

Parlier Unified Challenged by Lax Leadership

Fresno County Grand Jury 2014-2015

Report #3

INTRODUCTION

One of California's poorest-performing school districts is the Parlier Unified School District in southeastern Fresno County, about 20 miles from Fresno.

Parlier Unified has a long history of turnover in administrative leadership at the superintendent and principal levels.

Responding to a citizen complaint about district leadership, the Fresno County Grand Jury began an investigation to determine if the Parlier Unified School District elected and appointed leaders are adequately managing the district to best serve its students.

BACKGROUND

The Parlier Unified School District serves more than 3,300 students in the mostly rural agricultural area through four elementary schools, one junior high school, one comprehensive high school and one continuation high school in Parlier.

The district covers about 49 square miles in and around the city of Parlier, a farm center community in southeastern Fresno County. The City of Parlier had a population estimated at just over 15,000 on Jan. 1, 2015, an increase of just under 1 percent in one year (compared to Fresno County's overall 1.8 percent growth rate). More than 97 percent of the residents are Latino as are all five members of the Parlier Unified School District Board of Trustees.

The district's annual budget is about \$40 million from federal, state and local sources. The district employs 280 people and has had a recent growth-spurt in administrative personnel, following a period of rapid turnover at superintendent, the district's top administrator.

Witnesses told the Grand Jury that teacher turnover also was a challenge to Parlier Unified, as was turmoil surrounding the Board of Trustees, which included a recall election in which the incumbents kept their posts and a regular election in 2014 in which three new board members were elected.

Parlier Unified did not have a chief business officer for several months until December 2014, creating a challenge in establishing and enforcing policies to sustain prudent fiscal management.

For many years, Parlier Unified School District has not been improving the educational success of its students, witnesses testified to the Grand Jury, despite state, federal and local money invested in myriad programs, conferences and consultant contracts to turn things around.

Parlier Unified has had more than its share of challenges and the new and growing administration continues looking for the right programs and personnel to change the dynamic.

PURPOSE OF INVESTIGATION

The Fresno County Civil Grand Jury is charged with observing and reporting upon the operations – but not the curriculum – of local school districts.

That includes, but is not limited to, assessing fiduciary performance, administrative policies and management (e.g. Penal Code § 933.5).

The goal is to ensure that the public’s business is being conducted properly and publicly.

When citizens raise concerns with the Grand Jury about potential impediments to the smooth functioning of any local governmental entity, an investigation provides citizens impartial information.

The citizens alone, however, have the ultimate responsibility to examine the Grand Jury’s information and to decide whether action should result.

The Grand Jury also is a guardian of the Ralph M. Brown Act (California Government Code § 54950-54963), which protects the public’s right to know about how local governments conduct business. Therefore, the Grand Jury routinely assesses compliance with the Brown Act when investigating local government organizations.

The Parlier Unified School District was the subject of a 2008-09 Fresno County Grand Jury investigation into an alleged Brown Act violation. The Grand Jury concluded the allegation was unfounded.

DISCUSSION

WHERE PARLIER UNIFIED STANDS

Leaders of the Parlier Unified School District – elected and employed by the district – told the Grand Jury they are keenly aware that the district’s ability to educate its students ranks low in comparison with other districts in California.

One witness testified to the Grand Jury: “... in the last 15 to 20 years, Parlier has failed to give our kids access to quality education.”

The annual California Department of Education Academic Performance Index includes information on graduation and dropout rates for high schools, tracking students in four-year arcs from ninth through 12th grades, according to the report published April 28, 2015.

The state reported Parlier Unified graduates in 2014 were well behind those in neighboring districts on graduation rates and percentage of graduates eligible for University of California or California State University admission:

| School/District | Graduated | Dropped out | Qualify for UC entrance |
|--------------------------|--------------|--------------|-------------------------|
| Parlier USD | 79% | 19% | 22.2% |
| Statewide Average | 80.8% | 11.6% | 41.9% |
| Fowler USD | 95.6% | 3.8% | 43.4% |
| Selma USD | 92.2% | 6.0% | 34.3% |
| Sanger USD | 92.2% | 5.0% | 40.3% |
| Kings Canyon USD | 90.3% | 4.9% | 31.8% |
| Kingsburg JUHSD | 90.3% | 8.6% | 44.3% |

TURNOVER AT THE TOP

Over the years, Parlier Unified School District has developed a reputation for short-tenured superintendents and turmoil among members of the Board of Trustees.

The churn at the top continued from 2011 to mid-2013, six people served as the Parlier Unified superintendent.

In 2011, a superintendent who had served five years was placed on administrative leave and then fired by trustees. The replacement served only two months in 2012, and then retired.

A third superintendent, appointed in September 2012, just a month after being hired as a principal, was on duty for several months, but became ill and then was placed on "special assignment" for the balance of the contract and at a cost of more than \$200,000. The Grand Jury was told that the special assignment was not completed, although payments continued.

In the many months between superintendents, two district administrators were appointed by trustees to be acting superintendents.

The current superintendent was appointed by the Board of Trustees on June 11, 2013 after being the trustees' adviser since Nov. 1, 2012.

ADVISING TRUSTEES

The Parlier Unified School District Board of Trustees voted 3-2 on July 24, 2012 to hire its own adviser "at no cost to the district. Services would be volunteered." But when a contract was approved 3-2 on Dec. 18, at a special meeting (not on the regular second or fourth Tuesday), trustees obligated the district to pay the adviser \$50 an hour for up to 4 hours per day with no cap, plus expenses and also retroactive to Nov. 1, 2012.

The meeting agenda item for a proposed consultant agreement came from the consultant's résumé: "This service brings an outside independent analysis and voice to organization problem solving. The consultant obtains [sic] a master's degree with an administrative option and has done extensive research on school board roles, agenda, and educational vision and purpose that will give the school board members the tools to define its [sic] purpose and to be able to effectively communicate that purpose and vision with all stakeholders in the education of every student in the Parlier Unified School District."

The meeting minutes reflect no discussion of the change from volunteer to paid adviser, nor any reason the contract was made retroactive.

Parlier Unified's first trustee adviser was a seventh-grade teacher in another district with no administrative experience. The adviser worked in Parlier Unified after fulfilling his weekday teaching obligation in another district as well as on weekends, the Grand Jury was told.

The adviser was familiar with Parlier Unified as a high school alumnus, a trustee two decades earlier, frequent remarks at board meetings, research conducted about school board-superintendent relationships for his master's thesis and as a workshop presenter.

Grand Jury witnesses testified that he had no experience as a school district administrator, but was hired to provide advice to trustees usually provided by the school superintendent. The adviser had an office near the superintendent's in administration headquarters and was given broad authority to be involved in district operations supervised by the superintendent.

In testimony to the Grand Jury, witnesses said the adviser was retained to help trustees do their elected jobs better by explaining budgets, contracting, grants, student achievement and other topics so trustees would be better prepared for meetings.

Witnesses testified they made little use of the adviser's services. He was, however, a frequent presence in trustee meetings' closed sessions, usually reserved for confidential discussions among trustees, top administrators and attorneys, about litigation, personnel and the like. In the meetings the trustees' adviser attended, witnesses testified, was discussion of the superintendent's tenure.

During six-plus months as an adviser, he was a guest of the district for at least 14 meals in Selma, Kingsburg and Fresno restaurants, 11 with the superintendent. One of the trustees ate with the adviser 11 times. The adviser ate with two other trustees 8 times. All three trustees voted for him to succeed the superintendent who had hosted the adviser. Two trustees never participated in meal meetings with the adviser and voted against his becoming superintendent.

The adviser's time was difficult to track. He submitted time sheets showing that he consulted the maximum four hours a day for as many as 26 days in a month.

When the Fresno County Office of Education business office questioned the lack of detail and informed the district it would not authorize payment, the Grand Jury was told, the Parlier Unified Board of Trustees president went to the county office in Fresno and insisted the adviser be paid. Subsequent time sheets included many meetings with board members and meals.

The Grand Jury was unable to discover any work product generated under this agreement and was told by one witness that no emails, memoranda or other documents exist.

The adviser was paid \$36,600 for that six month period and authorized payment for additional district resources to cover his restaurant meals and at least one conference trip with the trustees.

ADVISING ON THE ROAD

On Friday, Feb. 15, 2013, four Parlier Unified School District trustees and their adviser, traveled to the California Association of Bilingual Educators Administrative Leadership symposium in Long Beach.

The trustees received the following description before approving the travel request: "Session will provide district and site leaders with key information and resources to support them in the implementation of the Common Core State Standards and the new ELD [English Language Development] standards."

The symposium began at 10:45 a.m. and ended at 2:30 p.m., with lunch included, to help make it a one-day trip for districts. However, Parlier Unified trustees authorized spending \$1,029 so they could stay overnight (\$205 per person), \$244 for their meals, plus mileage – a total of \$1,533.35.

Because the event was held on a school day, presumably the school where the Parlier Unified adviser taught paid for a substitute to cover his absence.

HIRING A SUPERINTENDENT

The Parlier Unified School District posted a one week notice of the superintendent opening on May 30, 2013, with a filing deadline of June 6, 2013.

Job requirements included an administrative services credential, master's degree, knowledge of educational programs and trends, strong business and human resources skills. "Evidence of continuing professional development" and "five years of successful school district level administrative experience" were listed as "preferred."

On June 13, 2013, the board hired its adviser as the superintendent on a 3-2 vote, although he lacked a credential, district administrative service or demonstrated business and human resources skills. Trustees approved a four-year contract – the maximum allowable under state law – paying \$145,000 per year, plus \$500 monthly car allowance and pension contributions, in addition to lifetime health benefits. A recent amendment allows the superintendent to be paid in cash for unused vacation twice each year.

By early 2015 – less than two years into his contract – the superintendent’s salary had risen to \$176,000 and benefits pegged to salary had increased in addition.

One raise resulted from a “me, too” clause that gives the superintendent the same percentage pay hike awarded in the district’s contract with certificated employees. Such a clause, though, raises a question about for whom the superintendent is bargaining in employee negotiations – the district, which is trying to keep costs down, or himself.

Another raise was granted by trustees on Nov. 18, 2014. During a PUSD board meeting the deputy superintendent stated “it was discovered that” the superintendent was making “only” \$2 per hour more than a PUSD grant coordinator.

The board agenda item read, “As the duties of the superintendent are much more comprehensive in width and depth, the superintendent’s hourly wages will be adjusted accordingly.” That adjustment amounted to a \$10 per hour increase or an additional \$18,000 per year. Trustees also made the adjustment retroactive to the first of the 2014-15 school year.

The financial impact of those raises was not provided with agendas posted online for public information, nor in the minutes of the meetings in which they were approved.

LIMITING PUBLIC INTERACTION

The Parlier Unified School District recently took steps to limit public access at Board of Trustees’ meetings, which, witnesses told the Grand Jury, were designed to ease the trustees’ workload and time commitments and also to thwart negative or confrontational comments and questions from citizens.

When the Grand Jury began its investigation, trustees scheduled regular meetings on the second and fourth Tuesday evening of each month and citizens could speak for up 5 minutes during a 20-minute public comment period at each meeting.

One trustee testified that the twice-monthly schedule didn’t mesh with his work schedule, adding that other trustees and the superintendent also had conflicts that resulted in meetings being canceled or rescheduled.

Grand Jury witnesses said trustees wanted to help lighten their workload so they’d have to study only one agenda per month. There was concern, too, about the time it took to conduct meetings.

Oct. 27, 2014 was the first reading of proposals to amend the Board of Trustees bylaws which had the effect of limiting citizen participation. The proposals cut the number of monthly meetings (fourth Tuesday) from two to one, to restricting citizens to 2 minutes of public comment, formerly five minutes and cut total public comments in half to 10 minutes overall.

Less than one month later, the changes were adopted at a special meeting rescheduled from the fourth Tuesday to the fourth Wednesday of November – Thanksgiving Eve – and convened at 2:08 p.m. (rather than 6 p.m.). Only three trustees were present. Meeting minutes reflect no discussion about the actions.

Witnesses were asked about a special trustees meeting at 8 a.m. Saturday, April 25, that replaced a regular meeting scheduled at 6 p.m. April 28. The Grand Jury was told that the meeting was moved up

because two trustees and three top administrators were scheduled for a trip to Harvard University on the regular meeting day. Their trip was approved at a special meeting at 5:30 p.m. Friday, April 17.

Testimony to the Grand Jury indicated that the convenience of trustees and the superintendent came before the public's in scheduling public meetings

The public comment limitations were approved, said witnesses, because trustees and the superintendent were weary of negative remarks and questions from citizens – one of them a former district administrator. Witnesses said another objective was to shorten meetings and encourage greater citizen involvement.

Since the new public comments limitations were imposed, there have been several verbal confrontations between citizens, trustees and the superintendent. In at least two meetings, recesses were called to restore order. Minutes reflect that while the public comments are strictly limited, trustees and the superintendent sometimes respond personally and at length, effectively extending meetings.

In the first five months of the new monthly meeting schedule, trustees met 11 times, but only 4 on a fourth Tuesday. There were (four regular meetings, seven special meetings or study sessions) during the first five months, an average of more than twice a month. Meetings were convened at three venues; on Fridays and Saturdays, on Tuesdays other than the fourth of the month; and at 8 a.m., 5 and 5:30 p.m., in addition to the customary 6 p.m.

Of the three regular monthly meetings and one special meeting (a regular meeting moved to the previous Saturday morning) for which minutes were available, the shortest was 3 hours and the longest ran 4 hours, 46 minutes. The average was 4 hours, 15 minutes.

Closed sessions lasted 1 hour to 2 hours added to the length of meetings.

Citizens who want to observe proceedings or to make comments to trustees must wait until the closed sessions end before getting their opportunity to participate. Grand jurors observed a presentation by a student well after 10 p.m. and some citizens already had left because of other obligations.

SCHEDULING ISSUES

As the 2014-15 school year began, one could understand why a Parlier Unified School District resident would be confused about when the district's elected Board of Trustees met, at what time and where the meeting might be held.

The meeting confusion early in 2015 was nothing new for Parlier Unified trustees, though. After adopting a 2014-15 budget and its state mandated Local Control and Accountability Program at a special meeting on the fourth Wednesday (rather than previously scheduled fourth Tuesday), the Board of Trustees met as scheduled in July and the second Tuesday of August.

After that, the board skipped its second August meeting, met as scheduled in early September, skipped two more regular meetings, and then conducted the regular meeting agenda as a special meeting on Oct. 27, a Monday, one day earlier than the previously scheduled regular meeting.

During November 2014 there were four meetings in just over two weeks, none on regularly scheduled dates—one on the afternoon before Thanksgiving, rather than during the evening. It was at one of those November meetings when trustees adopted the new once-a-month meeting schedule beginning in January.

In December, with a new Board of Trustees, there were three meetings, only one on its scheduled day, and then there wasn't another time for the public to interact with the trustees at a meeting for more than a month.

Special meetings pose special challenges for all governing bodies, not just Parlier Unified.

They may be necessary to conduct urgent business, so they're subject to only 24 hours' public notice. They may also replace regularly scheduled meetings. In either case, however, changing dates and meeting places repeatedly has the appearance of a poorly administered district at best and raises questions about the district's transparency at worst.

Trustees met at 5:30 p.m. Friday, April 17, 2015, for example, to vote on two items: Travel requests for conferences in California, Illinois, Nevada and Massachusetts—most of them months in the future—and student field trip requests. Both items are part of regular-meeting consent agendas, not special meetings.

Among the nearly \$85,000 in conference travel requests was a \$64,315 item for six administrators, two trustees and two teachers to attend training at Harvard University starting nine days later. Two of the administrators went in 2014 for the same training.

The 2014 trip was questioned by two trustees as an unnecessary expense. That became an issue in a subsequent election campaign in which those trustees were defeated by candidates supported publicly by the superintendent.

Two of the new trustees were listed on the manifest of the Harvard conference.

No minutes were available more than a month afterward to determine whether any of that special meeting's requests were approved, whether there was public or trustee comment and whether the two trustees voted to send themselves on the trip to Massachusetts.

Payments, also called warrants, for the trip were not authorized until a regular trustees meeting rescheduled as a special meeting on April 25, one day before the trip and eight days after the warrants were issued.

MINUTES DELAYED

Parlier Unified School District Board Policy 9324 states, "The Governing Board recognizes that maintaining accurate minutes of Board meetings provides a record of Board actions for use by district staff and the public. Accurate minutes also help foster public trust that Board actions are occurring in public in accordance with law."

The Policy further states, "The Superintendent or designee shall distribute a copy of the 'unapproved' minutes of the previous meeting(s) with the agenda for the next regular meeting. At the next meeting, the Board shall approve the minutes as circulated or with necessary amendments."

Unfortunately, Parlier Unified does not follow its own policy, erecting another barrier to public engagement district leaders and elected trustees say they want to encourage.

The Grand Jury found that minutes for the Oct. 27, 2014 meeting, which was itself convened the night before its scheduled date, weren't provided to the public until the agenda for the Jan. 27, 2015 regular meeting was published – a full three months afterward.

At the Jan. 27 meeting, trustees approved minutes of seven other meetings in November and December 2014, but did not include minutes of a special meeting earlier in January.

At the May 26, 2015, Board of Trustees regular meeting, minutes were available for the April 11 and 25 meetings, but not for the meeting on April 17, nor one on May 19.

While the minutes policy does not explicitly include special meetings, the intent seems clear that minutes of a special meeting should also be provided with the agenda for the next regular meeting.

Minutes play a big role in reflecting a commitment to transparency that helps the public be involved in its government institutions.

ERECTING BARRIERS

Although Grand Jury witnesses testified to their concern for public engagement in Parlier Unified School District governance, there are other practices that make it difficult for the public to discern what's happening.

Among them:

- Warrants List agenda items routinely say there are no expenditures of special note. Tens of thousands of dollars for attorneys, supplemental education supplies and programs, contractors, new buses and vans are on the lists, but seldom are discussed by trustees. So, too, are parking tickets, mileage for an administrator to take a child to school outside Parlier Unified and a letter from the superintendent to district residents just before an election.
- Some conference requests are “ratified,” meaning the trustees are voting on a trip that already happened, but wasn’t authorized per district policy.
- Meeting agendas are archived online in two places, but on the district website they aren’t linked.
- Translators aren’t always available for Spanish-speaking members of the public and what those citizens say may not be accurately translated. Grand jurors observed one citizen speaking Spanish whose remarks, as translated by the superintendent, were not accurate, nor were they accurately recorded in minutes of that meeting. However they were approved by trustees, three of whom didn’t attend that meeting, yet became part of the district’s archives.
- At Board of Trustees meetings, the public is seated at the back of the room, at least fifty feet distant from where trustees and the superintendent sit. Numerous administrators sit among the citizens and appear to be keeping watch on the public when not conducting private conversations or applauding their boss.
- Grand jurors observed rudeness directed by the superintendent and trustees toward members of the public who were expressing disagreement or asking questions. And while there were limitations on the length of time that citizens could comment, trustees and the superintendent spent as much time as they wanted to respond, then didn’t allow any rebuttal.

ADDING ADMINISTRATORS

The number of administrators at Parlier Unified district headquarters has grown during the 2013-14 and 2014-15 school years.

| 2012-13 | 2013-2015 |
|--|--|
| District level Certificated Personnel | |
| Superintendent | Superintendent |
| Assistant Superintendent C&I | Assistant Superintendent C&I |
| Student Services & Special Education | Student Services & Special Education |
| Director of Support Services | Director of Support Services |
| | Deputy Superintendent |
| | Director of Classified Personnel (in 2013-14 was the Athletic Director at PHS then promoted to Administrator on Special Assignment before earning an Admin credential and promoted to this role) |
| | Director of Special Projects |
| | Chief Academic Officer of College and Career Readiness |
| | Turnaround/Transformation Director |
| | Director of Compensatory Education |
| | Director of Migrant Education/Community Outreach |
| | Career and Technical Education Coordinator |
| | English Language Arts Assessment Coordinator |
| | District Teacher on Special Assignment (Superintendent's brother) |
| District level Classified Personnel | |
| Chief Business Official | Chief Business Officer |
| Business Manager | Business Manager |

| 2012-13 | 2013-2015 |
|--|---|
| Food Services Director | Food Services Director |
| Human Resources Director | Human Resources Director |
| Maintenance Director | Maintenance Director |
| Transportation Director | Transportation Director |
| Child Welfare and Attendance Coordinator | Child Welfare and Attendance Coordinator |
| Director of Technology | Director of Technology |
| | Supervisor of Technology |
| | Prevention and Intervention Coordinator |
| | Supervisor of Athletics |
| | Elementary Physical Education Coordinator (An outside contractor who is the Superintendent's high school classmate) |
| | An additional Human Resources Technician |
| | Facilities Director |
| | Facilities Assistant |

These additional district level administrative positions will cost Parlier Unified School District \$1.5 million per year.

Not included among the 14 district administrators listed are principals at the seven schools and the directors of facilities, transportation and technology. There are also learning directors, guidance instructional specialists, psychologists and coordinators.

Witnesses told the Grand Jury that there are so many administrators that district offices had to be reconfigured and the business team relocated to a nearby building.

By comparison:

| Similar Districts to Parlier | # Students | # District Certificated Staff | # District Classified Staff |
|--|------------|-------------------------------|-----------------------------|
| Parlier | 3,300 | 14 | 15 |
| Brawley Elementary School District- Kern County | 3,800 | 3 | 5 |
| Arvin Union Elementary Kern County | 3,200 | 7 | 10 |
| McFarland Unified- Kern County | 3,300 | 4 | 7 |
| Corcoran Unified- Kings County | 3,300 | 3 | 3 |
| Richland Union Elementary | 3,300 | 3 | 8 |
| Washington Unified | 3,200 | 4 | 9 |
| Southern Kern Unified Kern County | 3,100 | 4 | 8 |
| San Benito High School District- San Benito County | 3,000 | 4 | 4 |
| Selma Unified School District | 6,400 | 7 | 10 |

While the superintendent was creating a larger administrative team, one area that was neglected was appointing a chief business officer (CBO). It was nearly 18 months after the superintendent was appointed by trustees and only after the urging of the Fresno County Office of Education, witnesses told the Grand Jury, that a CBO was hired in late 2014.

However, testimony to the Grand Jury indicated the CBO’s office and the entire district business office have been separated physically from offices housing the superintendent’s expanded administrative team and the CBO has had little contact with the superintendent.

A CBO plays a key role in ensuring the fiduciary responsibility of the District. The Grand Jury’s concern is that the CBO in PUSD is not allowed or expected to enforce and administer policies and procedures to provide oversight on spending by the superintendent, his administrators and trustees and implement more stringent policies about contracts.

EATING AND MEETING

From June 18, 2013 to Oct. 27, 2014, while Parlier Unified School District students continued to perform below state and local averages, the district superintendent, elected trustees and top administrators dined out 164 times and the district paid more than \$9,281 for their food and drink.

The superintendent hosted at district expense, at least 161 of those events, often two or three per day. All were claimed as meetings and Parlier Unified paid every tab, witnesses testified to the Grand Jury.

More than 40 percent of the meal meetings reviewed by the Grand Jury had incomplete or no documentation about who ate and what they discussed. Although 28 of the meal meetings exceeded the district's per diem meal allowances, the district business office did not ask anyone to make up the difference between the tab and the allowable \$13 for breakfast, \$20 for lunch or \$28 for dinner.

Not only did these meetings occur outside district headquarters, nearly 80 percent were convened at restaurants outside Parlier, although the district also spent additional thousands of dollars on meal meetings and "meeting supplies" through open purchase orders with two Parlier restaurants.

Within a week of his appointment, the superintendent began hosting restaurant meetings just as he had been hosted 14 times at district expense when he was the trustees' contract adviser. The superintendent's most frequent guest (nearly 42 percent of the 161 meals) was one trustee who voted to approve the board adviser's contract and for his appointment as superintendent.

Missing and incomplete documentation hampered the Grand Jury's ability to provide a full accounting, and it appeared that someone other than the superintendent wrote notes supporting some receipts after the Grand Jury requested additional documentation. It was not clear if those notes were written at the time of their submittal in 2013-14 or in 2015 when the Grand Jury request was made.

"Personnel matters" was written on five receipts submitted by the superintendent that the district paid March 13, 2014 and another on Jan. 14, 2014. The handwriting is different from a notation written by the superintendent on another receipt paid March 13. Those "personnel matters" meal meetings in Reedley, Delano, Kingsburg, Selma and Fresno cost the district \$405.67.

One "personnel matters" meeting luncheon in Delano (\$60) was followed by a "promoting positive relations" dinner in San Diego (\$204) eaten by the superintendent and three trustees, all there for a trustee-authorized conference. Dinner was billed to the superintendent's district credit card. It exceeded the dinner per diem allowance of \$28 per person by \$23. The superintendent also appears to have received \$600 in cash from his Sunshine Club account (see separate section) to spend at the San Diego conference on "team building."

The Grand Jury also requested documentation for a Christmas party at a Selma restaurant on Dec. 23, 2013 that cost the district \$708. The district supplied what a witness testified was an agenda prepared for the event that he said was prepared around the date of the party. The document submitted to the Grand Jury was produced after the fact. It was written on Parlier Unified School District letterhead with the December 2014 school board listed, not the board serving at the time of the party one year earlier.

Documents and witness testimony indicated no request for meal reimbursement by the superintendent was refused by the business office, nor was any district employee or trustee asked to pay the difference between per diem meal allowance and any meal exceeding the limits of \$13 for breakfast, \$20 for lunch and \$28 for dinner.

The Grand Jury was told that the policy was under review because it had not been updated in several years. Witnesses who submitted requests for meal reimbursements said they didn't think the per diem applied to local dining

Most meal meetings for which reimbursement was sought were conducted at restaurants outside the district, occurred on weekends, holidays and at night, outside district administration business hours.

Receipts show that food served to the superintendent and his guests often dined very well at Parlier Unified's expense.

On Oct. 30, 2013, at a Selma steakhouse, the superintendent hosted four district administrators and one trustee to discuss "School Improvement Grant tech alignment to high school tech plan." They ate steak dinners, added premium side dishes and enjoyed \$48.94 worth of desserts, for a total of \$255.58.

There were 33 dinners at the same restaurant from June 2013 through October 2014 for which the superintendent billed the district \$3,691.

One receipt had the word "BAR" blacked out. Another submitted to the Grand Jury was for a meeting Nov. 3, 2014 at which the superintendent, two trustees and two administrators purportedly discussed high school physical education. The \$69.03 bill covered six servings of premium whiskey, one of Canadian whiskey, a cola and three 20-ounce draft beers.

The following day, the superintendent and others attending the event at the Selma steakhouse actively campaigned for three new trustees to be elected, the Grand Jury was told.

The receipts and supporting notations for the meal meetings reimbursed by the district raise questions about whether they violated or skirted the Brown Act's intent to keep the public informed about public agencies' decision-making.

The volume of meals, the expense involved, the lack of supporting information and the many meals that exceeded district per diem policy raise questions about how Parlier Unified exercises its fiduciary responsibilities and administers its own business policies and procedures.

However, trustees who ate out at district expense repeatedly didn't voice any questions or objections publicly.

ENLISTING ALLIES

In the Parlier Unified School District, 2014 was an election year, with two incumbents seeking new terms and one choosing not to run. Two of the incumbents questioned the superintendent's and board majority's decisions on personnel, programs, travel and other spending at meetings that were frequently disrupted by loud, personal remarks from both citizens and district leaders on the dais.

A sequence of Parlier Post newspaper headlines told the story: "**Top Parlier Unified officials clash,**" "**Board sorts through controversies**" and "**Continued conflict divides board.**"

As the Nov. 4, 2014 election drew nearer, the superintendent walked through Parlier neighborhoods campaigning for three trustee candidates to replace the incumbents. Witnesses testified that the superintendent was joined on the campaign trail by a trustee instrumental in his hiring both as a contract adviser and as superintendent, and by a former principal promoted by the superintendent to a new district administrative post. Just over two months later, the administrator was promoted again to become the No. 2 district administrator.

On September 17, 2014, the Parlier Post published an advertisement purporting to be one citizen's many complaints, personal and professional, against the superintendent, the trustee and the other administrator who had visited the citizen's neighborhood campaigning the weekend previous.

Publication of the ad came when trustees were in one of their periodic hiatuses from meetings (none from Sept. 10 until Oct. 27). So there was no opportunity for discussion or rebuttal at a board meeting. However, the superintendent was quoted extensively in the Parlier Post on Oct. 22, denying the accusations and defending choices made during his tenure and there was testimony to the Grand Jury that he had talked with district residents on occasion, who urged him to make a public rebuttal.

Witnesses told the Grand Jury that the superintendent directed the printing of a message to district residents that answered points made in the newspaper ad and in trustees' meetings. District legal counsel – which is paid at an hourly rate – was engaged to help craft the message, according to testimony.

The message minimized accusations, stated his qualifications and promised more meetings with food for district residents. The superintendent's message said that meals served at community meetings helped the district receive about \$42 million, although most of it was Parlier's share state and federal funds. It exhorted district residents to follow his lead to "focus on the voices that unite, not divide."

Accompanying the two pages of message were 10 more pages: Copies of the superintendent's degrees, credential certificates, workshop completion certificates and a list of "professional readings" listing 20 books read in an 18-year education career.

The original intent was to have the superintendent's message reproduced on district copying machines, the Grand Jury was told, but that plan was scrapped because the job was too big and would tie up machines needed for regular district business.

The superintendent estimated the message cost \$1,500-\$2,000, according to Grand Jury testimony. However, hiring a printer cost \$8,262.80 alone. Other costs include counsel's time spent drafting the superintendent's message, postage, envelopes and address materials.

The package of materials was sent to district residents – including 4,304 registered voters – less than two weeks before election day, Nov. 4, 2014, when 39 percent of the electorate voted in the three individuals endorsed by the superintendent.

On election day, said Grand Jury witnesses, the superintendent stationed himself across the street from the polling place, which was in a building occupied by a district vendor. One of the trustees elected Nov. 4 is an executive director for the vendor.

TRAVELING TO LEARN

During the 2013-14 and 2014-15 school years, the Parlier Unified School District trustees voted to spend more than a half-million dollars for the superintendent, his administrative team, trustees and others to travel throughout California and around the nation for conferences, training sessions and other events.

Each trustee meeting agenda states: "Board Policy 4133 requires the Board approve all conference travel (both in-state and out-of-state). Travel expenses not previously budgeted also must be approved on an individual basis by the Board."

The policy is silent on whether trustees may authorize requests with inaccurate computations, incomplete (or missing) information and/or submitted after the travel in question, although the Grand Jury's review of requests found repeated instances of those issues. There does not appear to be any policy requiring a post-trip assessment of the conference's value to the district, its students or to employees.

The Grand Jury was told by district employees that the PUSD Business Department reviews all requests and also researches costs of travel, lodging and registration (even making reservations to take advantage of "early-bird" prices). The requests are gathered together in the superintendent's office for placement on the monthly regular meeting agendas.

The Board of Trustees greenlighted trips both school years (2013-15) to Harvard University, Ivy League colleges, Texas, Las Vegas, Incline Village and Reno, Nev., and Eugene, Ore., as well as travel to Florida, New Mexico and Arizona – 16 out-of-state trips in all.

California destinations included San Diego, San Francisco, Newport Beach, Anaheim, Cupertino, Los Angeles, Palm Springs, Riverside, Monterey, San Luis Obispo, Sacramento and Rancho Cucamonga – a total of 72 trips.

Travel requests typically are placed on the trustees' consent agenda and are rarely discussed publicly (only if a citizen comments or a trustee seeks more information objects). At least 14 during the two years reviewed by the Grand Jury were approved by trustees after the trips were made.

The Grand Jury was told that not all authorized travel actually occurs.

One that was canceled, the Grand Jury was told, was a trustee-approved five-day summer-break junket to Chicago at a cost to the district of \$10,179 for a grant writing conference. The superintendent and three administrators, most of whom don't write grants, were scheduled to attend.

However, during the two years, Parlier Unified trustees *did* authorize:

- Paying \$68,900 for 44 employees to visit Pasadena for a three-day summer break 2013 conference on "professional learning communities." Fourteen months later, the board approved \$18,465 (including \$2,070 for substitute teachers) to send 14 employees to Anaheim for what apparently was the same training.
- A four-day trip to San Diego for the three-day California School Boards Association (CSBA) conference attended by the superintendent and three trustees for \$10,244. Trustees authorized \$11,051 for the superintendent, his wife (a district employee), five trustees, an administrator and another employee to visit San Francisco for the next three-day CSBA meeting.
- Two trips for Parlier High School football coaches to coaching clinics in Eugene, Ore., totaling \$6,415.
- In 2014 a 15-person delegation headed by the superintendent and four trustees to the California Association of Bilingual Educators (CABE) conference in Anaheim for \$26,555. The next year, trustees approved \$17,235 for attendance at the 2015 CABE conference by 11 employees, including the superintendent, his spouse (a district employee), a trustee who attended the previous year, and three administrators.
- A trip over summer break to Lake Buena Vista, Fla., for four staffers to stay seven nights for a district vendor's five-day "summer academy," costing the district \$12,915.

It was difficult for the Grand Jury to review some trips approved by trustees using information available to the public and the trustees.

For example, on Nov. 26, 2014, the special projects director, athletic director and a human resources technician were authorized for a trip to Los Angeles on Jan. 22, 2015 for a one-day workshop on labor law and labor arbitration with an overnight stay at a cost of \$2,595.

However, on Jan. 27, 2015, the trustees retroactively approved the labor conference request that listed those employees plus the superintendent, the superintendent's spouse (a district employee) and the superintendent's brother (a district teacher on special assignment). The new request was for \$4,564, which included two nights' lodging, \$96 worth of parking, seven registrations and seven hotel rooms and didn't name the seventh person, who turned out to be a trustee.

Social media documented that some Parlier Unified trustees attended a 7 p.m. Los Angeles Clippers basketball game after the workshop ended around 4:30 p.m.

The Grand Jury's questions on just this trip include:

- Why, beyond the basketball game, did the district pay for an extra night of hotel rooms?
- Why was the trustee's identity not identified?
- Who in the administration was making the retroactive request, which wasn't signed?
- Where was the proper account information?
- Why did people go who weren't involved in labor issues?
- How many hours were six district employees away from their offices?
- How much did the district spend on the trip ultimately?
- Why wasn't the second request submitted before the trip?

Numerous other requests had obvious computational errors, leaving the total authorized by trustees open to speculation. Some lines had no information, others said the amounts would be forthcoming or had previously been approved, but were not listed on the new request.

Many times there were multiple requests for a single conference, without notation about that fact. Some multiple requests were submitted for authorization over multiple meetings, denying both public and trustees easy access to full-cost ramifications of a given conference as travelers and their costs were added piecemeal.

TRAVELING TO HARVARD

Most trips made by Parlier Unified School District employees don't attract much public notice. Not so the 2014 junket to Harvard University by the superintendent, four administrators, two teachers and a trustee at a cost of \$35,572.40.

The weeklong visit to Massachusetts was authorized (3 ayes, 1 abstention, 1 absent) for training in Instructional Rounds, a protocol based on medical practice to investigate issues in schools and districts from multiple perspectives.

Questions asked by one trustee about the cost and whether the training was available closer to Parlier went unanswered that night, Feb. 25, 2014, but were repeated at later trustee meetings, in media coverage and again during the 2014 trustee election campaign.

Instructional Rounds training has been offered at the University of California, Davis (about a 210-mile drive from Parlier vs. a 2,600-mile airplane trip to Boston).

However, the Grand Jury was told that getting the training at Harvard, which developed the program, justified the greater distance, time away from the district and expense. Witnesses said the superintendent also decided against working with two regional school districts that had implemented Instructional Rounds, because of the program's complexity and the need to modify any program to meet Parlier's needs.

Of the total spent by the district, \$20,760—more than 58 percent—was for registration. Because there were two teachers in the eight-person travel party, the district also paid \$920 to hire substitutes.

Besides the teachers, Parlier Unified sent its superintendent, five administrators and one trustee with the intent of implementing Instructional Rounds to help improve the success of students.

The superintendent mentioned Instructional Rounds at subsequent Board of Trustees meetings, but no detail was reflected in minutes, and witnesses told the Grand Jury the program was not implemented.

However, on April 17, 2015, trustees voted unanimously—and apparently without expressions of dissent—to authorize a second trip to Harvard at a cost of \$64,315.50, more than an 80 percent increase from 2014.

This time, the Parlier Unified team was comprised of the superintendent and an administrator who went the previous year. Joining them for the trip were Instructional Rounds newcomers: two trustees, two teachers and six other administrators.

Registration, up \$355 per person from 2014, was the biggest expense at \$29,950—more than 46.5 percent of the trip total. The district's financial investment averaged \$6,431 per person, up nearly \$2,000, and the district was authorized to pay \$1,150 to substitutes for the two teachers.

The justification for the second Harvard trip says the district “is embarking on the development and full implementation of Instructional Rounds systemwide. It is our overall goal to train and build Instructional Rounds teams from the elementary to the secondary level.”

How much more than the nearly \$100,000 spent already will be necessary to implement the program was not reported to trustees. The Grand Jury was unable to determine whether parameters are in place to measure the program's success and return on its \$100,000 investment.

SHINING A LIGHT ON SUNSHINE

The Sunshine Club was an informal pool of money established by Parlier Unified School District employees to pay for flowers to send sick or grieving employees and for other minor expenditures of the sort that don't come out of the school district treasury. However, after the superintendent was appointed, Sunshine Club funds were used for many other purposes.

Many teachers and staff members donated small amounts of money for this good cause, according to witnesses who testified before the Grand Jury. Taxpayer money was not put into the fund and it was not subject to government oversight by either Parlier Unified trustees or the Fresno County Office of Education.

Although it was called the Sunshine Club, citizens were left in the dark about a series of expenditures from the fund beginning a month after the superintendent was appointed.

With \$2,850 in the account, the first check issued was payable to the superintendent for \$1,109.43 for an overnight trip with a trustee to Napa (\$814.34), which does not appear to have been authorized by the Board of Trustees, and for meal meeting reimbursements (\$291.09).

No documents were provided to the Grand Jury about the purpose of the trip. In testimony to the Grand Jury, witnesses did not agree on whether it was a social occasion (a district vendor's birthday party), involved attorney-client meetings or whether the district representatives and their spouses traveled together or separately at district expense.

Receipts from the hotel indicate the superintendent charged more than \$115 in room service/lobby bar dinner costs to his \$349/night room, while there were no extra expenses for the trustee.

The superintendent was the payee for the account's second check (\$107.58), too, which was for two meal meetings unaccompanied by supporting documents about who attended and what district

business was conducted. One receipt indicates the credit card issuer wouldn't authorize the full amount of the bill, leaving the balance to be paid by the superintendent in some other way.

One troubling issue is the source of money for the Sunshine Club. A home developer, seeking to have a 20-acre vacant parcel annexed to the city of Parlier and rezoned to build 59 single-family houses and one apartment building, donated \$10,000 in November 2013. The developer was granted an easement from Parlier Unified before donating the money, the Grand Jury was told, expecting it to be used to help students.

A \$500 donation was received from a law firm whose contract with Parlier Unified was renewed shortly after the superintendent was appointed, but changed from a flat fee to billing hourly. The superintendent and trustee visited one of the firm's principal attorneys in Napa. That firm was paid nearly \$57,000 by the district in the few weeks before and after the Sunshine Club gift was deposited.

Another \$1,000 came from the superintendent as a refund to the Sunshine Club. There was no additional detail. The Grand Jury asked for all Sunshine Club records, but only two were supplied beyond a March 1-31, 2014 bank statement: The \$1,000 deposit and a \$31 check to a local restaurant for "Bulk Mailing – Parent Letter." An accompanying receipt indicates the vendor supplied food.

The Grand Jury received no documentation or other information on the source of \$2,940 deposited to the fund.

The superintendent was the payee on \$2,960 of Sunshine Club funds for everything from mileage to meal/meetings and shopping expeditions at markets. The club also underwrote a team-building meeting, cutting checks to rent tables and chairs (\$40), hire a caterer (\$100) and purchase groceries (\$500).

A \$600 check made out to "cash" was used by the superintendent to treat three trustees to meals at a San Diego conference for "team building," although he had—over the seven months since his appointment—hosted at least 32 restaurant meals with those same trustees (one or two at a time). A troubling aspect is that the trustees had approved travel expenses for the trip Aug. 27, 2013 for a total of \$10,244.40, including \$1,344 for meals at the per diem rate of \$61.

The superintendent also received a check for \$370.08 as a "mileage stipend" for the San Diego trip, even though trustees already had approved and paid, \$1,202.40 in mileage expenses for travel to the conference.

The superintendent attached a "Parlier Unified School District Conference Reimbursement Form" dated Aug. 27, 2013, indicating he was entitled to \$370.08 for "Transportation/Parking Charges." However, the reimbursement form used for the Sunshine Club expense documentation was not presented to trustees on Aug. 27, as it indicates. The form was filled out in hand, contains no details, has a map downloaded from the internet and approval signatures that are unreadable.

This wasn't the only issue involving Sunshine Club funds used to supplement authorized district travel funds.

In late March and early April 2014, the superintendent and others traveled to Harvard University in Massachusetts as approved by trustees on Feb. 25, 2014 at a total cost of \$35,572.40. The trip, according to the expenditure detail, ended on April 3, but on April 4 the superintendent deposited a certified check he apparently purchased for \$1,000 into the Sunshine Club account. The notation on the check says, "Note: Refund Sunshine."

On June 30, 2014, three months after the Harvard sojourn, the superintendent was the recipient of a \$500 Sunshine Club check for "Cash Advance, Boston Trip/ Cashier's check 312850371." It was after-the-

fact, nor a cash advance and since the district had already paid for the trip, why was a check for it issued by the Sunshine Club and why did it mention the superintendent's cashier's check deposited April 4?

The Sunshine Club account was even used to make loans. One person, under contract with the district as a non-credentialed coach, received a check for \$1,000 on June 4, 2014 as "advance pay – May services – hardship financial." This loan was repaid about two weeks later, but the Grand Jury questions the practice of loaning money from any school source without Board of Trustees approval and whether the board had any authority over this fund at all.

With three trustees dining with the superintendent for what was being billed as a business meeting, the question arises about whether the gatherings violated the Brown Act. Most of the meals at which the superintendent and trustees were guests exceeded the district's meal per diem guidelines.

Not all the meals paid from Sunshine Club funds were linked to the superintendent. One trustee received \$150 for two meals. Documentation for a \$600 check made out to cash, indicates the expenditure was for meetings and supplies billed by a Parlier pizza restaurant against a \$1,200 open purchase order. The same restaurant received two other Sunshine Club checks for \$65.

The superintendent, on at least one occasion in January 2014, received reimbursement for the same meal expense twice – submitting the "guest copy" of a credit card receipt adding a gratuity and also a receipt for the same meal with just the food and beverage charge.

On Aug. 2, 2013, the superintendent received \$126.22 reimbursement from the Sunshine Club account for dinner at a Fresno restaurant for another "team building" meeting on a Friday night, but no indication who attended. The receipt *does* show that \$67 of the total \$126.22 tab was for a tip. The Sunshine Club check is dated Aug. 2 and the dinner was paid for at 9:33 p.m.

The Sunshine Club was disbanded in July 2014 after the Grand Jury made inquiries into its existence and purpose. The Grand Jury was told that the \$5,000 balance in the account at closing was distributed as stipends and scholarships to students.

ATTENDING ELSEWHERE

One indicator that Parlier Unified isn't meeting the needs of many of its students or the expectations of taxpayers is the number of parents who send or take their children to schools in other districts.

The Grand Jury asked the district for information about the number of children living within Parlier Unified but attending elsewhere. That information was not made available. Instead, the district provided information about a handful of such students added to the program, but not disclosing the total requested.

Interdistrict transfers are supposed to be approved by a school district's Board of Trustees, but the Grand Jury's review of agendas and minutes going back more than two years revealed that trustees weren't voting on such agreements until spring 2015.

Trustees vote at every regular meeting on warrants lists, which detail how much and to whom the district is sending checks. These checks can be for everything from mileage and meal reimbursements for administrators and trustees to new vehicles and shopping trips to discount stores to buy incentives and rewards for students.

Buried in dozens of pages of warrants each month are reimbursements to a dozen or so parents taking their children to schools in Fresno, Sanger, Reedley, Selma and elsewhere.

Warrants authorized by the Board of Trustees from January through May 2015 for parental mileage totaled \$19,361, an average of about \$3,870 each month. The Grand Jury was told that many parents don't seek the reimbursement for transporting their children out of Parlier Unified for schooling.

Among those receiving reimbursement is one of Parlier Unified's top administrators, who receives \$250-\$300 each school month from PUSD to get his child to school in another district, Grand Jury witnesses said that past trustees sent their children to out-of-district schools, but did not collect the mileage reimbursement.

The Grand Jury was told there could be as many as 100 children leaving Parlier Unified each day, which not only results in expenditures, but also robs the district of state attendance revenue.

The Grand Jury was unable to discover the total financial impact of the undisclosed number of Parlier Unified children attending schools outside the district, nor the state attendance revenue lost as a result.

CONTRACTS RAISE QUESTIONS

Through the past two years, the Parlier Unified School District has contracted with a wide variety of vendors for everything from pizzas to a publicist.

What distinguishes Parlier Unified's contracting is that few contracts appear to result from competitive bidding; have no performance-measuring metrics, even for outlays of hundreds of thousands of dollars; no cap on cost; or are for services provided by staff in other Fresno County districts.

By routinely approving contracts from the consent agenda, the trustees appear to accept with few or no questions the short descriptions offered by the administration in support of most contracts. While trustees can remove items such as contracts from the consent agenda for additional questions/discussion, seldom does that happen.

One trustee is the executive director of a contractor with Parlier Unified, but was not on the board when decisions were made to hire his company. However, several contracts with his company—committing the district to pay a total of \$539,832.80—were approved by the Board of Trustees only 13 days before he and the other newly elected trustees—all endorsed by the superintendent and two trustees—were sworn-in.

The meeting was moved from its regular Tuesday evening slot to 2 p.m. the Wednesday before Thanksgiving (Nov. 26, 2014) and only three trustees attended. Every action taken that day was by the 3-0 bare minimum needed to transact business, including additions to the superintendent's administrative team (including his brother), other contracts and board policies that limited public access.

Minutes reflect there were no public comments nor any questions raised by trustees during the hour and 35-minute meeting (a short session for the trustees). The contracts in question were all approved from the consent calendar, which is reserved for noncontroversial and routine items.

So the three trustees present did not question that one of the contracts with the future trustee's employer was retroactive to Aug. 1, 2014.

Two of the contracts appear to govern the same types of services, for overlapping time periods, with only minor changes in their descriptions -- \$120,000 for the contractor to perform "Outdoor Youth Leadership Training" and \$98,832.80 to provide a "Parent University."

The Grand Jury's review found that both contracts were almost identical. Many of the same descriptions merely change "Leadership Training" to "Parent University" depending on the contract. Many of the paragraphs are identical.

For example under the “Overview” section of the Outdoor Youth Leadership Training contract:

- Provide Leadership sessions that include research based best practices in Outdoor Leadership courses, and effectively involve families in PUSD academic improvement and volunteerism for their children and communities.

Under the “Overview” section of the Parent University contract:

- Provide Leadership sessions that include research based best practices in Parent University courses, and effectively involve families in PUSD academic improvement and volunteerism for their children and communities.

The Grand Jury is concerned that these contracts do not provide specifics such as detailed course descriptions, identities of instructors and their qualifications, or job descriptions and appear to be just boilerplate language.

The Grand Jury is also concerned about the documentation supporting the cost estimates of these and other contracts. The “Outdoor Youth Leadership Training” contract lists a total budget of \$120,000 with \$102,000 for unidentified staff, \$6,000 for the contractor’s “Leadership Support” and \$12,000 for the contractor’s “Indirect Cost.”

The cost estimates on the \$98,832.80 “Parent University” contract are also curious: \$20,000 for “support staff,” \$7,000 for “supplies,” \$5,000 for “oversight,” \$40,000 for “staff” plus \$2,240 each for six “PU teachers.” More puzzling is a line item of \$8,984.80 described as “indirect costs 10%.”

The Outdoor Youth Leadership Training contract implies that the activities are focused on outdoor activities, yet the description in the contract says:

“PUSD unduplicated parents/students at PUSD school sites and Fantz Center via “Outdoor Youth Leadership Training” focusing on STEM and Common Core Standards. {Academic disciplines of Science, Technology, Engineering, and Mathematics}”

It further says:

“Learning sessions (are focused on four areas that support students in ways that empower them to become leaders and advocates for student learning and school improvement. Academic disciplines of science, technology, engineering and mathematics.”

The contract is not clear on the services the contractor is to provide.

It appears to the Grand Jury that there are no negotiations involving these particular contracts and certainly no significant public discussion and since these do not appear to be arms-length transactions since there is a lack of disclosure about the details of these contracts and the need for the contracts. There is no data that these contracts have had any measurable positive impact on student achievement.

NEPOTISM

One difficulty in small communities or districts such as Parlier Unified is that so many people know or are related to one another that there are bound to be perceptions of nepotism and favoritism.

The superintendent’s wife, brother and sister are employed by Parlier Unified and have seen salary increases and significant promotional advancement during his tenure. Promotions and pay raises for family members drew criticism during the 2014 trustee election campaign. A witness testified to the Grand Jury that all promotions and pay raises made by the superintendent were merit-driven.

The wife and son of one trustee are employed by the district and so is the son of another. Trustees appear not to have participated in the votes, at least, in which their family members were involved, but that hasn't silenced some critics of the Board of Trustees.

It is even more difficult when the school district does not have a Board Policy addressing the nepotism issue. Other school districts and government entities have specific nepotism policies (for example, Fresno Unified Board Policy 4112.8).

The result is that the district's reputation for hiring and promotion can come under suspicion from citizens within the district, employees of Parlier Unified and from those outside the district possibly contemplating employment there.

CONCLUSIONS

The Parlier Unified School District has undertaken many courses of action under a new superintendent that have done little to help improve student success and much to benefit administrators and trustees financially.

Since June 2013, Parlier Unified administrators and trustees have traveled throughout California and across the country; charged thousands of dollars in restaurant meals; increased the administrative staff; given themselves raises; paid millions for consultants and programs; and run up big legal bills.

By not speaking out at meetings, trustees seem to accept poor performance of students and the extra expense of appointing a growing cadre of administrators, few of whom have a direct role in improving student outcomes.

Trustees don't question contracts with vendors, some of whom have done business for years with the district but have not changed the performance of students. Many contracts have no performance metrics and some are for services usually performed by staff in other Fresno County districts. Still others appear to duplicate services for which other vendors are being paid.

The superintendent and Board of Trustees talk about being accessible to the public and about overall transparency in operations. However, the superintendent and board have acted to sharply limit citizen access and stifle free speech at board meetings.

Some administrative practices and policies seem to hide information and decisions from public view and possibly even from trustees, especially those trustees concerned more about cutting time from their elective service than about asking questions about items they vote on.

The trustees have regular meetings only half as frequently as they did at the start of the 2014-15 school year; yet the meeting schedule is as busy as before because of special and rescheduled meetings that often are held at times that could hinder public participation. Various venues are scheduled for the meetings, making it more difficult for citizens to participate.

The Grand Jury's review found that hundreds of thousands of dollars were spent sending trustees, the superintendent and his top administrators to out-of-district conferences a practice in need of review. The request process often doesn't provide accurate or complete information to trustees authorizing such travel and occasionally results in piecemeal information that's difficult to track. More troubling was the practice of approving trip expenditures after trips had taken place, although the district policy suggests advance approval is necessary.

Trustees either don't know about or aren't concerned with the amount of money spent by the superintendent and themselves dining at restaurants to conduct meetings that might be conducted at

no cost in district offices. The Grand Jury was told that some trustees and the superintendent believe dining out is a reward for their service.

The district's per diem meal allowance seems to be followed by employees below the administrative level, but not by the administrators or trustees, yet there is no effort made to collect the difference between the allowable and what's actually spent.

The Grand Jury found in the district's warrant lists many examples of expenditures that should raise trustee questions.

One is the exodus of students to other schools. Every month warrants are issued to reimburse parents – even one top district administrator – to transport their children outside Parlier Unified. In nearly two years, though, Parlier Unified Board of Trustees minutes do not reflect any discussion of that fact or how many district students go elsewhere or the financial impact.

Another issue unaddressed by the trustees is the superintendent's expansion of the district's administrative staff.

Parlier Unified is challenged by an inexperienced superintendent who did not meet the minimum criteria in the job posting. He also seems too close with a few trustees, and in his two years as superintendent has not been able to measurably improve student achievement. The superintendent freely spends district money on his own dining and traveling and seems to reward his allies and relatives at district expense.

Parlier Unified trustees seem to think of public service as something you do only when there's some spare time. They limit public access, disrespect the citizens at meetings, expend district resources on themselves and don't hold anyone accountable for an ongoing history of underachievement.

Trustees behave like cheerleaders for the superintendent, not representatives of the citizens who elected them. And citizens are marginalized and disrespected in the significantly less time that trustees allow for their comments at the regular board meetings.

Unless many fundamental aspects of governance in the Parlier Unified School District change quickly, the district can be expected to continue its history of underperformance, which harms its children first and foremost.

FINDINGS

F101 – The Parlier Unified School District (PUSD) does not compare well with other districts in Fresno County or the state in student achievement, although it has the advantage of extra state and federal funds to help the district improve.

F102 – PUSD has a long history of turnover at superintendent position, including six permanent or acting superintendents appointed by trustees from 2011-13, which prompted the hiring of a district alumnus first as an adviser to the board and seven months later as superintendent.

F103 – Although the board adviser was paid \$36,600 for six months' work ostensibly provided after his middle school teaching job in another district, no work product resulted from the district's investment.

F104 – The trustees' adviser was present at closed-to-the-public sessions at meetings, including those where the current superintendent's tenure was discussed.

F105 – PUSD's announcement for a superintendent included an administrative credential and experience in school district administration among qualifications, but trustees hired their adviser as superintendent although he wasn't credentialed at the time and had no experience.

F106 – At the superintendent’s suggestion and with Board of Trustees assent and little questioning, PUSD has expended hundreds of thousands of dollars on programs, training sessions, trips and meetings without improving the district’s educational quality.

F107 – A costly area of growth has been in the district’s administrative team, chosen by the superintendent and approved by the trustees, and larger than the administration staff in even bigger Fresno County school districts and districts around the state.

F108 – PUSD’s legal costs have ballooned recently as counsel was engaged to handle the aftermath of disciplinary actions by the superintendent and trustees, write the superintendent’s response to campaign advertisement and advise the district about responding to Grand Jury requests.

F109 – The superintendent has appointed, promoted and raised the salaries of friends and family of himself and of PUSD trustees.

F110 – The superintendent and trustees have dined out at district expense, billing their restaurant meals as meetings, disregarding PUSD meal-cost allowances and raising no questions about why such meetings are not conducted on district premises.

F111 – Some meal meetings billed as district business events involved the superintendent and a majority of trustees, raising questions about whether such meal meetings violated Brown Act strictures.

F112 – The superintendent, trustees, administrators and the superintendent’s family members who are PUSD employees traveled throughout the state and nation at district expense, sometimes attending conferences or training unrelated to their duties.

F113 – The Grand Jury was presented no evidence that two trips to Harvard University in Massachusetts involving mostly administrators, the superintendent and trustees have had any benefit in student performance, although the district spent nearly \$100,000 on the two trips.

F114 – There has been minimal scrutiny of expenses by PUSD’s Business Department or by the Board of Trustees and no effort to collect from individuals – including the superintendent and trustees – any amounts expended in excess of district allowances or trustee authorization.

F115 – Contracting by the district seldom is the result of competitive bidding.

F116 – Many contracts approved by PUSD trustees contain no metrics to measure success or return on investment; have no spending cap; duplicate services of other vendors; cover programs/services typically run by school districts, and provoke no comment from trustees.

F117 – PUSD trustees and the superintendent have worked together to cut the number of its public meetings, reduced time allowed for public comments and established an uninviting meeting environment that physically separates citizens from their elected and hired leaders.

F118 – PUSD trustees have a monthly fourth Tuesday meeting schedule, but have met more frequently in 2015 in special sessions convened at varied times, days of the week and venues, adding a barrier to public participation.

F119 – PUSD trustee meeting minutes are not always ready at the next regular meeting as district policy requires; sometimes are not provided for several months; and are archived online in two places that don’t appear to be connected on the district website.

F120 – The superintendent took an active part in the election campaign for three new members of the Board of Trustees, including a questionable mailing less than two weeks before the election and at district expense to answer allegations raised in the campaign.

F121 – The superintendent’s pay and cost of benefits have risen significantly, including raises tied to those of district employees with whom he negotiates as a PUSD representative.

F122 – The superintendent used a fund, established with employee contributions to pay for bereavement flowers and similar good deeds, to finance trips and meals for himself and trustees, some of which appear to have been reimbursed also by PUSD.

F123 – Dozens of PUSD parents—even one of the district’s top administrators—send their children to other districts for schooling, costing Parlier Unified thousands of dollars each month for mileage reimbursement and hundreds of thousands in state and federal enrollment funds.

RECOMMENDATIONS

R101: Parlier Unified School District trustees must re-examine their role as the elected representatives of the citizens and invest the time necessary -- however inconvenient -- to become more responsible stewards of the district and the children it is trying to educate. (F101-103, 106-121, 123)

R102: PUSD trustees must set an example of fiscal responsibility by asking questions about expenditures and by limiting their own actions -- such as meals out and travel at district expense -- while holding the superintendent accountable for developing habits of prudent spending. (F106-116, 120-123)

R103: PUSD trustees must reassess their contracting policies to insist on competitive bidding as often as possible and ensure that every contract with every vendor has safeguards against runaway costs, has measurable performance metrics and directly benefits the students. (F102-103, 105-108, 115-116)

R104: PUSD trustees must evaluate the performance of the superintendent at least once each school year, including input from district employees and the public and preferably in a public session to assess student improvement, fiscal responsibility, leadership, personnel administration, etc. (F101, 106-116, 120-123)

R105: PUSD trustees should restore public access to its meetings and make certain the citizens are made to feel welcome by extending public comment periods for individuals and collectively, seating the public closer to the dais and asking for citizen input on ways to improve public participation. (F111, 117-119)

R106: PUSD trustees must insist that minutes of its meetings are promptly provided for adoption. (F119)

R107: PUSD trustees must demand more information from the district about all expenditures and consider setting a threshold limit to trigger greater disclosure by the administration to trustees. (F103-116, 120-123)

F108: PUSD trustees must begin to scrutinize every program, every trip and every hire to determine its benefit in improving the educational experience for the district’s students. (F101, 107-109, 112-13, 116, 123)

R109: The superintendent must set an example of fiscal responsibility by ending frequent restaurant meetings, nonessential travel and apparently limitless pay increases for himself and his administrators, but also fully utilizing the CBO and business staff to enforce stricter policies on spending. (F103-16, 120-123)

R110: The superintendent should scale back the size of his administrative team by consolidating duties, following the example of other Fresno County school districts. (F107-109, 114-116)

R111: Trustees and the superintendent should conduct a public forum to discover how to prevent the loss of revenue from public enrollment funds and the expense of mileage reimbursement as parents send their children to other districts. (F123)

R112: Trustees and the superintendent should institute policies that help eliminate the perception of nepotism and favoritism in district employee appointments, promotions and pay raises. (F112)

R113: Trustees and the superintendent need to work together to develop better planning so the meeting schedule isn't confusing because of special meetings and varied times, dates and venues. (F117-118)

R114: The Parlier Unified School District (PUSD) should give significantly more power to its Chief Business Officer to perform oversight necessary to check spending by the superintendent and trustees and to develop, implement and enforce policies and procedures that promote fiscal responsibility. (F107-110, 112-116, 121-122)

R115: Trustees must be well-versed in state laws such as the Brown Act that are intended to provide transparency in governance and in conflict-of-interest regulations, and they must be exemplars of conduct befitting individuals in whom voters have placed their trust. (F104-106, 108, 110-111, 115-120)

REQUESTS FOR RESPONSES

Pursuant to Penal Code 933(c) and 933.05, the Fresno County Grand Jury requests responses to each of the specific findings and recommendations. It is required that responses from elected officials are due within 60 days of the receipt of this report and 90 days for others.

RESPONDENTS

Gerardo Alvarez, superintendent, Parlier Unified School District (R101-115)

Board of Trustees, Parlier Unified School District (R101-115)

Jim Yovino, superintendent, Fresno County Department of Education (R102,103,106, 115)

Lisa Sondergaard Smittcamp, Fresno County District Attorney (R101-115)

SOURCES AND REFERENCES

- Interviews with Parlier Unified School District Superintendent, Parlier Unified School District trustees and employees past and present, Parlier citizens and the Parlier city manager
- Grand Jury observations of Parlier Unified School District Trustee meetings Oct. 27, 2014 and Jan. 27, 2015
- Final report of the 2008-09 Fresno County Grand Jury on the Parlier Unified School District.
- Expenses/ contracts documents submitted to the Grand Jury from Parlier Unified School District.
- Parlier Unified School District agendas and minutes and documents attached thereto.
- Parlier Post newspaper articles
- Parlier Unified School District website.
- Parlier Unified School District and elected officials' social media pages.
- Websites of various educational organizations and programs that are vendors to the Parlier Unified School District or host conferences
- California Department of Finance "Estimates for Cities, Counties, and the State — January 1, 2014 and 2015"
- California Department of Education
- Ed-Data Website
- Other school district websites