

# HEALTH, EDUCATION, AND SOCIAL SERVICES COMMITTEE



**Ray Grissom, Chairperson**  
**Linda Benton Rafanan** **Earlene Hightower**

## MISSION STATEMENT

The mission of the Health, Education, and Social Services Committee, in accordance with Penal Code §925 and §933.5, is to:

- Review and report on practices and procedures performed by entities falling under the umbrella of this Committee
- Observe, investigate, respond to, and report on citizen complaints regarding health, education, and social service issues
- Safeguard the public from misfeasance, malfeasance, and nonfeasance
- Recommend reasonable action to address related concerns of the community

The Committee's intent is to inform the citizens of Kern County of its findings, and to make a long-term positive impact, through recommendations.

# HEALTH, EDUCATION, AND SOCIAL SERVICES

## SUMMARY OF ACTIVITIES

### REPORTS:

Kern County Human Services – Foster Care, Adoption, and Aging Out

Kern County Public Health Services – Environmental Health Division

Kern County Superintendent of Schools – Camp Keep

Vineland School District

### VISITS:

Black Sky – Emergency Preparedness

City of California City

Downtown Elementary School

Kern County Board of Board of Supervisors

Kern County Department of Human Services – Columbus Center

Kern County Department of Human Services - Food Safety Inspection observer

Kern County Probation Department - Camp Erwin Owen

Kern County Probation Department – James G. Bowles Juvenile Hall

Kern County Superintendent of Schools – Camp Keep, Los Osos

Kern County Superintendent of Schools – Dream Center

McFarland City Council

Vineland School District

Wasco State Prison – Reception Center

**KERN COUNTY**  
**DEPARTMENT OF HUMAN SERVICES**  
**FOSTER CARE, ADOPTION and AGING OUT**  
*“The Child’s Welfare is Paramount”*

**PREFACE:**

More than half a million children are in foster care in the United States today. The large number of children in foster care is a cause for concern because of the enormous human and financial costs. Today, more and more children are going into foster care as victims of violence or sexual abuse. Children, who are transitioning into young adults, and have grown up in foster care, need more help in making the move into independent living.

**PURPOSE OF INQUIRY:**

The Health, Education, and Social Services Committee (Committee) of the 2017-2018 Kern County Grand Jury (Grand Jury) investigated foster care and the “aging out” situation in Kern County. Pursuant to Penal Code §925, the Committee contacted the Kern County Department of Human Services (Department), the agency responsible for foster care.

**PROCESS:**

After researching previous Kern County Grand Jury reports, and finding no recent reports on foster care, the Committee decided to research the subject. Further research was conducted via the internet for an overview of the national foster care situation. On January 16, 2018, the Committee attended an orientation for foster care applicants. The Committee interviewed Department Staff, a Resource Family applicant, visited the Columbus Center, the Dream Center, and inquired into programs for “aging out” foster youth.

**BACKGROUND AND FACTS:**

The placement of children in foster care homes is a concept that goes far back in history. The Torah and the Bible refers to caring for dependent children as a duty. The Quran carried on this tradition of caring for orphans and widows. Early Christian church records indicate that orphaned children lived with widows who were paid by the church.

States, via family courts and child protection agencies, stand in the role of the parent to a minor “at risk” child, making all legal decisions. The foster parent is responsible for the day-to-day care, and is compensated by local government agencies for their services. Each state’s services are monitored by the United States Department of Health and Human Services.

The Department is tasked with the management of the foster care and adoption process. The Child Welfare Services Division (CWS) offices are located at 100 East California Avenue,

Bakersfield. The program is required to maintain a degree of separation with the management of placements and licensing. To maintain the separation, the licensing portion is located at the Columbus Center, 3711 Columbus Street, Bakersfield.

### **Placement**

Child Welfare Services involvement with families can be initiated by various methods. A hotline number, (661) 631-6011 for most of Kern County, or (760) 375-6049 for Ridgecrest, has been established for the reporting of suspected child abuse, 24 hours a day, 7 days a week by the general public. Reports from law enforcement, juvenile court, and other mandated reporters can also result in contact by CWS.

Once a report of suspected child abuse or neglect has been made, various steps are taken as a part of the resolution process. These steps generally involve the CWS and Juvenile Court. When it is determined that a child will be removed from the home, staff immediately begins to look for placement options. The “Available Resource Family” report is sent by email every Monday to all CWS Staff. This list is used to provide information on available resource homes, including their address, number of openings, age, and gender of children, and any other preferences or notes.

The Placement Division is divided into four sections:

#### **A. Emergency Response**

This section operates the Phone Room, where all notifications of suspected child abuse are evaluated by staff using a “structured decision process” to determine how to proceed. The investigation will begin within twenty-four hours, or five days, or ten days, as determined in the process. This investigation will determine if abuse or neglect is occurring, and/or at risk in the home, then protective custody may be necessary. The investigation information is presented to Court Services for future court proceedings and all investigations must be completed within 45 days.

Staff consists of:

	Budgeted	Occupied
• Program Director	1	1
• Social Services Supervisor I/II	13	12
• Social Services Worker IV/V	76	69
• Human Services Aide	4	4
• Human Services Program Specialist	2	2

The Phone Room is staffed each weekday from 8:00AM to 5:30PM. All reports received outside these hours are directed to either of two on-call staff. On-call duty is compensated, but is voluntary for staff members. Utilizing the “structured decision process”, a determination is made to either respond immediately or wait until the next scheduled office hours. Supervisors or other staff may be contacted if needed.

**B. Court Services**

Court Services ensure all legal matters are done correctly, in the child’s best interest.

Staff consists of:

	Budgeted	Occupied
• Program Director	1	1
• Social Services Supervisor I/II	10	9
• Social Services Worker IV/V	57	55
• Human Services Aide	2	2
• Human Services Program Specialist	1	1

**C. Family Services**

- Family Maintenance: To provide support services to prevent abuse and/or neglect while the child continues to live in his or her own home.
- Family Reunification: To provide support services to the family while the child is in temporary out-of-home care (foster care or placed with relatives). These services include counseling, parent training, and referrals to other community resources, to address precipitating factors such as substance abuse or domestic violence.
- Permanent Placement: This occurs when children cannot be returned to their families. These children are referred for permanent placement through adoptions, legal guardianship, or long-term foster care.

Staff consists of:

	Budgeted	Occupied
• Program Director	1	1
• Social Services Supervisor I/II	16	15
• Social Services Worker IV/V	96	93
• Human Services Aide	17	17
• Human Services Program Specialist	4	4

**D. Jamison Center**

The Jamison Center is a 24-hour emergency shelter and protective custody facility, operated by the Department.

Staff consists of:

	Budgeted	Occupied
• Program Director	1	1
• Group Counselor I/II	23	20
• Group Counselor III	6	6
• Human Services Aide	1	1

<b>Kern County Child Welfare Services</b>	<b>FY 2015-2016</b>	<b>FY 2016-2017</b>	<b>July 1 - December 31, 2017</b>
<b>Emergency Response</b>			
<b>Families Contacted</b>	<b>11,231</b>	<b>9,924</b>	<b>4,354</b>
Investigation needed	6,880	6,864	2,698
Investigation not needed	4,351	3,060	1,656
<b>Children in families contacted</b>	<b>23,777</b>	<b>21,547</b>	<b>8,613</b>
Investigation needed	15,981	13,470	5,242
Investigation not needed	7,796	8,077	3,371
<b>Social Service Administration</b>			
Families Receiving Maintenance	2,399	2,539	966
Children Receiving Maintenance Court-Ordered	3,134	3,155	1,400
Voluntary	933	820	312
<b>Out-of-Home Placement</b>			
Reunification	8,548	8,047	2,847
Permanent Placement	12,636	13,158	5,745
Supportive Transition (aging-out)	2,737	2,601	1,004
Children Reunified	427	563	170
Referred for Adoptive Study	261	203	54
Children in Adoptive study	4,495	4,807	2,108
Finalized Adoptions	178	209	81
New Adoptive Placements	176	205	93

## Licensing

Licensing requirements for foster parents have recently changed. The Continuum of Care Reform (CCR) legislation, enacted in 2015, draws together a series of existing and new reforms to our child welfare services program. CCR, also known as Assembly Bill 403, provides the statutory and policy framework to ensure services and support systems provided are tailored toward the ultimate goal of maintaining a stable permanent family. California Department of Social Services (CDSS) is the regulating agency for the CCR legislation. At the writing of this report, the final regulations have not been codified. The local department must use Resource Family Approval Written Directives, with the latest being Directive #5, from CDSS as a guide. A foster family is now referred to as a Resource Family (RF).

The CCR allows more flexibility in the process, expecting approval within 90 days. As new directives are given, the Department must revise parts of the process, currently causing longer

approval times. Licensing as a RF includes the possibility of adoption if necessary. There are five steps to complete the Resource Family Approval (RFA) process.

- Attend an RFA orientation
  - Orientation at Columbus Center
  - Every Thursday from 5:30PM to 8:30PM
  - Orientation also available online
  - Spanish language sessions also scheduled
  - Day orientation scheduled as needed
- Complete Application
  - Available online
  - Password protected
- Complete Health and Safety clearances
  - Live Scan (fingerprint)
  - Request criminal record exemption, as needed
  - Request DMV print out
  - Health and TB screening
  - CPR/First Aid Certification
  - Attend 12 hours of Pre-Service Training
- Home and grounds inspection
  - Make modifications or repairs as required
- Family interviews and psychosocial assessment
  - A RFA Social Worker will review final report with applicant

Any cost, except home modifications associated with the process, is covered or reimbursed by the Department. A Social Worker from the licensing agency is required to visit the licensed home annually. The assigned Social Worker must visit the foster child in the home monthly. Current County Licensed Homes must be licensed as RF approved homes by December 31, 2019.

The CCR legislation’s goal is to provide a more permanent home for all “at risk” children.

<b>Kern County Current Approved Foster Homes and Capacity</b>						
RF Approved Homes	Total Capacity	Relative/non related extended family members	Total Capacity	County Licensed Homes	Total Capacity	Total Capacity All Homes
124	301	137	212	149	301	814

All county placement agencies use licensed private Foster Family Agencies (FFAs) for the placement of children who require more intensive care as an alternative to group homes. By statute, FFAs are organized and operated on a non-profit basis and are engaged in the following activities: recruiting, certifying and training foster parents. They also provide professional support to foster parents, and find homes or other temporary or permanent placements for children who require more intensive care.

There are two types of FFAs, "treatment foster care," and "no treatment foster care." An agency providing treatment service to a child has determined that the child has service needs which:

- Cannot be provided in an available family home
- May require group home placement if the child was not referred to FFAs
- Can be met by the program offered by FFAs to which the child is being referred

The "no treatment" FFAs do not provide treatment services. They provide for a child's basic needs and may provide specialized care services in a "certified" family home if the following conditions are met:

- The placement agency has determined that the child has care needs greater than those of a typical foster child
- The placement county has a specialized care system

### **Aging Out**

The realities of aging out of the system are devastating for youth. One in five young people who age out of the system could become homeless. One in four may be involved in the justice system within two years of leaving foster care. It is estimated that more than 40% of youth who age out won't complete high school. Denise Goodman, a child welfare professional and consultant with the Annie E. Casey Foundation, says *"The best independent living, transitional support teens in foster care can have is a family... There wasn't a whole bunch of us who were truly ready to be 100% on our own at 18."* Goodman adds that many jurisdictions have recently extended foster care beyond age 18 to age 21, because states are starting to understand that young adults are in need of much more support from caregivers and case workers.

Children are considered minors until they reach the age of 18. When a foster youth ages out of the system, they are often ill-equipped to transition into independent living. Situations that many assume as simple are beyond the experience of a foster youth. Assembly Bill 12 (AB12), enacted by the California State Legislature in 2010, allows an eligible youth to voluntarily remain in foster care after the age of 18 as a "non-minor" dependent until age 21. The goals and benefits of AB12 are to enable a youth to maintain a safety net of support while experiencing independence in a secure and supervised living environment. This will allow a youth the opportunity to become better prepared for successful transition into adulthood and self-sufficiency, if they participate in qualifying education and employment training.

To assist in the transition during the "aging out" period, the Kern County Superintendent of Schools developed a collaborative agency, called The Dream Center, to place most services in one location.





Photo by Committee

## Dream Team Agencies

 <p><b>Kern County Department of Human Services</b> Opportunity. Options. Empowerment.</p> <p>ILP, AB 12, CalFresh &amp; Medi-Cal</p>	 <p><b>BEHAVIORAL HEALTH &amp; RECOVERY SERVICES</b></p> <p>Counseling, Case Management &amp; Substance Abuse Treatment</p>	 <p><b>Kern County Public Health Services DEPARTMENT</b></p> <p>Medical Information, Referrals, &amp; Services</p>	 <p><b>FOSTER SERVICES YOUTH</b> Coordinating Program</p> <p>Educational Advocacy &amp; Support</p>
 <p><b>Kern County Network for Children</b> Our Children. Our Community.</p> <p>Supportive services, basic need items, advocacy, and tax donations</p>	<p><i>Kern County</i> <b>Superintendent of Schools</b> Facility</p>  <p><b>HOUSING AUTHORITY OF THE COUNTY OF KERN</b> <i>Creating brighter futures... one home, one family at a time.</i></p> <p>Housing Vouchers</p>	<p><i>Kern County</i> <b>Superintendent of Schools</b> Facility</p>  <p><b>KERN COUNTY PROBATION</b> <i>Commitment to a Safe Community</i></p> <p>AB 12, ILP &amp; Adult Supervision</p>	 <p><b>EMPLOYERS' TRAINING RESOURCE</b></p>  <p><b>DEPARTMENT OF REHABILITATION</b> <i>Employment, Independence &amp; Equality</i></p> <p>Vocational Training &amp; Employment Services</p>

Beginning in 2008, The Dream Center's original expectation was to assist about 200 youths each year. Foster youths utilizing these services range from 12 to 24 years of age. It was quickly demonstrated that the plan and space was too small. A new location, 1801 19<sup>th</sup> Street, Bakersfield, opened in October 2017.



The new facility can now accommodate between 100 to 150 foster youths per week, with many utilizing the services being repeat attenders. The services provided are independent living programs which include help in advancing their education, transportation needs, mentoring, and assistance in obtaining legal documents. Housing assistance is also available. On site, showers and laundry

facilities, cooking classes, health and hygiene classes, computers, quiet study areas, and everyday living instructions are available. Donated items such as school supplies, clothes, health and hygiene supplies (travel size), baby items, and snack foods are also available.



Photos by Committee

The collaborating agencies share costs and provide staff to assist foster youths. Some agencies are currently evaluating and providing a higher level of assistance. There are many specific services available and coordinated through the Dream Center. The new facility is spacious and allows for more partners to be stationed there, to provide services to the youth for both probation and child welfare. The Kern County Probation placement unit and one child welfare RFA Social Worker have moved into the Dream Center, to better support probation youths. Further information can be obtained on the website:

<https://kern.org/kcnc/dream-center/>

## **FINDINGS:**

- F1. There are more children in need of Foster Care, than available Resource Families.
- F2. Currently, the approval process for Resource Family applicants can take up to 135 days.
- F3. Public awareness of the Dream Center's function and needs, are not well known.
- F4. The Dream Center appears well run and spacious enough to be functional for years.

## **COMMENTS:**

The Committee would like to thank the Kern County Department of Human Services, Child Welfare Services, and The Dream Center for their time, cooperation, and information provided. The Committee would also like to thank The Dream Center staff for the tour.

## **RECOMMENDATIONS:**

- R1. The Grand Jury recommends that Kern County Department of Human Services, Child Welfare Services should continue to strive for the Resource Family Approval goal of 90 days. (Finding 2)
- R2. The Grand Jury recommends that The Dream Center staff seek opportunities to promote this great program and raise public awareness. (Finding 3)

## **NOTES:**

- The Kern County Board of Supervisors, Kern County Department of Human Services, and Kern County Superintendent of Schools should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury).
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury).

## **RESPONSE REQUIRED WITHIN 90 DAYS TO:**

**PRESIDING JUDGE  
KERN COUNTY SUPERIOR COURT  
1415 TRUXTUN AVENUE, SUITE 212  
BAKERSFIELD, CA 93301**

**CC: FOREPERSON  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

Kern County Board of Supervisors  
Response to Grand Jury Final Report  
Department of Human Services – Foster Care, Adoption and Aging Out

Response to Findings:

The Board of Supervisors notes that the Grand Jury’s findings are substantially correct.

Response to Recommendation:

*R1: The Grand Jury recommends that Kern County Department of Human Services, Child Welfare Services should continue to strive for the Resource Family Approval goal of 90 days.*

Kern County Department of Human Services is actively participating with State and regional workgroups and is receiving ongoing training to streamline and improve the program approval process.

*R2: The Grand Jury recommends that The Dream Center staff seek opportunities to promote this great program and raise public awareness.*

The Department of Human Services (DHS) in collaboration with the Kern County Superintendent of Schools (KCSOS) coordinated with local media partners to publicize the Dream Center’s Grand Opening in November 2017, both on air and in print promotion. In addition, on May 7, 2018 DHS participated in an interview with Eyewitness News on the services provided at the Dream Center. Efforts through the department’s outreach and marketing division will be explored in continued collaboration with KCSOS and various partners stationed at the Dream Center including Probation Department, Public Health Department, Foster Youth Services and Behavioral Health and Recovery Services, to further market the Dream Center’s innovative partnerships and opportunities for foster youth to garner further community exposure and support.

**KERN COUNTY PUBLIC HEALTH SERVICES  
DEPARTMENT  
ENVIRONMENTAL HEALTH DIVISION  
The ABC's Of Food Grading  
What the Public Needs To Know**



**PREFACE:**

After reading and reviewing instances in the media of food facilities closures due to unsanitary or unsafe conditions, the 2017-2018 Kern County Grand Jury (Grand Jury) inquired into the ABC's of food grading.

Kern County Public Health Services Department, Environmental Health Division (Division) is responsible for ensuring that food vendors are following safe food handling practices, and that the buildings and equipment meet certain requirements. The Division is self-supporting through fees received from permits and inspections only. They do not receive general funds from the Kern County Budget.

The issue of un-permitted mobile food vendors was addressed which can be a potential serious health hazard, and a financial burden to the Division.

**PURPOSE OF INQUIRY:**

The Health, Education, and Social Services Committee (Committee) of the Grand Jury investigated the Kern County Department of Public Health Services, Environmental Health Division's Food Safety Program (Program), pursuant to Penal Code §925. The Program was last investigated in 2008.

**PROCESS:**

The Committee reviewed the 2007-2008 Kern County Grand Jury Report, began research through the internet, and reviewed the California Health and Safety Code, Part 7, California Retail Food Code (CRFC). The Committee also met with staff at the Kern County Department of Health Services and the Environmental Health Division. Field

personnel and other jurisdictions' food safety program personnel were also interviewed, and an actual inspection was observed by members of the Grand Jury.

**BACKGROUND and FACTS:**

The Environmental Health Department was established in 1989, as a stand-alone county department. In 2009, the Kern County Board of Supervisors (Board) restructured the Department to a Division, and was consolidated under the auspices of the Public Health Services Department, which is located at 1800 Mt. Vernon Avenue, Bakersfield. The Environmental Health Division is located in the County Services Building, 2700 "M" Street, Bakersfield.

The Environmental Health Division operates:

- The Food and Consumer Protection Program
- The Land and Water Program
- The Solid Waste Program
- The Hazardous Materials Program

For the purpose of this report, the Grand Jury investigated the Food and Consumer Protection Program. The primary responsibility of this Program is to ensure that retail food is produced, distributed, and sold under safe and sanitary conditions. The Division follows State regulations as established by CRFC.

**Budget**

In May 2016, the Division's budget was transferred from the General Fund to a separate special revenue fund. Funding comes from permits, re-inspections, re-scores, and occasionally funds from grants and penalties.

Each year the Division works to evaluate and adjust the fee schedule as needed. *County Administrative Bulletin No. 2, Revised: April 20, 2003, Subject: Calculation of Service/User Fees and County Charges To Other Government Agencies:*

- Directs the Division to justify each year any needed adjustments
- Conduct public meetings
- Seek final approval of the Board for fee schedule changes

The fee schedule was last adjusted (+8%) in Fiscal Year 2016-2017 as approved by the Board. The fee schedule is available online or in printed format.

<b>Summary of Expenditures and Revenue</b>				
	FY 2016-17		FY 2017-18	
	Budget	Actual	Requested	Budget
Total Expenditures	\$8,213,802	\$8,106,933	\$8,865,142	\$8,865,965
Total Revenue	\$8,468,112	\$8,763,393	\$8,778,685	\$8,778,685
Net Fund	+\$254,310	+\$656,460	-\$86,457	-\$87,280

The above chart reflects a revenue surplus of \$656,460 for Fiscal Year 2016-2017, and a budgeted deficit of \$87,280 required to operate Fiscal Year 2017-2018.

### **Permit Process**

The California Retail Food Code §114380 et. seq., authorizes the Division to require a plan review and issue permits to all food facilities. The Program requires the following:

#### **New, Remodel, or Re-score**

- Obtain building permits as required by jurisdiction
- Submit food facility construction plans to the Division for approval
- Final Inspection before operations begin
- Fees charged according to published fee schedule
  - Applications from July 1st to December 31st pay full schedule
  - Applications from January 1st to June 30th pay a prorated amount

#### **Annual Renewal/Change of Owner or Partnership**

- Existing facility billed in June of each year, payable by July 31st
  - If unpaid, a 50% penalty is added and is considered un-permitted until paid
- Change of owner or partnership requires a new permit
- Certain community groups or individuals may apply for a permit fee waiver
- Temporary and/or community events may require permits

During the permit process, a risk assessment is implemented (See Appendix A). The food preparation practices used are assigned a numerical value, depending on potential contamination risks. High risk would be a facility that prepares food that needs to be cooled, heated, or stored, with specific guidelines according to the CRFC. Low risk would be an establishment that serves prepackaged foods and fountain drinks. The numerical total defines the frequency of inspection; either three, two, or one inspection annually.

### **Registered Environmental Health Specialists**

All food facility inspectors (specialists) are certified, licensed, Registered Environmental Health Specialists (REHS), by the State of California, Department of Health Services, Environmental Health Section. A Bachelor's Degree in Biological Sciences is required of all specialists in order to facilitate their understanding of the Health and Safety Codes. If a course of study does not meet California's requirements, an applicant can be given up to 36 months to complete and pass any additional requirements, while working as an REHS in training.

**REHS Positions FY 2017-2018**

TITLE	Funded	Filled
REHS in Training	6	6
REHS I	1	1
REHS II	1	1
REHS III	13	11
REHS IV	5	5
Tech I *	1	1
Tech II *	4	4

\*can only assist specialist

**Inspection Process**

In 2006, the Kern County Board of Supervisors approved a food facility grading system for all permanent food establishments. A specialist assigns a letter grade of “**A**,” “**B**,” or “**C**.” The Division has established routines to accomplish this requirement, pursuant to CRFC §113725(a), “*The enforcement agency shall utilize a standardized food facility inspection format for food facility inspections . . . .*”

<b>Letter Grade System</b>			
<b>Color</b>	<b>Number Grade</b>	<b>Letter Grade (Posted)</b>	<b>Standards</b>
Blue	90 to 100 points	<b>A</b>	<b>Good</b> food handling practices and overall food facility maintenance and sanitation.
Green	80 to <90 points	<b>B</b>	<b>Adequate</b> food handling practices and overall food facility maintenance and sanitation.
Yellow	75 to <80 points	<b>C</b>	<b>Minimally acceptable</b> food handling practices and overall food facility maintenance and sanitation. A mandated re-inspection will be conducted in seven (7) days.
Red	0 to <75 points	Notice Of Closure	<b>Poor</b> food handling practices and overall food facility maintenance and sanitation. The facility shall be immediately closed. The Environmental Health Permit will be suspended and a Notice of Closure will be posted until the Environmental Health Permit is reinstated.

Specialists inspect and monitor all food handling operations at a variety of food service facilities. The CRFC states, “**Food Facility** means an operation that stores, prepares, packages, serves, vends or otherwise provides food for human consumption at the retail level. Food facilities permanent and non-permanent include, but are not limited to, public and private school cafeterias, restricted food service facilities, licensed health care facilities, commissaries, mobile food facilities, mobile support units, temporary food facilities, vending machines, and certified farmers’ markets.”



Routine inspections are randomly assigned without advance notice, by a computer. Upon arrival a specialist communicates directly with the supervisor of the facility before commencing the inspection. Violations will be recorded, and a letter grade will be posted before departure. Inspection reports are entered into the Division database at the close of business each day, and are available through the Safe Diner App, and website.

Complaints or reports can trigger an inspection. Response time to a complaint depends on the risk factor for public safety. It can range from immediate to seven days.

During Fiscal Year 2016-2017, there were 3,594 permits issued to various food service institutions. There were 8,085 letter grades issued during the same time period, and 98.1% of all grades given were A's.

**Letter Grade/Number Issued**

<b>A</b>	7933
<b>B</b>	139
<b>C</b>	13

- Inspections resulted in 46 closures, averaging 3.8 per month. Major violations of health issues warrant a closure, i.e., no water or non-working water heater. A closure can also occur due to an accumulation of smaller issues (See Appendix B).
- If an establishment does not meet the required 75+ points, the facility is closed immediately. The specialist documents with photos, and communicates with the Division supervisor, prior to closing the facility.

**Un-permitted Food Vendors**

A concern is un-permitted mobile or temporary food vendors. Many of these vendors operate in the late afternoon or weekends outside normal business hours. Another concern is that some vendors are transported from nearby counties in groups, set up on street corners or vacant properties, without any of the required safeguards for sanitary food handling. It is difficult for the Division to enforce permit requirements when facilities are mobile and operate outside normal locations. An enforcement sweep can be scheduled. Planned sweeps involve several specialists, technicians, law enforcement, and jurisdictional code enforcement officers. Complaints from local businesses or the general public can trigger a sweep in a given area. Most of the sweeps are scheduled as overtime hours. It has been estimated the non-budgeted cost to the Division yearly for un-permitted enforcement is \$10,000. Any cost to other participating agencies are not included in this estimate. The greater concern to the general public is the risk of food-borne illness due to improper food handling. Without proper heating or cooling of food, hot water for hand-washing or sterilization of utensils, and other requirements, the public is at risk.

When un-permitted vendors are discovered, specialists dispose of the food products and issue a “cease and desist” order, and/or a citation. No other immediate action is taken. Vendors are closed down because of unsafe food handling practices, and sometimes do re-open after the specialist leaves, continuing to operate un-permitted.

The CRFC §114395 states, “*Except as otherwise provided in this part, any person who violates any provision of this part or regulation adopted pursuant to this part is guilty of a misdemeanor. Each offense shall be punished by a fine of not less than twenty-five (\$25) or more than one thousand dollars (\$1,000) or by imprisonment in the county jail for a term not exceeding six month, or by both fine and imprisonment.*”

## **FINDINGS**

- F1. The annual fee adjustment process appears cumbersome, requiring an inordinate amount of Division personnel time.
- F2. The permit process is well defined and operates efficiently.
- F3. The number of Registered Environmental Health Specialist funded positions appear to be adequate.
- F4. The inspection, attended by the Committee, was at a large facility and required several hours to complete. No written or verbal notations by the specialist were observed.
- F5. It was reported to the Committee that as soon as violations are corrected, specialists, understanding the financial burden, work as rapidly as possible to get the facility re-opened.
- F6. Un-permitted food operation enforcement costs are not covered by the fee schedule.
- F7. According to staff, some operators ignore “cease and desist” orders and/or citations issued, due to a lack of a permit or unsafe food handling practices.
- F8. Equipment, i.e., carts, trucks, cutlery, and other equipment, of un-permitted vendors are not impounded. (See Appendix C)
- F9. Unless equipment is impounded and/or lawful fines are imposed, there is no financial impact on un-permitted vendors.

## **COMMENTS:**

The Committee wishes to thank the Kern County Public Health Services Department and the Environmental Health Division for their time and information provided. The staff was gracious and professional.

## **RECOMMENDATIONS:**

- R1. The Grand Jury recommends to the Kern County Public Health Services Department, Environmental Health Division, consider methods, such as yearly automatic increases to simplify the fee adjustment process. (Finding 1)
- R2. The Grand Jury recommends that a method to document and record observations made during an inspection to assist the specialist to accurately reflect details in the report. (Finding 4)
- R3. The Grand Jury recommends the Kern County Public Health Services Department, Environmental Health Division implement a procedure prior to the next budget year that would support compliance with CRFC §114393 (See Appendix C). This procedure will protect the citizens of Kern County by impounding un-permitted equipment. In order to retrieve the impounded equipment, recovery costs must be paid. Vendors would then be instructed on how to obtain a legal permit. (Findings 6, 7, 8, and 9)

## **NOTES:**

- The Kern County Board of Supervisors and the Public Health Services Department should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury)
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury)

## **RESPONSE REQUIRED WITHIN 90 DAYS**

**PRESIDING JUDGE  
KERN COUNTY SUPERIOR COURT  
1415 TRUXTUN AVENUE, SUITE 212  
BAKERSFIELD, CA 93301**

**CC: FOREPERSON  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

# APPENDIX A:

## Kern County Risk Assessment Worksheet

Facility Name		FA Number			
Facility Address		PR Number			
100 % Prepackaged, non-potentially hazardous foods.					
100 % prepackaged potentially hazardous foods and non-potentially hazardous foods. No food preparation.					
Dispenses beverages (coffee, sodas, and alcoholic beverages) or bulk candies. No PHF food preparation.					
<b>Operational Risk</b>					
	15	Holding Temperatures _____ PHF held cold _____ PHF held hot for more than 2 hours.			
	15	Reheating - PHF cooked, cooled in the required 6 hours and then reheated to 165°F for hot holding.			
	15	Cooling - PHF cooked and then cooled in the required 6 hours.			
	15	Manual contact - product handled manually (i.e. assembling a sandwich, pizza).			
<b>Food Property Risk - Potentially Hazardous Foods</b>					
Group 1 10	_____	_____	_____	_____	_____
	Chicken	Turkey	Ground Beef	Roast Beef	Sausage
Group 2 8	_____	_____	_____	_____	_____
	Ham	Pork	Fish	Shellfish	
Group 3 6	_____	_____	_____	_____	_____
	Eggs	Egg dishes	Beans	Rice	Sushi
Group 4 2	_____	_____	_____	_____	_____
	Gravies	Soups	Pasta		
Group 3 6	_____	_____	_____	_____	_____
	Egg salad	Tuna Salad	Crème Pies	Salad Bar Items/Cut Produce	
Group 4 2	_____	_____	_____	_____	_____
	Potato Salad	Fish Salad	Custards	Manufactures Ice Cream	
Group 4 2	_____	_____	_____	_____	_____
	Chicken Salad				
<b>Population Risk</b>					
	1	100 - 500 persons per week.			
	5	501 - 4000 persons per week.			
	10	More than 4000 persons per week.			
<b>Typical Patrons</b>					
	5	Children, Seniors (+65), persons with compromised immune system.			
	1	Others aged 18 - 64.			
<b>Seasonal Operation</b>					
	-35	Operates no more than 3 days per week or 7 months per year or prepares food no more than 3 days per week or once /twice per month List days and hours when operating or cooking			
Total Points		Inspection Frequency			
Exempt from Food Safety Certification Requirement (Yes or No)					
Signature of EHS			Date		

Inspection Frequency: 1 - 24 points = 1 per year; 25 - 54 points = 2 per year; 55 - 101points = 3 per year

# APPENDIX B:

Kern County Department of Public Health Services, Environmental Health Division 2700 M Street, Suite 300, Bakersfield, CA 93301 Phone (661) 862-8740 FAX (661) 862-8701 <b>INSPECTION REPORT FORM</b>						Date	Total Score	Grade
Business Name						PE	FA	
Business Address						Activity Time	PR	
Purpose of Visit			Results of Inspection					
<input type="checkbox"/> Routine Inspection	<input type="checkbox"/> Billable Inspection	<input type="checkbox"/> No violations observed at time of this inspection.			<input type="checkbox"/> Administrative Review	<input type="checkbox"/> Permit Approved	<input type="checkbox"/> Embargo	
<input type="checkbox"/> Reinspection	<input type="checkbox"/> Employee Training	<input type="checkbox"/> Complaint allegations not observed.			<input type="checkbox"/> Inactivate Permit	<input type="checkbox"/> Permit Suspended	<input type="checkbox"/> Impound	
<input type="checkbox"/> Complaint Inspection	<input type="checkbox"/> Investigation	<input type="checkbox"/> Violations from previous inspection corrected.			<input type="checkbox"/> Voluntary Condemnation	<input type="checkbox"/> Permit Reinstated	<input type="checkbox"/> Training	
Violations are detailed in the California Health and Safety Code. "COS" = Corrected on site at the time of inspection "Repeat" = Repeat Violation "N/O" = Not observed at time of inspection "N/A" = Does not Apply								
<b>SECTION 1. FOODBORNE ILLNESS RISK FACTORS -- MAJOR (Point values for repeat violations are doubled)</b>							Score	
An "X" in the major column indicates the violation poses an immediate threat to public health and must be corrected immediately.								
Points	Repeat	Major	COS	N/O	N/A	Item	Points	
5						<b>Holding Temperatures</b>	5	
5						1 Cold holding of potentially hazardous food.	5	
5						2 Hot holding of potentially hazardous food.	5	
5						3 Cooling of potentially hazardous food.	5	
5						4 Reheating of potentially hazardous food.	5	
5						<b>Cooking Temperatures</b>	5	
5						5 Cooking of raw animal or raw plant food.	5	
5						<b>Food Handler Health, Hygiene, Knowledge</b>	5	
5						6 Hands clean and washed as required.	5	
5						7 Employee personal hygiene, health, open sores, cuts.	5	
5						8 Employee uses utensils for ready-to-eat food.	5	
5						9 Handwashing sink - soap and towels.	5	
5						10 Handwashing sink - warm water, accessible.	5	
5						11 Demonstration of Knowledge.	26	
5						<b>Equipment and Utensils</b>	26	
5						12 Food contact surfaces cleaned, sanitized as required.	26	
5						13 Proper sanitizing method, residual, temp., contact time.	26	
5						14 Hot and cold water available - less than 110°F.	26	
5						<b>Approved Source</b>	5	
5						15 Food obtained from an approved source.	5	
5						16 Records, shellfish tags maintained.	5	
5						17 After served, food is not re-served or reused.	5	
5						<b>Protection from Contamination</b>	5	
5						18 Facility free of vermin infestation	5	
5						19 Food protected from cross contamination.	5	
5						20 Food protected from environmental contamination.	5	
5						21 Food free from contamination, adulteration.	5	
5						22 Chemicals properly packaged, used, labeled, stored.	5	
5						23 Liquid waste disposal.	5	
5						24 Food Voluntarily Condemned and Destroyed.	5	
5						<b>Imminent Health Hazard - Immediate Closure</b>	5	
5						25 Inadequate or nonfunctioning refrigeration equip.	5	
5						26 No operable toilet facilities.	5	
5						27 Sewage overflow at facility.	5	
5						28 No potable, pressurized, hot and cold water supply.	5	
5						29 Severe vermin infestation.	5	
<b>SECTION 2. FOODBORNE ILLNESS RISK FACTORS -- MINOR</b>							Score	
An "X" in the minor column indicates the violation poses a risk to public health and shall be corrected by the date specified.								
Points	Repeat	Minor	COS	N/O	N/A	Item	Points	
3						<b>Holding Temperatures</b>	3	
3						30 Cold holding of potentially hazardous food.	3	
3						31 Hot holding of potentially hazardous food.	3	
3						32 Cooling of potentially hazardous food.	3	
3						<b>Food Preparation</b>	3	
3						33 Thawing of frozen potentially hazardous food.	3	
3						34 Preparation of potentially hazardous food	3	
3						35 Food prepared in approved area	3	
3						<b>Food Handler Health and Hygiene</b>	3	
3						36 Employee personal hygiene, health, open sores, cuts.	3	
3						37 Approved handling of ready-to-eat food.	3	
3						38 Handwashing sink - soap and towels.	3	
3						39 Handwashing sink - accessible.	3	
3						<b>Equipment and Utensils</b>	3	
3						40 Food contact surfaces cleaned, sanitized as required.	3	
3						<b>Equipment and Utensils Cont.</b>	3	
3						41 Sanitizer concentration and supplies.	3	
3						42 Wiping Cloths.	3	
3						43 Critical sinks present, accessible, good repair.	3	
3						44 Exhaust hoods/filters present, cleaned, good repair.	3	
3						<b>Protection from Contamination</b>	3	
3						45 Food protected from cross contamination.	3	
3						46 Food protected from environmental contamination.	3	
3						47 Facility free of vermin infestation.	3	
3						48 Chemicals properly packaged, used, labeled, stored.	3	
3						49 Observed eating, drinking or tobacco use.	3	
3						50 Premises clean, free of litter, rubbish, used articles.	3	
3						<b>Other Factors</b>	3	
3						51 Person in charge present.	3	
3						52 Valid food safety certification/Demonstration of knowledge.	3	
<b>SECTION 3. NON-CRITICAL FACTORS</b>							Score	
An "X" in the NC column indicates the violation poses a non-critical risk to public health and shall be corrected by the next inspection date.								
Points	Repeat	NC	COS	N/O	N/A	Item	Points	
1						53 Packaged food, self-service bulk, properly labeled.	1	
1						54 Oyster warning signs required for raw oysters.	1	
1						55 Ready-to-eat food less than thoroughly cooked notification.	1	
1						56 Accurate probe thermometer required for testing PHF.	1	
1						57 Accurate thermometer required for each refrigeration unit.	1	
1						58 Chemical test kit for monitoring sanitizing solution.	1	
1						59 Employee change/storage facilities present/properly used.	1	
1						60 Equipment maintains holding temperatures.	1	
1						61 Equipment/utensils approved, cleaned, good repair.	1	
1						62 Floors, walls, ceilings approved, clean, good repair.	1	
1						63 Lighting provided as required and/or shielded.	1	
1						64 Premises clean, free of litter, rubbish, used articles.	1	
1						65 Toilet facilities present, equipped, maintained.	1	
1						66 Facility free of vermin infestation.	1	
1						67 Facility equipped to prevent harborage of vermin.	1	
1						68 Evidence of eating, drinking or tobacco use.	1	
1						69 Hot water between 111°F and 119°F.	1	
1						70 Plumbing fixture - backflow protection device.	1	
1						71 Plumbing fixture - air gap into approved receptor.	1	
1						72 All liquid waste disposed through a plumbing system.	1	
1						73 Artificial trans fat.	1	
1						74 Nutrition labeling present or available upon request.	1	
1						75 Signs - handwashing, no smoking, inspection report.	1	
1						76 Environmental Health Permit posted.	1	

Business Name						FA	Date
Major	Minor	Non-Critical	Repeat	COS	Item	Comments/Observation/Corrective Actions. An "X" in the major column indicates the violation poses an immediate threat to public health and must be corrected immediately. An "X" in the minor column indicates the violation poses a risk to public health and shall be corrected by the date specified. An "X" in the non-critical column indicates the violation poses a non-critical risk to public health and shall be corrected by the next inspection.	
Reinspection Date						<p>Failure to correct the specified violation by the reinspection date may result in further enforcement action. A reinspection fee of will be invoiced for staff time required to determine compliance with applicable laws and regulations.</p> <p>You may request a rescore inspection within <u>seven (7) days</u> of the original inspection. Only one rescore may be requested per fiscal year. The rescore inspection request for shall be submitted with the required fee.</p> <p>You may request an appeal if you disagree with the inspection finding or the Inspection Grade Form. The appeal request for shall be submitted within <u>five (5) business days</u> of the original inspection.</p>	
Signature of EHS						Signature of Recipient	

## **APPENDIX C:**

### **California Health and Safety Code, Part 7, California Retail Food Code, Chapter 13, Compliance and Enforcement, Article 2, Section 114393. Impoundment**

(A) Based upon inspection findings or other evidence, an enforcement officer may impound food, equipment, or utensils that are found to be, or suspected of being, unsanitary or in such disrepair that food, equipment, or utensils may become contaminated or adulterated, and inspect, impound, or inspect and impound any utensil that is suspected of releasing lead or cadmium in violation of section 108860. The enforcement officer may attach a tag to the food, equipment, or utensils that shall be removed only by the enforcement officer following verification that the condition has been corrected.

(b) No food, equipment, or utensils impounded pursuant to subdivision (a) shall be used unless the impoundment has been released.

(c) Within 30 days, the enforcement agency that has impounded the food, equipment, or utensils pursuant to subdivision (a) shall commence proceedings to release the impounded materials or to seek administrative or legal remedy for its disposition.

*(Amended by Stats. 2007, Ch. 96, Sec. 57. Effective July 20, 2007.)*

Kern County Board of Supervisors  
Response to Grand Jury Final Report  
Kern County Public Health Services'  
Environmental Health Division

Response to Findings:

The Board of Supervisors notes that the Grand Jury's findings are substantially correct with minor corrections and/or clarification to Findings F1, F3, F4, and F9.

*F1. The annual fee adjustment process appears cumbersome, requiring an inordinate amount of Division personnel time.*

An appropriate amount of time must be taken each year to thoroughly review and evaluate actual time and costs to accurately calculate permit fees that will cover the associated costs required by Kern County Administrative Policy and Procedures Manual and Administrative Bulletin 2.

*F3. The number of Registered Environmental Health Specialist funded positions appears to be adequate.*

Inspection frequencies and time spent on each inspection is at times difficult to maintain.

*F4. The inspection, attended by the Committee was at a large facility and required several hours to complete. No written or verbal notations by the specialist were observed.*

The Environmental Health Division inspector used a software program on a portable electronic tablet to note violations and comments on an inspection form. A signature from an employee or operator present at the inspection indicates it was explained. The inspection form is also electronically filed and sent to the owner or operator of the facility.

*F9. Unless equipment is impounded and/or lawful fines are imposed, there is no financial impact on unpermitted vendors.*

Any food sold in an unsafe manner is disposed of and, at times, the individual selling the unsafe food is issued a citation to court. This poses a financial impact on unpermitted food vendors; however, this may not provide enough of a financial impact to dissuade them from continuing to operate.

Response to Recommendation:

*R1: The Grand Jury recommends to the Kern County Public Health Services' Environmental Health Division consider methods, such as yearly automatic increases to simplify the fee adjustment process.*

The Division will consider presenting this proposal after they perform a fiscal evaluation of the permit fees to determine what percentage of an increase would cover program costs. An automatic increase applied to permit fees annually must reflect actual program costs and be board approved prior to implementation.



*R2: The Grand Jury recommends a method to document and record observations made during an inspection to assist the specialist to accurately reflect details in the report.*

The recommendation has been implemented. Tablets were issued to each health inspector since approximately 2009 to accurately document violations and observations. Each inspector is able to capture details of the inspection in real time on the tablet's inspection form, which is reviewed on site with the operator and subsequently mailed to the owner.

*R3: The Grand Jury recommends the Kern County Public Health Services' Environmental Health Division implement a procedure prior to the next budget year that would support compliance with California Retail Food Code (CRFC) §114393. This procedure will protect the citizens of Kern County by impounding un-permitted equipment. In order to retrieve the impounded equipment, recovery cost must be paid. Vendors would then be instructed on how to obtain a legal permit.*

The recommendation requires further analysis to determine what protocols and procedures would be required to legally impound unpermitted food vendor's equipment, the vendor's rights to appeal and recover impounded equipment, and the due process and proceedings to dispose of unclaimed equipment. The Division's analysis will include reviewing other jurisdiction's local ordinances.

Currently there is no approved administrative or legal remedy that would allow authority under current regulation to impound unpermitted food vendor's equipment. The CRFC section referenced by the Grand Jury is intended for inspection finding enforcement at permitted food facilities to prevent the use of contaminated or adulterated equipment by method of impound or red tag.

# KERN COUNTY SUPERINTENDENT OF SCHOOLS



*Photo by Committee*

## CAMP KEEP

### Sending Our Kids on a Learning Adventure

#### **PREFACE:**

The Kern Environmental Education Program, known as Camp KEEP, provides up to a five-day residential environmental education program for Kern County's fifth and sixth grade students. The program began and Camp KEEP opened in 1968. The program includes two campuses, serving over 7,000 students each year. This program also serves the visually and hearing impaired, orthopedically handicapped, as well as children and adults with mental disabilities.

#### **PURPOSE OF INQUIRY:**

The Health, Education, and Social Services Committee (Committee) of the 2017-2018 Kern County Grand Jury (Grand Jury) inquired into the operation and management of Camp KEEP, pursuant to Penal Code §925.

#### **PROCESS:**

The Committee interviewed Kern County Superintendent of Schools (KCSOS) staff, various school administrators, Camp KEEP staff and teachers, toured and inspected the Camp KEEP Ocean campus at Montana de Oro State Park, on September 26, 2017. Research on the internet, about outdoor science education, was also reviewed.

## BACKGROUND:

Camp KEEP is an outdoor science learning environment based on California's Educational Standards. This program incorporates social skills, personal relationships, and promotes respect for our natural resources. Camp KEEP was instituted in the 1968-1969 school year as a seven week program located in the Tehachapi Mountains. There have been several camp sites used in subsequent years, until Camp KEEP Ocean was placed at Montana de Oro State Park in San Luis Obispo County, in 1972. The second campus, Camp KEEP at Cambria Pines in Cambria, California, was utilized as an overflow location, as needed in 1992. It has now grown into another full-time campus.

- All public schools in Kern County may utilize Camp KEEP:
  - There are 89 public school sites and 47 school districts that currently participate



Photo taken by Committee

- Some out-of-county or private schools are scheduled if Kern County schools are not in session, or when space is available
- Each camp operates 36 or 40 weeks
  - Cambria's campus operates 36 weeks; is a publicly shared site, causing scheduling conflicts
  - Ocean operates 40 weeks
- Schools may schedule less than a five day session
  - Rates are adjusted
  - Holiday weekly rates are adjusted
- Each campus can accommodate up to 115 students
  - Smaller classes can be combined to fill the unused space



Photo taken by Committee

- Camp KEEP consists of student cabins/trailers, restrooms/showers, teacher cabins/trailers, dining hall, and learning center
- Ratio of counselors to students is 1:7. Schools may bring up to two extra counselors (one male and one female) beyond that ratio
- Ratio of teachers to students is 1:30

The curriculum used is correlated with the Next Generation Science Standards. The California Outdoor School Association (COSA) certifies the science program. COSA uses the Residential Outdoor Science School as the evaluation tool. Certification was last completed in May 2013, and is required every five years. The curriculum is taught by staff naturalists (which requires a Bachelor’s Degree), who also lead educational hikes and conduct evening campfire programs, reinforcing that day’s lessons. Food service staff and maintenance personnel manage the day-to-day camp operations. Each campus has a bus and a driver for local student transportation. Teachers participate daily, and are required to give at least one hour of instruction to reinforce and practice skills learned that day. The students are given a “Student Field Guide & Journal” upon arrival, to record aspects of their daily studies. Teachers can use these journals to evaluate the students on the Camp KEEP experience. Students gain educational and social experiences that cannot be matched in a classroom setting.

<b>Camp KEEP Staff</b>		
<b>Position</b>	<b>Ocean</b>	<b>Cambria Pines</b>
Site Supervisor	1	1
Lead Naturalist	2	2
Naturalist	6	6
Caretaker	1	0
Head Cook	1	1
Cook	1	2 (part-time)

**BUDGET FISCAL YEAR 2017-2018:**

**Revenues:**

<i>Child Nutrition Programs</i>	\$ 86,400	3.38%
<i>Contracts with Districts</i>	1,925,000	75.30%
<i>Contracts with Migrant &amp; Valley Oaks Charter School</i>	45,442	1.78%
<i>Other Revenue</i>	2,570	0.10%
<i>Contributions</i>	<u>497,036</u>	19.44%
<b>Total Revenues</b>	<b>\$ 2,556,448</b>	

**Expenditures:**

<i>Salaries &amp; Benefits</i>	\$ 1,686,129	65.96%
<i>Supplies &amp; Instructional Materials</i>	168,818	6.60%
<i>Food</i>	287,202	11.23%
<i>Utilities</i>	35,845	1.40%
<i>Facilities/Leases/Maintenance</i>	205,346	8.03%
<i>Bus Payment</i>	14,375	0.53%
<i>Other Operating Expenses</i>	<u>158,733</u>	6.21%
<b>Total Expenditures</b>	<b>\$ 2,556,448</b>	

**Attendance for 2012-2018:**

For both campuses and the projected attendance for the current school year:

• 2012-2013	6,985
• 2013-2014	6,323
• 2014-2015	7,750
• 2015-2016	7,749
• 2016-2017	7,623
• 2017-2018	8,911 (projected)

Sixth grade students for 2016-2017 school year in Kern County totaled 14,263, with 53.4% attending Camp KEEP.

A recent State Department of Education policy change, has allowed for flexibility of local school district budgets. Local Control Funding Formula spending regulations, and the Local Control Accountability Plan template may be used to finance attendance at Camp KEEP. Recognizing the value on the educational process in later years, some schools are now making Camp KEEP a priority. The cost may be covered by a school's site budget. Other schools are still using parent funding and/or fundraising systems.

The Camp KEEP Foundation (Foundation), a non-profit organization, is composed of local business and community leaders. The Foundation exists to promote and support the program through various fundraising efforts. The primary fundraiser, hosted in the spring,

is “Wine for Camp KEEP,” a light dinner and wine event. The Foundation distributed \$40,000 in “camperships” during the 2015-2016 school year. The Foundation is expecting to increase the amount of money raised for the 2018-2019 school year. The Foundation funds go towards low income and low social/economic students. Private individuals and major corporations in Kern County also provide contributions and property improvements to Camp Keep. Contributors include:

- Chevron Oil
- Sparkling Images Car Wash
- A-C Electric
- Griffith Company Construction

**SCHEDULING PROCESS:**

On January 25, 2017, a letter was sent by KCSOS to the principals and teachers within Kern County. Following is an excerpt:

*“...Greetings from, the Camp KEEP Team. It’s been a great year for the students at both Ocean and Camp Cambria sites. The environmental study program continues to captivate students and we hope your instructional plan for the 2017-2018 school year includes time at Camp KEEP.*

*“We are now accepting applications for the 2017-2018 school year. Applications received will be scheduled on a first come first served basis with recognition of the past attendance, space permitting. Please find the application attached. The scheduling process will begin on February 20, 2017.*

<i>“KEEP fee schedule:</i>	<i>5 Day in county</i>	<i>\$262.00</i>
	<i>5 Day out of county/private</i>	<i>\$285.00</i>
	<i>4 Day holiday in county</i>	<i>\$225.00</i>
	<i>4 Day holiday out of county</i>	<i>\$246.00</i>
	<i>4 Day in county</i>	<i>\$246.00</i>
	<i>4 Day out of county/private</i>	<i>\$265.00</i>
	<i>3 Day holiday in county</i>	<i>\$185.00</i>
	<i>3 Day holiday out of county</i>	<i>\$208.00</i>
	<i>3 Day in county</i>	<i>\$219.00</i>
	<i>3 Day out of county/private</i>	<i>\$245.00</i>
	<i>1 Day program</i>	<i>\$88.00</i>

*The above prices are the fees per student, counselor, and teacher...”*

Student fees may vary according to the school’s additional costs.

Attached to the letter was an application and other needed information:

- Dates are scheduled on a first come, first serve basis
- Schools have five choices of dates listed by order of preference

- Schools' past attendance is given priority
- Space is limited
- Schools are billed for those attending, but not less than 90% of the estimated attendance

## PROCEDURES FOR SCHOOLS:

Schools are notified of their schedule, and should follow the time line furnished entitled "Checklist for Departure":

- Three months prior
  - Begin counselor recruitment and fingerprint process. All adults must pass fingerprint and background check
- Six weeks prior
  - Download registration materials from website
  - Prepare curriculum
  - Distribute information and registration forms
  - Contact a Camp KEEP supervisor with regard to any "special needs" that require medical clearance
- Four weeks prior
  - Arrange for Individualized Educational Program as necessary for "special needs" students
  - Collect all forms
  - Review all forms for completeness and signatures
  - Check emails for information packets from Camp KEEP
  - Check on counselor attendance
  - Check on transportation arrangements
- Two weeks prior
  - Make sure that there are enough counselors
  - Meet with the counselors and distribute counselor hand book, registration forms, and contract information
  - Discuss social issues (homesickness and communal living) with students
- One week prior
 

Provide to Camp Keep via email

  - Total number of students, counselors and teachers
  - Complete the attendance roster (include free and reduced lunches)
  - Complete student information
  - Complete the trailer/cabin group assignment

Also one week prior

  - Organize and pack teacher supplies
  - Check and treat all students for any head lice
- Monday morning of Camp KEEP week:
  - Make sure all student and counselor forms are complete, if not, **the student may not attend**

- Collect all student medications and check against corresponding forms
- Take roll of all students and counselors
- Call Camp KEEP with estimated time of arrival
- Upon arrival at Camp KEEP, give the following to site Supervisor
  - Student forms
  - Medication forms
  - Teacher registration forms
  - Counselor registration forms and contracts
  - All student medications in plastic bags, labeled with student name and school

## One Camp, Two Campuses:

### “OCEAN”

Ocean at Montana de Oro State Park, Los Osos, California is leased from California Department of Parks and Recreation, located six miles southwest of Morro Bay, California. Montana de Oro, "*Mountain of Gold*", comes from the golden wildflowers found in the park:

- The students and resident counselors stay in trailers
  - There is one designated handicap-accessible trailer for each gender
- The nearby modern bathroom and shower facilities are handicapped-accessible
  - Each shower stall has privacy curtains and a separate changing area
- A first aid room is located near the office
  - Providing a private area to care for students who are not feeling well
  - Camp KEEP has an established printed “protocol” for multiple medical situations
- The classroom teachers stay in their own trailers located within sight of the student trailers

The Geodesic Dome (Dome) is a multi-purpose facility within the camp.



Photo taken by Committee

Besides meals, the Dome is a gathering area for day and evening learning activities. Additionally, the Dome contains a salt water touch tank and a native reptile display. Students are encouraged to hold these animals during their free time. Other features of this outdoor school campus are:





Photo taken by the Committee

- The Discovery Zone
  - Nature center complete with two terrariums and animal specimens
  - Microscopes, sensory activities, audio-visual equipment, and games
- Large open play area with recreational equipment
  - Greenhouse
  - Native plant garden
- Outdoor nature viewing area complete with spotting scopes
  - Bird feeders
  - Microscopes
- Animals wandering through campus include: deer, wild turkeys, rabbits, and California Valley Quail
- The amphitheater is located in the middle of the campus. Every night before bed, students gather around the fire for stories, songs and skits related to that day's lessons
  - The amphitheater was donated and installed in 2015, by corporations and individuals from Kern County

Students have the opportunity to experience the coastlines of the Central California Coast, through both Montana de Oro and Morro Bay State Parks. Students climb the coastal mountains through the chaparral ecosystem, while studying geology and plant adaptations:

- Many reptiles, birds, and mammals are regularly seen in the chaparral
- Students study the unique vegetation and wildlife that is adapting to this “semi-desert” area
- A climb to the top of these mountains offers views of the Pacific Ocean and the coastline below

A hike down the mountain affords the students a chance to explore some of the beaches, tide-pools, and rocky shorelines of the State Park. Under the shade of the willow trees, a creek serves as a backdrop for lessons about the riparian ecosystem, and the history of the Native Americans of the area. At Morro Bay, students will spend the entire day learning about the natural history, geology, and importance of estuaries. Waterfowl, shorebirds, and birds of prey share this habitat with sea lions, sea otters, and fish. Students will conduct field studies of the estuary by examining plankton, observing underwater habitats, and exploring the salt marsh and mudflats. The wide variety of vertebrates and invertebrates

observed in these habitats help give meaning to the concepts of food chains and interdependence.

### **“CAMBRIA PINES”**

The Cambria Pines site is under construction, and will possibly be available for use in December 2017 or January 2018. Due to the closure, the Grand Jury did not visit Camp KEEP at Cambria Pines. It is owned and maintained by the Coalinga-Huron Recreation and Parks District.

The campus features 13 acres of Monterey Pine habitat, plus a lush meadow and seasonal creek. The camp is shared with the public during weekends and summertime.

At the beginning of each week, to ready the site for Camp KEEP at Cambria Pines, the staff changes the name plates on each cabin and equipment is unpacked for use by the students. On Friday, after the students leave, all is changed back and made ready for public use.

The Kern County Superintendent of Schools is using a “secondary campus” at this time.

### **FINDINGS:**

- F1. Trailers were installed at Ocean in the 1980s, and have reached their life expectancy. When students are not in residence, major repairs can be performed:
  - Two or three trailer floors are being replaced each year
  - Mattresses are in need of replacement
  
- F2. The last capital improvement to Ocean was the reconstruction of the amphitheater.
  
- F3. According to staff, there is not an existing Capital Improvement list.
  
- F4. There is minimal public awareness of the KEEP Foundation.
  
- F5. Camp KEEP appears to be a wonderful learning experience as evidenced by *“Empirical Evidence Supporting Benefits of Outdoor School and Experiential Learning Programs,”* a brief on the literature reviewed by the Washington State Office of Superintendent of Public Instruction, dated February 2015 indicated:
  - Increased academic achievement
  - An increase in Grade Point Average (GPA)
  - Graduation rates increase
  - A rise in classroom engagement and motivation
  - Build self-sufficiency, self-esteem, and leadership skills
  - Schools with environmental education programs out performed “traditional” schools on assessment tests.

- Behavioral problems in the classroom seem to diminish while at camp
- F6. Students learn from shared communication skills with fellow campers, by participating in shared living experiences and standard based learning experiences.
- F7. Camp KEEP has a limited number of spaces, therefore not all students have the opportunity to attend.
- F8. Some sixth grade students do not have the opportunity to attend if the grade is at a middle school, and the school administration considers that the Camp KEEP experience is an “elementary” activity.
- F9. There is a higher percentage of students attending Camp KEEP when funded by each school’s budget. Schools that do not budget for the cost of camp, struggle with funding because of fundraising saturation, especially in smaller population areas.

**COMMENTS:**

The Committee would like to thank KCSOS and the Camp KEEP staff for their time and information. The staff at Ocean is doing a fantastic job, teaching, and organizing all the things that are necessary for a good educational experience for all campers.

KCSOS makes every effort to provide all students who wish to participate an opportunity to attend.

**RECOMMENDATIONS:**

- R1. The Kern County Superintendent of Schools should prepare a budget that allows immediate replacement of mattresses and flooring at Ocean.  
(Finding 1)
- R2. Camp KEEP should develop a long term Capital Improvement plan including housing replacement for Ocean and work with KCSOS for funding.  
(Findings 1 and 3)
- R3. The Kern County Superintendent of Schools should seek funding and locate a site for additional campus(es). Additional campuses would allow more Kern County students to attend these invaluable outdoor environmental science camps. (Finding 7)

**NOTES:**

- Kern County Superintendent of Schools, Camp KEEP Ocean, and Camp KEEP at Cambria Pines should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury).
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury).

**RESPONSE REQUIRED WITHIN 90 DAYS**

**PRESIDING JUDGE  
KERN COUNTY SUPERIOR COURT  
1415 TRUXTUN AVENUE, SUITE 212  
BAKERSFIELD, CA 93301**

**CC: FOREPERSON  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

February 27, 2018

Presiding Judge  
Kern County Superior Court  
1415 Truxtun Avenue, 2<sup>nd</sup> Floor  
Bakersfield, CA 93301

We are pleased to respond to the Grand Jury's report regarding Camp KEEP. We appreciate the time and attention that the Grand Jury members gave to their visit, and for the positive report regarding Camp KEEP's outcomes and future plans.

In response to the Grand Jury's findings and recommendations, we offer the following responses:

**Findings**

- F1: Camp KEEP works to upgrade facilities on an ongoing basis. We perform regularly scheduled maintenance of our trailers and we do plan to upgrade mattresses over the next couple of years.
- F2: We continue to partner with community groups such as local Rotary Clubs to enhance Camp KEEP's Ocean campus.
- F3: Camp KEEP works closely with the Kern County Superintendent of Schools Office and the Foundation to identify and prioritize capital projects each year.
- F4: Camp KEEP will celebrate its 50th anniversary during the 2018-19 school year, and a marketing campaign, including promotion of the KEEP Foundation, is planned.
- F5: School districts continue to report on the positive impact the Camp KEEP experience has on local students.
- F6: Camp KEEP offers an experience that is unparalleled in terms of student communication and hands on learning.

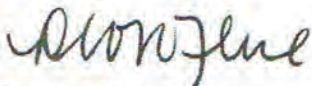
- F7: The Kern County Superintendent of Schools is looking to lease a new camp to replace Camp KEEP - Cambria. In addition, we are committed to ensuring that students from Kern County have priority over students from outside of our community.
- F8: Camp KEEP continues to promote the experience to all Kern County School Districts and we encourage all sixth graders to attend Camp KEEP.
- F9: Camp KEEP is a rigorous camp experience with learning outcomes tied to the State standards. We encourage all Kern school districts to budget funds from their local control & accountability plans to fund this important hands-on learning activity,.

**Recommendations:**

- R1: KCSOS will look for funding to allow us to replace mattresses and inadequate flooring as needed.
- R2: KCSOS will develop a long-term capital improvement plan that outlines priority capital projects. We are always seeking grants to be able to maintain and improve Camp KEEP.
- R3: KCSOS has spent a considerable amount of time seeing alternative camps, especially in light of renovations this year to Camp KEEP Cambria. We are in the process of securing an agreement with an alternate camp that is on the California Central Coast. In addition, we will start giving priority enrollment to Kern County students to ensure that all Kern County students who desire to attend Camp KEEP are able to do so.

We appreciate the time and effort of the Grand Jury and we look forward to continued success with Camp KEEP. Please call me at (661) 636-4000 if I may answer any questions or provide additional information.

Sincerely,



Desiree Von Flue  
Assistant Superintendent - Educational Services

Cc: Foreman, Kern County Grand Jury

# TEHACHAPI UNIFIED SCHOOL DISTRICT



## **PREFACE:**

The Tehachapi Unified School District (District) began as the Fitzgerald School District 146 years ago. The District transitioned over the years until 1957 when it officially became Tehachapi Unified School District. Today student attendance is about 4,450 and consists of three elementary schools, one middle school, an alternative education school and one comprehensive high school. The District is governed by a seven member Board of Trustees (Board) with four seats up for election in the November 2018 General Election.

## **PURPOSE OF INQUIRY:**

The 2017-2018 Kern County Grand Jury (Grand Jury) received a complaint concerning the District. The complaint was assigned to the Health, Education, and Social Services Committee (Committee) for further investigation. Penal Code §933.5 authorizes the Grand Jury to investigate, report findings and make recommendations on the operation and management of a school district.

## **PROCESS:**

The Committee reviewed previous Kern County Grand Jury Reports, District Board Agendas and Minutes, requested District documents, researched the internet, and various California codes. The Committee also conducted interviews with Staff and the Board for further insight. The Committee attended a Board Meeting on May 8, 2018.

## **FACTS:**

Unification of the District was the end product of a complex set of unionizations, annexations, and consolidations that occurred over a period of some ninety years, and involved two high school districts and eleven elementary districts. The chronology that follows describes the evolutionary history of each school district:

- **1872 - Fitzgerald:** Exact location unknown, but somewhere between Keene and Tehachapi. Lapsed in 1900 and annexed to Cummings Valley.
- **1873 - Cummings Valley:** Served a sparsely populated area west of Tehachapi. Annexed to Tehachapi Union in 1956
- **1877 - Summit:** Located in present City of Tehachapi. The district name changed in 1909 to Tehachapi when the original Tehachapi became Old Town
- **1883 - Keene:** Joined with Tehachapi in 1954 to form the Tehachapi Union
- **1886 - Brites Valley:** A small (9 square miles) district located southwest of Tehachapi. Consolidated with Tehachapi in 1893
- **1888 - Bear Valley:** Formation of this District was recorded in the Minutes of the Kern County Board of Supervisors, but a school was never built, nor classes held
- **1893 - Cameron:** Located between Tehachapi and Mojave. Lapsed in 1932 and the territory was divided between Aqueduct and Tehachapi
- **1909 - Old Town:** Originally called Tehachapi and, as noted above, lapsed in 1928 and the territory was divided between Tehachapi and Cummings Valley
- **1909 - Aqueduct:** Located in Monolith. Joined with Tehachapi Valley Union High and Tehachapi Union in 1957 to form the Tehachapi Unified
- **1916 - Southern Kern High:** Formed, but lapsed three years later due to lack of attendance
- **1928 - Tehachapi Valley Union High:** Formed to serve students in the Aqueduct, Old Town, Cummings Valley, Keene, Tehachapi, and Cameron. Joined with Tehachapi Union and Aqueduct in 1957 to form the Tehachapi Unified School District
- **1954 - Tehachapi Union:** Formed through the unionization of Tehachapi and Keene. Joined with Tehachapi Valley Union High and Aqueduct in 1957 to form the Tehachapi Unified
- **1957 - Tehachapi Unified School District:** Formed by combining Aqueduct, Tehachapi Union, and Tehachapi Valley Union High

The District encompasses an area of 522 square miles, and offers a diverse educational program to students. The most recently constructed facilities are, Cummings Valley Elementary School, 2001, and Tehachapi High School, 2003.

The District is governed by a seven member Board, elected by the residents of the community from three areas, each with two seats. Additionally there is an at-large seat which encompasses all areas. Elections are conducted every two years in conjunction with the General Election. Each Trustee is elected to a staggered four year term. Four seats are scheduled for election in 2018; one from each area, and the at-large seat.

Public notice of all Board Meetings for the District are posted, as required by the Ralph M. Brown Act (Brown Act) on the District's website and at the District Office, located at 300 South Robinson Street, Tehachapi, California. Items to be discussed must be shown



on the Agenda, along with any action required. Consent agenda items are listed and may be voted on as a single item.

The Agenda states:

*“All Consent Agenda Items are considered to be routine by the Board of Trustees, and will be taken together as one action item. There will be no separate discussion of items unless a Board Member so requests. If it is determined that an item needs to be pulled for a separate motion, the Board President will call for a separate vote.”*

The California Government Code §54952.2(b)(1), Ralph M. Brown Act, states:

*“A majority of the members of a legislative body shall not, outside a meeting authorized by this chapter, use a series of communications of any kind, directly or through intermediaries, to discuss, deliberate, or take action on any item of business that is within the subject matter jurisdiction of the legislative body.”*

All Board Members have properly filed a Statement of Economic Interests, Form 700. They also received required ethics training, often referred to as Assembly Bill 1234 (AB1234), from either the California School Board Association, or the District’s legal counsel, including the perception of conflict of interest.

## **FINDINGS:**

- F1. A majority of all seated Trustees were appointed to a vacancy before seeking election, and ran unopposed in the next election. Several of the subsequent elections saw incumbents running unopposed. This lack of interest, demonstrates an unwillingness to help govern the District. Elections with multiple candidates help to bring fresh ideas, personal experiences, and community concerns to a higher level of public awareness.
- F2. Reflected in several interviews of Board Members was a lack of understanding of the Brown Act and AB1234.
- F3. A series of emails obtained by the Committee appears to be a serial meeting.
- F4. The approved Minutes of the January 16, 2018 Regular Board Meeting listed a Consent Agenda item, which included a “Pay Voucher Transaction” list. This list included a payout to a Board Member’s immediate family. This was an adjudicated settlement, directed by an Administrative Law Judge. The roll call vote recorded all members voting “Aye.”

F5. The District, before making the adjudicated payment, sought an opinion from the State of California Fair Political Practices Commission (FPPC), regarding Government Code §1090 et seq,

*“(a) Members of the Legislature, state, county, district, judicial district, and city officers or employees shall not be financially interested in any contract made by them in their official capacity, or by any body or board of which they are members...”*

In a letter to the District, dated October 11, 2017, the FPPC wrote,

*“...These payments are not based on negotiations, mutual consent, and do not involve mutual consideration. Thus, making the payments under the circumstances you describe do not implicate Section 1090.”*

The letter from the FPPC quoted a reference to California Government Code §87100, regarding the duties of the specific Board Member, assuming said member would not be making, participating or influencing the Board’s decision in this matter. The Code Section referenced states,

*“No public official at any level of state or local government shall make, participate in making or in any way attempt to use his official position to influence a governmental decision in which he knows or has reason to know he has a financial interest.”*

A footnote in the letter states,

*“Note the consequence of a conflict of interest under Section 87100 is required disqualification.”*

F6. Several sections of the California Government Code clarify “conflict of interest.” The public’s awareness often is simply a perception. Both the actual demonstration and the perception of conflict of interest may lead to distrust of officials. Actions of the Board may have contributed to the perception of conflict of interest.

F7. Approved Minutes do not always reflect Board Members recusal on matters before them, including Closed Session Agenda items.

F8. The Board accepted the resignation of the District Superintendent on March 13, 2018, effective June 30, 2018.

F9. The seven member Board is comprised of individual personalities with differing opinions. It appears that personal agendas have created disharmony.

F10. The investigation of the District may require further review.

## **COMMENTS:**

The Committee wishes to thank the Board and District Staff for the cooperation and information given for the preparation of this report.

It is critical to have individual Board Members understand their responsibility in maintaining transparency. Adherence to the Brown Act is essential.

To avoid disharmony within the Board, the business of the District must be conducted without personal bias or individual agendas.

## **RECOMMENDATIONS:**

- R1. The Tehachapi Unified School District should develop ways to encourage community participation in the governance of the District. Information and applications should be made readily available for individuals interested in seeking election to a Board seat. (Finding 1)
- R2. The District should receive additional training to ensure adherence to the Ralph M. Brown Act. (Findings 2, 3, and 4)
- R3. The District should receive additional training regarding ethics, AB1234. The training should include proper protocol for recusal from an item on the Agenda. (Findings 4 and 5)
- R4. The Board should guard against personal bias and agendas while conducting District business. (Finding 9)
- R5. The Board should explore ways to overcome existing disharmony and work collaboratively for the betterment of the District. (Finding 9)
- R6. The District should record accurate Minutes, and make the approved Minutes public, reflecting recusal of members, and reporting all votes. (Findings 6 and 7)

## **NOTES:**

- The Tehachapi Unified School District should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury).

- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury).

**RESPONSE REQUIRED WITHIN 90 DAYS:**

**PRESIDING JUDGE  
KERN COUNTY SUPERIOR COURT  
1415 TRUXTUN AVENUE, SUITE 212  
BAKERSFIELD, CA 93301**

**CC: FOREPERSON  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

**DISCLAIMER:**

This report was issued by the Grand Jury with the exception of a juror(s) pursuant to PC §916.2(a). This juror was excluded from all parts of the inquiry/investigation, including interviews, deliberations, and the writing and approval of this report.

September 11, 2018

Charles R. Brehmer, Presiding Judge  
Kern County Superior Court  
1415 Truxtun Avenue  
Bakersfield, CA 93301

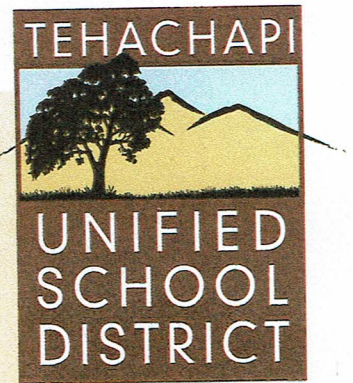
Re: Response to Grand Jury Report Entitled Tehachapi Unified School District ("Report")

Dear Judge Brehmer:

As required by and pursuant to the provisions of Penal Code section 933.05, the Board of Trustees ("Board") of the Tehachapi Unified School District, at a duly convened public meeting on July 17, 2018, and again on September 11, 2018, reviewed and discussed the Report.

In response to the Grand Jury's Findings, the Board determined as follows:

- F1 The Board substantially agrees with this Finding.
- F2 The Board cannot respond in detail to this finding due to a lack of specific information indicating in what areas of the Brown Act and AB 1234 Board members demonstrated a lack of understanding. The Board of Trustees recently completed a 90-minute Brown Act training provided by Grant Herndon, General Counsel of Schools Legal Service, the District's primary legal counsel. An "Ethics" training is being scheduled for the near future.
- F3 With the broad definition of a serial meeting it appears to the Board that this may have unintentionally happened. Our recent Brown Act training has heightened the awareness of Board members in this area.
- F4 It appears that the Grand Jury is citing the incorrect meeting for the payment of the subject of this finding. The actual vote on the payment was taken at the December 19, 2017 Board meeting, where



District Office  
300 S. Robinson Street  
Tehachapi, CA 93561  
(661) 822-2100  
Fax: (661) 822-0918

Cummings Valley Elementary  
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Tehachapi, CA 93561  
(661) 822-2190  
Fax (661) 822-2128

Golden Hills Elementary  
20215 Park Road  
Tehachapi, CA 93561  
(661) 822-2180  
Fax (661) 822-2186

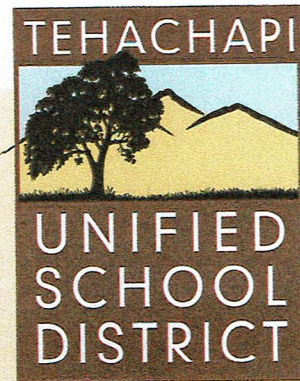
Tompkins Elementary  
1120 S. Curry Street  
Tehachapi, CA 93561  
(661) 822-2170  
Fax (661) 822-2198

Jacobsen Middle School  
711 Anita Drive  
Tehachapi, CA 93561  
(661) 822-2150  
Fax (661) 822-2156

Tehachapi High School  
801 S. Dennison Road  
Tehachapi, CA 93561  
(661) 822-2130  
Fax (661) 822-2163

Monroe High School  
Tehachapi Education Center  
126 S. Snyder Avenue  
Tehachapi, CA 93561  
(661) 822-2124  
Fax (661) 822-2188

Tehachapi Independent Learning Academy  
400 S. Snyder Avenue  
Tehachapi, CA 93561  
(661) 822-2266  
Fax (661) 822-2225



at the December 19, 2017 Board meeting, where not all members were present to vote. The Board member with the interest did participate and vote. The payment referred to in this finding was an adjudicated payment ordered by the Administrative Law Judge, not a settlement.

- F.5 The Board fully agrees with this Finding.
- F6 The Board agrees that the perception of conflict of interest does contribute to distrust of public officials. Given the actual circumstances at the December, 2017 meeting of the Board, the Board is unaware of any actions that it or its individual members have taken that have contributed to a perception of a conflict of interest.
- F7 Looking back through the last two years' of meeting minutes, the Board could not substantiate this finding. There are multiple references in recent meeting minutes reflecting recusal, which match the audio recordings of the meetings that are made publicly available on the district's web page. We are unaware of other meetings where a recusal had occurred but was not listed in the approved minutes.
- F8 The Board fully agrees with this Finding.
- F9 The Board substantially agrees with this Finding, but the Board believes robust discussions between members passionate about their positions often leads to better outcomes. The Board does not believe its robust discussions demonstrate any degree of disharmony among Board members.
- F10 The Board sees nothing that suggests further investigation is warranted at this time, but stands ready to cooperate with any such investigation.

In response to the Grand Jury's recommendations, the Board responds as follows:

- R1 District staff was directed to post information about available board seats and how to run for office on district controlled web sites, social media, and provide that information to the local press.

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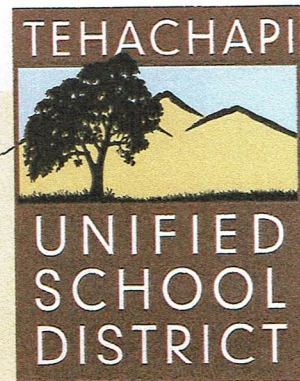
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- R2 The Board has already received one such training on the Ralph M. Brown Act on August 28, 2018, and will schedule an "Ethics" training for the near future. The board has resumed regularly scheduled workshop meetings for increased governance training on items like the Brown Act and AB 1234 to increase awareness. The calendar modification to add these training workshops was placed on the agenda and adopted August 14, 2018.
- R3 Refer to action for R2. New Board members will meet with the Superintendent to go over Brown Act and AB 1234 shortly after appointment or election.
- R4 Refer to action for R2.
- R5 The Board disagrees that there is existing disharmony between members, but is committed to working on improving intra-board relationships via the actions taken in response to R2, R3, and R4.
- R6 The district makes every effort to produce accurate minutes including reflecting recusal of members, and reporting all votes. The minutes are made public as soon as they are approved, and all audio files are made available by the end of the week in which a meeting is held. Minutes will reflect abstentions and recusals.

The District thanks the Grand Jury for its hard work and their constructive comments regarding the Tehachapi Unified School District.

Very truly yours,

President, Board of Trustees  
Tehachapi Unified School District

cc: Foreperson  
Kern County Grand Jury  
1415 Truxtun Avenue  
Bakersfield, CA 93301

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# VINELAND SCHOOL DISTRICT

## PREFACE:



The Vineland School District (District) has two schools, located south of the community of Lamont, California. The governing body consists of five members of the Board of Trustees, elected at large. Regular Trustees Meetings are scheduled for the second Monday of each month at 6:00 PM.

## PURPOSE OF INQUIRY:

The Health, Education, and Social Services Committee (Committee) of the 2017-2018 Kern County Grand Jury (Grand Jury) inquired into the operation and management of the Vineland School District, pursuant to Penal Code §925.

## PROCESS:

Committee members attended the Trustees Meeting on Monday, November 20, 2017; reviewed news reports, conducted internet research, and interviewed District Staff.

## FACTS:

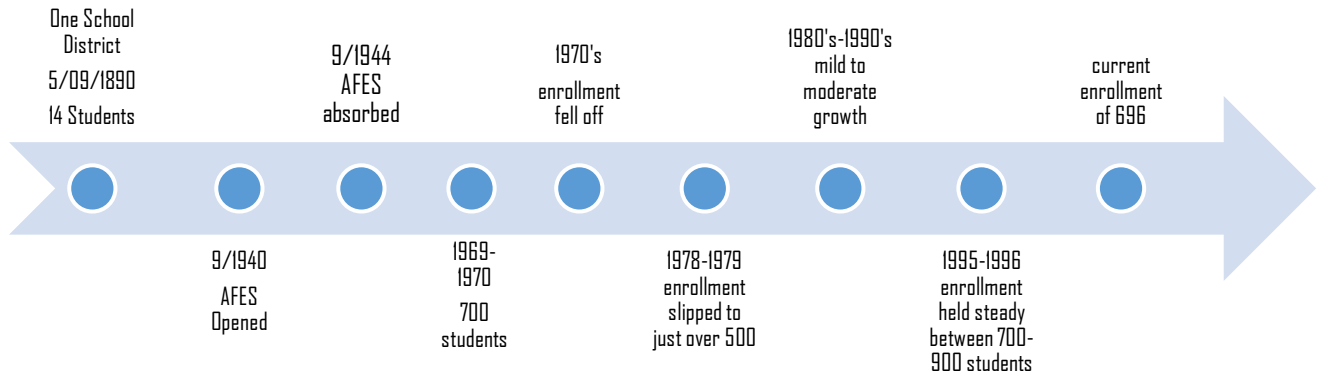
The District encompasses 33 square miles in the southern rural/agricultural portion of Kern County, and is composed of two schools: Vineland Elementary School, (Grades Kindergarten - 4th), at 14327 South Vineland Road, Bakersfield, California, and Sunset School (Grades 5th – 8th), at 8301 Sunset Boulevard, Bakersfield, California. (See Appendix A)

When the District was formed on May 9, 1890, there was only one school with an enrollment of 14. In September of 1940, the Arvin Federal Emergency School (AFES) (later renamed Sunset School) was created by the Kern County Superintendent of Schools, Leo B. Hart. This school served the children from a large migrant labor camp that had been established in the area. The emergency that gave birth to the AFES could, by law, last no more than five years. In 1944, the AFES was forced to close, and was absorbed by the Vineland School District.



**Enrollment Statistics:**

- 1929-1930 225
- 1939-1940 309
- 1940-1941 200
- 1944 exceeded 600
- 1969-1970 exceeded 700
- 1970s declined to just over 500
- 1980s - 1990s mild to moderate enrollment increases
  - 1995-1996 700-900
- Current 696



- Historically, enrollment is impacted mid-year as families migrate to other agriculture areas:
  - October 1, 2017 739
  - October 31, 2017 689
  - A decline of 14.7% 50

**District Staff:**

	Budgeted	Filled	Unfilled
Superintendent	1	1	0
Principals	2	1	1
Certificated Teachers	38	38	0
School Psychologist*	1	1	0
Speech Pathologist	1	1	0
At-Risk Counselors	2	2	0
School Nurse*	1	1	0
<b>Total Certificated:</b>	<b>46</b>	<b>45</b>	<b>1</b>
Supervisors and Administrators	3	3	0
Clerical, Technical, and Office	7	7	0
Instructional Aides	0	0	0
Support Staff	12	12	0
Community Liaison	0	0	0
<b>Total Classified (over 30 Hours)</b>	<b>22</b>	<b>22</b>	<b>0</b>

Supervisors and Administrators	0	0	0
Clerical, Technical, and Office	0	0	0
Instructional Aides	20	14	6
Support Staff	3	3	0
Campus Monitors	3	3	0
<b>Total Classified (under 30 Hours)</b>	<b>26</b>	<b>20</b>	<b>6</b>
<b>Total District Staff</b>	<b>94</b>	<b>87</b>	<b>7</b>

*\* Independent Contractor Service Agreement*

The Vineland School District Board meetings are conducted in Classroom 23, which is set aside as a meeting room at Sunset School. For those attending Board Meetings, parking is in front of the school.

The District's website, maintained by the Superintendent's Office, provides access to agendas, minutes, calendar of events, and other information. Any actions taken at the meeting are posted soon after the meeting, on the website.

**FINDINGS:**

- F1. Committee members attended the November 20, 2017 Board Meeting, and noted it was difficult to see in the parking area after dark.
- F2. From the parking area, there were no visible directions to the Board of Trustees meeting room.
- F3. There was no sidewalk leading to the only gate open from the parking area to the meeting room, and is out of compliance with the American Disabilities Act (ADA).
- F4. There was no amplification system provided during the meeting, making discussions and comments difficult to hear.

**COMMENTS:**

The Grand Jury would like to thank the staff for their time and information.

**RECOMMENDATIONS:**

- R1. The District should make access to the meeting room ADA compliant. Lighting and a safe walkway should be provided from the parking area to the meeting room. (Findings 1, 2, and 3)
- R2. The District should provide an amplification system during Board Meetings. (Finding 4)

## **NOTES:**

- The Vineland School District should post a copy of this report where it will be available for public review.
- Persons wishing to receive an email notification of newly released reports may sign up at: [www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury)
- Present and past Kern County Grand Jury Final Reports and Responses can be accessed on the Kern County Grand Jury website:  
[www.kerncounty.com/grandjury](http://www.kerncounty.com/grandjury)

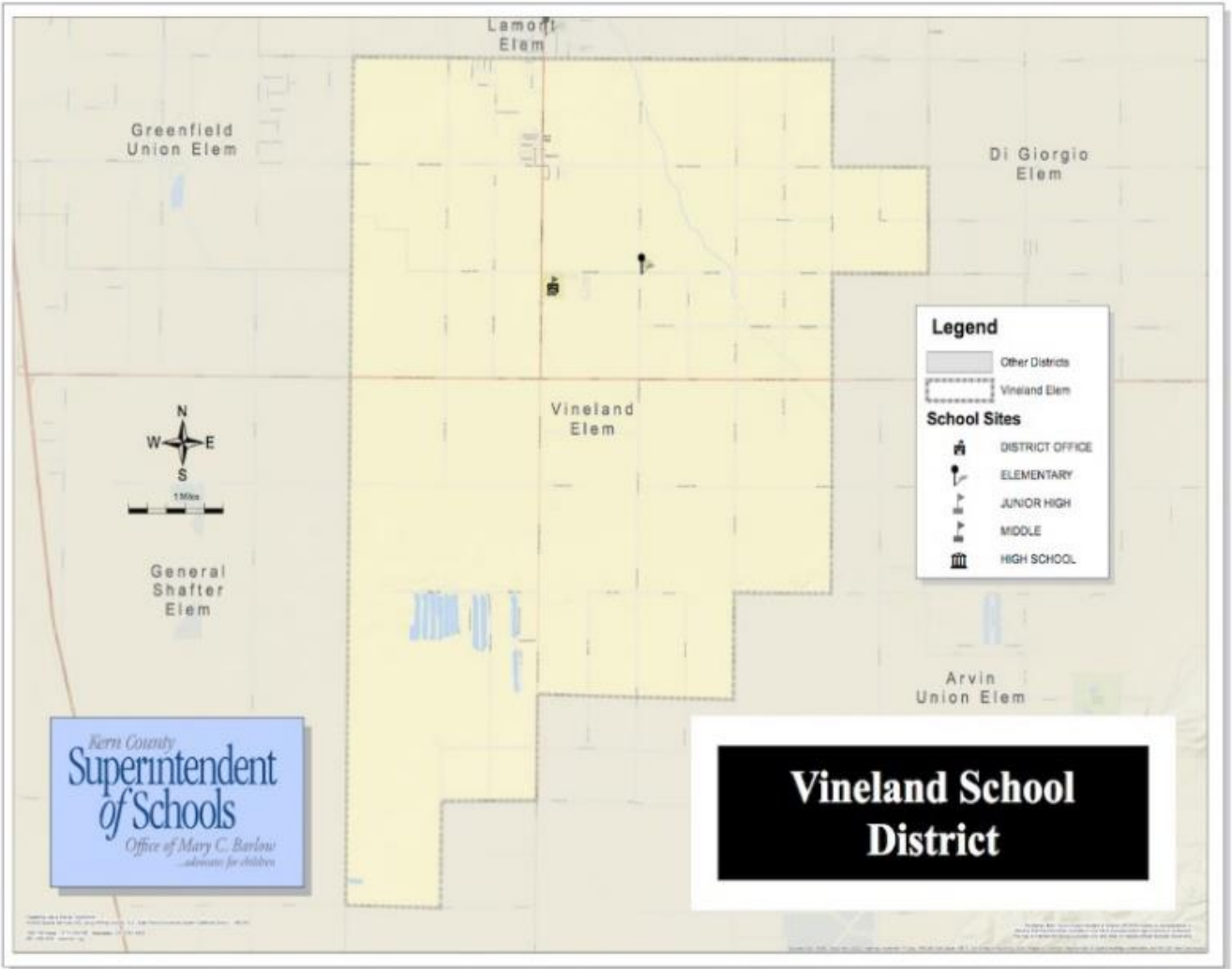
## **RESPONSE REQUIRED WITHIN 90 DAYS:**

**PRESIDING JUDGE  
KERN COUNTY SUPERIOR COURT  
1415 TRUXTUN AVENUE, SUITE 212  
BAKERSFIELD, CA 93301**

**CC: FOREPERSON  
KERN COUNTY GRAND JURY  
1415 TRUXTUN AVENUE, SUITE 600  
BAKERSFIELD, CA 93301**

# APPENDIX A:

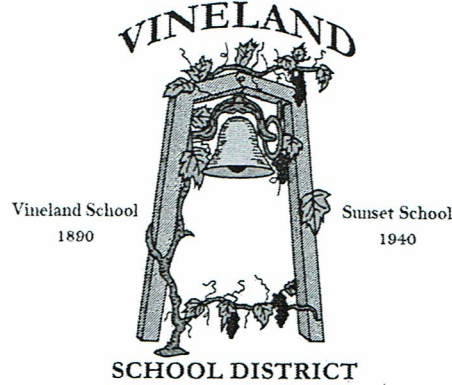
From the Vineland School District website: <http://vineland.k12.ca.us/>



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**BOARD OF TRUSTEES**

Edelmira Gonzalez  
Freddy Medina  
Leticia Prado  
Viviana Ramirez  
Andy Stenderup



**SUPERINTENDENT**  
Matthew W. Ross, Ed.D

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June 8, 2018

**Response to the 2017-2018 Kern County Grand Jury Final Report on the Vineland School District**

**The Honorable Charles Brehmer, Presiding Judge  
Kern County Superior Court  
1415 Truxtun Avenue, Suite 212  
Bakersfield, CA 93301**

We are pleased to respond to the Kern County Grand Jury's report regarding the Vineland School District. We appreciate the time and attention that the Grand Jury committee members gave to their interviews and visit.

In response to the Grand Jury's findings and recommendations, we offer the following:

**FINDINGS:**

**F1. Committee members attended the November 20, 2017 Board Meeting, and noted It was difficult to see in the parking area after dark.**

**Response from the Vineland School District.** The District agrees with the committee's finding. Prior to the meeting of November 20, 2017 the District had been in consultation with a vendor to improve lighting throughout the District using Proposition 39 funding.

**F2. From the parking area, there were no visible directions to the Board of Trustees meeting room.**

**Response from the Vineland School District.** The District agrees with the committee's finding. However, there were originally two signs posted. One at the front end of the wing where the Board meeting was located and the other was originally posted at the front entrance of the school. However, the sign was not appropriately posted on that night.

**F3. There was no sidewalk leading to the only gate open from the parking area to the meeting room, and Is out of compliance with the American Disabilities Act (ADA).**

**Response from the Vineland School District.** The District disagrees with the committee's finding. At the front entrance to the school there are ADA compliant parking spaces with a ramp and paved walkway into the school and down the hallway to the Board room. That night the committee members entered the campus from a gate that serves as an access gate for the Board members and not the public. That gate was inadvertently left open. The committee probably saw cars parked in that area and rightfully assumed it was the public access point for the meeting.

**F4. There was no amplification system provided during the meeting, making discussions and comments difficult to hear.**

**Response from the Vineland School District.** The Board room is the size a regular classroom. Although we have never had a complaint from the public regarding this matter, we will not challenge the committee's finding on this matter.

**RECOMMENDATIONS:**

**R1. The District should make access to the meeting room ADA compliant. Lighting and a safe walkway should be provided from the parking area to the meeting room. (Findings 1, 2, and 3)**

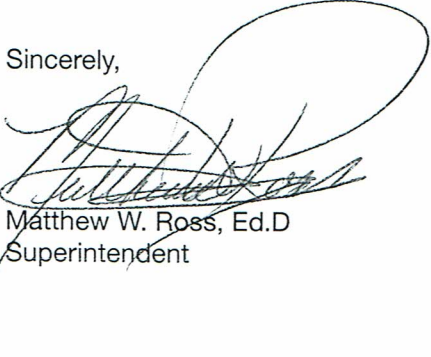
**Response from the Vineland School District.** The District has completed work on the exterior lighting for both schools. The District has also posted signs regarding public parking and location of the Board meeting. The District does not believe that any other improvements are warranted as the front entrance to the school has ADA compliant parking spaces with a ramp and paved walkway into the school and down the hallway to the Board room.

**R2. The District should provide an amplification system during Board Meetings. (Finding 4)**

**Response from the Vineland School District.** Although, the District does not believe there is a need for an amplification systems, given the size of the room, the District did purchase a portable amplification system which will be available, if needed.

Again, we extend our appreciation to the members of the Grand Jury in general, and the members of the Health, Education, and Social Services Committee specifically for their work. If you should have any questions or require further comment please do not hesitate to call or email me.

Sincerely,



Matthew W. Ross, Ed.D  
Superintendent