

Soquel Union Elementary School Board – Full Disclosure is Not Optional –

Summary

The Soquel Union Elementary School Board experienced a breakdown of community trust beginning in the 2014–15 school year. The Grand Jury found an accumulation of many issues that alienated the community from the Board. The issues include teacher salary negotiations, enforcement of the District Residency Policy, incomplete and inaccurate accounting of home and school club contributions, and Brown Act violations. All of these stresses combined to create an atmosphere of distrust.

In this report the Grand Jury identifies the issues and recommends some corrective measures that should reduce future dissension. It will take a major commitment from the Board and the Office of the Superintendent to keep closed session decisions to a minimum and to actively seek input and criticism from the community rather than avoid it.

Background

The Santa Cruz County public school system is managed by the Santa Cruz County Office of Education (SCCOE). Within the county there are ten districts plus alternative education schools and 12 charter schools.^{[1] [2]} Total enrollment for the county is approximately 40,000 students.^[3] The Soquel Union Elementary School District (SUESD) is responsible for the education of roughly 2,000 students and has an annual budget of \$15 million or \$7,500 per student according to the California Department of Education ED-Data website.^[3] In addition to state funding, schools receive approximately \$200 per student from parent organizations.

Each school district has an elected school board that is responsible for setting educational goals and managing the budget of the district. The goals and budget priorities set by the board are carried out by the superintendent. In effect the superintendent is the only employee of the district board. The board recruits, hires, sets the performance standards, and annually evaluates the superintendent. The board is also responsible for a public reporting of the annual evaluation.

During 2014–15 there were several confrontations between SUESD Board members and the public during Board meetings and allegations were reported in the press. In addition to contentious teacher salary negotiations following the 2008 economic crisis there were:

- Disagreements over control of Home and School Club (HSC) donations
- Allegations of Brown Act violations by the Board
- Parent complaints over special needs funding and residency requirements
- Accusations of “Salary Spiking” (see [Definitions](#))

- A no-confidence vote by the teachers
- Resignation of the Superintendent effective 6/20/2016
- A petition for recall of two Board members
- Reorganization of Board officers in June and again in December 2015

The following table lists the recent history of issues raised in Board meetings and reported in the press.

***Timeline of Recent SUESD Board of Trustees
Complaints, Elections, and Personnel Actions***

Year	Date	Incident
2011	Jul 1	Superintendent Castaniada signs initial three year contract ^[4]
2012	Nov 8	McGooden and Del Favero elected to Board for four year terms ^[5]
2013	Apr 12	Complaint – alleging District not in compliance with California Laws regarding discrimination and bullying ^[6]
	May 7	Measure S Parcel tax defeated ^[7]
	Oct 12	Complaint – Traffic conditions throughout the District regarding drop-off and pick-up times ^[6]
	Oct 17	Lynette Hamby resigns Board position ^[8]
	Dec 4	Jackson-Miller appointed to Board as provisional trustee ^[9]
2014	Jan	Jackson-Miller removed from Board by petition ^[10]
	Jan 4	Jackson-Miller wins special election for 2014–16 term ^[11]
	Feb 25	Soquel Education Association (SEA) agrees to new contract that includes a 3.5% raise ^[12]
	Mar 13	Soquel HSC request for Soquel Elementary payroll record 2012–2014 ^[6]
	Jun 18	The contract for the Superintendent is amended, allocating a substantial retroactive raise and extending the contract term to 2018 without open meeting discussion of terms ^[13]
	Dec 17	Parent dissatisfaction expressed at Board meeting regarding control of HSC contributions ^[14]
	Dec 17	Letter from Friends of Main Street (FOMS) documenting lack of adherence to Board policies and no review of the policies as required by state regulations ^[6]
2015	Jan 14	Parents of special needs students voice complaints ^[15]

Year	Date	Incident
2015	Jan 20	Information request for Soquel Music Teacher funding and expense history 2004–2015 ^[6]
	Mar 18	New policy re:HSC District fundraising, reporting rules ^{[16] [17]}
	Mar 25	SUESD teachers vote 96% “no confidence” in Superintendent ^[18]
	Apr 30	Soquel HSC continues to request accounting information that will resolve unspent donated funds issue ^[6]
	May 11	Students arrested in gun threat ^[19]
	May 27	Campaign to recall Board members Rodriguez and McGooden announced ^[20]
	Jun 17	Board votes 3:2 to add expenses to the Superintendent’s salary ^{[21] [22]}
	Jun 17	Superintendent submits resignation effective June 2016 ^[23]
	Jun 18	Rodriguez resigns Board presidency and VP Del Favero assumes office of president ^[24]
	Jul 15	Board recall effort suspended ^[25]
	Jul 31	Complaint – Pupil fees required for participation in an educational activity offered by a California public school ^[6]
	Nov 11	Meeting with HSCs regarding teacher accounts and Soquel accounting error ^[26]
	Nov 12	Complaint – Failing to investigate bullying, harassment, and sexual harassment ^[6]
	Dec 9	McGooden elected Board president by 3:2 vote ^[27]
2016	Jan 12	Board received complaint alleging Brown Act violation with regard to the Dec 9, 2015 Board election of officers ^[6]

Source: See individual references.

Home and School Club Tension

One of the sources of tension not cited in the table above has been the relationship between the Board, Superintendent, and the HSCs: Who controls HSC contributions? Since the passage of Proposition 13 in 1978, which limits the rate of property tax increase, California public schools have experienced declining revenues relative to inflation rates. Currently, California ranks 35th in state spending per pupil.^[28] To compensate for declining inflation-adjusted revenues, school districts have resorted to local bond measures and propositions to help fund their schools. These measures are very difficult to pass, requiring a two-thirds majority vote. When faced with cuts that

could eliminate music, art, PE, and other enrichment activities parents have stepped in and generated replacement funds through non-profit organizations.

The PTAs, HSCs, and school foundations now provide most of the discretionary funding for many schools. Since HSCs are independent 501(c)3 non-profit organizations managed by parents, there is a large variation in the funds they provide from school to school. This variation is compounding the divide between rich school districts and poor ones. In Santa Cruz County the variation in HSC contributions per student is large (Figure 1). Adjacent schools such as Bay View and Westlake have a four-fold difference in HSC contributions.

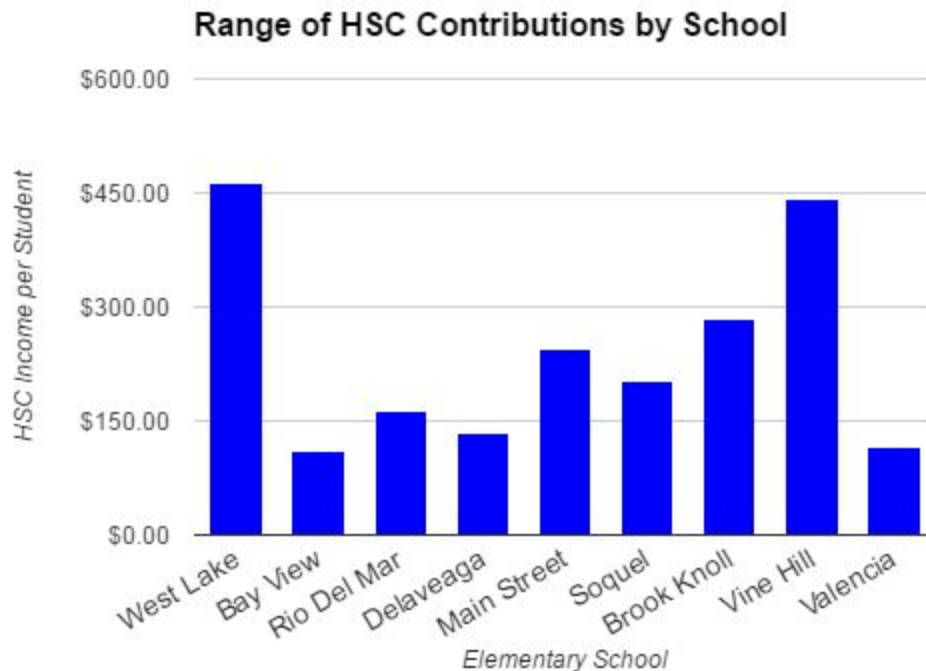


Figure 1: Per-student contributions for some Santa Cruz County Home and School Clubs for the 2014/15 school year [\[29\]](#) [\[30\]](#) [\[31\]](#) [\[32\]](#) [\[33\]](#) [\[34\]](#) [\[35\]](#) [\[36\]](#) [\[37\]](#)

The fact that these organizations have become a very important part of our educational system is noteworthy. Even though the dollar amount may seem small relative to the total District or school budget, when you eliminate salaries and facilities costs from the budget, roughly 2% or \$150 per student is left for local discretionary spending. The HSC contributions are the most valuable income for the school because:

- 1) They provide enrichment programs in art, music, and physical education which might otherwise be eliminated.
- 2) The funds can easily be directed to the most effective programs and materials.
- 3) They provide a pathway for parents to get directly involved with school curriculum and resources.

Given that they are such a valuable resource for each school, the District must take the steps necessary to ensure that HSC participation is effective and ongoing. In practice,

HSC transfers funds to the District account based on the estimated cost of a teacher, program, or capital expense. Occasionally, these estimates are wrong. The current process for reporting these errors does not work. The District must provide accurate accounting of the HSC contributions as well as public recognition of their contributions.

Scope

What were the circumstances that caused a District that had been running relatively smoothly to suddenly fall into disfunction and generate a petition for recall? Numerous allegations and complaints were reported in the press. We examined these and identified District practices that could change to prevent future problems. In our investigation we:

- Reviewed Brown Act public reporting requirements
- Conducted interviews
- Reviewed discrepancies between District and the Soquel HSC accounts
- Reviewed applicable Board policies
- Attended Board meetings and reviewed meeting recordings
- Reviewed California State Teachers Retirement System (CalSTRS) pension retirement spiking regulations
- Were briefed by the SCCOE on the new accounting system
- Examined the email record of Board members for possible Brown Act violations

Investigation

Possible Brown Act Violations

The Brown Act, initially passed in 1953, defines the baseline disclosure rules for public boards. It defines what business public boards can conduct out of the public view and what must be presented in open session.

Throughout California's history, local legislative bodies have played a vital role in bringing participatory democracy to the citizens of the state. Local legislative bodies – such as boards, councils and commissions - are created in recognition of the fact that several minds are better than one, and that through debate and discussion, the best ideas will emerge. The law which guarantees the public's right to attend and participate in meetings of local legislative bodies is the Ralph M. Brown Act. (from Attorney General Lockyer's cover letter to: "The Brown Act, Open Meetings for Local Legislative Bodies"^[38])

The intent of the Brown Act is often violated by public agencies and boards, but due to ambiguity, exemptions, inexperience, and parliamentary tactics, charges are seldom prosecuted.^[39] Although the act can be difficult to enforce at times, it is a valuable tool

for the public to evaluate the performance of a public board. The Grand Jury uses both the letter and spirit of the law when it evaluates agencies in its jurisdiction.

We examined four areas of potential Brown Act violations:

- Reporting of closed session decisions
- Specific salary changes in closed session
- Allowance for public comment
- Serial meetings (see [Definitions](#))

A review of the June 18, 2014 SUESD Board meeting minutes and meeting recording revealed the Superintendent's contract was discussed in closed session and approved in open session without public discussion of the contract changes. This appears to be a violation of California Government Code § 54957.1.^[40]

§ 54957.1. (a) (1) (A) If its own approval renders the agreement final, the body shall report that approval and the **substance** of the agreement in open session at the public meeting during which the closed session is held.

§ 54957.1. (6) Approval of an agreement concluding closed session labor negotiations with represented employees shall be reported after the agreement is final and has been accepted or ratified by the other party. This report shall identify the item approved and the other party or parties to the negotiation. ...

In addition, since the Superintendent's contract modifications were approved, a contract prepared, and signed the same day (June 18, 2014), by implication the terms of the modification must have been discussed and agreed upon at some earlier undocumented date. Reaching final compensation terms in closed session is a violation of California Government Code § 54957.6.^[41]

§ 54957.6 (a) Closed sessions held pursuant to this section shall **not** include final action on the proposed compensation of one or more unrepresented employees. ...

An objection was raised during the December 9, 2015 Board meeting regarding the lack of a public comment period prior to the election of a new Board president. The same written complaint was filed Jan 9, 2016. When the objection was raised, the Board defended the action by referring to a public comment period on the agenda at the start of the meeting. The comment period is most effective when it occurs just prior to an action; an out-of-sequence comment period satisfies the Brown Act but it does not promote community input and open debate.

While conducting our review of Board meeting minutes we discovered closed session

topics are usually posted in the agenda and as a matter of practice the topics are not repeated in the minutes of the meeting. The minutes state “Nothing to Report” from closed session. While technically this may comply with the public reporting requirements of the Brown Act, this practice obscures closed session topics for interested parties that are not in attendance. It would take very little effort to repeat the closed session agenda items in the minutes even when no decision is made in closed session.

By limiting comment time and discouraging open discussion within the Board before taking votes, the Board has obscured their decision process and appeared indifferent to public input. Improving public perception is difficult and will take time. Each Board member should commit to full and open disclosure of SUESD business as their personal goal as well as the goal of the Board. Public meeting discussions, as required by the Brown Act, will lead to better decisions and an informed constituency.

Review of SUESD Email Record

Email records for Board members were requested for the period 9/1/2014 – 1/15/2016. There were allegations of serial meetings, a violation of the Brown Act. The Grand Jury requested a digital copy of the Board emails. Instead, the Grand Jury received paper copies of 435 partial emails with all attachments removed. This is one more instance of the Board appearing to hide public business from public review.

The paper email record did not show any clear evidence of serial meetings. There were several instances of discussions started then continuing by phone. There were a few instances of “Breakfast meetings” and social gatherings with no indication Board business was discussed or resolved.

One sequence of emails stood out as a possible violation of the Brown Act and California Government Code § 54952.2 (b) (1) prohibition of serial meetings.^[42] In order to stem the recall effort initiated in May 2015, Phil Rodriguez stepped down as Board President and first term trustee, Tory Del Favero, became president. She was able to establish some rapport with dissatisfied HSC officers and parents. Given this success one might assume her term as Board president would be extended, yet as early as October 16, 2015 and two months before the December 15 “Board reorganization” vote, an end-of-term gift was discussed in the emails. It appears at least three of the members had agreed on a new Board president prior to the open meeting discussion and vote. By taking this action the Board moved a step back placing itself in an adversarial position once again.

Discrepancies between District and the Soquel HSC Accounts

The first indication there was an accounting problem surfaced in the Fall of 2013. The Principal at Soquel Elementary noticed a large (>\$30K) balance in the HSC account. The HSC could find nothing in their records that indicated an overpayment, so they asked the District to provide records that could explain the discrepancy. Throughout the following 2014–15 school year the Soquel HSC asked for financial reports that could explain the overpayments. Apparently, over several years the estimates for the music teacher salary had been more than the actual expense. The HSC was not informed of

the overpayment. When reports were produced there appeared to be some charges to the account that were not for the intended music teacher salary. Accusations of the District using the overpayment as a “slush fund” soon emerged. The total overpayment remains in negotiation but proposed estimates range from \$10,000 to \$50,000.

The District continues to negotiate with the Soquel HSC to find a satisfactory resolution to the overpayment problem. The 2015 change in accounting system should make the production of custom reports easier and prevent future overpayments, as long as there is frequent and accurate exchange of accounting data.

A second accounting issue emerged regarding the annual teacher supply accounts (approximately \$500/teacher/year). In order to close the books on a school year and prepare a new budget, the funds remaining in individual teacher accounts are combined (swept) into a single carryover account for the next school year. The problem is further complicated by the fact that multiple sources may contribute to teacher supply accounts. The complaint was that HSC contributions could no longer be tracked. At some point the labor required to accurately track small dollar amounts by source outweighs the amount being tracked. If HSCs wish to track these teacher supply accounts accurately it may be better for them to manage supply costs directly. The preferable alternative is to negotiate with the District to take over funding of supplies.

The District is currently working on a new policy with regard to HSC contribution accounting and reporting. An annual contract has been proposed which would specify the expectations on both sides. If agreement can be achieved it will be a great improvement.

SCCOE Accounting System

The Grand Jury received a briefing and demonstration of the current accounting system used by the SCCOE and all of the districts in its jurisdiction. This system replaces a 30-year-old, difficult-to-maintain technology based on a mainframe system that Hewlett Packard ceased supporting in 2010.

The SCCOE and its member districts started the process of planning its replacement in the summer of 2011. Fortunately all of the districts in the county agreed to migrate to the same system, Digital Schools,^[43] and the County Board of Education voted to approve the conversion on March 21, 2013. A three-phase conversion process was set up for all of the districts and charter schools to convert over the following two years with the last districts going live on September 30, 2015. SUESD converted during the second phase and went live on July 1, 2015.

The new web-based system has a much better report-generation system for both standardized reporting and ad hoc queries and reports. The new system is more than capable of providing the kinds of reports needed for managing HSC funded activities.

Complaint Procedures

In any organization dealing with public transactions there will be some level of dissatisfaction. Not everyone will be happy with every decision a board or administration

makes. In order to track dissatisfaction, clarify decisions, and perform self-evaluation of the district management, a complaint procedure must be in place. The Grand Jury investigated the complaint process in the SUESD and found:

- Complaints received from emails and formal letters were passed to the superintendent to respond. There appears to be no open meeting reporting of these complaints or discussion of policies involved. While privacy may be an issue in some cases at least reporting the topic and the number of complaints in open session would provide an indicator of issues that may be building.
- The complaint procedure posted on the District website is minimal, referring to state code and District policies by number. There is no guidance for where and how to file a complaint. A nearby school district in Monterey County keeps an easy to use form online.^[44] SUESD could add a complaint form with instructions to their website.
- When a complaint was filed against a Board decision regarding the Superintendent's contract, instead of responding directly, the complaint was referred to the Superintendent for a response. When a complaint is filed against the Superintendent the Board should take responsibility for the investigation and response.

We also checked for a complaint procedure at the next level of administration in the county, the SCCOE, where no complaint procedure could easily be found. The SCCOE Office of the Superintendent referred a complainant to the State Department of Education. As with the District office, the SCCOE would benefit from an easy to access complaint procedure with clear guidelines for where and how to file a complaint. Knowing when and where problems are developing will promote early intervention and may prevent wasting money and time on recall elections.

Pension Spiking Accusation

On June 17, 2015 the SUESD Board voted 3:2 to add items that were previously reimbursable expenses to the Superintendent's base salary.^[21] This action was taken to improve the pension of the the soon-to-rotate Superintendent. The addition of expenses to a salary for the purposes of increasing a retirement benefit would normally be a violation of the recently passed "anti-spiking" requirements. The proponents of the increase (McGooden, Rodriguez, and Wallace) argued that since the Superintendent's contract was initiated in 2011, at a time when business expenses could be included in the computation of retirement benefits, the salary addition should be allowed. The opponents (Del Favero, Jackson-Miller) argued the District was not obligated to make the increase because his reimbursable expenses no longer exist after retirement. Also, there was opposition from some teachers who felt this raise in addition to the 15% raise the Superintendent received in 2014 was excessive relative to their 3.5% raise.

Based on the rules as they apply to the Superintendent's contract and modifications, as a "classic" member of the retirement system the addition of expenses to his base salary in his final year is allowed. While this practice is a common complaint in news articles^{[45] [46]} it is also an accepted practice and will only be resolved through new case

law or changes in school board practices. This action was not illegal but it did generate a lot of ill will from constituents and teaching staff. See California Government Code § 7522.34.^[47]

§ 7522.34 (a) "Pensionable compensation" of a new member of any public retirement system means the normal monthly rate of pay or base pay of the member ...

§ 7522.34 (c) Notwithstanding any other law, "pensionable compensation" of a new member does not include the following:

§ 7522.34 (c) (1) Any compensation determined by the board to have been paid to increase a member's retirement benefit under that system.

(Amended by Stats. 2013, Ch. 528, Sec. 8. Effective October 4, 2013.)

Superintendent Evaluation

As noted in the background section, the superintendent is the only employee of the School Board and is responsible for day-to-day operations of the District. As the only employee the Board hires, evaluates, and fires, it is essential they communicate the goals and standards they expect in the management of District business. In our investigation of the evaluation process we found the following applicable codes and policies:

- The School Board is responsible for writing and annually reviewing the performance standards for the superintendent, as stated in Board Policy 2140(a) and in Superintendent Castaniada's contract.^[4] We could find no evidence of the details of these standards being discussed or reported in open session minutes.
- Board Policy 2140(b)^[48] requires that the performance goals be reported in open session.
- Board policies regarding the administration and supervision of the Superintendent have not been updated since 2001, as shown by Board Policy 2122(a) the "Superintendent of Schools: Responsibilities and Duties."^[49]
- In 2014/15 the District adopted the State mandated Local Control and Accountability Plan (LCAP) as their primary superintendent evaluation document.

The superintendent's evaluation should include some specific elements with regard to HSC funds. These funds have become essential to school enrichment activities and for many students the fun part of school. It is incumbent on the Board and the administration to provide accurate accounting and support for these HSCs to continue their needed funding. Making accurate, mutually agreeable accounting reports to the HSCs should be part of the superintendent's annual evaluation.

Summary of Investigation Facts

Brown Act Violations and Public Disclosure Issues

- On June 18, 2014 the Superintendent's contract was discussed in closed session and approved in open session without public discussion of the contract changes.^[13]
- Closed session topics listed in the agenda^[50] are not repeated in the published minutes^[51] of the meeting. This practice obscures closed session topics for interested parties that use the minutes to follow Board actions.
- The Superintendent contract modifications were approved, a contract prepared, and signed the same day, June 18, 2014. Therefore, the terms of the modification must have been discussed and agreed upon at some earlier undocumented date.^[4] ^[50]

Salary Spiking

- The Board voted 3:2 June 17, 2015 to include expense allowances in the Superintendent's salary.^[21]
- According to California Government Code § 7522.34(c)(1),^[47] for employees hired after January 1, 2013, "compensation paid to increase a member's retirement benefit" is not allowed.^[52]
- The superintendent's contract was originally signed in 2011, therefore he is considered a "classic" employee, not subject to the new employee retirement rules.

Complaint Procedures

- The only District website reference to filing a complaint restates the CA code with no guidance on how to compose or where to file the complaint.^[53]
- Other Santa Cruz County school districts provide some context and procedures for complaints.^[54] ^[55]
- Some nearby school districts supply an online form to simplify the process.^[44]
- References to the SCCOE complaint procedures can only be found by searching the website index for their board policies and knowing that complaint procedures can be found under community relations.^[56]
- The San Mateo County Office of Education provides links on their community relations web page to their board policy, a complaint form, and a complaint procedures handbook.^[57]
- The Grand Jury placed a call to SCCOE and inquired about filing a complaint against a district board. The recommendation from the County Superintendent's office was to call the California Department of Education.

Superintendent Evaluation

- The superintendent is the only employee the School Board evaluates.^[58]

- The School Board is responsible for annually evaluating the performance of the superintendent.^[59]
- Performance standards can be discussed in open sessions of the School Board.^[60]
- Board Policy 2140(b) requires that performance goals be reported in open session.^[48]
- The Board Policy 2122 “Superintendent of Schools: Responsibilities and Duties” have not been updated since 2001.^[49]

Home and School Club Accounting

- 98% of the District budget is dedicated to salaries and facilities, consequently less than \$150/student is available for discretionary spending.^[3]
- Many HSCs contribute more than \$200 per student ([figure 1](#)).
- There was a build up of overpayments by the Soquel HSC that accumulated in the District accounts over several years without reporting the error to the Soquel HSC.
- The financial software used by the District is capable of creating summary expense reports for the HSCs.^[61]
- The District is developing a contract with HSCs that should improve communication and define expectations.^[62]

Findings

- F1.** The Grand Jury finds that the Board has violated the Brown Act on at least two occasions. These violations were due to the lack of open session discussion regarding the superintendent's contract and incomplete reporting of closed session decisions.
- F2.** The Board chose to add the superintendent's expenses to his annual salary. While this is contrary to the spirit of the California Public Employees' Pension Reform Act adopted in 2012, the practice is commonplace for superintendents hired before 2013.
- F3.** There is history of poor communication and mistrust of the Board and District administration by the public they serve.
- F4.** The lack of an adequate, posted complaint procedure and problem resolution process contributes to the mistrust of the District and Board.
- F5.** The Board has failed to adequately develop and report performance standards for the superintendent.
- F6.** Although HSC contributions are a significant part of the discretionary budget for schools in the District, they are not well managed and they do not receive adequate public recognition.

- F7.** There is no policy in place to reconcile HSC donations with District expenditures. The proposed contract policy between the District and contributors of donations in excess of \$500 is intended to address this issue.
- F8.** Because HSC contributions for teacher supplies are combined with contributions from other sources, accounting to individual donors for each teacher's expenses is impractical.

Recommendations

- R1.** The Board must follow the state law and their District policies by adopting practices that will inform the public of the details of their decisions and their decision process. As noted in the report the Brown act provides a baseline for public disclosure. Debating and giving reasoned explanations for their decisions in open meetings will improve public support and participation. (F1, F3, F4)
- R2.** If the Board chooses to grant the Superintendent a salary raise in excess of the percentage granted to District Bargaining Units, they should announce the amount together with the Superintendent's annual performance goals and discuss the increase in a public meeting. (F2, F3)
- R3.** The Board should include in the Superintendent's performance standard a goal of reaching an agreement between the District and the HSCs that specifies accounting report content and frequency. (F5, F7)
- R4.** Soquel Union Elementary School District should make available on their website an easily filed complaint form with guidelines. (F3, F4)
- R5.** The Board should include a summary of complaint topics received since their last meeting in the meeting minutes. All complaint topics should be summarized, including Williams Uniform Complaint Procedure, Uniform Complaint Process, Freedom Of Information Act, email, etc. (F3, F4)
- R6.** The District administration should provide accounting reports to the HSCs in accordance with mutually agreed content and frequency. (F3, F6, F7)
- R7.** The Board should include public recognition, recorded in meeting minutes, of all financial contributions from HSCs and other contributors of funds to the District. (F3, F6)
- R8.** At the beginning of each school year and after consulting with the school principal, a proposed budget should be prepared by each HSC outlining the plans for donations in excess of \$500. The plan should be submitted to the District for final approval. (F3, F6, F7)
- R9.** The District should assume all responsibility for funding and managing teacher supply accounts and/or define a clear donation policy for contributions to teacher accounts. (F8)

Commendations

- C1.** The SCCOE and all of the districts in its jurisdiction have worked together to successfully complete a difficult upgrade of their accounting system.

Responses Required

<i>Respondent</i>	<i>Findings</i>	<i>Recommendations</i>	<i>Respond Within/ Respond By</i>
SUESD Board of Trustees	F1– F8	R1–R9	90 Days July 25, 2016

Definitions

- **Board:** In all cases, capitalized Board refers to The Soquel Union Elementary School District Board of Trustees. The terms School Board and District Board are also used.
- **CalSTRS:** California State Teachers Retirement System
- **FOMS:** Friends of Main Street, home and school club
- **FOIA:** Freedom of Information Act
- **HSC:** Home and School Club
- **LCAP:** Local Control and Accountability Plan, part of the state funding plan for California schools adopted in the 2013–14 Budget Act. [\[63\]](#)
- **PEPRA:** California Public Employees’ Pension Reform Act
- **SCCOE:** Santa Cruz County Office of Education
- **SEA:** Soquel Education Association
- **Serial Meeting:** The Brown Act provides that a majority of the members of a legislative body shall not meet outside a noticed meeting using a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.
- **Salary Spiking:** The process whereby public sector employees grant themselves large raises or otherwise artificially inflate their compensation in the years immediately preceding retirement in order to receive larger pensions than they otherwise would be entitled to receive.
- **SUESD:** Soquel Union Elementary School District
- **UCP:** Universal Complaint Procedure
- **Williams Complaint:** A type of UCP dealing with instructional materials and urgent health and safety issues.

Sources

References

1. Santa Cruz County Office of Education. Accessed February 2016.
<http://www.santacruz.k12.ca.us>
2. California Department of Education. Accessed February 2016.
<http://www.cde.ca.gov/ds/si/cs/ap1/countyresults.aspx?id=44>
3. Ed-Data: Fiscal, Demographic, and Performance Data on California's K-12 Schools. Accessed February 2016.
http://www.ed-data.k12.ca.us/App_Resx/EdDataClassic/fsTwoPanel.aspx?#!bottom=/_layouts/EdDataClassic/profile.asp?tab=1&level=05&ReportNumber=16&County=44&fyr=1314
4. Soquel Union Elementary School District Contract of Employment For District Superintendent, signed 5/4/2011, Amended 6/18/2014 and 6/17/2015.
5. San Jose Mercury News: "Two veteran trustees, one first-timer take Soquel Union Schools seats." Accessed February 2016.
http://www.mercurynews.com/santa-cruz-travel/ci_21944344/two-incumbents-on-e-newcomer-leading-race-soquel-school
6. Soquel Union Elementary School District. 2015. "Complaint records for FY 2012-15."
7. Parcel Tax - Measure S defeated. Accessed February 2016.
[https://ballotpedia.org/Soquel_Union_Elementary_School_District_parcel_tax,_Measure_S_\(May_2013\)](https://ballotpedia.org/Soquel_Union_Elementary_School_District_parcel_tax,_Measure_S_(May_2013))
8. SC Sentinel: "Lynette Hamby resigns from Soquel school board." Accessed February 2016.
<http://www.santacruzsentinel.com/article/ZZ/20131017/NEWS/131017279>
9. SC Sentinel: "Soquel school board appoints new member." Accessed February 2016.
<http://www.santacruzsentinel.com/article/ZZ/20131209/NEWS/131207740>
10. SC Sentinel: Soquel school board candidates square off. Accessed February 2016.
<http://www.santacruzsentinel.com/article/ZZ/20140327/NEWS/140327696>
11. SC Sentinel: "Amanda Jackson Miller wins Soquel school board race." Accessed February 2016.
<http://www.santacruzsentinel.com/article/ZZ/20140604/NEWS/140608080>
12. SC Sentinel: "Soquel teachers reach tentative contract agreement with district." Accessed February 2016.
<http://www.santacruzsentinel.com/article/ZZ/20140221/NEWS/140227839>
13. June 18, 2014 SUESD Board meeting Agenda item 8F. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/Previous%20Minutes/minutes_061814

- [pdf](#)
14. SC Sentinel: "Soquel Union parents voice anger on new policy." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20141217/NEWS/141219682>
 15. SC Sentinel: "Soquel school district feels heat from parents, teachers." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20150114/NEWS/150119821>
 16. SUESD Board minutes 3/18/2015. Adopted new policy 1230. Agenda item 7.D. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/Previous%20Minutes/minutes_031815.pdf
 17. SC Sentinel Mar 18, 2015: "Soquel school district presents new parent club policy." Accessed February 2016.
<http://www.santacruzsentinel.com/social-affairs/20150318/soquel-school-district-presents-new-parent-club-policy>
 18. SC Sentinel: "Soquel Union teachers vote no confidence in superintendent." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20150407/NEWS/150409775>
 19. SC Sentinel: "Five teens arrested in gun threat at New Brighton Middle School in Capitola." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20150511/NEWS/150519960>
 20. BALLOTPEdia: "Judy McGooden and Phil Rodriguez recall, Soquel Union Elementary School District, California (2015)." Accessed February 2016.
[https://ballotpedia.org/Judy_McGooden_and_Phil_Rodriguez_recall,_Soquel_Union_Elementary_School_District,_California_\(2015\)](https://ballotpedia.org/Judy_McGooden_and_Phil_Rodriguez_recall,_Soquel_Union_Elementary_School_District,_California_(2015))
 21. SUESD Board minutes for June 17, 2015 item 7.H and discussion during meeting. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/Previous%20Minutes/minutes_061715.pdf
 22. SUESD. 2016. "Board of Trustees Meeting June 17, 2015 Audio Recording 47:30." Accessed December 15, 2015.
http://www.soqueldo.santacruz.k12.ca.us/board_agendas/suesd_board_meeting_061715_pt2.mp3
 23. SC Sentinel: "Castaniada tenders resignation to Soquel school board." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20150617/NEWS/150619696>
 24. SC Sentinel: "Petition circulates to recall two Soquel Union school trustees." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20150618/NEWS/150619652>
 25. SC Sentinel: "Parents, teachers end recall effort in Soquel Union school district." Accessed February 2016.
<http://www.santacruzsentinel.com/article/NE/20150715/NEWS/150719789>

26. Soquel Union Elementary School District. 2015. "Budget information estimating overpayment to Soquel Elementary School for FY 2012-14."
27. SUESD Board minutes 12/09/2015 agenda item 5.A. Accessed February 2016. http://www.soqueldo.santacruz.k12.ca.us/Previous%20Minutes/minutes_120915.pdf
28. Education Week: "School Finance Statistics for 2011." Accessed February 2016. <http://www.edweek.org/media/16qc-schoolfinancec1.pdf>
29. West Lake Elementary HSC. Accessed March 2016. <http://www.supportwestlake.org/uploads/2/4/5/2/24525908/budget14-15june.pdf>
30. Bay View Elementary HSC. Accessed March 2016. http://bayview.sccs.net/get_involved/_home_and_school_club
31. Rio Del Mar Elementary HSC. Accessed March 2016. <https://riodelmarpa.files.wordpress.com/2014/09/2014-15-budget-proposed.pdf>
32. DeLaveaga Elementary HSC. Accessed March 2016. <http://sccsdelaveaga.ss8.sharpschool.com/parents/ptc>
33. Main Street Elementary HSC. Budget information on file with the Grand Jury.
34. Soquel Elementary HSC. Budget information on file with the Grand Jury.
35. Brook Knoll Elementary HSC. Accessed March 2016. <http://www.bkec.info/your-dollars-at-work.html>
36. Vine Hill Elementary HSC. Accessed March 2016. <http://www.vinehillpta.org/#!what/cee5>
37. Valencia Elementary HSC. Accessed March 2016. <http://homeandschoolclub.org/2014/08/2014-2015budget/>
38. The Brown Act, Open Meetings for Local Legislative Bodies (2003). Accessed February 2016. http://ag.ca.gov/publications/2003_Intro_BrownAct.pdf
39. Brown Act Primer: Enforcement. Accessed February 2016. <https://firstamendmentcoalition.org/open-meetings-3/facs-brown-act-primer/brown-act-primer-enforcement/>
40. California Government Code 54957.1. Accessed February 2016. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=54957.1
41. California Government Code 54957.1. Accessed February 2016. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?sectionNum=54957.6.&lawCode=GOV
42. California Government Code 54952.2 section b(1). Accessed February 2016. http://leginfo.legislature.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=54952.2
43. Digital Schools "The Premier Software Tool in the K-12 Fiscal Stability Kit." Accessed February 2016. <http://www.digital-schools.com/>
44. Monterey Peninsula Unified School District. Accessed February 2016. <http://www.mpusd.k12.ca.us/complaintforms>

45. Contra Costa Times. "Orinda superintendent's contract change boosts salary before retirement." Accessed March 2016.
http://www.contracostatimes.com/bay-area-news/ci_29269603/orinda-superintendents-contract-change-boosts-salary-before-retirement
46. The Sacramento Bee. "As pensions rules tighten, some Sacramento-area districts convert superintendent allowances into pay." Accessed March 2016.
<http://www.sacbee.com/news/investigations/the-public-eye/article35008617.html>
47. California Government Code 7522.34. Accessed February 2016.
http://leginfo.ca.gov/faces/codes_displaySection.xhtml?lawCode=GOV§ionNum=7522.34
48. SUESD Board Policy 2140(b). Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/board_policies/2000/BP2140.pdf
49. SUESD Board Policy 2122, Superintendent of Schools: Responsibilities and Duties, Adopted 9/5/01. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/board_policies/2000/BP2122.pdf
50. SUESD Board agenda for June 18, 2014. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/board_agendas/board_packet061814.pdf
51. SUESD Board minutes for June 18, 2014. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/Previous%20Minutes/minutes_061814.pdf
52. A Guide to Pension Reform Under AB 340 and AB 197 (page 8, section D). Accessed February 2016.
<http://www.publiclawgroup.com/wp-content/uploads/2012/12/A-Guide-to-Pension-Reform-Under-AB-340-and-AB-197.pdf>
53. SUESD Uniform Complaint Procedures. Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/parents_students/uniform_complaint_procedures.html
54. Santa Cruz City School District. Accessed February 2016.
<http://sccs.net/cms/One.aspx?portalId=222789&pageId=1029095>
55. Scotts Valley School District. Accessed February 2016.
<http://scottsvally-ca.schoolloop.com/Article1>
56. Santa Cruz County Office of Education. Accessed February 2016.
http://www.santacruzcoe.org/site_index.html
57. San Mateo County Office of Education. Accessed February 2016.
<http://www.smcoe.org/parents-and-students/uniform-complaint-procedure/>
58. California School Board Association. Accessed February 2016.
https://www.csba.org/TrainingAndEvents/~media/CSBA/Files/TrainingAndEvents/AllEvents/MastersInGovernance/Course4_HUR_COB/2013_07_HR_BoardRelationship_pgs7_9.ashx
59. SUESD Board Policy 2140(a). Accessed February 2016.
http://www.soqueldo.santacruz.k12.ca.us/board_policies/2000/BP2140.pdf

60. First Amendment Coalition, "School Superintendent Goals: Public or Private?" Accessed February 2016.
<https://firstamendmentcoalition.org/2014/08/aa-school-superintendent-goals-public-private/>
61. Briefing by the Santa Cruz County Office of Education business office, December 17th, 2015.
62. Soquel Union Elementary School District. 2015. "Draft contribution agreement prepared by the District administration."
63. Local Control and Accountability Plan (LCAP). Accessed March 2016.
<http://achieve.lausd.net/lcap>

Site Visits

Soquel Union Elementary School District Board meetings
Santa Cruz County Office of Education Business Office