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

August 26, 2010

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

Dear Honorable Jamie Jacobs-May,

As stated in Penal Code § 933.05(a)(b), the Board of Trustees response to the Grand Jury's Final Report, **Looking at Policies Our Schools Use to Find and Place Employees** is enclosed.

Sincerely,

Robert Varich
President, Board of Trustees
Moreland School District

cc: Mr. Glen Ishiwata, Superintendent

Board of Trustees

Lori Booroojian • Jim Macfarlane • Heather Sutton • Robert Varich • Karen Whipple

MORELAND SCHOOL DISTRICT
Response to Grand Jury Findings and Recommendations
"Looking at Policies our Schools Use to Find and Place Employees"
August 2010

Finding 1:

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

Response: The respondent disagrees partially with the finding as internal applicants are given "consideration" over external applicants. If they are not qualified to perform the duties of the position, we seek better qualified candidates.

Recommendation 1:

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

Response:

The recommendation requires further analysis, and Moreland School District is willing to revisit this subject in future sessions of collective bargaining negotiations.

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.

Response: Moreland School District agrees with the finding.

Recommendation 2:

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

Response:

The recommendation will not be implemented because it is not warranted or reasonable. 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. Student teachers have the opportunity to demonstrate their teaching skills to co-teachers and principals in our District. Implementing this recommendation would require additional staffing, slow the process of hiring and may cause exemplary candidates to go elsewhere.

Finding 3:

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

Response: Moreland School District agrees with the 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.

Response:

The Moreland School District will consider revising Board Policies to include the disclosure of familial relationships to the Board to avoid the appearance of bias or favoritism in the recruitment and job assignment processes.

Finding 5:

The following 18 District 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. (Moreland included)

Response: Moreland School District agrees with the finding.

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:

The recommendation has not yet been implemented, but Moreland School District will consider revising board policies to include the disclosure should there be a direct relationship of an employee with the superintendent.

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: (Moreland included)

Response: Moreland School District agrees with the finding.

Recommendation 6:

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

Response:

The recommendation has not yet been implemented, but Moreland School District will formulate a policy of identifying familial relationships and tracking such data during the 2010/2011 school year.

Moreland School District

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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.

Response: Moreland School District agrees with the finding.

Recommendation 7:

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

Response:

The recommendation has not yet been implemented, but Moreland School District will work with the EdJoin team to determine the possibility of future implementation.