



August 21, 2013

**ORANGE COUNTY  
DEPARTMENT  
OF EDUCATION**  
200 KALMUS DRIVE  
P.O. BOX 9050  
COSTA MESA, CA  
92628-9050

(714) 966-4000  
FAX (714) 432-1916  
[www.ocde.us](http://www.ocde.us)

**AL MIJARES, Ph.D.**  
County Superintendent  
of Schools

LYNN APRIL HARTLINE  
Deputy Superintendent

**ORANGE COUNTY  
BOARD OF EDUCATION**

JOHN W. BEDELL, PH.D.

DAVID L. BOYD

ROBERT M. HAMMOND

ELIZABETH PARKER

KEN L. WILLIAMS, D.O.

Thomas J. Borris  
Presiding Judge of the Superior Court  
700 Civic Center Drive West  
Santa Ana, CA 92701

Dear Judge Borris:

Thank you for the opportunity to respond to the Orange County Grand Jury report dated May 17, 2013, entitled *Detention Facilities Report: (Part II Juvenile) How Do We Know If We Are Taking Care of Our At-Risk Juveniles?*, prepared by the 2012-13 Grand Jury. The Orange County Probation Department and the Orange County Department of Education have developed a cohesive and collaborative relationship to support our mutual areas of interest in providing services, care and education to juveniles in detention facilities.

As the Orange County Superintendent of Schools, I appreciate the time and energy taken by the Orange County Grand Jury to research, investigate and analyze the educational delivery programs provided by the Orange County Department of Education. The report required responses to the areas of Findings F4 and F5, and Recommendations R4 and R5, to which we have complied below.

Findings:

F4. At Joplin, there were 103 classroom incidents, 8 described as serious in 2012. This is very high considering the student population is about 50 boys. There were 202 incidents with 23 considered serious in 2011.

Response:

We disagree wholly or partially with the finding.

In the pre-release meeting of the Grand Jury Report between representatives of the Grand Jury and OCDE leadership, a request was made to review the data utilized. This request was denied based on confidentiality and the information was derived by multiple sources which were not cross-validated. However assuming the data is not flawed the assumption that the presence of a principal or assistant principal on site would avert or reduce classroom incidents cannot be validated by data.

However, using the classroom data described in the findings, it reflects a 50% reduction in incidents between 2011 and 2012 and a decrease in those considered serious from 23 to 8, approximately a 60% reduction. The findings do not provide any indicators of how many of these incidents occurred in a substitute teacher's classroom versus a permanent teacher for years 2011 or 2012. All teachers, whether permanent or substitute, are provided training and/or staff development to assist with classroom management techniques and safety and security of their students. We will continue to work with both our teaching staff and probation staff to provide training necessary to ensure the safety of students both in the classroom and in the probation setting.

F5. The Orange County Superintendent of Schools/Department of Education does not provide a full-time certificated Principal or Assistant Principal at Rio Contiguo High School or Joplin High School. However, the Orange County Superintendent of Schools/Department of Education uses the Average Daily Attendance money generated by Youth Guidance Center and Joplin students in seat attendance.

Response:

We disagree wholly or partially with the finding.

We agree that the Orange County Department of Education does not provide a full-time certificated Principal or Assistant Principal at Rio Contiguo or Joplin High School. The Orange County Department of Education does provide an administrative credentialed Program Administrator a minimum of one day a week and a credentialed Assistant Principal twice a week at these sites. Funds generated from average daily attendance for students in seat attendance, have been cut below 2007 funding levels. The state has applied a 22% deficit reduction which does not adequately cover the expenses to operate a full scale school program with on-site full time administrative support. We have focused our funding to address direct instruction to students within the classroom as well as ancillary support to meet the additional needs of these high risk students by providing support in the areas of counseling, mental health and family support. We leverage the administrative support needed at both our institutional and community sites by providing administrators who support multiple sites.

Traditional high school campuses in Orange County accommodate more than 1,000 students on average per day which justifies the need for on campus full-time administrative support. Joplin has a fluctuating enrollment of approximately 35-64 juveniles, which varies due to the number incarcerated.

Recommendations:

R4. The Orange County Superintendent of Schools/Department of Education will prioritize their budget to provide a part-time on-site Assistant Principal at Joplin High School a minimum of three times per week.

Response:

The recommendation was not implemented because it is not warranted or is not reasonable.

The Orange County Superintendent of Schools/Department of Education staff reviews all of our sites with considerations to student/staff safety, instructional delivery protocols and budgetary considerations. Joplin is a residential probation operated camp with housing capacity of 64 juveniles. The Orange County Department of Education provides educational services to these students daily using fully accredited instructional materials. to help them obtain their high school diploma in classrooms with certificated teachers, para-professional support, and on a case by case basis mental health professionals. The current budgetary restraints and the implementation of local control funding formula LCFF do not support a three day a week Assistant Principal.

Pursuant to state funding allocations traditional high school campuses with on-campus administrative support have from 1,000 to 3,000 students on average. Administrative funding and support on any campus is predicated on the instructional needs of students, school size and the number of staff assigned.

The department is committed to providing administrative support a minimum of two days a week. This two day a week commitment may be filled by an Assistant Principal, Principal or Program Administrator.

R5. The Orange County Superintendent of Schools/Department of Education will not use a lead teacher to do the work of a Principal or Assistant Principal at any of the juvenile detention centers.

Response:

This recommendation has already been implemented.

The Orange County Superintendent of Schools/Department of Education does not utilize teachers to do the work of Principals or Assistant Principals. This would be a violation of our collective bargaining agreement with the Orange County Schools Educators Association representing teacher and ancillary bargaining unit members. Teachers utilize appropriate classroom management and progressive discipline to deal with classroom behaviors. They may also be an identified resource or liaison to probation and other partner agencies in the absence of a Principal or Assistant Principal to gather or share identified information, but at no time should they be considered doing the work of an administrator.

Again, thank you for the opportunity to respond to this report and we look forward to our continued collaborative efforts to support our at-risk juveniles.

Sincerely,



Al Mijares, Ph.D.  
Orange County Superintendent of Schools

AM:NB:pd

cc: **Orange County Grand Jury**  
Orange County Board of Supervisors  
Nina Boyd, Associate Superintendent. ACCESS  
Chief Steve Sentman, Orange County Probation Department