

**STANISLAUS COUNTY/TURLOCK JOINT UNION HIGH SCHOOL BOARD  
OF TRUSTEES  
CIVIL GRAND JURY CASE NO. 03-21 ED  
March 17, 2003**

**REASON FOR INVESTIGATION:**

A citizen complaint form was filed with the Stanislaus County Civil Grand Jury on September 20, 2002.

The complainant alleges conflict of interest by two Turlock Joint Union High School (THS) Trustees. The issues raised in the complaint are summarized below:

1. On May 7, 2002, the THS Trustees and the Turlock Elementary School Board of Trustees (TESB) adopted resolutions to send unification of both school districts to a community vote.
2. During the Special Joint Meeting, a conflict of interest allegation was made against two trustees – that both would receive financial gain if unification occurs due to salary increases.
3. On May 7, 2002, the accused trustees voted on the motion to not continue further into the conflict of interest with which they were charged. They also voted on sending the unification process of both school districts to the voters.

**BACKGROUND**

The Turlock School Districts are currently composed of the separately governed, but commonly administered, Turlock Joint Elementary School District and the Turlock Joint Union High School District. Each of these separate and distinct districts has its own budget and board of trustees, but both are administered by the same superintendent and central administration staff. They are the only common administrated district remaining in the State of California that is responsible to two separate boards of trustees.<sup>1</sup>

**PROCEDURE FOLLOWED**

1. Interviewed Sr. Dep. District Attorney.
2. Reviewed the following documents:
  - a. Minutes of the May 7, 2002, Turlock Joint Union High School District and Turlock Joint Elementary School District Special Joint Meeting.
  - b. California Government Codes 1090-1098
  - c. California Government Codes 87100-87104

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<sup>1</sup> <http://www.turlock.k12.ca.us/tsd-pages/about-frameset.html>

## **FINDINGS**

1. The Turlock High School Board sought advice from their private legal counsel, and found no cause to recuse themselves from voting on matters of placing unification on public ballot.
2. California Government Code 1090 prohibits a public official from any financial interests in any contract or sale while in their official capacities.
3. The purpose of California Government Code 1090 is to make certain that every public officer be guided solely by the public interest rather than by a personal interest.
4. Voting and placing unification on public ballots does not, in and of itself, provide any immediate or direct financial gain to anyone.
5. Should unification be voted, current high school and elementary boards will be dissolved, requiring public vote to select a new unified school board of trustees. No current Board member would be guaranteed a seat on a new, unified Board.

## **CONCLUSIONS**

We have determined that there was no conflict of interest.

## **RECOMMENDATIONS**

None

**RESPONSE REQUIRED** Per section 933(c) and 933.05 of the California Penal Code:

Turlock Joint Union High School Board of Trustees.