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

August 20, 2009

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

Dear Judge Jacobs-May:

The West Valley-Mission Community College District received the Santa Clara County Civil Grand Jury Report concerning Who Really Benefits from Education Dollars, dated June 24, 2009. This letter is the response of the District to the findings and recommendations contained in the report.

Finding 1

Boards of Trustees approve overly generous benefits to themselves which include the following:

- Fully paid health benefits for trustees and their families (often exceeding those of teachers and/or with no payment ceiling)
- Excessive travel and conference costs
- Pension contribution

District Response to Finding 1

Disagree. The Board of Trustees current monthly stipend of \$400 has not changed for at least 10 years. In addition, the Board is offered fully paid health benefits, there are no pension contributions and travel and conference costs have been minimized.

Finding 2

Boards of Trustees are approving overly generous benefits to Superintendents and Chancellors.

District Response to Finding 2

Disagree. The District offers the same benefit package to the Chancellor as the rest of its employees. In addition, the Chancellor is paid a monthly mileage stipend in lieu of claiming mileage expenses and housing allowance. The Board of Trustees has not increased the Chancellor's salary that was negotiated in July 2008.

Finding 3

Superintendent salaries and increases appear to bear no relationship to the number of schools, students, and employees they oversee, nor their district's academic improvement.

District Response to Finding 3

Disagree. The Chancellor's salary is comparable to community college districts of similar size and complexity.

Finding 4

Boards of Trustees hires costly search firms to recruit successors for retiring or dismissed Superintendents/Chancellors.

District Response to Finding 4

Disagree. The District's last search for the Chancellor's position was done at a cost of \$28,000. The District used a firm that specializes in community college administrative hiring.

Finding 5

Boards of Trustees approve the hiring of multiple private attorneys, in some cases at a tremendous expense.

District Response to Finding 5

Disagree. Every four years, the District solicits a Request for Proposal for legal services. The District uses one primary law firm to help the District deal with negotiations, personnel issues, student services and administrative matters.

Finding 6

The operation of 34 K-12 school districts and four community college districts creates excessively high management and administrative costs. Five K-12 school districts have excessively high Superintendent costs per student which is reflective of the district's having only one or two schools.

District Response to Finding 6

Disagree. The current structure of the District is appropriate to the size and complexity of a multi college district. A survey of other community colleges that are of similar size shows management and administrative costs within the median range.

Recommendation 1

Boards of Trustees should carefully review the benefits listed in Finding 1 and:

- Eliminate health benefits for Board Members
- Minimize travel and conference costs
- Eliminate pension contributions

District Response to Recommendation 1

The recommendation has been partially implemented. Some of the Board members continue to receive health benefits. The district reviews on an annual basis the benefit plans offered for its employees and the Board of Trustees. The budget for travel and conference for the Board of Trustees is very limited. Further, there are no pension contributions.

Recommendation 2

Boards of Trustees should carefully review and renegotiate the Superintendent/chancellor benefits listed in Finding 2 for possible reduction and/or elimination.

District Response to Recommendation 2

The recommendation has been implemented. The new Chancellor's contract which started in August 2008 was negotiated and approved by the Board. Many of the extra benefits identified in the report were not included in the new Chancellor's contract. No changes have been made to the Chancellor's contract.

Recommendation 3

The Board of Trustees should ensure that Superintendent/Chancellor salaries and increases take into account the number of schools, teachers, and students they oversee, and are tied to the district's students' progress and quantifiable metrics.

District Response to Recommendation 3

The recommendation has been implemented, as the Chancellor's salary is comparable to community college districts of similar size and complexity.

Recommendation 4

Boards of Trustees should conduct a preliminary search within the local area prior to hiring search firms.

District Response to Recommendation 4

The recommendation will not be implemented, as the critical nature of the position of Chancellor requires a broader search.

Recommendation 5

All Boards of Trustees should engage County Counsel whenever possible and leverage their buying power to negotiate lower fees with private law firms.

District Response to Recommendation 5

The recommendation will not be implemented as the District needs timely legal advice in dealing with many complex legal issues including personnel complaints, lawsuits, negotiations, and construction. The District issues a Request for Proposal every four years to minimize its legal costs and County counsel is invited to make a proposal.

Recommendation 6

A consolidation of districts should be considered to reduce the numbers and costs of Superintendents/Chancellors, Boards of Trustees, administrative staff and overhead.

District Response to Recommendation 6

The recommendation will not be implemented as the current structure of the District is appropriate to its mission and the level of support to students.

The above responses were approved by the West Valley-Mission Community College District's Board of Trustees at its August 20, 2009, meeting and are respectfully submitted.

Sincerely,



John E. Hendrickson

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