September 9, 2013

Honorable Brian C. Walsh
Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

Dear Judge Walsh:


Specifically to Finding 1, “CABs shift large, compounding interest costs to future taxpayers and will inevitably compound the burdens school districts face in operating effective schools for their students in the future,” San José Unified agrees with the finding.

Specifically to Recommendation 1, “each school district in Santa Clara County should adopt a Board policy and any necessary administrative regulation indicating its intent to comply with the moratorium called for by the State Treasurer and the State Superintendent of Public Instruction,” San José Unified will not be implementing this recommendation, as it is not warranted.

As shown in the Civil Grand Jury’s report, San José Unified did not issue any Capital Appreciation Bonds between 2007 and 2012 and the District has no current plans to issue CABs. Most importantly, the Board of Education exercises its authority in accordance with the State and Federal Constitutions, laws and regulations, while executing the powers delegated to it by law for the District it governs. As such, adopting a Board policy and/or administrative regulation is unnecessary. San José Unified will continue to monitor the status of AB182.

On behalf of the San José Unified community, please forward my appreciation to the Civil Grand Jury for its ongoing efforts to protect our society and enforce our laws.

Sincerely,

Pam Foley, President
Board of Education