

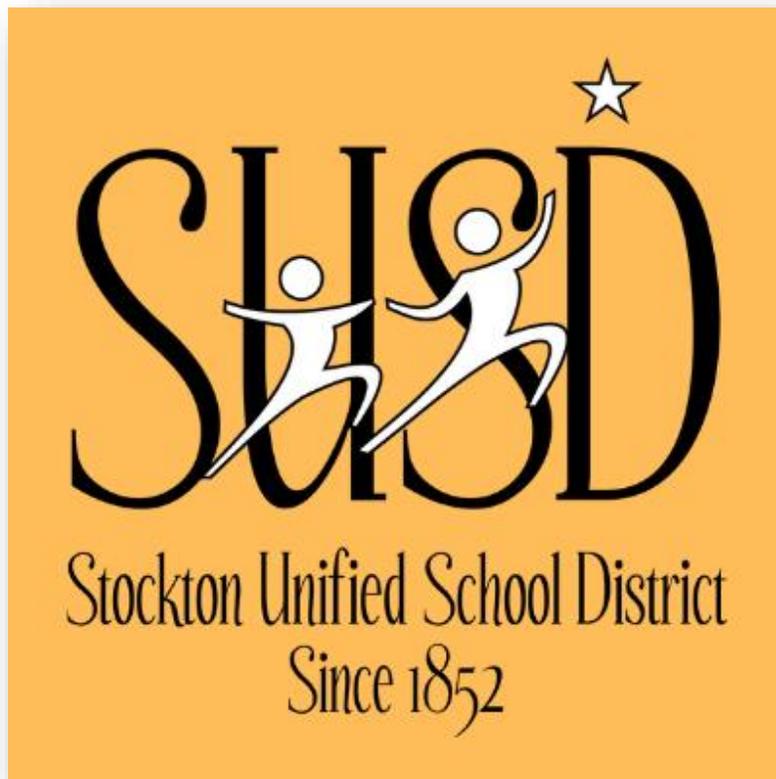
2020 - 2021 San Joaquin County Grand Jury



Stockton Unified School District Board of Trustees:

Dissension, Dismay, and Disarray

Case #0620



Summary

PUBLIC OVERSIGHT OF LOCAL GOVERNMENT IS THE FOUNDATION OF AMERICAN DEMOCRACY.

Nowhere is this more evident than in our public schools, where local boards of education are entrusted by their diverse communities to uphold the Constitution, protect the public interest in schools and ensure that a high-quality education is provided to each student. To maximize the public's confidence in local government, our local boards must govern responsibly and effectively.

California School Board Association, 2018

The 2020-2021 Grand Jury investigated the Stockton Unified School District Board of Trustees (SUSD). The single most important job of any school board is to recruit, hire, and retain an outstanding superintendent to lead the district. The need for stable, quality leadership is essential for improving student achievement, especially in a high-poverty district like SUSD. Research clearly shows that the primary factor needed to accomplish this crucial task is an effective school board. The Grand Jury found that there is widespread concern about the short tenure of SUSD superintendents, especially in the last 15 years. This turnover rate, which is as high as anywhere in California, is a foremost indication that the trustees have failed, and will continue to fail, to effectively lead the district.

Among other issues found to be of serious concern by the Grand Jury are

- Disregard of policies and procedures, especially regarding hiring;
- Trustee behavior, especially during meetings;
- Trustee disregard of their appropriate roles;
- Inappropriate complaints, especially by trustees against other trustees; and
- Deficient transparency, making it difficult for the public to understand what is taking place.

These trustee actions have been found to negatively impact Stockton Unified and make it difficult, if not impossible, for positive, lasting change to take hold. They have also contributed to declining morale and distrust among employees and community members.

The Grand Jury recommends that the Board of Trustees

- Publicly and officially affirm their commitment to follow their agreed-upon process for recruitment and hiring of a superintendent;
- Publicly and officially affirm their commitment to follow their agreed-upon Bylaw 9124, when hiring future legal services;
- Publicly agree to abide by the Governance Norms adopted by the board;

- Publicly agree to adhere to the California School Board Association Professional Governance Standards;
- Publicly livestream all board meetings, even after returning to in-person meetings;
- Improve timely documentation of board meetings; and
- Discuss the findings and recommendations of this entire report during a public board meeting.

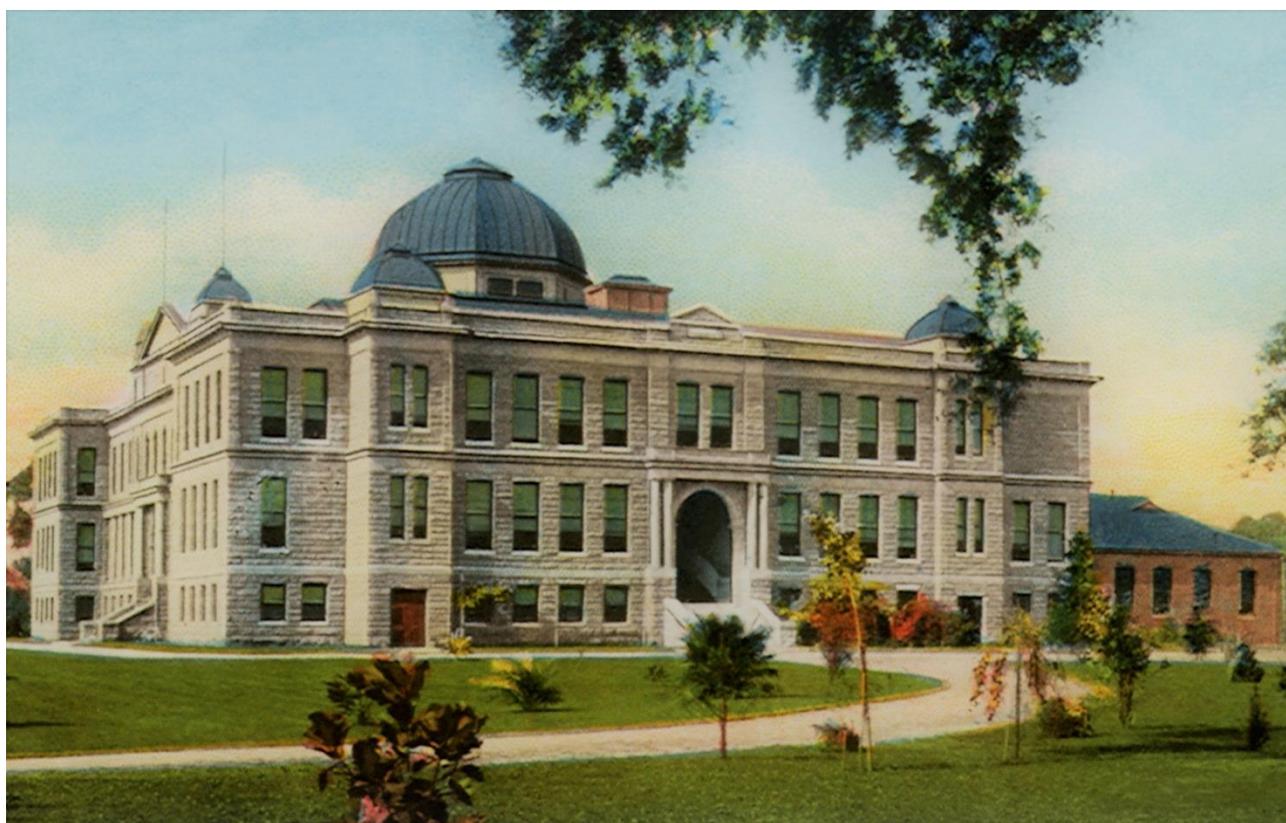
In addition, the Grand Jury recommends that the district no longer accept or investigate complaints initiated by trustees against other trustees because the district is not the appropriate, nor the legal venue for these complaints.

Glossary

- **Ad hoc advisory committee:** An ad hoc committee is a committee that is formed for a specific purpose.
- **Board of trustees (trustee):** The members of the board of trustees, commonly known as the school board, are elected representatives of their community. Putting the interest of students' futures first, they are charged with making decisions about the local public school system based on the community's expectations, goals, and needs.
- **Brown Act:** Ralph M. Brown Act requires that "All meetings of the legislative body of a local agency shall be open and public, and all persons shall be permitted to attend any meeting of the legislative body of a local agency..."
- **CDE:** California Department of Education
- **Censure:** A formal and public group condemnation of an individual
- **COVID-19:** Coronavirus disease
- **CSBA:** California School Board Association
- **CSD:** SUSD Constituent Services Department
- **CSEA Chapter 821:** California School Employees Association (custodians, facilities, food service, information services, mechanics, secretaries, and others)
- **Governance norms:** Agreed-upon behavioral expectations and protocols
- **LCAP:** Local Control and Accountability Plan
- **Majority/minority:** Groups identified by voting preference, not by race, ethnicity, or gender.
- **RFP:** Request for Proposals
- **Robert's Rules of Order:** Guide to parliamentary procedure
- **Superintendent:** The superintendent is the top executive in the school district. The job is to promote the success of all students and support the efforts of the board of trustees to keep the district focused on learning and achievement.
- **Superintendent tenure:** Longevity on the job
- **SUSD:** Stockton Unified School District
- **UCP:** Universal Complaint Procedures

Background

On September 9, 1850, California entered the Union as the 31st state. Approximately 6,000 children were living in the state, yet few adults, including legislators, were interested in establishing public schools. Eventually, during the 1852 California State Legislative Session, a law was passed that called for five cents for every 100 dollars of property valuation to be used for grants for public schools. The city of Stockton was not inclined to apply for a grant that year, because the city was broke. However, some local leaders were concerned that the cities of Sacramento and San Francisco were taking advantage of all the money. One member of the Stockton City Council was so concerned that one year later he put up \$50 to establish a public-school fund. Nine other aldermen followed suit, and with \$500 in the kitty, Stockton public schools were born. Sixty-seven girls and 88 boys comprised the first cohort to be educated publicly in the city of Stockton. ([A history of public schools of Stockton, California](#))



Stockton High School from a postcard, 1920.

Today, California provides instruction and support services to roughly 5.9 million students in grades kindergarten through 12th in more than 10,000 schools throughout the state. There are more than 1,000 school districts in California. The May 2021 proposed state budget includes total funding of \$121.7 billion for all K-12, the highest level of funding in California's history ([Budget: K-12 Education](#)). In 2020, students numbered 35,242 in Stockton Unified School District (SUSD) and were served by 4,000 employees in 55 schools. The total budget was approximately \$585 million.

Demographics

In 2018, Stockton – whose 310,000 residents were 42% Hispanic, 24% Asian, 19% Non-Hispanic White, and 13% Black – was the most racially diverse large city in America, according to a [U.S. News analysis](#) based on recent census data. ([How Racially and Ethnically Diverse Is Your City?](#))

Stockton Unified is the largest school district in San Joaquin County. It also has [the most diverse student population](#).

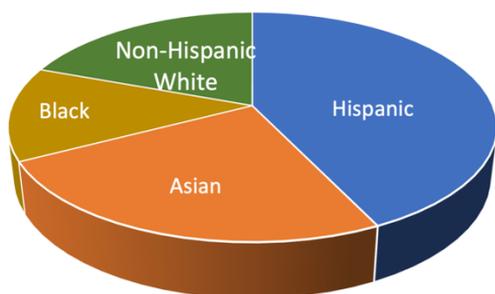


Figure 1. Stockton 2018 demographics.

(data from [U.S. News analysis](#))

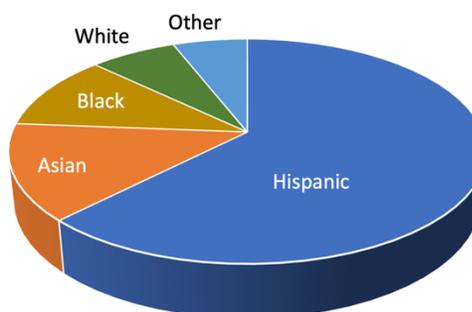


Figure 2. SUSD student 2018-2019 demographics.

(see [SUSD Fast Facts](#))

As of the 2017-2018 school year, 63% of SUSD students were Hispanic; 14% Asian; 11% Black/African American; 7% White; 6% other. Eighty-two percent of the students were socio-economically disadvantaged, 23% were English Language Learners (ELL), and 8% were foster youth.

Poverty

The 2019 census data reveals that more than 21% of SUSD residents live below the poverty line. This is about 1.5 times the rate in San Joaquin County (13.7%), and nearly double the rate in California (11.8%). More importantly, 30% of children (under 18) are below the poverty line.

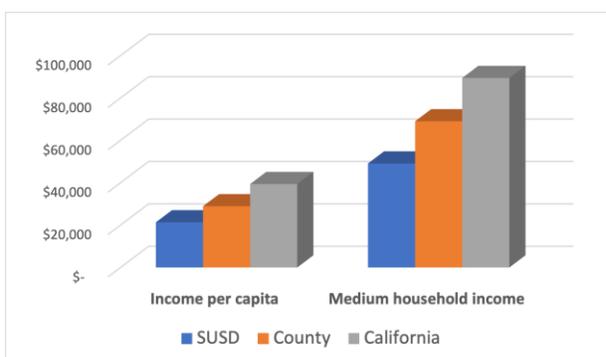


Figure 3. – Comparing SUSD income.

(see [Census Reporter](#))

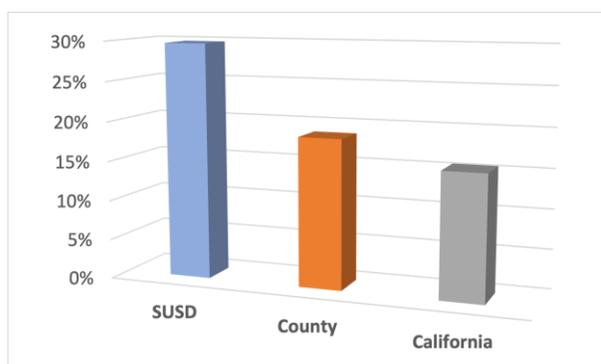
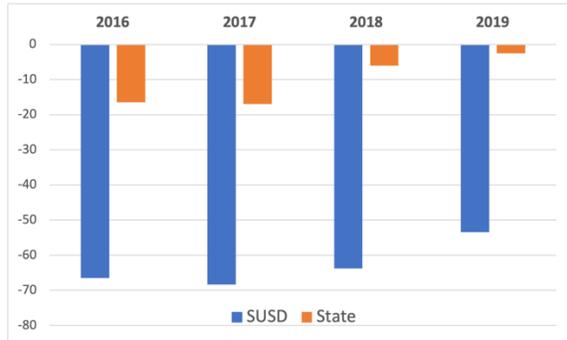


Figure 4. Children below the poverty line.

(see [Census Reporter](#))

Academic Achievement

English Language Arts - Below Standard¹



Mathematics - Below Standard

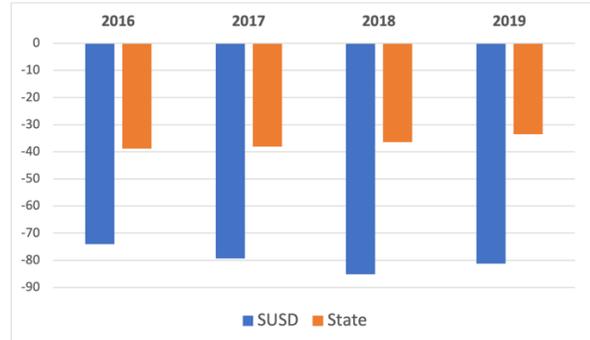


Figure 5. SUSD dashboard academic standards.

(adapted from [SUSD Dashboard](#))

SUSD academic achievement, as demonstrated in Figure 5, is well below the state level. Among Stockton Unified students, the 2019 pre-Covid high school graduation rate was 85% with 35% of students enrolled in A-G classes².

The following mission statement and goals for students are found on the SUSD website:

Mission

Our Mission is to graduate every student college, career, and community ready. In doing so we lift all youth out of circumstances of poverty and scarcity.

Goals for Students

- Every child by the end of the 3rd grade will read and comprehend at the proficient level.
- Every child by the end of the 9th grade will demonstrate mastery of Algebra concepts and application.
- Every child by the end of the 12th grade will graduate and be college or career ready.



¹ Distance from Standard measures how far, on average, students are from the lowest possible score for Standard Met. The Smarter Balanced Consortium has identified Standard Met as demonstrating the knowledge and skills necessary for students to be on track for college and career readiness at their grade level.

² A-G classes are high school classes that students are required to successfully complete to be eligible for admission to the California State University and University of California systems.

Trustees

Stockton Unified is governed by a seven-person board of trustees, each elected by voters in seven districts throughout the city. Elections are staggered four-year terms and are held every two years. Trustees are limited to two terms.

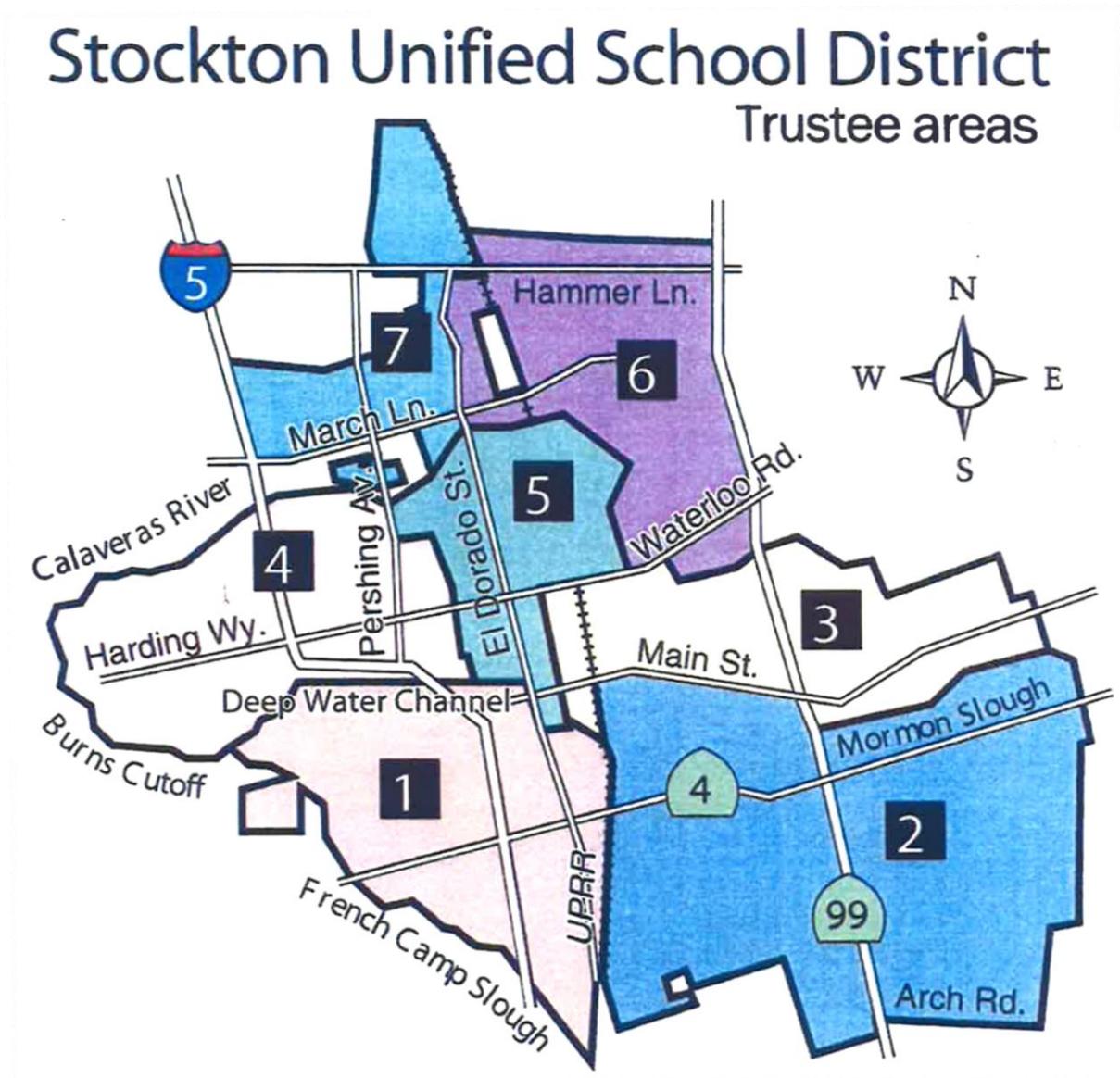


Figure 6. SUSD trustee districts.

(adapted from [SUSD District Maps](#))

The rate of SUSD superintendent turnover is one of the highest in the state. Since 2005, the district has been served by 13 superintendents (including acting, interim, and permanent). Since then, the average length of service of the superintendents is less than 17 months. Of the 13, only five have been permanent (not including the recently hired John Ramirez, Jr.). The average length of stay of the five permanent past superintendents was 19 months.

Reason for Investigation

The 2020-2021 Grand Jury received numerous complaints concerning the dysfunction of the Stockton Unified School District Board of Trustees. Additionally, there have been media accounts describing conflicts within the district, especially among board members. After reviewing these complaints and media reports, the Grand Jury opened an investigation into the SUSD Board of Trustees.

Method of Investigation

The Grand Jury focused on the roles of the board of trustees and their conduct. In preparation they reviewed relevant materials and conducted interviews.

Materials Reviewed

- Applicable federal, state, and county laws
- Board meeting records including minutes, agendas, recordings, and public comments
- California Department of Education (CDE) website
- California Education Code
- Complaints against trustees
- Contracts for legal services and investigations
- CSBA websites, including documents regarding the role of the board
- District budgets
- District bylaws and policies
- District employee compensation
- District Governance Handbook with [Governance Norms](#)
- District website including California State Dashboard
- Documents related to charter schools
- LCAP survey
- Numerous news articles
- Student representative resignation letter February 10, 2021
- Trustee resignation letter June 19, 2021 ([Appendix B](#))
- Uniform Complaint Procedures (UCP)

Interviews Conducted

There were 37 interviews.

- Attorneys specializing in school district law
- Complainants
- County Department of Education
- Directors and senior staff (current and former)
- Superintendents, assistant superintendents (current and former, interim, and permanent)
- Trustees (current and former)

- Union leaders

Sites Visited

Normally, the Grand Jury would visit Stockton Unified sites and attend board meetings. Due to the COVID-19 pandemic, in-person activities were limited. These limitations also hindered the Grand Jury from getting input from parents.

Discussion, Findings, and Recommendations

1.0 Stockton Unified Superintendents: A Revolving Door

As described above, the 2020-2021 Grand Jury conducted 37 interviews. The issue of high superintendent turnover was consistently cited as a major problem for the district. It was often described by employees as having to start a whole new job every few months, as new visions and priorities began with each new superintendent. Below is a list of the SUSD superintendents since 2005.

Dates	Superintendent	Duration
May 11, 2021 - present	John Ramirez, Jr.	Seven weeks
February 26, 2021	John Ramirez, Jr. (Acting, Interim)	Two months
June 16, 2020 - January 26, 2021	Brian Biedermann (Interim)	Six months
June 1, 2018 - June 15, 2020	John Deasy	Two years
August 2017 - May 31, 2018	Dan Wright (Interim)	Ten months
July 2016 - August 2017	Eliseo Davalos	One year
September 2014 - June 2016	Julie Penn (Interim)	Two years
July 2012 - August 2014	Steve Lowder	Two years
July 2010 - June 2012	Carl Toliver (Interim)	Two years
September 2009 - July 2010	Steve Vaczovsky (Interim)	One year
July 2008 - September 2009	Tony Amato	One year
July 2006 - June 2008	Jack McLaughlin	Two years
September 2005 - June 2006	Carl Toliver (Interim)	Ten months

Figure 7. SUSD superintendents from 2005 to present.

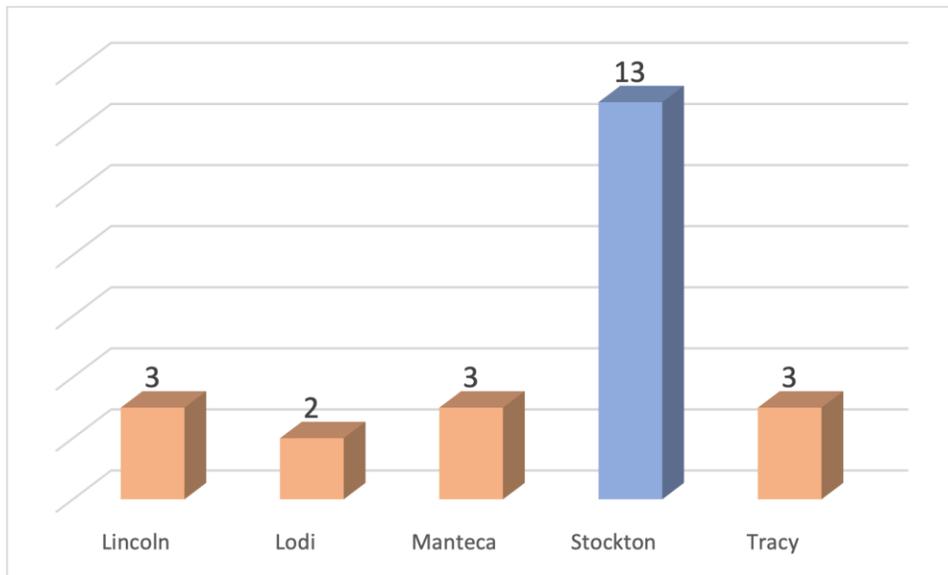


Figure 8. Superintendent turnover since 2005 for San Joaquin County school districts with more than 10,000 students.

Numerous academic studies have examined superintendent tenure. A [nationwide study](#) completed in 2018, concluded that superintendents in the largest school districts stay an average of six years. Female superintendents and superintendents in high-poverty districts and districts with higher percentages of students of color tended to stay less time. The average tenure in high-poverty districts was five years, compared with nine years for higher-income districts. Similarly, the average tenure was less than five years for superintendents serving in districts with the highest percentages of students of color, compared with nearly 12 years for superintendents in predominantly white districts. Importantly, the research indicated that superintendents were not dissuaded from moving to high-poverty districts, however, turnover rates were higher, despite the need for greater stability.

Poor relationships with the school board, caused by ineffectiveness and conflict are found to be important predictors of superintendent departures. Other research has indicated that high-functioning school boards (based on member self-evaluation), are the strongest predictor of longer superintendent tenure. A positive, effective superintendent-school board relationship is key. Superintendents who are promoted from within the district also tend to stay longer. ([EdSource](#))

Short superintendent tenure makes it difficult, if not impossible, for changes that lead to increased student achievement to take effect, especially in low-performing school districts. Change takes time, as described below. Unfortunately, looking back to 2005, Stockton Unified superintendents have not stayed long enough to make lasting, positive changes.

David Gordon, former superintendent of Elk Grove Unified School District and the current Sacramento County Superintendent of Schools, "... believes that superintendents should stay

five to seven years in the job if they want to implement change ... If you're not there five to seven years, you're unlikely to make much of an impact." ([EdSource](#))

New SUSD superintendents rarely spend ample time assessing their district to determine what is working and what is not. They usually bring in their own agenda and often some of their own people. This would not always be a problem if they remained in the same school district for several years. It takes time to make positive changes and to assess and adjust those efforts where necessary.

In recent years, SUSD superintendent turnover, as indicated in the data above, is as high as anywhere in California. This, in the opinion of the Grand Jury, has had a detrimental effect on Stockton Unified's efforts to create and sustain a positive culture, which is critical for success.



School boards hire and supervise superintendents. It is their most important responsibility. As noted above, a high-functioning school board is a critical element in creating and sustaining a positive culture, enabling it to hire and retain a high-quality, long-tenured superintendent.

Numerous media reports and complaints reviewed by the Grand Jury described the combative behavior among the board of trustees in the past few years. As observed by the Grand Jury, this contentiousness undermines superintendent stability in SUSD. The frequent turnover of superintendents makes it easier for board members to act inappropriately and at times to exceed the limits of their authority. Thus, it becomes a vicious cycle. A strong, long-standing superintendent is much more likely to develop positive relationships with board members, staff, and community members. This helps to create the stability necessary to ride out the natural ups and downs of the change process within and outside the district.

Additionally, superintendents who leave before their contract is fulfilled often costs districts substantial financial resources which could be used for students, especially in high-need communities. The previous, permanent superintendent, John Deasy, submitted his resignation on April 21, 2020, to be effective on June 15th of that year. He had completed two years of a three-year contract. He was paid in full for the third year, at a cost of approximately \$320, 000.

Findings

F1.1 Superintendent turnover in Stockton Unified School District is as high as anywhere in California, making it impossible to institute lasting, positive change.

F1.2 A major contributing factor to Stockton Unified School District's high superintendent turnover is a history of school board dysfunction.

F1.3 High superintendent turnover in Stockton Unified School District discourages employees, causing low morale.

F1.4 When superintendents leave before the term of their contract, they are paid for the remainder. This diverts funds that could be used for educational materials and services.

Recommendation

R1.1 By November 1, 2021, the Stockton Unified School District Board of Trustees complete additional intensive governance training, facilitated by a qualified external body such as the California School Board Association.

2.0 Best Hiring Practices Ignored by Trustees

2.1 Hiring a Superintendent: Agreed-upon Process Disregarded

At the May 12, 2020, special board meeting, in anticipation of the superintendent's June 15th departure, SUSD trustees voted unanimously to use a formal process for selecting a permanent, or if necessary, interim superintendent. This process was similar to that used to select previous superintendents. The following is excerpted from the meeting agenda:

Proposed Process for Recruitment and Selection of Interim Superintendent (if needed) to start on June 16, 2020:

- The Board will meet in Closed Session at the end of this meeting to consider candidates for Interim Superintendent.
- The Board may invite candidates for an interview with the Board.
- If necessary, the Board will extend an offer to a candidate for Interim Superintendent if a permanent Superintendent has not been selected by June 16, 2020, or if the selected candidate is unable to commence by June 16, 2020.

(The above process was used to select the Interim Superintendent, Brian Biedermann, who served from June 2020 until February 2021.)

Proposed Process for Recruitment and Selection of Permanent Superintendent:

- Select date for commencement of advertisement of open position and recruitment for Superintendent.
- Appointment of ad hoc advisory Board committee to oversee the advertisement process.
- Development of ad hoc advisory Board committees at May 12, 2020 Board meeting to obtain feedback from various stakeholder groups:
 - Family Feedback Committee
 - Community Feedback Committee
 - Staff Feedback Committee
 - Student Feedback Committee
- The Feedback committees will meet with stakeholders to share their hopes for the next Superintendent.

- The Board will meet in Closed Session to review applications, review stakeholder feedback, and invite candidates to interview.
- The Board will announce decision of new Superintendent.

These processes for recruiting and selecting a permanent superintendent were adopted unanimously by the board on May 12, 2020. **At no time since then has a recruitment and selection process, like the one described above, been used.**

On July 1, 2020, Mr. John Ramirez, Jr. was contracted by Stockton Unified School District to provide consultant services for SUSD for one year. The contract called for him to “provide support and mentoring for the Interim Superintendent, the Interim Deputy Superintendent, Executive Cabinet, Board of Education, Educational Services, Human Resources Administration, and Budget Management.” He also provided consulting services to an independent charter school, Vision Quest & Career Pathway, before starting this consulting contract. Vision Quest & Career Pathway operated as an independent charter school for formerly incarcerated adults. On January 7, 2020, the charter was approved by the Stockton Unified School Board. After four months Vision Quest & Career Pathway charter school closed.

Mr. Ramirez continued to provide consultant services for the district until February 2, 2021. On January 26, 2021, the interim superintendent, Brian Biedermann, gave notice that he was stepping down from the superintendency, citing health issues. The board then named Mr. Ramirez acting superintendent, ending his consultant contract. This lasted until February 9, 2021, when he was elevated to interim superintendent. He remained in that position until May 25, 2021, when the Board voted five to two to make him the permanent superintendent. He is the sixth permanent superintendent in the last 16 years.

All the previous, permanent superintendents were selected after using a thorough process, led by search firms. In those cases, in-depth background checks were conducted, references were checked, and previous employers were questioned. The firm then gathered community and staff input, before conducting rigorous interviews. Once the search firm process had eliminated all but a few candidates, the board then held further interviews. In some cases, board members visited the candidate’s previous school district. Only after all these activities were completed did the board make a final choice. This process is typical throughout the state and the nation. **None of these procedures were used to hire Mr. Ramirez.**

Mr. Ramirez has 25 years of experience in education, beginning with three years in an elementary school classroom in Salinas, California. He then served as principal of an elementary school, a middle school, and a high school, all in Monterey County. From 2010 to 2016, he worked as the superintendent of Alisal Union School District, a K-6th grade district (with no middle school or high school students), currently serving 9,000 students in 12 schools. The current SUSD board’s attorney also worked at Alisal Union School District with Mr. Ramirez.

Finding

F2.1 The Stockton Unified School District Board of Trustees did not follow the “Process for Recruitment and Selection of an Interim Superintendent” nor the “Process for Recruitment and Selection of a Permanent Superintendent,” when hiring the current superintendent, John Ramirez, Jr. Taking this shortcut produced confusion and mistrust among the board, the staff, and the public.

Recommendation

R2.1 By September 30, 2021, the Stockton Unified School District Board of Trustees publicly and officially affirm their commitment to follow their agreed-upon “Process for Recruitment and Selection of an Interim Superintendent” and the “Process for Recruitment and Selection of Permanent Superintendent” when hiring future superintendents.

2.2 Hiring a Board Attorney: SUSD Bylaws and the Brown Act Ignored

On February 24, 2020, a special board meeting was held at 2:00 pm. It is unusual for an SUSD board meeting to be held at that time of day, because it is difficult for many constituents to attend during the normal working day. This limited community members’ access to this important meeting. The purpose of the meeting was to approve a contract with the law firm Burke, Williams & Sorensen to represent the board. It is unusual for a school district to employ an attorney to serve only a board of trustees rather than the entire district. The agenda (Item 1.5) regarding the hiring of the law firm did not include the contract or the funding source.

The trustees returned from a closed session to find copies of the contract at their places on the dais. There was a motion to postpone the item until the agreement could be posted for public viewing at the next regularly scheduled board meeting. The motion failed by a vote of four to three. The motion to approve the agreement with Burke, Williams and Sorenson, LLP was then passed, also by a vote of four to three.

The SUSD Board Bylaw 9124 states

Retaining Legal Counsel

When the district is seeking legal advice or representation, the Superintendent or designee shall initiate a Request for Proposals (RFP) to advertise and solicit proposals for legal services. In evaluating the proposals, the Board and Superintendent shall consider the firm's or attorney's background, experience, and reputation in education law; experience advising or representing school districts in California; fees; and experience of attorneys at the firm who will provide legal services.

The Board and Superintendent shall annually evaluate the performance of the firm and/or attorneys providing legal services in such areas as efficiency and adequacy of advice; results obtained for the district; reasonableness of fees; and responsiveness to and interactions with the Board, administration, and community. Upon a successful

evaluation, the Board may renew the agreement with legal counsel without initiating an RFP. ([SUSD Board Bylaw 9214](#))

This was not the first time in recent years that the board decided to hire new attorneys. SUSD board bylaws recommend that legal services are periodically reviewed to determine whether the services are meeting the needs of the district. The attorney for the district with the law firm of Dannis Woliver Kelley had served SUSD for 15 years. This attorney handled matters for the district, not just the board of trustees. The Fagen Friedman & Fulfroost LLP firm was chosen to replace this longtime SUSD attorney. The approved public process was used to hire this firm. A request for proposal (RFP) was developed, following district bylaws. Proposals were accepted from five law firms. Interviews were conducted, followed by reviews and ratings of the proposals, using a scoring rubric developed by a board subcommittee. The vote to hire Fagen Friedman & Fulfroost LLP was approved unanimously.

This process was quite different from the one used to hire the designated board attorney in the February 24, 2020 special meeting. There was no RFP, no acceptance of multiple proposals, no interviews, and no scoring rubric. The contract was approved at a public meeting as required by law, however, according to public statements by some board members, they had not been informed of the details, and had not seen the contract before the special meeting. "1.5 (A): Approval of Agreement with Burke, Williams & Sorensen, LLP" was all that was placed on the agenda. There was no contract to review. Until the special meeting, the name, and qualifications of the attorney for the board were known only to some of the board members. The Grand Jury is concerned that some, but not all, of the board members, appeared to have known in advance about the plan to hire an attorney with Burke, Williams & Sorensen, LLP to provide legal services, strictly for the board and not for the whole district.

This time the vote was not unanimous. It was four to three, and a motion to postpone failed by the same margin. The board members in the minority were upset and believed there was a Brown Act violation. The attorney with Burke, Williams & Sorensen, LLP was present at the meeting before being confirmed and began work immediately.

Formal complaints from the community and some trustees were made, alleging the Ralph M. Brown Act had been violated. The board took up the matter again, two months later, to "cure and correct" what the Grand Jury believes was a valid complaint. At the April 28, 2020, meeting the board voted four to three to reaffirm the hiring of the board attorney.

Findings

F 2.2.1 The Stockton Unified School District Board of Trustees did not follow Bylaw 9124, failing to initiate a Request for Proposal when hiring the current board attorney on February 24, 2020. Taking this shortcut created confusion and mistrust among the Stockton Unified Board, the staff, and the public.

F 2.2.2 Before the open session meeting to hire the board attorney on February 24, 2020, the Stockton Unified School District Board of Trustees did not make the contract available to the

public and the minority-voting trustees. This lack of transparency caused anxiety and increased mistrust among the board, the staff, and the public.

Recommendations

R 2.2.1 By September 30, 2021, the Stockton Unified School District Board of Trustees approve a resolution officially affirming their commitment to follow their agreed-upon Bylaw 9124 when hiring future legal services.

R 2.2.2 By September 1, 2021, all relevant supporting documents, including contracts and financial information, be attached to and distributed with the agenda when hiring legal services.

R 2.2.3 By November 1, 2021, the Stockton Unified School District Board of Trustees complete additional intensive Brown Act training facilitated by a qualified external body such as the California School Board Association.

3.0 Meeting Behavior: Trustees Ignore Norms of Civil Behavior

Complaints, media reports, and public comments submitted to the board have described the dysfunctionality of the Stockton Unified Board of Trustees. In recent months loud arguments can be heard during public meetings, which often last more than four hours. Trustees angrily speak over one another, and occasionally microphones are muted, cutting off discussion. People who have observed board meetings for many years describe them as the most chaotic they have ever witnessed. The meetings make many observers and participants extremely uncomfortable. The trustee behavior at the meetings has been described as watching your parents fighting in public.

On February 10, 2021, the student representative resigned, stating

Good morning. I'm sorry to report that I will be resigning from my position on the SUSD School Board. I was looking forward to a productive time in office. This decision was not made because of one incident, but because of a plethora of mistreatment to students, parents, teachers, and trustees. Not only are Robert's Rules of Order being disregarded, but it is also my belief that this board is negatively impacting our schools.

I ask that in future meetings, members take the time to show respect and kindness when choosing their words. Many members of the board fail to be positive role models for our students.

I wish members of all affiliations luck in their endeavors to make SUSD the district that it deserves to be...

This resignation letter was read aloud during the Public Comments section of the February 23, 2021, Stockton Unified Board of Trustees' regular meeting.

Since the November 2020 election, there has been a clear voting majority and a small minority on the board. During discussions of agenda items, those in the minority are often not allowed to fully express their views, particularly if the board leadership disagrees with them.

Trustees are elected to represent specific areas of Stockton within SUSD. When trustees are not allowed to express thoughts during a discussion, the students and parents of their areas are not being equally represented. As of January 7, 2021, the following admonition can be found at the top of every board meeting agenda:



In order to help assure compliance with the Brown Act, and in order to make our Board Meetings more effective and more efficient, trustees will speak only when recognized, and trustees who speak on a topic other than the Agenda Item currently under consideration will be out of order and will be subject to having their microphone muted.

Throughout many board meetings there are three consistent patterns of interaction:

- A motion is called with a first and second, discussion to follow. However, what follows is: “We have a first, a second, discussion,” and then, without pause, “time for roll call.” A minority-voting trustee calls out to ask for time for discussion and is told that time has already passed. That trustee then points out that there was no pause for discussion. A loud debate about the process then ensues. No discussion is allowed regarding the agenda topic.
- A minority-voting member is in the middle of a discussion about an agenda item and is interrupted with shouts of, “Out of order! Out of order! Out of order!” This is done with no discernable reason to the listening and viewing public. The trustee tries to continue but the “Out of order” persists.
- Trustees are muted during reports and discussions. This muting process was instituted supposedly in accordance with the Brown Act. Research conducted by the Grand Jury indicated that the SUSD Board has never publicly or privately adopted any policy for the muting of the board members, and muting is not referred to in any of the sections of the Brown Act.
- The Brown Act does state, “No action or discussion shall be undertaken on any item not appearing on the posted agenda ...” (Government code section 54954.2). However, the President of the Board determines whether the speaker is properly addressing the agenda. This interpretation is often arbitrary and questionable.

Additionally, a three-minute time limit has been applied to some board members’ speeches during meetings. The Brown Act does not address time limits for trustees, and restricting

speech in this manner appears to be problematic to the Grand Jury, in both intent and application. This time limit is strictly enforced for board members in the minority.

In recent months, two board members in the voting minority have been censured by five trustees in the voting majority for their speech at board meetings. One such censure for the two members was voted on and passed at the February 9, 2021, SUSD Board meeting. The two trustees were accused by a fellow board member of "... harassment in open session, closed session, social media, and in public ...". During that meeting, the accused trustee attempted to discuss the censure, and there were repeated attempts to keep the trustee from speaking. The censured trustee pointed out that these censures did not follow the policy adopted by SUSD. The Grand Jury agrees that there were no specific actions detailed in the censure, therefore there was not compliance with procedures 2. a, b, or c, and 4., as listed below:

2. Any such motion, when made, shall be in writing and shall include:

- a. A specific description of the provision of the Code of Ethics that is claimed to have been violated;
- b. A specific factual description of the alleged action, statement, or other conduct of the Board Member at issue and a description of how that action, statement or other conduct constitutes a violation of the Code of Ethics;
- c. The specific language for the proposed censure by the Board of the Board Member for the alleged violation of the Code of Ethics. ...

4. Upon the introduction of any Motion to Censure, and prior to any vote thereon, and in an effort to avoid an official Board Censure, the accused Board Member shall be provided the opportunity to explain his/her action, statement, or other conduct, to apologize therefore, and to agree to future compliance with the Code of Conduct.

[\(Board Bylaw 9251\)](#)

A censure is read aloud and voted on during an open session meeting. Other than this, censures have no concrete consequences. When board members vote to censure colleagues, the board attorney is required to provide the censure language. This use of legal services wastes time and taxpayer money.

On March 4, 2017, the entire board attended an "Effective Governance Workshop" conducted by a California School Board Association governance consultant. The focus of discussions among board members included

- Unity of purpose;
- Clarity of roles;
- Positive team culture; and
- Development of supportive processes or protocols.

It was agreed that following the workshop, protocols would be added to the Board's Governance Handbook which would be officially adopted. It was suggested that the agreed-upon norms and protocols be distributed to each board member and posted on the walls of the

board room for the board and public to see. The Governance Norms were adopted on April 10, 2018. They have since been printed on card stock and can be found on the dais in front of each trustee. Some of the agreed-upon norms are:

1. Focus time and energy on student best interests.
2. Listen actively, openly and respectfully. We will listen to what other people have to say, recognizing that each individual opinion is as important as our own.
3. Speak Openly, Honestly, and Respectfully.

We will not be afraid to say what we think.

We will speak in a respectful and dignified manner, being mindful of our own body language, one of voice, and the words we use.

We will let each other know of the impact of their communication on us personally, so they are able to clarify their intent with us firsthand.

We will not attack another person verbally.

We will not be harshly argumentative or personal in our comments ...

8. We won't take disagreements personally ...

12. We agree to look upon history as lessons learned; focus on the present and the future. (See [Appendix A](#) for all Governance Norms)

This is only one example of the training the board has attended in the last few years. As a group, the trustees have participated in many workshops, usually facilitated by the California School Board Association. Despite participating in this training, board members continue to violate governance norms and misuse their leadership positions.

It is incumbent on both the board and the superintendent to work together as a team. The CSBA Professional Governance Standards hold that "School districts and county offices of education are governed by boards, not by individual trustees. While understanding their separate roles, the board and superintendent work together as a 'governance team'. This team assumes collective responsibility for building unity and creating a positive organizational culture in order to govern effectively." ([Professional Governance Standards](#))

The leadership required of the superintendent in this relationship is critical. It is normal and proper for the superintendent to guide trustees through the governance processes and help to build the cohesiveness necessary to govern effectively.

Findings

F3.1 The current Stockton Unified School District Board of Trustee leadership stifles expression and input from members in the minority, not allowing open and free discussion regarding board meeting agenda items. This undermines the democratic process and limits the representation of the trustees' constituents.

F3.2 The current Stockton Unified School District Board of Trustees does not adhere to the agreed-upon SUSD Governance Norms. This negatively impacts the function of the board and the district's efforts to make educational progress.

F3.3 The absence of a student representative on the Stockton Unified School District Board of Trustees prevents students from having a voice in the governance of the district.

F3.4 Censuring of Stockton Unified School District Board of Trustees, based on personal disagreements, is an abuse of district time and resources.

F3.5 The current Stockton Unified School District Board of Trustees does not follow the Professional Governance Standards recommended by the California School Board Association.

Recommendations

R3.1 By September 30, 2021, a student representative be seated on the Stockton Unified School District Board of Trustees.

R3.2 By September 30, 2021, the Stockton Unified School District Board of Trustees publicly agree to abide by the Governance Norms which were adopted on April 10, 2018.

R3.3 As of September 1, 2021, the Stockton Unified School District Board of Trustees cease issuing censures unless a violation of law or policy is demonstrated.

R3.4 By September 1, 2021, the Stockton Unified School District Board of Trustees' leadership cease to arbitrarily limit discussion by any trustee when addressing agenda items.

4.0 Trustee Misunderstanding and Disregard of Roles

The role of a board member in any school district is clearly defined. The California School Board Association (CSBA) describes it in the overview of the [Professional Governance Standards](#), including three vital elements of trustee and board responsibilities.

- Effective boards
 - Hire and support the superintendent; and
 - Conduct regular and timely evaluations of the superintendent.



- The individual trustee
 - Keeps learning and achievement for *all* students as the primary focus;
 - Acts with dignity and understands the implications of demeanor and behavior; and
 - Understands the distinction between board and staff roles, and refrains from performing management functions that are the responsibility of the superintendent and staff.

- The board as a team
 - Communicates a common vision;
 - Operates openly, with trust and integrity; and
 - Governs within board-adopted policies and procedures.

Historically, SUSD board members have not always adhered to the governance standards and the above responsibilities. For example, some board members have attempted to resolve complaints and concerns unilaterally. In those cases, if a board member received a complaint or concern from a constituent or a staff member, they often bypassed the superintendent and went directly to the object of the complaint. This still occurs today. The appropriate response to any complaint is to keep it in the chain of command. The CSBA recommends that board members receive complaints in a friendly, compassionate manner. They should confirm that



they fully understand the complainant’s issue. The trustee will then explain that they have no authority as an individual and direct the complainant to the appropriate level in the system. Most importantly, they should report the complaint to the superintendent as soon as possible. The basis for not getting directly involved relates to a school board’s responsibility in the judicial review process. This requires board members to remain unbiased and uninvolved in addressing the issue directly.

The chain of command is also important in issues that involve employees. Some SUSD trustees have bypassed the superintendent and directed employees to perform tasks. This places an employee in an untenable situation. Their boss is the superintendent, and their boss’s boss is the board. Board Bylaws [Board Bylaw 9323](#) state, “Unless agreed to by the Board as a whole, individual members of the Board shall not exercise any administrative responsibility with respect to the schools or command the services of any school employee. Individual Board members shall submit requests for information to the superintendent. Board members shall refer Board-related correspondence to the superintendent for forwarding to the Board or for placement on the Board’s agenda, as appropriate.” Some trustees demanded specific central administrative employees and school site administrators be terminated.

The superintendent is an employee of the district and reports directly to the board. After hiring a superintendent, effective school boards expect the top school administrator to successfully

lead the district, giving leeway for the superintendent to make administrative decisions. Micromanaging the superintendent by individual trustees leads to confusion. The superintendent can expect appropriate questions and suggestions from individual trustees, usually during normal working hours. In the last few years, SUSD superintendents have frequently been called at all hours, including on weekends and holidays. Additionally, some SUSD trustees have spent an excessive amount of time meeting with the superintendent. For the first time, board members now have a physical office next to the superintendent. This has made it difficult for a superintendent to effectively tend to the many important tasks at hand. The role of the board of trustees does not include the daily managing of the district. The CSBA describes the role of the board concerning the superintendent:

- Hire and support the superintendent so that the vision, goals and policies of the district can be implemented.
- Conduct regular and timely evaluations of the superintendent based on the vision, goals and performance of the district, and ensure that the superintendent holds district personnel accountable. ([Professional Governance Standards](#))

Findings

F4.1 Lack of adherence to California School Board Association Professional Governance Standards among Stockton Unified School District Trustees results in confusion and inefficiencies.

F4.2 Stockton Unified School District Trustees have been found to direct staff, bypassing the superintendent, causing confusion, and contributing to low morale.

F4.3 Stockton Unified School District Trustees have been found to direct superintendents and other administrators to terminate specific administrative employees which could violate normal employment law and procedures.

F4.4 Disregard for, or misunderstanding of, the Ralph M. Brown Act among Stockton Unified School District Trustees results in violations of the act and reduced governance transparency.

Recommendations

R4.1 By September 3, 2021, the Stockton Unified School District Board of Trustees publicly review the California School Board Association Professional Governance Standards. Each trustee publicly agree to adhere to them.

R4.2 By November 1, 2021, the Stockton Unified School District Board of Trustees complete additional intensive Brown Act training facilitated by a qualified external body such as the California School Board Association.

5.0 Frivolous Complaints

Some trustees filed numerous complaints against each other, reflecting their ongoing interpersonal conflicts. Between February 2019 and February 2021 more than 17 of these complaints were **incorrectly** filed with the Constituent Services Department (CSD). Many of the trustee complaints expressed displeasure about what other trustees said or did not say to them. The CSD deals with complaints filed by employees, students, parents, and staff. The CSD follows the Universal Complaint Procedures (UCP) requirements found in the California Department of Education California Code of Regulations, Title 5, [sections 4600-4687](#).

A valid complaint filed with the agency responsible for the UCP is described in the code: “A complaint is a written and signed statement alleging **a violation of federal or state laws or regulations, ...**”

A recent comprehensive legal analysis concluded that SUSD Board of Trustee governance issues are not covered under SUSD’s Universal Complaint Procedures (UCP) because the board does not constitute an educational program or activity, as defined in the California Education Code section 33325(a). Thus, a trustee’s complaint against another trustee is inconsistent with the statutory scope of the UCP, because the alleged behavior did not occur in the delivery of an educational program.

Additionally, since trustees are not employees of the district, nor recipients of educational services provided by the district, the UCP does not apply to them. The federal statute defines employee as “an individual employed by an employer, **except the term “employee” shall not include any person elected to office in any State...**” ([Title VII, 42 U.S.C. A section 2000f](#)). SUSD board members are elected officials responsible only to the voters and may only be removed by their constituents.

Many of these trustee-initiated complaints filed with the district were investigated by outside law firms. Hundreds of thousands of taxpayer dollars were spent vetting these complaints, none of which have been upheld. Many were also appealed and still determined to be unfounded, using additional district funds. As of April 2021, **all** trustee complaints are being forwarded to the superintendent and the board attorney. Some recent complaints against trustees are also being handled by outside law firms.

Recently, union leaders have filed multiple complaints against board members, particularly those in the voting minority. These complaints appear to be a part of an organized effort, as many are similar, and at times, identical.

In addition to complaints filed with the SUSD Constituent Services Department, similar complaints have been filed by trustees against other trustees with the California Department of Justice and the San Joaquin County District Attorney. These complaints also waste time and taxpayer money.

Findings

F5.1 The complaints among the Stockton Unified School District Trustees are not an appropriate means of addressing board dissension, because none of the complaints correctly cite violations of law or policy. These complaints waste district time and money.

F5.2 Frivolous complaints by Stockton Unified School District Trustees against each other harm relationships on the board, making it difficult, if not impossible, for there to be cohesiveness among the board of trustees.

F5.3 Investigations of frivolous complaints made by Stockton Unified School District Trustees against each other waste time and money which could be better used for students.

Recommendations

R5.1 As of August 1, 2021, discontinue accepting and investigating all trustee complaints against each other.

R5.2 By November 2, 2021, Stockton Unified School District Board of Trustees participate in intensive governance training related to appropriate roles of the board, facilitated by CSBA consultants or other qualified outside facilitators.

6.0 A Lack of Transparency and Public Accessibility

6.1 Meeting Accessibility

Stockton Unified School Board meetings are not easily accessible. There have been no in-person meetings since March 2020, due to the COVID-19 pandemic. The board meetings are available telephonically via GoToMeeting. To participate, the public is required to call a specific phone number and input a code. The meetings can only be heard, not seen. The meetings are video recorded, but they are only accessible afterward, and to view them it is necessary to request a link to the recordings. Very few trustees and other participants are seen in the video, as many of them close the camera on their computer. Thus, even on the video, it is difficult to know who is speaking. Any justification for trustees not using their camera is unknown to the Grand Jury. All school district board meetings in San Joaquin County, except Stockton Unified and San Joaquin County Office of Education, are accessible via live video.

Recently Stockton Unified has begun providing Spanish translation at board meetings. American Sign Language interpretation for hearing-impaired participants is also now available during the video version of meetings. Other languages are not represented.



6.2 Public comments

Public comments that are submitted in writing prior to meetings are read aloud by the secretary facilitating the board meeting. Twenty minutes are allowed for comments related to each subject. Often there are many more comments than 20 minutes will allow. The comments chosen to be read are purportedly read in the order received. Before February 2021, all public comments were part of the minutes. Currently, the comments, whether read or not, are no longer included, thus unavailable to the public, unless specifically requested. The California Public Records Act guarantees that the public has access to public records of governmental bodies in California. [California Government Code Section 6252\(e\)](#) states that “Public records’ includes any writing containing information relating to the conduct of the public’s business prepared, owned, used, or retained by any state or local agency regardless of physical form or characteristics...”. Public comment made to a legislative body constitutes a public record and must be released when requested according to the California Public Records Act, unless an exception applies.

Public comments related to agenda items are received as soon as the agenda is posted for the public. Recent public comments that are read aloud during board meetings have been from organized groups, such as California School Employees Association, Chapter 821. They frequently are the first comments received by the district, and sometimes opposing opinions that have been received are not read.

6.3 Timeliness and Accuracy of Minutes

The accurate and timely documentation of public meetings is essential for transparency and the historical record. Board minutes are sometimes edited by the board counsel. Changes and omissions were confirmed by comparing the written record with the video recordings of meetings. Of particular concern, on several occasions, a trustee who was in the voting minority

requested that the “minutes to reflect” a specific point. The published minutes, however, do not include the point the trustee specified.

The Grand Jury also noted that on some occasions, the board meeting minutes were not posted in a timely manner or not at all. A review of the records for recent regular and special board meetings revealed that no minutes have been posted for eight meetings in 2020 and four meetings thus far in 2021. It is the responsibility of the president of the board and the superintendent to make sure that board meeting minutes are accurate and available to the public in a reasonable amount of time after the meeting.

6.4 Disbanded Subcommittees

The board of trustees, until recently, had the following subcommittees that included community member representation:

- Curriculum and Student Outcome
- English Language Learner
- Safety and Student Conduct
- Equity/Diversity
- Naming of New Construction Projects

The subcommittees provided an opportunity for two-way communication: the district to constituents and constituents to the district. Trustees and staff were assigned to one or more of the subcommittees, and the trustees regularly reported the committee activities at board meetings. The board of trustees disbanded the subcommittees at the March 23, 2021, meeting by a vote of five to two. There were different reasons given for the disbandment. Some trustees stated that the subcommittees added extra work for staff, since some meetings were held after working hours. Other trustees stated publicly that the motive for dissolving the subcommittees was to stifle communication and reduce transparency. In any case, dissolving the subcommittees decreased accessibility and public engagement for SUSD constituents.

Findings

F6.1 The board meetings lack transparency and sufficient access, making it difficult for members of the community to be informed about what is happening in the district.

F6.2 Incomplete or unpublished board minutes undermine public engagement and trust.

F6.3 The dissolution of the board subcommittees reduced public engagement and board transparency.

F6.4 All public comments submitted to board meetings are not easily accessible which reduces transparency and public engagement.

Recommendations

- R6.1** By August 3, 2021, all Stockton Unified School District board meetings be held in person and open to the public.
- R6.2** By September 1, 2021, all Stockton Unified School District board meetings be publicly livestreamed, with all trustees on camera. This is to continue when in-person meetings resume.
- R6.3** By October 1, 2021, evaluate, with public input, the reinstating of previous Stockton Unified School District board subcommittees.
- R6.4** By September 1, 2021, all Stockton Unified School District board meeting minutes include the statement, “All public comments received by the district are available for review by contacting the district office”.
- R6.5** By September 1, 2021, post accurate and complete minutes of all Stockton Unified School District board meetings within 30 days of the meeting.
- R6.6** By November 1, 2021, the Stockton Unified School District board of trustees discuss the findings and recommendations of this full Grand Jury report during a public meeting.

Conclusion

The turnover of superintendents is one of Stockton Unified’s greatest problems. The primary reason that Stockton Unified School District has become a revolving door for superintendents has been the ineffectiveness of the board of trustees. This has been true for many years, but recently it is especially so.

Dissension among the trustees is rampant, as demonstrated by the unruliness of board meetings and by the many complaints trustees have filed against each other. The tendency to take shortcuts and bypass agreed-upon bylaws and long-held standards have become the norm. Trust among trustees, staff and the community is at an all-time low, as is employee morale. These dismaying conditions make it difficult to attract and keep high-quality administrative staff.

Recently, a member of the board of trustees resigned (See Appendix B.). The Grand Jury agrees with the sentiment expressed in the resignation letter that urges the voters in upcoming Stockton Unified elections to “use critical thinking in deciding which candidates merit your support and vote. Use reputable news outlets and trusted candidate information sources ... to do your research on which candidates will serve the community best.”



The district has an opportunity to reset. A new superintendent is now in place, and the district can, if it chooses, put aside petty differences. Following best hiring procedures, abandoning unreasonable complaint and censure practices, adhering to appropriate trustee roles, and maximizing public involvement would greatly increase the SUSD Board's ability to eliminate the disarray.

Stockton Unified students and their families must be the focus of every ounce of effort, every decision made, and every dollar spent. Unless this becomes a reality, the SUSD mission "to lift all youth out of circumstances of poverty and scarcity" will always be just a dream.

To paraphrase the former student representative, the Grand Jury wishes all members of the Stockton Unified community the best of luck in their endeavors to make SUSD the district that it deserves to be.

Acknowledgments

The Grand Jury wishes to acknowledge the thousands of students, families, and employees who, despite the many challenges they face, continue to persevere, and move forward in their educational endeavors. The Grand Jury also thanks the numerous individuals who provided valuable insight and information regarding the issues plaguing Stockton Unified School District.

Disclaimers

Grand Jury reports are based on documentary evidence and the testimony of sworn or admonished witnesses, not on conjecture or opinion. However, the Grand Jury is precluded by law from disclosing such evidence except upon the specific approval of the Presiding Judge of the Superior Court, or another judge appointed by the Presiding Judge (Penal Code Section 911.924.1 (a) and 929). Similarly, the Grand Jury is precluded by law from disclosing the identity of witnesses except upon an order of the court for narrowly defined purposes (Penal Code Sections 924.2 and 929).

Response Requirements

California Penal Code Sections 933 and 933.05 require that specific responses to all findings and recommendations contained in this report be submitted to the Presiding Judge of the San Joaquin County Superior Court within 90 days of receipt of the report.

The Stockton Unified School District Board of Trustees shall respond to all findings and recommendations.

Mail or hand-deliver a hard copy of the response to:

Honorable Xapuri B. Villapudua, Presiding Judge
San Joaquin County Superior Court
180 E Weber Ave, Suite 1306J
Stockton, California 95202

Also, please email a copy of the response to Ms. Trisa Martinez, Staff Secretary to the Grand Jury, at grandjury@sjcourts.org.

Sources

California Department of Education (CDE). "California Education Code", Accessed June 19, 2021. <https://www.cde.ca.gov/>

California Department of Education (CDE). "Uniform Complaint Procedures (UCP)", Accessed June 19, 2021. <https://www.cde.ca.gov/re/cp/uc/#:~:text=The%20UCP%20resources%20below%20meet,Safety;%20Agricultural%20Career%20Technical%20Education>

California Department of Education (CDE). Accessed June 19, 2021. <https://www.cde.ca.gov/re/lr/cl/>

California School Board Association (CSBA). "Professional Governance Standards", Accessed June 19, 2021. https://www.csba.org/-/media/CSBA/Files/GovernanceResources/ProfessionalGovernanceStandards/CSBA_PGS_Brochure.ashx?la=n&rev=5fc78a303c5b45c4a6d89d519f991e56

California School Board Association (CSBA). Accessed June 19, 2021. <https://www.csba.org/>

California School Dashboard. "Stockton Unified, 2019", Accessed June 22, 2021. <https://www.caschooldashboard.org/reports/3968676000000/2019>

EdSource. "Survey finds high superintendent turnover in large California districts", Accessed June 22, 2021. <https://edsourc.org/2012/survey-finds-high-superintendent-turnover-in-large-california-districts/23877-:~:text=He found that the average,moment's notice,>

EducationWeek. "How Long Do Big-City Superintendents Typically Stick Around?", Accessed June 22, 2021. <https://www.edweek.org/leadership/how-long-do-big-city-superintendents-typically-stick-around/2018/05>

Public School Review. "Stockton Unified School District", Accessed June 22, 2021. <https://www.publicschoolreview.com/california/stockton-unified-school-district/638010-school-district>

Stockton Unified School District (SUSD). "Agenda, Notices & Minutes", Accessed June 22, 2021, <https://www.stocktonusd.net/Page/400>

Stockton Unified School District (SUSD). "Budget Reports", Accessed June 22, 2021, <https://www.stocktonusd.net/Page/757>

Stockton Unified School District (SUSD). "SUSD 2021-2022 LCAP & 2020-2021 Learning Continuity & Attendance Plan", Accessed June 22, 2021, <https://www.stocktonusd.net/Page/676#calendar18189/20190626/month>

Stockton Unified School District (SUSD). "SUSD Board Policies", Accessed June 22, 2021, <http://www.gamutonline.net/district/stocktonusd/>

Stockton Unified School District (SUSD). Accessed June 22, 2021. <https://www.stocktonusd.net/>

Transparent California. "2019 salaries for State of California", Accessed June 19, 2021. <https://transparentcalifornia.com/salaries/2019/state-of-california/>

U.S. Equal Employment Opportunity Commission (USEEOC). "Title VII of the Civil Rights Act of 1964", Accessed June 19, 2021. <https://www.eeoc.gov/statutes/title-vii-civil-rights-act-1964>

U.S. News & World Report. "How Racially and Ethnically Diverse Is Your City?", Accessed June 22, 2021. <https://www.usnews.com/news/cities/articles/2020-01-22/measuring-racial-and-ethnic-diversity-in-americas-cities>

University of the Pacific Scholarly Commons. Bloch, Charles Dennis. 1962. "A history of the public schools of Stockton", Accessed June 19, 2021. https://scholarlycommons.pacific.edu/cgi/viewcontent.cgi?article=2503&context=uop_etds

Appendices

Appendix A: SUSD Governance Norms

In addition to meeting the norms below in order to create a positive culture and atmosphere, we agree to act in ways that will help us meet the CSBA Professional Governance Standards.

We agree to the following norms as agreed and amended 4/10/2018.

1. Focus time and energy on student best interests.
2. Listen actively, openly, and respectfully. We will listen to what other people have to say, recognizing that each individual opinion is as important as our own.
3. Speak Openly, Honestly and Respectfully.

We will not be afraid to say what we think.

We will speak in a respectful and dignified manner, being mindful of our own body language, tone of voice, and the words we use.

We will let each other know of the impact of their communication on us personally, so they are able to clarify their intent with us firsthand.

We will not attack another person verbally.

We will not be harshly argumentative or personal in our comments.

4. Maintain confidentiality – it is agreed that board president will remind the members present during closed- both at the beginning and end of the session that all matters discussed must remain confidential. It is further agreed that all board members shall report any “leaks” of confidential matter to the board president who will discuss the matter with the individual breaching the confidentiality. This norm is of the highest priority to the board and will be conveyed to all new board members and staff during orientation.

5. Take collective responsibility – board members shall stand behind the decisions of the majority vote.

6. Validate other’s communications and opinions. We will offer validation when other members of the team communicate with us individually or when team members make the effort to communicate honestly and respectfully during board meetings, even when we don’t agree with what the other person is saying. Accept differences in experience, culture, and values.

7. We will ask questions when we do not understand, we will come informed to board meetings and not surprise staff with unanticipated questions or objections.

We may paraphrase other team member comments in order to clarify for understanding, and

strive to build on each other's comments and ideas whenever possible during our discussions.

8. We won't take disagreements personally.

9. We agree to "Talk Straight" – get to the point.

10. We will provide specific and constructive direction. Provide direction so that staff may present sufficient, appropriate, specific information that helps the Board make rational, thoughtful, responsible decisions.

11. We agree to behave professionally and respect meeting times, come prepared for the meetings and ask cabinet questions about the agenda items before the Board meetings so they are prepared to respond. We believe and commit to "no surprises".

12. We agree to look upon history as lessons learned; focus on the present and the future.

Appendix B: Trustee Letter of Resignation

(The Record, June 19, 2021)

Dearest SUSD students, families, staff, and community members,

Thank you for the opportunity to serve. I am writing to officially resign my position as board member for Stockton Unified School District, Area 7, effective June 18, 2021.

Due to work and commute reasons, my spouse and I have decided to move out of the area, and this will require that I resign my post. I am a former foster child and my spouse immigrated as an unaccompanied minor, so we know too well the pains of being separated and apart from our families at a very young age and do not wish that for our children.

It has been a great honor to serve the SUSD community, most of all our amazing students. I am heartened by their brilliance and resolve, and by the advocacy of parents and community members who are unapologetic about the resources, opportunities, and leadership that our scholars deserve.

However, I do have some words of caution for our community. There have been a number of decisions made by the majority board members that give me great concern for the governance of our district and for the wellbeing of our students.

The majority board members have taken troubling steps to eliminate transparency and to cut the public off from its actions and deliberations. They have eliminated subcommittees, not live-streamed board meetings, changed agendas at the last minute, held "special meetings" with little notice, and even misspent district dollars on politically motivated investigations to intimidate dissenting trustees and to create fodder for disinformation campaigns. Here is a link to a list of board decisions from our public agendas that I recommend you review as evidence of these facts.

Sadly, staff members have also shared with me that they too have been harassed and that board members have exercised intimidation and retaliation tactics against staff who have refused to comply with board member requests to perform unethical or illegal behavior.

Don't despair as the public has a number of tools to remedy these wrongdoings. The greatest of all is your vote. In November of 2022, the majority of the SUSD school board seats (4) will be up for election.

I urge you to use critical thinking in deciding which candidates merit your support and vote. Use reputable news outlets and trusted candidate information sources like the League of Women Voters of San Joaquin County to do your research on which candidates will serve the community best. Attend candidate forums held by the League, the NAACP, APAPA, BWOPA or set one up yourself with neighbors, family, and community members to see what candidates value and to get an understanding of their leadership and community experience.

The Stockton and greater San Joaquin County community has been under attack, much like the rest of the nation, with disinformation and misinformation attempting and, in many cases, succeeding at influencing your vote. Tragically, our students, families, and the community-at-large are the ones who suffer the consequences. However, I am hopeful that the community will come together to ensure our students and families get the leadership they deserve to succeed and to prosper.

Thank you for all you do.

 (Redacted)