



# LUTHER BURBANK SCHOOL DISTRICT

Established in 1906

*Becki Cohn-Vargas Ed.D.*  
Superintendent-Principal

**FILED**

SEP 08 2010

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

August 27, 2010

Members of the 2009-10 Civil Grand Jury  
Santa Clara County Superior Court  
191 North First Street  
San Jose, CA 95113

Dear Members of the Grand Jury,

Please find the District Responses to the Grand Jury's Final Report "**Looking at Policies Our Schools Use to Find and Place Employees.**" These responses are filed with the Office of the Honorable Jamie Jacobs-May, Presiding Judge, Santa Clara Superior Court on behalf of the Governing Board for the Luther Burbank School District.

**LUTHER BURBANK ELEMENTARY SCHOOL DISTRICT**  
**Response to Grand Jury Findings and Recommendations**  
**"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.*

Luther Burbank School District disagrees with this finding. We consider current employees first, but are not required to hire current employees into vacancies. If they are not qualified to perform the duties of the position they would not be hired and we would seek better qualified applicants.

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**Board of Trustees**

*Lizandro Carrasco • Blanca Diaz • Lorraine Garza • Pam Ortiz • Antonio R. Perez*  
4 Wabash Avenue • San Jose, California 95128-1931

**District 408-295-2450 • School 408-295-1814 • Fax 408-295-3168 • Child Development 408-295-1731**

**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.*

The recommendation requires further analysis. The LBSD Board will revisit this subject in the upcoming six months during negotiations to ensure that competency is the determinant factor in job candidate selection.

**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.*

Luther Burbank School District partially agrees that it is the best method to determine successful future teachers. It is not always possible to use this method due to time and funding constraints.

**Recommendation 2**

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

The recommendation will not be implemented because it is not warranted or reasonable. The method will be used when possible, but the LBSD Board feels that there are other viable ways to ensure that applicants are qualified. Applicants have demonstrated their teaching skills in student teaching or previous teaching assignments. Qualified judges of their performance are called for reference checks to verify their skills. Our own student teachers have had the opportunity to demonstrate their teaching skills to co-teachers and principals in our District. Implementation of this recommendation would possibly require additional staffing, which could be an undue burden. This can additionally slow the process of hiring and cause great candidates to go elsewhere.

**Finding 3**

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

Luther Burbank School District agrees with this finding.

**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.*

This recommendation has been implemented. The Luther Burbank School District adopted Board Policy 4112.8 Employment of Relatives on May 11, 2010. This policy covers hiring of relatives,

including the disclosure of any familial relationships to the Board, to avoid the appearance of bias or favoritism.

**Finding 4**

*Twenty-two of the 32 Districts do not permit employees to be placed in direct reporting relationships to relatives. The following 10 Districts (Berryessa, et al) stated they do not have a written policy regarding the direct supervisory relationship of related employees.*

Luther Burbank School District agrees with this finding.

**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.*

Luther Burbank School District has implemented this recommendation.

**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.*

Luther Burbank School District agrees with this finding, but only partially agrees that this is a necessary component of our job applications.

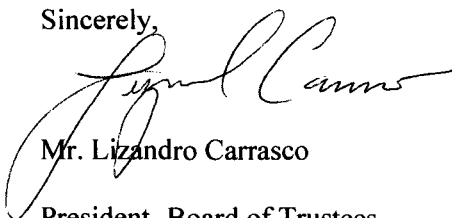
**Recommendation 7**

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

The recommendation requires further analysis. In the next few months, we will work with the EdJoin team to determine how we can set-up our application to ask about familial relationships. If this is not possible, we will need to work on a process outside of EdJoin.

Please contact us with any further questions.

Sincerely,



Mr. Lizandro Carrasco

President- Board of Trustees  
Luther Burbank School District