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POTTER VALLEY COMMUNITY UNIFIED SCHOOL DISTRICT

Potter Valley Community Unified School District (PVCUSD) is a public kindergarten through twelfth grade school district located on one campus. There are two schools in the district: Potter Valley Elementary and Junior High School, grades K - 8 and Potter Valley High School, grades 9 through 12.

Reason for Investigation

The Grand Jury received several citizens' complaints.

Method of Investigation

The Grand Jury interviewed several school district administrators, teachers, students, parents and a community leader interacting with PVCUSD on issues relating to human rights practices. The Grand Jury reviewed policy documents of all 12 school districts within Mendocino County pertaining to discrimination, harassment and physical abuse. It also reviewed PVCUSD procedures to be followed when they receive grievances. The Grand Jury also reviewed pertinent clauses in Title IX of the Civil Rights Act.

Relevant Law

The Penal Code and Education Code of the State of California as well as PVCUSD Policy Documents clearly state that no form of harassment, discriminatory practices or physical abuse are to be tolerated in any public school.

California Penal Code Sections 924.1, 924.2, 925, 933, 929, 11165.14, 11165.9, 11165.7, 11166; California Education Code Sections 200, 212.5, 230, 260, 32051, 44030, 49000, 49001; 1978 Opinions of the California Attorney General Number 290; U.S. Civil Rights Act Title IX.

Findings

1. As a result of numerous interviews, the Grand Jury became aware of the existing contention between some of the students and parents with teachers and administrators. Ironically, one of the teachers, who was praised by a school administrator for promoting sensitivity programs, was also the very teacher singled out by the students interviewed as the teacher showing the least respect toward the students.

Response (Potter Valley School): The respondent agrees with the finding.

2. Several parents stated that they feel their children attend school in an unsafe environment.

Response (Potter Valley School): The respondent disagrees partially with the finding. The Potter Valley Community Unified School District maintains a safe and clean environment. The district works hard to insure that all students and staff are safe. Our schools are inspected on a regular basis to insure compliance with state and federal safety mandates.

3. Several students and parents gave specific examples and quotations made on different occasions of totally inappropriate sexual innuendoes and ethnic slurs made not only by students, but also by a few of the faculty.

Response (Potter Valley School): The respondent disagrees partially with the finding. While specific examples and quotations were reported, the district finds any sexual innuendoes or ethnic slurs made by either students or staff as totally unacceptable behavior and subject to investigation.

4. Incidents of physical assault or threats of assault by a few faculty members were formally reported to the administration by parents and students over a period of years. This lends credence to concerns of an unchecked pattern of misconduct practiced not only by students but also by a few faculty members. Two top school officials verbally acknowledged some critical aspects of these incidents to the Grand Jury.

Response (Potter Valley School): The respondent disagrees partially with the finding. Once reports are formally given to the administration, action is undertaken to remediate the situation and take corrective action as appropriate.

5. Everyone interviewed stated that this type of misconduct is absolutely unacceptable. The efforts made by the school administrators to implement appropriate corrective action was, in several cases, frustrated by the lack of adequate and timely documentation, as clearly required by existing school policy.

Response (Potter Valley School): The respondent agrees with this finding.

6. In one of the most serious incidents, involving alleged physical assault by a faculty member, an administrator informed us that they did not become aware of the incident in their office until two years after it occurred and only then decided on a reprimand.

Response (Potter Valley School): The respondent agrees with this finding.

7. The Grand Jury was frustrated by the School Administration's reluctance in allowing the Grand Jury to check personnel files to verify whether appropriate documentation exists, despite formal written opinions issued by the County Counsel and the District Attorney stating that such inspection is within the Grand Jury's purview. The Grand Jury never did get to see these personnel files.

Response (Potter Valley School): The respondent disagrees with the finding. The district after consultations with both employees and the district's attorneys felt it was not mandated to release information contained in employees' personnel files, and therefore, did provide this information to the Grand Jury. We do not think that this reluctance hindered the grand jury's efforts.

8. School administrators, teachers, students and parents interviewed knew of the existence of numerous written policies distributed annually to parents delineating parent's rights and responsibilities. Everyone was also aware of the Disciplinary Action Charts posted throughout the school detailing appropriate response for violations committed by students. However, not one of the administrators or teachers interviewed was familiar with any similar documents pertaining to misconduct by faculty or administrators, though such rules do exist.

Response (Potter Valley School): The respondent agrees with the finding.

Recommendation

The Grand Jury recommends that clear and more detailed procedures analogous to those existing for students should be drawn up for teachers and administrators and should be publicized periodically and strictly enforced throughout the PVCUSD. Periodic training of teachers regarding these procedures is essential. Offensive or negligent actions practiced not only by students but also by any member of the faculty or administration must have serious consequences.

Response (Potter Valley School): The recommendation has not yet been implemented, but will be implemented in the future. The recommendation will be implemented at the start of the 2000-2001 school year. Detailed procedures are in the process of being developed and will be presented to the entire staff at the annual back-to-school meetings. In addition, the procedures will be reviewed with each new subsequent hire and periodically reviewed as part of the regular staff meetings, and included in the faculty handbooks.

Finding

9. The Grand Jury found the recent interim changes in Potter Valley School Administrative personnel and their collectively stated dedication to correct these deficiencies encouraging. Existing plans to work together with the Mendocino County Human Rights Commission to find new ways to improve awareness of the need to respect diversity is considered a step in the right direction.

Response (Potter Valley School): The respondent agrees with the finding.

Recommendation

The Grand Jury considers it important that the newly appointed Superintendent makes the resolution of these problems a top priority during his tenure.

Response (Potter Valley School): The recommendation has been implemented. As the new Superintendent, I am fully aware of the recommendation and plan to make the resolution of these priorities a major priority of my administration.

Finding

10. All parents interviewed stated they were not adequately informed about actions taken by the school administration following the report of incidents.

Response (Potter Valley School): The respondent disagrees partially with the finding. While some parents may not believe that they were adequately informed, disciplinary action taken by the administration and/or board of trustees cannot always be discussed or divulged due to confidentiality of employee personnel files and student rights.

Recommendation

Efforts must be made to keep all affected parties totally informed of decisions made by the administration and of actions to be taken. Open communication among administration, teachers, students and parents is essential for establishing good rapport.

Response (Potter Valley School): The recommendation has been implemented. Efforts will be made to keep all parties informed of any decision made by the administration as it relates to a specific incident.

Finding

11. Hazing by football team members involving physical abuse was reported by several students and parents and fully acknowledged by a staff member interviewed by the Grand Jury. Appropriate disciplinary action was taken in some instances, but on other occasions, the record shows that only after

pressure exerted by the affected parties including coverage in the media, was appropriate action taken as required and clearly stated in the widely publicized Disciplinary Action Chart.

Response (Potter Valley School): The respondent agrees with the finding.

Recommendation

Following any verified incidents of physical abuse, prompt and uniform disciplinary action must be taken. Judging from reported incidents to the Grand Jury, special vigilance must be exercised over excessively assertive members of the student body.

Response (Potter Valley School): The recommendation has been implemented. This incident occurred over two years ago. Since that time new procedures have been instituted to avoid this type of behavior. Annually team participants are reminded of the inappropriateness of this behavior and the consequences should it occur.

Finding

12. Several students and parents expressed apprehensions about possible retaliatory actions, which might be exercised by fellow students and certain members of the faculty and administrators following the reporting of abusive incidents. Several of the teachers and administrators acknowledged that such apprehensions among some of the students and parents undoubtedly exist and are largely responsible for the lack of appropriate reporting of alleged incidents, which prevents any meaningful investigation and action.

Response (Potter Valley School): The respondent agrees with the finding.

Recommendation

Greater effort and new approaches should be made by the School Administrators to create an environment in which both students and staff are openly encouraged to come forward and provide the necessary information without fear of reprisals. Any evidence of retaliatory actions, or threats thereof, should have very serious consequences that are clearly understood by everyone.

Response (Potter Valley School): The recommendation has been implemented. While there may be apprehension on the parts of parents and/or students, the new administrator is committed to insuring that no reprisals of any nature will be tolerated by staff

towards community, parents, or students who bring forward accusations.

Comments

The Grand Jury review of progress made in the Potter Valley Community Unified School District during this investigation is encouraging. Concrete plans are presently being made for greater participation by both students and staff in a variety of diversity awareness programs. The administrators, teachers, parents and students are involved in formulating these plans. The Grand Jury highly commends this action.

Response Required

Potter Valley Community Unified School District Board of Trustees

Response Requested

Potter Valley Community Unified School District