



SUESD Response

1 message

Scott Turnbull <sturnbull@suesd.org>
To: grandjury@scgrandjury.org

Thu, Aug 17, 2017 at 4:32 PM

The Honorable Judge John Gallagher:

Please find SUESD's Response to the Grand Jury Report titled, "Soquel Union Elementary School District and the Brown Act."

We will mail a hard copy as well.

If it is possible to have someone confirm receipt of this document it would be most appreciated.

Sincerely,

Scott J. Turnbull

Superintendent

--

Scott J. Turnbull, Superintendent
Soquel Union Elementary School District
620 Monterey Avenue, Capitola, CA 95010
831.464.5639



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 **SUESDandBrownAct_Board_ResponsePacket (Board App 8.16.17).pdf**
213K



**The 2016-2017 Santa Cruz County Civil Grand Jury
Requires that the**

SUESD Board of Trustees

**Respond to the Findings and Recommendations
Specified in the Report Titled**

**Soquel Union Elementary School District
and the Brown Act**

by August 28, 2017

When the response is complete, please

1. Email the completed Response Packet as a file attachment to grandjury@scgrandjury.org, and
2. Print and send a hard copy of the completed Response Packet to

The Honorable Judge John Gallagher
Santa Cruz Courthouse
701 Ocean St.
Santa Cruz, CA 95060

Instructions for Respondents

California law PC § 933.05 (included [below](#)) requires the respondent to a Grand Jury report to comment on each finding and recommendation within a report. Explanations for disagreements and timeframes for further implementation or analysis must be provided. Please follow the format below when preparing the responses.

Response Format

1. For the Findings included in this Response Packet, select one of the following responses and provide the required additional information:
 - a. **AGREE** with the Finding, or
 - b. **PARTIALLY DISAGREE** with the Finding and specify the portion of the Finding that is disputed and include an explanation of the reasons therefor, or
 - c. **DISAGREE** with the Finding and provide an explanation of the reasons therefor.
2. For the Recommendations included in this Response Packet, select one of the following actions and provide the required additional information:
 - a. **HAS BEEN IMPLEMENTED**, with a summary regarding the implemented action, or
 - b. **HAS NOT YET BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE**, with a timeframe or expected date for implementation, or
 - c. **REQUIRES FURTHER ANALYSIS**, with an explanation and the scope and parameters of an analysis or study, and a timeframe for that analysis or study; this timeframe shall not exceed six months from the date of publication of the grand jury report, or
 - d. **WILL NOT BE IMPLEMENTED** because it is not warranted or is not reasonable, with an explanation therefor.

Validation

Date of governing body's response approval: August 16, 2017

If you have questions about this response form, please contact the Grand Jury by calling 831-454-2099 or by sending an email to grandjury@scgrandjury.org.

Findings

F1. The June 18, 2014, SUESD Board minutes do not record that there was an opportunity for public comment prior to the superintendent's evaluation.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The finding, as worded, is accurate. The minutes do not record that there was an opportunity for public comment prior to the superintendent's evaluation at the June 18, 2014 board meeting. As a statement in-and-of-itself, that is true.

In the context of what actually takes place at a board meeting, however, it should be noted that the board does indeed always offer an opportunity for public comment on closed session agenda items. The Superintendent's Evaluation is a closed session agenda item.

Neither the Brown Act nor the Education Code specifically require that the Board's Minutes state that the Board provided the public the opportunity to comment on closed session agenda items. However, SUESD Board Bylaw 9324(b) provides that "the minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address." If no member of the public actually comments, the minutes do not need to state that the board provided the public the opportunity to comment.

SUESD is willing, however, to go above and beyond minimal compliance in order to achieve the goals of mutual respect and a shared vision of transparency with our community. Therefore, in the future, district staff will be directed to add a statement in the minutes reflecting when the board president offers the public the opportunity to comment on closed session agenda items.

F2. The June 18, 2014 and June 3, 2015 SUESD Board minutes do not record that the superintendent's evaluation was discussed in closed session.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The finding, as worded, is accurate. The minutes do not record that the superintendent's evaluation was discussed in closed session. As a statement in-and-of-itself, that is true.

There is no requirement in the Brown Act, the Education Code, or the Board's policies that would require the Board to include in the minutes the contents of any discussions that occurred in closed session. Rather, the Grand Jury appears to be conflating requirements that the Board: (1) disclose at an open meeting what items will be discussed in closed session (Gov. Code, § 54957.7); and (2) report any action taken in closed session after closed session adjourns. (Gov. Code, § 54957.1.)

SUESD is willing, however, to go above and beyond minimal compliance in order to achieve the goals of mutual respect and a shared vision of transparency with our community. Therefore, in the future, district staff will be directed to add a statement in the minutes reflecting the closed session topics that were discussed.

F3. The 2015 and 2016 SUESD Board minutes do not record whether the Board offered the public a chance to speak before closed sessions.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The finding, as worded, is accurate. The minutes do not record whether the Board offered the public a chance to speak before closed sessions. As a statement in-and-of-itself, that is true.

In the context of what actually takes place at a board meeting, however, it should be noted that the board does indeed always offer an opportunity for public comment on closed session agenda items.

Neither the Brown Act nor the Education Code specifically require that the Board's Minutes state that the Board provided the public the opportunity to comment on closed session agenda items. However, SUESD Board Bylaw 9324(b) provides that "the minutes shall reflect the names of those individuals who comment during the meeting's public comment period as well as the topics they address." If no member of the public actually comments, the minutes do not need to state that the board provided the public the opportunity to comment.

SUESD is willing, however, to go above and beyond minimal compliance in order to achieve the goals of mutual respect and a shared vision of transparency with our community. Therefore, in the future, district staff will be directed to add a statement in the minutes reflecting when the board president offers the public the opportunity to comment on closed session agenda items.

F4. In 2015 and 2016, closed session items were rarely recorded in the minutes.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The finding, as worded, is accurate. Closed session items were rarely recorded in the minutes. As a statement in-and-of-itself, that is true.

There is no requirement in the Brown Act, the Education Code, or the Board's policies that would require the Board to include in the minutes the contents of any discussions that occurred in closed session. Rather, the Grand Jury appears to be conflating requirements that the Board: (1) disclose at an open meeting what items will be discussed in closed session (Gov. Code, § 54957.7); and (2) report any action taken in closed session after closed session adjourns. (Gov. Code, § 54957.1.)

SUESD is willing, however, to go above and beyond minimal compliance in order to achieve the goals of mutual respect and a shared vision of transparency with our community. Therefore, in the future, district staff will be directed to add a statement in the minutes reflecting that closed session agenda items were discussed.

F5. In 2015, 2016, and the first two months of 2017, the SUESD Board repeatedly used the statement “Nothing to report out of closed session.”

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The finding, as worded, is accurate. In 2015, 2016, and the first two months of 2017, the SUESD Board repeatedly used the statement, “Nothing to report out of closed session.” As a statement in-and-of-itself, that is true.

There is no requirement in the Brown Act, the Education Code, or the Board’s policies that would require the Board to include in the minutes the contents of any discussions that occurred in closed session. Rather, the Grand Jury appears to be conflating requirements that the Board: (1) disclose at an open meeting what items will be discussed in closed session (Gov. Code, § 54957.7); and (2) report any action taken in closed session after closed session adjourns. (Gov. Code, § 54957.1.)

SUESD is willing, however, to go above and beyond minimal compliance in order to achieve the goals of mutual respect and a shared vision of transparency with our community. Therefore, in the future, district staff will be directed to add a statement in the minutes reflecting that closed session agenda items were discussed.

F6. The Board has met twice in closed session after adjourning open session.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Board has had to meet in closed session after open session. Specifically, on March 1, 2017, the board met in closed session at 5:30 to discuss one agenda item (Public Employee Discipline/Dismissal/Release/Complaint Pursuant to Government Code Section 54957). That agenda item was not resolving itself by 6:30. The public expects open session to start at 6:30. The Board invites a student to lead the flag salute at the beginning of open session. The board decided to continue the closed session agenda after open session in order to honor the public's expectations and out of thoughtfulness of the family of the student flag salute leader. Therefore, the spirit of "extending closed session" was made precisely out of mutual respect and a shared vision with our community.

The board agrees, however, that district staff should word the agenda and minutes differently in the future for the sake of clarity and transparency. In the future, the section for closed session on board meeting agendas will continue to state the start time of closed session with the following addition: "AND AFTER REGULAR SESSION IF NECESSARY." Additionally, in instances where closed session does need to carry on after open session, the minutes will state "Following the public comment period for closed session items, the Board reconvened in closed session."

- F7.** The Board, in adopting their Governance Handbook, has shown increased acceptance of public input in the direction of the district by including an avenue for requesting items to be added to the agenda.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Thank you. This document was refined during the CSBA “Good Beginnings” Workshops the Board has engaged in twice recently (July 29, 2016 and January 23, 2017). Refining the Governance Handbook was part of the reflection the Board engaged in while conducting its self-evaluation.

F8. In 2015, 2016, and the first two months of 2017, the SUESD Board minutes did not record that the Board has conducted a self-evaluation.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The board agrees with the wording of this finding. The minutes did not record that the board has conducted a self-evaluation in 2015, 2016, or the first two months of 2017. This is an error on the part of district staff in not reflecting what did take place in the minutes.

The board wishes it noted that in actuality, they have engaged in self-evaluation in the past year. Twice in the past year, the Board has taken part in the California School Board Association's (CSBA's) **Good Beginnings** Workshop. This workshop is designed to strengthen and unify governance teams, especially when new members are brought on board. The most recent Good Beginnings Workshop on January 23, 2017 took place in light of bringing in two new board members following the 2016 elections.

On July 29, 2016, a Good Beginnings took place in light of hiring a new Superintendent. As preparation for the July 29 Good Beginnings Workshop, the Board specifically conducted a self-evaluation using the CSBA self-evaluation tool. At the following regular Board Meeting (8/17/16), the new Superintendent summarized the workshop and his summary was reflected in the minutes:

6A. Discussion Regarding the California School Board Association (CSBA) Good Beginnings Workshop held July 29, 2016:

Scott Turnbull, Superintendent, summarized the Good Beginnings Workshop held at the Sesnon House by stating a few key points. The day was to focus on determining unity of purpose, reviewing board and superintendent roles and responsibilities and reviewing norms and protocols. The Lighthouse Study was mentioned by the CSBA Leader at the Good Beginnings Workshop meeting. That study basically asks the question; can Board practice positively impact student learning? The answer was a resounding, yes; that what is done at the board matters at the most important level of students.

The board agrees that the Superintendent should have specifically referenced the term, **"self-evaluation,"** in his summary. The board directed the superintendent to lead a more detailed discussion of the self-evaluation that was conducted. This discussion took place at the SUESD Board Meeting held on July 31, 2017. The Board will be using CSBA's self-evaluation tool again during the 2017-18 School Year.

F9. The SUESD Board has not reviewed or revised the responsibilities and duties of the superintendent at any time between September 2001 and 2016.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Board agrees with the wording of the statement as written. The Board has not reviewed or revised the responsibilities and duties of the superintendent at any time between September 2001 and 2016.

The Board wishes it to be noted that the Superintendent is employed with an individual contract which is regularly updated. Many specific job functions are detailed in that public document. The Board reviews the Superintendent’s contract on an annual basis.

In the 2015-16 School Year, the Board intensely reviewed the responsibilities and duties of the Superintendent as part of its Superintendent Search which was done with guidance from nationally-renowned search firm of Hazard, Young, Attea, & Associates (HYA).

The Board also wishes it to be known that it conducted a review of every board policy and administrative regulation recently. This was done in consult with CSBA as a part of their Policy Development Workshop. As a part of that workshop, the board has now updated a draft of Board Policy 2121 (Superintendent’s Contract). The full slate of board policies will be considered for approval at an upcoming board meeting.

F10. The SUESD Board has been using an incorrect template for its agenda for at least the past six years.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

The Board agrees to address some of the minor points identified by the Grand Jury in other findings (for example, the clarity of the start time for open session). The board also acknowledges that the term “Open” Session should be used in instances where “Public” Session has been used in the past. Additionally, the board agrees that roll call should occur prior to Closed Session. However, it is our opinion that these concerns do not constitute Brown Act violations and therefore the template has not been “incorrect.” The Board appreciates the suggestions from the Grand Jury. The Board is open to any ideas that will achieve our goals of full disclosure, mutual respect, and a shared vision of transparency with our community.

F11. The agenda template announces conflicting times for the convening of public meetings.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

Historically, the agenda template has denoted the start time of Closed Session on the actual agenda item and highlighted the start of Open Session at the top of the agenda. The rationale being that, in actuality, the public is most interested in the items on the Open Session Agenda. We believe this is not a violation of the Brown Act and been done with the concept of simplicity in mind. The public layperson who attends an occasional board meeting may ask, "What time does the board meeting start?" That person almost always is interested by something on the Open Session Agenda. So, a simple answer to their question is, "The meeting starts at 6:30." Hence the reason for the 6:30 start time for Open Session being highlighted. The start time of Closed Session (typically, but not always, 5:30) is denoted on the agenda but not highlighted at the top of the document. This has been to avoid confusion. Let us again consider that public layperson who comes to an occasional board meeting asking the question, "What time does the board meeting start?" Let's consider if the answer is more technical, "Closed Session starts at 5:30 and Open Session starts at 6:30." In reality, if that same member of the public comes at 5:30, there is a likelihood that they will hear the board call the meeting to order, conduct roll call, and ask if they (the public) have a comment on a Closed Session Agenda Item. Unless they specifically came to comment on a Closed Session Agenda Item, they will then have to sit idly and wait until 6:30 and the start of Open Session.

Still, in an effort aimed at full disclosure, mutual respect, and a shared vision with the community, the Board will direct district staff to highlight both the start times of Closed Session and Open Session at the top of Board Meeting Agendas henceforth.

F12. The agenda template does not advise the public of its opportunity to pull items from the consent agenda for comment prior to the adoption of the agenda.

AGREE

PARTIALLY DISAGREE – explain the disputed portion

DISAGREE – explain why

Response explanation (required for a response other than **Agree**):

School districts are expressly required to allow members of the public to place matters directly related to school district business on a regular meeting agenda. Governing boards have discretion to determine whether a proposed agenda item is directly related to district business, and also have discretion to reasonably control when the item is placed on the agenda. The Brown Act does not expressly allow members of the public to “pull” items from the Consent Agenda; however, it has been the District’s practice to do so with the following language appearing in concert with the agenda item for Consent Agenda:

The following items listed under the Consent Agenda are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion, unless members of the Board, staff, or public have requested under *Adoption of the Agenda* that specific items to be discussed and/or removed from the Consent Agenda.

Therefore, in the spirit of full disclosure, mutual respect, and a shared vision, the board will direct district staff to add similar language to item 3.C (Agenda adoption) in order to address this issue. That language will read as follows:

Consent Agenda items are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion, unless members of the Board, staff, or public have requested under *Adoption of the Agenda* that specific items to be discussed and/or removed from the Consent Agenda.

Recommendations

R1. The SUESD Board should record in the minutes the closed session agenda items that were discussed and any actions taken, including taking no action, on those items. (F1, F2, F4, F5)

HAS BEEN IMPLEMENTED – summarize what has been done

HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE – summarize what will be done and the timeframe

REQUIRES FURTHER ANALYSIS – explain scope and timeframe (not to exceed six months)

WILL NOT BE IMPLEMENTED – explain why

Response explanation, summary, and timeframe:

Effective immediately, the board has directed the Superintendent to ensure that future minutes record specific closed session agenda items even if no action was taken.

R2. The SUESD Board should demonstrate its compliance with **CGC §54954.3(a)**, **CEC §35145.5**, and its **Bylaw 9323** to give the public an opportunity to comment by recording this offering in the minutes. (F3)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Effective immediately, the Board has directed the Superintendent to add a statement in the minutes reflecting when the board president offers the public the opportunity to comment on closed session agenda items.

R3. The Board should comply with **CGC §54957.7.(a), CGC §54957.7.(b), CGC §54957.7.(c)** by not meeting in closed session after adjourning open session. (F6)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Effective immediately, the Board has directed the Superintendent to ensure that board agendas continue to state the start time of closed session with the following addition: “AND AFTER OPEN SESSION IF NECESSARY.” Additionally, in instances where closed session does need to carry on after open session, the minutes will state “Following the public comment period for closed session items, the Board reconvened in closed session.” Of course, the Board President will ensure that there is indeed a public comment period in these instances.

R4. The SUESD Board should comply with its **Bylaw 9400** by addressing in public session its self-evaluation, including whether or not the District's goals for the previous year have been achieved. (F8)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

As stated previously in this document, the board has executed a self-evaluation in actuality. Unfortunately, that self-evaluation was not clearly communicated as such in the minutes. Therefore, the board directed the superintendent to lead a more detailed discussion of the self-evaluation that was conducted. This discussion took place at the SUESD Board Meeting held on July 31, 2017. The Board will be using CSBA's self-evaluation tool again during the 2017-18 School Year.

R5. The SUESD Board should conduct an official review and update of the criteria for evaluating their only employee, the superintendent. (F9)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

The district has updated a draft of Board Policy 2121 and the board will be considering approval of the current draft at an upcoming board meeting in the Fall of 2017.

R6. The SUESD Board should comply with **CGC §54954.3** by correcting its agenda template to reflect accurate times, locations, and content for meetings. (F10)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Effective immediately, the Board has directed the Superintendent to highlight both the start times of Closed Session and Open Session at the top of Board Meeting Agendas henceforth. Of course, accurate locations and content is to be reflected on all agendas.

R7. The Board’s agenda should reflect that Board meetings begin with the Call to Order. (F11)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Effective immediately, the Board has directed the Superintendent to move the “Call to Order” to take place prior to convening Closed Session.

R8. The Board should advise the public of its right to pull a Consent Agenda item for comment prior to adopting the agenda. (F12)

- HAS BEEN IMPLEMENTED** – summarize what has been done
- HAS NOT BEEN IMPLEMENTED BUT WILL BE IMPLEMENTED IN THE FUTURE** – summarize what will be done and the timeframe
- REQUIRES FURTHER ANALYSIS** – explain scope and timeframe (not to exceed six months)
- WILL NOT BE IMPLEMENTED** – explain why

Response explanation, summary, and timeframe:

Effective immediately, the board has directed the Superintendent to add the following language to sample agenda item 3.C:

Consent Agenda items are considered by the Board in one action. There will be no discussion on these items prior to the time the Board votes on the motion, unless members of the Board, staff, or public have requested under *Adoption of the Agenda* that specific items to be discussed and/or removed from the Consent Agenda.

Penal Code §933.05

1. For Purposes of subdivision (b) of §933, as to each Grand Jury finding, the responding person or entity shall indicate one of the following:
 - a. the respondent agrees with the finding,
 - b. the respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
2. For purpose of subdivision (b) of §933, as to each Grand Jury recommendation, the responding person shall report one of the following actions:
 - a. the recommendation has been implemented, with a summary regarding the implemented action,
 - b. the recommendation has not yet been implemented but will be implemented in the future, with a timeframe for implementation,
 - c. the recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a timeframe for the matter to be prepared for discussion by the officer or director of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This timeframe shall not exceed six months from the date of the publication of the Grand Jury report, or
 - d. the recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.
3. However, if a finding or recommendation of the Grand Jury addresses budgetary or personnel matters of a County department headed by an elected officer, both the department head and the Board of Supervisors shall respond if requested by the Grand Jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision-making authority. The response of the elected department head shall address all aspects of the findings or recommendations affecting his or her department.
4. A Grand Jury may request a subject person or entity to come before the Grand Jury for the purpose of reading and discussing the findings of the Grand Jury report that relates to that person or entity in order to verify the accuracy of the findings prior to their release.
5. During an investigation, the Grand Jury shall meet with the subject of that investigation regarding that investigation unless the court, either on its own determination or upon request of the foreperson of the Grand Jury, determines that such a meeting would be detrimental.
6. A Grand Jury shall provide to the affected agency a copy of the portion of the Grand Jury report relating to that person or entity two working days prior to its public release and after the approval of the presiding judge. **No officer, agency, department, or governing body of a public agency shall disclose any contents of the report prior to the public release of the final report.**