

1 [Board response to the 2008-2009 Civil Grand Jury Report entitled "Being Propositioned By  
2 The San Francisco Unified School District."]

3 **Resolution responding to the Presiding Judge of the Superior Court on the findings**  
4 **and recommendations contained in the 2008-2009 Civil Grand Jury Report entitled**  
5 **"Being Propositioned By The San Francisco Unified School District," and urging the**  
6 **SFUSD to cause the implementation of accepted recommendations.**

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

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

16 WHEREAS, The 2008-2009 Civil Grand Jury Report entitled "Being Propositioned By  
17 The San Francisco Unified School District" is on file with the Clerk of the Board of Supervisors  
18 in File No. 090849, which is hereby declared to be a part of this resolution as if set forth fully  
19 herein; and,

20 WHEREAS, The Civil Grand Jury has requested that the Board of Supervisors respond  
21 to Recommendation No. 1, 2 and 4 contained in the subject Civil Grand Jury report; and,

22 WHEREAS, Recommendation No. 1 states: "That measures placed on the ballot by the  
23 SFUSD to raise money have an independent review of the wording;" and,

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1           WHEREAS, Recommendation No. 2 states: “That SFUSD in clear, concise, and  
2 specific language tell the public in all future money raising measures exactly what they are  
3 going to do with the money raised;” and,

4           WHEREAS, Recommendation No. 4 states: “That SFUSD sell the 11 parcels  
5 described in Finding 4 to fund the move of SOTA [School of the Arts] to the 135 Van Ness  
6 complex without the use of any further bond measures;” and,

7           WHEREAS, In accordance with Penal Code Section 933.05(c), the Board of  
8 Supervisors must respond, within 90 days of receipt, to the Presiding Judge of the Superior  
9 Court on Recommendation No. 1, 2 and 4 contained in the subject Civil Grand Jury report;  
10 now, therefore, be it

11           RESOLVED, That the Board of Supervisors reports to the Presiding Judge of the  
12 Superior Court that it agrees with Recommendation No. 1 and 2 of the 2008-2009 Civil Grand  
13 Jury Report entitled “Being Propositioned By The San Francisco Unified School District.”  
14 Also, it is important to note that the SFUSD, in its responses, stated that Recommendations  
15 No. 1 and 2 have been implemented; and, be it

16           FURTHER RESOLVED, That the Board of Supervisors reports that regarding  
17 Recommendation No. 3, the SFUSD is a state agency that is governed by the Board of  
18 Education. Decisions about surplus school property fall under the purview of the SFUSD, not  
19 the Board of Supervisors. However, the SFUSD should bring its surplus property disposition  
20 plan(s) before the Joint City and School District Select Committee in a timely manner for  
21 review and consideration; and, be it

22           FURTHER RESOLVED, That pursuant to Penal Code Section 933.05(c), the Board of  
23 Supervisors responds to the recommendations to which it agrees by hereby urging the  
24 SFUSD to cause the implementation of accepted recommendations.

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