



Loma Prieta School District
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FILED

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

September 13, 2010
Honorable Jamie Jacobs-May
Presiding Judge
Santa Clara County Superior Court
191 North First Street
San Jose, California 95113

This letter represents the Loma Prieta Joint Union School District response to your letter of June 24, 2010 regarding Looking at Policies Our Schools Use to Find and Place Employees

Finding 1:

Per the Districts' current CBAs, internal applicants are given priority over external applicants who may be better qualified for the job.

Recommendation 1

Each Board should revisit this subject in future Collective Bargaining Agreement negotiations to ensure that competency is the determinant factor in the job candidate process.

• **District Response**

The recommendation will not be implemented because it is not warranted. We believe we have a CBA and process, which ensures that competency is a top determinant factor in the job selection process.

Finding 2

The PAUSD utilizes a process that requires teacher job applicants to teach demonstration lessons which are subsequently scored by a qualified review team. The scores are utilized as significant factors in hiring decisions.

Recommendation 2

All Districts should consider adopting interview practices like PAUSD which provide opportunities for applicants to demonstrate their teaching skills.

• **District Response**

The recommendation has been implemented. Loma Prieta Joint Union School District has practices in place aligned with this recommendation.

Finding 3

Twenty-two of the 32 Districts have policies covering the hiring of employee and Board member relatives.

Recommendation 3

All Boards should formulate and implement policies covering the hiring of relatives, including the disclosure of any familial relationships to the Board, to avoid the appearance of bias or favoritism in the recruitment and job assignment processes.

- **District Response**

The recommendation has not yet been implemented, but will be implemented in during the 2010 – 2011 school year.

Finding 4

Twenty-two of the 32 Districts do not permit employees to be placed in direct reporting relationships to their relatives. The following 10 districts stated they do not have a written policy regarding the direct supervisory relationship of related employees.

- Berryessa Union
- Cambrian Union
- Cupertino Union
- Evergreen Union
- Luther Burbank
- Morgan Hill Unified
- Mount Pleasant
- Mountain View-Los Altos
- Union

Recommendation 4

The Boards of the Districts listed in Finding 4 should formulate and implement a policy prohibiting direct employee supervision of spouses and other relatives.

- **District Response**

The recommendation has been implemented. Loma Prieta Joint Union School District has practices in place which, aligned with this recommendation.

Finding 5

The following 18 Districts allow the Superintendent to override the policy of not permitting relatives to be placed in direct reporting relationships to current employees, on a case-by-case basis:

- Alum Rock Union
- Campbell Union

- Cupertino Union
- East Side Union
- Franklin McKinley
- Fremont Union
- Gilroy Unified
- Loma Prieta Joint Union
- Moreland
- Morgan Hill Unified
- Mountain View-Los Altos
- Oak Grove
- Orchard
- Palo Alto Unified
- San Jose Unified
- Saratoga Union
- Sunnyvale
- Santa Clara County Office of Education

Recommendation 5

Boards should adopt a policy of reviewing all Superintendent decisions that override the policy that pertains to the placement of related employees in direct reporting positions.

- **District Response**
The recommendation has not yet been implemented, but will be implemented in during the 2010 – 2011 school year.

Finding 6

Fourteen of the 32 Districts are aware of and /or document the number and names of related employees. The following Districts do not document this information:

- Alum Rock Union
- Berryessa Union
- Campbell Union
- Campbell Union High School
- East Side Union
- Franklin McKinley
- Loma Prieta Joint Union
- Los Altos
- Los Gatos-Saratoga Joint Union
- Los Gatos Union
- Moreland

Recommendation 6

The Boards of the Districts listed in Finding 6 should implement a policy of identifying familial relationships and tracking such data.

- District Response

The recommendation has not yet been implemented, but will be implemented in during the 2010 – 2011 school year.

Finding 7

Only Los Gatos-Saratoga Joint Union and the Palo Alto Unified Districts responded that they ask about familial relationships on their job applications.

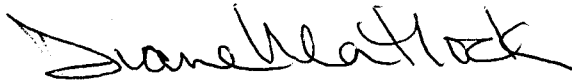
Recommendation 7

All Boards should implement measures to identify familial relationships during the hiring process.

- District Response

The recommendation has not yet been implemented, but will be implemented in during the 2010 – 2011 school year.

Sincerely,



Diane Matlock
Board President