



2012 - 2013

Yuba County Grand Jury

Final Report

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Yuba County Grand Jury 2012-2013

Jury List

Dennis Ayres (Foreperson Pro Tem)

Richard Bliss (Librarian)

Donald Femling

Roy Fisher

Paramjit Kaur Hansra (Secretary Pro Tem)

Leslie Hollis (Secretary)

Gary Lewis

Ruth McGuire (Treasurer)

Clifton McMath

Stephen Propst (Foreperson)

John Riddle (Sergeant-at-Arms)

Leslie Sanders

James sick

Billy Timmons

Thomas Villalobos

James Wiley

Paul Woods

Stacy Uribe

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Letter to the Honorable Stephen W. Berrier

June 12, 2013

The Honorable Stephen Berrier
Presiding Judge of the Grand Jury
Yuba County Superior Court

Dear Judge Berrier,

On behalf of the entire 2012-2013 Grand Jury, I respectfully submit our final year-end report. Submittal of this report, in compliance with Penal Code section 933(a), concludes our commitment to serve the court and to the citizens of Yuba County.

Contained within are five reports on a variety of subjects. The included reports represent only a small portion of the efforts extended by the various Grand Jury committees. All complaints received by the Grand Jury over the course of our term have been given thorough attention and where appropriate, investigated in a thorough, professional manner. Maintaining confidentiality and professional integrity while conducting interviews and gathering information from the various city and county agencies has been our highest priority.

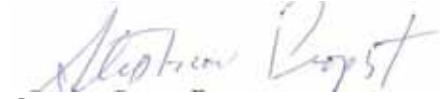
I would like to take this opportunity to thank all of my fellow citizens who served on the Grand Jury this year. The dedication and professional approach to their charge has been evidenced at every turn throughout the last fiscal year. That same tireless effort has without question had a positive impact for the residents of Yuba County. Much of our efforts over the past twelve months went towards following up on previous Grand Jury investigations. We found that in nearly all of our follow-up activities that the subject agencies were heeding the recommendations of prior Grand Juries. This is, in my eyes, proof that the Grand Jury system works and that it is a benefit to the citizens of our County. Strengthening and continuously improving our local government can most effectively be accomplished only if the citizens of the county become involved. I therefore challenge all citizens to become involved in the Grand Jury process at some point in their lives.

Additionally, I want to thank you for your technical guidance and support throughout the year. Both of which have been invaluable in helping us work through the process. I would also like to give special thanks to all of the court staff led by Mr. H. Stephen Konishi, Court Executive Officer, Ms. Bonnie Sloan and all of the court staff members who took care of the day to day administrative issues surrounding the Grand Jury. The professional demeanor and prompt attention to the needs of the Grand Jury is worth of special note as it made our work possible. I could always count on a smile and it has been a pleasure to work with them all.

Yuba County Grand Jury Final Report FY2012-2013

I am truly appreciative of your faith in me to be the foreman of this years' Grand Jury. It has been a privilege and an honor to serve.

Respectfully submitted,

A handwritten signature in blue ink that reads "Stephen Propst". The signature is written in a cursive style with a large, stylized initial 'S'.

Stephen Propst, Foreman
2102-2013 Yuba County Grand Jury

Counties Report County Building Permit Fee Structure Update

SUBJECT OF INVESTIGATION

Yuba County (County) permit process—continuing investigation from 2011-2012

REASON FOR INVESTIGATION

The reason for this continuing investigation is to review the response by the County to the investigation by the 2011/2012 Grand Jury. That investigation showed that some builders paid building permit fees that were approximately one-half of what others were charged.

BACKGROUND

A full investigation to determine the reason for the building fee discrepancies was conducted by an independent investigation. The County Administrative Officer requested and received from the County Board of Supervisors approximately \$30,000.00 to hire the investigator. This investigation revealed a confusion of actions by various individuals.

FACTS AND OBSERVATIONS

The investigation concluded that no criminal wrong doing was involved and that fee discrepancies no longer exist. As a result of the investigation, the County's Community Development and Services Agency (CDSA) revised guidelines and training to prevent a reoccurrence of these fee discrepancies. A complete review and revision of permitting procedures and fees was performed

The Grand Jury states that throughout the investigation the County has been cooperative in its determination of the facts in the matter. County officials met with members of the Grand Jury and were open and honest with the Grand Jury during this investigation.

FINDINGS

F1. The Grand Jury concluded that all appropriate actions in this matter have been taken. Discrepancies as noted in the investigative report have been remedied.

RECOMMENDATION

R1. The Grand Jury considers this matter to be now closed.

COMMENDATION

C1. The Grand Jury commends County officials and staff for their full cooperation.

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Jail Inspection

SUMMARY

The Yuba County Jail, located at 215 5th Street, Marysville, California, is operated under the supervision of the Yuba County Sheriff. California Penal Code Section 919(b) requires that the “Grand Jury shall inquire into the condition and management of the public prisons within the county.” One inspection of the County Jail and multiple follow-up interviews with Sheriff’s Department staff were conducted by members of the Grand Jury. The tour of the jail included inspections of detainee housing areas, laundry facilities, the kitchen (food preparation and distribution) areas, medical facilities, commissary, as well as the law library contained within the jail. The Grand Jury has concluded that the jail operates very efficiently and the Sheriff’s Department staff is well trained and serves residents of Yuba County in an efficient and professional manner.

BACKGROUND

Both the Marysville Police Department and the Wheatland Police Department, each with its own chain of command, operate within Yuba County. Both agencies, as well as the California Highway Patrol, utilize the Yuba County Jail for detention purposes. The Yuba County Jail is also a detention center for Immigration and Customs Enforcement (ICE) detainees. Eight thousand, three hundred eight persons were booked into the jail in 2011. All persons booked into the jail receive an inmate handbook which details their rights and grievance procedures.

The Yuba County Jail is a co-ed facility with males and females separated at all times. At the time of our visit there were 415 inmates in custody, 225 of which were ICE detainees and 185 were county prisoners. Of those 185 prisoners, 57 were parole violators. Through contracts with the Federal Government the jail receives \$75.16 per each ICE detainee, per day. A large part of the jails operating budget is received via ICE detainee contracts.

For religious needs, there are several outreach programs available, *Bible* study on Wednesday, church services on Sunday, and pastoral/clerical visits as desired.

APPROACH

An overview of the operations and management of the jail was provided to Grand Jury members, followed by a guided inspection of the jail facilities. Security precautions for Grand Jurors and staff were explained and followed by all.

DISCUSSION

On September 27, 2012, Grand Jury members met with jail staff, followed by an inspection of the facilities. Video surveillance cameras are located at many strategic

points throughout the facility and constant monitoring is on-going by staff. The tour included the booking-intake area, visiting area, control rooms, solitary confinement cells, general population cells, court holding cells, law library, medical areas as well as a small commissary. The jail makes a modest profit from inmate purchases from the commissary.

A detailed account of the jail's medical operations was provided by the jail's full-time physician. All persons booked into the jail are provided with any necessary treatment from medical staff in a timely manner. Prescription medications are purchased in individual bubble packs, so unused medication can be returned for refund, instead of being wasted. Approximately 1% of the jail's budget is allocated for medications. A full-time drug and alcohol counselor is available to meet the need of all inmates. A voluntary tattoo removal program is available to inmates on the last Friday of the month.

Grand Jurors took note of two educational class rooms, one of which was in use by detainees to study for a GED, and was attended by a professional instructor. The second classroom visited was a sewing class for female inmates, conducted by an outside teacher. Recycled old jail clothes and blankets are made into quilts, hats, and at the time we visited, trick-or-treat bags. Items are given to organizations housing children that are removed from their home or are homeless.

Penal Code 4024 establishes the guidelines for the release of inmates. The jail staff follows guidelines consistent with inmates qualified for work release. An example of this program is SWAP (Sheriff Work Alternative Program, PC 4024.2). Inmates start with more restrictions such as ankle monitors, and with an honor system in place, move to less restrictive monitoring.

At the time visited, the jail was clean and functional. There were noted exceptions where the age of the facility was apparent or repairs were in progress. The laundry facility was clean, well ventilated and appeared to operate very efficiently. There are two commercial washers and dryers in operation 24 hours per day. All inmates receive clean clothes every three days. Staff reported to the Grand Jurors that up to four female inmates at a time are assigned to work in the laundry room. They work eight hour shifts with a break every four hours. Jurors noted only two workers were present at the time of the inspection. A communications device is available in case of an emergency. All chemicals used are concentrated and added to the wash with the push of a button, no inmates touch the chemicals. Jail staff indicated that the laundry provides services to Yuba Sutter Mental Health.

The current state of prisoner re-alignment (AB 109, dated October 1, 2011) which mandates the transfer of some prisoners from State prisons to the local jurisdictions has minimal impact on the operations of the jail. Upon review of State and Federal reports, it is noted that the Yuba County Jail meets or exceeds all current State and Federal standards for such facilities.

FINDINGS

F1. The Yuba County Grand Jury finds the Constitutional needs of all inmates are met, to include religious, legal and due process.

F2. The Yuba County Grand Jury finds the revenue from the ICE detainees significantly contributes to the operating budget.

F3. The Yuba County Grand Jury finds the jail staff to be dedicated, well trained professionals; however, there are some positions left unfilled, due to budget cuts at the time of the inspection.

F4. The Yuba County Grand Jury finds there is a contingency plan in place in the event of a mass intake event or emergency pursuant to PC 4024.

RECOMMENDATIONS

R1. The Yuba County Grand Jury recommends that the Sheriff Department Jail Division continue its policy of communications and cooperation with aligned agencies.

R2. The Yuba County Grand Jury recommends the Yuba County Board of Supervisors commend and support the Sheriff and the Sheriff's Department staff for their excellent work.

REQUEST FOR RESPONSES

Pursuant to Penal code section 933.05, the grand jury requests responses as follows:

From the following individuals:

Yuba County Sheriff, R1

From the following governing bodies:

Yuba County Board of Supervisors, R2

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.

Juvenile Hall Report

SUMMARY

The Yuba County Probation Department operates three juvenile detention facilities within the city of Marysville. They are the Yuba-Sutter Juvenile Hall, the Maxine Singer Youth Guidance Center and the Yuba-Sutter Juvenile Hall Secure Housing Unit. These facilities are used to house youths under the age of 18 from Yuba and Sutter Counties, as well as from 6 other northern California counties (Colusa, Amador, Calaveras, Placer, Tehama and Tuolumne). The Grand Jury found these facilities to be generally well maintained and provide many supportive programs. It was found, however, that the video surveillance system in Juvenile Hall continues to be inadequate, as noted in previous Grand Jury reports. Due to limited funding, staffing is barely adequate for a safe and secure environment. The facilities are funded through Yuba and Sutter counties and through contracts with other counties housing offenders within the facility.

BACKGROUND

California Penal Code Section 919(b) mandates that the Grand Jury annually inspect all prisons and jails located within the county which it serves. Due to the bi-county arrangement, the facilities are inspected by both Yuba and Sutter County Grand Juries. The State of California Department of Corrections and Rehabilitation also inspects these facilities.

Under a joint agreement between Yuba and Sutter counties, the Yuba-Sutter Juvenile Hall and Camp Singer were established in 1976 and 1996 respectively.

APPROACH

The Grand Jury met with senior staff and toured Juvenile Hall, the Special Handling Unit (SHU) and Camp Singer on two separate occasions. During one of the tours, lunch was shared in the dining room with wards and staff.

DISCUSSION

The Grand Jury was given tours of the three facilities. The tours included the intake and visiting areas, the general housing units, SHU, kitchen, dining hall, indoor and outdoor recreational areas, Camp Singer and classrooms. There is a medical unit where each juvenile is given a complete medical, mental and physical examination soon after arrival.

Juvenile Hall is a 45-bed detention facility for less-violent offenders under the age of 18. This facility consists of three parts: a common area, visiting room and classrooms, and an outdoor recreation area. The juveniles are housed separately by male and female, mingling during school hours, meal times and special activities. Juveniles held in this facility are awaiting court proceedings. The typical stay in Juvenile Hall is three weeks to

three months. Visitation is limited to two hours per week in order to minimize the possibility of negative outside influences. At Camp Singer more frequent visitation is allowed.

The separate 15-bed SHU is for the segregation of more serious and violent offenders. The SHU is a single building with its own enclosed outdoor recreation area, classroom, shower and bathrooms. The SHU was not in use at the time of our visits due to insufficient funding for staff.

Camp Singer is a minimum security facility with a maximum capacity of 48 male and 12 female offenders. The juveniles housed there are selected by his or her case judge for rehabilitation, rather than just incarceration. The main objectives of Camp Singer are community protection and the redirection of negative or undesirable behavior. In Camp Singer, the juveniles are segregated by sex, but unlike Juvenile Hall, there are no cells. Juveniles are housed in a dormitory-style setting, with individual sleeping cubicles. The juveniles are responsible for the daily upkeep of their individual sleeping areas. Camp Singer has its own classrooms and indoor/outdoor recreational areas. The kitchen, shared between Camp Singer and Juvenile Hall, prepares three hot meals each day, and between meal snacks, for both wards and staff. The grounds are maintained by wards of the facility.

Both Juvenile Hall and Camp Singer run on a points system. Points are awarded by staff and teachers. As the minors earn more points, they attain a higher status. With the higher status comes increased privileges which can include; later bedtime, different recreational activities and special visits with immediate family, who may bring in food from outside.

The philosophy at Camp Singer is to develop a sense of achievement and personal responsibility, in both the offenders and their families. The program's purpose is to teach life skills to assist them in overcoming negative outside influences after they leave. The average detention time for a juvenile at Camp Singer is 7-12 months. A tattoo removal program, funded by public and private donations, is available. There are higher expectations of conduct at Camp Singer than at Juvenile Hall or the SHU. At the three facilities, an emphasis is put on education, with classes taught by teachers provided by the Yuba County Office of Education. Camp Singer offers vocational certificates which include: Basic Tool Knowledge, General Framing, Basic Drywall and Basic Electrical. A certificate can also be obtained for the successful completion of a Drug and Alcohol counseling program. These certificates allow Camp Singer juveniles to be competitive in the job market.

The Grand Jury observed that these facilities are well positioned to lease bed space to other counties. The population within these facilities varies from day to day. On the day of the Grand Jury's second visit the population of Juvenile Hall was 26, and the population of Camp Singer was 20. On that day, the majority of the population in both facilities came from Yuba and Sutter counties.

FINDINGS

F1. The Yuba County Grand Jury finds that the staff of Yuba-Sutter Juvenile Hall consists of dedicated professionals who provide excellent services with limited resources.

F2. The Yuba County Grand Jury finds that the Yuba-Sutter Juvenile Hall offers supportive programs for confined youths.

F3. The Yuba County Grand Jury finds that the Yuba-Sutter Juvenile Hall is well cared for yet the facility is gradually deteriorating due to inadequate funding for maintenance.

F4. The Yuba County Grand Jury finds the video surveillance systems are in poor condition and in need of an upgrade.

F5. The Yuba County Grand Jury finds that staffing in the Juvenile complex is only minimally adequate.

RECOMMENDATIONS

R1. The Yuba County Grand Jury recommends additional funding be made available for security systems upgrades.

R2. The Yuba County Grand Jury recommends additional funds be made available for facilities maintenance.

R3. The Yuba County Grand Jury recommends that additional funds be made available for additional staffing.

COMMENDATION

C1. The Yuba County Grand Jury commends the staff of the Yuba-Sutter Juvenile Hall for their dedication and service to the community.

REQUEST FOR RESPONSES

Pursuant to penal code section 933.05, the grand jury requests responses from the following:

Yuba-Sutter Juvenile Hall and Camp Singer Superintendent

Yuba-Sutter Juvenile Hall and Camp Singer Chief Probation Officer

Yuba County Board of Supervisors

The Board of Supervisors should be aware that the comments or response of the Board must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Maryville Joint Unified School District Foothill Intermediate School

SUMMARY

The oversight duties of the Yuba County Grand Jury involve the periodic review of all schools and school districts within Yuba County. Pursuant to these oversight duties, the Yuba County Grand Jury elected to examine the operations and facilities of Foothill Intermediate School.

BACKGROUND

Foothill Intermediate School is a public middle school in the Marysville Joint Unified School District (MJUSD), serving sixth through eighth grade students. The school is located in the rural foothills of Yuba County in an area that is an olive orchard. An olive grove still exists on the east side of the campus. At the time of the Grand Jury visit, there were 50 6th-graders, 73 7th-graders, and 87 8th-graders, enrolled at the school. In addition to the regular classes, there are Special Day Class (SDC) or Special Education, facilities located on the school site. These facilities are not housed in the same building as the regular classes and the Grand Jury did not visit them.

The Foothill Intermediate School Principal also serves as principal of Loma Rica Elementary School. This means that neither of the two campuses have a principal on site full time. In addition to only having a principal on site part time, the school currently does not have a vice-principal or a Probation and School Success (PASS) officer. Before the 2010/2011 school year Foothill Intermediate has always had at least a fulltime Principal.

The description for ballot Measure H (2006) identified Foothill Intermediate School as an intended recipient of proposed bond funds. The bond included funding to upgrade and modernize the existing facilities at Foothill Intermediate School as well as funding new construction; the new construction was to include expanding the school facilities for 7th through 12th-grade students. Subsequent to the bond's successful passage, it has been determined that the current school site is unsuitable for new construction, due to the presence of naturally occurring asbestos in the ground, as well as the site's failure to meet necessary requirements for a new septic system.

APPROACH

The Grand Jury twice toured the Foothill Intermediate School facilities and conducted interviews of staff and parents. Subsequent visits were made to various entities within the MJUSD including; the business services office, the bond oversight committee meetings, other intermediate and high schools in the district, and a MJUSD superintendent.

The Yuba County Grand Jury also reviewed the following documents pertaining to Foothill Intermediate School:

- Single Plan for Student Achievement (SPCA)
- School Safety Plan
- School Accountability Report Card

FACTS AND OBSERVATIONS

FACILITIES

The Foothill Intermediate School facilities were originally designed and built in the 1970's with an open floor plan and did not contain any room dividers for classrooms. The open floor plan, however, did not work well for teaching, and so room dividers, made of a thin wallboard material, were added to create classrooms (see picture 1). This modification to the facility layout seems to be unfinished as some of the classrooms do not have doors and some of the partition edges are still unfinished. Some teachers and students complained of excessive noise levels, which the Jury experienced, due to the poor quality of the temporary room partitions and the lack of some classroom doors, as experienced by the Grand Jury on their visit. This noise is a constant source of distraction and disruption to the classroom learning environment.

Another source of concern was an overly narrow hallway used by sixth grade students (see picture 2a). The width of the hallway obstructs the free movement of students during class change (see picture 2b). At the end of the narrow hallway is an existing classroom that does not have a safe exit in case of fire. The library is centrally located in the building and open to all the noise.

Overall the school bathrooms were clean and functional. There were some broken and discolored ceiling tiles contributing to a general sense of disrepair. A mirror in the girl's restroom had an edge that was not beveled or protected that presents a safety hazard.

The cafeteria and kitchen, both located in a large multi-purpose room, were clean and well maintained. There is a stage at the north end of the multi-purpose room that also serves as a classroom for performing arts. The multi-purpose room also houses the physical education classes and activities. Most of the cafeteria tables are over 25 years old (see picture 3a). When not in use, most of these tables are supposed to fold up into the wall. It was noted that some of the tables were difficult to fold up and were left partially protruding from the wall. A number of tables showed definite signs of age and use; some of them have cracked or broken seats (see picture 3b).

In case of emergency and fire drills, evacuation routes are clearly posted in every classroom. In October 2012 monthly drills for campus intruders were initiated. While several security cameras are installed on campus, they are either outdated or non-functioning. At the time of the Grand Jury visit, three of the seven security cameras were not functioning.

The Grand Jury noted that on the grounds of the school a large capacity fuel storage tank and pump apparatus was positioned ten feet from a bicycle rack (see picture 4).

Some areas of the school facilities have recently been modernized. In 2012, the obsolete woodshop was remodeled into a modernized computer/mathematics laboratory. The teacher's workroom was redesigned and organized so teachers are able to find supplies that are needed. The parent conference room was modernized, and a room divider was added to replace shelves that previously created the barrier between a classroom and the parent conference room. Due to insufficient water pressure, a new well and pump house were completed in the third quarter of 2012.

The grounds surrounding the school facilities showed signs of aging. There are numerous highly visible cracks in the asphalt. Fresh gravel had been recently placed on some exposed tree roots in an effort to prevent tripping. There was no containment for the gravel, some of which had spilled onto the surrounding asphalt. On a subsequent visit it was noted that the gravel had been removed yet the tree roots are still exposed.

It was observed that the absence of a fence on the east side of the grounds, abutting the olive grove, allows the students to enter and exit the campus grounds without supervision. The absence of fencing creates the potential for unauthorized intruder's access to the campus. The large, well-kept field to the north is the designated rally area for students and faculty during emergency situations.

SCHOOL CULTURE AND ACADEMICS

In 1990, 1992 and 2007, Foothill Intermediate School was a California Distinguished School. During the 2009/2010 and 2010/2011 school year, test scores declined thirty-three points. With the addition of intervention classes for all four core subjects (Mathematics, English Language Arts, Social Studies and Science), scores rose thirty-two points last year to an 823API (average performance index). The current principal emphasized discipline in the school, initially resulting in an increased suspension rate for the first year. Following the increased emphasis on discipline, the suspension rates have declined by eighty percent and attendance increased by three percent.

Along with the core curriculum classes, the following enrichment experiences are available for students:

- Visual and Performing Arts
- Shady Creek Outdoor School (for sixth grade)
- Digital Photography
- Computers and Graphic Design
- High School Level Spanish course
- Peer tutoring

Foothill Intermediate School encounters social problems common to all intermediate schools. . Bullying, drugs, (notably marijuana) and alcohol use must be constantly monitored and dealt with. The school has a poster displayed by the office with an anti-

bullying hotline telephone number. This phone number is accessible 24 hours a day, 7 days a week.

FINDINGS

F1. The Grand Jury finds that the administration and staff of Foothill Intermediate School have done a commendable job keeping up high academic standards in an outdated environment.

F2. The Grand Jury finds that even though a new school may be built at least five years into the future, the current site needs upgrades for safety and security.

F3. The Grand Jury finds that the current halftime principal has facilitated positive changes to the school facilities by the addition of a new well, computer/mathematics laboratory, parent conference room and teacher work room.

F4. The Grand Jury finds that the current half-time principal has improved the school environment by aggressively addressing disciplinary issues; however, it is difficult to meet the needs of intermediate students with a half-time administrator. All other intermediate and high schools in the district have full-time principals as well as other student support.

F5. The Grand Jury finds that the east side of the playground adjacent to the olive grove poses a risk of potential intruders entering the campus grounds or students going into the grove without supervision.

F6. The Grand Jury finds administration staff has been reduced since the 2010/2011 school year. Previously there was a full time principal and part time counselor.

RECOMMENDATIONS

R1. The Grand Jury recommends that the security cameras be repaired and a policy governing the district wide use and placement of security cameras be established and implemented.

R2. The Grand Jury recommends that a fence be erected on the east side of the campus next to the olive orchard to reduce the potential of intruders entering the grounds or students exiting the grounds.

R3. The Grand Jury recommends the halls be widened on the sixth grade side of the building to allow for safe passage in case of an emergency.

R4. The Grand Jury recommends that an emergency exit door be installed in the classroom at the end of the sixth grade hallway.

R5. The Grand Jury recommends that all classrooms have doors that can be locked in accordance with established school safety plans found in the Comprehensive Safe School Plan Template as required by the California Education code, section 32282.

R6. The Grand Jury recommends that sound damping panels be installed to reduce ambient noises that affect student learning in classrooms.

R7. The Grand Jury recommends the purchasing of new cafeteria tables to replace the unsafe and hazardous tables currently in use.

R8. The Grand Jury recommends that a full-time administrator be assigned.

R9. The Grand Jury recommends that the district place increased emphasis on the search for a suitable location for a new school.

REQUEST FOR RESPONSES

Pursuant to penal code section 933.05, the Grand Jury requests responses as follows;

From the following individuals:

MJUSD Superintendent

MJUSD Superintendent of Business Services

MJUSD Board of Trustees

The Board of Supervisors should be aware that the comments or response of the Board must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Photographs of Foothill Intermediate School:



Picture #1



Picture #2a

Photographs of Foothill Intermediate School (continued):



Picture #2b



Picture #3a

Photographs of Foothill Intermediate School (continued):



Picture #3b



Picture #4

Photographs of Foothill Intermediate School (continued):



Picture #5a



Picture #5b

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Marysville Joint Unified School District Security and Safety

SUBJECT OF INVESTIGATION

The Yuba County Grand Jury conducted a review of the security and safety measures of the Marysville Joint Unified School District (MJUSD). This review focused on the middle and high school campuses within the district: Yuba Gardens Intermediate, Anna L. McKenney Intermediate, Foothill Intermediate, Lindhurst High and Marysville High schools.

REASON FOR INVESTIGATION

During a routine review of Foothill Intermediate School, Jurors noted several areas of concern relating to safety and security. The Grand Jury decided to visit other schools within the district to determine if the problems were unique to Foothill Intermediate School or if they reflected the state of the district as a whole.

BACKGROUND

The concerns noted by the Grand Jury during its investigation of Foothill Intermediate were sufficient to warrant a further look into the security measures of similar grade level schools within the MJUSD. The Grand Jury visited three intermediate schools and two high schools within the district to determine if the issues faced by Foothill Intermediate were limited to that campus or if they were present district wide. The scope of the Grand Jury's inquiry into MJUSD security and safety included such matters as: campus security cameras (including their placement and functionality), the security of campus perimeters, campus emergency preparedness (e.g. intruder alerts, fire or other emergencies, safety drills, evacuation routes), policies relating to student health and wellness (e.g. campus bullying, drug and alcohol issues, weapons, gang issues) and physical conditions of the facilities (both interior and exterior).

APPROACH

The Grand Jury toured each school site and met with school administrators and staff. Members of the MJUSD administration were interviewed as well as teachers, parents and students from each of the schools. Jurors also attended school board and bond oversight committee meetings. The following documents were reviewed:

- Template for safe schools plan (Education Code Section 32280-32288)
- California Healthy Kids Survey (as provided by Lindhurst and McKenney schools to MJUSD)
- MJUSD board policy on bullying
- Ten year master facilities plan
- Overview of bond projects completion and funding allocations.

- Budget

The information gathered by the Grand Jury in its investigation was provided by the MJUSD administration, through observations made by the Grand Jury during site visits and through information requests. Additional information was gathered through other investigational methods to include internet searches, data base searches and public information records.

FACTS AND OBSERVATIONS

All facts gathered and observations made were and are based on conditions, policies and programs at school facilities in the MJUSD at the time of the Grand Jury visits.

Several policies and programs were uniform across the district. These included:

- Task force meetings between local law enforcement officials and school principals are held each Tuesday. This group is not responsible for setting policy. These meetings facilitate communication between local law enforcement and site administrators, regarding issues such as gang or illegal activity on or affecting school campuses. All of the schools visited by the Grand Jury reported a good rapport and working relationship with local law enforcement. In addition, they reported rapid response times by local law enforcement to school related emergencies.
- Every school must follow state mandated site safety plans, and each school is unique in its adherence based on location and school layout.
- All schools have a PASS (Probation and School Success) Officer with the exception of Foothill Intermediate.
- All schools except Foothill Intermediate have a full time Principal, Vice Principal and a variety of other on-site student support staff such as guidance counselors and/or security personnel.
- All school sites have security cameras installed. None of the schools, however, had all of their installed cameras in working order.
- An anti-bullying hotline is available district wide to students 24 hours a day, 7 days a week. The hotline number is prominently posted on all MJUSD campuses that were visited.
- A district wide alert messaging system is in place to notify persons listed on student emergency contact information cards. Each site has its own plan, yet is centrally controlled by the district office. The voice, text or e-mail alerts are issued in several different languages.
- Victim Witness services are available district wide to all schools and students. This program is funded by grants that originate at the federal and state level.

Yuba Gardens Intermediate:

Yuba Gardens reported an enrollment of 674 students. In addition to a principal, vice principal and PASS officer, the school has two full time student support specialists. Since the implementation of the Positive Action Program, the school reports fewer incidents with aggressive student behavior. Sherriff's deputies visit the campus at random times, often bringing drug-sniffing dogs.

Anna L. McKenney Intermediate:

McKenney Intermediate reported 520 enrolled students. A full time principal, vice principal, counselor, PASS officer, two yard duty personnel, and a half-time librarian are currently assigned to the school.

There are 13 security cameras on campus; 2 were not working, even though they were under warranty. A mix of analog and digital cameras prevents the integration of both types into a single system. Camera monitoring is used as part of a post incident review process. Measure H funds were used to build a new gymnasium and add new perimeter fencing. The school's public address system was not restored when the new gymnasium was built. Handheld radios are the current method of communications school wide and are not reliable on outside grounds or in the gymnasium, due to excessive noise levels. Since the installation of new outside fencing, the incidence of vandalism occurring on campus during after school hours has been greatly reduced. Disciplinary measures utilized include: in house suspension, counselor led interventions, support groups, and a Saturday school. During the 2012/2013 school year, the suspension rate has declined by 50% from last year.

Foothill Intermediate:

Foothill Intermediate reported an enrollment of 210. The school has a half-time principal, but no other administrative staff. A school psychologist visits the school once a week. The school also has a half time literacy technician (librarian). There were eight security cameras, three of which were not working. (Complete information provided in Schools Committee report on Foothill Intermediate of 2012-2013.)

Lindhurst High:

Lindhurst High School reported an enrollment of 1,252 students. The high school currently has a full time principal and vice principal. Four counselors, five psychologists, one PASS officer and three un-armed security personnel are employed full time. One hundred fourteen security cameras are located on the campus, with one being inoperable, even though it is under warranty. One hundred twenty five staff members, certificated and classified, work at the school. A mediation procedure is provided by an administrator and a counselor for instances of aggravated student interactions or disagreements. A counselor is available to students with anger management issues and

other personal problems. In an effort to minimize contraband, students are not issued lockers.

The school has an agricultural program with a working farm, multiple gardens, a greenhouse and a pumpkin patch, which provide a small income that goes back to the school. A music program and industrial arts program are also offered as electives. A program for the emotionally disturbed (ED) is housed on campus for students requiring that service. "C" building, built in 1974/1975 has an open design with some classrooms lacking doors; should an emergency lockdown be required, the whole building must be locked down. The school has only one ingress and egress for the entire campus (California Education Code, Section 32280-32288).

Marysville High:

An enrolled body of 936 students attends Marysville High. At the time of our visit the school has a full-time principal, vice-principal and PASS officer. There are also two un-armed security personnel. The administrators, security personnel and one other staff member constitute a task force that interacts with students during break times and between classes. The focus of this task force is student contact and security. Formerly, four full-time guidance counselors, but now only two, advise students on academic matters. A student peer counseling program was eliminated due to lack of funding. A behavioral contract, signed by parents and students, must be completed at the beginning of the school year. This contract states the rules of the school as well as the conduct that is expected of the students.

Marysville High utilizes two incompatible camera systems, digital and analog, requiring different locations for each. Images recorded are analyzed after an incident. At the time of the visit the analog system had 11 nonfunctional cameras, one of which is located in a site historically known to be a problem area (the railroad underpass, commonly referred to as "the tunnel"). The digital cameras that monitor the new science and mathematics building are accessed by the vice principal through a computer work station. These cameras are monitored on an as needed basis.

School administration reports that there is minimal gang activity on campus and that suspensions for fighting have been declining this school year. The school reports that this decrease is attributable to the digital camera system covering approximately 65% of the students in the area of the new buildings.

FINDINGS AND RECOMMENDATIONS

FINDINGS

F1. The Yuba County Grand Jury finds that according to the California Healthy Kids survey of 2011, a majority of students have a positive and rewarding experience with their teachers during school activities at Lindhurst High School and McKenney

Intermediate School.

F2. The Yuba County Grand Jury finds that for the 3,592 students enrolled this current school year, at the schools visited, there are 33 administrative/support staff, excluding teachers. This gives a ratio of approximately 109 students per administrative staff. At Foothill Intermediate there is only a half-time principal for 210 students.

F3. The Yuba County Grand Jury finds that multiple security and safety plans are in effect for all of the schools visited. These include plans for handling situations from man-made crises to natural disasters.

F4. The Yuba County Grand Jury finds that of all the schools visited, physical security measures such as cameras, door locks and public address (PA) systems are either missing, inadequate, or lacking maintenance. Most of the doors observed could not be locked from the inside, a serious deficiency in emergencies. Some classrooms are missing doors altogether.

F5. The Yuba County Grand Jury finds that there is no comprehensive district-wide policy governing the use and placement of security cameras.

F6. The Yuba County Grand Jury finds that the administrative staff of MJUSD has failed to respond in a timely manner to known security issues at some of the schools visited.

RECOMMENDATIONS

R1. The Yuba County Grand Jury recommends that teachers and staff of MJUSD schools be commended for their diligence, creativity and dedication to their students in the face of budgetary constraints and financial limitations.

R2. The Yuba County Grand Jury recommends that a district-wide policy governing the use and placement of security cameras and other recording devices be drawn and adopted and the security camera systems in all of the schools be installed, repaired and/or modernized. This policy should include district procedures covering student and educator privacy rights, as well as the storage and use of recorded information. The formation of the policy should include input from site administrators, staff, and law enforcement, as per needs of individual schools.

R3. The Yuba County Grand Jury recommends that all classrooms, gymnasiums, cafeterias and any other rooms where staff and students may assemble have doors that can be locked from the inside and outside. According to the state of California's emergency plan template, all students must be locked inside a classroom or other secured area during an emergency. Therefore, all school classrooms must have doors per Education Code Section 32280-32288.

R4. The Yuba County Grand Jury recommends that increased support staff be available

so that an equitable ratio of student to administration/support is implemented at Foothill Intermediate School and Marysville High School.

REQUEST FOR RESPONSES

Pursuant to Penal Code Section 933.05, the Grand Jury requests responses as follows:

From the following individuals:

Superintendent of Marysville Joint Unified School District.

From the following governing bodies:

Board of Trustees, Marysville Joint Unified School District

The governing bodies indicated above should be aware that the comment or responses of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

Reports issued by the Civil Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person, or facts leading to the identity of any person who provides information to the Civil Grand Jury. The California State Legislature has stated that it intends the provisions of Penal Code Section 929 prohibiting disclosure of witness identities to encourage full candor in testimony in Civil Grand Jury investigations by protecting the privacy and confidentiality of those who participate in any Civil Grand Jury investigation.