

# Aromas-San Juan Unified School District

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July 16, 2108

The Honorable Steven R. Sanders  
Presiding Judge  
San Benito County Superior Court  
450 Fourth Street  
Hollister, CA 95023

RECEIVED  
M. Alfaro

JUL 18 2018

Superior Court of California  
County of San Benito

Dear Judge Sanders:

Pursuant to Penal Code section 933 *et seq.*, please consider this letter as the formal responses to the *San Benito County Grand Jury Report 2017-2018* (“*Grand Jury Report*”), published on June 6, 2018, from: (1) the Aromas-San Juan Unified School District Board of Trustees (“Board”); and (2) the Aromas-San Juan Unified School District Superintendent (“Superintendent”).

A portion of the *Grand Jury Report*, entitled *San Juan Bautista Area Schools Review* addresses issues related to schools operated by the Aromas-San Juan Unified School District (“District”) and includes ten Findings and two Recommendations that require separate responses from the District’s Board and its Superintendent.

Responses from the Board and the Superintendent to the Findings and Recommendations directed to the District are addressed below in the order presented in the *Grand Jury Report*.

This Response was approved by the Board on July 13, 2018.

## FINDINGS

***Finding No.1:*** *The San Juan School Cafeteria which provides all the meals for San Juan School as well as Anzar High School was well organized and extremely clean with not a single speck of mud visible as one might expect due to the recent rains. The kitchen area was clean and orderly despite the fact that the kitchen personnel were actively preparing lunch for the day.*

***Superintendent Response:*** *Agree*

***Board Response:*** *Agree*

**Finding No. 2:** *The San Juan School grounds which are maintained by 2 full time custodial personnel and the district landscaping crew were extremely well maintained and there was not a single item of trash visible anywhere on the school grounds.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 3:** *The San Juan School playground was well maintained, there were no safety concerns visible and students were well supervised.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 4:** *The San Juan School library was well maintained and clean. The library itself was well lit and an impressive amount of computer stations. The library, which is well organized, emphasizes reading by utilizing competitive learning programs. The library has an email system which allows students to communicate via email with students from sister schools in foreign countries.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 5:** *The San Juan School student bathrooms were well maintained, clean and despite the weather conditions the floors were clean. We did learn however, that the drinking fountains were turned off all year due to an unknown water issue and bottled water was being provided for the students. The Grand Jury has subsequently learned that the water problem has since been corrected and the water fountains have been turned back on.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 6:** *The Anzar High School grounds, which are maintained by 2 full time custodial personnel and the district landscaping crew, were extremely well maintained and there was not a single item of trash visible anywhere on the school grounds.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 7:** *The Anzar High School student bathrooms and locker rooms were clean and once again despite the wet weather conditions void of mud. What was even more impressive was the fact that the head custodian was out sick and had been for 2 days.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 8:** *The Grand Jury concurs with the School District that an additional full time landscaping employee would be helpful to accommodate weather events such as downed trees and preventative maintenance.*

**Superintendent Response:** *Agree*

**Board Response:** *Agree*

**Finding No. 9:** *The District representative misunderstood the Civil Grand Jury Process for San Benito County, when conducting interviews with employees/witnesses. If a principal is available on the day of a site inspection no District representatives are required to accompany members of the Grand Jury and all employees are welcome to answer questions if time allows during a visit.*

**Superintendent Response:** *Disagree, with clarification.*

*The Superintendent respectfully disagrees with the Grand Jury's Finding No. 9 and wishes to clarify that she was acting within the scope of her authority in requesting that the Grand Jury schedule its site visits and interviews through the District Office.*

*In making its Finding, it appears that the Grand Jury is relying on District Board Policy ("BP") 1250 which provides that visits to school sites "during school hours should be arranged through the principal or designee." However, BP 1250 delegates ultimate responsibility to the Superintendent for establishing procedures for campus visits that are intended to ensure that visitors do not disrupt the instructional day at District schools.*

*In this case, the principals of San Juan School and Anzar High School informed the Superintendent that they had been contacted by the Foreperson of the Grand Jury asking them to make themselves and other school staff available for site visits to be conducted by the Foreperson and four other jurors. The Foreperson did not disclose the reason for the visits and did not identify the employees the Grand Jury wished to interview.*

*In a March 12, 2018, letter to Presiding Judge Sanders and Deputy County Counsel Shirley Murphy, the Superintendent respectfully requested that all visits and interviews of staff be arranged in advance through the District Office in order to ensure that school operations were not disrupted. The Superintendent's letter also stated that for reasons of school security, all visitors must check in at the school office and must be accompanied by District staff during their visits.*

*At no time did the District require the Grand Jury to identify the employees it wished to interview; however, during site visits on March 23, 2018, the Grand Jury asked to interview specific District employees. In a follow-up letter dated March 26, 2018, the Superintendent explained that because the District did not have advance notice, it had been unable to arrange for coverage that would have allowed those employees to be interviewed during the regular work day. However, in an effort to resolve that concern, the District offered to make the District Annex available for interviews by the Grand Jury and further offered to inform employees previously identified by the Grand Jury that they also had the option of being interviewed during one of the Grand Jury's regular evening meetings.*

The Superintendent appreciates the efforts made by the Grand Jury to comply with these District practices and procedures as well as its willingness to work with the District Office to ensure that the Grand Jury was able to timely conduct and complete its investigations.

**Board Response:** Disagree, with clarification. The Board respectfully disagrees with Finding No. 9 and supports the Superintendent's contention that she acted within the scope of her authority in requesting that the Grand Jury schedule its site visits and interviews through the District Office.

In support of its response, the Board notes that the Education Code grants school district governing boards broad authority to "initiate and carry on any program, activity, or may otherwise act in any manner which is not in conflict with or inconsistent with, or preempted by, any law and which is not in conflict with the purposes for which school districts are established." (Ed. Code, 35160.1.) The Education Code also makes clear that every school district is responsible for controlling interruptions to the instructional school day. (Ed. Code, 32212.) In enforcing that mandate, school officials are charged with a duty to supervise the school grounds and children under their authority and to enforce the rules and regulations necessary for their protection. (Dailey v. Los Angeles Unif. Sch. District. (1970) 2 Cal.3d 741, 747.)

Accordingly, the Board has delegated authority to the Superintendent to establish procedures designed to limit disruptions and ensure its schools are safe and secure learning environments. While supporting the Superintendent in her efforts to comply with the above legal obligations, the Board also wishes to acknowledge the important role the Grand Jury serves in protecting the public interest and reaffirms the District's continued commitment to assisting the Grand Jury in its inquiries.

**Finding No.10:** The site inspection revealed that both schools are better maintained now than [sic] they had been in the past. It is evident that both school personnel and the students take great pride in their schools. This is a direct reflection on the outstanding leadership provided by both school principals, their custodial personnel as well as the District Office. The inquiry revealed that school personnel feel there is an open door policy between the custodial personnel, the school principals, and the District. They feel that this openness is what has resulted in an improved and healthy environment for the students and the staff at their respective schools. It is also obvious that the school principals and their custodial staff understand the Grand Jury process and or/are willing and open to cooperating with the grand jury process.

**Superintendent Response:** Agree.

**Board Response:** Agree.

## RECOMMENDATIONS

**Recommendation No. 1:** *The grand Jury recommends that the Aromas-San Juan Unified School District Office should take advantage of the training material provided by the Grand Jury in order to better understand the Grand Jury process.*

**Superintendent Response:** *Implemented. The District Superintendent has reviewed the training materials provided by the Grand Jury.*

**Board Response:** *Implemented. The Superintendent has informed the Board that she has reviewed the training materials provided by the Grand Jury.*

**Recommendation No. 2:** *The Aromas-San Juan Unified School District Office should contact other school districts in San Benito County in order to familiarize itself with how they comply with the Grand Jury process.*

**Superintendent Response:** *Will be implemented. By the end of 2018, the District Superintendent will contact other districts in San Benito County and inquire how those districts comply with the Grand Jury process.*

**Board Response:** *Will be implemented. The Board has been notified that by the end of 2018, the District Superintendent will contact other districts in San Benito County and inquire how those districts comply with the Grand Jury process.*

If further information is needed, please feel free to contact the undersigned.

Sincerely,



Drew McAlister, President, Board of Trustees  
Michele Huntoon, Superintendent

Cc: San Benito County Board of Supervisors, c/o Clerk of the Board, 481 Fourth Street, 1st Floor,  
Hollister, CA 95023-3840