

SANTA PAULA ELEMENTARY SCHOOL BOARD

INTRODUCTION

A December, 1997 editorial in a local newspaper concerning Santa Paula Elementary School Board (Board) absenteeism prompted the Grand Jury to investigate this situation.

INQUIRY

The Grand Jury interviewed four members of the Board and the Superintendent of the Santa Paula Elementary School District.

FINDINGS

One member of the Board did not attend regular or special meetings between May and August, 1997. During this time there were four regular and two special meetings. Since these absences were made public, the board member has attended every meeting, regular and special.

There is no record of any explanation for his absences nor of any request for the Board's approval of his absences as required.

Section 1770 of the Government Code (Education Code Section 5090) provides that an office could become vacant if the board member is absent from meetings for three consecutive months. If the Board declares an office vacant it has 60 days to order an election or appoint someone to fill the vacancy.

In interviewing the board members, four stated they did not know the provisions of the Education Code governing procedures to be followed when a member misses 3 or more consecutive meetings with no excused absences. Two of these board members have been serving for 16-17 years

During this time period, the board member continued to receive a monthly stipend of \$240. The board members are paid the monthly stipend regardless of attendance or absence at meetings. Any board member who does not attend all monthly meetings could have his monthly stipend pro-rated according to the Education Code. The Board did not recommend pro-rating the absentee member's stipend.

The District retained a law firm to advise them of the interpretation of the Education Code concerning absences and compensation.

CONCLUSIONS

While the board member was absent, the Board did not take any action to determine the cause of his absence nor did they declare the office vacant.

It is now too late to take any action toward the absentee member since the Board did not previously act on the matter.

All board members should have been aware of the specific provisions of the Education Code and the policies and procedures governing actions to be taken in this particular case.

RECOMMENDATIONS

- Board members immediately establish a policy for attendance at training sessions specifically geared to interpretation and understanding of the State Education Code.

RESPONSE REQUIRED

Santa Paula Elementary School Board

Santa Paula Elementary School Board Superintendent