

## **EDUCATION COMMITTEE**

### ***Golden Ridge School, Juvenile Hall***

#### **Reason for the Report**

The Education Committee was concerned about the availability of educational opportunities for juveniles detained in Juvenile Hall (Hall).

#### **Scope of the Investigation**

Members of the Education Committee inspected Golden Ridge School on August 1, 2001. The following persons were interviewed:

- Two teachers, one male and one female, both with 15 years experience in the Hall;
- Deputy Probation Counselor; and
- Supervising Probation Officer.

The Committee reviewed a myriad of educational materials used by the teachers and students, and the 2000/2001 Grand Jury Report.

#### **Findings**

- F1: The Grand Jury agrees with the 2000/2001 Grand Jury's Recommendation that the Principal and County Superintendent of Schools be consulted when the County reviews plans for the new Juvenile Hall in Placerville.
- F2: There are two rooms being utilized for education.
- F3: Those rooms are crowded with students, furniture, equipment, computers, files and bookcases filled with books.
- F4: Each student has an individually assigned workstation.
- F5: Computers are available. Thirty percent of a class can be assigned to a computer at any one time.
- F6: Both boys and girls are detained at the Hall. Typically, classes consist of 10 boys and 3 girls.
- F7: Many of the students have the following traits in common:

- Have attended many schools;
- Are deficient in basic academic skills;
- Do not know how to learn;
- Have low maturity levels and cannot sit still in class for long periods of time;
- Have substance abuse problems;
- Come from dysfunctional families;
- Have been in the Hall more than once; and
- Their time in the Hall varies from several days to several months.

F8: The educational program consists of the following:

- Individualized assessments when the wards are first assigned to the program;
- Individualized plans based on personal needs and school resources;
- Classes emphasizing both academic and social skills;
- Tokens for rewards granted for correct behavior;
- Consistent discipline;
- No 'social promotions'; and
- Compulsory attendance.

F9: The teachers are motivated and innovative. Because of their seniority, they could be assigned to any teaching positions in the El Dorado County Office of Education. They choose to remain at the Hall.

F10: The teachers find ways to "make do" with the resources available.

F11: There is a high level of cooperation between the probation and education staffs.

### **Recommendations**

R1: More space should be provided for education programs in the present Hall.

R2: Education staff should be consulted as plans are developed for the new Hall in Placerville.

### **Commendations**

The education staff of the Hall, supported by the probation staff, is doing an outstanding job. They "make do" with inadequate space and deal with troubled, socially crippled wards who are in classes for relatively short periods of time. This does not deter them from their mission of presenting the best individually designed programs possible.

**Responses Required for Findings**

F1 through F13                      El Dorado County Board of Supervisors  
El Dorado County Board Of Education  
El Dorado County Probation Department

**Responses Required for Recommendations**

R1 through R2                      El Dorado County Board of Supervisors  
El Dorado County Board Of Education  
El Dorado County Probation Department

## **EDUCATION COMMITTEE**

### ***Central Sierra Regional Occupational Program***

Citizen Complaint #01/02-C-006

#### **Reason for the Report**

The Grand Jury investigated a complaint alleging that the El Dorado Union High School District (EDUHSD) had failed to advertise vacant positions for Regional Occupational Program (ROP) instructors and certificated teachers in that District. After investigating the complaint, the Grand Jury determined that the EDUHSD was not violating written policies in ROP hiring practices.

There were, however, other matters discovered relating to ROP governance and practices that warranted further investigation of the Central Sierra Regional Occupation Center/Program (ROC/P), hereinafter referred to as ROP, and participating school districts. The extent of program integration and collaboration between and among public education agencies is not generally understood. Accordingly, the Grand Jury's investigation of ROP was expanded to obtain information about policies, practices, and problems in connection with ROP in El Dorado County.

#### **Scope of the Investigation**

Members of the Grand Jury attended a regular meeting of the Joint Powers Authority (JPA) Governing Board, Central Sierra ROP.

The following documents were reviewed:

- Central Sierra ROP Policies relating to recruitment, hiring, and certification procedures, adopted January 6, 1983;
- Central Sierra ROP Vacancy Postings at EDUHSD between September 15, 1999, and September 25, 2001, for various positions;
- State of California Designated Subjects Vocational Education Teaching Credentials Regulations effective May 10, 1995;
- Central Sierra ROP Staff Check List, Fall 2001;
- Memorandum from EDUHSD Assistant Superintendent dated October 1, 2001, with attachments on Hiring Procedures for Trades and Industry Positions in the EDUHSD;
- EDUHSD Purchase Order Records for Central Sierra ROP "Help Wanted" Advertisements in the Placerville Mountain-Democrat Newspaper between September 7, 1999, and January 30, 2001;
- "Seven Ways to Form an ROC/P" with Education Code References;
- Minutes of Central Sierra ROP Board Meetings as follows:

- September 13, 2000;
  - December 13, 2000;
  - March 14, 2001;
  - June 13, 2001;
  - September 12, 2001; and
  - December 12, 2001.
- Central Sierra ROP Board Agenda and attached information for the Regular Meeting on March 7, 2002;
  - List of Central Sierra ROP Board Members from March 1995 through March 2001;
  - Central Sierra ROP Participation Agreements dated March 17, 1995, for coordination of responsibilities and duties between the El Dorado County Board of Education/Office of Education (EDCOE) and the EDUHSD, the Black Oak Mine Unified School District (BOMUSD), and the Lake Tahoe Unified School District (LTUSD);
  - Report for Central Sierra ROC/P End of Year Close, dated September 12, 2001;
  - El Dorado High School Master Schedule 2001/2002 dated October 11, 2001, for teaching assignments and class periods;
  - EDUHSD Annual Notice to Parents/Guardian for 2001/2002 School Year; and
  - Mountain Democrat Newspaper Article dated May 15, 2002.

The following persons were interviewed:

- Coordinator for ROP, now called the Director of Career Preparation, in EDUHSD;
- Assistant Superintendent/Director of Personnel at EDUHSD;
- Assistant Superintendent of EDCOE;
- Director of ROP;
- The Complainant; and
- By telephone, a teacher in the EDUHSD.

## **Findings**

- F1: The Central Sierra ROP is a state-funded vocational education program. The Central Sierra ROP is also a Local Education Agency (LEA). The governance structure of ROP is a Joint Powers Authority (JPA) consisting of three participating school districts. By agreement of the governing boards of EDUHSD, BOMUSD, and LTUSD, statistical records and centralized accounting for ROP revenues and expenditures are handled by EDCOE.
- F2: The regional Central Sierra ROP was originally comprised of school districts in three adjoining counties: El Dorado, Amador, and Calaveras. This arrangement was disbanded in 1994/1995. The ROP retained the name Central Sierra and state-required "regional" status by providing services to three districts (one 9-12 union high

school district and two K-12 unified districts) with large attendance areas. The three districts together cover all of El Dorado County.

- F3: It is the stated goal of the Central Sierra ROP that all El Dorado County students, eligible and requesting ROP services, receive an appropriate program without regard to the district of residence.
- F4: It is the stated intent of the Central Sierra ROP JPA that ROP programs be coordinated and operated throughout the County in accordance with the JPA's governance structure. The current Director of ROP has occupied a .4 FTE (full time equivalent) position in EDCOE since Fall 2001, which means the employee is authorized to spend 40% of his time on ROP JPA administration and management. The preceding Director of ROP was a full time employee in EDUHSD responsible for administration and management of the Central Sierra ROP JPA and coordination of all ROP personnel and programs for EDUHSD.
- F5: ROP programs are intended to provide students, age 16 and older, advanced vocational instruction in occupations currently in demand in their communities. There is a minimum age requirement for enrollment in ROP classes, but no maximum age limit. ROP students need not be enrolled in other educational classes in a school district and need not be attending school for the purpose of earning a high school diploma.
- F6: Any adult seeking vocational training can enroll in an ROP class. Classes may be offered in fields such as: cosmetology, electronics, automotive repair, construction, medical services, etc. More than 20 ROP classes were offered in the County during the 2001 Fall Semester.
- F7: ROP class instructors are employed in two different ways. Some ROP instructors are hired directly by the JPA on contract and are called "joint powers teachers" or "categorical teachers." Other ROP class instructors are hired directly by school districts as contract employees. Contracts are offered to ROP instructors on a semester-by-semester basis with no tenure. The stated purpose of this "semester by semester" contract arrangement is to allow school districts the flexibility to try out and to change ROP class offerings as changes in technology and demands for skilled workers occur.
- F8: Some ROP instructors may have state-granted General Education teaching "credentials" earned by education and teaching experience in a "designated subject." Others may have state-granted "certifications" of work experience in a profession, skill or trade. Some ROP instructors may have teaching credentials that are unrelated to their certifications as ROP instructors. Regardless of the combination of credentials and certifications, however, ROP instructors must have the work experience required by ROP to teach ROP classes.

- F9: Confusion arises because a class may be offered as an ROP class one period and the same class may be offered as an elective class in the regular secondary school curriculum at another period in the same semester. The teacher may be the same teacher in each class. That teacher may have certification as an ROP instructor for a particular vocational class like "ROP Metals" and may also have a teaching credential for the "designated subject," called industrial arts or "metal shop" in the secondary curriculum.
- F10: ROP hiring practices are especially difficult to understand and to explain, even for those who are familiar with ROP. Practices vary. The Education Code of the State of California, however, **does not require** school districts to publish notices or advertise vacant positions for **credentialed** teachers.
- F11: The Central Sierra ROP Board Policies for Personnel have not been amended or updated since adoption on January 6, 1983. Policy 4111 states:
- "Instructors and administrators for the ROP shall be recruited from university placement centers, organizational placement offices, local newspaper advertising or through personal correspondence with qualifying candidates. The objective in recruitment shall be to obtain the best possible certificated personnel."
- F12: Policy 4111 **does not require** the publication or advertisement of vacant ROP positions for **certificated** personnel, nor does it mention the most common current venues for recruitment efforts, the ROP and EDCOE websites on the Internet, among others.
- F13: Policy 4116, Personnel - Certificated, Probation, states:
- "According to the provisions of Education Code, Section 44910, all teachers employed by the ROP shall be termed designated subject certificated staff and shall not require permanent status."
- F14: EDUHSD policy on advertising vacancies is not in writing, but EDUHSD's practice is to advertise all ROP vacancies in addition to posting vacant positions within the school district. District teachers do not usually qualify for ROP instructor positions, however, because they do not have recent work experience in the applicable profession, skill or trade.
- F15: Purchase order records at EDUHSD were examined to identify newspaper advertisements of vacant ROP positions. Paid purchase orders for advertisements in a local Placerville newspaper for approximately 10 ROP instructor positions were identified for the period between September 22, 2000, and January 30, 2001. According to paid purchase order records, no advertisements for vacant ROP positions for an entire fiscal year were placed in a more widely circulated Sacramento newspaper between July 1, 2000, and June 30, 2001.

- F16: EDUHSD does not keep a file of actual newspaper clippings of advertisements for vacant ROP positions (or for regular curriculum positions) to match the printed job descriptions attached to purchase orders, even though past practice **indicates** that they have been advertised. Without such clippings, EDUHSD has no proof that the advertisement was published.
- F17: Recruitment of ROP instructors for vacant positions often takes place by informal networking among ROP administrators at regional meetings and competitions.
- F18: The ROP JPA and EDUHSD do not keep formal contact lists of eligible and qualified ROP instructors who have indicated their interest in applying for vacant ROP teaching positions in specific schools or school districts. It is the practice of EDUHSD not to accept applications for ROP positions unless they have been posted or advertised. The complainant mistakenly believed that a position that was vacant and had been filled by EDUHSD without advertisement was an ROP instructor's position for an ROP class. In fact, that class was not an ROP class for that semester, although it had been an ROP class in previous years. At the time of the vacancy, the class was being offered as an elective in the regular secondary school curriculum.
- F19: The ROP JPA and EDUHSD do not have a review or appeal process, formal or informal, for applicants who are not selected for vacant ROP teaching positions and who believe they are as qualified or more qualified than the person(s) selected.
- F20: Some full time teachers who have both General Education credentials and ROP certifications are assigned to teaching positions in ROP classes because school districts have not been able to fill their teaching schedules with regular curriculum classes. Most ROP instructors, however, are given part-time contract assignments for one or two classes because they work at other full time occupations.
- F21: The student screening process for ROP classes is not rigorous. Some students are allowed to take ROP classes because of scheduling problems or as "elective classes" with the understanding that they will be "introduced" to the subject matter as a "survey course" to determine whether or not they are interested in that vocation, profession, skill or trade. This practice contradicts the intent of the original state legislation, which established ROP programs to provide advanced vocational training to serious students who are seeking career training.
- F22: It is important for the ROP JPA and participating school districts to maintain ROP enrollments and to increase ROP revenues. For example, by offering ROP classes in computer training to adults of all ages, including retired persons without job prospects or career plans, school districts circumvent the intent of state ROP legislation to augment the work force with well-trained, job-oriented, and career-minded graduates.
- F23: ROP JPA Board members select the Board's officers every year in March. JPA Board representation depends on the three participating school district boards, who select assignments from their own board memberships. The JPA Board meets once

- each quarter, and its members serve as liaisons with the school district boards they represent.
- F24: Almost no criteria are established for the selection of the three ROP JPA Board members, all of whom represent the participating school districts. The only criteria for those board members are that they (i) be registered to vote, (ii) reside in the school district they represent, (iii) be elected or appointed to one of the participating school boards, and (iv) be selected by their participating school district boards to sit on the ROP JPA Board. There are no attendance requirements.
- F25: JPA Board members are almost entirely dependent on the information, research and guidance provided by EDCOE administrative and management personnel, as well as the Executive Committee composed of the EDCOE Superintendent and the Superintendents of the participating school districts.
- F26: Understanding ROP JPA policies, agreements, financial reports, and complex financing issues involving asset transfers, program delivery costs, and enrollment caps are difficult at best. Making decisions based on independent research and investigation is impossible without extensive study and personal experience. Few ROP JPA board members are willing or equipped to do this. There is no JPA staff separate from EDCOE and school district administrative personnel.
- F27: It is extremely difficult for the ROP JPA Board to make independent decisions on ROP governance issues because of the lack of frequent interaction among the board members and because of the structure of the ROP JPA. Attendance at board meetings is inconsistent. Seven ROP JPA Board meetings were held between September 13, 2000, and March 7, 2002. The same three appointed board members were present at only two of the seven meetings. An alternate board member for one participating school district was present at another meeting. Only two board members, the bare minimum necessary to establish a quorum, were present at four of the seven meetings.
- F28: One of the objectives of the ROP JPA Board and administration is to preserve the base enrollment and maintain the revenues for the ROP program, currently in excess of \$1.8M, in order to supplement other revenues for general education purposes. The additional ROP allowance is \$3,100 per student over and above the standard average daily attendance (ADA) per pupil allowance. This \$3,100 allowance is a significant inducement to maintain and increase ROP enrollment, even though ROP enrollment is capped or limited by the amount of student eligibility established by funding formulas when the Central Sierra ROP was established.
- F29: The EDUHSD is serving more adults in ROP classes than in previous years by coordinating with the CalWORKs program to provide vocational training classes for welfare recipients. BOMUSD and LTUSD are just beginning to serve adults in ROP classes.

- F30: Enrollments in ROP classes generate more revenue for school districts than enrollments in Adult Education classes. Adult Education classes are also capped, but unlike ROP classes, they receive substantially less than \$3,100 per ADA. Accordingly, school district administrators and the ROP JPA Board have a dilemma. They can choose to provide instruction to enhance personal skills or hobbies, such as “Computer Applications for Adults Age 55 and Over,” in Adult Education classes where it properly belongs, or they can attempt to generate greater revenue by designating the same course as an ROP class. The latter choice results in students taking ROP classes when they have no job-related purposes. This creates a credibility problem for ROP, which is regarded as a serious vocational training effort by some and a "cash cow" for school districts and a waste of taxpayer-generated state funding by others.
- F31: In-service training for school district teachers and support personnel also can be conducted under the auspices of ROP. This opportunity creates a potential conflict between the desire of school boards to generate revenue through ROP and their responsibility to protect the interests of taxpayers by spending tax-generated dollars only for bona fide vocational students.

### **Recommendations**

- R1: The ROP JPA Board should review its 1983 policies and adopt up-to-date policies for governance of the Central Sierra ROP.
- R2: In order to obtain applications from a larger pool of qualified ROP certificated persons, the ROP JPA Board should amend Policy 4111 to require widespread advertising of vacant ROP positions.
- R3: The ROP JPA and participating school districts should consider establishing a formal review process for applicants who have not been offered contracts as ROP instructors and who wish to be reconsidered for ROP instructor positions.
- R4: The ROP JPA Board should address the issue of absenteeism by board members. Teleconferencing and/or video conferencing should be used to conduct business when a board member is unable to attend regular meetings in person because of weather, work, travel, or other reasons.
- R5: The ROP JPA Board should schedule regular board meetings more than four times a year.
- R6: The ROP JPA Board should initiate policy discussions with participating school districts to clarify the appropriateness of using ROP when the identical class can be provided either in ROP or in Adult Education programs.
- R7: The ROP JPA should require participating school districts to clarify the distinctions between admissions requirements for ROP classes and admissions requirements for regular elective classes. Students should be screened accordingly.

- R8: The ROP JPA should monitor more strictly school district screening of students who enroll in ROP classes to ensure that all ROP students meet the criteria for ROP vocational instruction.
- R9: Participating school districts should establish written policies requiring the publication of vacant positions and advertising for applicants for ROP instructor positions.
- R10: Participating school districts should keep files of clippings with corresponding purchase orders for printed advertisements and print-outs of web site postings in conjunction with advertised job openings, including positions for contract employees like ROP instructors.
- R11: Participating school districts should review student enrollment in ROP classes such as computer training to ascertain that all enrollees meet the criteria for ROP vocational instruction,

### **Commendation**

The Grand Jury commends Roger Musso, Board Member, Black Oak Mine Unified School District, for his commitment to vocational training, his support for the ROP program, and his years of dedicated service on the Central Sierra ROP JPA Board.

### **Responses Required for Findings**

F1 through F31      Central Sierra ROP JPA Board  
                                  El Dorado County Office of Education  
                                  El Dorado Union High School District Board of Education  
                                  Black Oak Mine Unified School District Board of Education  
                                  Lake Tahoe Unified School District Board of Education

### **Responses Required for Recommendations**

R1 through R11      Central Sierra ROP JPA Board  
                                  El Dorado County Office of Education  
                                  El Dorado Union High School District Board of Education  
                                  Black Oak Mine Unified School District Board of Education  
                                  Lake Tahoe Unified School District Board of Education