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ACKNOWLEDGMENTS

The 2022-23 Yolo County Grand Jury is composed of citizen volunteers from throughout the county. The Final Consolidated Report represents the commitment and hard work of the jurors, who were dedicated to impartially evaluating each issue so that any published report would improve financial transparency, local government accountability, and ultimately, the county community.

We wish to express our sincere gratitude and admiration to all those jurors who applied their various skills and interests in accomplishing this task. The grand jury appreciates and thanks the Yolo County employees and officials, as well as those in Jury Services, Yolo County Superior Court, who provided us with support and guidance throughout the process. Finally, we would like to thank all those who participated in the interview process, making these reports possible. It has been our honor and privilege to serve the citizens of Yolo County.

Special thanks to several community members of Yolo County who were unable to complete their term but contributed invaluable time and effort.

LETTER TO HONORABLE DANIEL M. WOLK

June 27, 2023

Honorable Daniel M. Wolk
Judge, Superior Court of California
In and for the County of Yolo
1000 Main Street
Woodland, CA 95776

Dear Judge Wolk:

The 2022-23 Yolo County Grand Jury is honored to prepare and present our Final Consolidated Report to you and to the residents of Yolo County.

The Grand Jury received and reviewed 20 citizen complaints. Of those complaints, ten were referred to the different Grand Jury Committees, and seven were investigated. Due to the timing of some submitted complaints, two are being forwarded to the incoming Grand Jury so that the complaints may receive adequate review and investigation.

The Grand Jury inspected the Yolo County Monroe Detention Facility as stipulated by the California Penal Code. In its Final Consolidated Report, the Grand Jury presents three reports based on investigations initiated by the Grand Jury and four based on citizen complaints. Four reports from previous grand juries received considerable attention.

The 2022-23 Yolo County Grand Jury is composed of a diverse group of selfless volunteers from throughout the county. The Final Consolidated Report represents the commitment and hard work of the jurors, who were dedicated to finding the truth and improving the Yolo County community. I personally wish to express my sincere gratitude and admiration to all those who applied their various skills and interests in accomplishing this task.

The Grand Jury appreciates and thanks all the Yolo County employees and officials, as well as those in Jury Services for providing us with support and guidance throughout the process. It has been our honor and privilege to serve the residents of Yolo County.

Steven A. Oldham

Steven A. Oldham, Foreperson
2022-23 Yolo County Grand Jury

RESOLUTION

The 2022-23 Yolo County Grand Jury Approves the Final Report

WHEREAS, the 16 members of the 2022-23 Yolo County Grand Jury (“Grand Jury”) conducted investigations and prepared various reports, all of which are included in its consolidated final report for the 2022-23 term; and

WHEREAS, as is customary, the Grand Jury handled each investigation through specialized committees that are each vested with primary responsibility for (among other things) determining the investigation strategy, conducting interviews and gathering evidence, and with producing various review versions of each report; and

WHEREAS, one member of the Grand Jury, Steven A. Oldham has recused himself from all aspects of one investigation and related work by the Grand Jury, including review and approval of the final investigation report; and

WHEREAS, the purpose of this Resolution is to facilitate approval of the consolidated final report by the Grand Jury while also preserving the prior recusal of one member on the single report mentioned above;

NOW, THEREFORE, BE IT RESOLVED as follows:

1. The Grand Jury finds the foregoing recitals are true and correct.
2. By adoption of this Resolution, the Grand Jury hereby approves the final, consolidated report for the 2022-23 term, with its members voting as shown below. In voting to approve this Resolution, one grand juror that previously recused himself from participating in the Grand Jury’s efforts on the report entitled “You Only Vote Once” specifically maintained his recusal as to that matter but is deemed to have approved all other reports included in the consolidated report.

PASSED AND ADOPTED by the Grand Jury this 20th day of June 2023, as follows:

AYES: Sharon Browne, Lorna Carriveau, James Conradsen, Susan Griffin-McCormick, Virginia Herold, Gerald James, Sarah Jewel, Donald Jordan, Robert Kays, Allen Lowry, Steven A. Oldham, Christopher Stewart, Stewart Thompson.

ABSTAIN: David DuBois, Christian Laughlin, Erik Halsted

Steven A. Oldham

Steven A. Oldham, Foreperson

THE YOLO COUNTY GRAND JURY ROSTER

Steven A. Oldham, Foreperson, West Sacramento
Allen Lowry, Foreperson pro tem, Davis

**Sharon Browne
Davis**

**Virginia Herold
Davis**

**Lorna Carriveau
Woodland**

**Stewart Thompson
Davis**

**Susan Griffin-McCormick
Woodland**

**James Conradsen
West Sacramento**

**Erik Halsted
West Sacramento**

**Gerald James
Woodland**

**Sarah Jewel
Winters**

**Donald Jordan
Woodland**

**Robert Kays
Winters**

**Christopher Stewart
West Sacramento**

**Christian Laughlin
Woodland**

The Yolo County Grand Jury expresses its appreciation to the following jurors who contributed significantly during the 2022-23 term:

Clyde Froelich, Christina Chang, Andrew Kearney, Vong Toan, David DuBois, Patricia Foley

ABOUT THE GRAND JURY

The California Constitution requires that each county appoint a grand jury to guard the public interest by monitoring local government. Per California Penal Code section (§) 888, the Yolo County Superior Court appoints 19 grand jurors each year from a pool of volunteers. These Yolo County citizens, with diverse and varied backgrounds, serve their community as grand jurors from July 1st to June 30th. The Yolo County Grand Jury is an official, independent body of the court, not answerable to administrators or to the Board of Supervisors.

PURPOSE

A California Grand Jury has three basic functions: to weigh criminal charges and determine whether indictments should be returned (Penal Code §917); to weigh allegations of misconduct against public officials and determine whether to present formal accusations requesting their removal from office (Penal Code §992); and to act as the public's watchdog by investigating and reporting on the affairs of local government (e.g., Penal Code §§919 - 925, et seq.). The purposes of any grand jury civil investigation are to identify organizational strengths and weaknesses and to make recommendations aimed at improving the services of county and city governments, school districts, and special districts under study. Based on these assessments, the grand jury publishes its findings and may recommend constructive action to improve the quality and effectiveness of local government.

Recommendations from a grand jury are not binding on the organization investigated. However, the governing body of any public agency must respond to the grand jury findings and recommendations within 90 days, and an elected county officer or agency head must respond to the grand jury findings and recommendations within 60 days. The following year's grand jury may then evaluate and report on the required responses.

All reports included in the document have been approved by at least 12 jurors. Any juror who has a personal interest or might be perceived to have a personal interest in an investigation, is recused from discussion and voting regarding the matter. All reports are reviewed by the grand jury's advisors to ensure conformance with prevailing laws.

A grand jury investigates complaints from private citizens, local government officials, or government employees; initiates investigations based on ideas generated from the jury; and follows California Penal Code that requires it to inspect the county's detention facilities.

Copies of the Grand Jury's Final Consolidated Report, consisting of each year's individual reports on departments and agencies and responses to the prior year's report, are available in hard copy at the courthouse, in all public libraries, and on-line via the grand jury's website, <http://www.yolocounty.org/grand-jury>. Grand jurors and all witnesses are sworn to secrecy and, except in rare circumstances, records of meetings may not be subpoenaed. This secrecy ensures that neither the identity of the complainant nor the testimony offered to the grand jury during its investigations will be revealed. The grand jury exercises its own discretion in deciding whether to investigate or report its findings on all complaints.

HOW TO SUBMIT A COMPLAINT TO THE GRAND JURY

Complaints must be submitted in writing and should include any supporting evidence available. A person can pick up a complaint form at the Yolo Superior Court, Monroe Detention Facility, or any local library. Alternatively, a person can request a form be mailed by calling 530-406-5088, by writing to the Grand Jury at P.O. Box 2142, Woodland, CA 95776, or by accessing the grand jury's website at <http://www.yolocounty.org/grand-jury>.

Complaints should be mailed to P.O. Box 2142, Woodland CA 95776 or sent to the grand jury's email address, grandjury@yolocounty.org. It is not necessary to use the printed form as long as the essential information is included in the complaint. Complaints received late in the term, when the grand jury's investigative work is concluding, may be referred to the next year's grand jury for consideration.

REQUIREMENTS AND SELECTION OF GRAND JURORS

To be eligible for the grand jury you must meet the following criteria:

- You must be a citizen of the United States;
- You must be 18 years of age or older;
- You must have been a resident of Yolo County for at least one year immediately before selection;
- You must be in possession of your natural faculties, of ordinary intelligence, of sound judgement and fair character;
- You must possess sufficient knowledge of the English language;
- You are not currently serving as a trial juror in any court of this state during the time of your grand jury term;
- You have not been discharged as a grand juror in any court of this state within one year;
- You have not been convicted of malfeasance in office or any felony; and
- You are not serving as an elected public officer.

In addition to the requirements prescribed by California law, applicants for the grand jury should be aware of the following requirements:

- Service on the grand jury requires a minimum of 30 hours per month at various times during the day, evening and weekend. During peak months, 40 hours a month or more is typical, with more hours for those in leadership positions.
- Jurors must maintain electronic communications to participate in meeting planning, report distribution, and other essential jury functions.

Each spring, the Yolo County Superior Court solicits applicants for the upcoming year's grand jury. Anyone interested in becoming a grand juror can apply to the court in the spring, usually in April. Application forms are available at the courthouse or from the grand jury's website at <http://www.yolocounty.org/grand-jury>. Applications are managed by the Jury Services Supervisor, Yolo County Courthouse, 1000 Main Street, Woodland, CA 95695, telephone 530-406-6828. The court evaluates written applications and, from these, identifies and interviews potential jurors to comprise the panel of nineteen citizens and alternates. Following a screening process by the court, grand jurors are selected by lottery as prescribed by California law.

Investigative Reports

Yolo County Grand Jury Final Consolidated Report

The 2022-23 Yolo County Grand Jury is honored to present the Final Consolidated Report to the Residents of Yolo County. In its Final Consolidated Report, the Grand Jury presents seven reports based on Grand Jury investigation. Investigations may be undertaken based on outside citizen complaints, by Grand Jury members, or by follow-up of a prior grand jury report.



ARE WE THERE YET?

On the Road to School Safety

A report by the 2022-23 Yolo County Grand Jury

June 1, 2023

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“The People find and declare that the right to public safety extends to public and private primary, elementary, junior high, and senior high school, and community college, California State University, University of California, and private college and university campuses, where students and staff have the right to be safe and secure in their persons.”

--California Constitution, Article 1, Section 28(a), item 7.

SUMMARY

Threats to schools – nationally, statewide and in Yolo County – have continued since the 2019-20 Yolo County Grand Jury issued its [report](#) “Every School is Vulnerable: Staff and Students Must Feel Safe for Learning to Occur.” (1) That grand jury made several recommendations, noted in the Background section below, to improve school safety. The 2022-23 Grand Jury (Grand Jury) found that the five school districts headquartered in Yolo County are in compliance with state-mandated Comprehensive School Safety Plan requirements and have continued to improve their safety measures, including physical improvements (hardening¹), safety training and working with law enforcement and other first responders. The Grand Jury also found that opportunities to improve safety measures and training still exist, as noted in the Recommendations section below.

In addition to reviewing each school district’s implementation of the earlier report’s recommendations, the Grand Jury also responded to a complaint expressing concern about how parents were notified by their children’s schools when violence occurred or was threatened. The Grand Jury found that each school district in Yolo County uses a web-based third-party provider to send messages developed by school administration directly to parents and guardians using text messaging, email, phone call, and/or app. If necessary, messages to parents may also be put into a child’s backpack. The school districts also regularly follow up with families to ensure that parents can receive timely emergency notifications and their contact information is up to date.

As students in Yolo County and elsewhere have had to grapple with threats impacting their safety and ability to learn – whether from direct threats or the COVID-19 pandemic – schools continue to focus resources on providing more mental health support. The Grand Jury found that all Yolo County school districts employ trained specialists and partner with nonprofit organizations or local government agencies to help students facing trauma, whatever the source.

¹ Schools use a variety of tools to help them harden their campuses against unwanted intrusion. These can range from surveillance cameras and door-locking systems to armed guards and arming teachers.

While some school districts do not use the “train-the-trainer” model for training staff in safety measures as recommended by the earlier grand jury, all have contracted with web-based third-party providers to provide online safety and other trainings. The school districts have also implemented tracking of training and needed follow-up measures.

The Grand Jury also found student mental health support, budgets and unforeseen events (“the unexpected”) to be challenges. But such challenges also create opportunities for increasing school safety measures and responding to any resulting trauma to children and staff.

In its November 20, 2020, [written response](#) to the 2019-20 Grand Jury report, the Yolo County Office of Education supported that grand jury’s recommendations. (2)

As a result of interviews, reviews of materials provided and internet research, the Grand Jury found that, while Yolo County school districts may implement different safety measures based on such factors as philosophy or financial means, all five Yolo County school districts are taking student and staff safety very seriously and continue to improve their safety measures.

TERMINOLOGY AND DEFINITIONS

Active Shooter Strategies: The FBI, and law enforcement in general, recommends “[Run. Hide. Fight.](#)” tactics to use when confronted with an active shooter emergency. (3) *Run* is recommended when an active shooter is not in your immediate area; *Hide* when you cannot evacuate; and *Fight* as a last resort when your life is in danger. The California Department of Public Health also provides [guidelines](#) for emergency and evacuation planning, including school lockdowns. (4)

Comprehensive School Safety Plans (CSSPs): As described by the California Department of Education, [CSSPs](#) are required under Assembly Bill 1747, School Safety Plans (2018) and contain required elements such as disaster procedures, responses to bomb threats, intruders and weapons or assaults, procedures to notify teachers of dangerous students, and tactical responses to criminal incidents. (5) The Department of Education also provides a [template](#) to assist schools with developing their own CSSPs. (6) See Appendix.

School Districts: Yolo County has five school districts: Davis Joint Unified School District (Davis), Esparto Unified School District (Esparto), Washington Unified School District (Washington, covering West Sacramento), Winters Joint Unified School District

(Winters), and Woodland Joint Unified School District (Woodland). School districts design curricula and make policies and rules that apply to the schools, employees and students within the district. (7) For clarification, a *unified* school district is one that combines and represents all grades and all schools together for the particular area in the county. A *joint unified* school district is the same except it has students from more than one county.

BACKGROUND

School shootings have increased nationwide over the past several years, and 2023 is following this trend. Between January 1 and April 4, 2023, there were 17 [school shootings](#) in the U.S. that resulted in injuries or deaths, with 51 similar incidents in 2022. (8) Yolo County schools also continue to be on edge with a report of a bomb threat at Holmes Junior High School in Davis on [February 2](#), a replica gun being confiscated from a 16-year-old boy in Winters on [February 13](#), and a Woodland High School student being arrested for possession of a gun on [March 16](#). (9, 10 and 11) Fortunately, the responses by school personnel and law enforcement in all incidents were prompt and effective.

The 2022-23 Grand Jury reviewed the earlier 2019-20 Grand Jury report's recommendations to better understand how that grand jury's recommendations had been addressed. The 2019-20 Grand Jury recommended that, prior to the start of the 2021-22 school year, the following be implemented:

1. Esparto Unified School District should develop school-specific Comprehensive School Safety Plans (CSSPs);
2. For all school districts:
 - a. Identify additional approaches in CSSPs for limiting access to areas of schools that remain vulnerable;
 - b. Assure administrative, certificated, and classified employees are engaged in "train-the-trainer" classes to build internal capacity and share resources across districts;
 - c. Provide online safety training modules for all staff;
 - d. Assure safety training is completed by all substitute teachers before reporting for work in any district;
 - e. Identify a method and/or tool to measure the effectiveness of safety training, including an annual survey of all staff; and
 - f. Develop an attendance and tracking mechanism at each school to determine who has or has not participated in safety training offerings.

The Grand Jury also received a complaint related to parent notification. The complaint arose from the school shooting at Robb Elementary School in Uvalde, Texas, in May 2022. Even with a safety plan in place, the response by local and state law enforcement to the active shooter situation was tragic. In its [2022 Interim Report](#), the Texas House of Representatives Investigative Committee on the school shooting detailed many aspects of the incident and response. (12) There is no mention, however, of how the school or law enforcement notified parents about the threat. Grand Jury review of [media reports](#) suggests that may be because parents learned of it only from calls from the students or staff within the school during the incident. (13)

Days following the Robb Elementary School shooting in Texas, the Woodland school district itself received social media threats which were not considered credible, but the incident distressed parents and caused Woodland police to [boost security patrols](#). (14) The Yolo County Office of Education (YCOE) also established [Resolution #21-22/57](#) entitled “In Support of Keeping Students and Staff Safe.” (15) In addition to noting the names of those who died as a result of the Robb Elementary School shooting and other school shootings, as well as research related to gun violence and safety, the YCOE condemned violence in all forms in schools and resolved to incorporate staff and student voices in conversations around school safety as well as to partner with other organizations and agencies.

Of concern to the Grand Jury was whether parents might fail to receive emergency notification from a school in Yolo County should such a horror as the Robb Elementary School shooting occur.

APPROACH

The Grand Jury reviewed the earlier the 2019-20 Grand Jury’s report and the written responses from each school district. Grand jurors then interviewed school district officials and representatives most knowledgeable about the districts’ safety programs.

Following the interviews, the Grand Jury reviewed current CSSPs from each school district. Written policies and procedures were reviewed as well as information about third-party providers offering school safety training, tracking and parent notification.

The Grand Jury also visited some schools in each district to observe peripheral school hardening efforts.

DISCUSSION

The 2019-20 Grand Jury report stated in its Discussion section (page 23), “every indication is that school officials are fully aware of the challenges in making schools safe and are committed to taking the necessary steps to keep them that way. Given each school’s unique physical setting, structural features, community climate, and local laws, there is no one-size-fits-all solution to school safety.” The Grand Jury agrees.

Given that diversity in circumstance and approach, the Grand Jury wanted to ensure that each district had made good-faith efforts to address concerns about school hardening, safety training for staff and teachers (regular and substitute) and its effectiveness, and efforts to reach all parents, both housed and unhoused, during emergencies, especially those related to potential violence.

Factors Affecting School Safety

Interviews with school district administrators and safety staff as well as review of CSSPs in each district identified three major factors that affect planning and decisions related to school safety: student mental health, budgets and the unexpected. The Grand Jury found these factors can provide a larger context to the discussions about safety that follow.

Student Mental Health

A student’s mental health can affect their learning ability, grades, decision making, and physical health and may contribute to violent behavior. To provide needed support, California enacted the Mental Health Services Act (MHSA), also known as Proposition 63, in 2004. According to the California Department of Education: “The intent of this [Act](#) is to transform the public mental health system in California into a system that provides a broad spectrum of prevention and early intervention, treatment, and infrastructure support.” (16) The MHSA also requires that “mental health services in schools include a broad range of services, settings, and strategies.”

Under the MHSA a one percent tax on income exceeding \$1,000,000 was implemented to support mental health services. In addition, the state’s 2019 budget allocated \$40 million in one-time funding for school-county mental health partnerships through the MHSA. Yolo County was awarded \$4 million in October 2020 through a competitive grant process to implement and grow its [K-12 School Partnership Program](#). The program expands mental health services in all Yolo County schools. (17) [Partners](#) in Yolo County’s K-12 Partnership Program include Yolo County’s Health and Human Services Agency

(HSA), the Yolo County chapter of the National Alliance of Mental Health (NAMI) and the Yolo County Office of Education. (18)

To better understand student needs, school districts may survey their students. The California Department of Education provides schools with its [California Healthy Kids Survey](#) (CHKS). (19) The department describes CHKS as: “an anonymous, confidential survey of school climate and safety, student wellness, and youth resiliency. It is administered to students at grades five, seven, nine, and eleven. It enables schools and communities to collect and analyze data regarding local youth health risks and behaviors, school connectedness, school climate, protective factors, and school violence. The CHKS is part of a comprehensive data-driven decision-making process on improving school climate and student learning environment for overall school improvements.” CalSCHLS posts [results](#) from every school district’s CHKS report dating back to 2007. (20)

In addition to CHKS, which Yolo County school districts conduct annually, Winters uses surveys developed by [Pupil Attitudes to Self and School](#) (PASS) to help teachers identify at-risk students and to develop or implement suitable interventions. (21) Davis also uses [YouthTruth](#), produced by the Center for Effective Philanthropy, to provide guidance on student mental health. (22)

Budgets

School districts depend on a variety of sources for funds to provide a safe and healthy environment for students, teachers and staff. In Yolo County, the largest share of funding overall comes from the State through its [Local Control Funding Formula](#) (LCFF). (23) [School facility funding](#), however, is primarily supported through local government. (24)

For 2023-24, the California state budget is anticipated to [shrink](#) by at least \$22 billion. (25) In addition, California schools are anticipating additional budget [shortfalls](#) due to declining student enrollment that began with the COVID-19 pandemic. (26) It is anticipated that school facility funding, which would include school hardening improvements, could have as much as a \$100 billion [shortfall](#) between 2020 and 2030. (27)

Schools have always had to juggle immediate and long-term needs against limited budgets. For example, in August 2022 the Woodland school district approved a district-

wide [facilities assessment](#) which identified over \$600 million worth of facilities needs and potential upgrades. (28) Only a small share of those needs will be covered by \$44 million from the Measure Y Bond passed by Woodland voters in November 2020. The Grand Jury found that even with budget constraints and other demands on their limited resources, Yolo County school districts continue to strive for student safety.

The Unexpected

In addition to the above factors, there are also unexpected events that can significantly impact school plans. For example, the COVID-19 pandemic caused school closures and impacted school attendance, academic achievement, student mental health, and local economies are still being felt.

Media reports of incidents, such as the mass shooting at Robb Elementary School noted above, or the January 2023 [shooting](#) of a school teacher in Virginia by a six year old student, also harm communities in general by raising fears and concerns about how to prepare for the unexpected, and led to arguments about why such incidents occur and what to do about them. (29)

School District Responses

Below are the Grand Jury's findings on how each school district is addressing issues related to physical safety, safety training, coordination with law enforcement, and parent notification. In addition, the Grand Jury looked at how mental health support is provided to students.

Physical Safety and Mental Health Support

Each school district continues to take steps to improve students' physical and mental health depending on philosophy, identified needs and funding availability.

- Most schools in the Esparto, Washington, Winters, and Woodland school districts are enclosed with fencing and a restricted entrance when schools are in session. All schools in the Washington district have such fencing. The Woodland district has some schools completely enclosed with fencing, and all but one school each in the Esparto and Winters districts are completely enclosed with fencing. Most Davis schools are connected to parks or mixed used areas. While that district has chosen not to completely enclose its schools with fencing in order to stay connected with the local community, it has heightened fencing in some cases to discourage intruders.

- Classroom doors in the Davis, Esparto, Washington, and Winters school districts can be locked from within. The Woodland school district plans to complete its change from standard door locks to those that can be locked from within by the end of 2023.
- The CSSPs or supplemental policies for schools in Yolo County all require visitors to check in and wear badges when coming onto campus. Signage at all schools directs visitors to the office to register. However, the location of the school's office is often unclear and signs at some schools are poorly placed or difficult to read.
- The CSSPs for all school districts contain detailed instructions for responding to active threats, such as an active shooter, weapons on school property, bombs, or other possibly dangerous student situations. In addition, all school districts have quick reference, easy-to-read guides on emergency response procedures.
- All schools in Yolo County perform drills as required in California Education Code section [32001](#), and debrief afterwards to improve staff performance. (30)
- All school districts have safety committees, which may include principals, teachers, staff, student representatives, parents, and local law enforcement. The committees work with principals and trained staff to communicate safety-related information through emails, meetings, and development of the CSSPs.

All school districts have trained mental health staff - such as Community and Family Engagement Specialists, Social Workers, Counselors, Home Liaisons, Youth Outreach Specialists, Psychologists - to provide support should a threat or other type of emergency arise. The districts also work with partners to provide emotional support to students as needed, such as [Victor](#) community support services (31), [RISE](#) Inc. (32), and the Yolo County Health and Human Services Agency.

Safety Training

Esparto and Winters school districts do not use the "train-the-trainer" model for safety training, although the Washington school district does so in certain cases. However, every school district offers web-based training in a wide range of topics to its staff and teachers.

- All school districts require that mandatory trainings are completed, including by substitute teachers, either before starting assignments or no longer than six weeks after starting work, depending on substitute teacher availability. Failure to do so by regular teachers and staff can result in coaching or more serious corrective actions. But if a new regular or substitute teacher must start teaching

before receiving the required safety training because of staffing demands, they are given safety documents and are partnered with another teacher who can provide guidance. Many classrooms have flipcharts or posters with emergency lockdown or drill information available for quick reference.

- Each school district tracks compliance with mandated trainings. Administrative or human resources staff typically can learn from the web-based training provider when a training session should be taken and, if not taken within the deadline period, will follow up with the appropriate supervisor or administrator as needed.
- Required trainings at each school district may vary, covering such topics as mandated reporting, blood borne pathogens, COVID-19 measures, anti-harassment, and pest management. Davis does not require active shooter training. Esparto will conduct active shooter training by the start of the 2023-24 school year. Washington, Winters and Woodland school districts have conducted either online or in-person active shooter training for staff in the past. At this time, none of the Yolo County school districts require active shooter training on an ongoing basis.
- Each school district contracts with a third-party online provider for safety training.
 - Davis uses [Target Solutions](#) as its online training provider. (33)
 - Esparto is contracting with [ALICE Training Solutions](#) for the 2023-24 school year to assess its vulnerability to active threats as well as to provide active shooter training. (34) This contract begins July 1, 2023.
 - Washington’s safety training is provided by Keenan [SafeSchools](#). (35) In addition to completing required safety-related trainings, staff and teachers are expected to review their school’s CSSP annually.
 - Winters contracted with [Vector Solutions](#) to provide online safety training starting with the 2022-23 school year. (36)
 - Woodland uses [PublicSchoolWORKS](#). (38) The school district plans to add safety-related courses covering active shooters, bomb threats and suspicious packages to its list of required trainings at the start of the 2023-24 school year.

In its 2020 report, the grand jury recommended that all school districts assess the effectiveness of their safety training. To date, only Esparto and Woodland school districts have surveyed their staff in a quantitative manner about the trainings offered.

Davis, Washington, and Winters school staff will debrief with school administration after safety trainings or safety-related incidents.

Coordination with Law Enforcement/First Responders

Effective January 1, 2019, Assembly Bill 1747, School Safety Plans, requires schools to consult with law enforcement and first responders, such as the local fire department, in the writing and development of their CSSPs. All Yolo County school districts are complying with this law. Superintendents and staff also meet regularly with their local police department or the Yolo County Sheriff's Department to discuss school safety issues, concerns and emergency parent notifications.

Parent Notification

The Grand Jury observed that all Yolo County school districts are working hard to ensure, to the extent possible, that parents or guardians can receive emergency messages when needed.

- During student registration, all schools require parents or guardians to provide contact information, including their preferred language and technology, for receiving school communications. Since registration is not considered complete without such information, staff follow up with parents if needed to obtain this initial information for the school districts' online platforms. Staff also follow up regularly with parents to check on whether updates of contact information, such as changes in address or phone contacts, are needed. Opportunities for the school districts to get updated contact information include kiosks at schools, events during the school year, written requests and instructions, and follow up by staff who may also be able to speak the parents' primary language. If it is difficult to notify the parents otherwise, students may be given written notices about emergency situations to take home in their backpacks. Families lacking phone or internet service may be provided cell phones from Yolo County's Health and Human Services Agency or additional support from staff who work specifically with the unhoused population.
- School districts have different ways to prepare for emergency notifications. They may create draft notifications which, depending on the situation, can be fine-tuned quickly to meet the specific immediate needs. Administrators, including the district superintendent and school principal, coordinate messages closely with local law enforcement to provide accurate and timely information without harming a subsequent investigation.

- School districts contract with various web-based providers to manage student data and/or facilitate communications between the schools and parents. Davis is reviewing its communication apps for robustness, but currently uses [School Messenger](#). (38) Esparto uses [Aeries](#) for student data management and [ParentSquare](#) for its school-to-home communication needs. (39 and 40) The Winters and Woodland school districts also use ParentSquare. Washington uses [Catapult EMS](#) for emergency notifications. (41)
- Parents in all Yolo County districts must enroll in the web-based platforms during student enrollment and identify their preferred technology: text, email, app, or phone. As of December 2022, 98% of Esparto families were able to be contacted using ParentSquare. Winters has a 99.94% contact rate and Woodland’s contact rate also exceeds 90%. Davis has the ability to reach 100% of parents or guardians. Washington is struggling to exceed a 70% confirmed contact rate throughout the district. After a notification goes out, the school districts typically receive statistics from the provider on how many parents or guardians were reached per technology.

The Grand Jury was concerned about how well emergency notifications can reach high school students when they are off campus during school hours. High schools in all Yolo County school districts except Washington allow some students to leave their campuses during lunch breaks. While school districts may have a parent’s contact email or phone number for high school students, it is challenging to ensure that information is up-to-date so those students can be contacted in a timely manner during an emergency.

COMMENDATIONS

The Grand Jury commends each school district in Yolo County for continuing to improve school safety. This progress includes having Comprehensive School Safety Plans (CSSPs) that adequately address safety issues as they relate to direct threats, including active shooter and bombs, per California Education Code requirements. Each school district is actively coordinating safety measures and emergency communications with local law enforcement and first responders. To ensure that emergency communications are as effective as possible, each school district also has procedures and staff in place to encourage parents and guardians to provide and maintain their contact information so they can be notified as quickly as possible when an emergency occurs. Although the districts have limited resources, they are striving to provide a range of mental health services and other support when needed by students and their families.

FINDINGS

- F-1 Each school district has implemented school hardening measures to some degree in addition to those discussed in the 2019-20 Yolo County Grand Jury report. The measures in place at school sites vary and can be improved. While some schools in each district have their sites enclosed or have security cameras, others do not. Fences may not be high enough to prevent students or intruders from jumping over them. In addition, gates at schools are sometimes not closed, locked or are in disrepair.
- F-2 Each school district conducts California Healthy Kids Surveys, while some use additional methods for assessing student mental health. The response rate of students completing such surveys, however, may not be enough to generate reliable conclusions about student mental health.
- F-3 California Education Code mandates that all school districts require visitors to go to a school's office upon arrival and wear identification while on site. At some Yolo County schools, however, the location of the school's office is not clear. Better signage is needed to direct visitors to the office. This is particularly important for schools, such as in the Davis, Winters and Woodland school districts, where sharing open space or parking lots can make clear signage and prevention of intruders from entering school grounds more challenging.
- F-4 Each school district appropriately uses a web-based third-party provider for safety training modules. Annual training related to violent threats, such as active shooter, is not required at this time by the Davis, Esparto, Washington, and Woodland school districts, although Esparto and Woodland will add such trainings at the start of the 2023-24 school year. Ensuring staff are trained in how to respond appropriately to threats of violence would lessen the chances of another tragedy similar to that in Uvalde, Texas.
- F-5 The Esparto and Woodland school districts have assessed the effectiveness of their school safety training through surveys, as recommended by the 2019-20 Yolo County Grand Jury, while Davis, Washington and Winters districts have not. Assessing effectiveness based on quantifiable data can provide more accurate guidance for decisions about training.
- F-6 Each school district has contracted with a web-based third-party provider to notify parents of emergencies. The providers report on how many parents or guardians were reached per technology (e.g., email, text, app, or voice/phone). All school districts' providers, except Washington, reach 90% or more of their students' parents or guardians. Ensuring that virtually all parents or guardians can be reached when needed is desirable.

- F-7 Some high school students in the Davis, Esparto, Winters and Woodland school districts are allowed to go off campus during lunch break. Should an emergency arise on campus, it is not possible for the schools to know how safe those students are, and the students may not receive timely emergency notifications if their school is on lockdown or evacuated.

RECOMMENDATIONS

- R-1 The Grand Jury recommends that, prior to the start of the 2024-25 school year, each school district identify additional hardening approaches and develop a plan to further protect areas of its schools that remain vulnerable.
- R-2 Prior to the start of the 2024-25 school year, each school district should develop a SMART (Specific, Measurable, Attainable, Relevant, and Time-bound) plan to encourage all students to complete the *California Healthy Kids Survey* and similar surveys to produce meaningful data. Each school district should act on survey findings, especially those related to potentially violent actions.
- R-3 Prior to the start of the 2024-25 school year, each school district should evaluate and improve signage for all of its schools, so that visitors can easily find the school's office to register upon their arrival.
- R-4 Prior to the start of the 2024-25 school year, each school district should require and document that training related to threats of violence is completed by its teachers (regular and substitute), staff and administrators every year.
- R-5 Prior to the start of the 2024-25 school year and each subsequent school year, Davis, Washington and Winters school districts should identify and document a statistically reliable method or tool for measuring the effectiveness of school safety training, including an annual survey of teachers, staff and administrators.
- R-6 Prior to the start of the 2024-25 school year and each subsequent school year, each district should achieve and maintain an emergency notification contact rate of at least 95% with parents or guardians, as verified by their third-party emergency notification providers.
- R-7 Prior to the start of the 2024-25 school year, Davis, Esparto, Winters, and Woodland school districts should develop, implement and maintain a plan for contacting at least 95% of students who may be off-site if an emergency occurs during regular school hours.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses to its Findings and Recommendations as follows:

From the following governing bodies:

- Board of Education/Trustees, Davis Joint Unified School District – F-1, F-2, F-3, F-4, F-5, F-6, F-7, R-1, R-2, R-3, R-4, R-5, R-6, R-7
- Board of Education/Trustees, Esparto Unified School District – F-1, F-2, F-3, F-4, F-6, F-7, R-1, R-2, R-3, R-4, R-6, R-7
- Board of Education/Trustees, Washington Unified School District – F-1, F-2, F-3, F-4, F-5, F-6, R-1, R-2, R-3, R-4, R-5, R-6
- Board of Education/Trustees, Winters Joint Unified School District – F-1, F-2, F-3, F-4, F-5, F-6, F-7, R-1, R-2, R-3, R-4, R-5, R-6, R-7
- Board of Education/Trustees, Woodland Joint Unified School District – F-1, F-2, F-3, F-4, F-6, F-7, R-1, R-2, R-3, R-4, R-6, R-7

Note: The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted subject to the notice, agenda and open meeting requirements of the Brown Act.

INVITED RESPONSES

From the following Individuals:

- Superintendent of Schools, Yolo County Office of Education, – F-1, F-2, F-3, F-4, F-5, F-6, F-7, R-1, R-2, R-3, R-4, R-5, R-6, R-7

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APPENDIX

Compliance Tool for a Comprehensive School Safety Plan

California Education Code sections 32280–32289.5

Required and Recommended Components for a Comprehensive School Safety Plan

Note: This tool is designed to assist schools in developing and updating Comprehensive School Safety Plans (CSSPs). Use of this tool is optional. Each school, school district, and county office of education is responsible for compliance and familiarity with all sections of California *Education Code* sections 32280–32289.5.

Section 32280	Mandate Met	Comments, Suggested Details (resources, activities, etc.)
It is the intent of the Legislature that all school staff be trained on the CSSP	Include date and plan	n/a
Section 32281	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(b)(1) Plan is written and developed by a school site council (SSC) (2) The SSC may delegate this responsibility to a safety planning committee made up of principal/designee, teacher, parent of child who attends the school, classified employee, and others, if desired	Include date and plan	Include planning committee roster
(b)(3) SSC/Planning Committee consulted with a representative from a law enforcement agency, a fire department, and other first responder entities in the writing and development of the CSSP The CSSP and any updates made to the plan must be shared with the law enforcement agency, the fire department, and the other first responder entities Effective January 1, 2019, Assembly Bill 1747 expanded the requirements of this section as noted here	Include date and agencies	n/a

Section 32282	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(a) CSSP includes, but is not limited to the following:	n/a	n/a

<p>(1) An assessment of the current status of school crime at the school and at school-related functions that may be accomplished by reviewing one or more of the following types of information, is included:</p> <ul style="list-style-type: none"> • Office Referrals • Attendance rates/School Attendance Review Board • Suspension/Expulsion data • California Healthy Kids Survey • School Improvement Plan • Local law enforcement juvenile crime data • Property Damage data 	<p>Include date and plan</p>	<p>Describe the data reviewed and key analysis points, and table of findings</p> <p>Document how this information was shared with SSC/planning committee</p>
<p>(2) Appropriate strategies and programs that provide and maintain a high level of school safety and address the school’s procedures for complying with existing laws related to school safety are identified. These include but are not limited to the following:</p>	<p>Include date and plan</p>	<p>Additional items to consider:</p> <p>Threat Assessment Student Support Teams</p>
<p>(A) Child Abuse Reporting procedures</p>	<p>Include date and plan</p>	<p>Include board policy and site-specific steps</p>
<p>(B) Disaster procedures, routine and emergency plans, and crisis response plan are developed and include adaptations for pupils with disabilities and the following:</p>	<p>Include date and plan</p>	<p>Use the Standardized Emergency Management System as detailed in the California Emergency Services Act 8607 and the supporting <i>California Code of Regulations</i></p>
<p>Section 32282</p>	<p>Mandate Met (date, plan)</p>	<p>Comments, Suggested Details (resources, activities, etc.)</p>

<p>(i) Earthquake emergency procedure system that includes:</p> <p>(I) A school building disaster plan</p> <p>Note: Building disaster plan emergency procedures and drills for the following situations that may be associated with an earthquake or other emergency event should be developed and adapted to each school’s needs and circumstances in collaboration with first responders and community partners. These situations may include but are not limited to:</p> <p>Fire; Relocation/Evacuation; Bomb Threat; Bioterrorism/Hazardous Materials; Earthquake; Flood; Power Failure/Blackout; Intruders/Solicitors; Weapons/Assault/Hostage; Explosion; Gas/Fumes</p> <p>(II) a drop procedure (students and staff take cover) drop procedure practice must be held once each quarter in elementary; once each semester in secondary schools</p> <p>(III) protective measures to be taken before, during, and after an earthquake</p> <p>(IV) a program to ensure that pupils, and certificated and classified staff are aware of and are trained in the procedures</p>	<p>Include date and plan</p>	<p>Detail response procedures may include:</p> <ul style="list-style-type: none"> • Lock Down • Secure School • Active intruder or other threat(s) <p>Describe information on training and exercise drills</p>
<p>(ii) Procedures are established to allow a public agency, including the American Red Cross, to use school buildings, grounds, and equipment for mass care and welfare shelters during an emergency</p>	<p>Include date and plan</p>	<p>n/a</p>
<p>(C) Suspension/Expulsion policies and procedures</p>	<p>Include date and plan</p>	<p>Refer to board policy, include site-specific steps, if needed</p>
<p>(D) Procedures to notify teachers of dangerous pupils</p>	<p>Include date and plan</p>	<p>Refer to board policy, include site-specific steps, if needed</p>

<p>Section 32282</p>	<p>Mandate Met (date, plan)</p>	<p>Comments, Suggested Details (resources, activities, etc.)</p>
<p>(E) Discrimination and Harassment Policy that includes hate crime reporting procedures and policies</p>	<p>Include date and plan</p>	<p>Include complaint and investigation procedure</p>

<p>(F) If a Schoolwide Dress Code exists, include prohibition of gang-related apparel</p>	<p>Include date and plan</p>	<p>n/a</p>
<p>(G) Procedures for safe ingress and egress of pupils, parents, and school employees to and from school site</p>	<p>n/a</p>	<p>Reference campus visitor policies. Other items may include but are not limited to: crossing guard program, safe routes to school, pedestrian, vehicle and bicycle policies, traffic safety</p>
<p>(H) Maintain a safe and orderly environment conducive to learning at the school</p>	<p>Include date and plan</p>	<p>n/a</p>
<p>(I) Rules and procedures on school discipline are established</p>	<p>Include date and plan</p>	<p>n/a</p>
<p>(J) Procedures for conducting tactical responses to criminal incidents, including procedures related to individuals with guns on school campuses and at school-related functions must be developed. The procedures to prepare for active shooters or other armed assailants are based on the specific needs and context of each school and community</p> <p>Note: Effective January 1, 2019, AB 1747 requires the inclusion of these procedures</p>	<p>n/a</p>	<p>Consult with local law enforcement partners on developing these procedures</p>
<p>(c) Where practical, consult, cooperate and coordinate with other school site councils or school safety planning committees</p>	<p>Include date and plan</p>	<p>n/a</p>
<p>(d) Evaluate and amend the plan as needed and at least once each year, to ensure the plan is properly implemented</p> <p>An updated file of all non-sensitive safety-related plans and materials is readily available for inspection by the public</p>	<p>School must review, update, and adopt by March 1</p>	<p>n/a</p>

Section 32282	Recommendation Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
<p>(e) The Legislature encourages that policies and procedures aimed at the prevention of bullying be included in the CSSP</p>	<p>Include date and plan</p>	<p>Comments The Legislature encourages, and the California Department of Education (CDE) concurs, that these procedures and other related policies be included in the CSSP</p> <p>Online Bullying Prevention Training Programs can be accessed on the CDE Bullying Publication and Resources web page at https://www.cde.ca.gov/ls/s/se/bullyres.asp</p>
Section 32282.1	Recommendation Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
<p>(a) Schools are encouraged to include clear guidelines for the roles and responsibilities of the positions listed below (if used by the district):</p> <ul style="list-style-type: none"> • Mental health professionals, school counselors • Community intervention professionals • School resource officers, police officers on campus <p>(b) The guidelines are encouraged to include strategies to create and maintain positive school climate and mental health protocols for the care of students who have witnessed a violent act at any time</p>	<p>Include date and plan</p>	<p>Include school counselors, nurses, coaches, athletic directors, and other positions, if used</p>
Section 32284	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
<p>Plan may include procedures for responding to the release of a pesticide or other toxic substance from properties located within one-quarter mile of a school</p>	<p>Include date and plan</p>	<p>Comments</p>

Section 32286	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(a) Each school review, update, and adopt its plan by March 1, every year	Include date and plan	See Section 32288 for guidance on school district or COE approval timeline
Section 32288	Mandate Met (date, plan)	Comments, Suggested Details (resources, activities, etc.)
(a) Submit the plan to school district office or COE for approval	Include date and plan	California Department of Education recommends that the plans be approved within a month of school adoption or as soon as possible
(b)(1) Before adopting its CSSP, SSC/Planning Committee presented the school safety plan at a public meeting at the school site that allowed for public opinions	Include date, agenda, and supporting communications	See notification requirements in Section 32288(b)(2) and recommendations in Section 32288(b)(3)
(c) Each school district or COE must annually notify the CDE by October 15 of any schools that have not complied with Section 32281	Written notification to State Superintendent	Mail to: CDE--SHSO 1430 N Street Sacramento, CA 95814 Email: SHSO@cde.ca.gov

Note: This tool is designed to assist schools in developing and updating CSSPs. Use of this tool is optional. Each school, school district, and COE is responsible for compliance and familiarity with all sections and requirements of California *Education Code* sections 32280–32289.5.

California Department of Education	September 2022
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SAFETY IS IN THE EYE OF THE BEHOLDER

Concerns about Yolo High School

A report by the 2022-23 Yolo County Grand Jury

June 1, 2023

*“I never teach my pupils; I only attempt to provide the conditions
in which they can learn.” – Albert Einstein*



Stock Photo

SUMMARY

The [mission](#) of Yolo High School (YHS), part of the Washington Unified School District in West Sacramento, is “to challenge and support each student to develop effective critical thinking, problem solving, and communication skills in a safe and positive environment in order to become lifelong learners and active citizens serving a broader community.” (1) The 2022-23 Yolo County Grand Jury (Grand Jury) received a complaint that raised concerns about school safety for students, teachers and administrators at Yolo High School.

The Grand Jury concurrently published a report entitled *Are We There Yet? On the Road to School Safety*. That report investigated safety concerns at Washington Unified School District, in addition to the other four school districts headquartered in Yolo County. That report investigated “school hardening”¹ measures, safety training, working with law enforcement, emergency notification to parents or guardians, and mental health

¹ Schools use a variety of tools to help them harden their campuses against unwanted intrusion. These can range from surveillance cameras and door-locking systems to armed guards and arming teachers.

support for students should an emergency occur. As with the other four school districts, the Grand Jury found that Washington Unified School District continues to take appropriate steps toward improving overall safety, but additional actions were recommended.

The Grand Jury had concerns about the safety of students, teachers and administrators at YHS, how investigations are conducted and how victims of bullying are treated. Despite those concerns, the Grand Jury found that the teachers and administrators interviewed are dedicated to serving students to the best of their abilities given limited safety resources.

The Grand Jury would have preferred to do a more extensive investigation but was precluded due to limited time and resources. The Grand Jury believes that further review and/or investigation is merited.

BACKGROUND

Schools nationwide are grappling with [crime](#), including school shootings, use of other weapons (such as knives), bullying and theft. (2) YHS is part of the Yolo Education Center, which encompasses YHS, Evergreen Middle School and Office of Education programs. YHS, which has approximately 100 students, offers several programs. These include Transition to Adult Living with approximately 12 students, Evergreen Opportunity (a program for the 7th, 8th and 9th grades) with approximately 30 students, and the Horizon Program offered by the Yolo County Office of Education (YCOE) that serves approximately a half dozen students with disabilities. The James Marshall Parent Nursery School (preschool) is also on site. Programs and student groups are divided, depending on age and focus, but are all housed on the same campus so that what happens in one area of the campus can be witnessed by students in different age groups and programs or at least heard about via social media.

YHS, like other schools in Yolo County, has experienced violent incidents over the past two years, but it has a special challenge with the student population it serves. YHS is an [alternative school](#), which the Public Policy Institute of California defines as “a set of schools that provide different educational settings for students who are ‘at risk’ because they have dropped out, are pregnant or parenting, exhibit behavior problems, or need an alternative schedule to accommodate outside work.” (3) Students who “exhibit behavior problems” can create safety concerns for their fellow students or teachers and administrators which can impede the learning environment.

APPROACH

The Grand Jury reviewed findings from its report on school safety (*Are We There Yet? On the Road to Safety*). The Grand Jury then interviewed teachers and administrators at YHS who are knowledgeable about incidents of violence and bullying as well as the school's responses. Following the interviews, the Grand Jury reviewed handbooks and documents related to incidents of violence, school responses to the incidents and concerns about bullying.

DISCUSSION

Pursuant to the California Education Code, schools must investigate situations that involve actual or potential violence or bullying before taking action. California Education Code section [48900](#) specifically prohibits a student from being suspended from school or recommended for expulsion unless the school district superintendent or school principal determines the student has committed specific acts. (4) Four of the acts listed in the code – attempting or causing injury to another person, possessing a dangerous object, damaging school or private property, and bullying – are discussed below. The Yolo County Office of Education and the Yolo County Board of Education have taken firm stances against weapons on school property and bullying.

Incidents of Violence

Through interviews and other materials, the Grand Jury verified five specific incidents of violence at YHS during school hours between 2021 and 2023: two incidents involved students with items that could be considered weapons, such as knives; one involved a student punching another student while in the act of bullying that resulted in serious harm; one was a fight between two students; and the fifth involved a parent attacking another parent. In two of the verified incidents, students verbally threatened others and vandalized property. Other incidents or situations, including another two with students having knives on campus, were described during interviews but could not be verified.

While guns have been the focus of media reports over the past several years, knives are increasingly challenging for schools since they can be acquired, carried and concealed easily, and can create serious harm to a person, furnishings or equipment. A [policy brief](#) published by the American Psychological Association on March 17, 2022, found that: "In California alone, 4% of students reported bringing a gun to school, 8% reported bringing a knife, and 6.8% reported they were threatened or injured with a gun, knife, or a club.

Additionally, 23.3% saw a gun, knife, or other weapon on school grounds. That is, in any given year, **almost a quarter of all secondary school students in California—representing more than half a million students—have seen, been threatened by, or brought a weapon to school.** Nationwide, millions of students each year may have such experiences with weapons in schools. In California, weapons are present in many schools, with very high rates of weapons in a small number of schools” (emphasis added). (5)

California Penal Code section [626.10](#) prohibits “dirks or daggers” on school grounds and defines them as “a knife or other instrument, with or without a handguard, that is capable of ready use as a stabbing weapon, and that may inflict a significant or substantial physical injury or death.” (6)

The Washington Unified School District (District) provides several guides for parents, students and staff covering procedures and expectations. These [guides](#) can be found on the Yolo Education Center website. (7) Its *Parent Handbook*, which is required to be signed by parents or guardians, specifically prohibits “possession of a firearm on campus.” It also notes that a student can be expelled if found to have seriously injured another person or have been found to possess “any knife, explosive, or other dangerous object of no reasonable use to the pupil.”

The District’s *Student Behavioral Expectations Handbook* identifies several situations that could result in disciplinary action. Included are “weapons or injurious objects” described as “the possession, use or sale of any object that might be used to inflict bodily injury to another person.” The *Yolo High School Student Handbook 2022-2023*, which is also signed by students and their parents or guardians, covers expectations and resources. While the Student Handbook discusses bullying and other prohibited conduct at length, it does not mention weapons of any kind or consequences of having weapons on site.

The “Know Your Educational Rights” section of the *Parent Handbook* states, “All students and staff have the right to attend safe, secure, and peaceful schools.” Teachers and Administrators interviewed shared concerns about their and their students’ safety due to violence, threats of violence and what they perceived to be deficient responses by leadership to such situations. Teachers and administrators also expressed concern about reductions in safety staff and other measures due to budgetary constraints as well as changes in past practices which prevented desired steps from being taken to make YHS as safe as reasonably possible for students and staff.

Suspension is one action that can be taken when a student threatens or acts violently. However, YHS staff and teachers may not know that a student has been suspended or the length of the suspension until the next school day. As a result, the student could more easily return to the campus shortly following the start of the suspension, such as by simply jumping a fence, and continue to act improperly – or worse.

Teachers and administrators voiced concerns about the YHS investigation process following incidents of violence or other inappropriate behavior. In its section entitled “Investigation Procedures,” the *Parent Handbook* provides detailed information about its process, including the expectation to “[p]rovide an equal opportunity for the parties to present witnesses including the fact and expert witnesses, and other exculpatory [sic] and exculpatory evidence.” The Grand Jury has concerns that in at least one case at YHS an investigation may not have reflected all facts available.

Bullying

The Grand Jury received a complaint and corroborating information that raised concerns that victims of bullying were removed from YHS while the bullies were allowed to remain. Bullying is a serious matter for schools and is discussed at length in both the District’s *Student Behavioral Expectations Handbook* and the *YHS Student Handbook*. In both cases, bullying behaviors are detailed at length, as are the procedures for investigating and taking action on complaints and resources, or what are deemed as “supportive measures” available to the victims. This issue is beyond the scope of this report. Records and facts were requested from District personnel concerning this issue, but no response has yet been received.

A student support strategy noted in the *Parent Handbook* is “Voluntary Short Term Independent Study.” Article 5.5. [51744 - 51749.6] of the Education Code defines independent study as a short-term solution for specific circumstances and needs. (8) A significant percentage of YHS students are in such independent study programs. When students are on independent study, they are not in their classrooms or on campus. As a result, they are separated from their friends and school support programs. This separation can be especially impactful for students who are in an Individualized Education Program (IEP) or who are English Language Learners.

COMMENDATIONS

Despite concerns about safety, the YHS teachers and administrators interviewed are committed to serving their students and their communities to the best of their abilities.

FINDINGS

- F-1 Unlike the District's *Student Behavioral Expectations Handbook*, the *Yolo High School Student Handbook* does not mention prohibitions against and consequences of having weapons, such as guns or knives, on school grounds during school hours despite incidents involving knives continuing to occur. Not including such discussion might prevent Yolo High School students from fully understanding the seriousness of bringing such items onto school grounds.
- F-2 Teachers and administrators are not notified of student suspensions as they occur. This increases the chances that a suspended student could return to school before allowed, possibly with intent and the means to harm others or property.
- F-3 Investigations of incidents of threats or acts of violence are not as thorough or considered as needed.
- F-4 A significant percentage of Yolo High School students are in what is commonly known as independent study at any given time, thereby unable to attend classes or events on the campus. This isolation prevents them from receiving the full benefit of services provided to attending students.

RECOMMENDATIONS

- R-1 By January 1, 2024, the Washington Unified School District should revise the *Yolo High School Student Handbook* to identify opportunities to address prohibitions against and consequences of having weapons on Yolo Education Center grounds.
- R-2 By January 1, 2024, the Washington Unified School District should develop a plan to improve the process by which teachers and administrators are promptly notified of student suspensions from the campus.
- R-3 By January 1, 2024, the Washington Unified School District should initiate an audit of investigations involving violence and bullying, conducted by Yolo High School leadership between 2021 and 2023, using independent experts in order to identify any investigations found to be incomplete or improperly concluded, then take remedial action. In addition, the District should review the investigations training completed by school administration to evaluate its effectiveness and seek opportunities for improvement. The findings and outcomes of this review should be shared with the Grand Jury.
- R-4 By June 30, 2024, the Yolo County Board of Education should conduct a study of the circumstances under which students are assigned to independent study at Yolo High School. This review should identify whether practices at Yolo High

School disproportionately harm victims of bullying or students who need support provided at their schools.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requires responses to its Findings and Recommendations from the following governing bodies:

- Board of Education/Trustees Washington Unified School District – F-1, F-2, F-3, F-4, R-1, R-2, R-3
- Yolo County Board of Education – F-4, R-4

END NOTES

- 1 Yolo High School Mission: <https://yolo.wusd.k12.ca.us/>
- 2 Jocelyn Gecker, “After Year of Violence, US Schools Try to Tame Tensions,” Associated Press, June 23, 2022, (<https://www.usnews.com/news/us/articles/2022-06-23/after-year-of-violence-us-schools-try-to-tame-tensions>)
- 3 Paul Warren, “Accountability for California’s Alternative Schools,” Public Policy Institute of California, Report, May 2016, <https://www.ppic.org/publication/accountability-for-californias-alternative-schools/#:~:text=In%20California%2C%20E2%80%9Calternative%20school%E2%80%9D%20refers%20to%20a%20set,need%20an%20alternative%20schedule%20to%20accommodate%20outside%20work>
- 4 California Education Code 48900, https://california.public.law/codes/ca_educ_code_section_48900
- 5 Dr. Ron Avi Astor and Dr. Rami Benbenishty, “Reducing Weapons in Schools,” Division 15 of the American Psychological Association, March 17, 2022, <https://apadiv15.org/reducing-weapons-in-schools/>
- 6 Shouse California Law Group, “Penal Code § 626.10 PC – Weapons on California School Grounds,” <https://www.shouselaw.com/ca/defense/penal-code/626-10/#:~:text=California%20Penal%20Code%20%C2%A7%20626.10%20PC%20makes%20it,can%20be%20charged%20as%20a%20misdemeanor%20a%20felony>
- 7 Yolo Education Center, Handbook and Forms: <https://yolo.wusd.k12.ca.us/Our-School/Handbooks-and-Forms/index.html>
- 8 California Legislative Information: https://leginfo.ca.gov/faces/codes_displayText.xhtml?lawCode=EDC&division=4.&title=2.&part=28.&chapter=5.&article=5.5

Reports issued by the Civil Grand Jury do not identify individuals interviewed. Penal Code Section 929 requires that reports of the Grand Jury not contain the name of any person or facts leading to the identity of any person who provides information to the Civil Grand Jury.

THE FOREST FOR THE TREES

A Report on a Davis Resource

Trees are poems that the earth writes upon the sky. – Khalil Gibran

June 1, 2023



Davis trees permission Sharon Browne

SUMMARY

The 2022-23 Yolo County Grand Jury (Grand Jury) received a complaint about Davis (City) street tree maintenance. This report addresses issues of street tree care connected with Chapters 15 and 37 of the Davis Municipal Code (DMC).

The complaint filed with the Grand Jury asserted that some City-owned street trees planted on private property were in poor condition because property owners were not aware of their duty to water these trees. The City's failure to enforce this duty might then result in added costs to the City due to having to remove trees that died prematurely. The Grand Jury has found that the City has not developed an effective education program to inform private property owners of this duty. Further, the City has failed to provide any incentive to the property owners to incur the expense of watering the City-owned trees.

The Grand Jury researched the 2018 Measure H, (1) which renewed a park maintenance parcel tax to support City-owned trees and parks for an additional 20 years. The Grand Jury found that, contrary to voter intent, the Davis City Council deleted "street trees"

from the categories approved to receive the benefits of this parcel tax. Instead, the City inserted “street lighting” when adopting [Ordinance 2521](#), (2) implementing Measure H.

Finally, the Grand Jury found that the organizational structure of the Davis tree program is fragmented, and it is not clear who is responsible for management and oversight of the street trees. The City needs to correct or clarify [DMC Chapter 37](#) (3) to accurately specify which City officers, commissions or committees have responsibility to direct each element of the new Davis [Urban Forest Management Plan](#). (4)

DEFINITIONS

Davis Municipal Code (DMC 37.01.020) provides the following definitions:

City Tree: “any tree, other than a street tree, planted or maintained by the city within a city easement, right-of-way, park, greenbelt, public place or property owned or leased by the city.”

Street Tree: “any tree, planted and/or maintained by the city, or recorded as a street tree adjacent to a street or with in a city easement or right-of-way on private property, within the street tree easement.”

Street Tree Easement: “refers to the ten-foot zone behind the sidewalk or between curb and sidewalk (or if no sidewalk exists, behind the street curb, gutter, edge of street or property line at street) within which a street tree or private tree may exist or be planted.”

BACKGROUND

Since the 1960s, a period of major growth in population, the City has provided Street Trees for residential properties in order to create a uniform amenity along public thoroughfares. This policy has been very successful in creating attractive neighborhoods and a walkable, shaded downtown. In 1963, the City’s Urban Forestry Program was established together with the Street Tree Committee (now the Tree Commission), composed of volunteers. In 1977, the City received recognition for its street tree program from the National Arbor Day Foundation and annually thereafter. In 2002, the City Council adopted the 2002 [Community Forest Management Plan](#) (5) and a Tree Ordinance.

2018 Measure H, Park Maintenance Tax

The 2018 Measure H was adopted by the voters to help fund the maintenance of parks including street trees. However, in implementing Measure H, the City deleted “street

trees” and inserted “street lighting.” The City’s 2022 budget does not make it clear how the [Measure H revenue](#) is spent. (6)

Under these policies, many thousands of street trees have been planted over the years, and the City has acquired a reputation for the beauty of its tree-shaded streets in a hot valley climate where shade is valued and necessary. But many neighborhoods contain aging trees that are increasingly vulnerable to disease and decline in a warming climate. Conditions of heat and drought challenge the health of these trees, and a trend encouraged by the City toward low-water-use landscapes has left many large trees without the water that had sustained them when they were surrounded by lawns. While the City mandates water conservation, it also urges property owners to water City-owned street trees; but it does not provide usable information about proper watering techniques. Importantly, it does not inform owners that they are expected to maintain City-owned trees entrusted to their care. During the summer drought of 2022, some mature street trees exhibited severe stress by dropping their leaves in August. Experts suggest this is evidence that they did not receive enough water. Much more can be done by the City to protect these trees and avoid early removals at the City’s expense.

APPROACH

The Grand Jury interviewed numerous City employees, volunteers, experts, and property owners, and reviewed City documents available online. When interviewed, some Davis property owners told the Grand Jury that they were unaware of their expected role in maintaining City-owned Street Trees on their private property. Other Davis property owners said they felt that the City was asking them to make unreasonable choices on how to spend their money because they were already paying for Measure H, a park maintenance tax, and they felt that City water rates were high. To make matters worse, private property owners feel that compliance with the city ordinance is difficult because at times the City limits landscaping watering to two or three days a week.

The Grand Jury researched the Davis Municipal Code and found that, through inadvertence or by mistake, the City did not follow the voters’ intent when implementing Measure H when they substituted “street lighting” for “street trees” without voter approval.

DISCUSSION***Street Trees***

Davis is proud of its urban forest program and the City has received recognition and numerous awards for being a walkable and bikeable community. (7) The City maintains over 12,000 street trees, 15,000 trees in parks and greenbelts, and 5,000 trees in public rights-of-way. Davis property owners have generously supported this program with a special tax to help pay for park maintenance and street trees. The first special tax was adopted in 1998 as Measure H, and renewed in 2002, 2006, and 2012. When the 2012 special tax was set to sunset in 2018, Davis voters renewed it through that year's Measure H for another 20 years. (8)

Like many other cities, Davis has established easements in the front of residential lots. These easements, extending from the front property line ten feet onto the property, provide a place for city fixtures such as water meters, signs, hydrants, and Street Trees. Street trees on planned development street frontages are usually provided and planted by the developer and are maintained according to varying developer agreements. A subdivider who creates new residential parcels within a large tract (the typical development scheme in most cities) will note such easements on individual plot plans attached to each parcel. DMC 37.02.010, states:

“Subdividers are hereby required to provide and plant street trees within the city street tree easement according to the city’s street tree planting requirements, for each lot fronting a public street.... During the initial three-year establishment period...the city may provide...street tree pruning and training, paid for by the street tree fees.”

When such new trees are planted, the City gives owners information about tree care. One recent flyer says, “newly planted trees require 5-10 gallons per watering, 2-3 times per week,...more during periods of hot weather” and warns against use of plastic weed barrier fabric near trees. A current “City Tree Planting Notice” says, “Property owners are responsible for watering street trees that are on their property.... This is an important partnership with the City of Davis. The tree is the property of the City.” (See Appendix 1).

City laws make clear the duty of owners to maintain Street Trees: “Private property owners shall be responsible for irrigating street trees that exist on their property....[They] may place and maintain plants on their property within the Tree

Protection Zone....Street trees and city trees shall assume priority over other vegetation.” (DMC 37.01.010(a)(b))

DMC 37.02.040 makes it unlawful for property owners to “prune, spray, brace, plant, move, replace or damage any street tree.” This law establishes the obligation of owners to maintain City-owned Street Trees. By extension, a choice not to water a City Tree could be considered a constructive action to damage it, especially when it contributes to disease or early death during a dry spell. It also states: “Altering the grade of the property including trenching, in a manner that could damage, or ... affect the well-being of a street tree or city tree” is prohibited.

In efforts to reduce water consumption, some homeowners replace plants in their front yards with others that require little or no water. These new landscape designs usually include no irrigation systems or means for supplying water to City-owned Street Trees. No permits are required for work that does not focus on City-owned Street Trees, but a City education program could guide the landscape design work that surrounds the trees.

The City provides periodic newsletters to residents that address water conservation (see Appendix 2). These notices advise limiting routine landscape watering but always encourage people to water their trees. Many residents find this mixed messaging confusing. The idea that property owners have an obligation to care for Street Trees is not discussed. One late-summer notice said that mature trees need deep watering with 30-40 gallons, twice a week, during very hot spells. The City should inform property owners about efficient deep watering techniques because residential sprinklers and ordinary drip systems are not designed for this purpose..

There are many rental properties in Davis, a college town. Approximately 57% of the 25,869 housing units in Davis are on rental properties and many of the Street Trees are on these properties. Large developments have landscape maintenance programs and Street Trees are well cared for. But the many dispersed small rental properties are often under the care of property management companies whose primary purpose is to make money for absentee owners. Care of the landscape and trees is considered unprofitable, and thus is not performed. Although the property owner may have been informed of the matter of Street Tree maintenance duty years ago, the message seems to have been lost over the years with ownership turnover. There is a need to re-establish understanding with current owners who are in the end responsible for fulfillment of the original mandates.

In 2023, the City completed an Urban Forest Management Plan (UFMP), funded by a Cal Fire grant. This is a powerful new tool for the City to use in evaluating needs and planning responses to issues such as tree losses. With this in hand, the City plans to update its 2002 tree ordinance in a process which includes citizen input. The new ordinance is an opportunity to address the problem of an aging and, in some areas, a declining urban forest. The public process of adopting the new ordinance can re-establish the City's communication with the public about Street Trees as a shared responsibility. The new ordinance can establish reasonable rules for City support for private actions and reduce the City's costs and liability for tree removals that result from under-watering of Street Trees.

An existing database of City Trees is now a part of the new UFMP. This accounting of trees is out of date and does not properly support the mission of the UFMP. A street-level inventory is needed now to check trees to verify their species, size, health and threats to the trees' health. In combination with an updated list of trees suitable for a changing climate, this action, with the possible help of volunteers, will give the City the information it needs to make wise decisions about the urban forest going forward. Tree Davis, a local non-profit, recommends that the City consider adopting all trees in the City street easement, adding them to the City inventory, regardless of who planted them. This would require the agreement of each private property owner who has a private tree within the street tree easement. Such action would streamline the evaluation of service requests, eliminating the chore of determining "ownership." Adding about 6,000 trees to the city list would require added funding for maintenance.

Various ordinances that deal with City-owned Street Trees agree that such trees on private property require care by homeowners, and the specifics of expected care are spread out in more than one place in City codes. These codes establish a duty to care for the City-owned Street Trees. But the consequences for not following the ordinances are not enforced. Perhaps for this reason, city notices urging tree watering do not refer to any penalties for not doing so. The City should correct this by revising such language in the upcoming tree ordinance update to tie compliance to consequences (notices, fines, assistance, etc.), and then publicize the matter in clear language to the public.

Measure H Voter Intent

In 1998, Davis voters adopted a new parcel tax to support park maintenance, by a two-thirds vote. It was renewed by the voters several times in subsequent years. In 2018, Measure H was renewed, this time for twenty years. The funds generated by Measure

H, currently about \$1.5 million per year, are dedicated for the specific purposes set out in the language of Measure H. The language of Measure H was clear and precise¹:

“Shall Ordinance 2521, which renews the existing Park Maintenance Tax of \$49 per year on residential units and on non-residential units in amounts specified in the Ordinance, for 20 years, adds an annual 2% inflator, and is expected to generate \$1.4 million in the first year to fund maintenance of parks, **street trees**, greenbelts, bike paths, medians, public landscaping, urban wildlife and habitat, swimming pools, and public recreational facilities, be adopted?” (emphasis added).

The 2018 voter information packet for Measure H stated: “How does the City use the revenue from the Parks Maintenance Tax? The Parks Maintenance Tax provides \$1.4 million annually, which currently pays for 18% of parks maintenance costs. The funds are dedicated to assisting with the maintenance of parks, **street trees**, greenbelts, bike paths, medians, public landscaping, urban wildlife and habitat, swimming pools, and public recreational facilities in the community, such as building in parks, play structures, and courts and fields. **As a special tax, revenues must be spent only for these purposes**” (emphasis added). However, the impartial analysis of Measure H prepared by the City Attorney, through inadvertence or mistake, inserted “**street lighting**” in place of “**street trees.**”

After Measure H was passed with overwhelming support from Davis voters, Ordinance No. 2521 went into effect. Its title reads:

*“ORDINANCE OF THE CITY OF DAVIS AMENDING ARTICLE 15.14 OF CHAPTER 15 OF THE DAVIS MUNICIPAL CODE RENEWING AND AMENDING A PARK MAINTENANCE TAX TO FUND MAINTENANCE OF PARKS, **STREET TREES**, GREENBELTS, BIKE PATHS, MEDIANS, PUBLIC LANDSCAPING, URBAN WILDLIFE AND HABITAT, SWIMMING POOLS, AND PUBLIC RECREATIONAL FACILITIES TO ADD A TWO PERCENT INFLATOR TO THE MAXIMUM TAX RATE BEGINNING JULY 1, 2019 AND TO EXTEND THE TERM OF THE TAX TO 2038 SUBJECT TO THE APPROVAL OF THE VOTERS”* (emphasis added).

¹ The California Supreme Court has long recognized that “the language used in a statute or constitutional provision should be given its ordinary meaning, and —[i]f the language is clear and unambiguous there is no need for construction, nor is it necessary to resort to indicia of the intent of the Legislature (in the case of a statute) or of the voters (in the case of a provision adopted by the voters).” (*Lungren v. Deukmejian* (1988) 45 Cal.3d 727, 735.) The same principle applies to local governments, including the City.

Three sections of Ordinance No. 2521, now sections 15.14.010, 15.14.040 and 15.14.070 of the DMC, are seemingly inconsistent with both the measure’s title and the text of Measure H itself. These sections provide:

- “15.14.010. Findings. The Park Maintenance Tax currently provides funding to supplement the general fund for the maintenance of community parks, greenbelts, open space, **street lighting**, swimming pools, and related public recreational facilities” (*emphasis added*).
- “15.14.040. Park Maintenance Tax. (a) If approved by the voters, commencing July 1, 2018, for fiscal year 2018-2019, the city shall continue collecting funding for parks, open space, **public lighting** and related public recreational facilities in the form of a special park tax in the manner and at the rates set forth herein” (*emphasis added*).
- “15.14.070. Limitation on Disposition of Revenue. Revenues collected under the provisions of this article shall be deposited in a special fund called the park maintenance special tax fund and shall be used only for the operation and maintenance of landscaping, park, open space, median, greenbelt, swimming pools, public recreational facilities **and public lighting improvements**, within the City and for the incidental expenses incurred in the administration of this tax, including, but not limited to the cost of elections, and the cost of collection” (*emphasis added*).

The ballot language the voters intended to effectuate in approving Measure H in 2018 is clear and precise—a Street Tree is not similar to street lighting or public lighting. The City’s laws implementing Measure H do not conform to the ballot language. This alteration was made without voter approval. It would not be burdensome for the City Council to amend or revise the laws implementing Measure H to restore Street Trees as one of the categories receiving the benefits of this special tax. Amending these laws would promote voter confidence that the City is implementing Measure H according to voters’ intent.

Measure H Revenue and Expenditures Lack Transparency

Although Measure H revenues are shown as a line item in the City Budget, the City does not account for specific outlays from those revenues by category – maintenance of parks, Street Trees, greenbelts, bike paths, medians, public landscaping, urban wildlife and habitat, swimming pools, and public recreational facilities. This is because the \$1.5 million currently generated by Measure H annually amounts to only a fraction of the City’s expenditures in those areas. The typical City taxpayer may regard this as creating a “black box” effect: the money goes into the City’s coffers, but it is not obvious what becomes of it. This perception has been exacerbated by the City’s decision to begin

depositing Measure H revenues directly into the General Fund instead of utilizing a special fund for that purpose, as was done through the end of the 2020-21 fiscal year.²

City spending for each of the categories listed in Measure H is reported over a variety of line items in the annual budget for the Parks and Communities Services Department. There is an exception for expenditures for tree planting and maintenance, which are now aggregated within the Urban Forestry line item in the budget for the Public Works Department. There exists no simple, accessible statement of total City spending for each of the categories identified in Measure H. Such a statement would make it immediately clear to property owners that each category of concern identified in Measure H is receiving funding.³

By preparing and posting on the City's website a simplified summary of revenues received from Measure H and annual City expenditures on maintenance of parks, Street Trees, greenbelts, bike paths, medians, public landscaping, urban wildlife and habitat, swimming pools, and public recreational facilities, the City would provide Davis taxpayers with transparency and accountability in the use of Measure H funds. It is entirely possible that such a statement might generate even greater support for Measure H, by highlighting the disparity between the amount of funds received from the tax and the total outlays required for each category.

Chapter 37 Information Is Incorrect

The Grand Jury has determined that the City's tree management program has recently undergone a good deal of administrative change. This includes shifting the Urban Forestry Division from the Parks and Recreation Department to the Public Works Department, the departure of the City's long-time Urban Forestry manager, and the adoption of a new UFMP.

Responsibility for the tree program's operations is currently centered in four areas: Tree Davis (a private contractor/ volunteer organization operating under a memorandum of understanding with the City); the Tree Commission (a volunteer advisory group to the City Council); the

² City of Davis Municipal Code, section 15.14.070, states that Measure H revenues are to be "deposited in a special fund called the park maintenance special tax fund" which may be used only for the specific purposes listed in Measure H. It is not clear how the City was able to switch to depositing these revenues into the General Fund without violating this provision.

³ Through 2021, there was no evidence that Measure H revenue was spent on street lighting or withheld from street trees. However, by placing Measure H revenue into the general fund, there is no way to confirm how Measure H revenue is spent.

Planning Commission; and the City's urban forestry staff. The Grand Jury could find no centralized, readily available statement, in the DMC or elsewhere, of exactly which agencies or officials are responsible for which elements of the City's tree program. The website for the Urban Forestry Division states: "Until further notice, please anticipate delays in response times for maintenance and planning activities of the Urban Forestry Division due to staff shortages."

This statement has been posted since February 24, 2023. Clearly, staffing levels are too low to accomplish and maintain the City's tree program. Moreover, existing information in DMC Chapter 37 is apparently incorrect. DMC 37.01.040 states that the City's community service director "shall be charged with the enforcement of this chapter." When the Grand Jury attempted to contact the director, it was found that she had no connection to the tree program.

COMMENDATION

The Davis City Council should be commended for its Urban Forestry Program, and in particular, its innovative new Urban Forest Management Plan. Under its memorandum of understanding with the City, Tree Davis has sponsored educational events, in coordination with City staff, for multiple audiences. These outreach efforts have resulted in the development of an active volunteer program and a valuable volunteer list.

FINDINGS

F-1: The City does not adequately inform homeowners about their responsibilities for maintaining City-owned trees on private property. This can result in inadequate or no watering of established Street Trees, especially those on rental properties managed by agents.

F-2: The City does not enforce compliance with Chapter 37 obligations to maintain City Street Trees.

F-3: The voter-approved ballot language in adopting the 2018 Measure H is clear and precise. However, the laws implementing Measure H substitutes "street lighting" for "street trees," contrary to the voters' intent.

F-4: Chapter 37 fails to provide current and accurate information as to which officials or agencies are responsible for overseeing the various elements of the City's tree program. This information is not available on the City's website.

RECOMMENDATIONS

R-1: The Grand Jury recommends that the City clarify its expectations that private property owners maintain City-owned Street Trees on their property so that Street Trees do not suffer early decline that forces early removal at City expense. Publication of specific expectations for watering and coordination with other landscaping is needed. This outreach effort should include extra measures to communicate with absentee owners and property managers. This should be done by January 1, 2024.

R-2: The City should enforce compliance with Chapter 37 obligations to maintain City Street Trees.

R-3: The Grand Jury recommends that the City develop a means to incentivize the proper care of City-owned Street Trees on private property by providing a water allowance for this purpose, or similar measures such as making available appropriate irrigation materials and consultations with property owners. This should be completed by January 1, 2024.

R-4: The Grand Jury recommends that the City amend the language of Ordinance 2521, now DMC sections 15.14.010, 15.14.040, and 15.14.070, to effectuate voter's intent in adopting Measure H. This should be completed by January 1, 2024.

R-5: The Grand Jury recommends that the City post on its website a simplified summary of annual revenues received from Measure H and related appropriate annual City allocations and expenditures. This should be completed by January 1, 2024.

R-6: The Grand Jury recommends that Davis Municipal Code, Chapter 37, be amended to clearly identify responsible departments and officials charged with overseeing each element of the City's tree program. This information should be clearly posted on the City's website. This should be completed by January 1, 2024.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the Grand Jury requests responses to its Findings and Recommendations from the **Davis City Council** within 90 days.

END NOTES

- (1) [https://ballotpedia.org/Davis, California, Measure H, Park Maintenance Parcel Tax \(June 2018\)](https://ballotpedia.org/Davis,_California,_Measure_H,_Park_Maintenance_Parcel_Tax_(June_2018)) Measure H Parcel Tax
- (2) https://content.qcode.us/lib/davis_ca/pub/municipal_code/files/ordlist.pdf
- (3) https://library.qcode.us/lib/davis_ca/pub/municipal_code/item/chapter_37
- (4) <https://www.cityofdavis.org/city-hall/urban-forestry/city-of-davis-urban-forest-management-plan>
- (5) <https://www.cityofdavis.org/home/showdocument?id=5638> 2002 UFMP
- (6) <https://www.cityofdavis.org/home/showpublisheddocument/17344/637813053672630000>
- (7) ¹ In 1977, the City received recognition by the National Arbor Day Foundation and continues to receive this award annually. <https://www.cityofdavis.org/city-hall/urban-forestry>.
- (8) ¹ 02/06/2018 City Council Minutes.
<https://documents.cityofdavis.org/Media/CityCouncil/Documents/PDF/CityCouncil/Council/Meeting/Minutes/2018/Minutes-2028-02-06-City-Council-Meeting.pdf>

APPENDICES

- Appendix 1: City Tree Planting Notice
- Appendix 2: Caring for Young Trees
- Appendix 3: City Tree Planting Notice
- Appendix 4: There's No Doubt—We're in a Drought You Can Help!

APPENDIX 1

Davis, CALIFORNIA
CITY TREE PLANTING NOTICE
October 26, 2022

Occupant
Davis, CA 95616

Dear Occupant,

The City of Davis Urban Forestry Division will be planting a tree soon at _____. Please read the following information carefully as the replacement tree will not be removed once it has been planted. This planting is happening because a City tree was removed. As part of the City's street tree planting program a replacement tree(s) will be planted at _____. City Trees are planted in the easement on your property, within 10 feet from the back of the sidewalk (back of the sidewalk is the edge of the sidewalk closest to your home). Generally, replacement trees are planted in or near the same location as the City tree that was removed.

The tree recommended (or specified per your request) for your property with consideration of soil, size, and location is: Bubba Desert Willow. To review information about this tree species, go to www.nfei.org and click on the SelecTree at the top of the page. You can enter the species name to see pictures and learn more about these trees. If you would like a different tree selection for your property, please contact our office as soon as possible via email at CityTrees@cityofdavis.org, so we can work with you to determine an appropriate alternative. Requested alternatives for trees must be received in writing and be an available species from City of Davis Master Street Tree list. Availability of species could be limited, and for that reason the City of Davis will be working with regional nurseries this planting season. To learn about the species available for this planting season please contact the Urban Forestry division at CityTrees@cityofdavis.org or 530-757-5633. The City of Davis Master Street Tree list can be found on the City of Davis website at https://www.cityofdavis.org/cit_half/urban-

Prior to tree planting, a door hanger will be posted at your residence confirming the tree species, listing an approximate planting date, and explaining the tree planting location. Also, a flag will be placed in the general tree planting area and will be marked in paint. The paint marks the area that will need to be assessed for underground service lines

530-756-5686 | @CityofDavis @  
Public Works Utilities and Operations Department
23 Russell Boulevard, Davis, CA 95616

and confirm that there are no utilities in the area before planting. If you would like to change the planting location, please keep in mind that the following specifications must be met:

- The tree must be kept within the City's 10' tree planting and maintenance easement. The 10' is measured from the back of the sidewalk (back of the sidewalk is the edge of the sidewalk closest to your home).
- The tree must be planted a minimum of 5' from City utilities such as the sewer and water lines.
- The tree must be planted a minimum of 4' from existing sidewalks and driveways.

To help with tree establishment, it is the property owner's responsibility to water the newly planted tree. This is an important partnership with the City of Davis; therefore, at the time of planting, tree care instructions will be left at the residence. Property owners are responsible for watering street trees that are on their property. With proper care, your newly planted street tree can become an integral part of our Community Forest.

The tree is the property of the City of Davis and will be maintained on a block pruning schedule. You can find information about caring for new trees and the block pruning schedule on the City of Davis website at <https://www.cityofdavis.org/city-halt/urban->

If at any time you feel the tree requires inspection, please contact the Urban Forestry Division staff. Staff can be reached at (530) 757-5633 to resolve any questions or concerns you have.

Sincerely,

Davis Urban Forestry Program
Public Works Utilities & Operations Department

APPENDIX 2

CARING FOR YOUR TREES

Watering

Trees of all ages require watering to remain healthy.

Newly planted trees require regular watering to become established. At the time of planting, a basin can be constructed around the tree, slightly larger than the root ball to help direct water to the tree's roots. Fill the basin once or twice a week, as needed, to keep the root ball moist. More frequent watering may be required during periods of hot weather. Since soils and environmental conditions vary, periodically check the soil to see that it is not too wet or too dry and that you are watering deeply enough. Be sure to water the entire root area and slightly beyond.



Young, established trees require infrequent deep watering for root development and good tree growth. Drip irrigation is best to apply water slowly onto the soil, allowing the water to infiltrate into the root zone. A system that allows approximately 40 gallons of water to infiltrate per watering is a good starting point to keep the tree's roots moist. A good system is calibrated to adapt to the soil, weather conditions, and tree type prior to installing and irrigating.

Mature trees may only require watering in the hotter summer months. Water should be applied under the drip line when possible. Trees should be watered so the soil is at field capacity.

APPENDIX 3

City Tree Planting Notice

As part of the City's Urban Forestry Program a replacement tree will be planted in the City easement front of your home.

It is the goal of the City to have at least one tree on each lot (one on each side for corner lots). The tree is the property of the City of Davis and will be maintained on a block trimming schedule.

The tree recommended your lot with consideration of size, and location is a _____. Which is estimated to grow to _____ feet tall.

This is a deciduous evergreen tree.

Should you have any questions, please call the City's Urban Forestry Program at 530-757-5633 with your name and address. To view information about this tree species, go to www.ufe.org and click on "SelecTree." Please note that the City will not remove or relocate trees once they are planted.

The small flag placed in your yard indicates the area that was selected for the tree to be planted. If you would like the tree planted in an alternate location, move the flag to the spot you prefer. Please note that tree planting locations must be:

- Within 4-10 feet of the sidewalk.
- At least 5 feet from water, sewer or gas lines.

Depending on the weather we will plant your tree in the coming weeks.



APPENDIX 3

There's No Doubt – We're in a Drought You Can Help!

With three dry years in a row, Davis is in a drought. Alongside the City's permanent mandatory water-use restrictions, the City has implemented Shortage Level 2 of the City's Water Shortage Contingency Plan (as required by the Governor). Shortage Level 2 restricts irrigation to three days per week and prohibits vehicle washing except at a commercial carwash. The state water-waste restrictions also remain in place. See below for more information on the sprinkler irrigation restrictions.

Sprinkler Irrigation Restrictions

The City Council implemented watering restrictions for sprinkler/spray irrigation use that began November 1, 2021. The watering restrictions apply to all customers (residential and commercial) and will aid the City in reducing water usage. The watering restrictions only apply to sprinkler/spray irrigation and do not apply to other methods of irrigation such as drip systems and hand-watering.



Sprinkler irrigation systems can water a maximum of three days a week on an odd/even watering schedule :

Odd numbered addresses: Tuesday, Thursday, and Saturday

Even numbered addresses: Wednesday, Friday, and Sunday

Whether you own your property or are renting, we can all help to reduce water usage during these dry conditions. Learn more at: [SaveDavisWater.org](https://www.savedaviswater.org)

Look Out for Leaks

- Look and listen for leaks. Make repairs or report leaks to the property manager.
- Register for AquaHawk (if you rent, check with your property owner/manager)
- Watch for water or gas (hot water) bill increases



Save Water Indoors

- Only wash full loads of dishes and clothes
- Turn off the water while brushing teeth
- Take shorter showers or fill the bathtub less
- Save and reuse water for watering



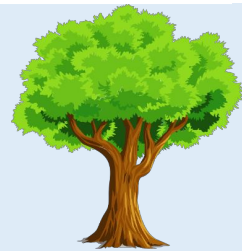
Save Water Outdoors

- Use a broom instead of a hose
- Repair leaks and broken sprinkler heads or report them to the property manager
- Water no more than three days per week (or less!) and keep deep watering your trees



Prioritize watering trees

During the hot, dry summer months it is essential to water your trees. Deep watering of trees encourages root growth, helps reduce surface rooting, and helps keep trees healthy even during dry and/or drought conditions. Young and mature trees have different watering needs. Young, established trees require infrequent deep watering. Mature trees may only require watering in the hotter summer months. Drip or flood irrigation over the critical root zone (under the tree canopy) is usually the best way to water trees. Avoid spray irrigation if possible. If this is the only option, make sure the sprinklers do not spray the trunk of the tree. Visit [CityofDavis.org/City-Hall/Urban-Forestry](https://www.cityofdavis.org/City-Hall/Urban-Forestry) for details on tree watering.




Public Works Utilities and Operations
PWeb@CityofDavis.org | 530-757-5686
[SaveDavisWater.org](https://www.savedaviswater.org)

@GreenerDavis



