



# SOUTHERN HUMBOLDT UNIFIED SCHOOL DISTRICT



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September 3, 2020

VIA EMAIL ONLY

[gelvinekreis@humboldtcourt.ca.gov](mailto:gelvinekreis@humboldtcourt.ca.gov)

[grandjury@co.humboldt.ca.us](mailto:grandjury@co.humboldt.ca.us)

Honorable Gregory Elvine-Kreis  
James Glover, Foreperson  
Humboldt County Courthouse  
825 5th St.  
Eureka, CA 95501

Dear Honorable Elvine-Kreis and Mr. Glover,

Attached please find the response of the Southern Humboldt Joint Unified School District's Board of Trustees to the Humboldt County Civil Grand Jury's Recommendations and Findings from Leadership and Management of the District, emailed to the District on June 5, 2020.

Thank you for your continued interest in, and support of, our public schools and the health and wellness of our county's young people.

Sincerely,

Dennis O'Sullivan, President,  
District Board of Education

Stephanie Steffano-Davis,  
Superintendent

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## RESPONSE TO FINDINGS:

**F-1. The Southern Humboldt Unified School District is in need of effective leadership with a clear vision from all stakeholders. (R-1, 2, 3, 4, 6, 8)**

**Response:** We agree, noting that this finding applies to the Southern Humboldt Unified School District ("District") and all school districts.

**F-2. The Board of Trustees is in need of leadership with new ideas. (R-1, 2, 3, 4, 6, 8)**

**Response:** We disagree with the implication that experienced Board members lack new ideas. Among the innovative ideas with profoundly positive results that the current Board championed are the award of a \$1,000,000 no-interest loan to install solar energy at one school site. This project will be completed in May 2021. In addition to being eco-friendly, this will save the District \$100,000 per year. Along the same lines, the District applied for a grant for its first electric bus and charging infrastructure. The District is ahead of the State in meeting the energy independence goal by 2035.

There are many benefits to a stable Board. It reflects that the Board is made up of experienced people, who understand the District and the process of governance, who function well together and satisfy their constituents. Frequent turnover on a Board is far from ideal. New ideas and excellent leadership are always welcome on the Board.

**F-3. There is a need for more community involvement in school-related issues and activities. (R-1, 3, 6)**

**Response:** We agree.

**F-4. Some Board members are either unfamiliar with or do not always adhere to the requirements of the Brown Act. (R-1, 4)**

**Response:** We disagree. The District respectfully asserts that the Grand Jury Report's findings appear to be predicated on a misunderstanding of the Brown Act. The example in the report of a person not being able to participate in a meeting because she was subject to a legitimate Stay Away order from campus after harassing District staff is not an example of a violation of the Brown Act. This is a lawful procedure to protect schools' students and staff from disruption or unsafe behavior. See Cal. Pen. Code § 626.4; Cal. Educ. Code § 44810. This individual was welcome to participate in Board meetings after the passage of the 14 days' to which she was subject to the Stay Away order. She submitted her written input to the Board prior to the meeting, and the Board accepted her comments. Furthermore, the meeting could not be moved, as the Grand Jury erroneously states it should have been, as that would have violated the very Brown Act the Grand Jury asserts the Board was not following. See Cal. Gov. Code § 54954.2, requiring 72 hours' notice to the public of a regularly scheduled board meeting, including notice of location. The Board is not able to move a location of a Board meeting at the last minute without a passing motion to adjourn, which did not occur.

Factually, the above incident is recounted incorrectly in the Report as well. No Board member made a motion to move the meeting, no vote was taken, and therefore there was not a 3:2 vote to stay in the agendized location, as recited in the Report.

The other example in the report, that the District allegedly hired an investigator who found in favor of a complainant to look into her Brown Act claims, did not ever occur.



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**F-5. Discipline policy and procedures are not adhered to by the Board, administration, staff, parents and students. Therefore, discipline is not enforced consistently throughout the District. (R-5, 8)**

**Response:** We disagree. The District strictly follows Education Code sections 48900 *et seq.* when imposing suspensions or expulsions upon students. Parents who disagree with an expulsion decision may appeal to the Humboldt County Board of Education, although there have been no such appeals for many years. However, the District was found by the State to be disproportionately disciplining white students at a rate higher than non-white students.

The District does not agree that parents and students might be responsible for adhering to District policies or procedures related to student discipline, therefore leading to inconsistent discipline, as stated in this finding. This is the responsibility of District staff, not parents and students.

**F-6. Local economic downturn and declining student population within Southern Humboldt County in recent years has adversely affected the SHUSD finances. (R-6, 7, 8)**

**Response:** We disagree. When we review records dating back to 2014, the District is not in declining enrollment.

**F-7. Southern Humboldt Unified School District is a geographically large district creating difficulty for serving the needs of students, parents and employees. (R-5, 6, 7, 8)**

**Response:** We agree that this presents some challenges, but it also comes with the advantages of resource-sharing among what would otherwise be multiple small districts in the region.

**F-8. The Humboldt County Board of Education is required to provide oversight to school district budgets and intervene preemptively when necessary. SHUSD may be in need of intervention. (R-7, 8)**

**Response:** We disagree that fiscal oversight is provided by the Humboldt County Board of Education. This is provided by the Humboldt County Superintendent of Schools. These offices are separate. California Education Code Section 1240 states, in relevant part, "The county superintendent of schools shall do all of the following: . . . (b) Maintain responsibility for the fiscal oversight of each school district in his or her county pursuant to the authority granted by this code." We further disagree that we are in need of intervention beyond that which is provided by the Humboldt County Office of Education ("HCOE") in the regular course of business.

**F-9. Establishment of a Charter school through the Humboldt County Board of Education will have a negative financial impact on Southern Humboldt Unified School District. (R-7, 8)**

**Response:** We agree that this is a possibility.

**F-12. The region has a small trained labor pool which limits Southern Humboldt Unified School District's recruitment and retention options. (R-6, 8)**

**Response:** We agree that this applies to the District and most other rural school districts.



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## RESPONSE TO RECOMMENDATIONS

**R-1. The Humboldt County Civil Grand Jury recommends the Southern Humboldt Unified School District Board of Trustees offer a public information meeting. This meeting will engage and educate the public on how to become more involved in activities of the school board, including considering running for a seat on the school board. The meeting should be held before November 1st, 2020. (F-1, 2, 3, 4)**

**Response:** The District will implement this recommendation at its October 8, 2020 Board Meeting. Furthermore, the District has added this information to its website at <https://sohumusd.com/>. Please note that the deadline to file to run in this years' school board election was August 7, 2020. See <https://humboldt.gov/DocumentCenter/View/87542/Candidate-Guide-G2020>.

**R-2. The Humboldt County Civil Grand Jury recommends the Southern Humboldt Unified School District Board of Trustees articulate and publish a clear vision for the future of the District. This process should be completed by the beginning of spring semester 2021. (F-1, 2)**

**Response:** The District will implement this recommendation during the Spring 2021 semester.

**R-3. The Humboldt County Civil Grand Jury recommends the Southern Humboldt Unified School District Board of Trustees create an easy-to-navigate section on the District website detailing how to become a board member, as well as the need for citizen participation. This portion of the website should be completed by November 1, 2020. (F-1, 2, 3)**

**Response:** This recommendation has been implemented.

**R-4. The Humboldt County Civil Grand Jury recommends the Southern Humboldt Unified School District Board of Trustees attend training regarding their legal responsibilities to the community, including the Brown Act, and establish a policy that all new board members attend such training. Cost of the seminars to be covered by the District. The training and new policy should be completed by November 1, 2020. (F-1, 2, 4)**

**Response:** The District will implement this recommendation as follows:

New Board members will be trained by January 26, 2021, after they are sworn into office, which shall occur at the December 10, 2020 regular annual organizational Board meeting. Cal. Educ. Code § 35143. Previously elected Board members will be required to attend regular Brown Act training as a refresher.

The Board will adopt a bylaw to address Board trainings within the recommended time frame. The bylaw will provide for the above.

The District provides all training of Board members at District expense.

**R-5. The Humboldt County Civil Grand Jury recommends discipline policy and procedures be standardized throughout the Southern Humboldt Unified School District and implemented in a consistent manner. Training regarding discipline should be provided to all personnel of the District, classified, certificated, and volunteers. These training sessions should be open to the public. Training should be completed by November 1, 2020. (F-5, 7)**



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**Response:** The District will partially implement this recommendation. The Board adopted a Comprehensive Coordinated Early Intervening Services (“CCEIS”) Plan in March 2020. A CCEIS Plan addresses student discipline and provides professional development in that area, as well as behavioral supports to reduce student discipline. The next phase of this plan will be discussed at the District’s September and October regularly-scheduled Board meetings. These two public meetings will also serve to educate the public on improvements to the District’s approach to student discipline, such as more positive behavior intervention and trauma-informed practices. This plan has had input from all stake-holders, and was developed with the input of Cabinet level administrators representing both the areas of special education and general education; the Humboldt-Del Norte SELPA Director (or Designee); Director of Assessment; teachers in the areas of special education and regular education; Bargaining Unit Representative; Representatives from Community Organization ; Parents; the Superintendent; Principal/Site Level Administrators; Human Resources Administrator; and a Business Services Representative.

The development of the CCEIS Plan is an ongoing process with multiple phases, which the District will finalize no later than December 15, 2020. As part of the CCEIS Plan, the District is revising its policies and procedures and will train those employees who have authority to impose discipline upon students. Staff who will be trained will be trained by December 1, 2020. This will not be conducted at a public meeting, as staff needs to learn and digest this material in a forum that facilitates candid discussions and possible confidential discussions related to individual students or personnel. The adoption of the CCEIS Plan involves multiple public meetings, which further serves to communicate these changes and enhancements to our student discipline to the public for its input.

**R-6. The Humboldt County Civil Grand Jury recommends the Southern Humboldt Unified School District must more aggressively pursue creative funding ideas from a variety of sources, including federal and state grants, charitable donations from private businesses, and local benefactors. The Board should make an announcement about their search for community volunteers to spearhead the fundraising efforts. The announcement should be made on local media, inviting public participation. After the fundraising personnel are announced, the Board will work closely with them, keeping in mind their common goals. The Board should then instruct the Superintendent to write an annual report detailing these fundraising efforts. This report should be produced for the public no later than June 1 of every school year. (F-1, 2, 3, 6, 7, 12)**

**Response:** The District is currently implementing many of these recommendations in conjunction with businesses, local benefactors, and charitable organizations established for the benefit of our schools. The community’s financial support for the District is exceptional and responsible for many of the elements that make schools fun, engaging, and develop students’ creativity and athleticism. The District’s pursuit of grants it is eligible for is vigorous and constant. Some grants that have been pursued are noted in response to Finding One. The District also recently received a grant to support its Career Technical Education program. In addition, the Humboldt Area Foundation and Humboldt Bridges to Success have given numerous grants to the District.

Community contributions are too numerous to list, but include the following:

- The community supported our schools by passing a total of \$25 million in bonds in 2010 and 2014 to modernize and construct new facilities, which has now come to fruition in the form of two state of the art, aesthetically pleasing, newly remodeled schools; a brand new junior high school; and additional repairs and upgrades at other

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schools. This was passed due to the tireless work of a coalition of Trustees, employees, and community members.

- In 1989 the Southern Humboldt Schools Foundation was founded. The acronym "SOS," Save Our Schools, was a popular slogan. Since that date \$1.9 million has been raised and all but \$90,000 of that sum has been awarded.
- The South Fork Boosters Club raises over \$100,000 each year to fund the athletic program at South Fork High School. In addition over 50% of parents of athletes volunteer their time as well as over 10% of the students.
- The Friends of Whitethorn Elementary School funds that school's drama and music program, and financed a greenhouse.
- The Friends of Casterlin School funds a teacher for that school on an annual basis.
- One teacher at Casterlin School obtained a \$10,000/year grant from the Dean Witter family.
- The Parent Teacher Student Association of Redway Elementary School bought students' computers, and Community in Action has funded a Music and Performing Arts program at Redway for over 20 years.
- At an auction, one parent bid \$1000 for a cake (and won), reflecting the generosity of our community.
- The community is responsible for a scholarship fund at South Fork High School in excess of \$25,000.
- Local businesses are extremely generous whenever we ask for assistance with a project, whether it be food, nursery supplies, or gift certificates.
- Charitable organizations, such as the Rotary Club and the Kiwanis, have financed multiple scholarships for students over the years.

The District agrees with this recommendation in principal but believes it is successful in cultivating financial contributions from the community. The District will not be implementing the remainder of this recommendation.

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Thank you for the opportunity to respond to the Humboldt County Civil Grand Jury's Report, its findings, and its recommendations. We appreciate the efforts of the Grand Jury to improve Humboldt County's schools during this challenging time. We look forward to implementing the above recommendations.