

1 [Board response to the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE  
2 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness  
3 Prevent Future Progress"]

4 **Resolution responding to the Presiding Judge of the Superior Court on the findings  
5 and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled  
6 "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or  
7 Systematic Ineffectiveness Prevent Future Progress," and urging the San Francisco  
8 Unified School District (SFUSD) to develop a comprehensive truancy reduction plan for  
9 use throughout the school district.**

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11 WHEREAS, Under California Penal Code Section 933 et seq., the Board of  
12 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
13 Court on the findings and recommendations contained in Civil Grand Jury reports; and

14 WHEREAS, In accordance with Penal Code Section 933.05(c), if a finding or  
15 recommendation of the Civil Grand Jury addresses budgetary or personnel matters of a  
16 county agency or a department headed by an elected officer, the agency or department head  
17 and the Board of Supervisors shall respond if requested by the Civil Grand Jury, but the  
18 response of the Board of Supervisors shall address only budgetary or personnel matters over  
19 which it has some decision making authority; and

20 WHEREAS, The 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE  
21 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness  
22 Prevent Future Progress" is on file with the Clerk of the Board of Supervisors in File No.  
23 090920, which is hereby declared to be a part of this resolution as if set forth fully herein; and

1           WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
2 to Finding Nos. 1, 2, 3, 4 and 5 as well as Recommendation Nos. 1, 2, 3 (A through D) and 4  
3 contained in the subject Civil Grand Jury report; and

4           WHEREAS, Finding No. 1 states: "Excessive truancy causes many problems for the  
5 City including, less money for the school district, less literacy and more dropouts- which  
6 means more crime, lower wages (and thus, fewer tax revenues), and a host of serious  
7 societal problems;" and

8           WHEREAS, Finding No. 2 states: "SFUSD employs talented persons whose interests,  
9 for whatever reason(s), do not lie in marshaling the district's resources to ensure that every  
10 child gets to school;" and

11           WHEREAS, Finding No. 3 states: "Collection of reliable data and proper distribution of  
12 such data is a prerequisite for understanding the true nature and extent of the truancy crisis.  
13 SFUSD is not collecting nor distributing to appropriate SFUSD personnel and outside  
14 agencies data from which it can be determined the reasons for truancy, the demographic  
15 information, the interventions attempted and the outcomes of such interventions. Using  
16 aggregate data does not violate student privacy;" and

17           WHEREAS, Finding No. 4 states: "Parents primarily are responsible to get their kids to  
18 school. When parents fail to do so, the school district, with assistance of other agencies, has  
19 the ability and the responsibility to take corrective action. SFUSD is not using the tools  
20 available to it and is not providing in a timely fashion to other agencies the information  
21 necessary for them to intervene;" and

22           WHEREAS, Finding No. 5 states: "Despite the efforts of the Mayor, the District Attorney  
23 and the Superintendent of Schools, neither the Board of Supervisors nor the Board of  
24 Education have determined which of them will take the lead in creating and implementing a  
25 truancy reduction policy;" and

1           WHEREAS, Recommendations No. 1 states: "The Board of Supervisors should resolve  
2 the stakes are high enough and the evidence strong enough to warrant greater involvement  
3 by the Board of Supervisors in the fight against truancy;" and

4           WHEREAS, Recommendation No. 2 states: "The Board of Supervisors should require  
5 performance measurement data on a semester basis from the City-funded positions: Learning  
6 Support Professionals and Stay-In-School Coordinator;" and

7           WHEREAS, Recommendation No. 3 (A through D) states: "The Board of Supervisors  
8 should use its considerable influence, including its power of the purse, to encourage SFUSD  
9 to:

- 10           A. Create a truancy policy- preferably one that provides there is a zero tolerance for  
11           chronic truancy in the elementary grades.
- 12           B. Appoint a person at a managerial level whose sole responsibility it will be to enforce  
13           attendance laws and coordinate all efforts for truancy.
- 14           C. Develop and implement a plan to correct truancy earlier in the year. This should  
15           include augmenting the computer system (including the Truancy Module or School  
16           Loop or whatever comes next) to find out who is truant early in the year, contacting  
17           parents earlier in the year, getting feedback from teachers earlier in the year,  
18           streamlining the process from SST [Student Success Team] to SARB [Student  
19           Attendance Review Board], and making more and earlier referrals to the District  
20           Attorney.
- 21           D. Develop, maintain, interpret and share reliable statistics regarding the reasons for  
22           truancy, the demographics of the problem, the interventions undertaken by the  
23           district and the outcomes of such interventions. Use these data;" and  
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25

1           WHEREAS, Recommendations No. 4 states: "The Board of Supervisors should direct  
2 the Joint City and School District Select Committee to ensure Recommendation Numbers 2  
3 and 3 (above) are implemented;" and

4           WHEREAS, In accordance with Penal Code Section 933.05(c), the Board of  
5 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
6 Court on Finding Nos. 1, 2, 3, 4 and 5 as well as Recommendation Nos. 1, 2, 3 (A through D)  
7 and 4 contained in the subject Civil Grand Jury report; now, therefore, be it

8           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
9 Superior Court that it agrees with Finding No. 1 of the 2008-2009 Civil Grand Jury report  
10 entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or  
11 Systematic Ineffectiveness Prevent Future Progress;" and, be it

12           FURTHER RESOLVED, That the Board of Supervisors reports that it disagrees with  
13 Finding Nos. 2, 3 and 4 because (respectively) the Board believes that most SFUSD  
14 employees seek to abate truancy, the SFUSD collects truancy-related data, although it is  
15 unclear whether that data is distributed to appropriate district personnel and outside agencies,  
16 and the SFUSD deploys a range of interventions to combat truancy, although it is unclear  
17 whether those interventions are effective; and, be it

18           FURTHER RESOLVED, That the Board of Supervisors reports to the Presiding Judge  
19 of the Superior Court that regarding Finding No. 5 and Recommendation Nos. 1, 2, 3 (A  
20 through D) and 4, the SFUSD is a state agency that is governed by the San Francisco Board  
21 of Education. Decisions about truancy fall under the purview of the SFUSD, not the Board of  
22 Supervisors; however, the Board of Supervisors asks the SFUSD to develop a comprehensive  
23 plan to correct truancy across the school district and to forward such plan to the Board of  
24 Supervisors' Government Audit and Oversight Committee within three (3) months from the  
25 date of passage of this resolution for review and feedback. This plan should include

1 demographic information about truants (i.e., grade-level, race, gender, etc.), the specific  
2 interventions to be undertaken by the SFUSD, and the expected truancy reduction goals of  
3 such interventions over time (i.e., daily, monthly, yearly, etc.), expressed as both whole  
4 numbers of students and percentages of the entire district population.

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City and County of San Francisco  
**Tails**  
**Resolution**

City Hall  
1 Dr. Carlton B. Goodlett Place  
San Francisco, CA 94102-4689

**File Number:** 091160

**Date Passed:** November 24, 2009

Resolution responding to the Presiding Judge of the Superior Court on the findings and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled "TRUANTS CAN BE 'JOYFUL LEARNERS,' TOO: Unless Racism, Classism and/or Systematic Ineffectiveness Prevent Future Progress," and urging the San Francisco Unified School District (SFUSD) to develop a comprehensive truancy reduction plan for use throughout the school district.

November 24, 2009 Board of Supervisors - ADOPTED

Ayes: 11 - Alioto-Pier, Avalos, Campos, Chiu, Chu, Daly, Duffy, Elsbernd, Mar, Maxwell and Mirkarimi

I hereby certify that the foregoing Resolution was ADOPTED on 11/24/2009 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo  
Clerk of the Board

Mayor Gavin Newsom

Date

12-3-09