



Chico Unified School District

1163 East Seventh Street, Chico, CA 95928-5999
(530) 891-3000

**Administrative
Regulation:**

#1170

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PREPARATION OF DISTRICT BOARD COMMENT TO GRAND JURY FINAL REPORT

California Penal Code section 933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be submitted no later than 90 days after the Grand Jury submits its final report to the public agency.

California Penal Code section 933.05(a) and (b) detail, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.

- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.
 - (4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

From time to time, the Butte County Grand Jury will issue a final report, a portion of which concerns the District, and requiring comment from the District's Board of Trustees. In order that the District's Board's comment be prepared in an efficient, comprehensive and timely fashion, the following procedure shall be utilized, unless directed otherwise by the Board.

1. **Initial Review and Preliminary Response.** The Superintendent will review the final report with staff designated by the Superintendent, preferably within 10 days of the District's receipt of the final report. The purposes of this initial review are (1) the determination of the appropriate personnel to prepare a draft Board comment and (2) the determination of draft Board comment timelines. Appropriate personnel may include staff, consultants and Board members.
2. **Consultation with Board President.** The Superintendent will meet and consult with the Board President concerning the determinations set forth above and make changes as appropriate. The draft comment timelines will be set forth in the Board's agenda.



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3. The Superintendent, with the appropriate personnel set forth above, shall prepare a draft Board comment. The Superintendent shall determine that the draft comment complies with the Penal Code provisions set forth above.
 4. The Superintendent shall present the comment in draft form to the Board for consideration, discussion and action. The Superintendent shall timely present the draft to permit amendment. Subsequent, amended drafts may be presented to the Board if necessary.
 5. After Board approval, the Superintendent or designee shall timely submit the comment to the presiding judge of the Butte County superior court.

Where the Grand Jury's final report requires comment from the Superintendent, the Superintendent shall determine the appropriate personnel necessary for the preparation of the comment and shall prepare the comment in accordance with the Penal Code provisions set forth above.