



Sunnyvale School District

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Benjamin H. Picard, Ed.D., Superintendent

September 13, 2010

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

FILED

SEP 21 2010

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

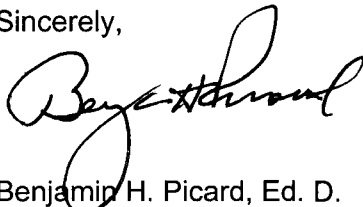
Re: Response to the Santa Clara County Civil Grand Jury Report: *Looking at Policies Our Schools Use to Find and Place Employees*

Dear Judge Jacobs-May,

The Sunnyvale School District appreciates this opportunity to respond to Findings and Recommendations 1, 2,3,5 and 7 of the Final Report of the 2009-2010 Santa Clara County Civil Grand Jury entitled *Looking at Policies Our Schools Use to Find and Place Employees*. . The District provides its response in accordance with Penal Code section 933.05.

Should you have any questions related to this matter please do not hesitate to contact me at (408) 522-8200 ext. 202.

Sincerely,



Benjamin H. Picard, Ed. D.
Superintendent

Board of Education

Sandy Agbayani • Jeffrey Arnett • Phyllis Fowler • Anita Herrmann • Nancy Newkirk

**Response to Grand Jury Findings and Recommendation:
Looking at Policies our Schools Use to Find and Place Employees
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Finding 1

Per the Districts' current CBA's, 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:

Agree. However, current collective bargaining agreements with CSEA and SEA do not prohibit selection of the most qualified candidate, external or internal, for vacant positions. Periodically reviewing contract language, district policies, administrative regulations, and hiring practices will further the District's goal of hiring the most qualified applicants for vacant positions.

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.

Recommendation 2

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

Response 2:

Disagree. The District routinely revises teacher hiring practices to determine which practices best predict effectiveness and longevity in the classroom. The District has explored Palo Alto's process. Observing one demonstration lesson is likely a cumbersome practice with little reliability in predicting teacher effectiveness since the lesson is often taught with little context and outside of an actual classroom. Observing applicants during their student teaching assignments and/or conducting thorough interviews and reference checks focusing on teaching effectiveness provide more reliable data in selecting teacher candidates.

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 processes.

Response 3:

Agree. The District will consult with legal counsel to be sure its hiring policies comply with the law and neither favor nor illegally discriminate against relatives of employees or of the Board.

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Finding 5

Many 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:

Agree. The District does not allow the superintendent to override the policy that pertains to the placement of related employees in direct reporting positions. The District will consult with legal counsel to be sure its hiring policies comply with the law and neither favor nor illegally discriminate against relatives of employees or of the Board.

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.

Recommendation 7

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

Response 7:

Agree. The District will consult with legal counsel to be sure its hiring policies comply with the law and neither favor nor illegally discriminate against relatives of employees or the Board.