

2004-2005 GRAND JURY REPORT

Temecula Valley Unified School District

Board of Education

Background

Temecula Valley Unified School District (TVUSD) is located in Southwest Riverside County adjacent to Murrieta, Menefee, and Hemet Unified School Districts, and abuts San Diego County to the South. TVUSD has fourteen (14) Elementary Schools, six (6) Middle Schools, three (3) High Schools, with an average daily attendance of 22,300 students, and annual revenue of \$145,108,072 for fiscal year 2003-2004.

A Board of Education is regarded in California Law as an Administrative Agency of the State Government. Boards of Education in California operate within a world of detailed laws and regulations set down by the State Board of Education.

The California Education Code also imposes many mandated responsibilities upon district school boards. The TVUSD Board of Education falls within these guidelines.

In the course of this investigation, the Grand Jury requested information authorized by the California Public Records Act (CPRA), California Government Code Sections 6250-6270. * The TVUSD Board of Education, District Managers, and staff only provided public information after receiving subpoenas from the Grand Jury.

*CPRA: Finds and declares that access to information is a fundamental and necessary right of every person in this state.

Findings

1. The TVUSD Board of Education is unaware and does not fully understand the application of the laws pertaining to CPRA and, therefore, relies on legal counsel in this regard.
2. The TVUSD Board of Education described the operation of the district as its "Culture," which through our interviews was defined as "The way we do things around here."

3. Our investigation revealed that the Board of Education has not updated policies and procedures that would prohibit discriminatory practices when an employee files a grievance against their supervisors, testify in court or opposes board policies.
4. Investigation revealed that one employee had not received a performance evaluation in eleven (11) years.
5. The TVUSD Board of Education disclosed that there had been incidents of misuse of District computers in which employees accessed inappropriate material.
6. The TVUSD Board of Education and Management are unaware of the proper procedures for mandated reporting.*
7. Financial records revealed that a department revolving fund (Petty Cash) had been used by an employee for personal business. Board Policy has not been revised since March 20, 1990.

**A mandated reporter is commanded by authority to report required information as specified by school district policy.*

Recommendations

Temecula Valley Unified School District, Board of Education Temecula Valley Unified School District, Human Resources Department

1. The TVUSD Board of Education, follow Section 6250-6270 of the CPRA in releasing information to parents, teachers, staff and the general public in regard to the overall operation of the school district.
2. The TVUSD Board of Education review district policies, rules and regulations to ensure that the accepted principles that govern the conduct of the educational and professional requirements of certificated and classified employees comply with the district's quality work standards and its "Core Values."

3. The TVUSD Board of Education update policies and procedures to prohibit retaliation and intimidation by administrators, staff or department directors against any district employee who complains, testifies or participates in a district grievance process.
4. TVUSD Human Resources Department review all employee records to ensure that all employees receive performance evaluations as required.
5. The TVUSD Board of Education develop policies and procedures for the monitoring of computers, to include appropriate and corrective actions for improper and unauthorized use by employees.
6. The TVUSD Board of Education must ensure that the Superintendent or designee shall provide training regarding mandated reporting duties. In the event that mandatory training is not provided, the Superintendent or designee shall report to the California Department of Education the reasons that such training is not provided as required by *Penal Code 11165.7*.
7. The TVUSD Board of Education review and update *Board Policy 3314.2, "District Revolving Fund,"* to ensure that all funds are audited regularly and that bonding provisions are in place as per *Education Code 42801*.

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