeway/highway projects are significantly different in both cost and operational characteristics. SANDAG's adopted criteria for these two types of projects recognize these differences. These two evaluation processes are already consistent to the extent that cost-effectiveness criteria are included in both approaches.

SANDAG has used a formal criteria based evaluation process since 1998 for ranking projects to install missing freeway-to-freeway connector ramps. This process uses one quantitative criterion (one of the two criteria used for highway projects) and six qualitative criteria. As was the case for the highway evaluation process, the qualitative criteria are scored against quantifiable factors. Staff has developed some refinements to these criteria which have been discussed with the Transportation Committee. These refinements will be presented to the Committee and Board for action once a land use alternative is selected for the 2030 Regional Transportation Plan.

III. *Formal criteria-driven processes to identify, evaluate, and prioritize **transit** projects are under development.*

SANDAG agrees with this finding.

The SANDAG Board adopted Transit Services Evaluation Criteria in March 2002. These criteria were developed in cooperation with the Metropolitan Transit Development Board and the North San Diego County Transit District.

IV. *Formal criteria-driven processes to identify, evaluate, and prioritize **arterial** transportation projects that involve multiple jurisdictions do not exist. Formal criteria-driven processes are used for freeway, highway, and transit projects that cross-jurisdictional boundaries, while regional arterial projects are normally nominated for funding on a jurisdictional basis.*

SANDAG disagrees with this finding.

SANDAG's Cities/County Transportation Advisory Committee (CTAC) first developed criteria for ranking arterial street projects in 1995. These criteria were refined in 1998 and adopted by the SANDAG Board for use in ranking arterial projects for funding purposes. These criteria have been refined over the past four years, most recently in April 2002.

The current project prioritization process utilizes 13 quantitative and six qualitative criteria that can be applied to projects regardless of their length or location within one or more jurisdictions. As noted in the finding, under the current process local jurisdictions nominate arterial projects for funding, but projects that contribute to the "continuity" of the regional arterial system receive additional points.

V. *There is no formal process utilized by SANDAG to allocate funding, especially discretionary funding, among alternative transportation mode projects, like arterial vs. highway vs. freeway vs. transit vs. bike routes.*

SANDAG agrees with this finding.

SANDAG staff has evaluated the feasibility of developing a criteria based process for ranking dissimilar projects, discussed this issue with consultants and other experts, and have done a limited amount of research. Staff's conclusion is the same one expressed by the County Auditor: "... it is not feasible to develop a single system that combines and ranks all types of projects vis-à-vis each other in terms of funding priorities."

VI. *SANDAG's ability to conduct effective regional transportation planning is impeded by its lack of authority to override local governments which oppose a project, even when SANDAG determines such a project to be in the best interest of the regional transportation system. The proposed "San Diego Regional Agency" will cause SANDAG to become much more effective in its regional transportation planning function.*

SANDAG agrees with this finding.

The ability to override a local decision blocking a "regionally significant transportation project" would facilitate the development of the regional network. This override should only be applied to projects that are important to regional mobility.

Recommendations:

02-25 *Modify the highway evaluation process to include more formal, data-driven criteria for "compatibility with habitat plans" and "service to employment areas."*

SANDAG's existing process has already implemented this recommendation.

Refinements to the current evaluation criteria will be implemented as needed, perhaps within the next year as the 2030 Regional Transportation Plan (RTP) is developed. All of the qualitative evaluation criteria should be continually refined to be as quantifiable as possible. The process should be as objective as possible, but in the final analysis, it is only a tool that the policy makers can use to guide their decisions.

02-26 *Update the criteria for evaluating freeway interchange projects and prepare a revised priority ranking for such projects.*

SANDAG will implement this recommendation.

SANDAG's Transportation Committee has already discussed an update to the current evaluation process for prioritizing missing connector ramps for freeway-to-freeway interchanges. The intent is to complete this update process in conjunction with the 2030 RTP.

02-27 *Formulate a ranking system for transit projects and prepare a ranked list of future transit projects.*

SANDAG has implemented this recommendation.

SANDAG adopted the Transit Services Evaluation Criteria on March 22, 2002.

02-28 *Adopt a ranking methodology for evaluating and funding regional transportation projects.*

SANDAG's existing process has already implemented this recommendation.

The SANDAG Board of Directors has adopted project prioritization criteria for ranking regional arterial system projects. The latest version of these criteria were adopted on April 26, 2002.

02-29 *Develop a ranking methodology for prioritizing funding between alternative transportation mode projects (e.g., arterials vs. highway vs. transit).*

SANDAG cannot implement this recommendation.

Although the concept sounds good, research performed to date, by both SANDAG and the County Auditor, indicate that it may not be possible to develop a criteria based process for comparing very dissimilar transportation alternatives to achieve one master list of projects. The County Auditor concluded that "... it is not feasible to develop a single system that combines and ranks all types of projects vis-à-vis each other in terms of funding priorities."

SANDAG RESPONSES TO JUNE 11, 2002 GRAND JURY REPORT

"Transportation in North County – Dead Ends and Lack of Foresight"

Findings:

I. *Based upon population numbers, North County needs a greater level of highway infrastructure. This is due, in large part, to the defeat of future east-west highway plans by the County and the City of Encinitas. The expansion of I-5 and I-15 and the improvement of interchanges with SR78 are essential to correcting this imbalance.*

SANDAG disagrees partially with this finding.

Approximately 26% of the population in 2000 lived in North County while 27% of the highway lane miles are located within this area. Improved mobility in North County will depend upon a multi-modal approach, including highway improvements, new and expanded arterial streets, and increased transit service.

SANDAG's 2020 Regional Transportation Plan (RTP) envisions significant improvements along both the I-5 and I-15 corridors. Improvements along the I-5 coastal corridor include the double tracking of the rail facility to accommodate expanded Coaster and intercity rail service. The addition of both general purpose and high occupancy vehicle (HOV) lanes, in conjunction with interchange upgrades and auxiliary lanes between interchanges, is also scheduled for I-5. A similar, multi-modal approach is anticipated along the I-15 inland corridor. Several auxiliary lanes are already being added and the first phase of the new HOV / Managed Lane project in the median of I-15 will be under construction next spring. This new project will add four lanes with a moveable barrier to help maximize capacity in the peak flow direction. This new facility will also accommodate an expanded regional express transit service along the entire length of the I-15 corridor. Several local interchange improvements are planned for the SR 78 corridor between I-5 and I-15. Upgrades to the freeway-to-freeway interchanges at both ends of SR 78 will be timed to coincide with the planned improvements to these two north-south freeways.

II. *Because of environmental and political constraints, no new major north-south highways will be built in North County between I-5 and I-15, even though the population of North County is expected to grow by 25% by 2015.*

SANDAG disagrees partially with this finding.

The environmental and community impacts of a new freeway of a size similar to the existing I-5 and I-15 facilities would be quite significant. A combination of regional arterial street improvements and highly efficient transit services may provide sufficient additional capacity to compliment the planned improvements to the I-5 and I-15 corridors. During 2003, SANDAG is going to analyze a wide range of alternatives for a new north-south facility (e.g., regional arterial, expressway,

freeway, or transit service) either east or west of I-15 as part of its ongoing planning work.

III. *The proposed North County Parkways Plan has the potential to reduce traffic congestion significantly in the near term at a reasonable cost. The Parkways Plan will reduce congestion 5 times more than the Oceanside-Escondido Rail Project for approximately the same amount of public funds.*

SANDAG disagrees partially with this finding.

SANDAG is currently following up on the initial efforts led by Supervisor Pam Slater in developing the Parkways Plan. The North County Cities and the County are preparing cost estimates for all of the arterial street improvements identified in the Plan. Based upon the estimates received to-date, the cost of the entire Plan could be almost $1 billion. The current cost estimate for the Oceanside-Escondido project is $351.5 million. Caltrans estimated a travel time savings of 5.7 million vehicle hours in the year 2020 if just the arterial projects in the Parkways Plan were all built by 2020. NCTD estimated an annual travel time savings of approximately 1.4 million hours once the Oceanside-Escondido line is fully operational. Although these estimates are not directly comparable, it appears that the Oceanside-Escondido Rail Project is probably as cost effective as the Parkways Plan

IV. *Ridership potential for the Oceanside-Escondido Rail Project is hampered by the lack of "smart growth" planning by the cities and the County around most of the transit stations.*

SANDAG agrees with this finding.

SANDAG's 2020 RTP assumed that local land use actions would facilitate higher and/or mixed use development around all of the major transit stations in the region, including the Oceanside-Escondido corridor. As part of its REGION2020 effort, SANDAG has been actively encouraging the local jurisdictions to implement land use policies consistent with the 2020 RTP. SANDAG will continue to encourage increased coordination of land use decisions with transportation planning and programming activities in the development of the new 2030 RTP and Regional Comprehensive Plan (RCP).

V. *A number of the Oceanside-Escondido Rail Project transit stations have only limited shuttle bus or fixed route bus connections to the surrounding communities, especially the industrial areas of Oceanside and South Vista, which further hampers ridership potential.*

SANDAG disagrees with this finding.

With the opening of the Oceanside-Escondido line, NCTD is planning to eliminate duplicative bus service in favor of new shuttle services providing connections to nearby major destinations and bus feeder services that are timed to make transfers to the rail line.

Recommendations

02-53 *Study the need to upgrade the connecting ramps of SR78/I-5 and SR78/I-15 and the corresponding need to complete such upgrades no later than the corresponding widening of the I-5 and I-15 in these areas.*

SANDAG will implement this recommendation.

SANDAG is working with Caltrans analyzing the need for improvements to all of the freeway-to-freeway connecting ramps in the region including these two locations. At the SR 78/I-5 interchange two of the movements (south to east and west to south) are not currently served by "connector ramps," but rather depend upon traffic signal control. A 1998 study of missing "connector ramps" identified both of these movements as being in the top five locations in the region that need to be addressed. This study will be updated as part of the 2030 RTP.

Caltrans is currently improving the north to east ramp at the SR 78/I-5 interchange. In addition, several months ago Caltrans temporarily closed the east to north loop ramp to eliminate the conflict with the heavy south to east movement. Caltrans is evaluating the impact of this closure on the local street system. Upgrading the west to south move has been more problematic because any project to increase the capacity for that movement, without a corresponding increase in southbound I-5 capacity, would achieve very little benefit. Caltrans is, however, reviewing this movement to determine if some additional improvements could be made prior to the planned widening of I-5 south of SR 78.

There are no missing "connector ramps" at the I-15 interchange, but some improvements may be warranted at this location to the existing ramps. Caltrans is reviewing this location to determine if any interim improvements are warranted or if adjustments should be scheduled at the time that I-15 is expanded as part of the ongoing HOV / Managed Lane project.

02-54 *Study the need for North San Diego County arterial streets to be completed and improved on an expedited schedule.*

SANDAG will implement this recommendation.

SANDAG is already working with the nine cities and the County involved in the North County Parkways Plan. Work completed to-date includes a detailed 2020 traffic forecasting effort to ascertain potential congestion relief associated with each of the 37 specific projects identified by the jurisdictions. A planning-level cost estimate also is being prepared for all of the arterial street projects identified in the Plan.

02-55 *Create a revolving loan fund to enable key roads to be completed in advance of private development.*

SANDAG's existing policies already implement this recommendation.

The *TransNet* Program already contains loan provisions that could serve this purpose. Any member agency can borrow money to advance the completion of a project. The agency has to identify an adequate payback provision with sufficient guarantees that the loan will be repaid by no later than the end of the *TransNet* Program in 2008. The Metropolitan Transit Development Board has taken advantage of these provisions. Although two cities have initiated this process in past years, neither city consummated the loan.

02-56 *Modify the distribution of transportation funding among modes (e.g., transit, highways, arterials) to reflect more closely a project's ability to reduce congestion.*

SANDAG will not implement this recommendation.

A project's ability to reduce congestion cannot be the only criterion for distributing funding to transportation projects. SANDAG has adopted evaluation criteria for the ranking and funding of transit, highway, and arterial street improvement projects that consider traffic congestion relief as one of many relevant factors.

Many of the funding sources for major transportation projects are restricted by purpose and/or mode. For example, the Oceanside-Escondido Rail Project is funded from five distinct sources. Some of the sources, such as Federal Transit Administration (FTA) and Proposition 108, can only be used for transit improvements. Some of the sources, such as Traffic Congestion Relief Program (TCRP) were specifically earmarked for this one project. And, some of the funding comes from the *TransNet* Program which can only be used for transit improvements only for this project. Of the $351.5 million programmed for this project only $11.5 million from the region's share of the State Transportation Improvement Program (STIP) are truly "flexible dollars" that could have been used for highway, arterial street or other transportation purposes. This is a good example of leveraging local funds to secure additional state and federal transportation dollars for a project that benefits the San Diego region.

As complicated as the funding of major transportation projects may be today, the current funding situation is much more flexible than it was several years ago. The last two federal programs (ISTEA and TEA-21) and recent state legislation have simplified this process, but even more funding flexibility is needed. SANDAG has consistently lobbied at both the state and federal level to increase the flexibility of transportation funding and will continue to do so during the next year as the federal program is being renewed.

Grand Jury

COUNTY OF SAN DIEGO
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830
(619) 515-8707
(619) 515-8696 FAX

MARCIA GRAVETTE JESPERSEN, Foreperson

September 18, 2002

RECEIVED
SEP 23 2002
BY:

Mr. Barry Johnson, City Manager
City of Imperial Beach
825 Imperial Beach Blvd.
Imperial Beach, CA 91932-2702

Re: **2001-2002 San Diego County Grand Jury Report "*REGIONAL TRANSPORTATION PLANNING, Does It Exist?*"**

Dear Mr. Johnson:

A review by the 2002-2003 San Diego County Grand Jury Continuity Committee of responses to the 2001-2002 Grand Jury recommendations contained in the above-referenced report (copy attached) indicates that no response has been received from your agency.

The Penal Code of California §933(c) requires comment on findings and recommendations in this report no later than 90 days from the date of filing. Comment to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 is required from your agency. The court address is P.O. Box 122724, San Diego, CA 92112-2724. Please send a copy of your response to the Grand Jury at the above-noted address no later than October 2, 2002.

Your prompt attention to this matter is appreciated.

Sincerely,

SAN DIEGO COUNTY GRAND JURY 2002-2003

Marcia Gravette Jespersen

MARCIA GRAVETTE JESPERSEN
Foreperson

MGJ//lln
enc.

Office of the Mayor

1243 National City Blvd., National City, CA 91950 (619) 336-4526
George H. Waters - Mayor

RECEIVED
OCT 16 2002
SAN DIEGO
COUNTY GRAND JURY

October 1, 2002

Presiding Judge of the Superior Court
County of San Diego
Hall of Justice
330 West Broadway, Suite #477
San Diego, CA 92101-3830

Subject: "Regional Transportation Planning – Does it Exist?" - City of National City Response on the Findings and Recommendations in the Report

The City of National City received a copy of a report by the San Diego County Grand Jury 2001-2002 titled, "Regional Transportation Planning – Does it Exist?" National City is providing the following comments on the findings and recommendations (02-30).

RECOMMENDATIONS

02-30 Support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095).

On July 16, 2002, the City Council of National City adopted Resolution 2002-107, taking a support position on SB 1703 and AB 2095. As we now know, SB 1703 has been chaptered and AB 2095 never made it out of the legislature.

Recycled Paper

George H. Waters
Mayor

Nick Inzunza
Vice Mayor

R. Mitchel Beauchamp
Councilman

Ron Morrison
Councilman

Rosalie Zarate
Councilwoman

cc: Marcia Gravette Jespersen, Grand Jury Foreman
City Manager
City Attorney

CITY OF LEMON GROVE

"Best Climate On Earth"

Office of the City Manager

RECEIVED
OCT - 8 2002
SAN DIEGO
COUNTY GRAND JURY

October 2, 2002

Marcia Gravette Jespersen, Foreperson
County of San Diego Grand Jury
330 West Broadway, Suite 477
San Diego, CA. 92101-3830

RE: 2001 – 2002 San Diego County Grand Jury Report "REGIONAL TRANSPORTATION PLANNING, Does It Exist?"

Ms. Gravette Jespersen:

In response to the Grand Jury's Regional Transportation Planning Report, the Lemon Grove City Council has discussed the issue as well as SB 1703 AB 2095 on several occasions. As a result of these deliberations, the City's SANDAG representative voted to support these pieces of legislation.

Should you have any further questions, please feel free to contact me at your convenience.

Sincerely,

Robert Richardson
City Manager

3232 Main Street Lemon Grove California 91945-1705

619.825.3800 FAX: 619.825.3804 www.ci.lemon-grove.ca.us

City of La Mesa

RECEIVED
SEP 27 2002

September 24, 2002

Presiding Judge of The Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Sir or Madame:

This letter is to respond to the request of the Grand Jury for comment on recommendation 02-30 of the report entitled "Regional Transportation Planning, Does it Exist?"

Recommendation 02-30 states that each member agency of SANDAG "support passage of the San Diego Regional Agency Legislation." Although the La Mesa City Council took no formal action on this recommendation, the City's representative on the SANDAG Board supported the legislation. Since that time the legislation has been approved and signed by the governor.

I hope this fulfills the City of La Mesa's responsibilities regarding this matter.

Sincerely,

David N. Wear
City Manager

CC: Grand Jury c/o Marcia Gravette Jespersen, Foreperson

8130 ALLISON AVENUE, P.O. BOX 937, LA MESA, CALIFORNIA 91944-0937 / (619) 463-6611, FAX (619) 667-1131

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10-02-202

CITY OF LEMON GROVE

"Best Climate On Earth"

Office of the City Manager

October 2, 2002

Marcia Gravette Jespersen, Foreperson
County of San Diego Grand Jury
330 West Broadway, Suite 477
San Diego, CA. 92101-3830

RE: 2001 – 2002 San Diego County Grand Jury Report "REGIONAL TRANSPORTATION PLANNING, Does It Exist?"

Ms. Gravette Jespersen:

In response to the Grand Jury's Regional Transportation Planning Report, the Lemon Grove City Council has discussed the issue as well as SB 1703 AB 2095 on several occasions. As a result of these deliberations, the City's SANDAG representative voted to support these pieces of legislation.

Should you have any further questions, please feel free to contact me at your convenience.

Sincerely,

Robert Richardson
City Manager

3232 Main Street Lemon Grove California 91945-1705

619.825.3800 FAX: 619.825.3804 www.ci.lemon-grove.ca.us

CITY OF OCEANSIDE

OFFICE OF CITY MANAGER

October 2, 2002

RECEIVED
OCT 9 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Subject: Regional Transportation Planning

Thank you for the opportunity to review and comment on the report from the County Grand Jury on the Regional Transportation Planning function. The City of Oceanside is supportive of the concept for regional planning of transportation facilities, including highways, arterial systems and transit. It is in the best interest of all local agencies to begin looking at transportation facilities on a regional level.

The San Diego Association of Government (SANDAG) is currently responsible for highway planning and the prioritization of funding transportation projects in San Diego County. SANDAG is currently performing adequately as required under the conditions set within its original parameters. However as the San Diego region continues to grow and develop, the need to deal with transportation issues becomes more difficult. SANDAG will need to expand to able to handle regional transportation planning.

After reviewing the comments from the Grand Jury on the current practice of SANDAG to evaluate and prioritize transportation projects, the City supports the recommendation to improve the project ranking methodologies to be more quantifiable, rather than subjective. This ranking system needs to be able to prioritize funding between the three transportation modes of highway vs. arterial vs. transit. In addition, the prioritization needs to be consistent through the various transportation review committees, policy boards and the SANDAG Board of Directors.

Now that legislation has been signed merging the two regional transit agencies of North County Transit District (NCTD) and the Metropolitan Transit Development Board (MTDB) into one regional transit planning group, SANDAG will be the lead agency to prioritize and fund transit projects for the 2030 Regional Transportation Plan (RTP).

On the issue of the regional discretionary funds, the process to allocate, evaluate and prioritize projects needs to be defined into a formal ranking process by quantifiable methods. This would avoid any subjective ranking of projects.

While the City understands the need to set priorities, evaluate projects and identify funding limits for highways, arterials and transit systems, the purposed regional transportation planning function will involve some level of local land use planning for the future. It is a concern to local agencies on how this involvement will effect local land use planning.

Thank you very much for your consideration of this matter. If you have any questions regarding the comments, please contact me.

Sincerely,

Steven R. Jepsen
City Manager

CC: Honorable Mayor and City Council
Grand Jury, County of San Diego

CITY OF POWAY

MICKEY CAFAGNA, Mayor
BOB EMERY, Deputy Mayor
JAY GOLDBY, Councilmember
DON HIGGINSON, Councilmember
BETTY REXFORD, Councilmember

September 23, 2002

Richard E. L. Strauss
Superior Court Presiding Judge
GRAND JURY
County of San Diego
Hall of Justice
330 West Broadway, Suite 477
San Diego, CA 92101-3830

RE: 2001-2002 San Diego County Grand Jury Report
"REGIONAL TRANSPORTATION PLANNING, Does it Exist?"

Dear Honorable Judge Strauss:

In accordance with the provisions of Penal Code Section 933, Subdivision (c), the City of Poway is responding to the Grand Jury report dated May 23, 2002, pertaining to the above subject matter:

The Grand Jury report recommended the following:

02-30: Support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)

While AB 2095 (Kehoe) was ultimately dropped by the author, the City of Poway by means of a letter from Mayor Mickey Cafagna, has requested that Governor Gray Davis sign SB 1703 (Peace). Please see attached.

If you are in need of additional information, please do not hesitate to contact me at (858) 679-4200.

Sincerely,

James L. Bowersox
City Manager

Attachment

cc: Mayor and Members of the City Council
Chairman and Members of the Board of Supervisors

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789 • (858) 748-6600, 695-1400
FAX 748-1455

Printed on Recycled Paper

CITY OF POWAY

MICKEY CAFAGNA
Mayor

August 29, 2002

Honorable Gray Davis
Governor
State of California
1st Floor State Capitol
Sacramento, CA 95814

Attn: Mike Gotch at fax: (916) 324-6358

Re: Support for Senate Bill 1703 (Peace)

Dear Governor Davis:

I am respectfully requesting that you sign **Senate Bill 1703 (Peace)** when it is sent to you for consideration by the Legislature.

This bill will significantly streamline the process to get needed transportation infrastructure, particularly public transit projects, on the ground in the San Diego region. The bill is the needed first step to provide consolidated transportation planning, development, and project delivery. It affords the citizens of our region a "one-stop shop" to participate in the transportation planning process, makes policymakers more accountable for their decisions, and saves tax dollars.

SB 1703 also does a better job of linking transportation and land use public policy by keeping each of our region's 18 cities and the county government at the decision-making table. This is an important consideration since there is no city opposition to the bill, and in fact has strong support from the City of San Diego. This bill which was written by the cities with the support of both regional transportation agencies can make a significant difference for the region without creating another layer of government.

We want the ability for the existing agencies to address local problems and improve the quality of life. It is the right thing to do now.

I respectfully urge you to sign **SB 1703**.

Sincerely,

Mickey Cafagna
Mayor

City Hall Located at 13325 Civic Center Drive
Mailing Address: P.O. Box 789, Poway, California 92074-0789 • (858) 679-4202, FAX 679-4226

CITY OF SANTEE

MAYOR
Randy Voepel

CITY COUNCIL
Jim Bartell
Jack E. Dale
Lori Howard
Hal Ryan

CITY MANAGER
Keith Till

RECEIVED
SEP 30 2002

September 26, 2002

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Dear Presiding Judge:

The San Diego County Grand Jury recently published a report titled, "REGIONAL TRANSPORTATION PLANNING, Does it Exist?" As required under the provisions of California Penal Code 933(c), attached is the City of Santee's response to the findings and recommendations in this report.

If you have any questions regarding our response, contact me at (619) 258-4100 ext. 226

Sincerely,

Keith Till
City Manager

Attachments

10601 Magnolia Avenue • Santee, California 92071-1266 • (619) 258-4100 • www.ci.santee.ca.us

Printed on recycled paper

The City Of Santee Responses to May 23, 2002 Grand Jury Report

"REGIONAL TRANSPORTATION PLANNING – Does It Exist?"

Findings:

I. *SANDAG has developed and uses formal criteria-driven processes to identify, evaluate, and prioritize **highway** projects. The criteria for "compatibility with adopted habitat plans" and "service to major employment areas" are qualitative rather than quantitative.*

The City of Santee agrees with this finding.

It is our understanding that SANDAG first used a formal criteria based evaluation process in 1997 for prioritizing highway improvement projects. This process has been refined over the years and currently uses two quantitative and eight qualitative evaluation criteria. Even though qualitative criteria are, by definition, subjective in nature, all eight criteria are scored against quantifiable choices.

II. *Formal criteria-driven processes to evaluate and prioritize **interchange** projects exist, but require revision to make this criteria more consistent with highway project evaluation criteria.*

The City of Santee disagrees partially with this finding.

Freeway-to-freeway interchange projects and mainline freeway/highway projects are significantly different in both cost and operational characteristics. The criteria adopted by SANDAG for these two types of projects recognize these differences. These two evaluation processes are already consistent to the extent that cost-effectiveness criteria are included in both approaches.

It is our understanding that SANDAG has used a formal criteria based evaluation process since 1998 for ranking projects to install missing freeway-to-freeway connector ramps. This process uses one quantitative criterion and six qualitative criteria. As with the highway evaluation process, the qualitative criteria are scored against quantifiable factors.

III. *Formal criteria-driven processes to identify, evaluate, and prioritize* ***transit*** *projects are under development.*

The City of Santee agrees with this finding.

The SANDAG Board of Directors adopted Transit Services Evaluation Criteria in March 2002. It is our understanding that these criteria were developed in cooperation with the Metropolitan Transit Development Board and the North San Diego County Transit District.

IV. *Formal criteria-driven processes to identify, evaluate, and prioritize* ***arterial*** *transportation projects that involve multiple jurisdictions do not exist. Formal criteria-driven processes are used for freeway, highway, and transit projects that cross-jurisdictional boundaries, while regional arterial projects are normally nominated for funding on a jurisdictional basis.*

The City of Santee disagrees with this finding.

It is our understanding that SANDAG's Cities/County Transportation Advisory Committee (CTAC) first developed criteria for ranking arterial street projects in 1995. These criteria were refined in 1998 and adopted by the SANDAG Board for use in ranking arterial projects for funding purposes. These criteria have been refined over the past four years, most recently in April 2002.

The current project prioritization process utilizes 13 quantitative and six qualitative criteria that can be applied to projects regardless of their length or location within one or more jurisdictions. As noted in the finding, under the current process local jurisdictions nominate arterial projects for funding, but projects that contribute to the "continuity" of the regional arterial system receive additional points.

V. *There is no formal process utilized by SANDAG to allocate funding, especially discretionary funding, among alternative transportation mode projects, like arterial vs. highway vs. freeway vs. transit vs. bike routes.*

The City of Santee agrees with this finding.

It is our understanding that SANDAG has evaluated the feasibility of developing a criteria based process for ranking dissimilar projects, has discussed this issue with consultants and other experts, and has done a limited amount of research on this subject. SANDAG concluded that it was not feasible to develop a single system that combines and ranks all types of projects vis-à-vis each other in terms of funding priorities.

VI. *SANDAG's ability to conduct effective regional transportation planning is impeded by its lack of authority to override local governments which oppose a project, even when SANDAG determines such a project to be in the best interest of the regional transportation system. The proposed "San Diego Regional Agency" will cause SANDAG to become much more effective in its regional transportation planning function.*

The Santee City Council recently adopted a formal position paper regarding regional governance, which addresses this issue.

See Attachment 2.

Recommendations:

02-25 *Modify the highway evaluation process to include more formal, data-driven criteria for "compatibility with habitat plans" and "service to employment areas."*

SANDAG has already implemented this recommendation.

Refinements to the current evaluation criteria should be implemented as needed and all of the qualitative evaluation criteria should be continually refined to be as quantifiable as possible. The process should be as objective as possible, but in the final analysis, it is only a tool that the policy makers can use to guide their decisions.

02-26 *Update the criteria for evaluating freeway interchange projects and prepare a revised priority ranking for such projects.*

SANDAG should implement this recommendation.

It is our understanding that SANDAG's Transportation Committee has already discussed an update to the current evaluation process for prioritizing missing connector ramps for freeway-to-freeway interchanges, with the intent to complete this update in conjunction with the 2030 RTP.

02-27 *Formulate a ranking system for transit projects and prepare a ranked list of future transit projects.*

SANDAG has implemented this recommendation.

The SANDAG Board of Directors adopted the Transit Services Evaluation Criteria on March 22, 2002.

02-28 *Adopt a ranking methodology for evaluating and funding regional transportation projects.*

SANDAG has already implemented this recommendation.

The SANDAG Board of Directors adopted the latest version of the project prioritization criteria for ranking regional arterial system projects on April 26, 2002.

02-29 *Develop a ranking methodology for prioritizing funding between alternative transportation mode projects (e.g., arterials vs. highway vs. transit).*

It is our understanding that SANDAG cannot implement this recommendation.

Although the concept sounds good, research performed to date, by both SANDAG and the County Auditor, indicate that it may not be possible to develop a criteria based process for comparing very dissimilar transportation alternatives to achieve one master list of projects.

02-30 *Support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095).*

The Santee City Council recently adopted a formal position paper regarding regional governance.

See Attachment 2.

CITY OF SANTEE
Position Paper on Regional Governance
July 24, 2002

1. Home Rule to Be Preserved.

Citizens depend on local government to address their concerns, especially those related to local land-use decisions which can directly impact quality of life. It is recognized that a regional authority may appropriately be involved with regionally significant projects. However, the boundaries of such projects must be well defined to avoid conflict between local priorities and regional decisions. Smaller cities should not be subject to being "out-voted" by larger, more populous cities on matters impacting the local community.

Any new regional authority should perform regional studies and make regional recommendations, rather than have overriding authority. The proposal to establish a constrained Regional Agency now, then add overriding authority later, has the appearance of disarming opposition for expediency purposes. While a consolidation of agencies for streamlining and efficiency purposes may work, we would object to laying the groundwork for future usurping of local control. The consolidation of planning agencies should stand on its own, without the presumption of future power over local jurisdictions.

2. Representation.

The City of Santee should be guaranteed "a seat at the table." The City should be represented fairly within the regional governance structure at least equally with the current SANDAG Board of Directors.

3. Each City's Unique Roles and Needs Should be Recognized.

Each city has unique qualities that contribute to the San Diego experience. The San Diego region is largely defined by its geographic and cultural diversity. It is important to any regional planning process to be able to address and encourage the uniqueness of individual cities. On individual regional issues, the role of cities may differ due to historical background, experience, level of impact, or proximity. Cities' differences should be recognized and understood as part of the planning process. They should not be overlooked.

4. City Revenues Must be Protected.

City revenues should not be diminished by an outside regional agency. Any new regional authority should not be given the power to disrupt current revenue sources or future potential revenue sources. If local agencies are impacted, full compensation should be provided for the burden of any project constructed against the local jurisdiction's wishes.

5. Resist Over-Sized, Bureaucratic Organizations.

The current trend nationwide is moving away from big governments and bureaucracies and toward holding smaller entities and local agencies accountable. Care should be taken to ensure that any new regional agency focuses on cooperative opportunities and enhanced planning through better communication. It should avoid becoming oversized, cumbersome and authoritative.

CITY OF OCEANSIDE

OFFICE OF CITY MANAGER

October 2, 2002

RECEIVED
OCT - 4 2002
SAN DIEGO
COUNTY GRAND JURY

Presiding Judge of the Superior Court
P.O. Box 122724
San Diego, CA 92112-2724

Subject: Regional Transportation Planning

Thank you for the opportunity to review and comment on the report from the County Grand Jury on the Regional Transportation Planning function. The City of Oceanside is supportive of the concept for regional planning of transportation facilities, including highways, arterial systems and transit. It is in the best interest of all local agencies to begin looking at transportation facilities on a regional level.

The San Diego Association of Government (SANDAG) is currently responsible for highway planning and the prioritization of funding transportation projects in San Diego County. SANDAG is currently performing adequately as required under the conditions set within its original parameters. However as the San Diego region continues to grow and develop, the need to deal with transportation issues becomes more difficult. SANDAG will need to expand to able to handle regional transportation planning.

After reviewing the comments from the Grand Jury on the current practice of SANDAG to evaluate and prioritize transportation projects, the City supports the recommendation to improve the project ranking methodologies to be more quantifiable, rather than subjective. This ranking system needs to be able to prioritize funding between the three transportation modes of highway vs. arterial vs. transit. In addition, the prioritization needs to be consistent through the various transportation review committees, policy boards and the SANDAG Board of Directors.

Now that legislation has been signed merging the two regional transit agencies of North County Transit District (NCTD) and the Metropolitan Transit Development Board (MTDB) into one regional transit planning group, SANDAG will be the lead agency to prioritize and fund transit projects for the 2030 Regional Transportation Plan (RTP).

On the issue of the regional discretionary funds, the process to allocate, evaluate and prioritize projects needs to be defined into a formal ranking process by quantifiable methods. This would avoid any subjective ranking of projects.

County of San Diego

WALTER F. EKARD
CHIEF ADMINISTRATIVE OFFICER
(619) 531-6226
FAX: (619) 557-4060

CHIEF ADMINISTRATIVE OFFICE
1600 PACIFIC HIGHWAY, SAN DIEGO, CALIFORNIA 92101-2472

RECEIVED
JUL 3 0 2002
RECEIVED
JUL 3 1 2002
SAN DIEGO
COUNTY GRAND JURY

July 24, 2002

The Honorable Richard E. L. Strauss
San Diego Superior Court, Presiding Dept.
220 West Broadway
San Diego, CA 92101

2001-2002 INTERIM GRAND JURY REPORT RESPONSES FROM COUNTY OF SAN DIEGO

Dear Judge Strauss:

Attached, please find the County of San Diego Board of Supervisors' responses to five 2001-2002 San Diego County Grand Jury Interim Reports for your transmittal to the Grand Jury. The attached material was approved by the Board of Supervisors on July 23, 2002 and addresses the following five Interim Reports:

1.) Home Rule
2.) Truancy and Curfew Practices
3.) Regional Transportation Planning
4.) Transportation in North County
5.) Children's Services

If you have any questions concerning this matter, please contact me at (619) 531-6226.

Sincerely,

Walter Ekard

WALTER F. EKARD
Chief Administrative Officer

Attachment

COUNTY OF SAN DIEGO

BOARD OF SUPERVISORS

GREG COX
First District

DIANNE JACOB
Second District

PAM SLATER
Third District

RON ROBERTS
Fourth District

BILL HORN
Fifth District

26

AGENDA ITEM

RECEIVED

JUL 31 2002

SAN DIEGO COUNTY GRAND JURY

DATE: July 23, 2002

TO: Board of Supervisors

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

SUMMARY:

Overview

On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. Included in this Final Report are five Interim Reports containing recommendations to the Board of Supervisors and County departments on power generation, curfew and truancy laws, children's services and regional transportation planning.

This is a request for your Board to review the draft responses prepared by the Chief Administrative Officer that respond to the findings and recommendations contained in these five reports and to authorize the Chief Administrative Officer to transmit your Board's responses to the Grand Jury, via the Superior Court Presiding Judge.

Recommendation(s)

CHIEF ADMINISTRATIVE OFFICER

1. Authorize the Chief Administrative Officer to transmit the attached responses to the Grand Jury via the Superior Court Presiding Judge.

Fiscal Impact

There is no fiscal impact with this action.

Business Impact Statement

N/A

Advisory Board Statement

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All) **26**

The Commission on Children, Youth and Families Executive Board will be given an informational copy of the County's proposed response to the Grand Jury Report on Children's Services at its regular scheduled meeting of July 19, 2002.

BACKGROUND:

On June 28, the 2001-2002 Grand Jury issued its Final Report to the Board of Supervisors. This document is a compilation of the Interim Reports which were also released individually throughout May and June. Included in the reports are recommendations to the Board of Supervisors and County departments concerning power generation, curfew and truancy laws, children's services and regional transportation planning.

The attached document contains proposed responses to the findings and recommendations directed to the County in the following five reports: 1.) Home Rule: Is Chartering a City a Good Idea?, 2.) Truancy and Curfew Practices, 3.) Regional Transportation Planning, 4.) Transportation in North County and 5.) Children's Services.

This is a request for your Board to authorize the Chief Administrative Officer to transmit the attached responses to each of these five reports to the Grand Jury via the Superior Court Presiding Judge.

Respectfully,

WALTER F. EKARD
Chief Administrative Officer

SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (*District*: All)

26

AGENDA ITEM INFORMATION SHEET

CONCURRENCE(S)

COUNTY COUNSEL REVIEW	[X] Yes	
Written Disclosure per County Charter Section 1000.1 Required	[] Yes	[X] No
GROUP/AGENCY FINANCE DIRECTOR	[] Yes	[X] N/A
CHIEF FINANCIAL OFFICER	[] Yes	[X] N/A
Requires Four Votes	[] Yes	[X] No
GROUP/AGENCY INFORMATION TECHNOLOGY DIRECTOR	[] Yes	[X] N/A
CHIEF TECHNOLOGY OFFICER	[] Yes	[X] N/A
DEPARTMENT OF HUMAN RESOURCES	[] Yes	[X] N/A

Other Concurrence(s): Health and Human Services Agency
Public Safety Group
Department of General Services
Department of Public Works
Office of Strategy and Intergovernmental Relations

ORIGINATING DEPARTMENT: Chief Administrative Office

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SUBJECT: RESPONSE TO 2001-2002 GRAND JURY REPORTS: 1.) *HOME RULE: IS CHARTERING A CITY A GOOD IDEA?*, 2.) *TRUANCY AND CURFEW PRACTICES*, 3.) *REGIONAL TRANSPORTATION PLANNING*, 4.) *TRANSPORTATION IN NORTH COUNTY*, 5.) *CHILDREN'S SERVICES* (District: All)

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AGENDA ITEM INFORMATION SHEET
(continued)

PREVIOUS RELEVANT BOARD ACTIONS:
May 21, 2002 (20) Referred 2001-2002 Grand Jury Interim Reports on *Home Rule* and *Truancy and Curfew Practices* to Chief Administrative Officer for response.

BOARD POLICIES APPLICABLE:
Board Policy A-43, Response to Grand Jury Interim Reports

BOARD POLICY STATEMENTS:
N/A

CONTRACT NUMBER(S):
N/A

ATTACHMENT A
HOME RULE: ***Is Chartering A City a Good Idea?***

Recommendation 02-07: That the County Board of Supervisors develop a cooperative energy program with SDG&E along the lines of the City of San Marcos.

This recommendation has been implemented.

The County has been a leader in the San Diego region's response to the energy price disaster emanating from the State's failed deregulation legislation.

During 2001, the County, the City of San Diego and the San Diego Regional Energy Office (SDREO) co-hosted several regional meetings to exchange information on energy conservation, alternative supply opportunities (such as solar energy) and the creation of a regional municipal utility district. The meetings were well attended by most of the region's 18 cities, the Port District, the County Water Authority and other public interest organizations.

At the request of the County Board of Supervisors, the San Diego County legislative delegation sponsored legislation to facilitate the creation of a municipal utility district, which would have provided the foundation for a cooperative program. Unfortunately, this legislation was vetoed by the Governor last year.

The County, the City of San Diego, the Port District, the County Water Authority and the Utility Consumers Action Network (UCAN) are jointly funding a Regional Energy Infrastructure Study. The SDREO is the lead agency for this effort. When completed in the next 30 to 60 days, the Study will provide a strategy for meeting the region's energy needs over the next 20 years.

The County of San Diego will continue to take an aggressive leadership role in cooperative programs with other jurisdictions to address energy needs of our region.

ATTACHMENT B
TRUANCY AND CURFEW PRACTICES: ***The Lack of Consistency and Uniformity***

Recommendation 02-10: That the County Board of Supervisors implement a program that places emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents before the detrimental results of truancy and curfew violation occur.

This recommendation will not be implemented since the County of San Diego already places an emphasis on proactive intervention with small children at risk of truancy and curfew violation and their parents. In fact, San Diego County is fortunate to have a broad spectrum of policy, program and implementation devices currently in place to deal with truancy and curfew issues.

Within the County organization, several departments are actively working with youth of all ages to reduce truancy and curfew violations. The District Attorney's Office is addressing school truancy with the Building Roads to Intervene in Truants' Education (BRITE) truancy prevention program. This program works with parents to become more aware of their children's behavior and the laws regarding their education. The law requires parents to send children between the ages of 6 and 18 to school. If parents fail to do so, they can be fined: $100 for the first violation, $250 for the second violation and $500 for the third violation.

Parents are informed that, if their child continues to be truant, the District Attorney's Office can prosecute them for contributing to the delinquency of a minor, which is a misdemeanor punishable by up to one year in jail and/or a $2,500 fine upon conviction. In order to help parents with this responsibility, the BRITE Program helps parents prevent truant behavior, identify school attendance problems and find additional resources to resolve truancy problems, if they occur. The program encourages parents to make education a priority, to know where their children are before, during and after school, discuss school activities with their children and, to ask for help as needed.

The program also informs students that to be successful in school, they must attend classes and be ready to learn. Students are informed that if they don't show up for school, that they can be prosecuted for truancy, assigned a probation officer, given a curfew by the judge and required to do volunteer community work. If the truancy behavior continues after the judge makes an order to attend school, the judge can detain them in Juvenile Hall.

Students are reminded that if they have problems that make it difficult to go to school, that they can and should ask for help. Resources are offered for learning disabilities, medical problems, family violence, drugs and mental health. These services are usually free and confidential. Students are directed to their school counselors, nurses or teachers for help.

In addition to the District Attorney's efforts, the County Probation department also coordinates and shares resources with partner agencies throughout the County on truancy prevention. Although the primary population served by Probation staff is youth between ages 12–17, there are several programs in place that reach small children.

The Community Assessment Teams (CATs) target youth exhibiting high-risk behaviors (e.g. poor school attendance, runaway behavior, substance abuse, aggression, etc.) before those juveniles become involved in the justice system. Youth between the ages of 6–17 are served with full family involvement. The goal of this prevention program is to reduce the number of youth

entering the justice system by supporting and empowering families to access community resources in a timely fashion. Law enforcement, schools, health centers and other service providers refer youth and families to CAT.

There are five CAT centers in the County, serving all geographic areas. Multi-disciplinary teams (i.e., case manager, probation officer, and other experts) assess the strengths and needs of the youth and family, develop a case plan building on strengths to address needs, and collaborate with other agencies in service provision. Through this process, CATs provide services that previously did not occur, or were provided by school staff or the police. With the CAT program in place, school and police personnel can focus their resources in other pertinent areas. To date, 93% of youth served have not entered the justice system within 18 months after receiving services. CAT clients are more likely to be enrolled in school and be at the appropriate grade level than other comparable at-risk youth.

Another Probation program that focuses on truancy is the Truancy Intervention Program (TIP). This countywide truancy program began as an early intervention program in 1988 at the Grossmont Union High School District. Its goal is to divert youth from future involvement in the juvenile justice system, improve school performance and reduce truancies. There are currently seven school Probation Officers assigned to various school districts throughout the County who provide service to children enrolled in elementary, middle and high schools. The TIP program is a collaborative effort on the part of School Districts, Probation and Law Enforcement with the objective of reducing student truancy rates. These Probation Officers provide primary intervention services to youth and their families experiencing family management and school problems. In fact, TIP was been extremely successful. 98.2% of referrals to TIP received no new 601 petitions after TIP/SARB intervention. 99.3% of minors referred to TIP received no new 602 petitions after TIP/SARB intervention.

The most recent addition to truancy programs in the Probation Department is the Truancy Suppression Project (TSP). The Truancy Suppression Project provides supervision, intervention and wrap-around support to adjudicated Welfare and Institutions Code (WIC) 601 habitually-truant wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family-related issues, drug problems, as well as school safety. As of June 30, 2002, 575 truancy wards have received services through TSP. 129 truancy wards have successfully completed the Truancy Suppression Program. There are currently 350 active TSP cases.

These programs illustrate the collaborative relationship that is already in place between the County of San Diego, schools and community organizations to reach children at risk of truancy and curfew violations and assist their families.

Recommendation 02-12: That the County Board of Supervisors propose legislation which would compel parents to be actively involved with their children to avoid truancies and curfew violations.

This recommendation will not be implemented because sufficient statutory enforcement tools already exist to compel parents to comply with truancy and curfew laws.

One such law is Welfare and Institutions Code (WIC) 601.2, which states, "In the event that a parent or guardian in charge of a minor...fails to respond to directives of the school attendance review board or to services offered on behalf of the minor, the school attendance review board shall direct that the minor be referred to the Probation department or to the county welfare department under Section 300, and the school district to file a complaint against the parent, guardian, or any other person in charge of such minor ...". The Probation department, District Attorney and Juvenile Court have collaborative authority to judiciously compel parents to take an active role in their children's lives. Parents can be cited to Court to address their child's non-attendance at school. Probation also follows up on demands that the Court may place on parents.

There have been enhanced efforts to enforce the WIC 601 statutes with the recent addition of the Truancy Suppression Program. Since its inception on July 1, 2001, TSP has served 575 truancy wards and their families. The Truancy Suppression Program provides supervision, intervention and wrap-around support for WIC 601 wards and their families. The goal of TSP is to resolve attendance/drop out problems and address family related issues that adversely impact a child's ability to attend school. As well, WIC 601.5 allows for an At-Risk Youth Early Intervention Program; Referral to Youth Referral Center. This section allows any County, upon adoption of a resolution by the Board of Supervisors, establish an At-Risk Youth Early Intervention Program designed to assess and serve families with children who have chronic behavioral problems that place the child at-risk to becoming a ward. San Diego County developed the countywide Community Assessment Teams (CATs) under this statute.

Recommendation 02-13: That the County Board of Supervisors propose legislation that would empower the Courts to intervene more efficiently and more rapidly with parental substitutions where parents are unavailable to parent their children.

This recommendation is in the process of being implemented. The Grand Jury's report accurately describes shortcomings in current law. The Legislature, recognizing these shortcomings, is already acting on legislation to correct these deficiencies. There are two bills currently pending that address the issues raised in the Grand Jury's report: SB 1677 (Alpert) and AB 886 (Simitian and Daucher. AB 886 has passed the Legislature and is in the Governor's Office awaiting action. SB 1677 is in the Assembly Appropriations Committee, with no hearing date set. SB 1677 received unanimous votes in all previous committee hearings and on the Senate Floor.

As noted in the response to Recommendation 02-12, the juvenile justice system in San Diego County does seek wardship under Section 601 of the Welfare and Institutions Code when the behavior of the minor warrants intervention by the Juvenile Court. AB 886 and SB 1677 would strengthen the effectiveness of such interventions by requiring a juvenile court to consider the need to limit a parent's right to make educational decisions and to appoint a surrogate parent or responsible adult when needed. These bills would address the concerns of the Grand Jury. At this point, the prospect of these bills becoming law appears good.

ATTACHMENT C
REGIONAL TRANSPORTATION PLANNING: *Does it Exist?*

Recommendation 02-30: That each Member Agency of SANDAG support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095)

The recommendation will not be implemented because SB 1703 and AB 2095 as currently drafted are inconsistent with the Board's adopted policy on regional governance, which supports a directly-elected board of directors.

On February 12, 2002 (#21), the Board of Supervisors created an ad hoc subcommittee to study regional government and report back with findings. On April 20, 2002 (#13), the Board discussed regional government roles at greater length and expressed support for an independent, directly elected regional agency.

On May 21, 2002 (#11), the Board of Supervisors continued their discussion about various elements of the regional agency and they determined the agency should be the authorized regional transportation planning agency, with responsibility for creation and implementation of the regional transportation plan and for implementing significant transportation projects. The Board's proposed regional agency would consolidate the planning functions of SANDAG, NCTD and MTDB, along with the assumption of all funding sources related to ground transportation planning. In addition, the Board adopted the following recommendations for the proposed regional agency:

- The agency should be governed by a seven-member, full-time board of directors elected by districts.
- Board members should serve a four-year term.
- Compensation should be at 80% of Superior Court Judge's salary.
- Creation of the districts should begin in January 2003, by an eleven-member redistricting commission, appointed as follows: one per Supervisor; one per subregion, appointed by the cities (north county coastal, north county inland, east county, south county); two by City of San Diego.
- The first election would be held during the 2004 primary election, following the rules governing the elections of the Board of Supervisors.
- Elections would be staggered: Districts 2, 4 and 6 to hold the election in 2006; Districts 1, 3, 5 and 7 to hold election in 2008. (Redistricting commission numbers the districts.)
- In the hiring process, preference would be given to currently employees of the consolidated organizations.
- There should be advisory committees (East County, North County, and South County) comprised of appointees from the eighteen cities and the County, plus NCTD and MTDB.

While some elements of the Board's adopted proposal are contained in SB 1703 and AB 2095, such as the consolidation of SANDAG, NCTD and MTDB, these bills basically continue the existing SANDAG structure, which is comprised of appointed officials, not directly-elected officials dealing exclusively with regional transportation matters.

Recommendation 02-57: Initiate transit corridor planning program studies of the need for a "smart growth" general plan and corresponding zoning changes in the areas surrounding transit stations of the Oceanside-Escondido Rail Project.

This recommendation has been implemented.

County staff continue to coordinate with transit agencies (including the North County Transit District) in the preparation of land use alternatives being considered for the General Plan 2020 project. Location of transit stations, encouragement of transit use and smart growth concepts have been discussed and considered by County staff, interest groups and the steering committee. These will continue to be factors influencing final form of the proposed General Plan.

It should be noted that no proposed transit stations serving the Oceanside–Escondido Rail Project will be located in the unincorporated area. Therefore, separate detailed transit corridor planning program studies will not be prepared as part of this project. However, there will be transit stations and a transit center located nearby. In applying the concepts formulated by the advisory groups, staff will designate the area adjacent to the proposed transit center as a transit node and will apply higher density designations to these areas to support and encourage transit use in North County.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Finding I: Social workers have an inordinate amount of influence in determining the future of cases.

The County agrees that social workers are one critical aspect of the dependency Court system. The social workers' role is set forth in statute as noted below:

- Welfare and Institutions Code (WIC) section 309 imposes the duty upon a social worker to: "...immediately investigate the circumstances of the child and the facts surrounding the child's being taken into custody."
- WIC section 319(b) states: "The social worker shall report to the Court on the reasons why the child has been removed from the parent's custody; the need, if any, for continued detention;..."
- WIC section 358.1 requires the social worker to prepare for the Court a social study report for the Dispositional Hearing, which contains a factual discussion of the family circumstances and recommendations related to those circumstances.
- WIC 366.21 requires the social worker to file a supplemental report with the Court at the Review Hearing regarding the services provided or offered to the parents to enable them to assume custody. The Review Hearing is held six months after the initial Dispositional Hearing.

The social workers' role is balanced by the input in Court of all parties represented by counsel. Attorneys working in the public law offices are advocates for parents and children. They are statutorily required to meet with their clients and conduct independent investigations. These attorneys advocate their clients' legal positions, utilizing many sources of information as well as the information presented in Court by the social worker. Thus, while social workers are an important component of the system, there are numerous other constitutional and statutory checks and balances, including judges who weigh the interests of all parties.

Finding II: Social workers' allegations over a period of time can become "fact" in subsequent reports.

The County disagrees that allegations generally become "fact" in subsequent reports.

The social worker is required to investigate all allegations of abuse and neglect and make corresponding recommendations. Once those recommendations are presented to the Court in the form of a petition, the Juvenile Court makes the findings on each of the allegations presented.

- WIC section 319 defines the social worker's role to: "...report to the Court the reasons for the removal and continued detention of the child."
- WIC section 319 notes it is the Court who: "...states the facts on which the decision is based."

Following the initial petition, the social worker prepares a social study report, which the Court may accept into evidence (WIC sections 355 and 358). As part of this jurisdictional process, the social worker, as preparer of the report, can be cross-examined by any party's attorney or questioned by the Court regarding the contents of the social study. Only after the Court has made findings on each of the allegations, can a summary of these findings be included in all future reports.

If attorneys for the parties raise a question as to the accuracy of the information contained in the reports, the Court is notified and County Counsel contacts the Agency to rectify the discrepancy. The inaccurate or unsubstantiated information can then be redacted or corrected for subsequent reports, thus remedying the situation.

Finding III: A social worker's general opinion that a parent had not made necessary internal changes was sufficient for the social worker to decide that the parent's behavior could be a detriment to the child's welfare.

The County disagrees that a social worker uses a general opinion to determine risk to a child. There are a number of criteria that are considered throughout the evaluative process. An example of criteria would be the reports received from the specific treatment/service providers.

In addition, per the Childrens Services Program Guide (the policy and procedure manual for social workers), Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, social workers are required to complete a risk assessment prior to each Court hearing:

> "A risk assessment must be completed on each child assigned to a SW for investigation. The assessment must determine the child's:
> - Risk of abuse, and
> - Prognosis for reunification if placed out-of-home."

Risk assessment is a structured process of decision-making that considers numerous factors of safety and is required at strategic points in the life of a case.

Finding IV: During visits to San Diego Juvenile Court, Dependency Unit, the Jury observed a wide variance in performance and skill -- from excellent to sub-standard by members of the defense bar and the TERM therapists.

The County disagrees with the finding that members of the defense bar exhibit "sub-standard" performance.

WIC section 317.5 requires that all parties in dependency proceedings be represented by competent counsel. WIC section 317.6 and California Rule of Court 1438 establish minimum standards of experience, training, and education to represent a party in dependency proceedings.

Local Rules of Court have added further safeguards to ensure competency of attorneys who practice in the San Diego Juvenile Courts. Pursuant to these local rules, each dependency attorney must submit a "Certification of Competency" with the Juvenile Court prior to appointment to any dependency case. A minimum of six months of experience and 12 hours of training is required prior to being certified by the Court as competent. New attorneys without the required experience may be granted provisional certification but only if participating in a mentoring program. Failure to comply with the rules could lead to decertification by the Juvenile Court.

County law offices provide supervision and performance management of all their attorneys. Complaints raised by others regarding the performance of attorneys are taken seriously. All complaints are investigated and responded to by a supervising attorney. Each complaint is noted, acted upon, and discussed with the attorney at the time it is made. The supervising attorney may arrange for supplemental investigation or other services after any client complaint. All complaint calls are returned immediately, with the goal of resolving the problem within 24 hours.

Additionally, the County law offices collaborate to present a monthly noon-hour-training program. This effort provides ongoing professional training to enhance the skills and practice level of all attorneys who practice in the Juvenile Court.

The County agrees that there is variance on Court testimony skills by private therapists approved by the Treatment and Evaluation Resource Management (TERM). TERM provides a quality assurance function in screening and selecting private therapists to be on the Childrens Services approved provider list. TERM also provides ongoing trainings for these therapists to improve their understanding of the juvenile dependency process, including testifying in Court hearings. Testifying in Court is rare for most private therapists and thus, few gain sufficient experiences to improve their performance in testifying. Because Court testimony is an occasional obligation for TERM approved therapists, the approval criteria focuses more on clinical skills and experience.

Finding V: There is no easy way to readily determine compliance or non-compliance to the Court orders, or an easy reference to aid in determining whether reports are missing from the Court file.

The County disagrees. At each hearing, the social worker provides the Court and all attorneys with a Court report, which contains a history of the case, documentation of Court orders, services provided and compliance with such services. Copies of Court orders are included in the Court file and are given to all attorneys.

Finding VI: Caseworkers use parental visitation as a disciplinary tool.

The County disagrees.

Agency policies and statute recognize the importance of visitation and the right to visitation and assisting in such visitation is a critical role of the social worker.

As per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Visitation" section:

> "Visitation is a necessary and valued part of the reunification process for the parent and child. Visitation must be arranged to allow the parent and child to have the maximum contact in the least restrictive setting. To avoid any misunderstandings, the terms of the visitation agreement must be clearly documented for the parent, SW and SCP in the CWS/CMS Case Plan/Case Plan Update… After the

> Dispositional Hearing, the visitation plan is no longer left to the discretion of the SW, as it becomes Court ordered."[1]

If the behavior of a parent jeopardizes the safety of the child, the social worker may recommend supervised visitation to the Court. Per Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Supervised Visitation" section:

> "SW staff must clearly document the reasons for requesting supervised visits (and the Court makes the final determination)."

Social workers make complex arrangements to ensure that parents visit with children and children visit with each other if they are not placed together. For instance, in a particular case referenced by the Grand Jury with a concern about the adequacy of visitation, from August 2000 to August 2001, there were 172 documented visitations involving the family members.

If there are concerns raised regarding social worker attitudes and/or actions affecting family visitation, they are reported to social worker administrators and calendared for immediate review by a Juvenile Court judge.

Finding VII: In a published appellate decision, the Court stated that the social worker's opinion that a parent failed to "internalize counseling" was too vague to constitute evidence of risk.

The County agrees with this finding.

Use of such an opinion alone as evidence of risk is not appropriate. Social workers use their training and experience to assess parents' progress on each element of their case plan. Agency policy requires social workers to complete a comprehensive assessment of risk in a structured manner. Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Risk Assessment" section, describes three critical principles of risk assessment:

- "The central focus is determination of the likelihood that the child will be abused in the future rather than substantiation of current allegations.
- The standard for assessment is a minimum sufficient level of care required to sustain growth, health and safety, rather than ideal parenting.
- The same standards for assessing risk should be used throughout the life of the case."

The Appellate Court represents one more aspect of the checks and balances within our legal system that ensure that all decisions may be reviewed.

Finding VIII: Placing children in out-of-home facilities, as a result of verbal domestic violence, does not always ensure a safer environment for the children.

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[1] SW = Social Worker; SCP = Substitute Care Provider; CWS/CMS = Child Welfare Services/Case Management System.

The County agrees with this finding.

The Agency strives to ensure the safety of all children in out-of-home care. All out-of-home placements are regularly monitored for quality and compliance with regulations. The Agency responds immediately to all complaints regarding out-of-home care and takes appropriate measures to protect the children.

While County law offices do not "place" children in out-of-home facilities, attorneys do make recommendations to the Court regarding placement options. In addition, as part of their duties Childrens attorneys send experienced investigators who are trained in the field of child welfare to visit with clients in their placements prior to every Court review, and as necessary to address the needs of the client. Concerns regarding particular placements are raised with the social worker and/or to the Court. If appropriate, attorneys also notify licensing agents of safety concerns with a particular placement.

Finding IX: In the recent complaint, Childrens Services recommended out-of-home placement when in-home protective services could have been recommended.

The County disagrees with this finding.

In the recent complaint, the risk assessment of this family indicated that the children could not safely remain in their home. In this particular case, multi-disciplinary case consultations were held prior to removal of the children. The Agency reviewed the family's situation on three consecutive days to determine if the children could be safely maintained in the home with the provision of in-home protective services. Law enforcement was also present when these children were removed from their home. Due to multiple risk factors in this family, it was determined that in-home protective services could not sufficiently reduce the risk to the children.

Childrens Services policy is that children will be maintained in their family home with the delivery of services whenever possible. In this case, the seriousness of the protective issues led to the filing of a petition with the Court and a recommendation for out-of-home placement. The Court record is clear on the extensive risk to the children. All parties were represented by separate counsel in this matter.

Recommendation 2.14: Provide an impartial third party in Childrens Services to intervene when a supervisor and caseworker disagree between themselves with the recommendation of reunification.

The County will not implement this recommendation because there is currently in place an alternative dispute resolution process.

The Agency has existing policy and procedure to provide for an impartial third party to intervene when a supervisor and caseworker disagree over any recommendations to the Court. Childrens Services Program Guide, Chapter 5 "Court," "Hearings and Court Reports" section, "Handling Differences of Opinion between SW and Supervisor" subsection, states:

> "If a mutually satisfactory resolution cannot be reached after discussion, the case should be discussed with the section manager or referred to the regional case consultation committee."

Recommendation 2.15: Strengthen competency reviews of TERM therapists' reports and have supervisory staff monitor their testimony in Court.

The County will not implement this recommendation because there is a system currently in place to provide oversight of these private therapists.

The TERM Team is a quality control, utilization management and consultation unit that was developed under the direction of the Board of Supervisors to improve the quality of mental health services provided to Childrens Services clients. This oversight body is comprised of qualified mental health professionals and support staff who work for the County's Health and Human Services Agency.

The TERM Team is tasked with screening and selecting qualified private therapists, who are licensed by the State, to be on the Childrens Services dependency provider panel for referrals. In addition to State standards, TERM standards require the therapists to have an in-depth knowledge of the dynamics of child abuse and neglect. The County does not provide direct supervision of these independent therapists that are on the approved panel list.

The TERM Team provides a competency review of every treatment plan and treatment update report that is submitted by the dependency panel therapists. The focus of the reviews are to ensure that the treatment plans and updates meet professional standards, treatment goals are objective, measurable and achievable and that the protective issues of the case are a focus of treatment.

The TERM Team has implemented a protocol for a more in-depth review of a therapist report in the event of a complaint. A form to register formal complaints is available by calling TERM. When a complaint is filed, there are several actions that may be taken, ranging from "no action necessary," to a referral to a professional ethics committee/licensure board, and/or termination from the dependency provider panel list.

Recommendation 2.16: Conduct regular peer review of all permanent caseworker and supervisory staff and apply sanctions when applicable.

The recommendation will not be implemented.

While the County agrees in substance with the importance of peer and multidisciplinary review of decisions by staff, the Agency already utilizes a variety of ways to ensure peer, supervisory and management review.

- Childrens Services Unit Case Consultation - The purpose of case consultation is to provide support and input to the social worker in the decision-making process. Case consultations are required at specific decision points.

- Childrens Services Multi-Disciplinary Case Consultation - This type of case consultation includes therapists, doctors, foster parents, teachers, TERM Team members, public health nurses and Court Appointed Special Advocates.
- Child Protection Team – This is a multi-disciplinary team with representatives from Center for Child Protection, Childrens Services, Children's Hospital, Law Enforcement, Juvenile Court, County Counsel, the District Attorney's Office, Public Health, San Diego Regional Center and San Diego City Schools. Its purpose is to review cases of serious abuse, to ensure that all necessary services are provided to an abused or neglected child.
- Case Elevation Review Team (CERT) - The purpose of CERT is to assess whether "systems problems" exist that need to be remedied in order to ensure the safety and protection of children. "Systems" issues and not "case specific" issues are the focus of discussion. Members include representatives from Public Defenders, Alternate Public Defenders, Family Court, Childrens Services, Juvenile Justice Commission, County Counsel, Health Services, Superior Court, and TERM.

The Agency has also implemented systemic processes to ensure that supervisors and managers are aware of independent concerns, including:

- Childrens Services Office of the Ombudsman - An internal mechanism for conducting an independent review of complaints concerning Childrens Services policies or practices, that have been lodged by customers, members of the public, community organizations or Childrens Services-related agencies.
- Court Elevations - When a Court Officer identifies any issues with a Court report or recommendations, the supervisor of the Court Unit may elevate these through the management chain.

Direct supervision is currently utilized by the Agency and exceeds the level of oversight in the recommendation.

Recommendation 2.17: Develop a form, and encourage its use, by which parents can register written complaints against caseworkers. Responses by Childrens Services would be required.

The recommendation has been implemented.

A Citizen Complaint Form (18-91) currently exists. Based on the concerns stated in this recommendation, all regional offices have been reminded to place this form in their lobbies. In addition, Childrens Services staff will also place pamphlets in their facility lobbies, which explain the complaint process through the Office of the Ombudsman.

The Office of the Ombudsman investigates and responds to complaints related to Childrens Services policy, procedure and social work practice. The Office of the Ombudsman facilitates complaint resolution by making referrals and recommendations at the lowest level possible. When necessary, findings and recommendations are elevated to management to ensure that policies and practices meet state and federal laws and are consistent with the mission and goals of the County and Agency.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

When a family enters the Juvenile Court system, the social worker provides them with a copy of pamphlet "A Parent's Guide to Childrens Services." The pamphlet provides specific information on the complaint process. It also provides the telephone number for the Office of the Ombudsman.

Recommendation 2.18: Place siblings together, as required by law, and where joint placement is not possible, Childrens Services assume the burden of facilitating monthly joint sibling visits. Provide sufficient, experienced case aides at each division to facilitate sibling visitation, therapist's appointments, and other routine matters.

The recommendation will not be implemented because the County has an existing system already in place which addresses sibling placements.

WIC section 358.1 requires the social worker to report to the Court the current case plan that maintains the sibling relationship in out-of-home care and "(3) If the siblings are not placed together in the same home, why the siblings are not placed together and what efforts are being made to place the siblings together, or why those efforts are not appropriate. (4) If the siblings are not placed together, the frequency and nature of the visits between siblings."

The Agency has existing policy directing social workers to place siblings together. The Agency has also developed a new initiative called "Family to Family," designed to keep children in their neighborhood, with relatives and/or family friends.

When placement together is not possible due to the individual needs of the child and availability of placement resources, sibling visitation is a required component of the case plan unless it would be detrimental to one or more of the siblings.

Childrens Services Program Guide, Chapter 2 "Cross-Program Procedures," "Contacts - Child and Family" section, states:

> "Whenever siblings are not placed together, the SW must make diligent efforts to provide for ongoing and frequent interaction among siblings unless the Court has found by clear and convincing evidence that sibling interaction would be detrimental to the child(ren).

The SW shall document in the case plan the appropriateness of sibling contact. If visitation is appropriate, a schedule of planned sibling contacts/visits with the child shall be included in the case plan.

If sibling visitation is NOT appropriate, the SW must document the reason(s) in the case plan."

The Agency recognizes the importance of sibling visits. With the approval of the Board of Supervisors, the Agency has developed a visitation center in each region to facilitate family visits. These centers provide a neutral and friendly environment for visitation and can assist with transportation needs. Recently, ninety social work assistant positions were approved by the Board of Supervisors to assist in facilitating sibling visitation.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.19: Ensure that the procedures conform to policy to keep children in their homes unless Childrens Services can articulate a danger so severe as to preclude in-home protective services.

The recommendation has already been implemented with a variety of checks and balances.

Children are removed from their homes by both social workers and law enforcement. Thirty two per cent of children brought into Polinsky Children's Center are admitted by law enforcement.

The Agency has implemented supervisory and managerial review of current risk factors prior to children being removed from their homes by Childrens Services staff. Social workers must document the risk factors that warrant the removal of a child from their home. County Counsel provides further oversight to social worker judgment by reviewing the sufficiency of the social worker's evidence prior to preparing a petition to the Court for continued out-of-home detention. The Court considers the evidence and recommendations presented by the Agency at each Court hearing. If the Court finds the child fits the criteria described by WIC section 300, the Court will consider the social worker's recommendation for placement of the child and make an order where the child is to be placed.

Recommendation 2.20: Recommend supervised visits only when it can be demonstrated that unsupervised visits could be harmful to the minor(s).

The recommendation will not be implemented because existing cross system procedures address this concern.

Because the Agency recognizes the importance of visitation, a change to supervised visitation requires a Court appearance with all parties represented. Childrens Services Program Guide, Chapter 2 "Cross Program Procedures," "Visitation – Supervised Visits" section, states:

> "...visits will be unsupervised unless the Juvenile Court orders supervision.

Social worker staff must clearly document the reasons for requesting supervised visits. Supervision may be appropriate if:

- There is a threat of abduction.
- There is a documented history of violence towards the child or spouse.
- There is a parental diagnosis of mental illness and the parent refuses treatment.
- The parent has a history of substance abuse and refuses treatment and/or testing.
- There is a history of sexual assault.
- The parent discusses, attempts to influence the child regarding case facts."

WIC section 362.1 states: "No visitation order shall jeopardize the safety of the child."

Once input is received from the social worker and all counsel, the Court makes the visitation order.

Recommendation 2.21: Develop training programs to discuss written opinions from the Appeals Court to Childrens Services caseworkers when the lower Court's orders, based upon a Childrens Services recommendation, have been overturned by the Court of Appeals. Apply sanctions to caseworkers that intentionally obstruct Court orders.

The recommendation will not be implemented because existing programs address this concern.

The Chief Deputy County Counsel attends the Childrens Services monthly management meeting to provide updates on all Appellate Court decisions and assists in identifying impacted policies, procedures and practices. In addition, social workers receive this information directly from a County Counsel newsletter entitled "Appealing Issues." County Counsel provides training to regional social work staff on an ongoing basis, which includes training on appellate decisions.

When there is a specific Appellate Court decision that affects existing policy and procedure, Childrens Services publishes a written Special Notice to all social work staff regarding the impacted policy and/or procedure. Supervisors are required to review this material with their staff at their Unit meetings. A Special Notice is also published on the Childrens Services Intranet site, making it easily accessible to staff.

Any social worker found to have intentionally obstructed Court orders would be subject to disciplinary action, by the County and the Court, up to and including dismissal.

Recommendation 2.22: Continue to conduct regular and on-going monitoring all of their defense bar members during detention and Court trials.

The recommendation has been implemented. The Public Defender and Alternate Public Defender have responsibility to train and supervise deputies hired by their departments. The supervising attorney and branch leaders conduct regular and on going monitoring of all Public Defender and Alternate Public Defender deputies.

Further, each supervisor is responsible for the timely filing of a "certification of competency" for all dependency attorneys in accordance with the Local Rules of Court. (See, generally, San Diego Superior Court Local Rules, Div. 6: Juvenile, Rule 6.30 et. seq.) The offices encourage and fund training for all attorneys including several annual dependency trainings statewide. The Alternate Public Defender additionally provides in-house workshops on trial skills, evidence, and changes in the law.

Performance evaluations of each deputy are conducted on an annual basis. Deputies receive continuous education and training throughout their employment with the departments.

While the Public Defender and Alternate Public Defender have no authority over members of the defense bar who are not County employees, all juvenile practitioners are invited to attend monthly inter-agency trainings, which are held at the Juvenile Courthouse and are specifically geared toward dependency law.

ATTACHMENT E
CHILDRENS SERVICES: ***Procedures and Reporting Practices***

Recommendation 2.23: Utilize the period between removal of children from a home and the detention hearing to weigh the effects of the removal/separation of siblings for verbal domestic violence vis-à-vis allowing them to stay in the home.

The recommendation will not be implemented by the Public Defender or the Alternate Public Defender because it is not within their control. The Public Defender and Alternate Public Defender are not appointed to a dependency case until the date of the detention hearing, and are thus unaware of the needs of the client before or until such appointment.

This recommendation is already a statutory requirement for the Agency social worker. WIC section 309 states when a child is taken into temporary custody, the social worker shall immediately investigate the circumstances and the facts surrounding the child being taken into custody and attempt to maintain the child with the family through the provision of support services.

Childrens Services policy and practice is that removal of children from their parents' home will be utilized only in high-risk situations and in consultation with the supervisor.

Recommendation 2.24: Do not use verbal abuse and domestic violence interchangeably; or redefine domestic violence to include a clear definition of verbal abuse.

The recommendation will be implemented. Although protocols are already in place to address this concern, the Agency will collaborate with the Public Defender, the Alternate Public Defender, and County Counsel to organize a workshop for social workers and attorneys on domestic violence. This workshop will be held within the next twelve months.

Childrens Services social workers have been instructed to use a Domestic Violence Protocol to assist in risk assessment when domestic violence is part of any referral to be investigated. The Domestic Violence Protocol was first developed with input from multiple disciplines including Law Enforcement, Family Court Services, Navy Family Advocacy, Adult Probation, Children's Hospital, YWCA Battered Women's Services and South Bay Community Services Batterer's Treatment Program. According to the Domestic Violence Protocol, if the referral alleges shouting and arguing and no other risk factors are present, only a follow up telephone call to the family is recommended.

1 Civic Center Drive
San Marcos, CA 92069-2918

Telephone

RECEIVED
SEP 27 2002

September 23, 2002

Honorable Richard E.L. Strauss
Presiding Judge
Superior Court, San Diego County
P.O. Box 122724
San Diego, CA 92112-2724

Re: Grand Jury Report; Regional Transportation Planning Does it Exist?

Dear Judge Strauss:

Our apologies for the delay in responding to the above report. The City of San Marcos appreciates the Grand Jury's efforts on this subject and offers the following response pursuant to Penal Code Sections 933.05(a) through (c):

- Respondent concurs with Jury findings I through VI.

- Respondent reports that Jury recommendation 02-30 has not been implemented. The City Council ultimately took no formal position on either SB 1703 or AB 2095 in final form.

The City of San Marcos appreciates this opportunity to respond to the Grand Jury's report. Should you have any questions concerning the above, please do not hesitate to contact me at 744-1050, extension 3118.

Sincerely,

R.W. Gittings
City Manager

San Diego County Sheriff's Department

Post Office Box 429000 • San Diego, California 92142-9000

William B. Kolender, Sheriff

John M. Drown, Undersheriff

RECEIVED
JUL 29 2002
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JUL 31 2002
SAN DIEGO COUNTY GRAND JURY

July 15, 2002

The Honorable Richard E. L. Strauss
Presiding Judge, San Diego Superior Court
County of San Diego
220 West Broadway, Room 2004
San Diego, CA 92101-3877

Dear Judge Strauss:

Response to the San Diego County Grand Jury 2001-2002 Report dated June 6, 2002

This correspondence will serve as a response to those issues specifically directed to the Sheriff's Department concerning those facilities or operations under my jurisdiction.

Descanso Detention Facility:

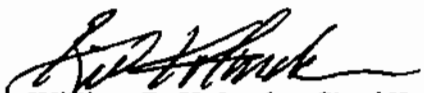
02-45: "Construct a visitor's center"

The Descanso Detention Facility formed a committee months ago to address this particular issue. The committee made its findings and recommendations for the construction of a visitor/reception center. This center would serve two functions. One would be an enclosed area to conduct social visiting to eliminate the possibility of canceling visits due to inclement weather and two, to have a building to properly conduct the initial intake of newly assigned inmates to the facility.

The proposal was completed and is being considered if funds can be identified through the budgetary process. When funds are identified, it is our intent to complete this project.

If the members of the Grand Jury need further clarification or additional discussion, please feel free to contact the Assistant Sheriff in charge of the Detention Services Bureau, Barry Zuniga at (858) 974-2278.

Sincerely,



William B. Kolender, Sheriff

WBK/sl

cc: Chuck Mulroy, Foreman
2001-2002 San Diego County Grand Jury

Board of Supervisors
County of San Diego

CITY OF SOLANA BEACH FAX (858) 792-6513 / (858) 755-1782
635 SOUTH HIGHWAY 101 • SOLANA BEACH • CALIFORNIA 92075-2215 • (858) 720-2400
www.ci.solana-beach.ca.us

RECEIVED
JAN 13 2003
SAN DIEGO
COUNTY GRAND JURY

January 9, 2003

Honorable Richard E.L. Strauss
Presiding Judge
San Diego Superior Court
PO Box 122724
San Diego, CA 92112-2724

RE: Grand Jury Report "Regional Transportation Planning, Does it Exist?"

Dear Judge Strauss:

As required by Penal Code section 933 (c), the City of Solana Beach submits the following response to the above-referenced Grand Jury Report.

The City has reviewed each of the Grand Jury's findings and recommendations and offers the following responses:

FINDINGS

The City agrees with Finding No. I.

The City agrees with Finding No. II. In addition, finding should include the fact that the criteria process for prioritizing interchange projects does not include the needs of the local agency. It is the City's opinion that local agency needs should be added to the criteria for determining interchange funding.

The City does not have the sufficient information or belief upon which to base its agreement or disagreement with Finding No. III as this City is not involved in transit project discussions.

The City agrees with Finding No. IV. However, the City believes the finding should acknowledge that currently there are some interjurisdictional considerations built into the funding criteria. For instance, where one jurisdiction desires to go from one lane to two lanes and its adjacent neighbor has two lanes existing, funding is prioritized for the single lane jurisdiction.

The City agrees with Findings Nos. V and VI.

RECOMMENDATIONS

With respect to the Grand Jury recommendation 2-30 regarding support for the passage of the San Diego Regional Agency legislation (AB1703 and AB2095), on September 17, 2002 the City Council authorized the City Manager to send a letter in support of AB 1703. A copy of the letter is attached.

Sincerely,

Barry Johnson
City Manager

cc: City Councilmembers
City Attorney
San Diego County Grand Jury 2001-2002

CITY OF SOLANA BEACH
635 SOUTH HIGHWAY 101 • SOLANA BEACH, CA 92075-2215 • (858) 720-2400 • FAX (858) 792-6513
www.ci.solana-beach.ca.us

September 18, 2002

Honorable Gray Davis
Governor, State of California
State Capitol, 1st Floor
Sacramento, CA 95814

RE: California Senate Bill 1703 (Peace) - SUPPORT

Dear Governor Davis:

On behalf of the City of Solana Beach, I ask for your signature on SB1703. The legislation provides a means for the implementation of an efficient, regional transportation system with a regional planning agency. The legislation is the first step in providing a consolidated transportation planning, development, and project delivery agency providing it with the tools to address traffic congestion, address sprawl, and improving the quality of life for the San Diego region.

SB1703 does the best job of linking transportation and land use policy keeping each of our region's18 cities and the county government at the decision making table.

I urge your support and signature on SB1703.

Sincerely,

Marcia E. Smerican

Marcia E. Smerican
Mayor
City of Solana Beach

MS/lt

cc: Honorable Steve Peace
Mike Gotch
Gary L. Gallegos

RECEIVED
AUG 1 2 2002

City of Vista

July 31, 2002

RECEIVED
AUG 1 3 2002
SAN DIEGO
COUNTY GRAND JURY

Honorable Judge Richard E. L. Strauss
Superior Court Presiding Judge
San Diego County Superior Court
220 W. Broadway
San Diego, Ca 92101-3886

SUBJECT: REGIONAL TRANSPORTATION PLANNING – Does It Exist?

Honorable Judge Strauss:

In accordance with California Penal Code section 933, subdivision (c), the City of Vista is responding to the San Diego County Grand Jury report dated May 23, 2002 on the above mentioned subject. The Regional Transportation Planning report included one recommendation to which the City of Vista was asked to respond. Below is the recommendation with our comments thereafter:

1. **02-30: That each member agency of SANDAG (The San Diego Association of Governments) support passage of the San Diego Regional Agency legislation (SB 1703 and AB 2095).**

   The City of Vista has participated in the discussions of this matter, through SANDAG, the Regional Governance Task Force and in other forums. Although the City of Vista supports the measure in concept, the City Council has not yet taken a formal position. We are carefully monitoring the progress of the legislation and are evaluating the amendments that have been made to both bills. It is anticipated that the City Council will take a final position on this matter by the end of August.

This response has been reviewed and approved by the Vista City Council. Thank you for your consideration and if you have any questions, please do not hesitate to contact me.

Sincerely,

Rita L. Geldert

Rita L. Geldert,
Vista City Manager

cc: Vista Mayor and Council
Vista City Clerk, Jo Seibert
Clerk of the Board, Thomas J. Pastuszka
Board of Supervisors