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**Unmet Transit Needs in Madera County
Riders without Routes**

**Madera County Grand Jury
Final Report 1920-02
December 21, 2020**

SUMMARY

The 2019-2020 Madera County Grand Jury (MCGJ) was prompted to review the Madera County Public Transportation (MCTC) services after reviewing the MCGJ 2017 report. That report found the *“Madera County Transportation Commission efforts in obtaining public input are insufficient.”* The MCGJ also considered the Unmet Transit Needs FY 2019/2020 Report published by the Madera County Transportation Commission. In addition, in July 2019 the County awarded a five-year contract to the Fresno County EOC (FCEOC) for Madera County Connection (MCC) transportation services. The change to the new service provider would have given the County the opportunity to review the routes and connections but improvements were not considered. The only changes were cosmetic: a new logo, different uniforms, and a new name attached to the service provider. This MCGJ report reviews the improvements to secure public input and develop route improvements to meet needs geographically, demographically, economically while addressing the needs for all communities in the County of Madera.

GLOSSARY

FCEOC	–	Fresno County Economic Opportunities Commission
FY	-	Fiscal Year
LTF	-	Local Transportation Fund
MCC	-	Madera County Connection
MCGJ	–	Madera County Grand Jury
MCTA	-	Madera County Transportation Authority
MCTC	–	Madera County Transportation Commission
MPO	–	Metropolitan Planning Organization
RTPA	–	Regional Transportation Planning Agency
SSTAC	–	Social Services Technical Advisory Council
STA	-	State Transit Assistance
TDA	-	Transportation Development Act
YARTS	-	Yosemite Area Regional Transportation System

BACKGROUND

The MCTC publishes an annual report provided to them by the Social Services Technical Advisory Council (SSTAC) “Unmet Transit Needs FY 2019/2020 Report.” SSTAC serves as a citizen advisory committee to the MCTC on matters related to public transportation needs of the Madera County community. SSTAC holds two to three meetings per year, including the Unmet Transit Needs Public Hearing.

The function of SSTAC, which is comprised of MCTC staff and public volunteer representatives, evaluates public comments, holds public workshops, public hearings, and makes recommendations to the MCTC Board to aid the MCTC Policy Board in its review of public transit.

The composition of the SSTAC is set forth in statute and consists of representatives of the following groups; One representative of potential transit users who is 60 years of age or older, one representative of potential transit users who have a disability, two representatives of the local service providers for seniors, including one representative of a social service transportation

provider if one exists, two representatives of local social service providers for those with disabilities, including one representative of a social service transportation provider, if one exists, one representative of a local social service provider for persons of limited means, and two representatives from the local consolidated transportation services agency. The volunteer representatives of SSTAC have not been filled since 2018. The administrative role of the MCTC is to foster intergovernmental coordination. By conducting meetings with Caltrans, undertaking comprehensive regional planning with the region's public transportation operators, providing a forum for citizens input with citizen forums held once a year, and providing technical services to its member agencies.

The MCGJ's focus was on this annual report, and on the following items:

- MCTC efforts made to further engage and obtain public input
- MCTC efforts made to meet unmet transit needs
- MCTC efforts made to develop strategies to increase ridership and alleviate challenges of unmet transit needs
- MCTC efforts made to provide new or additional public transportation services routes
- MCTC efforts made to provide a public transportation service that services all communities in an efficient and cost effective manner.

Based on the findings presented in the MCJG 2017 report and the Unmet Transit Needs 2019/2020 Report, the MCGJ 19-20 revisited the agency and its operation.

METHODOLOGY

Research

The MCGJ conducted research of documentation available online and provided at various governmental and non-governmental public meetings.

- Madera County Transportation Commission (MCTC) is the Metropolitan Planning Organization (MPO)
- Regional Transportation Planning Agency (RTPA) is tasked with guiding the decisions concerning the Madera County Public Transit System
- Inspected the Unmet Transit Needs FY 2019-2020 Report from SSTAC

Interview

The MCGJ conducted interviews with governmental and non-governmental agencies:

- Madera County Transportation Commission
- Social Services Technical Advisory Committee
- Madera County Public Works
- Leadership Counsel for Justice and Accountability

Interaction

The MCGJ attended governmental agencies meetings, town halls, and rode several public transportation bus services within the county:

- Rode public transportation

- Attended Madera County Transportation Commission Board meetings
- Attended Madera County Technical Advisory Board meetings
- Attended City of Madera City Council meetings
- Attended Madera County Board of Supervisors meetings
- Attended Town Hall meetings

DISCUSSION

Unmet Transit Needs Report FY 2019/2020

The 2019-20 MCGJ reviewed the geographical layout, demographics, socio-economics, and growth of the County. In recognizing the diverse transportation needs of the County, MCGJ examined the public transit system as referenced in the SSTAC annual report and the SSTAC's community outreach activities. Additionally, MCGJ reviewed SSTAC's community outreach activities. SSTAC meets two to three times per year as a committee. There is one workshop and one public hearing held annually, typically in April, for the public to bring forward public transportation needs in their community. The community may also submit in writing the public transportation needs in their community. The workshop and public hearing are held at the MCTC office on Howard Street in the City of Madera only. No other meetings are held in varying locations throughout the county.

The SSTAC's Unmet Transit Needs FY 2019/2020 Report which was delivered and accepted by the MCTC Board determined there are no unmet transit needs.

The definition of "unmet transit needs" according to MCTC is:

*"The MCTC has determined that its definition of the term **"unmet transit needs"** includes all essential trip requests by transit-dependent persons for which there is no other convenient means of transportation, and the Commission has determined that its definition of the term **"reasonable to meet"** shall apply to all related public or specialized transportation services that:*

- (1) Are feasible;*
- (2) have community acceptance;*
- (3) serve a significant number of the population;*
- (4) are economical; and*
- (5) Can demonstrate cost effectiveness*

The analysis of the 2019-2020 Report resulted in the following MCTC analysis

ANALYSIS OF THE COMMENTS RECEIVED AT THE PUBLIC HEARINGS

*Thirty-one of the public comments were considered by the SSTAC to be a potential unmet need. The SSTAC applied the MCTC Policy Board adopted definition of "unmet transit need" and "reasonable to meet" to those thirty-one comments and determined that for Fiscal Year 2019-2020 there are no **unmet transit needs, including transit needs that are reasonable to meet.** MCTC staff concur with the SSTAC's finding." Ref: **"Unmet Transit Needs FY2019-2020***

Filed annually, the Unmet Transit Needs Report is required in order to receive Transportation Development Act (TDA) Funds. The administration of TDA funds includes the annual unmet transit needs process, which has three key components:

- Soliciting testimony on unmet transit needs
- Analyzing needs in accordance to adopted definitions of unmet transit need and reasonable to meet
- Adoption of a finding regarding unmet transit needs that may exist for the upcoming fiscal year. These tasks are to be performed in consultation with the Social Service Transportation Advisory Council (SSTAC)

Based on the Report and analysis, the MCGJ determined the “unmet transit needs” definition is vague and fails to take into account the geography, demographics, economic inequity, and growth of the County.

- The geographical County spread is over 2,147 square miles.
- The demographic makeup of the county shows 14 percent of the population is over 65 years of age.
- The economic inequity exists with 20 percent of the population living at or below poverty level.
- The pockets of growth along major highways and with poorly presented and communicated bus schedules, routes, and connections show the current transit system is not serving the needs of the most needy.

Funding Sources and Mandates

Many levels of government and non-government officials are involved with the funding of the County Public Transit System. Major funding sources administered by the MCTC are as follows:

Local Transportation Fund (LTF):

As the Regional Transportation Planning Agency (RTPA) for Madera County, MCTC is responsible for the administration of the Transportation Development Act (TDA) funds also known as Local Transportation Funds. TDA or Local Transportation Funds are funded through 25 percent of the statewide sales tax that is remitted back to the County of origin and is the primary funding source for most transit systems.

Measure T Fund:

Passed in November 2006, Measure T is the half percent sales tax in Madera County. By ordinance and voter-approved investment plan, 2 percent of the collected sales tax is allocated to Public Transportation.

State Transit Assistance (STA) Funds:

STA refers to State Transit Assistance. This is derived from sales tax on diesel fuel and is allocated by the State Legislature to the State Controller’s office. One hundred percent of allocations received by Madera County is spent on Public Transportation.

All three funding sources are allocated to the County of Madera, City of Madera, and City of Chowchilla based on population for operating and capital purposes. The sources and distribution of funding is complex as changing and new state and federal programs are implemented. The “Fixing America’s Surface Transportation Act” or FAST Act passed in December 2015 provides Federal Transit Administration (FTA) Section 5307 “urbanized area” funding apportionment in addition to Section 5311 and 5339 rural area funding. In April 2017, State Senate Bill 1, “Road

Repair and Accountability Act” was passed and will generate transit funding through the capital State of Good Repair (SGR) program and is augmented State Transit Assistance operations and capital funding. These are all complicated funding sources for the purpose of funding all modes of transportation. The new contract with FCEOC realized a \$2.5 million cost savings over a five-year period. There was no indication from the Public Works Department on how these new-realized savings will be used to improve public transportation services along with LTF, Measure T and STA funds.

Varying funding sources have provided sustained, operational, and capital revenue to the county’s public transportation service.

The following table shows the funding allocations, in US dollars for each fund over the last seven years. All figures expressed are in US Dollar

Fiscal Year	Local Transportation Fund \$			Measure T \$		STA \$		TOTAL \$
	Amount Collected	Amount Allocated to Public Transit	% to Public Transit	Amount Collected	Amount Allocated to Public Transit (2%)	Amount Allocated by State	Amount Allocated to Public Transit (100%)	
2012-13	3,438,947	775,592	22.55%	7,960,429	159,209	851,406	851,406	1,786,207
2013-14	3,633,786	452,344	12.45%	8,439,910	168,798	791,017	791,017	1,412,159
2014-15	3,841,484	612,426	15.94%	9,017,126	180,343	750,334	750,334	1,543,103
2015-16	3,802,382	899,250	23.65%	9,327,292	186,546	778,310	778,310	1,864,106
2016-17	3,882,097	1,049,186	27.03%	9,521,593	190,432	528,054	528,054	1,767,672
2017-18	4,179,802	1,150,064	27.51%	9,810,898	196,218	940,194	940,194	2,286,476
2018-19	4,370,474	1,020,605	23.35%	10,398,296	207,966	1,111,000	1,111,000	2,339,571

Information provided by Madera County Transportation Commission

Over the course of the last seven years there has been a net increase of roughly \$600,000 based on sales tax revenue, state, and federal funds. In addition a \$500,000 per year savings was realized with the new FCEOC contract. This provides for a \$2.4 million dollar annual budget for public transportation. Some unspent funds are reallocated to public works for roads. The \$2.5 million dollar savings from the FCEOC contract allocated those savings to roads, bike paths, and pedestrian walkways instead of being utilized for adding new transit routes for unmet transit needs.

Growth: If they build it, can we get there and back?

Throughout Madera County the existing public transit services and routes are insufficient. With increased residential development, commercial expansion, and access to recreational areas, the need for public transportation development is critical to the environmental conditions existing in the County. Without a quality transportation system, the County will face continued use of single person vehicles on the roads, thus impacting traffic congestion and air quality.

Unincorporated Madera County

As of 2019, Madera County is currently home to approximately 157,000 residents, and consists of two incorporated cities along with unincorporated mountain communities. The unincorporated mountain communities represent nearly half of the County's population. Eastern Madera County is the gateway to Yosemite National Park, which on average hosts over four million tourists every year. The sheer volume of traffic during the tourist travel season further increases the need for public transportation to reduce greenhouse gases and the number of vehicles on the road. According to the National Park Services' published statistics in 2017, Yosemite National Park employs 2,000 people throughout the year. Additionally, a number of volunteers and researchers spend time in the park. The transportation needs of area residents working in the tourism industry are an important consideration of the housing shortage in the surrounding communities.

Madera County is expanding housing and business developments within the cities of Madera and Chowchilla. Additional planned housing, businesses, and a medical facility in the unincorporated areas along the Highway 41 corridor in the southern part of the county bordering Fresno County are also in varying stages of development. New hotels in the Oakhurst mountain community are currently under construction. Expanded public transportation would encourage tourists, as well as the community-at-large, to visit other recreational areas, work in areas within and outside the County, and to attend events in Madera County, thereby further increasing revenue for all communities throughout the County.

Eighteen thousand new single-family homes have been approved by the Board of Supervisors to be built in the Rio Mesa area along the San Joaquin River. The Rio Mesa area includes two Master Planned Communities, which are under construction. These Master Planned Communities include the new Hillside School, a fire station, and commercial businesses. Community Medical Centers (CMC) purchased 200 acres, and planning is under way for the new medical campus to be located at the north east corner of Avenue 12 and Highway 41.

In the northeastern part of Madera County, the State Center Community College District selected a new campus site in Oakhurst. The 30-acre site, located off Highway 49, was purchased with Measure C bond funds. The \$25 million dollar state-of-the art campus will be built in phases with the first phase, a 21,450 square foot main building, projected to open in late 2022 or early 2023. The first building will feature seven classrooms, one for biology/chemistry lab plus a "prep" room, one art studio/classroom, one computer lab classroom and four general education classrooms that will allow for 2-way simultaneous broadcasting courses from other locations within the District. Without addressing the need for adequate public transportation, singular vehicle use will permeate the area already impacting the two-lane Highway 41.

City of Chowchilla

Chowchilla continues to approve new residential subdivisions, and the city is working to attract new businesses to downtown with incentive programs. Camarena Health relocated and expanded services. The new multi-family center campus health clinic is located on Prosperity Avenue. The center brings a variety of health services to the community.

City of Madera

Camarena Health also opened a school-based health clinic at Madera South High School. Camarena Health partnered with Madera South High School to build the first School-Based Health Center (SBHC) in Madera County. The SBHC is open to everyone in the community. It also houses the school nurse and health services office. The new Matilda Torres High School is anticipated to open in the fall of 2020 in the City of Madera. The high school will accommodate 2,200 students.

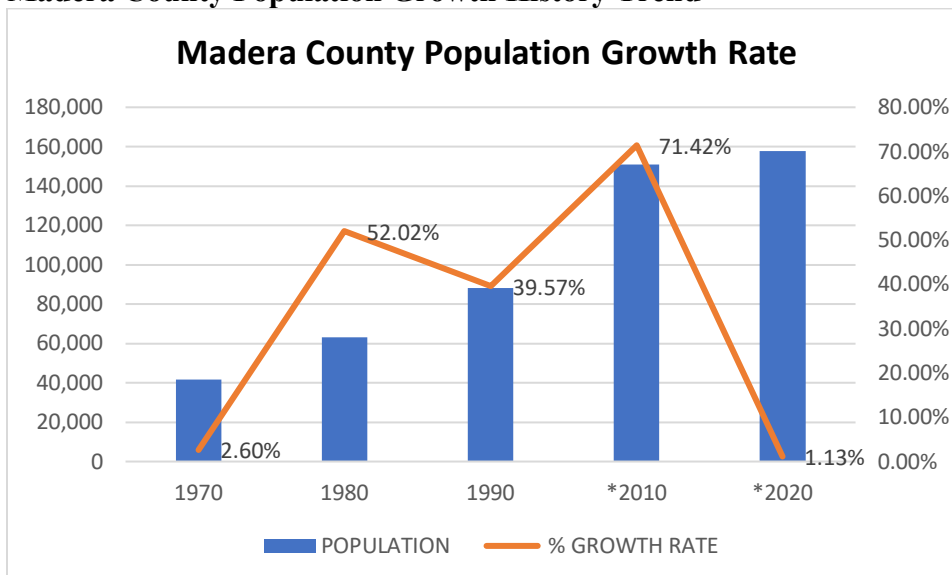
The Madera City Council approved a downtown incentive package intended to provide significant savings in city permitting and processing fees. The incentives fall under three categories: the development and redevelopment of downtown properties, remodeling and renovating older buildings and buildings that have experienced vacancies, and building projects that will be used for tax-exempt or nonprofit operations. The Madera County Economic Development Commission continues to actively pursue investors to support Madera County's growth and expects an increased population and business base. With increased densities, it is critical to the mental health of individuals to have an opportunity to visit areas outside the city limits. Opportunities for exploring the rural areas must be available and provided by an available public transportation system from the Madera City Intermodal Hub. The existing public transit services and routes are insufficient. New housing expansions will further compound the problem. This growth and expansion will further increase the sheer number of single person vehicles on the road, impacting traffic congestion, and air quality.



The Intermodal Hub, is located at 123 N. E Street in the City of Madera. MCC routes connect with Madera Area Express (MAX) and Greyhound at the Downtown Madera Intermodal Center. The County encompasses 2,147 square miles with few population centers and many small, mountain communities. Seven of the top 17 population centers within the County are not serviced by the County transportation services leaving their transportation needs unmet. The graphic below depicts the population, distance of the incorporated and unincorporated areas to the Intermodal hub, and the number of bus routes through each area.

RANK	CITY/TOWN	POPULATION(2010 CENSUS DATA)	# MILES TO MADERA INTERMODAL	# MCC ROUTES
1	MADERA	61,416	0.3	5
2	CHOWCHILLA	18,720	17	5
3	MADERA ACRES	9,163	4	5
4	BONADELLE RANCHOS	8,569	11	5
5	YOSEMITE LAKES	4,952	29	3
6	NORTH FORK	3,018	41	3
7	OAKHURST	2,829	42	3
8	PARKSDALE	2,621	3	0
9	PARKWOOD	2,268	5	0
10	AHWAHNEE	2,246	47	0
11	COARSEGOLD	1,840	35	3
12	FAIRMEAD	1,447	12	5
13	RAYMOND	1,324	26	0
14	ROLLING HILLS	742	19	0
15	BASS LAKE	527	49	3
16	NIPINNAWASEE	425	50	0
17	LA VINA	279	8	2
18	PICAYUNE	69	32	0

Madera County Population Growth History Trend



Source: U.S. Census Bureau and Madera County Economic Development Commission

In 1970 there were 41,519 residents of Madera County, followed by a 52 percent population increase the following decade. As of 1990 the County population grew to 88,090, a 39.57 percent increase. The census year of 2010 showed the County ballooned by 71.42 percent bringing the number of residents to roughly 151,000. The 2018 census shows the County continuing to grow to a population of 157,327.

As the upward population trend of Madera County continues, the estimated population for 2020 is expected to be over 158,000 with the projected annual growth rate at 1.13 percent according to the most [recent United States census data](#).

Can you get there from here and back?

Public Transit Services within Madera County includes:

Madera County:

Eastern Madera County Senior Bus Area (Figure 1)

Madera County Connection MCC (See Figure 2 fixed route service)

Medical Transit Service Dial a Ride.

YARTS

City of Madera:

The City of Madera is served by local public transit MAX and Dial a Ride Service.

City of Chowchilla:

The City of Chowchilla is served by local public transit CATX and a Dial a Ride Service.

Geography

Eastern Madera County Senior Bus Service

The Eastern Madera County Senior Bus Service is designed to provide transportation to medical appointments, senior centers, nutrition programs, shopping, and to various business locations in Eastern Madera County for 60+ year old seniors and disabled individuals. With the change in the contracted provider, the services in place for decades have had few changes. Limited service routes and hours continue to inhibit the usefulness of using public transit

Eastern Madera County Senior Bus Service Area



Figure 1

Service Area

The Madera County Senior Bus has a **limited Service Area** that serves residents in parts of Oakhurst, Bass Lake, Coarsegold, and Ahwahnee. *Note: The Senior Bus Service Area differs from the Medical Escort Service Area.*

Service Hours and Days

The Senior Bus operates Monday through Friday, 9 AM to 4 PM. There is no service on Holidays or weekends.

An application must be completed prior to using the Senior Bus Service.

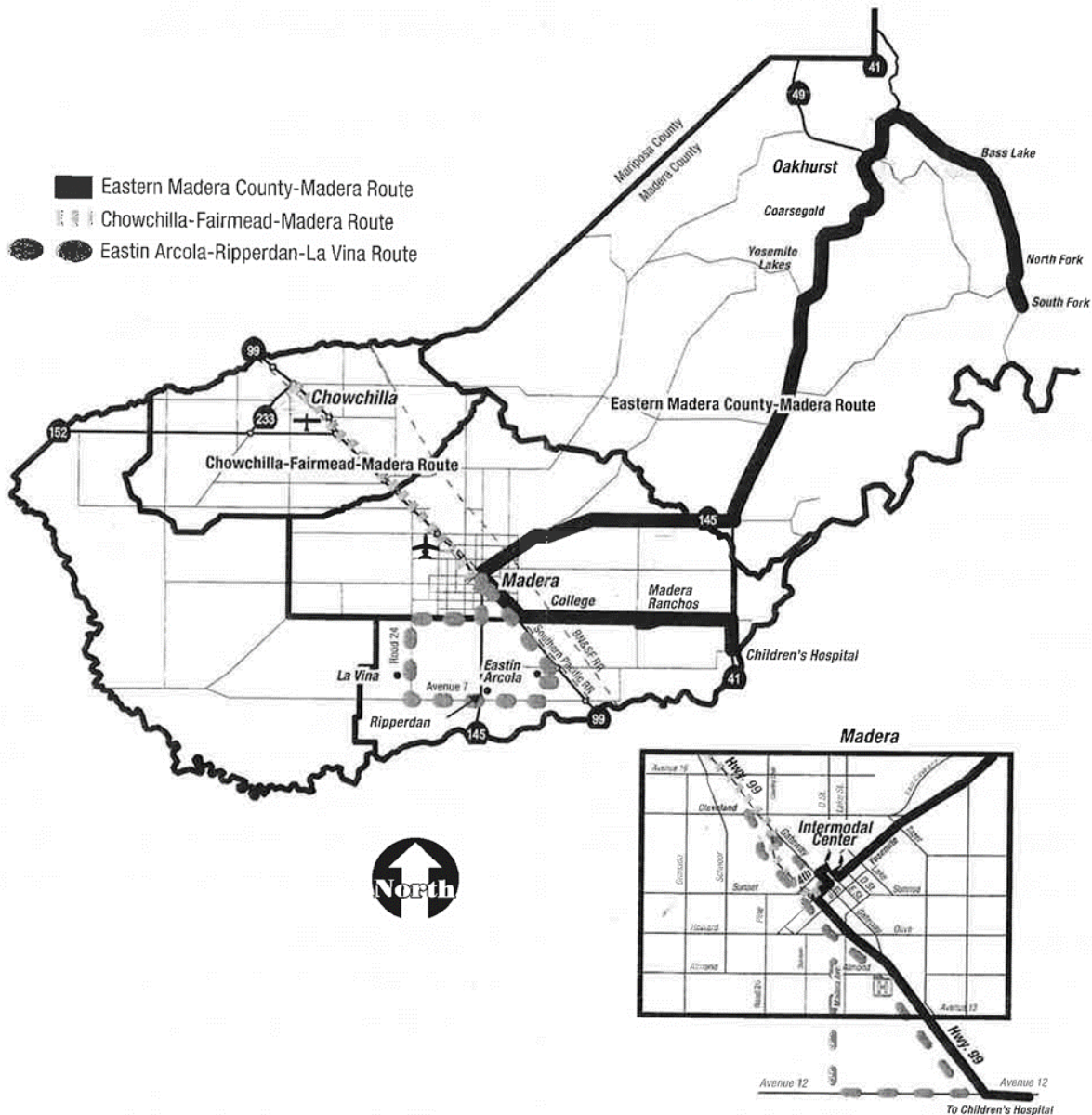
Limitations

The Senior Bus does not have direct routes into Madera or Fresno. No Senior Bus service is available for those seniors located in Raymond or North Fork.

Madera County Connection

The Madera County Connection services four routes: Chowchilla-Fairmead-Madera Route, Eastin-Arcola-Ripperdan-LaVina, College Route and Eastern Madera County-Madera. The Eastern Madera-Madera route services the communities of North Fork, Oakhurst, and Coarsegold.

MADERA COUNTY CONNECTION SYSTEM MAP



Madera County Connection (MCC) Figure 2

Service Area

The Chowchilla - Fairmead route provides five trips **Monday through Friday** from Downtown Madera to Chowchilla via Fairmead.

The Eastin Arcola - Ripperdan - La Vina route provides two loops on **Wednesday and Friday** through Eastin Arcola - Ripperdan - and La Vina before returning to Downtown Madera.

The College route provides five trips per day **Monday through Friday** from Downtown Madera to Children's Hospital.

The Eastern Madera-Madera route services the communities of North Fork, Oakhurst, and Coarsegold with three trips per weekday. This Eastern Madera Route operates three roundtrips per weekday – only one of these trips connects well with Yosemite Area Regional Transportation System (YARTS).

YARTS - operates one year-round route (State Route 140 Route between Merced and Yosemite) and three seasonal routes, typically from May to September (Routes State Route 41 from Fresno, State Route 120 from Sonora, and State Route 120/395 from Mammoth Lakes).

Service Hours and Days -Reference Bus Schedule

The MCC bus schedule is difficult to read and follow. It is difficult to determine how to get to and from various destinations within the County. Reference the website or call 311 for further details. Bus schedule information is not available at bus stops. There is no phone contact information posted and not all communities are served. There is only one reasonable connection with YARTS and none with other general service providers and no weekend or holiday service.

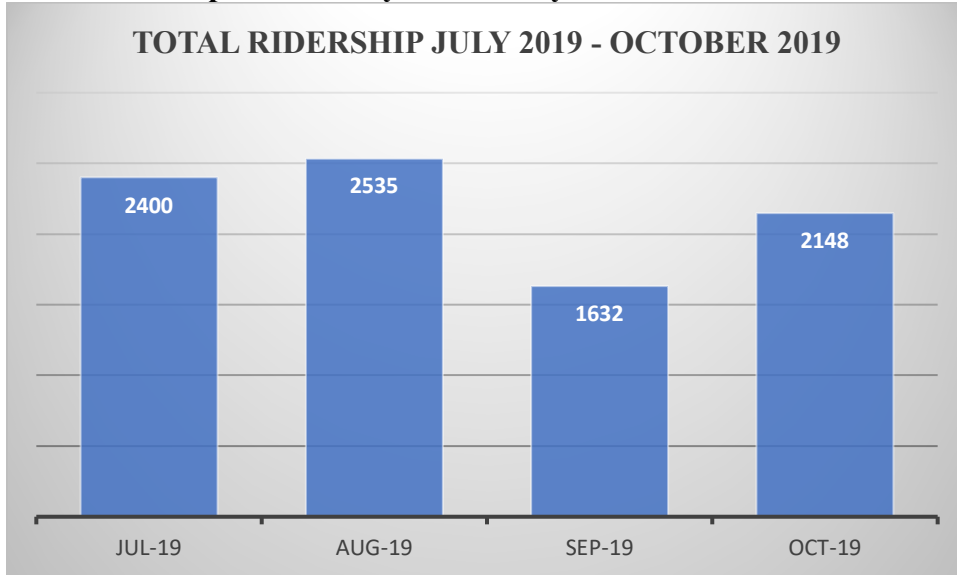
<http://mcctransit.com/routes/>

Limitations – There is no holiday or weekend services for any of the service area noted above routes. There are only two routes on Wednesday and Friday for the Eastin Arcola-Ripperdan-LaVina locations. MCC Eastern Madera Route arrives at Coarsegold at 7:05 AM and YARTS arrives at Coarsegold heading to Yosemite at 7:15 AM. Better coordination between YARTS and this route could yield at least one additional meaningful connection for area residents.

Based on the definition of unmet transit needs which is: to create routes that are feasible, serve the community, service a significant number of the population at an economical cost with effectiveness, the MCTC is failing to meet the needs of Madera County. This results in increased single vehicle use with resulting negative environmental impacts.

There have been no new service routes or expanded services in Madera County since the YARTS expansion in 2000 and the addition of MCC routes in 2002/2003 to Eastin Arcola, Ripperdan and LaVina.

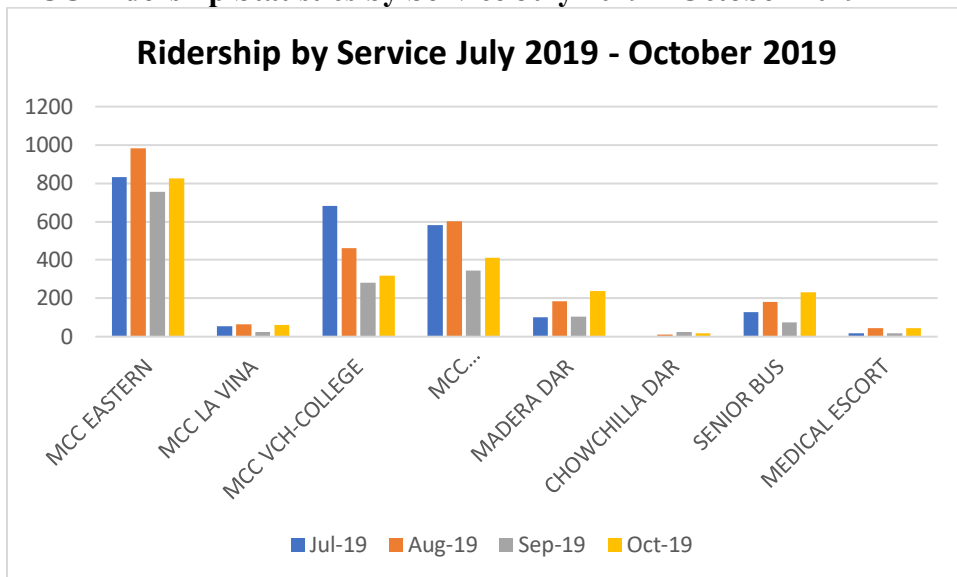
MCC Ridership Statistics by Month July 2019 – October 2019



Information provided by Madera County Public Works 2019. Ridership stats under new Public Transportation Provider FCEOC July 2019.

MCC 2019 ridership rates overall are tracking to historical ridership rates as shown on the Historical Ridership graph. The overall ridership in the four-month period above, shows an annual projection of 27,045 riders. Ridership information was not available from Public Works for November 2019-December 2019. Bus schedule information is an impediment to increase bus ridership. Up-to-date schedules are not available at bus stops, and there is no phone contact information listed and not all communities are served. There is only one reasonable connection with YARTS and none with other general service providers and no weekend or holiday service.

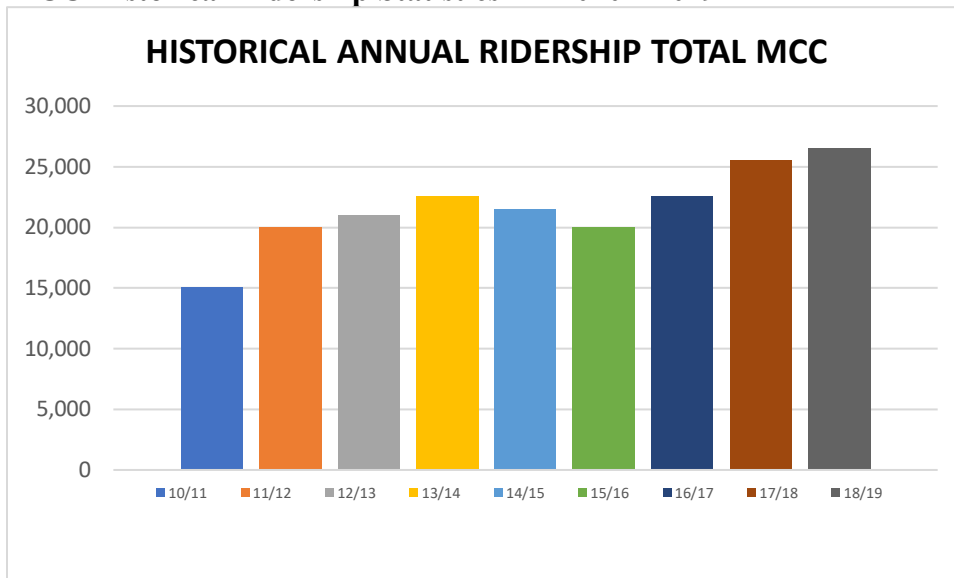
MCC Ridership Statistics by Service July 2019 – October 2019



Information provided by Madera County Public Works

MCC LaVina, Madera Dial a Ride, Chowchilla Dial-a-Ride, Senior Bus and Medical Escort are under used. When referencing the hours and the bus schedules, these services do NOT provide adequate hours or multiple bus route schedules. Bus schedule information is an impediment to increase bus ridership. Update to date schedules are not available at bus stops, there is no phone contact information listed and not all communities are served. There is only one reasonable connection with YARTS and none with other general service providers and no weekend or holiday service.

MCC Historical Ridership Statistics FY 2010 – 2019



Information provided by Madera County Public Works

Historical ridership reports for MCC do not show any significant increases in ridership over the last three years and ridership actually dropped off for years 2014-2016. The graph above shows the combined ridership of Madera County Connection under the old service provider Merced Transportation Services.

Statistics of Transit Dependent Persons

In the SSTAC assessment, transit-dependent population groups consist of the following classifications: Elderly – Individuals who are age 65 years or older; Disabled – Non-institutionalized, civilian members of the population who may be unable to operate vehicles or utilize certain modes of public transportation due to physical or mental disabilities, and Persons of Limited Means – Individuals who are defined by the federal government as having an income below the poverty threshold.

Based on the definition of unmet transit needs: to create feasible routes, to serve the community, and to service a significant number of the population at an economical cost with effectiveness, the MCTC is failing to meet the needs of the residents of Madera County. With the exception of the College Route, added in 2017, and one new bus stop in Fairmead in 2019, the usefulness of Madera County Public Transit remains unchanged, inadequate, and unable to meet the needs of the older residents, the disabled, and persons of limited means in the growing area.

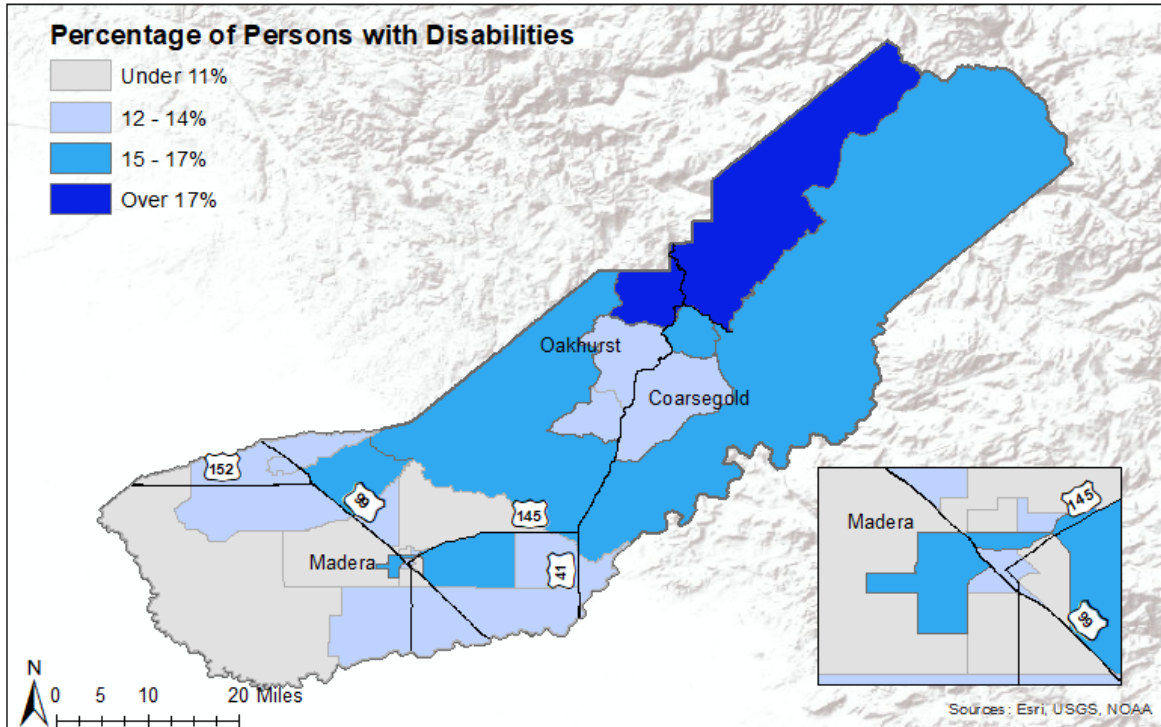


FIGURE 4: 2017 POPULATION ESTIMATE OF PERSONS WITH DISABILITIES
 Source: U.S. Census Bureau, 2013-2017 5-Year ACS (Table S1810)

Persons with disabilities are in or near the City of Madera, City of Chowchilla, Fairmead, and in Eastern Madera County. Over 35 percent of the County’s population with disabilities are outside of the City of Madera and mainly located in Eastern and Western Madera County. The location of those with disabilities creates a greater need and that need is not being met. Expanded public transportation routes to these locations have not been added.

Economic Disparity

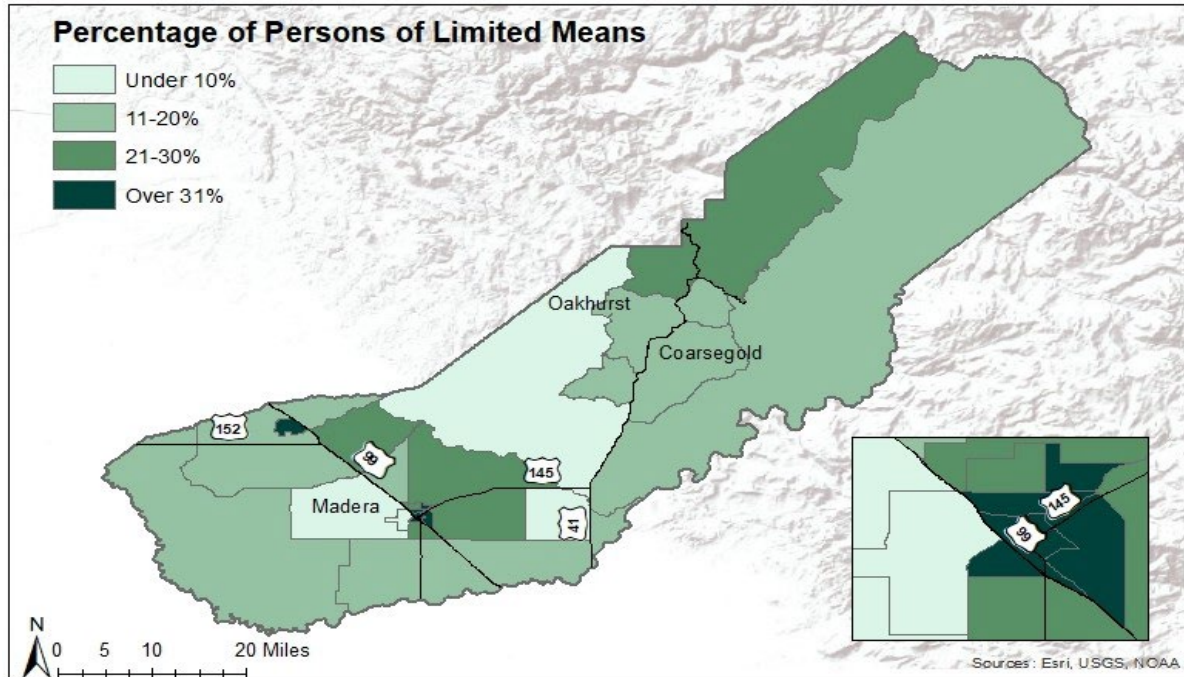


FIGURE 5: 2017 ESTIMATE OF PERSONS OF LIMITED MEANS

The concentration of persons living below poverty level by census tract is reflected in Figure 5 above. Darker colors reflect a higher percentage of people living in poverty, while lighter colors reflect a lower percentage. Over 20 percent of the population in Eastern and Southern Madera County are persons of limited means. Over 31 percent of the populations in and around Fairmead and Berenda are persons of limited means.

The ongoing lack of access to public transportation, and expanded route availability for these groups of residents, only further exacerbates the needs of the underserved. If these residents do not have access to affordable, available, and adequate public transportation, single person vehicles will continue to impact traffic congestion and safety, as well as air quality in Madera County.

FINDINGS

- F1.** The MCGJ finds that the definition of unmet transit needs is vague and fails to consider the geography, the demographics, and the economic inequity of Madera County.
- F2.** The MCGJ finds that bus schedule information is not readily available.
- F3.** The MCGJ finds that bus schedules are difficult to read and understand.
- F4.** The MCGJ finds that there is inadequate public outreach to secure community input for transit needs from low income, senior citizens, and from rural mountain communities.
- F5.** The MCGJ finds that there continues to be unmet transit needs throughout the county which will only increase in outlying areas as the population increases and ages.

- F6.** The MCGJ finds that MCC LaVina, Fairmead, Berenda, Madera Dial a Ride, Chowchilla Dial a Ride, Senior Bus and Medical Escort are underused.
- F7.** The MCGJ finds that when referencing the hours and the bus schedules, transit services do not provide adequate hours or diverse route schedules.
- F8.** The MCGJ finds that there are several volunteer unfilled positions on the SSTAC committee. This limits the input from the underserved populations in the community.
- F9.** The MCGJ commends the County on the consolidated contract agreement and, cost savings of \$500,000 per year over five years with the selection of FCEOC as the bus service provider under a single operator contract.
- F10.** The MCGJ finds that little is being done to market public transportation within the County.

RECOMMENDATIONS

- R1.** The MCGJ recommends that, by the of beginning fiscal year 21-22, the MCTC redefine the definition of “unmet transit needs” to be clearly outlined in layman terms.
- R2.** The MCGJ recommends that, by the beginning of fiscal year 21-22, bus schedules be posted at bus stops, inside buses, and be made available at local businesses.
- R3.** The MCGJ recommends that, by the beginning of fiscal year 21-22, bus schedules should be easier to read to promote ridership and ensure the clarity of transit availability.
- R4.** The MCGJ recommends that, by the beginning of fiscal year 21-22, SSTAC increase Unmet Transit Needs Workshops and Unmet Transit Needs Public Hearings to four times per year to promote community involvement from other County locations outside of the City of Madera.
- R5.** The MCGJ recommends that, by the beginning of fiscal year 21-22, an incentive programs, including FREE ridership days once a month for Seniors, Disabled and Persons with Limited Means , be introduced.
- R6.** The MCGJ recommends that, by the beginning of fiscal year 21-22, the Senior Bus, Dial-a-Ride, and Medical Transport County service be reviewed and expanded within Eastern Madera County, LaVina, Fairmead, and Berenda.
- R7.** The MCGJ recommends that, by the beginning of fiscal year 21-22, additional bus routes be added for Fairmead, LaVina, Berenda, Raymond, North Fork, and Eastern Madera County.
- R8.** The MCGJ recommends that, by the beginning of fiscal year 21-22, a concerted effort be made by SSTAC to recruit volunteers to serve on the SSTAC committee.
- R9.** The MCGJ recommends that, by the beginning of fiscal year 21-22, the annual \$500,000 savings be utilized to increase transit service routes in outlying areas; Eastern Madera County, La Vina, Fairmead, Berenda, Raymond, and North Fork.
- R10.** The MCGJ recommends that, by the beginning of fiscal year 21-22, the County Public Works Department proactively seek additional funding, either through grants or minimal fare increases, to brand themselves and actively market their services to improve community outreach and increase ridership.

REQUIRED RESPONSES:

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:
From the following elected county officials within 60 days:

**Madera County Board of Supervisors
200 W. Fourth Street, Madera, CA 93637**

From the following governing bodies within 90 days:

**Ms. Patricia Taylor
Executive Director
Madera County Transportation Commission
2001 Howard Road, Suite 201, Madera, CA 93637**

**Mr. Bobby Kahn
Executive Director
Madera County Economic Development Commission
2425 West Cleveland Avenue, Suite 101, Madera, CA 93637**

INVITED RESPONSES

**Mr. Philip Toler
Deputy Director
Madera County Public Works
200 W. Fourth Street, Madera, CA 93637**

**Ms. Madeline Harris
Leadership Counsel for Justice and Accountability
2210 San Joaquin Street, Fresno, CA 93721**

Reports issued by the 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 Grand Jury.
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Madera County Economic Development Commission; Annual Report 2017/2018
Madera County Transportation Commission; 2019 Federal Transportation Improvement Program
Madera County Public Works; REQUEST FOR PROPOSALS FOR OPERATIONS AND MAINTENANCE OF TRANSIT SERVICES
Madera County Transportation Commission; 2017 Public Participation Plan
Fiscal Years 2018-19 through 2021-22
Madera County Transportation Commission; Measure “T” Strategic Plan 2017
Measure T Citizens’ Oversight Committee; Meeting Minutes and Agenda
<http://yarts.com/wp-content/uploads/2019/04/YARTS-Short-Range-Transit-Plan-2019.pdf>



**At Promise Student Opportunities
in Madera County**

**Madera County Grand Jury
Final Report 1920-03
December 21, 2020**

SUMMARY

The Madera County Grand Jury (MCGJ) investigated programs and facilities which support “At-Risk” youth. The essential question the MCGJ considered is, *What does the education system within the County of Madera do with ‘at-risk youth’ to prevent them from becoming adults with similar problems?* What preventative educational programs and training do the districts within Madera County provide to school-aged students who need additional help to prepare to navigate the adult world. The base concern being students becoming homeless or incarcerated adults. The MCGJ reviewed each school district throughout Madera County and how their programs fit to serve the needs of the student.

The first problem the MCGJ encountered was a misunderstanding in terminology. At the outset of the investigation, the MCGJ was referring to the student population under consideration as “At-Risk Youth.” The term “at-risk” had been used to describe students coming from precarious situations or circumstances that increase their chances of academic failure. The term was often used to refer to those from disadvantaged backgrounds, which can include those in low-income communities, English learners, and children in foster care, among others. However, the MCGJ was quickly and politely corrected that the current term is “At-Promise Youth.” In October of 2019, the California Governor, through Assembly Bill No. 413, officially changed the term from “At-Risk Youth” to “At-Promise Youth.” The reasoning behind this name change was to create a more positive, “promising” image of students.

BACKGROUND

Dr. David Satcher, director of the Centers for Disease Control and Prevention stated, *If you can give young people a reason to believe that they can change their future, then it is much easier to deal with violence and substance abuse and teenage pregnancy...*” According to Dr. Satcher, violence, substance abuse, and teenage pregnancy are not the problem but the symptoms of a lack of hope in the future, *When young people don’t have any hope for the future, they’ll do anything.*

For students who are at-promise, their key to success in high school lies in convincing them that a satisfying future is within their reach by showing them how education relates to their future goals. For the mainstream student in any school, the valued outcome from the school’s perspective is to have as many students graduate as possible and to go on to college. However, for many of the students, their immediate concern is to make money. Students may not want to pursue an academic college education but may wish to pursue a career technical education. Those who do not expect to attend college, however, are often confused as to why they should care about getting a good grade in English, or even finishing high school at all. Students focused on making money have limited their concerns to skill oriented education.

Student who don’t see a connection between high school and future success are doomed to spend their school years in a ‘neutral position.’ The way to turn on turned-off students is to help them

understand the role of high school achievement in reaching their goals in life as well as in education and employment.

In the wake of significant concern and frustration surrounding current public-school systems, forms of alternative education continue to thrive. Many parents are dissatisfied with the quality and focus of the education their children receive in the public-school system. Others may have religious or political reasons to seek alternative schools. Others simply believe their students are unsafe in the public-school system and seek out alternative, nontraditional schools. Students themselves may find that the traditional forms of teaching and learning do not fit their needs.

Types of Non-traditional Schools: The Education Code, sections 58500-58512, provides that school districts may establish and maintain alternative schools and programs of choice. The premise behind alternative schools of choice is that “one size doesn’t fit all.” In other words, not all students will thrive or reach their full potential in the traditional comprehensive school. The following is a list of the different types of alternative educational programs available throughout California including Madera County.

Alternative-Non-traditional Schools: a form of alternative education with non-traditional methods. Non-traditional schools base their curriculum and methods on individual philosophies of education. Non-traditional schools often teach in radically different manners, sometimes not using grades, or typical teaching strategies such as lesson plans, rubrics, worksheets, and standard type tests.

The purpose of alternative schools and programs of choice is to provide different means of achieving grade-level standards and meeting students' needs. Alternative Schools and Programs of Choice are voluntary for districts, teachers, students, and their parents/guardians/caregivers.

These schools and programs are often characterized by responsiveness to learning and instructional style differences and small unit size. The effective use of such instructional strategies as independent study, community-based education, focused or thematic education, and flexible scheduling increases attendance and improves performance.

Independent Schools: a form of alternative education, often referred to as “independent” schools, are often more traditional in their methods. Students often work at their own pace with standard curriculum and teacher resources. Often times, independent schools provided students an opportunity to catch up on missing credits.

Charter Schools: a form of alternative education which is publicly funded but have more freedom and choice in policies and curriculum. In return for academic freedom, charter schools are required to produce better results than the public-school system.

Continuation High Schools: Continuation high school is primarily for students who are considered at risk for not graduating at the normal pace. Continuation education provides a high school diploma program that meets the needs of students of ages 16 to 18 who have not graduated from high school, are not exempt from compulsory school attendance, and are deemed at risk of not completing their education. Students enrolled in continuation education programs often are behind in high school credits. They may need a flexible educational environment

because they are employed or fulfilling family obligations. Minimum attendance in the program is 15 hours per week or 180 minutes daily.

Community Day Schools: Community day schools are schools for students who have been expelled from school or who have had problems with attendance or behavior. They are run by school districts. These schools serve troubled students in many ways. They offer challenging classes and teach important skills. They have counselors and other professionals who assist students. The California Department of Education is involved in the funding and management of community day schools.

METHODOLOGY

Interviews

- Superintendents
- Correctional Officers
- Social Workers
- CEOs of private facilities

Document Research

- Multiple newspaper articles from the Madera Tribune and *Webelieve Madera Unified* newspaper covering positive aspects of the various At-Promise programs
- Local Control Accountability Plan and Annual Update (LCAP) 2017-2018 Plan Summary
- Madera County Plan for Providing Education Service to Expelled Youth June 30, 2018
- Prior Grand Jury Reports
- Madera County Probation Parent Handbook
- Madera County Comprehensive Multi-Agency Juvenile Justice Plan 2019-2020
- Madera County School District's LCAPs
- Education Codes
- State Assembly Bills
- Legislative Counsel's Digest

Site Visitations

DISCUSSION

Madera County Superintendent of Schools

The office of the Madera County Superintendent of Schools provides leadership and support to school districts to ensure continuous improvement of curriculum development, instructional delivery, student assessment, teacher preparation and ongoing professional development to both certificated and classified employees.

The Madera County Office of Education includes the following school districts: Alview-Dairyland Unified School District (ADUSC), Bass Lake Joint Union Elementary School District (BLJUESD), Chawanakee Unified School District (CUSD), Chowchilla Elementary School District (CEUSD), Chowchilla Union High School District (CUHSD), Golden Valley School District (GVUSD), Madera Unified School District (MUSD), Raymond-Knowles Union Elementary School District (RKUSD), Yosemite Unified School District (YUSD).

Madera County Alternative Education Programs

In addition, the office of the Madera County Superintendent of Schools operates career and technical education, childcare and childcare development programs. The following list are the schools administered by the office of the Madera County Superintendent of Schools:

Charter Schools

Madera County Independent Academy (MCIA)

Pioneer Technical Center (PTC)

Pioneer Technical Center Chowchilla (PTCC)

Both Madera County Independent Academy (MCIA) and Pioneer Technical Centers (PTC and PTCC) are chartered by the Madera County Board of Education. MCIA serves students K-12. All charter schools serve students 9-12 including special education students with learning disabilities which require resource specialist services. These charter schools provide Pregnant and Parenting Teen program which identifies teen parents and pregnant minors who have not yet graduated from high school. Expelled students are placed in this program on an “as needed” basis.

Madera County Independent Academy

Madera County Independent Academy accepts applications for enrollment from any student qualified by the State Charter School Law. The targeted student population consists of educationally disadvantaged students in grades kindergarten through twelve. Two distinct student populations will be served: K-12 home school students and K-12 independent study students. Students who attend Madera County Independent Academy are in search of an alternative educational model that provides opportunities for greater flexibility in terms of time and delivery of instruction.

The mission of the Madera County Independent Academy is to broaden the educational choices and opportunities for students and families who live in Madera County and surrounding areas. The instructional method will emphasize the whole child and frame its academic components within an artistic, creative, and imaginative context allowing each child's full potential to unfold.

Pioneer Technical Center

Located in Madera, California, Pioneer Technical Center (PTC) serves students in grades Pre-Kindergarten through 12. Students have the opportunity to participate in many school activities including sports, field trips and community involvement. The school offers student's both academic courses and career technical education. All students are enrolled in academic subjects

as well as technical education including a choice in the following areas: Construction, Child Development, and Career in Education.

Pioneer Technical Center-Chowchilla

Pioneer Technical Center Chowchilla is a public charter high school and is accredited by the Accrediting Commission of Western Association of Schools and Colleges. It is a second school site to Pioneer Technical Center located in Madera, California.

MADERA COUNTY ALTERNATIVE SCHOOLS FOR INCARCERATED YOUTH

Juvenile Hall and Correctional Academy Program

Madera County Juvenile Detention Facility and Correctional Academy both provide educational services through the Madera County Office of Education (MCOE). Student placement into these programs is determined by the juvenile court. Probation officers serving individual students may make recommendations to the court for any of these placements.

Juvenile Hall Endeavor and Voyager Secondary School

In keeping with the At-Promise legislative intent the schools within Juvenile Hall are referred to as Endeavor/Voyager.

The goal of Endeavor/Voyager schools within the juvenile justice system in Madera County provides incarcerated students with the structure and support they need to succeed both academically and as citizens. Students receive curriculum which is aligned with California State Standards. The schools include a community service component which allows for rehabilitation through giving back to the community by becoming a positive influence.

Correctional Academy Program (CAP)

The presiding Juvenile Court judge orders wards (an individual) to be committed to this in-house, residential program. This decision is a collaboration between 1. Madera County Probation Department, 2. Madera County Office of Education, 3. Madera County Behavioral Health Services, 4. Volunteers. The Correctional Academy Program consists of 12, 18, or 24-month commitment, which include residential detention and aftercare phases. The Program was developed from a correctional model for defiant youth based in part on a military protocol. The youth ordered to this program are referred to as “Cadets.” Graduation of Cadets occurs after successful completion of the program, which is followed by the custody phase into an aftercare phase.

Madera County Office of Education provides educational services to both Madera County Juvenile Detention Facility and Correctional Academy. Title 15 and State of California Department of Education standards are followed. Positive youth development occurs through the following programs:

Alternative Education:

Career Technical Alternative Education Services (CTAES) and Live Well Madera Programs

Additional funding from the Governor, Supplemental and Concentration funds; \$3,000 per year for student attendance. Categories include English Learners, Low income, and Foster Youth.

Madera County School Districts

Alview-Dairyland Union School District

Alview-Dairyland Union School District (ADUSD) is a small, k-8 school district which was founded in 1915. The name, Alview-Dairyland refers to the two campuses within the district. The Alview campus houses students k-3rd; Dairyland campus is for 4th – 8th grade students. Dairyland School's population of students consists of 70% free and reduced lunches, and 40% English language learners.

Expulsions are rare because Alview-Dairyland has established community and parent involvement through a variety of programs, committees, and activities:

Alview School supports a Parent-Teacher Club (PTC), School Site Council, De Lac Committee, ESL Class, and they host a Back to School BBQ.

Dairyland School supports the Dairyland Band, GATE classes, STEM science instruction, 4H, and school sponsored sports. One other notable highlight is Dairyland School's additional intervention instruction for intervention of at-risk students.

Bass Lake Joint Union Elementary School District

Bass Lake Joint Union School District (BLJUESD) is made up of the following four schools with approximately 890 students: Wasuma Elementary (K-8), Oakhurst Elementary (K-5), Oak Creek Intermediate (6-8) and Fresno Flats Community Day School.

The 2018-2019 school year saw an increase of after school activities such as homework clubs, after-school tutoring, chess club, sewing club, California Cadet Corps and Eagle Academy.

Expulsions at BLJUESD are rare. Typically, expulsions are suspended and an individual rehabilitation plan is developed, and excluded students are transferred to Fresno Flats Community Day School (FFCDS). If a student continues to experience difficulties, the student is placed on home studies.

Fresno Flats Community Day School is located on a site adjacent to Wasuma Elementary School and functions in a multi-graded capacity to meet the individual needs of its student population. The FFCDS is quite successful because it provides the opportunity for students to succeed in a smaller, highly structured environment. The development of positive social skills is a primary goal for students at FFCDS.

Chawanakee Unified School District

The Chawanakee Unified School District has approximately 740 students in the following schools: North Fork Elementary (TK-8), Hillside School (TK-8), Spring Valley (TK-8), Minarets High School, Mountain Oaks High School, and Manzanita Community Day School (4-12).

The standard procedure for Chawanakee Unified School District is to suspend an expulsion decision unless a weapon is involved. Students are assigned a rehabilitation plan assigned to the Community Day School or to the Madera County Superintendent of Schools' Community School in Madera.

Chowchilla Elementary School District

All expulsions that are mandated by law, such as weapons and drug violations, are brought before the Board of Trustees for consideration and action. Cases which are recommended for expulsion but not mandated by law, are appraised by the Trustees and are dealt with through school counseling, probationary periods of behavior, and other rehabilitative measures.

When students are expelled, parents are provided information about schools and educational services throughout the County of Madera. Parent options include: Pioneer Technical Center Chowchilla as well as Madera County Superintendent of School Community Day School in Madera.

Chowchilla Union High School District

Chowchilla Union High School District (CUHSD) has one traditional high school and one alternative high school.

Starting in the 2014-2015 school year, CUHSD changed its policy from suspended expulsions to implementing behavior contracts for first time drug offenders and other serious but not expellable offenses. These behavior contracts consist of individual rehabilitation plans which include stipulated conditions which must be met. Individual behavior contracts include a community service component. Students who are first time drug offenders must enter the Drug Opportunity Class and adhere to mandatory drug counseling. Students with mandated expulsions or who have violated the terms of their individual behavior contract are assigned to Pioneer Technical Center Chowchilla.

Golden Valley School District

The Golden Valley Unified School District (GVUSD) has two elementary schools, a middle school, a high school, and an educational options program. For the past nine years, GVUSD student population has remained under 2000 students. Beyond GVUSD's mainstream students, GVUSD also provides opportunities for court placed foster youth to excel and get back on track to graduate in the most appropriate setting with staff support. Two Educational Options are Lincoln Community Day School and Independence High School. Educational Options principal and the Director of Student Services attend Foster Youth meetings at the office of SOS to ensure they have current information needed to serve this group of students.

Lincoln Community Day School serves 13 to 18-year-old students in grades seven through twelve. It provides a small class size, which does not exceed 14 students. The classroom is self-contained with a six-hour school day. Lincoln Community Day School meets the Instructional and Assessment goal in the District's Strategic Plan: "To provided alternative education opportunities for students who do not benefit from traditional school..."

Program Requirements, Placement, and Enrollment. Students are assigned to Lincoln Community Day School when they meet the following conditions:

The student is placed on a suspended expulsion*

The student is referred by probation

The student is referred to by the School Attendance Review Board (SARB)

*Students awaiting a scheduled expulsion hearing are given priority enrollment. A student on suspended expulsion has no other educational options following repeated expulsions.

Independence High School serves students between the ages of 16 and 18. The program is designed to meet the individual needs of each student and includes direct instruction, independent, and web-based instructional components. Independence High School meets the Instructional and Assessment goal in the District's Strategic Plan: "To provide alternative education opportunities for students who do not benefit from traditional school..."

Program Requirements, Placement, and Enrollment.

Students must be between 16 and 18 years of age

Students may voluntarily enroll in Independence High School in order to receive individualized instruction and participate in a credit recovery.

Students may also be involuntarily transferred to Independence for violating Ed. Code Section 48900 (acts to suspension or expulsion) and/or the student is habitually truant.

Madera Unified School District

Madera Unified School District (MUSD) is located in the geographic center of California among a growing community of 65,000. The District serves 20,000 students and employs 2000 individual staff members. MUSD is comprised of 27 schools and, at the time of this writing, is in the process of building a new high school. The district serves federal preschool and K-12 students at: one preschool, 18 elementary schools, three middle schools, three comprehensive high schools, and three alternative high schools.

The MUSD traditionally processed expulsions by conducting hearings before Administrative Hearing Panels. However, because of statutory timelines and other procedural delays, students were often out of school for several weeks. Beginning in the 2003-2004 school year, the District implemented a "stipulated expulsion" whereby parents of the expelled student agreed to the facts of the case, agreed with the recommendation of expulsion, and waived the right to appeal. With assurances in place, the Administration of Madera County District of Schools and Pioneer Technical Center agreed to place those students who have entered into a stipulated agreement while the Board of Education rectification is pending. This acceleration of timelines has greatly benefited students with stipulated expulsions because students are rarely out of school for more than one or two weeks.

When students in K-8 grade are expelled, their orders are usually suspended, and, in most cases, students are placed at an alternate site. In extreme cases, where there is danger to self or others, the student is referred to Madera County Superintendent of Schools programs.

High school students, who are placed on suspended orders, are usually referred to alternative programs, which include Mountain Vista Continuation, Ripperdan Community Day School,

Furman High School (independent study) or Pioneer Technical Center. High school students, for whom expulsion orders are not suspended, are referred to MCSOS Community Day School.

Raymond-Knowles Union Elementary School District (RKUESD)

Raymond-Knowles Unified School District, located in the foothills of Madera, is a small school that serves 80 to 90 students. Expulsions of a student are rare due to effective intervention practices. Intervention practices include positive behavior interventions, individualized behavior plans, frequent communication with care givers, and counseling services.

On the rare occasion of expulsion, the expulsion would be suspended and the parents would have the option of enrolling the student in independent study, be placed by MCSOS, or partner with a neighboring district to enroll the student into one of their expelled youth programs.

Yosemite Unified School District (YUSD)

YUSD provides intervention to ensure that students have access to other means of correction when possible and views expulsion as a last resort. YUSD utilizes the California Department of Education Administrator Recommendation of Expulsion Matrix to determine when expulsion is mandated, expected, or discretionary. If a student is recommended for expulsion, the district meets with the family and designs a rehabilitation plan, effectively suspending the expulsion. The individual rehabilitation plan specifies behavioral and performance expectations as well as district support.

YUSD also provides two programs for expelled students: Meadowbrook Community Day School for grades 5-8, and Campbell Community Day High School, grades 9-12. Both programs provide instruction through a seat-based model where students are given assignments on a daily basis and progress is determined by completion of work and monitored by the teacher.

FINDINGS

F1. The MCGJ finds that the Madera County Office of Education and Madera County School Districts are in compliance with California State mandates for At-Promise students.

F2. The MCGJ finds the Madera County Office of Education and Madera County School Districts are addressing At Promise youth through their Strategic Plan.

F3. The MCGJ finds throughout Madera County, all school districts seek to maintain At-Promise students' connection to a relevant and Career Technical Alternative Education Services program. (CTAES).

RECOMMENDATIONS

R1. The MCGJ recommends that the Madera County Office of Education and Madera County School Districts continue to follow State mandates for At-Promise students.

R2. The MCGJ recommends Madera County Office of Education and Madera County School Districts continue to address At Promise youth in their Strategic Plan.

R3. The MCGJ recommends Madera County Office of Education and Madera County School Districts continue to connect At-Promise students to Career Technical Alternative Education Service program.

Required Responses

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:

From the following officials within 60 days:

Dr. Cecilia Massetti
Madera County Superintendent of Schools
105 S. Madera Avenue
Madera, CA 93637

Invited responses

Ms. Shelia Perry
Superintendent Alview-Dairyland Union Elementary School District
12861 Avenue 18-1/2
Chowchilla, CA 93610

Mr. Randall Seals
Superintendent Bass Lake Joint Union School District
40096 Indian Springs Road
Oakhurst, CA 93644

Mr. Darren Q. Silva
Superintendent Chawanakee Unified School District
26065 Outback Industrial Way
O'Neals, CA 93645
Mailing Address: PO Box 400
North Fork, CA 93643

Dr. Charles Martin
Superintendent Chowchilla Elementary School
355 North Fifth Street
Chowchilla, CA 93610

Mr. Ron Seals
Superintendent Chowchilla Union High School District
805 Humboldt Street
Chowchilla, CA 93610

Mr. Rodney Wallace
Superintendent Golden Valley Unified School District
37479 Avenue 12
Madera, CA 93636

Mr. Todd Lile

Superintendent Madera Unified School District
1902 Howard
Madera, CA 93637

Michelle Townsend
Superintendent/Principal Raymond-Knowles Union Elementary School District
31828 Road 600
Raymond, CA 93653

Mr. Glen Billington
Superintendent Yosemite Unified School District
50200 Road 427
Oakhurst, CA 93644

Mr. Chris Childers
Madera County Chief Probation Officer
200 Yosemite Avenue
Madera, CA 93637

Board of State Community Corrections
2590 Venture Oaks Way Suite 200
Sacramento, 95833
Attention: Beth Gong

Reports issued by the 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 Grand Jury.

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APPENDIX

Golden Valley Unified School District Plan Goals

Instruction and Assessment:

To develop, provide and maintain a culture of achievement and personal character at all levels through the use of innovative and effective standards-based curriculum driven by frequent assessments.



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Madera County

Food Safety/ Food Inspections

Madera County Grand Jury

Final 1920-04

December 21, 2020

SUMMARY

The US Federal Food and Drug Administration's (FDA) Food Code and the California Retail Food Code provide scientific standards and guidelines that states and localities may adopt for food safety in restaurants and institutional food settings. The code includes temperature standards for cooking, cooling, refrigerating, reheating, and holding food. It also recommends that inspectors visit restaurants every six months. Each state or locality may choose to adopt any or all of the code in its laws or regulations. There are variations among jurisdictions in standards currently being applied to restaurants and other food establishment inspections. Madera County has no food safety reporting requirements. The Environmental Health Department does not report food safety reports to any State or Federal agencies. All inspection programs performed by the Environmental Health Department, except food inspections, are regulated by the State of California. Madera County Grand Jury (MCGJ) focused on retail food facility inspection, compliance with standards, and recording the results by the Food Inspection Program.

GLOSSARY

CEDE - Community Economic Development, Madera County

EHS – Environmental Health Specialist (non-registered)

EHD – Environmental Health Department

FDA – Federal Food and Drug Administration

FSP - Food Safety Program, Madera County

MCGJ – Madera County Grand Jury

PHD - Public Health Department, Madera County

REHS – Registered Environmental Health Specialist

BACKGROUND

All food services requiring a food inspection in Madera County are required to be inspected by the Food Safety Program (FSP) under the jurisdiction of Madera County's Environmental Health Division (EHD). In the past 20 years, MCGJ has reviewed this entity in 2007/2008 and in 2012/2013. Both inquiries discovered the program was under-funded and under-staffed causing inspections to be delayed or not performed at all. Insufficient time for available personnel limited meeting inspection goals. The FSP is not required to report food inspections to any State or Federal agency or any public entity.

Because of these past reports, the MCGJ was prompted to reexamine the Food Safety Program to see what changes were made in the past seven years to rectify the inspection backlog.

METHODOLOGY

Researched reporting processes used for Food Safety Inspections.

Reviewed Madera County's Food Safety Inspection Program documents:

- Environmental Health Department organizational chart

- Policies and Procedures for Food Safety
- Reviewed operating budget for Food Safety and Consumer protection.
- Examined onsite inspection report forms used when conducting inspections.
- Reviewed records of complaints.
- Surveyed policy for handling complaints.

Interviewed County personnel.

Reviewed California Retail Food Code Handbook.

Reviewed field and recording Inspection Forms used in Madera County.

Observed Food Safety inspection of Madera County retail facilities.

DISCUSSION

The County of Madera Environmental Health Division (EHD) oversees the Food Safety Program (FSP) for the residents of Madera County. The EHD is under the direction of Madera Community Economic Development (CED), not the Madera County Public Health Department (PHD). Annually, all food establishments within Madera County including restaurants, fast food, convenience stores/gas stations, food trucks/mobile food, schools, pools and spas, camps, detention facilities, and swap meets are to be inspected.

In the County of Madera, there are 739 food facilities that require inspections. In addition, there are 94 mobile food facilities, 202 schools, 121 pools/spas, 12 organized camps, and six detention facilities that require at least an annual inspection, with some requiring two per year. Facility remodels or new construction of facilities require plan reviews and inspections. Change-of-ownership inspections are also required. Annual inspections of food vendors at swap meets and special events are conducted. To ensure health and food safety, the FSP issues permits for temporary or mobile facilities offering food, such as fairs, concerts, and special events.

The time required to complete inspections does not consider travel time, vehicle availability, and available personnel to complete the task.

With over 1,100 sites requiring inspections, the Environmental Health Department has 14 inspectors. Four inspectors are classified as extra help, and three are identified as hourly staff working in the FSP. Staff includes one senior Registered Environmental Health (REHS) permanent staff member, and three extra help staff, -one REHS, and two Environmental Health Specialists (EHS). Environmental Health inspectors will be moved to the FSP as required.

Any complaints received by the department are assessed and a determination is made for resolution. Any food-borne illness complaints must be reported to the Madera County Public Health Department.

The Food Safety Program (FSP) follows Madera County's independent guideline for Food Safety and Consumer Protection Program and the California Retail Food Code Handbook. Federal Food and Drug Administration (FDA) Guidelines are available for reference. The county's program consists of some elements to protect the health and welfare of the community.

The program does not comply with all the recommendations contained in the FDA guidelines; however, the FSP adheres to the State of California Retail Food Code. Madera County has no food safety reporting requirements to any State, Federal agency or the public. As of 2019 California has not adopted the provisions of the Federal Food and Drug Administration.

Food Grading Program

In February 2015, a pilot Food Facility Grade Program was implemented. The pilot rating system included seven food facilities county-wide, including three foothill-area restaurants. With approval from the County Board of Supervisors, the EHD promoted the program on a trial basis and intended to include food facilities in each area of the county.

The results of this trial were to go back to the Madera County Board of Supervisors to determine whether the placard project should continue and expand to include all of the food facilities that exist in Madera County.

At the June 4, 2019 meeting, the Madera County Board of Supervisors (BOS) approved a plan to set up and manage an online food inspection reporting system. The online system will allow for public access to food inspection reports. Under the present system, an individual wishing to see a recent food inspection report [must file a request via the county website](#) and then wait up to 10 days for a response. The rollout of the online food inspection reporting program was paired with State Senate Bill 252. SB252 required counties, receiving applications for a well permit “in a critically over drafted basin”, make the application readily available online to both the public and to groundwater sustainability agencies by January 2020. This paired rollout provides access to both food inspection reports and well permit application processing.

The County Information Technology (IT) Division will manage the online food inspection website and the Geographic Information System (GIS) will track the online inspection reports. The Environmental Health Division has received numerous requests from the public for online food inspection reports. The new system will help the County make food inspection reports more readily accessible to the public.

Food Inspections

Food facility inspections require more than the time at the site. Although the site inspection is conducted without prior notice at the given site, the inspector must ensure that a vehicle is available, travel time to the site is adequate, and the site is in operation at the time.

The EHD Food Inspectors complete between 15 and 18 inspections per week. Staffing issues and the availability of a regular operating schedule present challenges. Some food facilities are only open on weekends or during the summer tourist season which makes it difficult to inspect on a regular schedule. Travel time to and from the inspection location is not calculated into total time needed to complete an inspection. School cafeterias require two inspections per year; in October and February. Youth camps are checked in the spring prior to students attending camp. The EHD Inspector is required to inspect the camp rooms, pools, rock climbing walls, and eating areas.

The EHD is also responsible for conducting a light fire inspection of fire extinguishers and fire alarms in food facilities outside the city limits to assist the fire department.

Vehicle availability is an issue. There are seven vehicles available for 14 EHD inspectors. There is no pre-registration on obtaining a vehicle or scheduled vehicle pre-assignments for inspections. This makes it difficult on many days to perform any inspections. Priority is given to those inspectors generating greater fee income for the county.

The MCGJ accompanied Food Service Program Inspectors and observed the following inspections

- On January 30, 2020 two members of the MCGJ accompanied the EHD Food Inspector, to inspect two establishments in the City of Madera. The inspector is working on 900 hours of training experience to become a Registered Environmental Health Specialist certification.
- The inspector checked food temperatures, cold storage temperatures, hot storage, hot water temperatures in hand wash stations, cooking and prep areas, hood ventilation over the grill, fire extinguisher expiration dates, overhead lighting, floor drains in the dishwashing and soda fountain area, sanitation of dish wash water, soda fountain catch drains, the garbage area inside, and bathrooms. The Inspector asked to view food handler cards and the manager's food safety card.
- The Inspection Report, a 49-point checklist, was completed on a paper notepad and information transferred to a tablet while on site. The inspector reviewed the results with the facility manager or person working at the site and had them sign it electronically. The results of the inspection at the facility were given to a person working onsite. The results for the inspection at the second facility were given to the manager. If corrections are required, the inspector sends an email to the person contacted onsite with a request for a response within two weeks.
- Establishments that have infractions require the EHD Inspector to return for re-inspection, and the facility is charged \$114.00/hour. Re-inspections are handwritten and no priority of re-inspection is performed. There are no risk categories assigned to infractions or establishments that may be at a higher risk.
- There were minor infractions noted at each facility and the contact person at each facility was advised to send photo evidence of corrections to the inspector via email. There were no major issues that required the inspector to return to the site this year.
- On February 6, 2020 two members of the MCGJ accompanied an EHD Registered Environmental Health Specialist to inspect additional retail food establishments in Madera. The inspector checked food temperatures, cold storage temperatures, hand wash station, cooking and prep areas, hood ventilation over the grill, floor drains in the dishwashing area, safe food handling certificates of employees at work that day, garbage area outside, and bathrooms. The Inspection Report was then completed on site and reviewed the results with facility manager who then signed electronically.

Funding for staffing

The Environmental Health Division is self-funded by permit and inspection fees. The collected fees generate the operating fund for personnel to conduct inspections of retail food service, solid and liquid waste management, hazardous material control, hazardous waste, medical waste, body art/tattoo, rental housing, public swimming pools/spas, organized camps, water supply, vector control, and nuisance abatement. Well permit fees generate the highest income for EHD while FSP fees have the lowest priority and pose the highest risks to the public for food borne illnesses.

FINDINGS

- F1.** The MCGJ finds that current staffing levels, determined by permit fee income, leave inspection requirement goals unattainable.
- F2.** The MCGJ finds that the lack of available vehicles hinders timely inspections.
- F3.** The MCGJ finds that the FSP does not assign “risk” categories for establishments with repeated infractions.
- F4.** The MCGJ finds that the online food inspection program scheduled for January 2020 has not been implemented.

RECOMMENDATIONS

- R1.** The MCGJ recommends that, beginning fiscal year 21-22, the EHD study the fee structure and elements of inspection ($\# \text{ Inspections} * \text{Inspection and Travel time} + \text{fee} = \text{Budgetary Allotment}$). The calculation will provide the number of staff and time required to complete all inspections. Further, if funding is inadequate, request funding from the general fund or raise fees to complete all required FSP inspections on a timely basis.
- R2.** The MCGJ recommends that, beginning fiscal year 21-22, the EHD work within the department to set up a schedule for vehicle usage assignments.
- R3.** The MCGJ recommends that, beginning fiscal year 21-22, EHD assign risk categories to establishments with inspection failures and impose fines.
- R4.** The MCGJ recommends that, beginning fiscal year 21-22, EHD post online food inspection report results on the EHD website.

REQUIRED RESPONSES

Pursuant to Penal Code sections 933 and 933.05, the grand jury requests responses as follows:
From the following county officials within 60 days:

Madera County Board of Supervisors
200 West Fourth Street
Madera, CA 93637

INVITED RESPONSES

From the following governing bodies within 90 days:

Matthew Treber
Director, Madera County Community and Economic Development Department
200 West Fourth Street
Madera, CA 93637

Dexter Marr
Deputy Director, Madera County Environmental Health Division
200 West Fourth Street
Madera, CA 93637

Reports issued by the 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 Grand Jury.

APPENDIX

<https://sierranewsonline.com/county-grades-for-restaurants-program/>

Madera County Permit Fee Schedule

https://library.municode.com/ca/madera_county/codes/code_of_ordinances?nodeId=TIT7HESA_CH7.01ENHEFE_7.01.140FEADREGEPOTH

<https://www.maderacounty.com/Home/ShowDocument?id=21447>

<https://blog.smartsense.co/restaurant-letter-grading#:~:text=All%20state%20and%20local%20letter,identifies%2056%20different%20inspection%20items.&text=GRADE%20A%3A%20The%20restaurant%20is,and%20on%20verge%20of%20closure.>