

Savanna School District

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September 26, 2012

The Honorable Thomas J. Borris
Presiding Judge
Orange County Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

Re: Savanna School District's Response to 2011-12 Orange County Grand Jury Report,
"Anti-Bullying Programs in Orange County Schools"

To the Honorable Thomas J. Borris:

In accordance with California Penal Code section 933.05, the Orange County Grand Jury has requested that the Savanna School District ("District") respond to Findings 1-4 and Recommendations 1-3, 6-7 in the 2011-12 Orange County Grand Jury Report entitled, "Anti-Bullying Programs in Orange County Schools."¹

Finding 1: Not all Orange County schools use the same technology, procedures and codes to record bullying or harassment incidents.

Response to Finding 1: Savanna School District partially agrees with this finding. The District agrees that not all Orange County schools use the same technology and procedures to record bullying or harassment incidents. We understand that different districts use different databases and internal procedures to track bullying complaints. With regard to the codes used to record bullying or harassment incidents, prior to July 1, 2012, Education Code section 48900(r) defined bullying by reference to sexual harassment (Education Code section 48900.2), hate violence (Education Code section 48900.3), and harassment, threats and intimidation (Education Code section 48900.4). While the law did not contain a stand-alone definition of bullying, such incidents were reported as part of our suspensions and student discipline procedures. However, as of July 1, 2012, Education Code section 48900(r) provides a stand-alone definition of the term "bullying." (AB 1156.) This statute binds school districts throughout California and Savanna School District will implement this Education Code section in its entirety beginning in the 2012-13 school year.

Finding 2: New legislation takes effect July 1, 2012, and broadens the definition of "Bullying."

Response to Finding 2: Savanna School District agrees that AB 1156 provides a broader definition of "bullying" than was contained in prior law.

Finding 3: Education Code section 234.1 requiring posting of anti-bullying/anti-harassment policies in prescribed areas was not evident in all schools visited.

¹ The Orange County Superintendent of Schools has been directed to respond to Recommendations 4 and 5.

Response to Finding 3: While we cannot comment on what policies are posted in all schools throughout Orange County, we can respond to the Savanna School District's policies and procedures. Finding 3 combines the requirement to post anti-discrimination/anti-harassment policies in prescribed areas with the requirement to post anti-bullying policies. The requirement for school districts to post their anti-bullying policy in all schools and offices, including staff lounges and pupil government meeting rooms, is new as of July 1, 2012.² Thus, the District disagrees with Finding 3 to the extent it reflects on the District's practice in regard to posting its anti-bullying policy in prescribed areas prior to July 1, 2012.

In regard to the finding that Savanna School District failed to post its anti-harassment policies in prescribed areas, the District **disagrees** with this finding. The Savanna School District takes bullying and harassment very seriously; so much so that we've recently revised our policies in these areas based upon State law and recommendations by the California School Boards Association. We have not only posted the anti-discrimination and anti-harassment policies in all schools and offices, including staff lounges and student government meeting rooms, our Anti-Bullying/Anti-Harassment Policy has been posted in every classroom throughout the District as well as integrated on our District's web site home page as well as on each school's home page and their respective school handbook page for each District school.

Finding 4: Based on witness testimony, confidentiality was not maintained in a bullying incident as prescribed in California Education Code section 234.1

Response to Finding 4: The Grand Jury report does not contain sufficient information to enable the District to respond to this finding nor does it identify which school district was involved in the alleged breach of confidentiality; therefore, the District disagrees wholly with this finding. We can only comment that we take bullying and harassment very seriously and take every precaution to maintain confidentiality in such cases.

Recommendation 1: Recommend a county-wide compatible information system for reporting incidents of bullying be explored by all school districts.

Response to Recommendation 1: The District is unable to implement this recommendation because it is not warranted and is not reasonable. The District tracks incidents of bullying as follows: Principals enter all student discipline issues in the student information system including suspension information; reports of suspensions are submitted to the Superintendent's Office with data tracked both through hard copy as well as electronically. All suspensions are entered electronically as part of a student's permanent record through the California Longitudinal Pupil Achievement Data System (CALPADS). While complying with State law and reporting requirements, Savanna School District utilizes technology and procedures that reflect the unique needs of our District. While all districts will comply with State-mandated reporting, such as CALPADS, it is not necessary that each district use the same internal procedures and technology to track reported incidents of bullying.

Recommendation 2: Recommend all county-wide schools agree upon the same definition of bullying.

Response to Recommendation 2: The District will not implement this policy because it is not warranted and is not reasonable. The District has no legal authority to obligate other school districts. However, it should be noted that the District is required by law to apply the definition of

² Education Code § 234.1(d).

“bullying” contained in Education Code section 48900(r) in suspending and expelling students. The District also intends to use this definition of “bullying” in tracking complaints of bullying that are sustained.

Recommendation 3: Each district review standardized procedures to protect a bully victim and bystanders’ confidentiality as stated in Education Code section 234.1

Response to Recommendation 3: The Savanna School District takes victims’ and witnesses’ confidentiality very seriously and has a history of not divulging sources during or after investigations; we have adopted policies in regard to retaliation and confidentiality. Those policies state: “The Board prohibits any form of retaliation against any complainant in the complaint process. In investigating complaints, the confidentiality of the parties involved and the integrity of the process shall be protected. As appropriate, the Superintendent or designee may keep the identity of a complainant confidential to the extent that the investigation of the complaint is not obstructed. The Coordinator/Principal shall ensure that the harassed student and his/her parent/guardian are informed of the procedures for reporting any subsequent problems. The Coordinator/Principal shall make follow-up inquiries to see if there have been any new incidents or retaliation and shall keep a record of this information.” The District regularly reminds its employees of these policies through staff meetings as well as annual notices to employees which are provided to the beginning of each school year; in the case of staff that are employed after the beginning of a school year, such notifications are provided during the hiring process.

Recommendation 6: Recommend each district explore the development of a county-wide standard information system for recording incidents of bullying.

Response to Recommendation 6: This recommendation will not be implemented because it is not warranted and is not reasonable. As previously stated, the District tracks incidents of bullying as follows: Principals enter all student discipline issues in the student information system including complaints and their resolution of discrimination, harassment, intimidation and bullying, as well as suspension information; reports of suspensions are submitted to the Superintendent’s Office with data tracked both through hard copy as well as electronically. All suspensions are entered electronically as part of a student’s permanent record through the California Longitudinal Pupil Achievement Data System (CALPADS). Savanna School District’s use of technology and procedures for tracking complaints and their resolution of discrimination, harassment, intimidation and bullying, as well as suspension information reflects the unique needs of our district. While all districts will comply with State-mandated reporting, such as the California Longitudinal Pupil Achievement Data System (CALPADS), it is not necessary that each district use the same internal procedures and technology to track reported incidents of bullying.

Recommendation 7: All schools post anti-bullying/anti-harassment policy in offices, staff lounges and student government meeting areas as prescribed in Education Code section 234.1

Response to Recommendation 7: The Savanna School District takes bullying and harassment very seriously; so much so that we’ve recently revised our policies in these areas based upon State law and recommendations by the California School Boards Association. We have not only posted the anti-discrimination and anti-harassment policies in all schools and offices, including staff lounges and student government meeting rooms, our Anti-Bullying/Anti-Harassment Policy has been posted in every classroom throughout the District as well as

integrated on our District's web site home page as well as on each school's home page and their respective school handbook page for each District school.

If you have any further questions or need additional information, please feel free to contact me at 714-236-3805.

Sincerely,

A handwritten signature in black ink, appearing to read "Dr. Sue Johnson", with a long horizontal line extending to the right.

Dr. Sue Johnson
Superintendent

cc: Orange County Grand Jury
700 Civic Center Drive West
Santa Ana, CA 92701