



**LOMPOC UNIFIED
SCHOOL DISTRICT**

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LOMPOC HIGH SCHOOL
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MAPLE HIGH SCHOOL
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Trevor McDonald, Superintendent

RECEIVED

OCT 14 2016

BY: _____

September 9, 2016

Honorable Judge James Herman
County Courthouse
1100 Anacapa St.
Santa Barbara, CA 93101

Dear Judge Herman:

In response to the Santa Barbara County Grand Jury report, titled "Lompoc Unified School District, Problems on the Board the Lompoc Unified School District Board of Education held a Special Board meeting on August 19, 2016, at which the Board approved the following responses to the Grand Jury.

Motion 2516 - Response and Recommendation Finding 1a

Response and Recommendation Finding 1a

Finding 1

A Lompoc Unified School District Board of Education member twice voted on pay increases that benefitted [sic] his spouse.

Response: LUSD agrees with this finding.

Recommendation 1a

That the Lompoc Unified School District Board of Education require the spouse's pay increases be reimbursed to the Lompoc Unified School District.

Response: LUSD agrees with this recommendation. Consistent with page 4 of the Report, LUSD has referred this matter to the Santa Barbara County District Attorney so that it can be determined whether or not any criminal violation occurred. If the District Attorney determines not to prosecute Mr. Christen for a criminal violation of Government Code Section 1090, LUSD may seek to obtain reimbursement from Mr. Christen using civil remedies.

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent) to provide the Response to Recommendation 1a to the Santa Barbara County Grand Jury and to add the Board hopes this issue can be resolved without prosecution.

Motion 2517 - Response and Recommendation Finding 1b

Recommendation 1b

That the Lompoc Unified School District Board of Education members recuse themselves from discussing and voting on issues that give rise to the perception of a conflict of interest.

Response: LUSD agrees with this recommendation, and has taken steps to implement this recommendation by seeking advice from counsel before the Board discusses or votes on any/all matters that could give rise to the perception of a conflict of interest.

Motion was made by Dr. Heath, seconded by Mr. Gallina, and carried 4-0 (Mr. Christen was absent) to provide the Response to Recommendation 1b to the Santa Barbara County Grand Jury.

Motion 2518 - Response and Recommendation Finding 2

Finding 2

The Lompoc Unified School District does not have adequate control of how expenditures of the General Fund are being allocated and tracked.

Response: LUSD agrees with this finding.

Recommendation 2

That the Lompoc Unified School District Board of Education obtain an independent, specific audit of the General Fund expenditures to clarify the use of public funds.

Response: LUSD agrees with this recommendation and is acting to implement it, including the consideration of hiring an internal auditor to supplement the work of an independent outside auditor.

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide the Response to Recommendation 2 to the Santa Barbara County Grand Jury.

Motion 2519 - Recommendation and Response Finding 3a

Finding 3

A Lompoc Unified School District employee traveled to a conference with her spouse, a Lompoc Unified School District Board of Education member, and she failed to reimburse expenses as required by "Travel Expenses" AR 3350.

Response: LUSD agrees with this finding.

Recommendation 3a

That the Lompoc Unified School District Board of Education enforce the Lompoc Unified School District travel policy as required by "Travel Expenses" AR 3350.

Response: LUSD agrees with this recommendation and is taking action to implement the recommendation.

Motion was made by Dr. Heath, seconded by Mr. Gallina, and carried 4-0 (Mr. Christen was absent), to provide Response to Recommendation 3a to the Santa Barbara County Grand Jury.

Motion 2520 - Recommendation and Response Finding 3b

Recommendation 3b

That the Lompoc Unified School District Board of Education prepare appropriate forms or put in place a tracking system so that Business Services has a method to collect pre-paid travel expenses from employees.

Response: LUSD agrees with this recommendation and is taking action to implement the recommendation.

Motion was made by Mrs. Kessler, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide Response to Recommendation 3b to the Santa Barbara County Grand Jury.

Motion 2521 - Recommendation and Response Finding 4a

Finding 4

The Lompoc Unified School District Board of Education has allowed a hostile work environment to exist.

Response: LUSD agrees that the actions of its former Special Education Director and her Board Member husband created a hostile work environment as described in the Report.

Recommendation 4a

That the Lompoc Unified School District Board of Education add a policy prohibiting all District employees, Board members, and officials from engaging in abusive conduct as defined in Government Code Section 12950.1, subdivisions (b) and (g)(2) ["conduct of an employer or employee in the workplace, with malice, that a reasonable person would find hostile, offensive, and unrelated to an employer's legitimate business interests. Abusive conduct may include ... verbal or physical conduct that a reasonable person would find threatening, intimidating, or humiliating, or the gratuitous sabotage or undermining of a person's work performance."]

Response: LUSD agrees with this recommendation and can implement it by amending its current Professional Standards Policy and its Board Bylaws.

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide Response to Recommendation 4a to the Santa Barbara County Grand Jury.

Motion 2522 - Recommendation and Response Finding 4b

Recommendation 4b

That, after the Lompoc Unified School District adopts the policy described above, the District post, distribute, and provide training on that policy throughout the organization, and enforce it.

Response: LUSD agrees with this recommendation.

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide the Response to Recommendation 4b to the Santa Barbara County Grand Jury.

Motion 2523 - Recommendation and Response Finding 5

Finding 5

The Lompoc Unified School District does not adequately account for the presence of its staff and management during work hours.

Response: LUSD agrees with this finding.

Recommendation 5

That the Lompoc Unified School District enforce an attendance policy for staff and management to ensure they are present and accounted for during work hours.

Response: LUSD agrees with this recommendation and is taking action to implement the recommendation.

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide Response to Recommendation 5 to the Santa Barbara County Grand Jury.

Motion 2524 - Recommendation and Response Finding 6

Finding 6

The Lompoc Unified School District Board of Education does not include its members in the "Employment of Relatives" Policy BP 4112.8/4312.8 (See Appendix D).

Response: LUSD agrees with this finding.

Recommendation 6

That the Lompoc Unified School District Board of Education revise its Policy, BP 4112.8/4312.8, to include members of the Lompoc Unified School District Board of Education.

Response: LUSD disagrees with this recommendation. Board Members do not have the responsibility to manage, supervise, evaluate or promote any District employee other than the Superintendent. So adding Board Members as parties covered by BP 4112.8/4312.8

would have little if any impact on the issues raised in the Report. For example, even if Board Members were expressly added to BP 4112.8/4312.8, that would not have prevented the appointment of Ms. Christen as the Director of Special Education because Mr. Christen, her husband, had no management, supervisory, evaluation, or promotion responsibilities over her. (As noted in the Report, Ms. Christen was hired as the Director of Special Education before Mr. Christen was elected to the Board so he played no role in hiring her.)

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide Response to Recommendation 6 to the Santa Barbara County Grand Jury.

Motion 2525 - Recommendation and Response Finding 7

Finding 7

Members of the Lompoc Unified School District Board of Education are not required to receive ethics training.

Response: LUSD agrees with this finding.

Recommendation 7

That the Lompoc Unified School District Board of Education adopt a policy to require ethics training for Board members on par with AB1234 "Local Ethics Training" requirements.

Response: LUSD agrees with this recommendation and is taking action to implement the recommendation.

Motion was made by Mr. Gallina, seconded by Dr. Heath, and carried 4-0 (Mr. Christen was absent), to provide Response to Recommendation 7 to the Santa Barbara County Grand Jury.

Please contact me if you have any questions or require additional information.

Thank you.

Sincerely,



Stephen C. Straight
President, Board of Education
Lompoc Unified School District

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Attachment: Santa Barbara County Grand Jury Report - "LUSD School Problems on Board"