



San Jose Unified
School District

Vincent Matthews, Ed.D.
Superintendent

"Inspiring and Preparing for Success"

September 24, 2010

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

FILED

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

Dear Honorable Jamie Jacobs-May,

Below are the responses to the Grand Jury's Findings from the San Jose Unified School District. These findings were sent to our Board President, Veronica Lewis. Mrs. Lewis referred these findings to staff for our district's response. I am sending these responses on behalf of Mrs. Lewis, our board of trustees and our district.

Vincent Matthews
Superintendent, San Jose Unified School District.

**Response to Findings and Recommendations
to the
*Final Report, Looking at Policies Our Schools Use to Find and Place Employees***

Finding 1: Internal applicants are given priority for vacancies over external applicants who may be better qualified for the job.

"Agree"

Recommendation 1: Movement to CBA language focused on competency .

"Response #2" Future implementation will be in accordance with negotiations priorities and in accordance with Education Employment Relations Act (EERA) guidelines. Estimated timeline uncertain, but projected work in this area should see progress in 5 years.

Finding 2: PAUSD requires teacher applicants to provide demonstration lesson prior to hiring to ensure that competency is the determinant actor in the selection process.

"Agree"

Recommendation 2: Districts should adopt a practice requiring teacher candidates to demonstrate a lesson prior to hiring.



“Response #4” Disagree with this practice being an adopted requirement. The practice is recommended when possible, and has been utilized in SJUSD. It is unreasonable to make this a requirement as hiring can occur at times when school is not in session, and in timelines that do not accommodate this practice.

Finding 3: Twenty-two of 32 districts have policies covering the hiring of employee and Board member relatives.

“Agree”

Recommendation 3: That all districts have 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.

“Response #4”: SJUSD has Board Policy 4112.8 acknowledging the importance of taking actions that “preclude situations which could bring about a conflict of interest for members of the administrative staff”. This policy also limits the job assignment conditions addressed in Finding/Recommendations #4, #6, and #7 that follow.

Finding 4: Twenty-two of the 32 Districts do not permit employees to be placed in direct reporting relationships to their relatives.

“Agree”

Recommendation 4: District listed should formulate and implement a policy prohibiting direct employee supervision of spouses and other relatives.

“Response #1”: SJUSD was not on this list. Board Policy 4112.8 adopted 9/20/2001 is responsive to this.

Finding 5: Eighteen 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.

“Disagree”: SJUSD is on this list but Board Policy 4112.8 does not give the Superintendent authority to overturn the policy of not permitting relatives to be placed in direct reporting relationships to current employees on a case-by-case basis. The policy does allow the Superintendent to approve immediate family members to be employed in the same department.



Recommendation 5: Boards should adopt policy of reviewing all Superintendent decisions that override the policy pertaining to the placement of related employees in direct reporting positions.

"Response #4": This is not warranted as this is not permitted in SJUSD BP 4112.8. See above comment.

Finding 6: Fourteen Districts are aware of and/or document the number and names of related employees. SJUSD does not.

"Agree"

Recommendation 6: Boards should implement a policy of identifying familial relationships and tracking such data.

"Response #4": A policy and the tracking of data is not supported in this area. Implementing the regular practice of identifying familial relationships is acknowledged as a logical way to uphold Board Policy 4112.8 previously mentioned. Please see response to Finding/Recommendation #7 that follows.

Finding 7: Only two districts ask about familial relationships on their job applications.

"Agree"

Recommendation 7: All Boards should implement measures to identify familial relationships during the hiring process.

Response 2: SJUSD is in the process of ensuring that all employment applications require the identification of relatives employed in the District in order to fully support Board Policy 4112.8. This will be completed by November 1, 2010.