



UNION SCHOOL DISTRICT

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Jacqueline M. Horejs, Ed.D.
Superintendent

September 2, 2010

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

Honorable Jaime Jacobs-May
Presiding Judge
Santa Clara County Superior Court
191 N. First Street
San Jose, California 95113

Re: Civil Grant Jury Report, "Looking at Policies Our Schools Use to Find and Place Employees"

Honorable Judge Jacobs-May:

On behalf of the Union School District, we have prepared the following responses to the questions in your letter to Ms. Brown, Board President, and the Board of Trustees.

Should you have any questions related to this matter please do not hesitate to contact me at (408) 377-8010 ext. 4201.

Sincerely,

Jacqueline M. Horejs, Ed.D.
Superintendent

JMH:mgr
Enclosure

cc: Vickie Brown, Board President

UNION ELEMENTARY SCHOOL DISTRICT
Response to Grand Jury Findings and Recommendations
“Looking at Policies Our Schools Use to Find and Place Employees”
September 2010

Finding 1

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

Union Elementary School District Disagrees with this finding. The CBA requires us to consider current employees first, but does not require us 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.

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.

Union Elementary School District is however, willing to revisit this subject in future CBA negotiations as per Recommendation 1.

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.

Union Elementary School District agrees that PAUSD utilizes this process, but only partially agrees that it is the best method to determine successful future teachers, depending on the qualifications of the review team.

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. 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. This recommendation could 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.

Union Elementary 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.

Union Elementary School District is in the process of formulating a policy covering hiring of relatives, including the disclosure of any familial relationships to the Board, to avoid the appearance of bias or favoritism. A first reading was completed in August, 2010, and a second reading is scheduled for September, 2010.

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.

Union Elementary 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.

Union Elementary School District has had this practice, and is in the process of formulating a policy regarding direct employee supervision of spouses and other relatives. A first reading will either be held in August or September, 2010.

Findings and Recommendations 5 and 6 Do Not Apply To Union Elementary School District**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.

Union Elementary School District agrees with this finding, but disagrees that this is a necessary component of our job applications. We will get this information from employees once they have been hired.

Recommendation 7

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

The recommendation requires further analysis because we use an on-line application service, EdJoin, which many of the districts in California currently use. We will need to 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.