

Manteca Unified School District recall, California (2015)

Efforts to **recall Alexander Bronson, Ashley Drain and Sam Fant** from their respective positions as representatives of Areas 6, 2 and 1 on the Manteca Unified School District Board of Trustees did not make it to the ballot. Both Bronson and Drain resigned before the efforts could move forward.^{[1][2]} The recall effort against Fant continued after their resignations, but recall supporters were unable to gather enough signatures to get on the ballot.^[3]

Bronson and Drain faced criminal election fraud charges over accusations that they lied about their addresses on election forms.^[4] While Bronson resigned from the board on May 12, 2015, controversy continued around Drain and Fant.^[1] Both were named in the San Joaquin County Civil Grand Jury's report that outlined inappropriate behavior by board members. Fant and Drain were accused of using "perceived power to inappropriately achieve their ends." On August 11, 2015, the board voted to accept the report.^{[5][6]}

Drain resigned from her Area 2 position effective August 25, 2015. According to the district's administrative assistant Chelo de Leon, Drain gave no reason for her resignation.^[2]

In September 2015, leaders of the recall effort said they would continue their push to recall Fant, but that effort ended when they did not turn in enough signatures by December 24, 2015.^{[3][7]}



2015 Manteca Unified School District Recall

Recall status

2 Resigned
1 Failed to get on the ballot

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Recall supporters

Former board member threatens Bronson and Drain with recall

The first threat of a recall effort was made by former board member Dale Fritchen, who questioned statements made in Bronson's and Drain's election forms. "Character Counts – this is what we teach our children. You're representing this board to the children of this district," Fritchen said. He demanded that both newly elected board members resign or face a recall effort. Both board members won their first terms on the board by defeating sitting board members in the general election on November 4, 2014.^[8]

Asking the board members to resign was not an easy choice, according to Fritchen. The former board trustee and two-term Stockton Council member emphasized the ethical standards to which board members must hold themselves while he discussed problems he perceived with forms filed by Bronson and Drain. In particular, Fritchen drew attention to the fact that neither member filed the second required California Form 700, the Statement of Economic Interests Cover Page, 30 days after the election.^[8]

Fritchen questioned why the address on both board members' initial Form 700 was crossed out and switched to a different address. He alleged that the change had been made by Area 1 Trustee Sam Fant. He also took issue with the fact that both Bronson and Drain claimed on their forms to have had no income in the last year. He stated that district residents needed to know where the board members' incomes came from to avoid conflicts of interest. During his research, Fritchen also noted that Fant had declared no income over the past year. Fritchen also disputed both trustees listing ch



Former MUSD Trustee Dale Fritchen, 2000-2008

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Other former members voice concerns

Dale Fritchen was not the only former board member to express concern over the status of the board. On May 19, 2015, a letter to the editor by former board member Ed Fichtner was published in the *Manteca Bulletin*. It can be read in its entirety in the collapsed section below. Click [show] on the right to display the letter. The letter listed other former board members who shared his concerns, including Marilyn Asher, Jack Caldren, Dale Fritchen, Jay Holmes, Wendy King, Pat McKillip and Ernie Thompson.^[9]

Click [show] to read Ed Fichtner's letter to the *Manteca Bulletin*, published on May 19, 2015.[show]

Teacher's union supports recall



Also in attendance at the meeting where Fritchen demanded Bronson's and Drain's resignations was the Manteca Educators Association (MEA). While the group attended the meeting to speak about their salary negotiations, they reportedly "erupted in applause prompting Board President Deborah Romero to gavel them down."^[8]

Though the board meeting for May 12, 2015, was canceled, public comments were still heard, including vocal support of the recall effort against Drain from the teacher's association. MEA Vice President Ericka Meadows spoke on behalf of the organization to Drain, saying, "We are proponents of a recall petition and, we intend to seek the your [sic] recall and removal from the office of trustee, and to demand election of a successor."^[1]

Recall linked to salary improvements

The MEA began distributing materials to its members, reportedly implying that salary increases for its members would require the recall of Drain. They also indicated a possible effort against Fant. The material stated, "Manteca educators deserve a FAIR CONTRACT! I am willing to do the following to help get it:" followed by check boxes. The check boxes included options such as working on the recall effort, writing letters, making phone calls, wearing red shirts on Tuesdays as a sign of solidarity and picketing. Another option was, "I do not want a strike, but I will."^[11]

According to the *Manteca Bulletin*, the compensation offer made to district teachers in April 2015 would maintain their position as the highest paid in the county. The paper stated that MUSD's maximum base salary was the highest in the county at \$86,152. They further stated, "And once all compensation is factored in, teachers in Manteca Unified can earn a maximum of \$94,895 a year, the fifth highest on the survey and 2.7 percent more than the next highest San Joaquin County school district which is Tracy Unified."^[12]

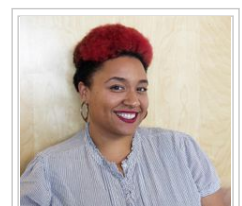
Recall opponents

Arguments against recall

Defenses of Drain

Drain responded to the contention that she incorrectly stated her employment as "educator" on her election forms at the board's meeting on April 14, 2015. She stated that she felt her work as a volunteer after-school tutor made her an educator. Prior to their election in November 2014, Bronson had stated that he also worked as a tutor.^[8]

Following the criminal charges, Drain said she would not comment on the matter upon the advice of her lawyer. She did, however, state: "Everyone is entitled to their perspective and I will never be upset at someone's perspective. That's their right." She would not respond to questions regarding the use of an inaccurate address on her election forms, saying, "Again, you're asking questions of things I cannot answer."^[1]



Former Area 2
Trustee Ashley Drain

Defenses of Fant

Board meeting

At a May 2015 meeting of the board, community member Leo Bennett-Cauchon "raised a length of knotted rope over his head – a short version of what appeared to be a hangman's noose – as he declared that Fant was being singled out for nothing more than a political lynching," according to the *Manteca Bulletin*. The action drew outcry from other attendees, and School Board President Deborah Romero criticized Bennett-Cauchon for his behavior.^[13]

Drain also came to Fant's defense at that meeting. The other four board members voted in favor of forming a committee to determine whether or not the board should move forward with a censure against Fant over his response to the photographs. Drain stated, "I'm sure that we can find some stuff that we could use to censure Sam on – I'm sure that we if we did deep enough. But this isn't it. This is sad. It's so sad. It's racist."^[13]

Exercise classes

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One criticism listed in the San Joaquin County Grand Jury report against Fant was that he went outside of school board channels to allow an exercise class to meet in a school cafeteria. Fant contended that Superintendent Jason Messer and a number of school board members were supportive of opening the cafeteria to the class. The principal of August Knodt School, the school whose cafeteria was used by the exercise class, also supported the decision.^[14]

Fant first offered the space to a group of around 20 parents that met outside to exercise together after dropping their children off at school. The nearest health club to the neighborhood was 20 minutes away at the time, and during bad weather, the group had no back up place to meet.^[14]

In order to have the group meet in the school cafeteria, eight individuals agreed to be fingerprinted and become official school district volunteers in order to keep the cafeteria secure while the group met. The group began holding their exercise class in March 2015 from 9 a.m. to 10 a.m. The exercise instructor volunteered her time and brought her own equipment, allowing the class to be free for those who attended. Because the lights were already on at that time of day, it also cost the district nothing to host it.^[14]

Fant said the class “helps re-enforce what we are trying to teach in school for students to have healthy lifestyles.”^[14]

Background

Grand Jury report

The San Joaquin County Civil Grand Jury published a report outlining the inappropriate behavior of board members Fant and Drain in June 2015. The grand jury investigation started after a district employee filed a complaint against Fant after he shared her Facebook page and alleged that she was racist due to the material she posted. The employee said Fant created a hostile work environment.^[5]

The investigation also looked into an incident involving Drain. According to the report, Drain intervened in a disciplinary matter between a student and Principal Jose Fregoso. Fregoso left the district in March 2015, an event that the report said would not have happened if not for efforts by Fant and Drain to remove him from his position. The grand jury recommended the district adopt board policies on bad behavior by members and gave the district 90 days to respond to the report.^[5]

On August 11, 2015, the board accepted the recommendations in the report. Fant successfully lobbied to change the board's response from "agrees with" to "accepts." The board voted unanimously to accept the report. Though Drain tried to abstain, procedural rules changed her vote to a "yes."^[6]

When the board first received the report, Drain called it "garbage." District resident Karen Pearsall said she found Drain's attitude detrimental to relationships within the district. "Saying that was completely disrespectful to the Grand Jurors who took the time and the effort to investigate these employee complaints. You don't need to accept the findings that they made if you don't agree, but you do need to at least take it seriously," said Pearsall.^[6]

Fant criticized following Facebook photo dispute

Pictures on a district employee's personal Facebook page drew accusations of racism from Fant and other community members. Head clerk of Walter Woodward Elementary Debie McLarty reportedly posted one image calling President Barack Obama (D) a communist and with a bullet through his head. Another image showed her family wearing Confederate flags.^[15] Later reports stated that the image of President Obama showed him with a fly on his head and that the Confederate flag pictures came from a *Dukes of Hazard*-themed birthday party.^[13]

Community activist Ralph Lee White brought the matter up at a board meeting in January 2015. He called the images "the most racist stuff I've seen in this valley."^[15]

McLarty would not comment on the matter, saying only, "It's my business." Fant, however, did comment at the board's January meeting in 2015. He argued that McLarty was incorrect in saying the photos were entirely her business as there were district policies regarding employee social media use. "Those photos absolutely reflect aggression, oppression and slavery," Fant said. McLarty's son, Jeff McLarty, defended her saying, "That's someone's opinion, and if you don't like it, don't read it."^[15]

At a board meeting in May 2015, newly elected leader of the Manteca Educators Association Ken Johnson took aim at Fant and White. He brought attention to the fact that Fant left the January meeting where the photos were first discussed by the board to talk to a reporter. He also claimed:

“Ralph Lee White was convicted of voter fraud and I that it was interesting that he was up there casting aspersions towards somebody else. I might be disgusting Mr. Fant, but tonight I was elected President of the 6,000 teachers of San Joaquin County and I'd rather have the 6,000 teachers of San Joaquin County t

White.^[10]

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—Ken Johnson (2015)^[13]



Area 1 Trustee Sam Fant

The board considered censuring Fant for his actions at the January 2015 meeting. They ultimately voted down the measure 5-2, with trustees Nancy Teicheira and Evelyn Moore voting in favor.^[16]

Criminal charges

In late April 2015, it was announced that criminal election fraud charges were being brought against Bronson and Drain. The charges alleged that both board members lied about their addresses on election forms as they did not reside in the districts to which they sought election at that time. Deputy District Attorney Robert Himelblau stated, "You have to live in a jurisdiction to run for office. The allegation is they did not reside in that district at the time they ran."^[4]

Unrelated allegations against Drain of food stamp fraud brought the election fraud issues to light. That investigation alleged that she used a false address, which led to the election fraud investigation.^[1] If convicted, Bronson and Drain could face jail time.^[4]

On May 7, 2015, Bronson and Drain were arraigned in back-to-back hearings. While Bronson was granted a continuation of his arraignment at that hearing, Drain pleaded not guilty. A further arraignment hearing for Drain was scheduled for June 3, 2015.^[17] Drain's preliminary hearing was scheduled for September 3, 2015.^[2]

Path to the ballot

See also: *Laws governing recall in California*

Bronson and Drain were sworn into office on December 9, 2014.^[18] California law does not allow recall efforts against officers until they have held their current term for at least 90 days, which would have been March 9, 2015, in this case.^[19]

Fritchen, however, claimed that this period had not yet expired during his comments at the meeting on April 14, 2015. He stated that he would give Bronson and Drain until that time to resign before putting a recall in motion, but the exact deadline on which Fritchen based his ultimatum remained unclear.^[8]

Drain was served recall papers on May 12, 2015. Fant was informed that a recall effort against him was underway at a board meeting on June 9, 2015, by John McKillip, who cited findings from the recently published grand jury report as reasons for the recall.^{[16][20]} Former Manteca Unified trustee Ed Fichtner delivered updated recall paperwork to Fant at the school board meeting on June 23, 2015.^[21]

Fant's recall effort was approved to begin collecting signatures by the San Joaquin County Registrar of Voters on July 14, 2015.^[16] They had to turn in their completed petitions by December 24, 2015, in order to get the effort on the ballot. Because they did not, the recall effort against Fant failed.^[3]

About the district

See also: *Manteca Unified School District, California*



Manteca Unified School District is located in San Joaquin County, Calif.

Manteca Unified School District is located in San Joaquin County in central California. The county seat is Stockton. The county was home to 715,597 residents in 2014, according to estimates by the United States Census Bureau.^[22] Manteca Unified was the 56th-largest school district by enrollment in California in the 2013-2014 school year and served 23,079 students.^[23]

Demographics

San Joaquin County underperformed compared to California as a whole in terms of higher education achievement in 2013. The United States Census Bureau found that 18.1 percent of county residents aged 25 years and older had attained a bachelor's degree compared to 30.7 percent of state residents. The median household income for San Joaquin County was \$53,380 compared to \$61,094 for the state. The percentage of people below poverty level in the county was 18.2 percent while it was 15.9 percent for California as a whole.^[22]

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Racial Demographics, 2014^[22] [hide]		
Race	San Joaquin County (%)	California (%)
White	68.1	73.2
Black or African American	8.1	6.5
American Indian and Alaska Native	2.0	1.7
Asian	15.9	14.4
Native Hawaiian or Other Pacific Islander	0.7	0.5
Two or more races	5.2	3.7
Hispanic or Latino	40.5	38.6

Presidential Voting Pattern, San Joaquin County^[24] [hide]		
Year	Democratic Vote	Republican Vote
2012	113,504	85,852
2008	113,974	91,607
2004	87,012	100,978
2000	79,776	81,773

Note: Percentages for race and ethnicity may add up to more than 100 percent because respondents may report more than one race and the Hispanic/Latino ethnicity may be selected in conjunction with any race. Read more about race and ethnicity in the census here.

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Manteca Unified School District



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- School board recalls

External links

- Manteca Unified School District
- San Joaquin County Registrar of Voters
- Manteca Educators Association
- Manteca Educators Association Facebook page



Additional reading

Local media coverage

- *Stockton Record*, "Fear and loathing in Manteca Unified," June 3, 2015
- *Manteca Bulletin*, "Meeting ruckus: Political lynching?" May 15, 2015
- *Manteca Bulletin*, "MEA equates a successful recall effort to more pay," May 15, 2015
- *News10*, "Manteca school trustee resigns, another facing recall," May 13, 2015
- *The Manteca Bulletin*, "Bronson resigns," May 13, 2015
- *Recordnet.com*, "One under-fire trustee in Manteca resigns," May 12, 2015
- *Recordnet.com*, "Trustees accused of fraud appear in court," May 7, 2015
- *News10*, "Manteca school board members charged with election fraud," April 25, 2015
- *Manteca Bulletin*, "Offer keeps MUSD teachers best paid in San Joaquin County," April 24, 2015
- *Manteca Bulletin*, "Trustees Drain, Bronson asked to step down," April 15, 2015

Letters to the editor

- *Manteca Bulletin*, "Taxpayers & children deserve better," August 17, 2015
- *Manteca Bulletin*, "Drain: The Little Engine That Could," August 16, 2015
- *Manteca Bulletin*, "Recall is a must," May 19, 2015
- *Manteca Bulletin*, "School board: It's about character," May 7, 2015
- *Manteca Bulletin*, "Residency shouldn't matter," May 2, 2015
- *Manteca Bulletin*, "Sam Fant misrepresents himself," April 17, 2015

Footnotes

1. *News10*, "Manteca school trustee resigns, another facing recall," May 13, 2015
2. *Record.net*, "Trustee Drain resigns," August 25, 2015
3. *Manteca Bulletin*, "SJ Fair may return in June, Fant avoids school recall," January 21, 2016
4. *News10*, "Manteca school board members charged with election fraud," April 25, 2015
5. *Recordnet.com*, "Fear and loathing in Manteca Unified," June 3, 2015
6. *Manteca Bulletin*, "Manteca board accepts scathing Grand Jury report," August 12, 2015

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