

**SUBMITTAL TO THE BOARD OF SUPERVISORS
COUNTY OF RIVERSIDE, STATE OF CALIFORNIA**

637



FROM: Executive Office

SUBMITTAL DATE:
May 1, 2012

SUBJECT: 2011-12 Grand Jury Report: Riverside County Department of Public Social Services - Riverside County Children and Families Commission First 5 Riverside

RECOMMENDED MOTION: That the Board instructs the Riverside County Department of Public Social Services - Riverside County Children and Families Commission First 5 Riverside within 30 days – to draft the Board’s response to the findings and recommendations of the Grand Jury that pertain to the Department’s operational areas; and direct the Executive Office to submit draft responses to the Board within 60 days.

BACKGROUND: The attached report has been issued by the Grand Jury.

Section 933 (c) of the Penal Code requires that the Board of Supervisors comment on the Grand Jury’s recommendations pertaining to matters under the control of the Board, and that a response be provided to the Presiding Judge of Superior Court within 90 days.

Draft responses received from the affected department will be consolidated and presented for the Board’s consideration; the response ultimately approved by the Board will then be forwarded to the Grand Jury as required by statute.

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Departmental Concurrence

FINANCIAL DATA	Current F.Y. Total Cost:	\$	In Current Year Budget:
	Current F.Y. Net County Cost:	\$	Budget Adjustment:
	Annual Net County Cost:	\$	For Fiscal Year:

SOURCE OF FUNDS:	Positions To Be Deleted Per A-30	<input type="checkbox"/>
	Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE

BY:

County Executive Office Signature Christopher M. Hans

MINUTES OF THE BOARD OF SUPERVISORS

On motion of Supervisor Tavaglione, seconded by Supervisor Buster and duly carried, IT WAS ORDERED that the above matter is approved as recommended.

Ayes: Buster, Tavaglione, Stone and Ashley
 Nays: None
 Absent: Benoit
 Date: May 1, 2012
 xc: E.O., Grand Jury, DPSS, First 5, COB

Kecia Harper-Ihem
 Clerk of the Board
 By: Deputy

- Policy
- Policy
- Consent
- Consent

Dept's Recomm.:
Per Exec. Ofc.:

Prev. Agn. Ref.:

District: ALL

Agenda Number:

3.4

ATTACHMENTS FILED
WITH THE CLERK OF THE BOARD



RIVERSIDE COUNTY GRAND JURY

(951) 955-8990 OFFICE • (951) 955-8989 FAX

April 18, 2012

Susan Loew, Director
Department of Public Social Services
4060 County Circle Drive
Riverside, CA 92503

Subject: 2011-12 Grand Jury Report: Riverside County Department of Public Social Services
Riverside County Children and Families Commission
First 5 Riverside

Dear Ms. Loew:

Please note that Penal Code Section 933 et seq., specifies that you respond within ninety days. Further, it specifies that this report be kept **confidential for a minimum of two working days** prior to public release. The contents of this report will be made public after the close of business **April 23, 2012**.

Sincerely,

Nelson Fowlkes, Foreperson
2011-12 Riverside County Grand Jury

NF:gs
Attach.

As part of a results-based accountability system, First 5 collects data from agencies monthly to evaluate specific targeted areas and demonstrate results achieved. According to the First 5 website:

On June 9, 2009 the Riverside County Board of Supervisors amended the membership section of Ordinance 784 to reflect the appointment of six Commissioners and six alternate Commissioners. Each member of the Board of Supervisors appoints one Commissioner and one alternate with the sixth being an At-Large appointment by the entire Board. These appointments are in addition to a member of the Board of Supervisors, the County Health Officer, and an individual responsible for the management of one of several enumerate County functions.

Methodology

The Riverside County Civil Grand Jury (Grand Jury) interviewed selected First 5 commissioners, employees, and other county personnel, and in addition attended a First 5 commission meeting. Also reviewed were First 5 governing documents including By-laws, procedures, Conflict of Interest Code (Title 2 California Code of Regulations §18730), Employee Handbook, financial statements, and the Strategic Plan. State statutes and County ordinances pertinent to the First 5 Commission were examined. The Grand Jury researched policies, procedures, and practices of First 5 commissions in surrounding counties.

Findings

Age Eligibility

1. Proposition 10 states that children to be served will be from "prenatal stage to five years of age." The First 5 California Commission has determined for its use, "to five years of age" means until the sixth birthday.

Individual county commissions are permitted to use their own discretion on the age requirement for eligibility, as long as it's under six years of age.

Materials distributed from the First 5 programs in all 58 California counties differ in how they apply this eligibility. In Riverside County, First 5 has materials and publications that state:

- 0-5
- 0 to 5
- 0 through 5
- Under 5
- Prenatal stage to 5

funds that were in reserves, some of which were tagged for future programs.

First 5 staff, who are not auditors, perform mini-audits on selected funded programs.

Auditing procedures are designed to form a validation of financial statements, and may not reveal all weaknesses in policies or procedures that exist.

Information Technology

6. There is no requirement for First 5 to utilize Riverside County Information Technology Department (IT) resources. At the present time First 5 contracts with an outside vendor.

Communication

7. A DPSS staff report of interviews with First 5 staff, conducted from July 9, 2009 through July 22, 2009, states, "There is a perceived lack of communication from the top down." Several of the staff members interviewed mentioned a major concern regarding communication and better information feedback. Current testimony revealed poor communication continues in a number of areas between:

- First 5 staff and administration.
- Staff/administration and the commission.
- Staff/administration and the grantees.
- Staff/administration and the community at large.

Management / Staff Relations

8. The Grand Jury investigation revealed management bias and favoritism when staff recommendations were modified prior to presentation to the Commission.

Further investigation revealed that neither staff nor management understands the First 5 Commission's policies and procedures related to staff complaints, grievances, and the resolution of internal conflicts.

Testimony revealed this confusion has led to low morale and fear of job loss.

Recommendations

Riverside County Board of Supervisors
Riverside County Department of Public Social Services
Riverside County Purchasing Department
First 5 Riverside

1. First 5 must be consistent with the interpretation and application of eligibility for the children being funded.

All literature, publications, and terminology must be consistent in the wording of eligibility. All First 5 commissioners and First 5 staff must adhere to this interpretation.

2. First 5 must define in a written policy terms for either extending or terminating assistance when a child reaches the maximum age of the defined eligibility in the middle of a contract.

This policy must be consistent with the definition of child age eligibility to be utilized by First 5 commissioners, staff, and vendors throughout Riverside County.

3. First 5 and/or Purchasing shall prepare a clear and concise written procedure for the preparation of RFP applications to ensure the process and time-lines are the same for all applicants.

First 5 and/or Purchasing shall educate potential grantees regarding the use of county purchasing procedures and the process for initiating and returning RFP applications, by offering workshops and published instructional materials.

The Commission shall create a committee comprised of selected commissioners and staff to study how the new procedures impact the contracts division of First 5 and its future operations and responsibilities.

4. Because of the confidential nature of information in the First 5 files, accountability, tracking, and security must be ensured. First 5 must create a tracking procedure to identify by whom and when a file (computer and/or hardcopy) is accessed by any member of the staff or management.

Original recommendations made by staff and management, prior to any modification, must be presented to the commission prior to approval.

Administration and staff must review and adhere to all policies and procedures.

9. First 5 staff, administration, and commissioners, as well as potential grantees must follow policies and procedures when funds are allocated, to ensure supplanting does not occur as defined by California Proposition 10, Section 30131.4.

Grantees must certify non-supplantation in their applications for funding.

First 5 must not allow grantees to re-title existing programs that are funded by other sources.

10. The Riverside County Board of Supervisors must appoint commissioners not affiliated with agencies most likely to be awarded significant funding, except those positions required by Proposition 10.

To avoid the perception of conflict of interest, staff and commissioners must be transparent and publicly disclose and/or discuss the pertinent content of a recommended proposal and the voting results in applicant selection.

Current methods used to identify and recuse persons with possible conflicts of interest must be strengthened.

Report Issued: 04/18/2012
Report Public: 04/23/2012
Response Due: 07/17/2012