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Continuity Report: Foothill Intermediate School

Summary:

The Yuba County Grand Jury disagrees with the responses of the Marysville Joint Unified School District (MJUSD) Superintendent to the Grand Jury Report of 2012-2013, about Foothill Intermediate School. The 2013 - 2014 Grand Jury has conducted follow-up investigations and generally agrees with the 2012 – 2013 Grand Jury and its findings and recommendations. These findings and recommendations were made after the Grand Jury met with parents, students, staff members and administrators and made site visits to Foothill Intermediate School. In light of this, the Grand Jury reaffirms the recommendations of the previous Grand Jury and hopes that MJUSD will reconsider their responses.

Introduction and Background:

The 2012-2013 Grand Jury conducted investigations and reported several findings and made a number of recommendations. The MJUSD Superintendent and President of the Board of Trustees responded, as required, on August 22, 2013. The 2013-2014 Grand Jury has conducted follow-up investigations and confirmed the 2012 - 2013 Grand Jury's findings and now makes recommendations similar to those of the previous Grand Jury to the MJUSD Board of Trustees and its Superintendent.

Methodology and Approach:

Documents: These documents were consulted during the course of the investigation:

- 2012-2013 Yuba County Grand Jury Final Report
<http://www.yubacourts.org/divisions/grand-jury/reports>
- President of the MJUSD Board of Trustees response, August 22, 2013
<http://www.yubacourts.org/sites/default/files/pdfs/GrandJury/GJR2012Resp.pdf>
- MJUSD Superintendent response, August 22, 2013
<http://www.yubacourts.org/sites/default/files/pdfs/GrandJury/GJR2012Resp.pdf>
- Division of the State Architect (DSA) of the Department of General Services (DGS) Application #113032 for approval of facilities technology project
<https://www.apps.dgs.ca.gov/Tracker/Application/Summary.aspx?OriginId=02&AppId=1> (12/22/2013)

Site visits: Several site visits to Foothill Intermediate School were made by the Grand Jury in 2012-13 and 2013-2014. The most recent Grand Jury site visits to Foothill Intermediate School and consultation visits to the Loma Rica Fire Department were made in January and February of 2014.

Interviews: Several interviews were conducted with students, parents, teachers, staff, the site administrator, the Office of Public School Construction (OPSC), the MJUSD Superintendent and members of the MJUSD Board of Trustees.

Discussion and Narrative: The Grand Jury disagrees with the MJUSD Superintendent’s responses to the 2012 - 2013 Grand Jury’s final report regarding fencing, emergency exits, learning environment, and effectiveness of a part-time administrator. The Grand Jury reaffirms the findings and recommendations of the 2012 – 2013 Grand Jury.

The 2012 – 2013 Grand Jury report has this finding: “F5. The Grand Jury finds that the east side of the playground adjacent to the olive grove poses a risk of potential intruders entering the campus grounds or students going into the grove without supervision.” That report also had the following recommendation: “R2. The Grand Jury recommends that a fence be erected on the east side of the campus next to the olive orchard to reduce the potential of intruders entering the grounds or students exiting the grounds.”

The MJUSD Superintendent’s Response on August 22, 2013 was, in part:

“Disagree: The District is not aware of any incident or threat where an intruder has entered or a student has exited the east side of the playground through the olive grove. The Grand Jury Report provides no evidence or observation to the contrary. Again, the District disagrees because there is simply no factual basis to support this finding.”



Figure 1. *The Foothill Intermediate School olive grove, as seen from the playground.*

The olive grove is actually southeast of the main part of the campus. The conclusion that the olive grove (see Figure 1) poses a risk of potential intruders entering the campus grounds or students going into the grove without supervision is a finding that is partially based on allegations about unauthorized activities that were disclosed by students to the Grand Jury in confidence. Therefore, specific details of these allegations will not be divulged in this report. However, during the Grand Jury visit on January 22, 2014, members also observed students slipping into the olive grove, without, apparently, their having permission to do so.

Summary: The Grand Jury finds that the olive grove on the southeast side of the playground poses a risk of intruders entering the campus grounds or students going into the grove without permission or supervision.

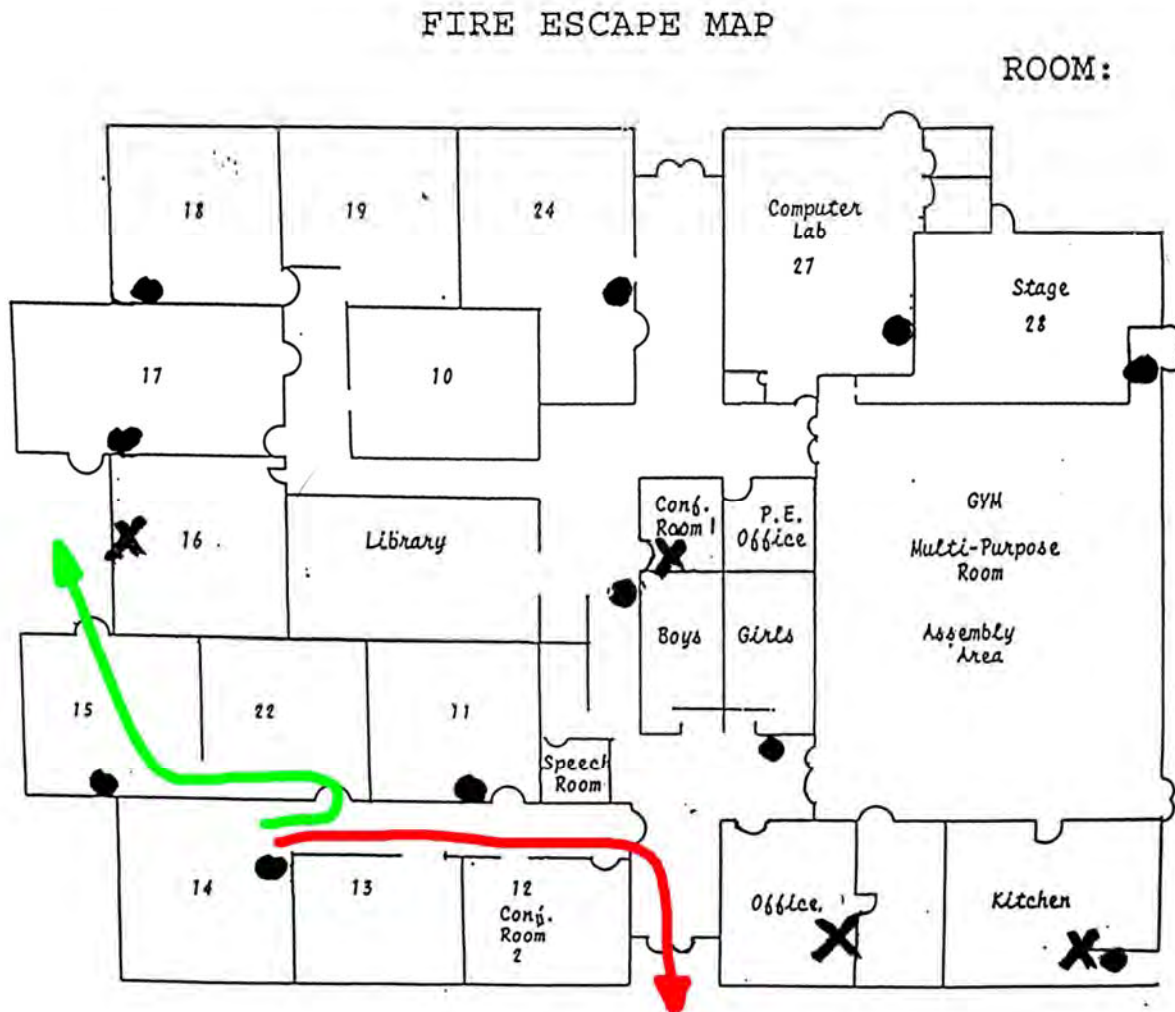


Figure 2. Fire Escape Map for some of the classrooms at Foothill Intermediate School. The emergency escape route from room 14 practiced during school drills is shown in red. The alternate route, suggested by the Grand Jury, is shown in green.

The 2012 – 2013 Grand Jury found that there is no outside door or window that might serve as an emergency exit route for the sixth grade classroom (room number 14, see figures 2 and 3) in the corner of the building at the end of the hall. Their report had the following recommendation: “**R4.** The Grand Jury recommends that an emergency exit door be installed in the classroom at the end of the sixth grade hallway.” On August 22, 2013, the Superintendent of MJUSD responded, in part, as follows:

“Will not implement because it is unreasonable or unwarranted at the present time...the emergency exit routes at Foothill are regularly tested and no actual problems have been reported with exiting the sixth grade hallway. The District finds the Grand Jury’s recommendation to be unwarranted. The cost of making such a significant structural change to an exterior wall is unreasonable without any evidence to justify the need for such an expenditure.”



Figure 3. View of part of the hallway into room 14. The entrance to room 14 is to the left of the bookshelf at the end of the hall. The bookshelves and fiberboard on the left are part of the wall for an adjacent classroom. The Grand Jury’s suggested alternate emergency escape route is through the door on the right.

The alternate door or exit route for the sixth grade classroom in the corner at the end of the hall is the number one concern of many parents, teachers, and students interviewed. Planning of emergency drills appears not to have taken into consideration the fact that the corner sixth grade classroom does not have a safe alternative exit through either an outside door or windows, leaving an entire class of sixth grade students at some risk. During the Grand Jury's investigation in January, an alternate exit route was discovered that was not practiced during emergency drills (see Figure 2). There would be no cost to the District to include this alternate exit route in emergency drills.

Summary: The Grand Jury found that there is no outside door or window emergency escape route for the sixth grade classroom in the corner of the building at the end of the hall (room 14).

The 2012 - 2013 Grand Jury found that sound damping panels are needed to reduce noise that affect student learning in classrooms. The Superintendent of MJUSD responded on August 22, 2013, in part, as follows:

"Will not implement because it is unreasonable or unwarranted at the present time: The Grand Jury's recommendation suggests that learning at Foothill has been affected by ambient noise in the classrooms. However, the facts and the numbers simply do not bear out this finding. For the past three reported school years (i.e., 2009 -10 through 2011 – 12), the Standardized Testing and Reporting ("STAR") scores of Foothill students have been tremendous. I am proud to report that for each of the last three reported school years, in each and every subject area, Foothill students far surpassed the state and District averages for students scoring proficient or advanced. Similarly, I am also proud to report that for the 2011 – 12 school year Foothill's Academic Performance Index increased by 32 points and ranks within the top 40 percent of schools statewide.

"The numbers reflect the commitment from administration, staff, parents, students, and the community to student safety, success, and achievement at Foothill. Further, this empirical data simply does not support the Grand Jury's theory that student learning at Foothill has been affected by ambient noises. The District finds the Grand Jury's recommendation to be unwarranted."

Many of Foothill's classroom walls are composed of the backs of bookshelves and improvised partitions. These makeshift walls between certain classrooms were reported to the Grand Jury to be inadequate to suppress distracting noises. Students and teachers complained to the Grand Jury that it was difficult to teach and learn in the rooms that had only these makeshift walls and no doors. Noises from other classrooms and the hallway disrupted the learning environment. The current learning environment in these rooms is especially challenging to children who have learning disabilities that cause them difficulty in paying attention. Academic performance testing is done in a quiet environment, whereas daily teaching and learning involves sometimes-noisy

interactions during the learning process. The Grand Jury agrees with students and teachers that it is difficult to teach and learn in the rooms that have only bookshelf and fiberboard walls and no doors. It appears that Foothill's students have achieved remarkable scores in spite of an inadequate learning environment.

No construction firm was identified as the builder of the makeshift walls that are currently being used at Foothill School. They appear to be improvisations by the school or district staff. The Grand Jury found that the Office of Public School Construction (OPSC) is unaware of the specific type of walls that make up the interior of Foothill Intermediate School. The Grand Jury also found that MJUSD has not established modernization eligibility for Foothill School. The OPSC does not have any maps or site data concerning the construction of walls at Foothill Intermediate School.



Figure 4. *Improvised walls and doors at Foothill Intermediate School.*

Summary: The Grand Jury found that sound damping panels are needed to reduce ambient noises that affect student learning in classrooms.

The 2012 – 2013 Grand Jury report had the following recommendation: “**R8.** The Grand Jury recommends that a full-time administrator be assigned.” The Superintendent of MJUSD responded on August 22, 2013, in part:

“Will not implement because it is unreasonable or unwarranted at the present time...the students at Foothill are thriving. The Grand Jury notes in its report, more than once, that the Foothill Principal is doing a marvelous job with student discipline. Moreover, the Principal maintains scheduling flexibility to meet the needs of the school site on any given day. When the Principal is not physically present at Foothill, she is at most .62 miles away and can return to Foothill if urgently needed. At all times during the school day, either the Principal is at the school site or the Teacher-in-charge is the Acting Administrator. There is no time when Foothill is without an administrator during the school day. The District finds that the Grand Jury’s recommendation that the District assign one full-time administrator to Foothill is unwarranted or alternatively has already been implemented.”

Loma Rica School and Foothill Intermediate School share a principal, the only administrator assigned to either school. The Grand Jury found, through interviews, that the lack of a full – time principal at Foothill is a concern to several parents and students who were not able to contact the principal when they had a need to do so. When meetings occur that require the Principal to be away, there is no administrator available at either school. The Foothill School Secretary often has to address issues when the principal is absent. It was reported to the Grand Jury that there are times that a situation requiring a principal exists at both schools at the same time, especially since both Loma Rica School and Foothill have Special Day Classes (SDC). Students in these classes often need interventions by a principal. The 2012 – 2013 Grand Jury found that neither staff nor students knew anything about a “teacher-in-charge”, or acting principal. In addition, it was reported to the Grand Jury, during interviews, that several students have been the victims of bullying and have left Foothill School as a result. A full-time principal could more effectively mitigate these problems.

The Grand Jury learned, during its site visit in January, 2014, that a Teacher-in-Charge was appointed in July 2013. With this school year’s reduced enrollment, the appointment of a teacher-in-charge is an improvement in the absence of a full time principal. However, the 2013 – 2014 Grand Jury agrees with its predecessor and again recommends the MJUSD Superintendent and the Board of Trustees provide funding and establish a full-time principal at Foothill Intermediate School.

Summary: The Grand Jury again recommends the MJUSD Superintendent and the Board of Trustees provide funding for and establishes a full-time principal at Foothill Intermediate School.

The 2012-2013 Grand Jury made a finding that three out of seven security cameras were not in working order and the system was outdated. R1, in part, was, “security cameras be repaired.” The MJUSD Superintendent responded in part: *“Already implemented in part; will not implement in part because it is unreasonable or unwarranted at the present time...on or about May 24, 2013, the District submitted facilities technology project to the Division of the State Architect (“DSA”) to upgrade security cameras on the Foothill campus, among other things. This project is currently pending with the DSA waiting approval. Its application number is 02-113032, and its status can be tracked online at the DSA website. Foothill’s security cameras have reached a point in their useful life where repair is not feasible at a reasonable cost. The above-referenced project, once approved, will upgrade Foothill’s security camera system to a new digital system and will replace the non-functioning analog security cameras with new digital cameras...”*

The 2013-2014 Grand Jury did refer to the above DSA application number, but found no reference to any security camera upgrade project. On the January 2014 visit, the security cameras were still not repaired or replaced. The MJUSD Superintendent informed the Grand Jury that the first DSA application was rejected. Some changes have been made, and the application has been resubmitted. The new plans will include upgraded security camera systems for the middle and high schools. Foothill will receive all new cameras.

Summary: The Grand Jury recommends the MJUSD Superintendent and the Board of Trustees assign high priority to the installation of an upgraded security camera system at Foothill Intermediate School.

Many of the recommendations are a result of the interviews conducted with students, parents and teachers. The Grand Jury is concerned about the learning environment at Foothill Intermediate School and the safety and security of students.

Findings:

The Grand Jury finds the following:

- F1. There is a risk of intruders entering the campus grounds from the southeast side of the playground through the olive grove or students going into the olive grove without supervision. The olive grove is not maintained, and is thick with underbrush, providing perfect places for people to hide or to conceal objects.
- F2. There is no door, or outside exit route, from room 14, the sixth grade classroom, in the corner of the building at the end of the hall.
- F3. Sound damping panels are needed to reduce noise that affects student learning in classrooms.
- F4. Funding is needed for a full-time principal at Foothill Intermediate School.

F5. A safe and high-quality learning environment at Foothill Intermediate School is compromised by the characteristics of the main building and its improvised walls and hallways.

F6. Security cameras still have not been upgraded or replaced.

Recommendations:

The Grand Jury recommends that the MJUSD Superintendent and the MJUSD Board of Trustees:

R1. Provide funding for a fence to be erected on the southeast side of the campus between the olive orchard and the playground to reduce the potential for intruders entering the grounds or students exiting the grounds without permission.

R2. Construct an alternative exit from room 14, the classroom at the end of the sixth grade hallway.

R3. Install sound damping panels to reduce noise that affects student learning in classrooms

R4. Assign a full-time administrator when enrollment increases at Foothill School.

R5. Make alterations to the Foothill Intermediate School main building in order to provide and maintain a safe and high-quality learning environment at Foothill School while the district is looking for a new location for the school.

R6. Assign priority to the installation of the Foothill security cameras as soon as the DSA application is approved.

Request for Responses:

Pursuant to Penal Code section 933.05, the Grand Jury requests responses as follows:

- MJUSD Superintendent
- MJUSD Superintendent of Business Services
- MJUSD Board of Trustees

The governing bodies indicated above should be aware that the comment or response of the governing body must be conducted in accordance with Penal Code 933(c) and subject to the notice, agenda and open meeting requirements of the Brown Act.