



# SAN DIEGO COUNTY OFFICE OF EDUCATION

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Superintendent of Schools  
Randolph E. Ward, Ed.D.

RECEIVED  
JUL 24 2007  
SAN DIEGO  
COUNTY GRAND JURY

July 18, 2007

Mr. David Higgins, Foreman  
Grand Jury, County of San Diego  
Hall of Justice  
330 W. Broadway, Suite 477  
San Diego CA 92101-3830

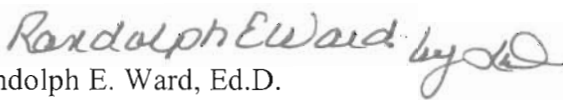
Re: Response to the 2006-2007 Grand Jury Report – “Backs’ To School”, filed  
May 1, 2007

Dear Mr. Higgins:

Enclosed please find a copy of our response to the Grand Jury Report of May 1, 2007, concerning the backpack use by school children in San Diego County. We have sent the original to the Honorable Janis Sammartino, the Presiding Judge of the Superior Court.

If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

  
Randolph E. Ward, Ed.D.  
County Superintendent of Schools

REW:LM:CA

Enclosure

## Board of Education

Nick Aguilar Susan Hartley Sharon C. Jones Robert J. Watkins John Witt

**SERVICE AND LEADERSHIP**

**SAN DIEGO COUNTY OFFICE OF EDUCATION  
RESPONSES TO THE GRAND JURY RECOMMENDATIONS  
REGARDING “BACKS” TO SCHOOL**

**Finding #1:** A great majority of observed children were not following the guidelines of medically and approved methods to carry backpacks which are readily available.

**SDCOE Response to Finding #1:** The San Diego County Board of Education agrees with this finding.

**Finding #2:** Because of a concern lockers would be used to hide inappropriate material (such as weapons and drugs) most new schools are not including lockers in their construction plans and the majority of districts that have existing lockers no longer allow students to use them.

**SDCOE Response to Finding #2:** The San Diego County Board of Education agrees with this finding.

**Recommendation 07-x:** Make a concentrated effort to publish guidelines for backpack use and monitor students for compliance.

**Response to Recommendation 07-x:** The San Diego County Board of Education finds that this recommendation will not be implemented because it is not reasonable.

The explanation for not implementing this finding is that the recommendation contained in California Assembly Concurrent Resolution No. 10 (Appendix A) and California Assembly Bill 2532, which passed September 2002 and sent to California school districts, carries no force of law or sanctions for non-implementation. The San Diego County Board of Education does not monitor or enforce implementation of school law unless directed to do so by the California Education Code. To do so would be beyond the scope and authority of the County Board of Education. Assembly Bill 2532 (Chapter 1096 Statutes of 2002) required the State Board of

Education (SBE) to adopt maximum weight standards for elementary and secondary school text books by July 1, 2004. In April 2004, the Curriculum Commission reviewed a revised version of the textbook weight report that incorporated recommendations from the California Department of Education. These recommendations were considered and approved at the SBE's May 2004 meeting. For the County Board of Education to develop additional guidelines would be redundant and still have no force of law. Only individual school districts' boards of education can develop policies and enforce the policies and regulations. To implement this recommendation is beyond the purview and authority of the County Board of Education.

**Recommendation 07-xx:**

Consider retrofitting existing lockers with "see through" doors to make inspections for contraband easier.

**Response to Recommendation 07-xx:**

This recommendation will not be implemented because it is not reasonable.

The explanation for not implementing this recommendation is that the County Board of Education has no authority to retrofit existing lockers with "see through" doors in individual districts. For local districts to implement this recommendation could have significant financial impact. Funds that are necessary for instructional materials and support of students in academic achievement, improvement of behavior, and school attendance may have to be used to implement the Grand Jury's recommendation. Whether individual school districts chose to retrofit school lockers is an individual school district decision. The County Board of Education has no funding or legal authority to implement this recommendation.