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FROM: J. Tyler McCauley *tm*
Auditor-Controller

SUBJECT: EDUCATION TASK FORCE REPORT – RECOMMENDATION FOLLOW UP

In February 2001, the Education Task Force, comprised of representatives from the Juvenile Court, the Department of Children and Family Services, the Los Angeles County Office of Education (LACOE), Probation Commission, Probation Department, County Counsel, and the Auditor-Controller reviewed the County's educational system for dependent and delinquent youth. The Education Task Force submitted its report to your Board in August 2001.

The report contained 47 recommendations. Two of the Task Force recommendations instructed the Auditor-Controller to conduct a full review of LACOE's process of obtaining appropriate substitute teachers and a thorough review of the issues associated with "overflow," a situation in which a minor does not receive instruction in a regular classroom due to teacher or facility unavailability. This report discusses the results of our review of these two recommendations.

Methodology

We compiled statistics on the frequency and reasons substitute teachers are needed, and the average duration of their assignments. We also determined whether the substitutes utilized in fiscal year 2001-02 maintained appropriate credentials or permits and the extent of substitute unavailability. Finally, we attempted to determine the extent and cause of overflow by reviewing attendance documents, conducting interviews with LACOE and Probation Department staff, and performing site visits at various facilities.

Review Summary

The Education Task Force expressed concern over LACOE's process of obtaining credentialed or permitted substitutes. However, we determined that LACOE does a

good job locating credentialed or permitted substitutes. For the period from July 2001 to June 2002, LACOE was able to locate a credentialed or permitted substitute to cover approximately 98% of teacher absences. We further determined that this percentage actually may be higher because facilities locally cover unfilled teacher absences but do not consistently update LACOE's records to reflect this activity.

We also determined that the extent of overflow is limited. For example, we reviewed the attendance records at three facilities for a total of 30 days and determined that 147 (1.2%) of the 12,410 eligible minors did not receive instruction in a regular classroom. This overflow was mainly caused by a lack of a teacher, failure to follow procedures for re-assigning minors to other classrooms with available space, or lack of classroom facilities. To reduce overflow even further, LACOE management should reinforce LACOE's policy to hire a substitute teacher to teach overflow minors. LACOE and Probation management should ensure that their staffs follow procedures related to the reassignment of minors to other classrooms with available space, and identify additional space at each facility, such as conference rooms or day rooms, that could be used as overflow classrooms when needed. Finally, as necessary, LACOE management should increase the normal class size of 17 pupils per teacher to the maximum student to teacher ratio of 18:1 for a five day period each school month, as specified in the teachers' collective bargaining agreement.

Review of Report

We discussed our report with Probation and LACOE management and they generally agreed with our findings and recommendations. Probation and LACOE management will provide a written response to this report within 60 days in accordance with Board policy.

We thank Probation and LACOE management and staff for their cooperation and assistance during our review. Please call me or have your staff call DeWitt Roberts at (626) 293-1101 if you have any questions.

JTM:DR:JK

Attachments

- c: The Honorable Michael Nash, Presiding Judge, Juvenile Court
- David E. Janssen, Chief Administrative Officer
- Dr. Darline P. Robles, County Superintendent of Schools
- Richard Shumsky, Chief Probation Officer
- Dr. David Sanders, Director, Department of Children and Family Services
- Lloyd W. Pellman, County Counsel
- Loretta M. Canett-Bailes, President, Probation Commission
- Violet Varona-Lukens, Executive Officer
- Audit Committee
- Public Information Office

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Education Task Force Report – Recommendation Follow Up

Background

In February 2001, the Education Task Force, comprised of representatives from the Juvenile Court, the Department of Children and Family Services, the Los Angeles County Office of Education (LACOE), Probation Commission, Probation Department, County Counsel, and the Auditor-Controller reviewed the County's educational system for dependant and delinquent youth. The Education Task Force submitted its report to your Board in August 2001.

The report contained 47 recommendations. Two of the Task Force recommendations instructed the Auditor-Controller to conduct a full review of LACOE's process of obtaining appropriate substitute teachers and a thorough review of the issues associated with "overflow," a situation in which a minor does not receive instruction in a regular classroom due to teacher or facility unavailability. This report discusses the results of our review of these two recommendations.

Methodology

We compiled statistics on the frequency and reasons substitute teachers are needed, and the average duration of their assignments. We also determined whether the substitutes utilized in fiscal year (FY) 2001-02 maintained appropriate credentials or permits and the extent of substitute unavailability. Finally, we attempted to determine the extent and cause of overflow by reviewing attendance documents, conducting interviews with LACOE and Probation Department staff, and performing site visits at various facilities.

Task Force Report - Recommendation 20

The Auditor-Controller should conduct a full review of LACOE's use of substitute teachers and submit a report to the Board of Supervisors including, at a minimum, data on the frequency substitutes are used, the duration of their assignments, whether they are credentialed, the reasons they are needed, and non-school attendance due to substitute unavailability. The report should include a review for the juvenile halls, the camps and MacLaren Children's Center.

Background

LACOE Juvenile Court and Community Schools (JCCS) provide education to three juvenile halls and 19 probation camps. These schools have a need for substitute teachers to teach class when the permanent teacher is absent. A permanent teacher may be absent for a number of reasons, including illness, teacher training, personal business, jury duty, and vacation because JCCS operates on a twelve-month calendar.

LACOE policy requires that all of the substitute teachers used in LACOE schools must maintain a valid teaching credential or permit. In addition, all newly hired substitutes receive three days of training on professional expectations, on the subject area the substitute will teach, and on the special needs of the JCCS population.

LACOE utilizes a software application (Sub-Finder) that automates the reporting of teacher absences and the substitute selection process. Once the teacher reports the absence, Sub-Finder randomly selects and contacts an appropriate substitute from a database of approximately 800 credentialed substitutes. If the substitute declines or does not answer, Sub-Finder will continue to search for a substitute until one hour before the class begins. At that time, Sub-Finder sends an electronic mail message to the applicable facility to notify staff that Sub-Finder was not able to locate a substitute, indicating the absence remains “unfilled.”

Frequency of Use and Average Duration

For the period of October 2001 to June 2002, we determined that, for the juvenile halls, and the probation camps, a substitute was required 12,001 (23%) workdays of the available 51,360 teacher workdays. Attachment I provides a detailed listing, by facility, on the frequency of use of substitutes. The average duration of substitute assignments was two days, ranging from one to 22 days. The table below summarizes the reasons the teachers were absent.

Table 1
Reasons Substitutes Were Needed
(October 2001 - June 2002)

Reason	Number of Days	Percentage of Total Teacher Days	Percentage of Absence by Reason
Vacation	3,424	6%	28%
Illness	2,939	6%	25%
Staff Training	2,433	5%	20%
Personal/Other	1,859	3%	15%
Vacant Teacher Positions	1,028	2%	9%
Substitute Needed for Overflow Classroom	318	1%	3%
Total	12,001	23%	100%

Source: LACOE's monthly teacher absence summary reports.

LACOE provides JCCS teachers year round, with 244 days of instruction, as opposed to the typical 183 days of instruction at public schools. The substitute teacher rate of 23% appears reasonable considering JCCS teachers are allowed 24 vacation days per year, 12 sick days per year and typically attend five to ten days of training per year.

Substitute Teacher Credentials

The Sub-Finder database contains the names of approximately 800 substitutes. Approximately 80% of the substitutes maintain a temporary teaching permit and 20% maintain a permanent teacher's credential. To ensure the substitutes maintain the appropriate permits or credentials, we randomly selected a sample of 50 substitute names from Sub-Finder and verified their permits or credentials by reviewing an independent website maintained by the California Teaching Commission. We found that all 50 teachers maintained appropriate permits or credentials. In addition, to ensure that LACOE only utilized substitutes from the Sub-Finder database, we randomly selected 50 substitutes from LACOE's report on substitutes used from July 2001 to June 2002 and determined that all substitutes' names were in the Sub-Finder database.

Substitute Unavailability

The Education Task Force expressed concern over substitute unavailability. However, we determined that Sub-Finder located a substitute to cover approximately 98% of teacher absences for all facilities in FY 2001-02. To verify the correctness of this figure, we reviewed 45 "filled" absences reported by Sub-Finder in May and June 2002 at BJ Nidorf (Nidorf) and Challenger Memorial Youth Center (Challenger) and found based on LACOE class attendance records that the facilities had coverage for all 45.

We also determined that the 98% coverage ratio is under-stated because LACOE staff at each facility independently contacts substitutes to cover these "unfilled" absences but facility staff do not always update Sub-Finder with the subsequent coverage information.

We reviewed 50 "unfilled" absences reported by Sub-Finder at Nidorf, Camp David Gonzales (Gonzales), and Challenger in FY 2001-02 and found based on LACOE class attendance records that the facilities provided adequate coverage for 42 (83%) of these "unfilled" absences.

LACOE management should re-instruct JCCS facility staff to update Sub-Finder records when a substitute is located independent of the Sub-Finder system to cover an "unfilled" teacher absence.

Recommendation

1. LACOE management re-instruct JCCS facility staff to update Sub-Finder records when a substitute is located independent of the Sub-Finder system to cover an "unfilled" teacher absence.

Task Force Report - Recommendation 28

The report to be developed by the Auditor-Controller, as called for in Recommendation 20, should include a thorough review of the issues associated with "overflow," including a review of the facilities available for educational purposes, the use of substitutes for overflow classrooms, the feasibility of using

administrators when substitutes are not available; and the teachers' collective bargaining agreement provision allowing the addition of 1 – 2 students in a classroom up to a maximum of 3 days per one month period.

Background

The Education Task Force noted that LACOE faces significant challenges in providing education to JCCS minors, including security concerns and significant movement of minors resulting from transfers in and out of the juvenile court system, transfers among facilities, court appearances, medical treatment and behavioral problems.

The Education Task Force was concerned with the issue of “overflow,” where students at some facilities did not have a spot in a regular classroom. The Task Force’s report stated that LACOE and the Probation Department management disagreed on the cause of overflow. LACOE believed a lack of classroom facilities created overflow, while the Probation Department believed a lack of teachers created overflow.

We reviewed procedures and performed testwork at three facilities to determine the extent of overflow, its cause, and potential methods of alleviating overflow.

Extent of Overflow

In an attempt to determine the extent of overflow, we reviewed records at three facilities (Nidorf, Gonzales, and Challenger) for a total of 30 days during January, February and June of 2002, 10 days at each facility. We selected days it appeared overflow might have occurred, either because Probation’s records indicated there was overflow on that day or because there was a high population at the facility that might have caused overflow. We identified 147 instances at the three facilities in which a minor did not receive instruction in a regular classroom due to overflow. This represented 1.2% of the total of 12,410 minors who attended class on the days we selected for review.

However, we had difficulty determining the overall extent of overflow and how many minors attended overflow classrooms, primarily because LACOE’s attendance records are not designed to track transfers to other classrooms and minors who do not attend their regular class due to overflow. LACOE management stated their records are designed to record attendance for Average Daily Attendance (ADA) purpose to obtain funding, not to record overflow. LACOE should develop a standard method for accounting for overflow.

Recommendation

- 2. LACOE develop a standard method for accounting for overflow.**

Causes of Overflow

We reviewed the instances of overflow that we identified at the three facilities to determine the primary cause of overflow. We noted that the overflow occurred due to the following reasons.

- **Lack of a teacher**

Seventy-five (51%) instances of overflow resulted from lack of a teacher. Sixty-three of the instances occurred at Challenger and were related to requests for substitutes that were “unfilled.” We found that these 63 minors received a form of education for the day. Because the Probation Department has limited ability to commingle the minors at the six camps due to various reasons such as gender, gang affiliation, and keep-away orders, the overflow minors were returned to day rooms in their respective camps. LACOE sent one teacher to rotate among the day rooms at all of the camps at Challenger to hand out and collect school work.

The remaining 12 instances occurred at Nidorf. We determined that the minors did not receive instruction for a half day as LACOE staff did not request a substitute teacher for the overflow minors, even though LACOE’s procedure is to hire a substitute teacher to teach even one overflow minor. LACOE management should reinforce LACOE policy to hire a substitute teacher to teach overflow minors.

- **Failure to reassign minors**

Another cause of overflow was not reassigning minors to other appropriate classrooms with available space, resulting in 51 (35%) instances of overflow. Thirty of these instances occurred at Gonzales. LACOE stated that at Gonzales LACOE staff reassigns and transfers overflow minors from one classroom directly to other classrooms with space. If there is no available space in other classrooms, LACOE sends minors to a day room which also houses minors on behavioral referral. LACOE hires a substitute teacher to teach overflow minors in the day room. However, we found that LACOE sent the 30 minors identified in our testwork to the day room with a substitute teacher even though there was space for the minors in a regular classroom.

Twenty-one instances of failure to reassign minors occurred at Nidorf. We found that either Probation or LACOE staff did not always follow their respective procedures related to the reassignment of minors at Nidorf, as there was available space for these minors in a regular classroom. When teachers at Nidorf return minors to Probation staff because a classroom is full, Probation staff should take the minors to the Assessment Center where LACOE staff should reassign the minors to classrooms with available space. However, we found 21 instances at Nidorf where a minor was returned to the living unit due to overflow in the assigned classroom even though there was space available in other classrooms. However, Probation’s limited ability to commingle certain minors

may have made some of the available space inappropriate for some minors. We were unable to determine if Probation or LACOE staff did not follow their respective procedure because LACOE does not document minors received in Nidorf's Assessment Center for transfer purposes.

We found that reassignment procedures differed by site and that neither LACOE nor Probation at Gonzales and Nidorf had written procedures for reassigning minors to classrooms with available space. LACOE and Probation management should develop written reassignment procedures for each site, clearly delineating each organization's responsibilities, and should ensure their respective staffs follow the procedures. In addition, for those facilities that have an assessment center, LACOE should develop a tracking system to document minors received in the assessment center for transfer purposes.

- **Lack of classroom facilities**

The number of minors available to attend school sometimes exceeded the facility's total classroom capacity, resulting in 21 (14%) instances of overflow at Challenger and Gonzales. The 21 minors did receive a form of education in day rooms, but because these minors shared the day rooms with minors sent out of a regular classroom due to behavioral problems, the learning environment was not ideal. LACOE and Probation management should identify additional space if necessary at each facility, such as conference rooms or day rooms, which could be used as overflow classrooms separate from those housing minors on behavioral referral when needed.

Recommendations

3. **LACOE management reinforce LACOE policy to hire a substitute teacher to teach overflow minors.**
4. **LACOE and Probation management develop written reassignment procedures, clearly delineating each organization's responsibilities, and ensure their respective staffs follow the procedures. In addition, for those facilities that have an assessment center, LACOE should develop a tracking system to document minors received in the assessment center.**
5. **LACOE and Probation management identify additional space if necessary at each facility, such as conference rooms or day rooms, that could be used as overflow classrooms when needed.**

Methods of Alleviating Overflow

We also investigated possible methods of reducing overflow, such as using administrators to teach overflow classes or increasing class size as allowed in the teachers' collective bargaining agreement.

We determined that using administrators to teach overflow classes is not always feasible. LACOE administrators at each facility stated the principal and assistant principal(s), all fully credentialed teachers, could cover classes if needed. However, LACOE administrators explained their responsibility for daily administrative duties, which include responding to emergency and safety issues, often prevent them from teaching a class. Based on our discussions and observations during site visits, LACOE's position appears reasonable.

We determined that increasing class size would be a better method to reduce overflow. The agreement between LACOE and Los Angeles County Education Association states that the class size in the Juvenile Court School programs should not normally exceed 17 pupils per teacher, but allowed the addition of one student to a classroom for a maximum of five days in a 20 day period. We found that by utilizing this teachers' collective bargaining agreement provision, LACOE might have been able to reduce the instances of overflow on the days we reviewed at Nidorf and Gonzales during FY 2001-02. Since classrooms at Challenger can only accommodate up to 15 minors, LACOE could not take advantage of this provision at Challenger. LACOE management should review facilities where using the maximum student to teacher ratio of 18:1 would help to reduce overflow and begin using that maximum ratio for up to the allowed number of days, as specified in the teachers' collective bargaining agreement.

Recommendation

- 6. LACOE management review facilities where using the maximum student to teacher ratio of 18:1 would help to reduce overflow and begin using that maximum ratio for up to the allowed number of days, as specified in the teachers' collective bargaining agreement.**

**Frequency Substitutes Were Needed
(October 2001 – June 2002)**

Area Facility	Average Number of Teachers	Total Number of Teacher Absences	Total Number of Available Teacher Workdays	Frequency Substitutes are Needed
MacLaren Children's Center	10	685	2,001	34%
Los Padrinos – Juvenile Hall	30	1,162	5,497	21%
BJ Nidorf – Juvenile Hall	40	1,676	7,484	22%
Central – Juvenile Hall	37	1,455	6,756	22%
Challenger – 6 Camps	51	2,392	9,459	25%
Angeles Forest – 3 Camps	24	941	4,294	22%
Mattox – 1 Camp	11	699	2,039	34%
Munz/Mendenhall- 2 Camps	14	551	2,547	22%
Santa Clarita Mtns. – 2 Camps	13	393	2,210	18%
Santa Monica Mtns. – 3 Camps	27	1,173	4,897	24%
Tujunga Valley – 2 Camps	23	874	4,176	21%
Totals (23 Facilities)		12,001	51,360	23%

Source: LACOE's monthly teacher absence summary reports.