

CALIFORNIA LEGISLATURE

2013–14 REGULAR SESSION

ASSEMBLY JOURNAL

RECESS JOURNAL NO. 1

ORGANIZATIONAL RECESS

Assembly Chamber, Sacramento
Thursday, December 6, 2012

Pursuant to the provisions of Joint Rule 59, the following Assembly Journal for the 2013–14 Regular Session was printed while the Assembly was in Organizational Recess.

REPORTS

The following letter of transmittal was presented by the Chief Clerk and ordered printed in the Journal:

California State Auditor

2012-103
November 29, 2012

*The Honorable Speaker of the Assembly
The Honorable Members of the Assembly
of the Legislature of California
State Capitol, Room 3196
Sacramento, California*

Members of the Assembly: As requested by the Joint Legislative Audit Committee, the California State Auditor (state auditor) presents this audit report concerning whether the Los Angeles Unified School District (district) is properly handling allegations of employee abuse against students.

This report concludes that the district often did not properly notify the Commission on Teacher Credentialing (commission) when required to do so, such as when an employee with a certificate to teach is dismissed while an allegation of misconduct is pending. Our review of the information the district provided to the commission found that the district failed to report as required at least 144 cases—including cases involving employee misconduct against students—submitted a year or more late when the district finally did report them. Of the 144 cases, 31 were more than three years late when they were reported to the commission. As a result of the delays in reporting these cases, the commission was not able to determine promptly whether it was appropriate to revoke the teachers' certificates and thus prevent the individuals from working in other school districts. Further, we found

that there is no statewide mechanism to communicate to other school districts when a classified employee at any given district, such as a campus aide or food service worker, separates by dismissal, resignation, or settlement during the course of an investigation involving misconduct with students.

The district has made improvements to its policies and procedures related to reporting, investigating, and tracking suspected child abuse over time. However, although the district generally followed state law and its own policies and procedures when reporting and investigating suspected child abuse, we found that the district did not always act promptly on some allegations during the investigation, nor did it always discipline employees in a timely manner. During an investigation of employee misconduct, the district is responsible for keeping the employee away from the school site. The district's policy for addressing this responsibility is to *house* the employee—to relocate him or her away from its school sites. During this time the district continues to pay the employee's salary. We noted that the district paid \$3 million in salaries to 20 employees housed the longest for allegations of misconduct against students. Finally, the lengthy and expensive dismissal process required by state law contributes to the district's settling with employees rather than continuing with the dismissal process. However, the district does not maintain a districtwide tracking mechanism for settlements that includes the total amount paid out and descriptions of the misconduct. Such information could help the district identify and analyze patterns and trends associated with providing a settlement.

Respectfully submitted,

ELAINE M. HOWLE, CPA
State Auditor

Above report referred to the Committee on Education.

INTRODUCTION OF ASSEMBLY BILLS

The following bill was introduced:

ASSEMBLY BILL NO. 40—Mansoor. An act to amend Sections 11834.02, 11834.09, and 11834.23 of the Health and Safety Code, relating to substance abuse.

JOHN A. PÉREZ, Speaker

AMY LEACH, Minute Clerk