

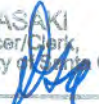
SANTA CLARA COUNTY  OFFICE OF EDUCATION

Charles Weis, Ph.D.
County Superintendent of Schools

September 21, 2009

FILED

OCT 05 2009

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

Don Kawashima, Foreperson
2008-2009 Civil Grand Jury
C/O The Honorable Jamie Jacobs-May
Presiding Judge, Santa Clara County Superior Court
191 North First Street
San Jose, CA 95113

Dear Mr. Kawashima:

I am responding to your June 22, 2009 letter regarding the Grand Jury report entitled "Board of Trustees of Luther Burbank School District Gets an 'F.'" "

Our response is submitted in compliance with California Penal Code 933.05. Your letter requested a response only to Applicable Recommendation 13; that response is attached.

As you review our submission, please keep in mind that the County Office of Education and the Luther Burbank School District are separate entities. While the COE does have certain specific duties in relation to the fiscal oversight of county school districts, those duties are limited by law, and the districts are largely self-governing.

Thank you and your colleagues for your work. Your commitment toward ensuring that our school districts maintain sound principles of governance is commendable. Should you have any questions related to this matter please do not hesitate to contact me at (408) 453-6511.

Sincerely,



Charles Weis, Ph.D.
County Superintendent of Schools

Enclosure

Board of Education

Leon F. Beauchman • Joseph Di Salvo • T. N. Ho • Jane Howard • Grace H. Mah • Craig Mann • Anna Song

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**Response to Grand Jury Report Entitled
“Board of Trustees of Luther Burbank School District Gets an ‘F’”
9/09**

Recommendation 13

The SCCOE Board of Trustees should:

a. Closely monitor the LBSD Board to ensure implementation and compliance with the special audit.

The recommendation has been implemented. The Santa Clara County Office of Education (SCCOE) is holding quarterly meetings with the Luther Burbank staff to monitor response to the audit’s findings and recommendations.

b. Closely monitor the LBSD Board to ensure implementation of the Grand Jury recommendations.

The recommendation will not be implemented because it is not warranted. The SCCOE will continue to provide fiscal oversight of the district as specified in California Education Code; however, it is outside the purview of the SCCOE or the Santa Clara County Board of Education to ensure implementation of the multiple Grand Jury recommendations that are not delineated in the Ed Code.

c. Strongly encourage an amicable organization (merger) of LBSD with an adjacent school district.

The recommendation will not be implemented because it is not warranted. Decisions involving the organization and potential merger of a California school district are relegated by state law to the voting public within that district. It is outside the purview of the SCCOE or the County Board of Education to become involved in such decisions.