



**SAN JOSE
UNIFIED
SCHOOL
DISTRICT**

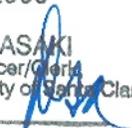
Building On Success

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SEP 25 2009

DAVID H. YAMASAKI
Chief Executive Officer/Clerk
Superior Court of CA County of Santa Clara
BY D. ALDYCKI 

September 18, 2009

Don Kawashima, Foreperson
2008-2009 Santa Clara County
Civil Grand Jury
191 North First Street
San Jose, CA 95113

Re: Response to Grand Jury Report

Dear Mr. Kawashima:

Attached is San Jose Unified School District's response to the 2008-2009 Santa Clara County Civil Grand Jury's report: "Who Really Benefits from Education Dollars?" dated June 18, 2009.

If you have any questions, please feel free to contact me at 408-535-6090.

Sincerely,



Don Iglesias
Superintendent of Schools

San Jose Unified School District

Response to the Grand Jury Report: Who Really Benefits From Education Dollars? Findings and Recommendations

Finding 1: Board of Trustees approve overly generous benefits to themselves which include the following:

- a. Fully paid health benefits for trustees and their families
- b. Excessive travel and conference costs
- c. Pension contribution

Response:

SJUSD disagrees with this finding. Board of Trustees perform a high level of service for their communities and at this critical time in California, it is essential that school districts attract and retain qualified, dedicated and informed School Board members. San Jose Unified School District has a committed, focused and collaborative School Board who has been together for a long period of time. Trustee stipends are low at \$787.50 per month, and do not compensate our trustees for the long hours and dedication that it takes to be an effective Board Member.

Benefits are commensurate with those received by our teachers and provide a contribution that helps attract strong candidates to the Board.

Travel and conference is at a minimum for our Board members and only typically relate to participation in California School Boards Association annual conference and School Board related events within the region and state. It is essential for our Board members to keep abreast of current issues affecting our programs and funding. Professional development is key to understanding the complexities of running a school district.

There is not a pension contribution for our Board members.

Finding 2: Board of Trustees are approving overly generous benefits to Superintendents

Response:

San Jose Unified disagrees with the findings. San Jose Unified is the largest and most diverse school district in Santa Clara County, with over 32,000 students. It is eighth in the county for superintendent salary at \$225,000. Half of the superintendents in Santa Clara County have salaries over \$200,000. Many of the superintendents earning higher salaries than our district superintendent have 75% less students. Many of the superintendents earning over \$200,000 have 3,000 students, 1/10th of our enrollment. On a per pupil amount, our Superintendent's salary is \$7.47 per pupil, the lowest in the county.

Many of the benefits listed by the Grand Jury are not given to the Superintendent of San Jose Unified. For instance, there is no housing allowance, house loan, guaranteed step and column or longevity increase, no signing bonus, no performance bonus, no per diem when out of the district on non-district related business, no excessive travel nor entertainment expenses. Furthermore, the Superintendent does not receive stipends for advanced degrees, pension allowances, nor lifetime medical benefits.

The expense of annual physicals is the responsibility of the Superintendent. The Superintendent does have access to a computer as part of the job responsibility; professional membership expenses are minimal (no cost for Association of California School Administrators membership because he is a former State President.).

While some districts may be over-compensating their superintendents, San Jose Unified is not. SJUSD's superintendent's benefits are reviewed annually.

Recommendation 2: Board of Trustees should carefully review and renegotiate the Superintendents benefits listed in finding #2 for possible reduction/elimination.

Response:

SJUSD disagrees with the recommendation and it is not warranted because most of the benefits, as described above in the findings, are not given to our superintendent. Additionally, the superintendent's salary is not excessive considering we have the largest district in the county and the salaries among Santa Clara County superintendents with smaller districts are comparable.

Finding #3: Superintendent salaries bear no relationship to the number of schools, students, and employees they oversee, nor their district's academic improvement:

Response:

San Jose Unified disagrees with the finding, specific to our school district and superintendent. San Jose Unified is the largest school district in Santa Clara County with 32,000 students. We have 42 schools including 27 elementary schools, 6 middle schools, 6 high schools and 1 continuation high school. We have a diverse population that is 51% Latino, 44% socioeconomically disadvantaged, 26% English Learner and 11% special education. We have over 2700 employees. Our superintendent is paid the least per pupil than any other superintendent in Santa Clara County. As stated in Finding #2 above many superintendents in our county earn more salary than our superintendent, even though we have the largest district. Our school district has shown tremendous gains in student performance and we have successfully narrowed the achievement gap by 25% over the last five years, increased student performance on the API and AYP, and were recognized last year for having the second highest graduation rate in the nation among urban school districts. Our board feels his salary is in line with the amount of responsibility and personnel under his management

Recommendation 3: Superintendent salaries and increases take into account the number

of schools, teachers, and students they oversee, and are tied to the district's students' progress and quantifiable metrics.

Response:

San Jose Unified agrees that salaries and increases should consider number of schools, employees, students and progress. Our current superintendent's salary and evaluation process consider the areas of responsibility relating to students, community, schools and employees. Additionally, we have made tremendous progress in the number of students proficient or advanced and on our graduation rate, the narrowing of the achievement gap, API and AYP in the last several years, although there is not a direct link to salary increases. We receive and discuss specific quantitative (student performance data) and qualitative (climate surveys) as part of the evaluation process.

Finding 4: Board of Trustees hire costly search firms to recruit successors for retiring or dismissed superintendents.

Response:

We respectfully disagree. San Jose Unified cultivates it's own talent. Our current superintendent was our Deputy Superintendent for 2 years before stepping in as superintendent (for the past 5 years), as part of a succession plan when the superintendent at that time retired. San Jose Unified will look internally before venturing out for our next superintendent. San Jose Unified looks ahead and has always had succession planning as a priority. At this time, we have intentionally developed a new succession plan among our senior staff and have several Assistant Superintendents who could potentially serve as our next superintendent. If the inside candidates are not a match for our district, from the School Board perspective, then it will be important to seek outside candidates through a recruitment firm. It is essential to select the best fit as superintendent: a quality, experienced leader, whether an inside or outside candidate.

Finding 5: Board of Trustees approves the hiring of multiple private attorneys, in some cases at a tremendous expense.

Response:

We disagree with the finding. Several years ago, we developed an RFP (Request for Proposal) that was sent out to many California attorneys' firms with specific expectations. We then screened and interviewed multiple firms, looking for a match and cost for services. It is difficult to find one firm that can do all of the necessary work, from business, to construction, expulsions, special education and personnel. We have multiple firms, but we don't hesitate in replacing a firm if the fees are exorbitant or the advice and service are weak. Our staff also does as much research as possible to minimize the amount of time that is spent with attorneys, thus reducing the costs even further.

Recommendation 5: Engage County Counsel whenever possible and use their fees for leverage with private firms:

Response:

We use an RFP to determine the best and most reasonable services and we will continue to do so. We can consider the County Council, if they choose to participate in our selection process next year.

Finding 6: Consolidation of districts should be considered to reduce costs and administrative overhead:

Response:

We agree that consolidation should be considered, but the process is cumbersome and requires School Boards to vote themselves out of office, which is unlikely to occur. San Jose Unified is the largest K-12 district in our county, and one of the largest in the state. We believe 32,000 students is a manageable and responsible number of students to oversee. We have communicated with a neighboring one school, school district to check the level of interest in consolidation, which would result in reducing much of the duplicate overhead, and would better serve the children in their district. If they are interested, we will certainly consider moving forward. Because SJUSD is a K-12 district, we have seamless articulation between grade levels, which is much better for our students. While consolidation is a great idea, the implementation is not at all easy, and can take 3 to 5 years to accomplish. The issue is the fact that the community has elected citizens to represent their interest in the district. In San Jose Unified's case, we have a 5-member board, and the trustees are elected by trustee area. The district we are looking to consolidate with also has a 5-member board. Since it is a single school-school district, with only 600 students, their representation seems excessive. How would we add their trustees to our board? We already have representation from their area on our board. Since these are publicly elected officials, one cannot just omit them from our district; however, it is unnecessary and irresponsible to have additional board members added to the San Jose Unified board. This is the barrier that keeps districts from consolidating. The process requires serious streamlining and assistance at the city and state levels. We believe that without changes in the law at the state level to push consolidation, very little will occur on a voluntary basis.

Recommendation 6: Consolidation of districts considered to reduce the numbers and costs of Superintendents, Board and administrative staff and overhead.

Response:

We agree with the recommendation but believe there would need to be more powerful legislation to force the issue of consolidation with small school districts who are not willing to give up their autonomy and recognition.