

August 13, 2007

Nancy Weiben Stock
Presiding Judge of the Superior Court
700 Civic Center Drive West
Santa Ana, CA 92701

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

Subject: OC Grand Jury Report on the BOUSD Disaster Preparedness Plan

I have read and reviewed the copy of the 2006-07 Orange County Grand Jury report, "**Orange County Schools Disaster Plans: A Disaster Waiting to Happen?**" dated May 17, 2007. In fulfillment of the legal requirement to respond to the findings and recommendations by August 21, 2007, we provide the responses:

Finding F-1: The over-all quality of the 28 Orange County School Districts and their individual school's emergency preparedness plans are in need of much improvement.

BOUSD Response:

BOUSD disagrees wholly with the finding for the following reasons:

- a) It asks BOUSD to validate the quality, or lack of quality, of plans from twenty-seven other school districts for which BOUSD has no jurisdiction nor does it have copies of any of the other school district or school site plans on which to base any assessment of quality or compliance.
- b) BOUSD disagrees with the specific findings on the evaluation of the Brea Olinda Unified School District Disaster Plan and the Brea Canyon High School Plan as "Below Expected".

1. **Comments Relative to the District's Rating:** In the initial request for information, the specific contents that you were asking to review of "your school district's emergency preparedness plan" (OC Grand Jury letter dated September 11, 2007) were a bit vague. When BOUSD provided materials to the Grand Jury, we specifically stated in our reply that,

The Brea Olinda Unified School District is a bit unique when it comes to disaster preparedness for its District Office site. Our offices are in the City of Brea's Civic and Cultural Center building, and as such, are a part of the City of Brea's plan for disaster preparedness for this site.

I have attached a copy of the City of Brea Civic and Cultural Center Emergency Information Handbook that describes how disaster preparedness is addressed for this building. The District Office staff regularly participates in the City of Brea's evacuation and disaster/incident drills. I am designated as the "Evacuation Leader" for the District Office staff under the City's plan.

*I have also attached the District's Emergency Operations Center Assignments that define the roles of District Office staff under this plan. In the event of an emergency anywhere within the District, the District's EOC would be activated. The District maintains handheld radios at all sites that operate on a frequency licensed by the FCC. This would be the preferred method of communication during an emergency. With the District's EOC being in the same building/area as the City of Brea's EOC, the City's police and fire services would be easily accessed through direct personal contact with City staff. **The District maintains a more extensive binder of responsibilities and checklists aligned with the Standardized Emergency Management System (SEMS) that can be provided, if needed. (emphasis added)***

Finally, I have attached BOUSD Immediate Crisis Response Information booklet distributed to all employees.

Please feel free to contact me should you have any further questions.

It appears that the evaluation criteria listed on page 4 of the 2006-07 Orange County Grand Jury report, "**Orange County Schools Disaster Plans: A Disaster Waiting to Happen?**" included fifteen basic criteria. Three of the final group of criteria refer to whether the plan was in one complete manual, with a Table of Contents, and having emergency numbers listed. While the District maintains such a notebook, we sent the Grand Jury what we believed

were the essential components needed for their review. While we offered the entire binder if the Grand Jury felt the need to review it, that binder was not requested before an evaluation of the District's plan was made. Other evaluation criteria, which were not made known to the District at the time of the information request, are also covered in the more comprehensive binder. We are providing that binder to you with this correspondence and ask for either another review of the District's plan based on these materials or that the District's rating be changed in the final report to either "Expected" or "Above Expected". The District also requests a detailed summary of any area that the Grand Jury sees as needing improvement to allow the District to include those concerns in our annual review and revision of our Disaster Preparedness Plan.

2. **Comments to Brea Canyon High School's rating:** Each school site's Comprehensive School Safety Plan in the Brea Olinda Unified School District follows the same format and maintains the same content. Without specific documentation on the differences between one school's plan and another, the District cannot agree that Brea Canyon High School's plan is "Below Expected", while two other schools sampled in BOUSD were rated as "Expected". The District requests a detailed summary of any area that the Grand Jury sees as needing improvement in any of our site's Comprehensive School Safety Plans to allow each site to include those concerns in their annual review and revision of their plan.

Recommendation R-1: Orange County school districts should make sure that they and their individual schools have a SEMS equivalent plan, and that these should be submitted to the Orange County Department of Education/Superintendent of Schools for review.

BOUSD Response:

The recommendation to submit plans to the Orange County Department of Education "for review" will not be implemented because it is not required under current law, and it is our understanding that the Orange County Department of Education does not intend to assign staff to complete a review of individual school's or district's Comprehensive Safety Plans. It is the responsibility of each school district to review their own school site safety plans as required by California Education Code Section 32288. Every year, the Brea Olinda Unified School District and each individual site will update our plans based on changes in law and suggestions received from staff, parents, students, local law enforcement agencies, and community leaders.

As noted above, BOUSD also does not agree with the ratings assigned to the District's plan and to Brea Canyon High School's plan. BOUSD feels that all Emergency Preparedness Plans within the District are SEMS compliant. In addition, the Grand Jury report does not provide adequate

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documentation as to what areas they reviewed and evaluated as not meeting the SEMS requirements. Without the documentation that eventually led to the rating of "Below Expected" for those plans, the District cannot validate whether the recommendation applies to any deficiencies in our internal review process of each site's plan. We accept and will implement the recommendation if the intent of the Grand Jury report is to remind the District of current regulations and deadlines that we believe we have been following. The District rejects the recommendation if it is implied in our acceptance of that recommendation that the District has been in any way placing the safety of our students and staff at risk by not having fully developed SEMS-compliant Comprehensive School Safety and Emergency Preparedness Plans.

Should you have any questions or need additional information, please feel free to contact me directly.

Sincerely,

A handwritten signature in black ink that reads "Tim Harvey". The signature is written in a cursive style with a long, sweeping underline.

Tim Harvey.
Superintendent
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