

GRASS VALLEY SCHOOL DISTRICT UNSAFE SCHOOL FACILITIES?

Summary

The Grass Valley School District is a public school district with responsibility for the education and safety of students, teachers, staff, parents and visitors attending school facilities in Grass Valley, California and is governed by a Board of Trustees elected by the district's voters.

The Grass Valley School District is comprised of local public education traditional school sites and one dependent charter school.

The 2013-2014 Nevada County Grand Jury received a complaint regarding sub-standard conditions at Grass Valley School District facilities described and shown in graphic detail accompanied by photos taken in 2010 and 2011. There is evidence the Grass Valley School District Board of Trustees and Superintendent were made aware of the substandard conditions.

The 2013-2014 Nevada County Grand Jury conducted site visits to Bell Hill Academy and Grass Valley Charter School and observed sub-standard conditions that may have a direct effect on the health and welfare of all students, parents, staff and visitors. Current photos were taken by Jurors showing unchanged conditions from 2010-2011.

A 2000 lawsuit, *Eliezer Williams et al v. State of California et al*, was settled with regard to sub-standard schools, including education and safety issues.

In 2004, legislation was passed as a result of this case which expands county superintendent duties and requires active involvement by the County Superintendent of Schools in each district.

The Nevada County Superintendent of Schools maintains final jurisdictional responsibility over the Grass Valley School District to provide a safe work environment for employees and safe and clean facilities for the educational environment. This environment includes facilities which are clean and free of defects and unsafe conditions.

The Nevada County Superintendent of Schools is required to:

- inspect all school facilities in Nevada County,
- review each local district's School Accountability Report Card for accuracy.

The Nevada County Grand Jury interviewed an official of the County Office of Education. The official did not believe the Nevada County Superintendent of Public Schools was required to:

- make required inspections of each school site in the county,
- review the School Accountability Report Card.

The Nevada County Superintendent of Schools was unaware of the important duties imposed on the office to provide for a safe environment at each school facility.

The Grass Valley School District Superintendent and Grass Valley School District Board of Trustees are required to make site inspections to verify that school facilities are clean and free of defects pursuant to Education Code §1240 et seq.

The Nevada County Grand Jury interviewed the Grass Valley School District Superintendent. The Superintendent was aware of the duties imposed on the office to provide for a safe environment at each school facility, but did not implement the provisions of Education Code §1240 et seq.

The Grass Valley School District Superintendent's office hired a construction consultant to act as a liaison with the California Department of Architecture and a construction consultant to inspect the current facilities and report any deficiencies.

To ensure the health and safety of Nevada County school facilities, the following is recommended:

- The County Superintendent of Schools should make required inspections and conduct report reviews of all school facilities in Nevada County as outlined in the Education Code.
- The Grass Valley School District Board of Trustees should direct the Superintendent to obtain and review all construction and major maintenance projects that have been performed, verify each followed state requirements, and are on file with the state in order to exercise better control over contracts.
- The Grass Valley School District Board of Trustees should direct the Superintendent to reevaluate consultant contracts for the liaison with the State as well as the construction consultant who made site inspections.

Reasons for Investigation

The Nevada County Grand Jury (Jury) received a complaint about the conditions of the facilities of the Grass Valley School District (GVSD) and the manner in which repairs had been made including areas requiring remedial or extensive replacement of structures of the facilities in question. The Jury has the authority to investigate school districts and their boards of trustees, pursuant to California Penal Code.

Background

The Governing Board (Board) of the GVSD is made up of five Trustees. The Board consists of the President, Vice President, Clerk and two Trustees. Each Board member is elected by the voting public within the Area they represent, each serving a four-year term.

The schools within GVSD are Scotten School, Lyman Gilmore School, Grass Valley Charter School, Bell Hill Academy, Grass Valley Little Learners and Our Kids Place.

The Jury was presented documentation of sub-standard conditions in all GVSD facilities.

The Nevada County Superintendent of Schools oversees all school districts in Nevada County.

Procedures Followed

The Jury:

- interviewed the Nevada County Superintendent of Schools and staff,
- conducted interviews with the GVSD superintendent,
- reviewed documents received from the interviewees,
- reviewed documents from the GVSD website,
- reviewed information from the Education Code,
- reviewed information from the Nevada County Superintendent's office website,
- conducted site visits to observe current conditions at three specific GVSD facilities,
- took 97 photographs at the three sites.

Facts

- Fa. 1** Legislation was passed arising out of the 2000 court case of *Eliezer Williams et al v State of California et al* to “resolve *Williams*” which included updates to the Education Code, enhanced and expanded the county superintendent's office and local school district's responsibilities to provide a safe environment for students, teachers, staff, parents and visitors attending school facilities.
- Fa. 2** GVSD is comprised of Scotten School, Lyman Gilmore School, Grass Valley Charter School, Bell Hill Academy, Grass Valley Little Learners and Our Kids Place.
- Fa. 3** Complaints had been received by GVSD Superintendent's office concerning dry rot, mold, dangerous playground equipment, exposed live electric wires, unlocked electric boxes and improper repairs at various facilities in GVSD system.
- Fa. 4** The Jury received photographs dating from 2010 to 2012 showing substandard conditions at GVSD facilities.
- Fa. 5** The 2013-2014 Jury took photographs showing current unsafe conditions at GVSD that appear to have the same issues as the 2010-2012 photographs.

Fa. 6 The HVAC systems in each school are old and are under constant repair. These systems harbor an environment for growing irritants that thrive on damp, dark, and non-maintained spaces.

Fa. 7 The Jury conducted a site visit to Grass Valley Charter School and Bell Hill Academy. The Jury observed and photographed the following (see Appendix):

- dangerous conditions present at the playground including rotted support beams, [#17, #18]
- buildings with soil to wood or concrete contact, [#57]
- siding material compromised by water, [#51, #85]
- holes in siding, allowing water intrusion to interior walls, [#51, #57]
- exposed electrical wires at ground level, [#41]
- non-weatherproof electric box exposed in play areas with live 120 volt electric charge, [#18] trip and fall hazards due to posts cut off, stumps left above ground,
- broken solid conduit exposing 120 volt live wires to elements, [#86]
- improper roofing padding on conduit supports, [#87]
- mold in ceilings of classrooms, [#61, #62, #63]
- continued water intrusion into ceilings of class rooms, [#61, #62, #63]
- roof drains not diverting water away from class rooms at ground level, [#97]
- drains that direct roof runoff water directly into area of high voltage lines, [#97]
- improper storage of flammable chemicals in a non-rated office storage locker without warning signs, [#07, #08]
- Material Safety Data Sheets (MSDS) book containing unnecessary and inappropriate information rather than a list of the specific chemicals on site for first-responder safety,
- roof flashing missing at drain waste vent. [#61, #67].

Fa. 8 Public schools are required to obtain California Department of General Services (CDGS) approvals for construction projects.

Fa. 9 There were two major construction projects completed, one at Grass Valley Charter School and one at Bell Hill Academy. Both were for removal of mold and reconstruction of damaged areas of classrooms believed completed between 2010 and 2011.

Fa. 10 There is no record on file with the CDGS for the above two construction projects. The construction records on file with CDGS for Grass Valley School District, known as “*Certified Projects for Client Id 29-11*” revealed 15 total projects. None of these included the concerns listed in this report.

- Fa. 11** Officials from Nevada County Building Department stated that they were not involved with any school building permits. The California Division of State Architect (CDSA) is the regulating authority for school property projects.
- Fa. 12** Inquiry to CDSA website refers inquires to CDGS for school projects.
- Fa. 13** Officials from City of Grass Valley (City) stated that they are not involved in the school construction permit process. However, the City issued a permit for Grass Valley Charter School installation and inspection for a photovoltaic solar system and awning in 2013.
- Fa. 14** California Department of Education website defines the School Accountability Report Card (SARC) use as: "*California public schools annually provide information about themselves to the community allowing the public to evaluate and compare schools for student achievement, environment, resources and demographics.*"
- Fa. 15** SARC documents for GVSD were reviewed by the Jury and indicated a "GOOD" rating for facility conditions. However this did not reflect the current, sub-standard conditions observed by the Jury at Grass Valley Charter School and Bell Hill Academy.
- Fa. 16** Education Code §1240 (J) (iii) requires county superintendents to review all SARC reports for accuracy.
- Fa. 17** The Nevada County Superintendent of Schools stated:
- that the Education Code and California Code of Regulations are the primary statutes that determine the actions and activities of school superintendents and that of school districts,
 - she was not sure of requirements to conduct site visits or to review SARC reports for accuracy, but will look up Education Code §1240 and review the responsibilities placed on the county superintendent of schools,
 - she was not aware of Education Code §44110 [Whistler Blower statutes] but will look up Education Code §44110,
 - she was not aware of Education Code §35186, a uniform complaint process to report conditions that present a danger to the health and safety of students, teachers, staff, parents and visitors, and the county office's duties concerning reports, but will look up this code section,
 - she was not aware of the county office's responsibility concerning the use of the complaint form but will look up this code section,
 - she had no knowledge of the Facilities Inspection Tool (F.I.T.) used to assess school buildings and facilities,
 - she was not aware of requirements to inspect school facilities within Nevada County,
 - she was unaware of MSDS requirements for first responders and staff to know what chemicals are on site in case of an emergency,

- she was not responsible for the accuracy of the SARC and believed that there was no review required by the superintendent's office.

Fa. 18 The GVSD Superintendent was interviewed and stated:

- the authority for school maintenance is being taken care of in the deferred maintenance budget account. However, there is no budget money allotted for this action,
- the evidence shown in current photos of mold, mildew and water intrusion into classrooms is unknown,
- the office is unaware of any unauthorized construction or major repair being done. He believed that recent construction had been under a permit issued by Nevada County Building Department or City of Grass Valley Building Department,
- the district doesn't use the F.I.T. state form because the maintenance crew has reported that all maintenance is up to date,
- he is unaware of any notifications of sub-standard conditions in any classroom or building within the district,
- there was concern when viewing the photos of current conditions of mold in classrooms, faulty and unsafe playground equipment, building siding peeling away from the wall studs because of water intrusion into the inner walls,
- consultants had been hired to be liaison between GVSD and CDSA for future construction projects. A construction consultant who conducted site inspections with GVSD administration and Board of Trustee member(s) stated in submitted reports there was no findings of the sub-standard conditions.

Fa.19 The Jury showed the Superintendent current photographs illustrating hazardous conditions in Nevada County schools.

Findings

- Fi. 1** Grass Valley Charter School property conditions expose students, teachers, staff, parents and visitors attending school facilities to dangerous health and safety issues.
- Fi. 2** Bell Hill Academy property conditions expose students, teachers, staff, parents and visitors attending school facilities to dangerous health and safety issues.
- Fi. 3** These hazardous conditions are endangering the health and safety of students, teachers, staff, parents and visitors because no one has taken responsibility for repair even though administrators and the Board of Trustees have been notified in writing.
- Fi. 4** Mold not properly removed continues to pose an inherent danger to students, teachers, staff, parents, and visitors.
- Fi. 5** Repairs have been done without benefit of required State oversight placing anyone entering these facilities at risk.

- Fi. 6** Inadequate inspections have placed students, teachers, staff, parents and visitors attending school facilities in danger. Lack of detail in observing and accurately reporting sub-standard and dangerous conditions are obvious even to a lay person and should have been reported by experts hired by GVSD.
- Fi. 7** Because GVSD officials created a MSDS book with unnecessary and inappropriate information, this places first responders at risk during emergencies as well as students, teachers, staff, parents, and visitors attending school facilities if immediate first aid is needed to be applied while awaiting medical care.

Recommendations

- R. 1** The Nevada County Superintendent of Schools should direct staff to adhere to the requirements of their office including:
 - conducting required site visits,
 - verifying SARC reports for accuracy,
 - complying with requirements mandated by *Eliezer Williams et al v. State of California et al (2000)*.
- R. 2** The GVSD Board of Trustees should direct the Superintendent to review existing contracts with construction consultants to determine if there is a bad-faith clause and demand a refund because hazardous conditions were not repaired.
- R. 3** The GVSD Board of Trustees should direct the Superintendent to review the contracts for work on Grass Valley Charter School and Bell Hill Academy to remove mold, mildew and rot from these sites and verify the work was done according to contract.
- R. 4** The GVSD Board of Trustees should verify all this work performed was state approved, inspected, and complies with codes concerning safe schools.
- R. 5** The Grass Valley School District Board of Trustees should direct the Superintendent to update each MSDS Book to reflect site specific hazards.

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Responses

Nevada County Superintendent of Schools:

Findings 1, 2, 3, 4, 5, and 6

Recommendation 1

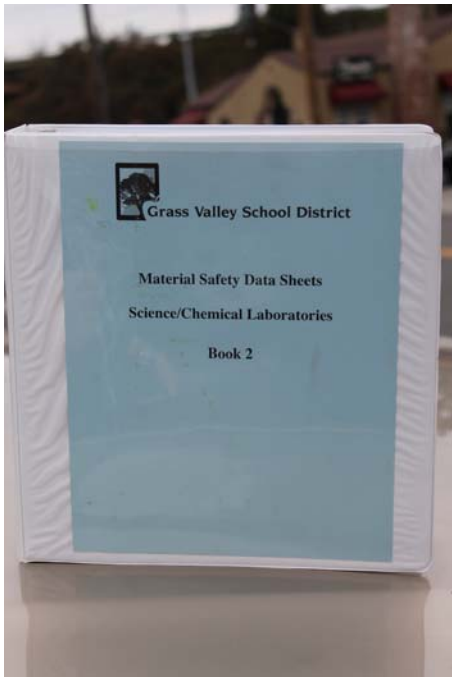
Due Date: August 30, 2014

Grass Valley School District Board of Trustees:

Findings 1, 2, 3, 4 5, and 6

Recommendations: 2, 3, 4, and 5

Due Date: September 30, 2014



#3



#4

“MSDS” book. 1 ½ inches thick. Includes all chemical MSDS sheets.

The use of this document is for WHAT IS ON SITE for use by emergency responders.



#07

WORK SHOP.



#08

Non-Rated cabinet with flammable chemicals. No CAUTION sign posted on outside. In case of fire, this is in one of the main EXIT routes.

Grass Valley Charter School



#17 - Rotted support.



#18 Live electric box within play equipment area.



#41 Broken electric conduit at ground level is at risk for high flooding from the adjacent Veteran's Hall parking lot.

Bell Hill Academy:



#51 - Siding is separating from wall structure.
This is evidence of water penetration to interior of wall structure.



57 Rot at foundation.



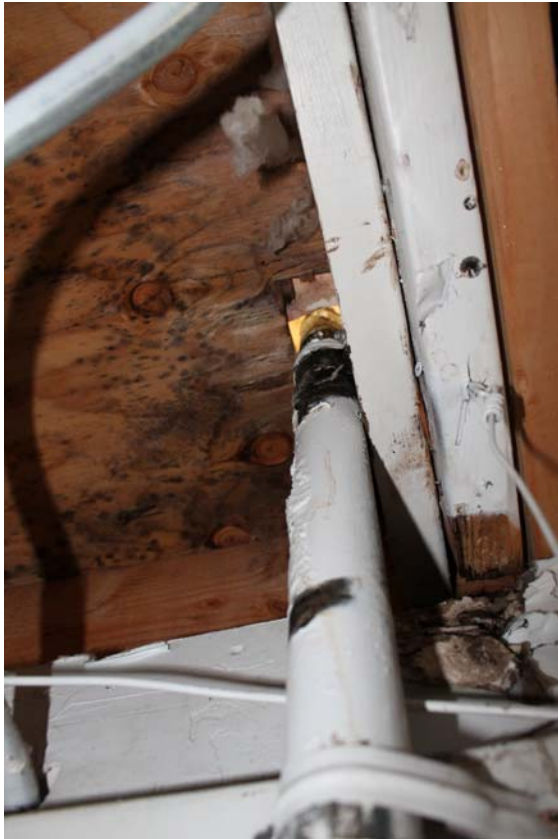
#61 Mold repairs were not done correctly.



#62 Mold repairs were not done correctly.



#63 Mold repairs were not done correctly.



#67 Mold repairs were not done correctly. Roof flashing on pipe is absent, allowing water to enter building.



#85 - Siding is separating from wall structure. This is evidence of water penetration to interior of wall structure.



#86 Frayed and broken insulation used to carry 110 volts of electric power. This exposes the live wires to elements. Note also the routing is under the roofing material, no anchors to keep the wires from pulling away.



#87 MAIN BUILDING

Roof – conduit supported by 4.x, untreated blocks.

The blocks rest directly on the roof material. Needed are Roof Pads to absorb movement between the 4x4 and the roof coating.



#97

Rain Gutter drains water; in immediate area of live electric power.

None of the drains routed roof water AWAY from the structures.



HOLLY A. HERMANSEN, SUPERINTENDENT

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August 26, 2014

The Honorable Thomas M. Anderson
Presiding Judge of the Grand Jury
Nevada County Superior Court
210 Church Street
Nevada City, CA 95959

Dear Judge Anderson,

This letter serves as the response from the Nevada County Superintendent of Schools on the findings and recommendations of the June 30, 2014 Grand Jury Report on the subject of “**Grass Valley School District Unsafe Facilities?**” For purposes of readability, we have shown our responses in bold.

FINDINGS:

1. Grass Valley Charter School property conditions expose students, teachers, staff, parents and visitors attending school facilities to dangerous health and safety issues.

Disagree: We do not have any credible evidence to substantiate this finding.

One of a school district governing board’s major responsibilities is to provide healthful, safe and adequate facilities that enhance the instructional program.

While we are deeply concerned about the health and safety of all the students in Nevada County, it is not required, nor is it appropriate for the county superintendent of schools to inspect the facilities of any school district that is not identified in deciles 1 to 3 of the Academic Performance Index by the California Department of Education. That responsibility is with each individual school district and local governing board.

California Education Code 1240 (c) (1) states that the county superintendent of schools shall visit and examine each school in his or her county at reasonable intervals to observe its operation and learn of its problems. It has been the practice of this county superintendent of schools to visit the schools in the county at reasonable intervals.

Although the Grass Valley School District does not have any schools that have been identified in deciles 1 to 3 of the Academic Performance index by the California Department of Education, for those schools which are so identified, Education Code 1240 (c) (J) requires the county superintendent to submit an annual report regarding the status of the following circumstances:

1. Sufficient textbooks
2. The condition of a facility that poses an emergency or urgent threat to the health and safety of pupils or staff
3. The accuracy of data reported on the school accountability report card
4. The extent to which students who have not passed the high school exit examination by the end of grade 12 are informed that they are entitled to receive intensive instruction and services for up to two consecutive academic years after completion of grade 12
5. The extent to which pupils who have elected to receive intensive instruction and services are being served
6. Teacher misassignments
7. Teacher vacancies

The Nevada County Superintendent of Schools does not have the authority or information to formulate opinions on the condition of the facilities of the Grass Valley School District. The County Superintendent is in contact with the Grass Valley School District about these issues and is aware of the steps the District is taking to ensure that all the District's facilities continue to be safe for students, teachers, staff, parents and visitors.

2. Bell Hill Academy property conditions expose students, teachers, staff, parents and visitors attending school facilities to dangerous health and safety issues.

Disagree: We do not have any credible evidence to substantiate this finding.

(same reasons as Finding #1.)

3. These hazardous conditions are endangering the health and safety of students, teachers, staff, parents and visitors because no one has taken responsibility for repair even though administrators and the Board of Trustees have been notified in writing.

Disagree: We do not have any credible evidence to substantiate this finding.

(same reasons as Finding #1)

4. Mold not properly removed continues to pose an inherent danger to students, teachers, staff, parents and visitors.

Disagree: We do not have any credible evidence to substantiate this finding.

(same reasons as Finding #1)

5. Repairs have been done without the benefit of required State oversight placing anyone entering these facilities at risk.

Disagree: We do not have any credible evidence to substantiate this finding.

(same reasons as Finding #1)

6. Inadequate inspections have placed students, teachers, staff, parents and visitors attending school facilities in danger. Lack of detail in observing and accurately reporting sub-standard and dangerous conditions are obvious even to a lay person and should have been reported by experts hired by GVSD.

Disagree: We do not have any credible evidence to substantiate this finding.

(same reasons as Finding #1)

RECOMMENDATIONS

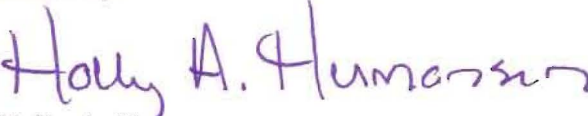
1. The Nevada County Superintendent of Schools should direct staff to adhere to the requirements of their office, including:
 - Conducting required site visits
 - Verifying SARC reports for accuracy
 - Complying with requirements mandated by *Eliezer Williams et al v. State of California et al (2000)*

This recommendation has been implemented.

The Nevada County Superintendent of Schools has complied with the requirements of the Williams Act. For the single school in Nevada County (Ready Springs School in the Penn Valley Union Elementary School District, formerly Ready Springs Union Elementary School District) that is in deciles 1 to 3 of the Academic Performance Index, the County Superintendent has conducted the required site visits and submitted an annual written report regarding the status of all the circumstances listed in Education Code 1240 (c) (J), as listed above in response to Finding # 1.

In addition, the Nevada County Superintendent of Schools has reviewed Quarterly Williams Uniform Complaint Reports submitted by the Grass Valley School District since 2010, in accordance with Education Code section 35186(d). The reports confirm that there have been no complaints filed with the District.

Sincerely,



Holly A. Hermansen
Nevada County Superintendent of Schools



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Grass Valley School District

Eric Fredrickson
Superintendent

September 23, 2014

Honorable Thomas M. Anderson, Presiding Judge
Nevada County Superior Court
210 Church Street
Nevada City, California 95945

Re: Board of Education, Grass Valley School District, Response to Nevada County 2013-2014 Grand Jury Report, "Grass Valley School District, Unsafe School Facilities?"

Honorable Judge Anderson:

Pursuant to California Penal Code sections 933 and 933.05, the Board of Education of the Grass Valley School District hereby submits its formal response to the 2013-2014 Nevada County Grand Jury Report entitled, "Grass Valley School District, Unsafe School Facilities?" ("Report").

OVERVIEW OF BOARD'S RESPONSE

The Board and the District consider the safety and well being of all students, parents, staff, and visitors to the District's schools to be of paramount importance. Consequently, the Board and District have very carefully and thoroughly considered each and every one of the Grand Jury's factual contentions, findings and recommendations contained in the above-referenced report in order to ensure that there are no significant safety risks posed by the condition of its existing facilities or significant gaps in its safety protocols that could create risk exposure in the future.

Based on the Board's review of all available evidence relevant to the items identified in the Grand Jury's report, including, but not limited to, the conclusions of the professional mold, electrical, and general construction experts engaged by the District to conduct industrial hygiene inspections of those specific items, the Board has determined that at no time did any of the conditions identified in the Grand Jury's report regarding the District's facilities pose a danger to the health and safety of students, teachers, staff, parents or a community members.

BOARD OF EDUCATION'S RESPONSE TO GRAND JURY'S FINDINGS¹

Finding 1:

Grass Valley Charter School property conditions expose students, teachers, staff, parents and visitors attending school facilities to dangerous health and safety issues.

Response to Finding 1:

The Board strongly disagrees. No credible evidence exists to substantiate this finding.

More particularly, the only information the Grand Jury presented to the Board in support of Finding 1 above were photocopies of photographs taken by unidentified and unknown members of the 2013-2014 Nevada County Grand Jury. Not only did the Grand Jury fail to provide any information to authenticate these photographs, the Grand Jury provided no documentation in the way of licenses, certifications and/or other qualifications, if any, the unidentified and unknown members of the Grand Jury possess with respect to conducting inspections of school facilities.

The Board further has no knowledge of the specific dates, times and locations pertaining to the photocopied photographs, as the Grand Jurors who, according to the Grand Jury's report, "conducted site visits to observe current conditions at three specific GVSD facilities" and "took 97 photographs at the three sites" did not comply with the Board's policy no. 1070, adopted pursuant to Penal Code section 627.2, which requires all outsiders to register with the school Principal or designee in the main school office prior to entering the remainder of the school grounds.

Based on the above-described fundamental uncertainties and deficiencies pertaining to the information that the Grand Jury provided to the Board in support of Finding 1, the Board cannot responsibly deem such information adequate to support the Grand Jury's broad, general finding that Grass Valley Charter School facilities conditions expose all persons who enter the grounds to "dangerous health and safety issues."

Moreover, upon receipt of the Grand Jury's report, the District engaged the services of licensed, professional experts to conduct inspections of each one of the specific items identified in the Grand Jury's report by narrative description and corresponding copies of photographs.

¹ NOTE: Although the Grand Jury did not ask the Board to respond to the factual assertions (Fa. 1 through Fa. 19) underlying the Findings contained in the report, the Board feels compelled to generally respond to those assertions by clarifying that, as with the Findings discussed below, the Board has very serious concerns regarding the accuracy of, and lack of evidentiary support for, those purported statements of fact. In particular, the Board disputes the veracity of the Grand Jury's factual contentions (in whole or in part) found at Fa. 3 through Fa. 7, Fa. 15, and Fa. 19. Therefore, the absence of individual responses to each and every factual contention contained in the Facts section of the Grand Jury's report should not be construed to indicate the Board's agreement thereto or adoption thereof.

With respect to the allegedly unsafe conditions at Grass Valley Charter School, the District engaged a licensed electrician qualified to conduct code inspections, as well as a licensed general contractor qualified to conduct facilities and construction inspections.

The licensed electrician inspected the conditions depicted in photographs #18 (described as “live electric box within play equipment area”) and #41 (described as “broken electric conduit at ground level is at risk for high flooding from the adjacent Veteran’s Hall parking lot”). Based on his inspection, the electrician’s conclusion was that minor repairs are recommended with respect to both items, but that in his professional opinion, the items requiring repair do not pose any significant safety risk to people occupying the areas.

The licensed contractor inspected the conditions depicted in photograph #17 (described as “dangerous conditions present at the playground including rotted support beams”). Based on his inspection, the contractor concluded that the playground support beams are located below the deck walking surface and thus not observable. The contractor further inspected one (1) post above the deck level that showed some damage, and concluded that the post should be repaired to prevent any further deterioration and potential for some safety risk in the future. The District’s maintenance staff is in the process of placing a smooth cap over the damaged post.

Based on all the foregoing, the Board disagrees with the Grand Jury’s finding that the facilities conditions at Grass Valley Charter School expose all persons on the property to “dangerous health and safety issues.”

Finding 2:

Bell Hill Academy property conditions expose students, teachers, staff, parents and visitors attending school facilities to dangerous health and safety issues.

Response to Finding 2:

The Board strongly disagrees. No credible evidence exists to substantiate this finding.

With respect to the Board’s concerns regarding the information it received from the Grand Jury in support of this conclusion, please refer to the explanation provided under “Response to Finding 1” above. The Board harbors identical concerns with respect to the support provided by the Grand Jury for its Finding 2 and thus, the Board cannot responsibly deem such information adequate to support the Grand Jury’s finding that the condition of the facilities at Bell Hill Academy expose all persons who enter the grounds to “dangerous health and safety issues.”

Moreover, upon receipt of the Grand Jury’s report, the District engaged the services of licensed, professional experts to conduct inspections of each one of the specific items identified in the Grand Jury’s report by narrative description and corresponding copies of photographs.

With respect to the allegedly unsafe conditions at Bell Hill Academy, the District engaged a licensed electrician qualified to conduct code inspections, as well as a licensed general contractor qualified to conduct facilities and construction inspections. The District further engaged the services of a licensed mold inspector, and the results of that inspection are discussed in the Board's "Response to Finding 4" below.

The licensed electrician inspected the conditions depicted in photographs #86 (described as "frayed and broken insulation used to carry 110 volts of electric power"), #87 (described as "conduit supported by...untreated blocks") and #97 (described as "rain gutter drains water in immediate area of live electric power"). While he did recommend some minor repairs be made to the insulation, the electrician concluded that in his professional opinion item #86 did not constitute a safety risk of any kind. While #86 does not pose a safety risk, the District will be relocating the cabling for the alarm system. The electrician also flatly rejected the Grand Jury's assertion that items #87 and #97 posed a safety risk and further concluded that neither item #87 nor #97 required any repair.

As stated above, the District also engaged a licensed contractor to inspect the conditions depicted in the following photographs;

- #57 (described as "rot at foundation"),
- ##51 and 85 (described as "siding is separating from wall structure"),
- #87 (described as "the blocks rest directly on the roof material. Needed are roof pads to absorb movement"),
- #61-63 (described as "continued water intrusion into ceiling of classroom"),
- #97 (described as "none of the drains routed roof water away from the structures"), and
- ##61 and 67 (described as "roof flashing missing at drain vent").

With respect to item #57, the contractor removed a new corner trim piece that District maintenance staff had installed to replace the rotted piece depicted in the Grand Jury's photograph, and determined that there was isolated water damage. The contractor concluded that this condition poses no danger or safety risk, but recommended minor repair and future water diversion. The District's maintenance staff has completed all recommended repairs.

With respect to item #51, the contractor concluded that the damaged skirting material was recommended for replacement, but that this condition poses no danger or safety risk. The District's maintenance staff has completed all recommended repairs.

With respect to item #85 and contrary to the Grand Jury's conclusion, the contractor found no evidence of separation from the structure or evidence of water present, thus there was no condition posing a danger or safety risk.

With respect to item #87, the contractor concluded that the conduit support blocks resting on the roof membrane does not pose a danger or safety risk, but nonetheless recommended that the District inquire about the manufacturer's recommendations regarding pads.

With respect to item ##61-63, the contractor inspected the roof and space above the ceiling and found no evidence of water entry. The contractor further determined that the roof membrane is in good condition and all penetrations are flashed. Therefore, the contractor concluded that there is no danger or safety risk with respect to these items.

With respect to item #97, the contractor concluded that minor repair could improve drainage from the area, but that this condition poses no danger or safety risk.

With respect to item ##61 and 67, the contractor found no evidence of missing roof flashings, and thus concluded that there is no danger or safety risk in relation to these items.

Based on all the foregoing, the Board disagrees with the Grand Jury's finding that the facilities conditions at Bell Hill Academy expose all persons on the property to "dangerous health and safety issues." As set forth above, no credible evidence exists to support the Grand Jury's conclusion.

Finding 3:

These hazardous conditions are endangering the health and safety of students, teachers, staff, parents and visitors because no one has taken responsibility for repair even though administrators and the Board of Trustees have been notified in writing.

Response to Finding 3:

The Board strongly disagrees. No evidence whatsoever exists to substantiate this finding.

First and foremost, the above conclusion presupposes the fact that there are "hazardous conditions...endangering the health and safety of [all persons]" at Grass Valley Charter School and Bell Hill Academy. As explained more particularly in the Board's responses to the Grand Jury's finding nos. 1, 2 and 4 herein, no evidence exists to support the Grand Jury's underlying determination concerning the existence of "hazardous conditions" at these sites.

Second, the Grand Jury's above conclusion assumes the truth of the allegation that "administrators and the Board of Trustees have been notified in writing" regarding the items identified in the Grand Jury report. The Board does not have any evidence, documentary, testimonial, or otherwise, supporting this allegation regarding prior written notice to the Board and District administration.

To the contrary, the Board's receipt of the Grand Jury report was the first time that the Board or the District's administration was informed about the allegedly unsafe conditions identified in the

anonymous complaint that prompted the Grand Jury's investigation.² Had the anonymous complainant, or any other knowledgeable person, brought those items of concern to the attention of the Board or the District's administration sooner, the District would have been able to conduct its investigation and make the recommended minor repairs where applicable far earlier than it has been able to do following its receipt of the Grand Jury report.

As the report states in its Fact 18, during the District Superintendent's interview with the Grand Jury, he stated that "he is unaware of any notifications of sub-standard conditions in any classroom or building within the district." There are no facts alleged in the report that controvert the Superintendent's statement, and neither the Grand Jury nor the District have produced any evidence to the Board to substantiate the Grand Jury's contradictory finding concerning prior written notice. The Board therefore disputes this factual assumption.

Finally, with respect to the Grand Jury's conclusion that "no one has taken responsibility for repair," the District Maintenance Supervisor, and District maintenance staff, are responsible for identifying the need for, and ensuring the completion of, District facilities maintenance and repair projects. (See attached job descriptions for Director of Maintenance and Operations³ and for General Maintenance Person⁴)

Please see the attached Work Order Flow Chart and narrative description, which illustrate and explain the District's above-described system for facilities maintenance and repair.

The District's Superintendent relies upon the maintenance supervisor and staff to report and promptly address any issues or concerns with respect to facilities. Again, as explained above, had the District's Superintendent been given earlier notice of the items identified in the Grand Jury's report for which the District's licensed inspectors have recommended minor repairs, either by the District's former Supervisor of Maintenance and Grounds or by the anonymous complainant, the District would have been able to complete work orders for those repairs much sooner.

² NOTE: there is one limited exception relating to the storage of chemicals in the workshop and the Safety Data Sheets identifying all chemicals on site. As explained in the District Superintendent's May 5, 2014 written response to the Grand Jury's request for information (a true and correct copy of which is attached hereto), the District's previous Supervisor of Maintenance and Grounds was directed to address these issues during the period of his employment, but he did not do so. As is further explained in the Superintendent's response, the District has since taken appropriate steps to implement the prior directive regarding the Safety Data Sheets, and the District has already completed the purchase of a special storage container to house the chemicals in the workshop depicted in the Grand Jury's Photographs #7 and 8, and that storage container will be arriving very shortly. However, the Board emphasizes that despite the former District Supervisor of Maintenance and Grounds' failure to complete these tasks as directed, there is no evidence that either of these issues have ever constituted an actual health or safety risk to anyone.

³ See, in particular, Essential Functions #12 ("Conduct inspections of buildings and facilities to determine maintenance and repair needs and quality of work performed") and #16: ("Determine safety and fire hazards and recommend corrective action").

⁴ See, in particular, Duties and Responsibilities #14 ("Advise supervisor of safety hazards or items in need of replacement or maintenance work").

Nevertheless, with respect to those items identified in the Grand Jury report for which the District's licensed inspectors recommended minor repairs, the District has made or is in the process of repairing all items.

Based on all the foregoing, the Board must disagree with the Grand Jury's finding that "no one has taken responsibility" for facilities repairs despite alleged prior written notice to the Board and administration. There is no evidence to support the conclusion.

Finding 4:

Mold not properly removed continues to pose an inherent danger to students, teachers, staff, parents, and visitors.

Response to Finding 4:

The Board strongly disagrees. The Board does not have credible evidence to substantiate this finding.

With respect to the Board's concerns regarding the information provided by the Grand Jury in support of this finding, please refer to the explanation provided under "Response to Finding 1" above, as the Board harbors identical concerns with respect to the Grand Jury's support for its Finding 4. Thus, the Board cannot responsibly deem such information adequate to support the Grand Jury's claim that there is "dangerous mold" present in Bell Hill Academy classrooms #15 and 16.⁵

Moreover, upon receipt of the Grand Jury's report, the District engaged the services of a licensed and certified mold inspector to conduct inspections of Bell Hill Academy classrooms #15 and 16. The mold inspector collected air samples and surface samples, and further conducted a moisture content analysis. The inspector's samples were sent to an independent laboratory for analysis.

Upon review of the independent laboratory's report, the mold inspector concluded that there were no areas of elevated moisture levels, but that there was some evidence of mold growth in the air and surface samples that were tested. Although the mold inspector determined that the specific types and levels of mold growth detected through the sampling and testing process did not expose anyone to danger (i.e., no evidence of "toxic black mold"), the mold inspector nonetheless recommended, in an abundance of caution, that the District remediate the detected mold growth in order to effectively prevent the potential for future risks.

Based on the mold inspector's recommendation, the District engaged the mold inspector's certified remediation services to completely eradicate all mold growth identified by the certified

⁵ Based on the narrative descriptions and corresponding copies of photographs provided in the Grand Jury's report, the District ascertained that the Grand Jury's mold allegations pertained to Bell Hill Academy classrooms #15 and 16.

mold inspector in Bell Hill Academy classrooms #15 and 16. The mold remediation was completed, and a clearance certificate issued, prior to the first day of the 2014-2015 school year.

Based on all the foregoing, the Board disagrees with the Grand Jury's finding that the facilities conditions in Bell Hill Academy classrooms #15 and 16 expose all persons in those classrooms to "dangerous mold." No credible evidence exists to support the Grand Jury's conclusion.

Finding 5:

Repairs have been done without benefit of required State oversight placing anyone entering these facilities at risk.

Response to Finding 5:

The Board strongly disagrees. The Board does not have credible evidence to substantiate this finding.

The Grand Jury report, in its Fact 9, indicates that the repairs to which the foregoing finding makes reference were mold remediation and related repair projects which the District completed in or about 2010-2011. The Board does not have any evidence showing that such projects were subject to approval by the State of California Department of General Services' Division of the State Architect ("DSA"). To the contrary, the Board is informed and believes that the mold remediation and repair projects referenced by the Grand Jury were specifically exempt from DSA approval based on the type and the extent of the work involved.

Moreover, the District engaged the services of licensed, certified mold inspectors to complete the above-referenced mold remediation projects, which resulted in the issuance of a mold clearance certification.

Based on the foregoing, the Board disagrees with the Grand Jury's finding that the District's previous mold remediation and related repair projects "placed anyone entering these facilities at risk" based on the absence of State oversight. No credible evidence exists to support the Grand Jury's conclusion.

Finding 6:

Inadequate inspections have placed students, teachers, staff, parents and visitors attending school facilities in danger. Lack of detail in observing and accurately reporting sub-standard and dangerous conditions are obvious even to a layperson and should have been reported by experts hired by GVSD.

Response to Finding 6:

The Board strongly disagrees. No evidence exists to substantiate this finding.

Once again, the above conclusion presupposes the fact that there are “dangerous conditions” at Grass Valley Charter School and Bell Hill Academy. As explained more particularly in the Board’s responses to the Grand Jury’s finding nos. 1, 2 and 4 herein, there is no credible evidence to support the Grand Jury’s underlying factual determination concerning the existence of “dangerous conditions” at these sites.

As such, the Grand Jury’s conclusion that the District’s facilities inspection experts did inadequate work rests on a factual foundation that has not been and cannot be substantiated.

Based on the foregoing, the Board disagrees with the Grand Jury’s finding that the District’s previous facilities inspections were “inadequate” and therefore placed all persons present at these sites in “danger.” The evidence does not support the conclusion.

Finding 7:

Because GVSD officials created a MSDS book with unnecessary and inappropriate information, this places first responders at risk during emergencies as well as students, teachers, staff, parents, and visitors attending school facilities if immediate first aid is needed to be applied while awaiting medical care.

Response to Finding 7:

While the Grand Jury did not direct the Board to respond to Finding 7, it is clear that Finding 7 is directed to the District. The Board has substantively responded to the allegations contained in Finding 7 in Footnote 2 above, as well as its Response to Recommendation 5 below.

With respect to the Grand Jury’s allegation in Finding 7 that first responders, and others, have been placed at risk based on the former Maintenance Supervisor’s failure to update the Safety Data Sheets despite the Superintendent’s direction to do so, no evidence exists to substantiate this finding. Therefore, the Board must strongly disagree with this finding.

BOARD’S RESPONSE TO GRAND JURY’S RECOMMENDATIONS

Recommendation 2⁶:

The GVSD Board of Trustees should direct the Superintendent to review existing contracts with construction consultants to determine if there is a bad-faith clause and demand a refund because hazardous conditions were not repaired.

⁶ Note that the Grand Jury’s Recommendation 1 pertains solely to the Nevada County Superintendent of Schools, and the Grass Valley School District Board of Trustees was not requested to respond to Recommendation 1 for that reason.

Response to Recommendation 2:

For the reasons given in the Board's Response to Finding 6 above, the Board does not believe that it is necessary or appropriate to implement the above recommendation.

Recommendation 3:

The GVSD Board of Trustees should direct the Superintendent to review the contracts for work on Grass Valley Charter School and Bell Hill Academy to remove mold, mildew and rot from these sites and verify the work was done according to contract.

Response to Recommendation 3:

While the Board believes that all prior mold inspection, testing and remediation work conducted at the above-referenced sites involved different classroom areas than those which were most recently inspected, tested and remediated in response to the Grand Jury's report, the Board nevertheless agrees with the Grand Jury's recommendation that the District Superintendent conduct a thorough, careful review of the contracts and warranties pertaining to the prior work in this area to be certain that its understanding is correct. The Board expects this to be completed by no later than the end of the 2014-2015 school year.

Recommendation 4:

The GVSD Board of Trustees should verify all this work performed was state approved, inspected, and complies with codes concerning safe schools.

Response to Recommendation 4:

For the reasons given in the Board's Response to Finding 5 above, the Board does not believe that it is necessary or appropriate to implement the above recommendation.

Recommendation 5:

The Grass Valley School District Board of Trustees should direct the Superintendent to update each MSDS Book to reflect site-specific hazards.

Response to Recommendation 5:

As is discussed in the Board's Response to Finding 3 above, and as is further explained in the District Superintendent's May 5, 2014 written response to the Grand Jury's request for information (see attached), the Superintendent has already taken steps to ensure that updated Safety Data Sheets are in place at each site in the District, and has further taken steps to incorporate such safety information into the District's online "Public School Works" system. On that basis, the Board asserts that the District has already implemented the Grand Jury's recommendation, and it will continue to implement the recommendation to ensure that the Superintendent continues to take all necessary and appropriate actions in relation to updating this safety information and making it readily accessible to anyone who requires such access, including first responders in the event of an emergency.

CONCLUSION

As explained above, the Board shares the serious concerns expressed by the District's administration regarding the deficiencies in the Grand Jury's investigative process, as well as the Grand Jury's decision to leap to seemingly alarming conclusions regarding health and safety issues which it lacks the professional expertise to assess, and which it further fails to support with any credible evidence.

The Board is pleased to know that the industrial hygiene experts engaged by the District to conduct professional inspections of the specific facilities conditions identified in the Grand Jury's report clearly disagreed with the Grand Jury's findings and, as the Board and District administration have believed to be true throughout this process, determined that the District does **not** have "unsafe school facilities."

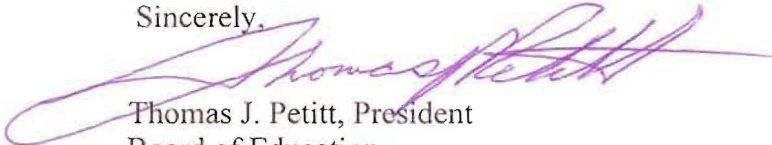
However, notwithstanding the foregoing problems with the Grand Jury's investigation and resulting Report, the Board will nevertheless implement the Grand Jury's recommendations to the limited extent and in the manner set forth above.

Finally, the Board notes that the Grand Jury's investigation into this matter extended over a period of months. Had the Grand Jury truly believed that the District was jeopardizing the health and safety of its students and staff, one would think that, in the interests of those very same students, teachers, staff and parents, the Grand Jury would have notified the District of the alleged safety concerns as soon as possible. Instead, the Grand Jury waited until June 30, 2014 to issue its findings.

While this response conclusively demonstrates that Grand Jury's findings were totally unfounded, the Grand Jury's actions in this matter were most certainly **not** designed to ensure the ongoing health and safety of the District's students, considering that the District had a total of 6 short weeks to evaluate the Grand Jury's findings and had there actually been a dangerous condition, to remediate that condition before the students returned for the 2014-15 school year.

For all of the reasons stated above, the Board remains steadfast in its determination that Grand Jury failed in its obligation to conduct a proper inquiry in this case and as a result, the Board hereby concludes that no credible evidence exists to support any of the Grand Jury's findings.

Sincerely,



Thomas J. Petitt, President
Board of Education
Grass Valley School District

Enclosures

cc: Members of the GVSD Board of Education
Eric Fredrickson, GVSD Superintendent
Grass Valley School District
10840 Gilmore Way
Grass Valley, CA 95945

Grass Valley School District

SCHOOL VISITORS

BP 1070

The Board and staff of the school district welcome and strongly encourage members of the community and other interested persons to visit our schools. School improvements often come from suggestions originating from such visits.

The Superintendent is authorized to establish such regulations as will:

1. Encourage visitors to observe our schools.
2. Provide for appropriate hospitality for visitors.
3. Channel expressions of approval as well as constructive criticism to the appropriate parties.
4. Insure that such visits will enhance the effect of the educational program rather than hinder it.
5. Require all visitors to register in the office of the principal upon their arrival at the school.

Board members who visit schools of their own volition have no more authority than any other citizen. Board members have authority only in regularly called meetings of the board, or when delegated specific tasks by board action.

Legal Reference: Education Code Section 35292

Adopted: 02/14/84

LOITERING ON SCHOOL PREMISES

BP 1080

Any person who is not a member of the school staff or student body and who loiters on or about any school building or grounds without written permission or who causes disturbances in guilty of disorderly conduct and may be prosecuted according to law. It is therefore required that all visitors register in the office of the principal. Signs will be posted at the entrance to each school site.

Legal Reference: Education Code Section 32210

32210

32211

44810 - 44812

Adopted: 02/14/84



10840 Gilmore Way
Grass Valley, CA 95945
(530) 273-4483
FAX (530) 273-0248

Grass Valley School District

Eric Fredrickson
Superintendent

To: Nevada County Grand Jury, Health and Environment Committee Chair
Re: Requested information from the Grass Valley School District regarding facilities
Date: May 5, 2014
From: Eric Fredrickson, Superintendent, Grass Valley School District

Included is the information requested by Greg Marks on April 16, 2014. There were four items requested, and I have provided a response to each request along with supporting documentation:

1. Report from the contractor hired to inspect the facilities (17 Items Attached)

Innovative Construction Services (ICS) was contracted as a Construction Management Firm in June of 2013 to oversee projects that were not completed or that were planned during the 2012/13 and 2013/14 school years. The firm was also contracted to review the district facilities and provide guidance in developing a Facility Master Plan. ICS has been providing guidance and support to the district by facilitating the following actions:

- Monitoring the bidding of projects
- Monitoring and supervising the contractors selected for the work
- Recommending and coordinating the work of architects and civil engineers: Kirk Brainerd, Architect and Warren Consulting Engineering
- Recommending and coordinating with Williams and Associates, a facilities consulting firm, to assist the district in the development of a District Master Facility Plan and to assist the district in implementing an enhanced facility inspection process.

Actions:

- Summer, 2013: Walkthrough of all district facilities with ICS and consultants (See invoice)
- August 2013: Hired a new Director of Maintenance and Operations, replacing the previous supervisor of maintenance position.
- Bell Hill Academy
 - New Play field and play structure
 - Remodeled the kitchen and food heating area to insure food was served in an area that was compliant, including asbestos abatement of the food prep area
 - Full site review of retaining walls by architect and civil engineer
 - Preliminary drawings and topography survey of a renovated Bell Hill Academy facility
 - Quotes on replacing HVAC systems in four classrooms to replace swamp-cooling system on main building. Due to expense, new HVAC was not purchased, existing swamp coolers were serviced to improve efficiency
- Grass Valley Charter School (Hennessy)
 - Interior hallways painted
 - Main water line repaired (Completed by district staff)
 - New outside concrete snack and lunch area installed

- Playground swing repaired (Completed by district staff)
 - “Little Learners” Preschool playground built
 - Charter garden project
 - Ceiling mounted projectors (Completed by district staff)
- Lyman Gilmore Middle School
 - Outside snack and lunch area renovated
 - Sections of concrete replaced to remove trip hazards
 - Ceiling mounted projectors (Completed by district staff)
- Scotten School
 - Sections of concrete replaced to remove trip hazards
 - Surveying of bus loading area walkways to resolve trip hazards
 - Renovated room to create a new computer lab (Completed by district staff)
 - Ceiling mounted projectors (Completed by district staff)

2. Provide maintenance work done report (3 Items Attached)

Attached is a detailed Work Order list that provides a description of the work requested, the location, the employee assigned to the task, the craft required to meet the repair, and the date the request was completed.

The two maintenance employees (Bill and Nelson) have the primary responsibility of completing these tasks. To complete some tasks, the two maintenance employees are assisted by the Director of Maintenance (Doug), the groundskeeper (Ken), and various custodial staff.

In August, the district was fortunate to hire a new Director of Maintenance and Operations who is experienced in developing and implementing a detailed and comprehensive work order and tracking system. In the past the district utilized a hand written work order and tracking system that was very inefficient and was challenging to track the status of the work orders and repairs.

Mold inspection reports: I have also included Mold Inspection Reports that were conducted this school year due to the request of employees who were concerned about mold in their classrooms. The results indicated that there were no elevated levels of fungi or elevated moisture levels.

In the past the district has been responsive to such requests and have conducted mold inspections when concerns were identified. If a report indicates that there is presence of mold the district contracts with an outside contractor to remedy the mold issue. Documents can be provided to affirm these types reports and repairs.

3. Explain and justify the facility ratings on the current SARC and the conditions observed in January 2014

The ratings on the 2013/14 School Accountability Report Card (SARC) indicated that each school site rated their facilities in overall good condition. This rating was determined through observations by each site administrator and the Director of Maintenance and Operations. To document the needs of the facilities an extensive maintenance and repair list has been created (Refer to documents in requested information #2)

The district feels totally justified in choosing the rating of “Good”, although we would prefer to have a rating of “Exemplary”, but given the challenges of maintaining older facilities in a time of limited resources and declining enrollment it is understandable that we are only able to obtain a “Good” rating. Although we have areas that need repair, we strongly feel our facilities are anything but “sub-standard”. On the contrary, by reviewing the documents provided in the requested information #1 and #2, it is obvious that the conditions of the district facilities is a priority. The amount of resources dedicated to improving our facilities, contracting with a construction management firm to insure our projects and repairs are completed properly, hiring a consultant to assist us in developing a Master Facility Plan and enhance the Facility Inspection Tool, the list of

site improvements that have been made over the last year, and the extensive maintenance and repair list clearly indicate that our district has made facilities a priority.

Further justification for indicating a “Good” rating on the SARC is evidenced by the recent results from the Parent and Staff School Climate Surveys conducted over the last several months. Ninety-two percent (92%) of responding parents “Strongly Agreed” or “Somewhat Agreed” that our district facilities are in good repair, safe, and conducive to learning. Seventy-nine percent (79%) of responding staff members “Strongly Agreed” or “Somewhat Agreed” that our district facilities are in good repair, safe, and conducive to learning. Those types of responses clearly support at least a “Good” rating on the SARC. Further, any comments of concern expressed in the surveys were items that have already been identified by the district and are on the maintenance repair list or will be addressed in the Master Facility Plan.

As far as the photos taken to indicate that the district facilities are sub-standard and bring into question the ratings on the SARC, it is important to remember that those photos were taken in isolation and over a extended period of time and do not accurately depict the overall conditions of the district facilities.

Unfortunately, the grand jury does not feel that it is appropriate to provide me the pictures, as I had requested, so that I could respond to the various conditions, but based on my recollection I am providing you with the following feedback:

- The picture of the rubber tube coming out the window at the Bell Hill Academy: Although unsightly, this is not a safety issue. The tube, which is designed to take an air sample, was inserted through a small hole that was in the window by the Charter School staff as part of the school’s collaborative effort with Nevada County to be part of the air quality-sampling network. This repair is not a safety issue and is not considered a high priority repair.
- The picture of the swing at Grass Valley Charter (Hennessy) has been repaired and the second swing is in the process of being repaired.
- The picture of the conduit supported by blocks on the Bell Hill Academy roof was installed many years ago under different building codes that met the Department of the State Architect (DSA) requirements at the time and are not required to be changed unless the district is modifying that building or system. Obviously, if it were a serious safety issue the district would repair it regardless of the requirements.
- The picture of the wall at the Grass Valley Charter (Hennessy) that was being repaired and that showed a black substance on the wood. That picture was taken back in 2011. There is no evidence that the black substance was mold or was not removed after the picture was taken, nor any evidence that the contractors were told to cover it up without dealing with the issue. That accusation is not consistent with the actions the district has taken to repair mold issues that have been identified in the past. Documentation can be provided that demonstrates the district’s response to mold issues. As a precautionary effort, just in case the wall was not properly prepared, I have directed our Director of Maintenance to conduct a mold sampling of the outside wall and any interior walls that would have been affected by this situation.
- The picture of the cabinet containing chemicals. That was identified last year and direction was given to resolve that concern. The previous employee responsible for completing that task did not follow through with purchasing a new cabinet, nor did he follow through with insuring that an updated Safety Data Sheets be available at each site. Last June Safety Data Sheets were placed at each site and a new online resource is currently being created that is part of the districts online “Public School Works” safety compliance system.
- The picture of the contractor’s “Gunite” hoses stretching across the hallways during a project at the Grass Valley Charter (Hennessy) that allegedly did not meet OSHA requirements. That was an isolated incident involving an outside contractor and the previous Supervisor of Maintenance, who took the pictures, addressed the problem. This type of incident was another reason the district felt it needed to contract with a construction management firm to monitor and manage projects involving outside contractors.

In closing, it would have been beneficial to have had the opportunity to have had access to the pictures so that I could have responded to each picture, as well as, had the opportunity to check the current status of the concerns depicted in each picture.

For whatever reason, it is obvious to me that the individual or individuals who submitted this complaint to the grand jury, did not file this complaint with the well-being or safety of the children, staff, or community members who use our facilities in mind, but rather I believe it was done with a deceitful and unproductive motive to cast a negative impression on the leadership of the Grass Valley School District.

Although I believe our district has been taking the proper steps to provide quality facilities, as with anything, there is always room for improvement. The following actions are being initiated this school year to further improve the inspection of school facilities:

- Enhanced Facility Inspection Tool developed by Facility Consultant
 - The Director of Maintenance and Operations is currently conducting preliminary inspections using the new inspection tool. He is reporting his findings to each site administrator to allow them time to address any issues prior to his full inspections that will be conducted in June and July. Items identified will be added to the repair list and prioritized
- Local Control Accountability Plan Surveys for students, parents, and staff
 - District stakeholders have been provided the opportunity to provide specific feedback regarding district facilities. Results from the surveys have been shared with the District Advisory Committee and the governing board and the information from these surveys will be used in the development of the Master Facility Plan and in the development of the district budget

4. Provide any review documents from the county superintendent office concerning accuracy review of the current SARC report

Our district has not received any documents or communication from the Nevada County Superintendent of Schools Office regarding the accuracy or any concerns regarding our district's SARC report. Nor has the District received any documents or communication regarding any Williams Act complaints related to facilities.



Eric Fredrickson
Superintendent

Grass Valley School District Job Description #002255

POSITION:	DIRECTOR OF MAINTENANCE AND OPERATIONS
PLACEMENT:	CONFIDENTIAL/SUPERVISORY SALARY SCHEDULE (12-MONTH POSITION) STEP B: 1-5, \$26.76 – \$32.36 PER HOUR
REPORTS TO:	BUSINESS MANAGER

BASIC FUNCTION

Under direction of the Superintendent, plans, organizes and provides supervision and oversight for daily maintenance operations and activities in the Grass Valley School District, which includes landscape and lighting, facilities, supervises and evaluates the work of both maintenance and custodial employees and outside contractors; coordinates activities with those of other departments; inspects and troubleshoots maintenance work; and performs related work as required.

ESSENTIAL FUNCTIONS:

Essential functions may include, but are not limited to the following:

1. Plan, organize, coordinate and oversee day-to-day maintenance and custodial activities to assure the proper and efficient maintenance and repair of District buildings and facilities.
2. Supervises maintenance and custodial staff by determining workloads and schedules.
3. Assign, train and supervise assigned maintenance and custodial staff.
4. Evaluates maintenance and custodial staff and makes hiring and termination recommendations.
5. Answers questions and provides information related to projects including resolving problems, approving expenditures, handling complaints and providing technical expertise in area of assignment.
6. Develop and prepare work schedules for contractors to perform work in the Grass Valley School District.
7. Review maintenance reports and work orders.
8. Prioritize and coordinate duties and assignments to assure effective workflow and facilitate operations.
9. Coordinate responses to emergency calls.
10. Prepare and maintain records, files, logs, spreadsheets, and reports related to personnel, inventory, supplies, work requests, work performed and safety issues as assigned.
11. Establishes and maintains current and accurate inventory of equipment and assets. Implements procedures for receiving, delivery, and inventory control to comply with district requirements for asset management.
12. Conduct inspections of buildings and facilities to determine maintenance and repair needs and quality of work performed.
13. Assists the District's Administration to develop, implement and update long range plans for deferred maintenance, facility construction and remodeling.
14. Monitors and participates in operations in assigned sections including inspecting projects, developing and implementing modifications and improvements, recommending specifications and scheduling for contracts, negotiating prices and inspecting contractor's work to ensure that safe work practices and standard operating procedures are followed.
15. Conduct investigations, identifications, documentations, scheduling, and oversee the removal of all hazardous materials including, but not limited to, asbestos, lead, and chemicals, mold remediation and air quality. Record findings involving mold issues.
16. Determine safety and fire hazards and recommend corrective action.
17. Participate in the establishment and implementation of a systematic preventive maintenance program. Investigate vandalism as necessary.
18. Oversees the district procedures for storage, disposal and recycling.
19. Assist in determining needed equipment, materials and supplies for the District maintenance operations. Requisition a wide variety of supplies, maintenance tools and equipment.
20. Conduct annual fire extinguisher inspections and semi-annual fire alarm inspections and re-service as necessary. Contact fire department for certification activities as required.
21. Interacts professionally with the public maintaining effective working relationships and works in cooperation with the management team to effectively meet departmental objectives.
22. Provides input into the development of the operating budget for the assigned area of responsibility. Orders materials and supplies. Assists in the monitoring and tracking of expenditures
23. Implements and monitors the Injury and Illness Prevention Program for District.
24. Ensures that safety training is provided to staff and that proper safety practices are followed.

25. Responds to emergencies as requested. Coordinates activities with other responders. Directs the work of staff and utilization of resources to effect repair and ensure the safety of the Grass Valley School District.
26. Establishes and maintains procedures for system security and protection of district facilities and property.
27. In collaboration with the District's Administration, leads the District's Emergency Planning and implementation process, including but not limited to the formation of the District's Safety Committee.
28. Adheres to Board policies and regulations and maintain a thorough working knowledge of the district procedures.
29. Responds accurately and diplomatically to inquiries and requests from District staff, other agencies, and members of the public consistent with district policies and department practices.
30. Prepares reports, provide statistical data, and maintain pertinent files related to Buildings, Grounds and Operations; check documents and transactions to ensure compliance with legal and inventory requirements; adhere to district requirements for contracted services; and assist in the preparation of annual reports for the district, county and state.
31. Ensure that mail and packages are delivered each school day between the school sites and the District Office.
32. Ensures compliance with various public agencies and regulations, such as ADA, CalOsha and the Field Act.
33. Operates a variety of software programs and equipment necessary for this position.
34. Perform other related duties as assigned.

EDUCATION AND EXPERIENCE

1. Possession of a high school diploma or general equivalency diploma (G.E.D.) and five years of skilled or semi-skilled maintenance experience which must have included one year of lead experience; or an equivalent combination of education and experience sufficient to successfully perform the essential duties of the job as listed above. College-level course work enabling incumbent to obtain job-related licenses or certificates is desirable.
2. Valid California driver's license. Employees in this classification must maintain insurability and possess a satisfactory driving record.

QUALIFICATIONS

1. Ability to pass a Post-Offer Pre-Placement Exam (POPP). To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.
2. Sufficient formal and/or informal training to provide the ability to read and write at a level consistent with the requirements of the position.
3. Additional duties performed by the individuals currently holding this position may be assigned.

CREDENTIALS AND/OR SKILLS AND ABILITIES:

1. Principles and practices of employee supervision, including work planning, assignment and review and the training of staff in work procedures.
2. Methods, materials, and equipment used in the various building maintenance trades such as carpentry, plumbing, painting, electrical, heating and ventilating, air conditioning and sprinkler installations as assigned.
3. Policies, procedures, equipment, materials and supplies related to the service and maintenance of equipment and vehicles.
4. Safety practices and principles related to maintenance activities.
5. Computer applications related to the work.
6. Inventory control practices and principles.
7. Communication and effective interaction with co-workers, managers, subordinates and the general public sufficient to exchange or convey information and to give and receive work direction.
8. Techniques for effectively dealing with a variety of individuals from various socio-economic, cultural and ethnic backgrounds, in person and over the telephone.
9. Planning, assigning, scheduling and reviewing the work of staff.
10. Supervising complex maintenance and repair tasks in area of assignment.
11. Assisting in developing and implementing goals, objectives, policies, procedures and work standards for the department.
12. Interpreting, applying and explaining complex codes, regulations and procedures.
13. Experience working with various public agencies, such as DSA (Dept. of State Architects) and DGS (Dept. of General Services), as it pertains to public school facilities
14. Inventorying and ordering equipment, supplies and materials and record-keeping techniques.
15. Preparing cost estimates, budgets, correspondence and status reports.
16. Using tact, initiative and sound judgment within general procedural guidelines.
17. Using tools and operating equipment used in area of assignment.
35. Methods and procedures related to Hazardous Materials disposal and asbestos abatement.
36. Read, interpret and work from construction drawings and blueprints.
37. Estimate materials and labor costs.
38. Work independently with little direction.
39. Observe legal and defensive driving practices.

REASONING ABILITY:

1. Ability to apply common sense understanding to carry out instructions furnished in written, oral or diagram form.
2. Ability to establish and maintain effective working relationships with students, co-workers, staff and community.
3. Ability to perform duties with awareness of all district requirements and Board of Education policies.
4. While performing the duties of this job, the employee is regularly required to stand; walk; use hands and fingers to handle or feel objects, tools, or controls; and talk or hear. The employee frequently is required to reach with hands and arms. The employee is occasionally required to sit. The employee frequently must squat, stoop or kneel, reach above the head and reach forward. The employee continuously uses hand strength to grasp tools and climbs on to ladders. The employee will frequently bend or twist at the neck and trunk more than the average person while performing the duties of this job.
5. The employee must frequently lift and/or move up to **50 pounds** such as cleaning supplies, pails and unloading trucks. Occasionally the employee will lift and/or move up to **75 pounds to 100 pounds** occasionally such as bulk furniture. The employee will sometimes push/pull items such as tables, bleachers, scrubbing machines. Specific vision abilities required by this job include close vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

LANGUAGE SKILLS:

1. Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals.
2. Ability to write routine reports and correspondence.

MATHEMATICAL SKILLS:

1. Ability to add, subtract, and multiply, and divide in all units of measure, using whole numbers, common fractions, and decimals. Ability to compute rate, ratio, and percent and to draw and interpret bar graphs.

WORK ENVIRONMENT:

The work environment characteristics described here are representative of those employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.

1. While performing the duties of this job, the employee regularly works indoors and outdoors.
2. The employee will work near or with moving mechanical equipment.
3. The employee may occasionally work with toxic or caustic chemicals such as petroleum products, degreasers, and sprays.
4. The employee must be able to meet deadlines with severe time constraints.
5. The noise level in the work environment is usually moderate.

PHYSICAL REQUIREMENTS:

Employees in this position must have the ability to:

1. Sitting or standing for extended periods of time, walking over rough or uneven surfaces to monitor projects.
2. Must possess strength, stamina and mobility to perform heavy physical work out of doors in all weather conditions and with exposure to potentially hazardous conditions, use varied hand and power tools, drive a motor vehicle.
3. Lift and move materials and equipment weighing up to **90 pounds and heavier weights** with the use of proper equipment.
4. Hearing and speech to communicate in person and over the telephone and/or radio.
5. Must work emergency overtime as required.

<u>Endurance</u>	<u>Minutes At One Time</u>	<u>Total Hours In An 8-Hour Day</u>
Sit	0-45 min.	0-6
Stand	0-5 min.	2-3
Walk	0-10 min.	5-7
Drive	0-45 min.	0-3
Keyboarding	0-5 min.	0-1

	NVR 0%	RARE 1-5%	SELD 6-19%	OCCAS 20-33%	FREQ 34-66%	CONT 67-100%		NVR 0%	RARE 1-5%	SELD 6-19%	OCCAS 20-33%	FREQ 34-66%	CONT 67-100%
							LIFT						
1 - 10 lbs.						X	Bend/Stoop						X
11 - 20				X			Twist						X
21 - 35				X			Crouch/Squat				X	X	
36 - 50				X			Kneel				X		
51 - 75				X			Crawl				X		
76 - 100				X			Walk-Level						X
							Walk-Uneven						X
							Climb Stairs						X
							Climb Ladder						X
1 - 10 lbs.						X	Reach Shoulder				X		
11 - 20				X			Use Arms						X
21 - 35				X			Use Wrists						X
36 - 50				X			Use Hands						X
51 - 75				X			Handling						X
76 - 100				X			Fingering						X
							Foot Control					X	
1 - 10 lbs.						X							X
11 - 20				X									
21 - 35				X			ENVIRONMENT						
36 - 50				X			Inside			X			X(1)
51 - 75				X			Outside						X(1)
76 - 100				X			Heat	N	O	R	M	A	L
							Cold	N	O	R	M	A	L
							Dusty						
1 - 10 lbs.						X	Noisy	N	O	R	M	X	L
11 - 20				X			Humid	N	O	R	M	A	L
21 - 35				X									
36 - 50				X			HAZARDS: Blood Borne Pathogens X						
51 - 75		X					Mechanical	Radiant		Explosive			
76 - 100		X					Burns	Electrical		Other			

SPECIAL NOTES:

1. Time spent inside or outside depends upon location of assignment(s).
2. Employee must wear required personal protective equipment and follow all applicable safety standards.

Grass Valley School District is an Equal Opportunity Employer and does not discriminate on the basis of race, color, national origin, religion, sex, disability, age, medical condition (cancer-related), ancestry, marital status, citizenship, sexual orientation, or status as a Vietnam-era veteran or special disabled veteran. The District also prohibits sexual harassment. Inquiries regarding the District's nondiscrimination policies may be directed to the Superintendent or his designee.

I, _____ have read and received a copy of this job description, and understand that a copy of this job description will become part of my personnel file.

Employee Signature

Date

Grass Valley School District

Job Description

Job Title: General Maintenance Person

Supervisor: Director of Maintenance & Grounds

Duties and Responsibilities:

1. Maintain a positive and helpful attitude with adults and children and work cooperatively with fellow workers, employees and other staff members.
2. Service and repair district equipment, and machinery on a regular maintenance schedule and as needed.
3. Install, repair and maintain electrical systems, appliances, fixtures and wiring.
4. Install, repair and maintain heating and ventilating systems and appliances.
5. Install, repair and maintain plumbing and pipe systems and fixtures.
6. Paint and refinish all types of surfaces, furniture and equipment.
7. Install, repair and maintain hinges, locks, windows and doors.
8. Install, repair and maintain all types of floors, wall surfaces, roofs, rain gutters, furniture, and equipment and other tasks requiring carpentry work.
9. Perform routine maintenance and minor repair on school vehicles.
10. Work with wood, metal, stone and concrete or projects that are assigned.
11. Observe proper use and care of hand and power tools.
12. Purchase necessary parts for emergency repairs.
13. Obtain prior approval from supervisor for purchase of parts, material or equipment except in emergencies.
14. Advise supervisor of safety hazards or items in need of replacement or maintenance work.
15. Ability to maintain, diagnose, and repair district machinery, equipment, heating systems and air conditioning units.
16. Ability to fabricate wood or metal for needed projects.
17. Other duties as may be assigned or reasonably expected of a district maintenance person.

Job Description

Job Title: General Maintenance Person

Qualification Requirements: *Ability to pass a Post-Offer Placement Exam (POPP). To perform this job successfully, an individual must be able to perform each essential duty satisfactorily. The requirements listed below are representative of the knowledge, skill, and/or ability required. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

While performing the duties of this job, the employee is regularly required to stand; walk; use hands and fingers to handle or feel objects, tools, or controls; and talk or hear. The employee frequently is required to reach with hands and arms. The employee is occasionally required to sit. The employee frequently must squat, stoop or kneel, reach above the head and reach forward. The employee continuously uses hand strength to grasp tools and climbs on to ladders. The employee will frequently bend or twist at the neck and trunk more than the average person while performing the duties of this job.

The employee must frequently lift and/or move up to 50 pounds such as cleaning supplies, pails and unloading trucks. Occasionally the employee will lift and/or move up to 75 pounds such as bulk furniture. The employee will sometimes push/pull items such as tables, bleachers, scrubbing machines. Specific vision abilities required by this job include close vision, color vision, peripheral vision, depth perception, and the ability to adjust focus.

Work Environment: *The work environment characteristics described here are representative of those employee encounters while performing the essential functions of this job. Reasonable accommodations may be made to enable individuals with disabilities to perform the essential functions.*

While performing the duties of this job, the employee regularly works indoors and outdoors. The employee will work near or with moving mechanical equipment. The employee may occasionally work with toxic or caustic chemicals such as petroleum products, degreasers, and sprays. The employee must be able to meet deadlines with severe time constraints. The noise level in the work environment is usually moderate.

Education and/or Experience: Equivalent to completion of high school or general education degree (GED) and one year of general work experience, preferably including some custodial or janitorial work.

Language Skills: Ability to read and interpret documents such as safety rules, operating and maintenance instructions, and procedure manuals. Ability to write routine reports and correspondence.

Reasoning Ability: Ability to apply common sense understanding to carry out instructions furnished in written, oral or diagram form. Ability to deal with problems involving several concrete variables in standardized situations. Ability to establish and maintain effective working relationships with students, staff and community. Ability to perform duties with awareness of all district requirements and Board of Education policies.

The information contained in this job description is for compliance with the American with Disabilities Act (A.D.A.) and is not an exhaustive list of the duties performed for this position. Additional duties are performed by the individuals currently holding this position and additional duties may be assigned.

Work Order Flow Chart

Work Requests are generated at the site by site staff. These are generally done by filling out a form on paper.

The paper requests are sent to the site Administrator for review. If approved, the request is passed onto the Lead Custodian. The Lead Custodian determines if the work can be completed by local custodial services or not. If not, the Lead Custodian will enter the information into an On-Line Maintenance Work Request System. Occasionally, the Principal or the Site Secretary will enter an On-Line Maintenance Work Request, by-passing the Lead Custodian when necessary and appropriate.

Once the Work Request has been entered on-line, the Director of Maintenance or Maintenance Workers will turn the Work Request into a Work Order.

Once the Work Order has been generated, it is assigned to a Maintenance Worker or Outside Vendor (Contractor) as necessary, or the Work Order may receive a backlog status until such time that may be better suited for that type of work.

Upon completion, the Maintenance Worker fills in whatever notes he may have, and any invoices from purchases are recorded along with the labor hours. The Maintenance Director, after checking the information entered, will close the work order. A list of completed work orders are made into a report that is presented to the Business Office, Superintendent, and School Board for information purposes on a monthly basis.

The completed work orders are maintained in a database for future reference.

