



ALUM ROCK

UNION ELEMENTARY SCHOOL DISTRICT

2930 Gay Avenue

San José, CA 95127

Phone: 408-928-6800

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October 5, 2010

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

FILED

OCT 12 2010

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

Dear Honorable Judge:

This letter is in response to the letter sent by Ms. Angie Cardoza, Foreperson dated June 24, 2010, correspondence to Board of Education President, Patricia Potter.

As required by California Penal Code Section 933.05(a,b), Alum Rock Union Elementary School District is responding to the Findings and Recommendations from the Civil Grand Jury's Final Report "Looking at Policies Our Schools Use to Find and Place Employees".

Should you have questions, I may be reached at (408) 928-6821.

Sincerely,

José L. Manzo
Superintendent

JM:ms
Enclosure

José L. Manzo, Superintendent

Board of Trustees: • Patricia Potter, President • Gustavo González, Vice-President
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Findings and Responses

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 CBA negotiations to ensure that competency is the determinant factor in the job candidate selection process.

Response 1

The District disagrees with the Grand Jury findings. Our current CBA's allows the district to choose the best qualified individual during the selection process. The CBA's for provide employees that meet the minimum qualifications to be considered for a position but does not guarantee internal employees will be employed over external candidates. Each year the district reviews areas of the contract which may provide opportunities to improve the hiring process.

Finding 2

The PAUSD utilizes a process that requires teacher job applicants to teacher 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 practices like PAUSD which provide opportunities for applicants to demonstrate their teaching skills.

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Response 2

We will look at the process used by PAUSD to determine if a similar or modified process may be beneficial and practical for our district.

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 process.

Response 3

Alum Rock Union Elementary School District will review current policies and consider recommendations presented by the Grand Jury.

Finding 4

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

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.

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Response 4

Alum Rock Union School District currently has a policy that appropriately deals with Recommendation 4.

Finding 5

Eighteen (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.

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.

Response 5

Alum Rock Union Elementary School District currently has a policy that appropriately deals with Finding 5 of the Grand Jury. Alum Rock Superintendent does not have the discretion to override the policy of not permitting relatives to be placed in direct reporting relationships to current employees. The Superintendent can permit employees related to each other to be placed in the same office or department so long as they are not supervising each other.

Finding 6

Fourteen of the 32 Districts are aware of and/or document the number and names of related employees.

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Recommendation 6

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

Response 6

Alum Rock Union Elementary School District will consider the recommendation from the Grand Jury if it determines a need for such a revision to current policy.

Finding 7

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

Recommendation 7

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

Response 7

Alum Rock Union Elementary School District will consider the recommendation from the Grand Jury if it determines a need for such a revision to current policy.

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