

GROSSMONT UNION HIGH SCHOOL DISTRICT – FOOL US ONCE, FOOL US TWICE?

THE PROMISED HIGH SCHOOL IN ALPINE

SUMMARY

Since March 2004, voters in the Grossmont Union High School District (GUHSD) have twice approved school bond propositions: in March 2004, Proposition H, a \$274 million bond measure and in November 2008, Proposition U, a \$417 million bond measure.^{1 2} Both measures were passed with the purpose of providing funding to upgrade and modernize existing facilities within the District and to construct a new twelfth high school (12th HS) to serve the students residing in the Alpine and Blossom Valley communities.³

The 2012-2013 San Diego County Grand Jury (Grand Jury) conducted an investigation of the events surrounding the passage of these measures, the actions of the GUHSD and its Governing Board, who suspended construction of the proposed 12th HS in Alpine. Based on the investigation, it is the Grand Jury's opinion that the residents of the GUHSD and the greater Alpine area deserve clarity from the GUHSD regarding the proposed 12th HS.

The Grand Jury recommends that the GUHSD Governing Board declare unconditionally, by December 31, 2013, whether or not a 12th HS will be built and when construction will begin. If the GUHSD Governing Board commits to building the 12th HS, the Grand Jury recommends they pass a formal resolution of support by December 31, 2013. The resolution of support for building the school must also contain a credible timeline as to the intended progress and completion of the 12th HS. In addition, the Grand Jury recommends that the GUHSD honor their own past resolution by placing bond money in an established escrow account for the 12th HS by December 31, 2013. Should the GUHSD Governing Board declare that they are not going to build the 12th HS; the Grand Jury recommends GUHSD cooperate with the Alpine Union School District (AUSD) in support of the ongoing Alpine community effort to become a unified school district (K through 12).

INTRODUCTION

The Grand Jury became aware of the consternation among many residents of the GUHSD and those in the greater Alpine area who have seen two bond propositions passed with the promise of a new high school in Alpine. Due to actions of the GUHSD Governing Board, residents feel that the promised high school will never be built. An Alpine parent and property owner with a child in preschool or beginning kindergarten in 2004 has a very good chance that their child will never have the opportunity of attending the

¹ SD County Registrar of Voters. <http://www.co.san-diego.ca.us/voters/Eng/archive/200403/bull.pdf>

² SD County Registrar of Voters. <http://www.co.san-diego.ca.us/voters/Eng/archive/200811/bull.pdf>

³ Prop H and Prop U Ballot Text. <http://proph.build-guhsd.com/PropositionHU/BondHistory>

promised 12th HS. This hypothetical parent, who voted in favor of Proposition H in March 2004 and again for Proposition U in November 2008, began paying additional property taxes with the promise of a new 12th HS in both bond proposals. Many residents in Alpine point to the four Alpine area students who have been killed in recent years in auto accidents while commuting to Granite Hills and Steele Canyon High Schools. They wonder when the promised 12th HS will be built.⁴ The Grand Jury concluded that an investigation was warranted after reviewing the history of the proposed high school in Alpine and the actions of the GUHSD Governing Board pertaining to the proposed school. Coinciding with the beginning of the Grand Jury investigation in the summer and fall of 2012, residents of the AUSD initiated a petition drive to transition from a union school district (K through 8) to a unified school district (K through 12). The goal would be to build a high school in Alpine and to secure an allocable share of assets from the GUHSD.⁵

PROCEDURE

The Grand Jury conducted numerous interviews with the following:

- Officials and staff from the GUHSD and AUSD
- A member of the San Diego County Board of Supervisors
- Concerned citizens

The Grand Jury reviewed documents from the following:

- GUHSD
- AUSD

The Grand Jury obtained and reviewed published information from the following:

- Newspapers
- Public web sites
- San Diego County Registrar of Voters information material

DISCUSSION

In February 1997, the GUHSD issued Certificates of Participation to fund, among other things, a new high school in Alpine. Shortly thereafter, the GUHSD Governing Board changed direction and committed to building the new high school in Jamul. This action resulted in Steele Canyon High School being built in 2000. In 1998, because of the Governing Board not building the new high school in Alpine, citizens in Alpine formed the Alpine High School Citizens Committee (AHSCC) to promote construction of a high school. GUHSD's Superintendent addressed the AUSD on July 9, 2002. The Superintendent stated his District's intent to serve Alpine and build a new 12th HS with funds from a bond proposition (Proposition T) that the GUHSD Board intended to place

⁴ East County Magazine November 11, 2011 "Driver Killed in Head-On Collision Was Father of Alpine Teen Killed the Same Day" <http://eastcountymagazine.org/node/7823>

⁵Santee Patch July 31, 2012 "Alpine Petition Drive Seeks Unified District to Gain Own School" <http://santee.patch.com/articles/alpine-petition-drive-seeks-unified-district-to-gain-own-high-school>.
[cc.com/media/AHSCC\\$20History.pdf](http://cc.com/media/AHSCC$20History.pdf).

before the voters in November 2002. However, the GUHSD Governing Board scaled back the bond proposal from \$220 million to \$199 million dollars, with GUHSD dropping wording in the Proposition T ballot language pertaining to building a 12th HS in Alpine.^{6 7}

When placing the bond before the voters, the GUHSD Governing Board decided not to take advantage of the School Facilities Local Vote Act (Proposition 39) passed by California voters in 2000.⁸ This Act lowered the threshold required to pass local California school district bond issues from a 66.7% supermajority vote to a more attainable 55% supermajority.⁹

AUSD also placed two bond propositions (V and W) on the November 2002 ballot. Proposition V was a \$12 million bond measure for school improvements and to purchase land for a new high school.¹⁰ Proposition W was a \$25 million bond proposition for the AUSD to build a new high school in Alpine.¹¹ In October 2002, the GUHSD and the AUSD issued a joint resolution supporting unification of Alpine schools and a new high school in Alpine.¹² Proposition T failed when it garnered 63.8% of GUHSD voter approval, falling short of the required 66.7%.¹³ AUSD voters were faced with total bond costs to residents of \$106.46 per \$100,000 assessed valuation if GUHSD Proposition T and AUSD Propositions V and W passed. All three propositions failed.^{14 15}

In light of Proposition T's failure, in early 2003 the GUHSD Governing Board agreed to form a Blue Ribbon Commission to review GUHSD's budget process. Part of the Commission's final report on July 29, 2003 was a recommendation to pursue a new bond measure.¹⁶

In October 2003, a federal magistrate ordered the GUHSD to comply with a 1999 settlement to upgrade facilities and bring them into compliance with the Americans with Disabilities Act.¹⁷ Responding to this order, on October 14, 2003, the GUHSD

⁶The Alpine High School Citizens Committee. [http://www.ahscc.com/media/AHSCC\\$20History.pdf](http://www.ahscc.com/media/AHSCC$20History.pdf).

⁷ Alpine High School Timeline.

http://alpinehighschool.net/uploads/Alpine_High_School_Timeline_combined_pdf.

⁸ U-T San Diego. "Critics say Grossmont too mum on bond work." November 16, 2005

<http://legacy.utsandiego.com/news/education/20051116-9999-2m16proph.html>

⁹[http://ballotpedia.org/wiki/index.php/California_Proposition_39,_Supermajority_of_55%25_for_School_Bond_Votes_\(2000\)](http://ballotpedia.org/wiki/index.php/California_Proposition_39,_Supermajority_of_55%25_for_School_Bond_Votes_(2000))

¹⁰ Smart Voter by the League of Women Voters.

<http://www.smartvoter.org/svhome/2002/11/05/ca/sd/prop/V/>

¹¹ Smart Voter by the League of Women Voters.

<http://www.smartvoter.org/svhome/2002/11/05/ca/sd/prop/W/>

¹² Joint Resolution No.2002-61 In Re: "Reorganization by Unification of District"

¹³ SD County Registrar of Voters. <http://www.co.san-diego.ca.us/voters/Eng/archive/200211bull.pdf>

¹⁴ *Ibid.*

¹⁵ Alpine-High-School-Timeline, see footnote ⁷

¹⁶ GUHSD Blue Ribbon Commission Report, July 29, 2003, page 8

<http://www.guhsd.net/index.php/componentdocman/doc.view/468-blue-ribbon-commision-on-fiscal-accountability>.

¹⁷ U-T San Diego. "Schools counting on Prop H." February 13, 2004

http://www.utsandiego.com/uniontrib/20040213/news_2m13gmbond.html.

Governing Board proposed resolution No. 2003-148. This resolution called for a bond measure, not to exceed \$297 million, to be placed on the March 2004 ballot. The resolution also authorized a 55% majority vote. In addition to renovating and rehabilitating existing schools, monies from what became Proposition H would be used to alleviate overcrowding at existing schools “thereby creating the need to construct a new school to serve students residing in the Alpine/Blossom Valley region of the District...”^{18 19 20}

On December 3, 2003, the GUHSD Governing Board adopted Resolution 2003-148 and voted to place a \$274 million dollar bond on the March 2004 ballot. The tax rate would be \$28 per \$100K assessed valuation.²¹ On March 2, 2004, Proposition H passed with 62.01% of the vote.²²

In June and September of 2004, the GUHSD and the AUSD Governing Boards passed resolutions requesting that Alpine’s unification effort be denied because Proposition H “will permit the construction of a new school to better serve the secondary school students of the Alpine California community.”^{23 24}

As work commenced in the GUHSD to rehabilitate and modernize facilities, it became apparent, for a variety of reasons, that Proposition H funding was insufficient to accomplish its goals. In a San Diego County Taxpayers Association Board Recommendation in support of Proposition U, they blamed the shortfall on “...a number of factors, including construction inflation, inaccurate cost estimates, and problems with staff monitoring the program.”²⁵

In February 2007, a Bond Advisory Commission (BAC) was created by the GUHSD Governing Board. As part of their final report in June 2007, the BAC recommended a new bond to complete projects and to build a new high school in Alpine. The BAC report also called for a program manager to be hired by the District, which the District did in August 2007.²⁶

Concerns were growing in the GUHSD and in the greater Alpine area that the new 12th HS would not be built with Proposition H funds.²⁷ In August of 2008, the GUHSD Governing Board voted to place Proposition U before District voters in the November

¹⁸ Grossmont Union High School District Resolution No. 2003-148.

¹⁹ Alpine-High-School-Timeline, see footnote ⁷

²⁰ U-T San Diego. “Battlefield Grossmont.” August 20, 2005.
http://www.utsandiego.com/uniontrib/20050820/news_1ngross.html.

²¹ Alpine-High-School-Timeline, see footnote ⁷

²² SD County Registrar of Voters. <http://www.co.san-diego.ca.us/voters/Eng/archive/200403/bull.pdf>

²³ GUHSD Resolution 2004-28.

²⁴ Alpine Union School District Resolution dated September 8, 2004

²⁵ San Diego County Taxpayers Association

<http://www.sdcta.org/Uploads/Documents/2008%20Ballot%20Recommendations/GUHSD.StffReport.cc.7.2.7.08.pdf>.

²⁶ Bond Advisory Commission-Final Report 2007, pages 182-3
www.guhds.net/documents/BACFinalRPT2007.pdf.

²⁷ U-T San Diego. Union Tribune Editorial. “The Stealthy Silence of Grossmont Union” June 8, 2006.
http://www.utsandiego.com/uniontrib/20060608/news_1z2ed8bottom.html.

2008 general election.²⁸ The bond amount was \$417 million with a tax rate of \$28 per \$100,000 assessed valuation. Proposition U called for:

- Upgrading educational technology
- Constructing science labs
- Replacing deteriorating portable classroom modules
- Rehabilitating aging classrooms, equipment, sites, joint use facilities
- Improving safety and energy efficiency
- Constructing a new school in Alpine/Blossom Valley.

Language was included in the bond that enrollment equal or exceed 23,245 at the time of request for construction bids.²⁹ This enrollment was the official 2007-08 California Basic Educational Data System (CBEDS) enrollment. This total included enrollment at the comprehensive high school sites, including the two charter schools, Helix High School and Steele Canyon High School. In November 2008, Proposition U passed with 56.6% voter approval.³⁰

In 2010, the District went through a contentious process for naming the high school when a majority of the Board voted to name the 12th HS in Alpine after former President Ronald Reagan, circumventing District policy which called for community input and naming District schools after local physical features. The GUHSD Governing Board subsequently dropped the naming effort.^{31 32} The proposed 12th HS still has no name.

At the February 10, 2011 GUHSD Governing Board meeting, the Board members approved a motion to support and affirm the Superintendent's recommendations regarding the 12th HS to:

- Proceed with the boundary study
- Continue property acquisition for the 12th HS
- Submit site preparation plans to Division of the State Architect (DSA)
- Complete revision of the Strategic Plan
- "Escrow" 12th HS funds
- Develop strategy to increase enrollment across the District
- Authorize the preparation and submittal of site and building packages for Phase I building plans for the 12th HS.^{33 34}

²⁸ GUHSD August 4, 2008 Special Governing Board Meeting Minutes.

<http://www.guhsd.net/index.php/governing-board/minutes>

²⁹ Prop U Ballot Text. <http://proph.build-guhsd.com/PropositionHU/BondHistory/Pages/Bond-History.aspx>.

³⁰ San Diego County Registrar of Voters, see footnote ².

³¹ U-T Editorial. San Diego March 22, 2010. "Thumb on the scale/ Republicans inject politics into naming of school". <http://www.utsandiego.com/news/2010/mar/22/thumb-on-the-scale/>.

³² U-T San Diego April 15, 2010. "Board to revisit Alpine school's naming process."

<http://www.utsandiego.com/news/2010/apr/15/grossmont-board-to-revisit-high-schools-naming/>

³³ GUHSD Minutes February 10, 2011. <http://www.guhsd.net/index.php/governing-board/minutes>

³⁴ East County Magazine, February 11, 2011, "Superintendent's Motion to Delay Alpine High School Sparks Massive Community Outcry" <http://eastcountymagazine.org/node/5451>

A Boundary Committee was formed by the GUHSD and charged with the responsibility of recommending new high school attendance boundaries for the District to accommodate the new 12th HS and to establish a more balanced attendance at all of the high schools in the District. On April 14, 2011, the GUHSD Governing Board directed the Boundary Committee to include a separate report with no 12th HS option.³⁵ The GUHSD Governing Board passed Resolution No. 2012-05 at its July 14, 2011 meeting that reaffirmed its support for the Superintendent's recommendations pertaining to the 12th HS voted on at the previous February Governing Board meeting. The resolution "acknowledges that the enrollment threshold set forth in Proposition U was met in 2010/11." The resolution also acknowledges "the long-term need for a new high school in the greater Alpine area." In addition, the resolution "recognizes that the building of the 12th high school may have a positive impact on enrollment." The resolution expressed concerns about funding shortfalls based on Average Daily Attendance (ADA) funding and expressed concerns about increased operating costs related to opening a new high school. To establish clarity on the 12th high school project, the Governing Board decided to adopt the following:

- Release the request for construction bids on the site development work once plans are approved by DSA
- Continue the preparation and submittal of building design packages to DSA for review and approval
- Upon the restoration of ADA funding for the District to the level it was at the time Proposition U was passed in 2008, the Governing Board to review and consider resumption of the construction process.^{36 37}

At the November 10, 2011 GUHSD Governing Board meeting, Board members approved proceeding with the Boundary Committee plan option that did not include the 12th HS in Alpine.³⁸ In the summer of 2012, a Unification Committee was formed by concerned Alpine citizens to unify the AUSD with the intention of building a new high school in Alpine.³⁹ On August 16, 2012, the AUSD Board passed a resolution in support of the Alpine community's effort to petition and to expand the AUSD into a unified K-12 district. The resolution also proposed to "obtain the new unified district's allocable share of the assets of GUHSD to partially or completely fund construction of a high school to serve the students of the greater Alpine area and fulfill the intent of Propositions H and U."

The resolution criticized the GUHSD Governing Board by stating "the GUHSD Board of Trustees and Superintendent have, during the past year, made it abundantly clear that GUHSD has no intention of constructing a 12th HS in the Alpine/Blossom Valley area pursuant to Propositions H and U." The resolution stated "...this conduct by the GUHSD

³⁵ GUHSD Minutes April 14, 2011. <http://www.guhd.net/index.php/governing-board/minutes>

³⁶ GUHSD Resolution No.2012-05. <http://www.guhd.net/index.php/governing-board/resolutions>

³⁷ GUHSD Minutes July 14, 2011. <http://www.guhd.net/index.php/governing-board/minutes>

³⁸ GUHSD Minutes November 10, 2011. <http://www.guhd.net/index.php/governing-board/minutes>

³⁹ SanteePatch/Alpine Petition Drive Seeks Unified District, see footnote #5

Trustees violates the public trust and constitutes a betrayal of their fiduciary commitment to the students, parents, citizens, and Tribal Nations in the Alpine/Blossom Valley area who extended their personal and financial support to the passage of Proposition H and Proposition U in reliance on the explicit promise to construct the 12th high school.”^{40 41}

In mid-2012, the GUHSD Superintendent unilaterally withdrew the building plans from DSA with no prior discussion at a GUHSD Governing Board meeting. This information became public in the fall during the campaign for the GUHSD Governing Board election.⁴² The superintendent proposed an action item for the 12th HS at the November 8, 2012 GUHSD Governing Board meeting. The item included:

- Recommend retaining the \$65 million budget for the 12th HS
- Direct staff to complete Army Corps of Engineers permits
- Direct staff to complete Local Agency Formation Commission (LAFCO) permits
- Seek Governing Board approval for the permits
- Validate the withdrawal of building design plans from DSA
- Place the school construction (including grading) on hold until enrollment thresholds and per pupil funding levels are met and the availability of State facility funding is met.⁴³

The GUHSD Board approved this action item but deleted reference to facility funding and ratified the withdrawal of building design plans.⁴⁴ The timeline on the GUHSD Consolidated Proposition H/U Program Schedule for the possible beginning of construction for the 12th HS was pushed out until the 3rd quarter of 2018.⁴⁵

Despite the passage of two bond propositions that called for the building of a new 12th HS to service the greater Alpine area, the possibility of the new 12th HS school being built remains in limbo. There were obvious management issues by GUHSD staff and a shortage of Proposition H funds passed by the GUHSD voters in March 2004. The GUHSD seemed to address the management issues with the hiring of a Program Manager in 2007, and the passage of Proposition U in November 2008 to cover the funding shortage. The GUHSD expressed concerns about the additional operating costs that the proposed 12th HS would have on the District.⁴⁶ The District pointed to declining enrollment since 2010, and the impact this had on ADA funding. The Citizen Bond

⁴⁰ AUSD Agenda August 16, 2012

<http://www.alpineschools.net/files/August%2016%20Workshop%20Agenda.pdf>

⁴¹ AUSD Minutes August 30, 2012

<http://www.alpineschools.net/files/Aug.%2030%20Agenda%20Outline.pdf>

⁴² East County Magazine, October 13, 2012, “Grand Jury Investigation of GUHSD Board Actions Launched, Trustee Reveals” <http://eastcountymagazine.org/node/11383>

⁴³ <http://proph.build-guhsd.com/Documents/Superintendent%20Recommendations%20-%20Bond%20Program%20Review%202012.pdf>

⁴⁴ GUHSD Minutes November 8, 2012. <http://www.guhsd.net/index.php/governing-board/minutes>.

⁴⁵ Consolidated Prop H/U Program Schedule <http://proph.build-guhsd.com/PropositionHU/ProgramOverview/Documents/Program%20Schedule%20as%20of%20December9%202012.pdf>

⁴⁶ Grand Jury Interviews with GUHSD Officials

Oversight Committee (CBOC) expressed concerns about finances in a March 2013 annual report.⁴⁷

Many parents and residents in the GUHSD feel that the District has not been transparent in its relationship with the residents of Alpine and Blossom Valley; and, that the GUHSD will not build the 12th HS. It has been reported in the media that many residents feel bond funds were acquired under false pretenses.⁴⁸ The residents have seen two bond propositions pass with the promise of a new 12th HS to serve the greater Alpine area.

The supporters of the 12th HS point out that the GUHSD Governing Board acknowledged that the attendance trigger spelled out in Proposition U was met in 2010-11. Proponents of the 12th HS also argue that current decline in enrollment was forecast to occur in two separate enrollment trend studies sponsored by the District. They also feel the District is ignoring data provided by two separate demographic studies which forecast enrollment climbing in the last half of the decade. Supporters of the 12th HS make the argument that the enrollment projection, performed by the demographer hired by the District for the Boundary Committee, predicted enrollment would begin to increase in 2014-15, whether or not the 12th HS was built. This study by the Boundary Committee also provided a separate analysis that building the 12th HS would attract additional students into the District, helping offset any additional operating costs the 12th HS would incur. Supporters of the 12th HS feel that the GUHSD is ignoring this data.^{49 50 51 52 53} The argument is made by supporters of the 12th HS that GUHSD attendance surged after West Hills and Steele Canyon High Schools opened and that new high schools “energize districts.”^{54 55}

Many supporters of the 12th HS wonder how the GUHSD can express concern about additional operating costs to the District when the District approved the building of a Performing Arts Center at Helix High School instead of a multipurpose facility. GUHSD also built a larger-than-called-for swimming pool at Granite Hills High School and

⁴⁷ U-T San Diego. “Bond uncertainty concerns Grossmont committee.” March 12, 2013. <http://www.utsandiego.com/news/2013/mar/12/grossmont%20schools-bond-oversight/>

⁴⁸ East County Magazine October 2, 2011. Readers Editorial: “GUHSD Board Ends Hope For New High School in Alpine.” March 2, 2012 comment. <http://eastcountymagazine.org/print/7441>.

⁴⁹ Grossmont Union High School District Fall 2007/08 Student Population Forecast. Forecast 2008/09 to 2021/22 http://www.guhsd.net/index.php/component/docman/cat_view/123-educational-services/136-assessment-and-evaluation/137-enrollment-projections

⁵⁰ GUHSD Boundary Committee Final Report R2 <http://www.guhsd.net/index.php/attendance-boundaries/194-boundary-committee>

⁵¹ GUHSD Projected Enrollment Trends <http://www.guhsd.net/index.php/attendance-boundaries/194-boundary-committee>

⁵² High School 12-Estimated Impact on District Student Population. June 21, 2011. [http://www.guhsd.net/School Boundaries-Boundary CommitteeHistoricalDocumentsEstimated_Impact_DistrictPop_Recovery\(1\).pdf](http://www.guhsd.net/School%20Boundaries-Boundary%20CommitteeHistoricalDocumentsEstimated_Impact_DistrictPop_Recovery(1).pdf)

⁵³ East County Magazine July 17, 2011 Readers Editorial: “GUHSD Boards Vote to Delay High School Fiscally Short-Sighted”. <http://eastcountymagazine.org/node/6708>.

⁵⁴ Grand Jury Interview November 14, 2012

⁵⁵ News Enterprise. “Alpine Fighting For High School.” August 18, 2011. <http://www.newsenterprise.net/article/alpine-fighting-high-school>.

incurred other athletic facility related expenses throughout the District.⁵⁶ GUHSD has spent approximately 22 million dollars to acquire the Alpine site, obtain permits, and develop plans for the 12th HS only to suspend construction with no guarantee that the project will be completed.^{57 58}

Supporters of the 12th HS argue that the District is projecting false additional costs by saying that teachers and support staff will be reduced at current high schools when the new high school is opened in Alpine.⁵⁹ Supporters express concern that the GUHSD Governing Board is intent on overspending bond money so that no funds are left to build the school and that the CBOC has been negligent in their oversight responsibilities.^{60 61} There were also concerns that the CBOC overstepped its boundaries by expressing concerns about enrollment in 2011.^{62 63}

The GUHSD Governing Board, in 2010, did not follow District policy for naming schools. The attempt to name the 12th HS after former President Reagan is cited by many as the reason GUHSD has suspended the 12th HS project. Supporters of the 12th HS cite an email exchange between a former GUHSD Board member and a member of the AHSCC in 2010 as an example of the political retribution by the GUHSD Board against the residents of Alpine as to why the 12th HS will not be built.⁶⁴ The GUHSD Governing Board passed a requirement in 2011 calling for ADA funding to return to 2008 levels before building the 12th HS. Supporters of the 12th HS contend that this implies a standard not applied to other bond expenditures in the GUHSD. Supporters of the 12th HS also contend this criterion was inappropriate and not part of either bond proposition.⁶⁵

FACTS AND FINDINGS

Fact: In 1997, GUHSD issued Certificates of Participation to fund, among other things, a new high school in Alpine.

Fact: GUHSD used the Certificates of Participation funds to instead construct Steele Canyon High School in Jamul.

Fact: In 1998, citizens in Alpine formed the Alpine High School Citizens Committee (AHSCC).

⁵⁶ Grand Jury Interviews August 11, 2012; October 1, 2012; November 13, 2012; November 14, 2012; April 11, 2013

⁵⁷ <http://lamesa.patch.com/articles/it-s-time-for-a-divorce-from-grossmont-union-high-school-district>

⁵⁸ Grand Jury Interviews with GUHSD Officials

⁵⁹ Grand Jury Interviews November 14, 2012; April 11, 2013

⁶⁰ Grand Jury Interviews August 11, 2012; October 1, 2012; November 13, 2012; November 14, 2012; April 11, 2013

⁶¹ East County Magazine July 17, 2011 Readers Editorial: "GUHSD Boards Vote to Delay High School Fiscally Short-Sighted". <http://eastcountymagazine.org/node/6708>.

⁶² UT San Diego Editorial, March 30, 2011. "School Committee Overstepping Its Bounds". <http://www.utsandiego.com/news/2011/mar/30/school-committee-overstepping-its-bounds/>

⁶³ Grand Jury Interview November 13, 2012.

⁶⁴ Grand Jury Interviews on August 11, 2012; October 1, 2012; November 13, 2012; November 14, 2012

⁶⁵ Grand Jury Interviews on August 11, 2012; November 13, 2012.

Fact: In 2002, the GUHSD Superintendent addressed the AUSD stating his District's intent to serve Alpine and build a new 12th HS using Proposition T funds.

Fact: Proposition T was scaled back by the Governing Board of GUHSD. Bond language pertaining to building the 12th HS was eliminated.

Fact: In November 2002, in addition to Proposition T, AUSD voters had bond propositions V and W on their ballots. Propositions T, V and W all failed.

Finding 01: This was the first of many disappointments for Alpine residents concerning the 12th HS.

Fact: GUHSD Governing Board passed Resolution No. 2003-148 on December 3, 2003. This Resolution called for a \$274 million bond (Proposition H) to be used to renovate and rehabilitate existing schools as well as to construct a new school to serve students residing in the Alpine/Blossom Valley region of the District.

Fact: Proposition H passed in March 2004 with 62.01% of the vote.

Fact: GUHSD underestimated the cost for repairs and upgrades required for existing District high schools, leaving insufficient Proposition H funds to construct the 12th HS.

Finding 02: It was obvious by 2008 that GUHSD would not build the 12th HS due to a shortage of remaining Proposition H funds.

Fact: GUHSD Governing Board voted on August 4, 2008 to place a \$417 million bond Proposition U on the November 4, 2008 ballot. Proposition U specifically called for constructing a new school in the Alpine/Blossom Valley area, in addition to upgrading classrooms and facilities.

Fact: Proposition U required that attendance equal or exceed the official 2007-08 CBEDS enrollment before construction could begin on the 12th HS.

Fact: Proposition U passed with 56.6% voter approval.

Finding 03: Taxpayers in the region **again** felt that GUHSD would build the 12th HS.

Fact: On June 11, 2009, the GUHSD Governing Board voted unanimously to acquire a site for the 12th HS.

Fact: To date, GUHSD has spent approximately \$22M in acquiring the site for the 12th HS.

Finding 04: Selection of site and acquisition of the land **again** gave hope to Alpine/Blossom Valley area citizens.

Fact: On February 10, 2011 the GUHSD Governing Board approved the seven Superintendent recommendations pertaining to the 12th HS, including submitting site preparation plans to DSA and putting 12th HS funds into an escrow fund.

Fact: On July 14, 2011, the GUHSD Governing Board passed a resolution to adopt the February 10 recommendations for the 12th HS project.

Fact: GUHSD submitted the site preparation plans to DSA.

Fact: On July 14, 2011, GUHSD Governing Board passed Resolution No.2012-05 which reaffirmed its support for the Superintendent's recommendations for the 12th HS. The resolution:

- Acknowledged that GUHSD had met the enrollment threshold set forth in Proposition U during the 2010/11 school year
- Added an additional criterion stipulating that GUHSD would not build the 12th HS until State attendance funding was restored to 2008 levels. This criterion only applied to the 12th HS.

Finding 05: Resolution No.2012-05 substantially revised the criteria to build the proposed 12th HS in Alpine.

Fact: GUHSD Superintendent unilaterally withdrew the building design plans from DSA in the summer of 2012.

Fact: At the November 8, 2012 GUHSD Governing Board meeting regarding the building of the 12th HS, the Board:

- Ratified the superintendent's action of pulling the building design plans from DSA
- Declared that the enrollment threshold called for in Proposition U must be met **again** before construction could begin on the 12th HS
- Reaffirmed that ADA funding must return to 2008 funding levels before the 12th HS is built.

Finding 06: Based on Governing Board actions, the proposed construction of the 12th HS will not begin before the third quarter of 2018. There is no certainty that GUHSD will ever build the 12th HS.

RECOMMENDATIONS

The 2012-13 San Diego County Grand Jury recommends that by December 31, 2013 the Grossmont Union High School District Governing Board bring clarity to the residents of the Grossmont Union High School District and the greater Alpine area by the following actions:

13-76: Make a final decision as to whether or not the District is going to unconditionally build the 12th HS in the Alpine area as called for in Proposition H in 2004 and Proposition U in 2008. The decision should be announced to the GUHSD citizens shortly thereafter via all appropriate media.

- 13-77: If the Board commits to building the 12th HS in Alpine they should:**
- **Deposit budgeted funds for building the high school into an escrow account.**
 - **Establish and pursue a credible implementation timeline for this project.**
- 13-78: If the Board does not elect to commit to building the 12th HS in Alpine they should take all reasonable steps to cooperate with the Alpine Union School District in support of the unification effort in that community.**

REQUIREMENTS AND INSTRUCTIONS

The California Penal Code §933(c) requires any public agency which the Grand Jury has reviewed, and about which it has issued a final report, to comment to the Presiding Judge of the Superior Court on the findings and recommendations pertaining to matters under the control of the agency. Such comment shall be made *no later than 90 days* after the Grand Jury publishes its report (filed with the Clerk of the Court); except that in the case of a report containing findings and recommendations pertaining to a department or agency headed by an elected County official (e.g. District Attorney, Sheriff, etc.), such comment shall be made *within 60 days* to the Presiding Judge with an information copy sent to the Board of Supervisors.

Furthermore, California Penal Code §933.05(a), (b), (c), details, as follows, the manner in which such comment(s) are to be made:

- (a) As to each grand jury finding, the responding person or entity shall indicate one of the following:
 - (1) The respondent agrees with the finding
 - (2) The respondent disagrees wholly or partially with the finding, in which case the response shall specify the portion of the finding that is disputed and shall include an explanation of the reasons therefor.
- (b) As to each grand jury recommendation, the responding person or entity shall report one of the following actions:
 - (1) The recommendation has been implemented, with a summary regarding the implemented action.
 - (2) The recommendation has not yet been implemented, but will be implemented in the future, with a time frame for implementation.
 - (3) The recommendation requires further analysis, with an explanation and the scope and parameters of an analysis or study, and a time frame for the matter to be prepared for discussion by the officer or head of the agency or department being investigated or reviewed, including the governing body of the public agency when applicable. This time frame shall not exceed six months from the date of publication of the grand jury report.

(4) The recommendation will not be implemented because it is not warranted or is not reasonable, with an explanation therefor.

(c) If a finding or recommendation of the grand jury addresses budgetary or personnel matters of a county agency or department headed by an elected officer, both the agency or department head and the Board of Supervisors shall respond if requested by the grand jury, but the response of the Board of Supervisors shall address only those budgetary or personnel matters over which it has some decision making authority. The response of the elected agency or department head shall address all aspects of the findings or recommendations affecting his or her agency or department.

Comments to the Presiding Judge of the Superior Court in compliance with the Penal Code §933.05 are required from the:

<u>Responding Agency</u>	<u>Recommendations</u>	<u>Date</u>
Grossmont Union High School District Governing Board	13-76, 13-77, 13-78	8/19/13